## **SYLLABUS**

## LL.M.

(Recommended by 9<sup>th</sup> BOS, USLR vide Resolution No. 9.7 & Approved in the 13<sup>th</sup>Academic Council vide Resolution No: ACA: 13:21:03)

**Effective from Academic Session: 2021-22** 



# University School of Law and Research UNIVERSITY OF SCIENCE & TECHNOLOGY MEGHALAYA

Techno City, 9<sup>th</sup> Mile, Baridua, Ri-Bhoi, Meghalaya, 793101

## UNIVERSITY SCHOOL OF LAW AND RESEARCH UNIVERSITY OF SCIENCE & TECHNOLOGY, MEGHALAYA

The University offers One Year LL.M. (Master of Laws) Degree Programme. Students admitted to One Year LL.M. Degree Programme at University School of Law and Research (USLR), University of Science & Technology, Meghalaya have to complete three mandatory papers and six elective papers and a dissertation in order to complete the programme. Student who opts for minimum four out of six electives in a particular specialisation will secure an LL.M. in that specialisation whereas the student, who do not make such an option and/or opt for papers from diverse specialisations, will be awarded LL.M. (General).

The following specialisations are to be offered at University School of Law and Research (USLR) University of Science & Technology, Meghalaya:

- 1. Corporate and Commercial Laws
- 2. Constitutional and Administrative Law
- 3. Criminal and Security Law

The University reserves the right to offer the specialisations subject to the exegeses of faculty in any given academic year. The University may expand the number of specializations if merited by the faculty expertise.

The one year LL.M. programme shall have 36 credits with three mandatory courses of 4 credits each (making a total of twelve credits), six optional courses of 3 credits each (making a total of 18 credits) and a dissertation of 6 credits.

## UNIVERSITY SCHOOL OF LAW AND RESEARCH UNIVERSITY OF SCIENCE & TECHNOLOGY, MEGHALAYA

## Syllabus of One Year LLM (Master of Laws) Degree Program

The University offers One Year LL.M. (Master of Laws) Degree Programme. Students admitted to One Year LL.M. Degree Programme at University School of Law and Research (USLR), University of Science & Technology, Meghalaya have to complete three mandatory papers and six elective papers and a dissertation in order to complete the programme. Student who opts for minimum four out of six electives in a particular specialisation will secure an LL.M. in that specialisation whereas the student, who do not make such an option and/or opt for papers from diverse specialisations will be awarded LL.M. (General).

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#### **Course Structure**

## LLM 1st Semester

				_	I	
Paper	Core/Elec	Title of the Paper	Credit	Internal	External	Total
_		•		Marks	Marks	Marks
Code				IVIGI IS	Wiaiks	Maiks
Couc						
		Compulsory Papers				
		Compulsory rapers				
LLM 1.1	Core-1	Research Methods and Legal	4	30	70	100
22111 111	2010 1			50	, 0	100
		Writing				
LLM 1.2	Core-2	Comparative Public Law	4	30	70	100
LLWI 1.2	Corc-2	Comparative I done Law		30	70	100
LLM 1.3	Core-3	Law and Justice in a Globalizing	4	30	70	100
EENT 1.5		World	•	30	, 0	100
		World				
	CCL	Corporate and Commercial Law				
	CCL	Corporate and Commercial East				
LLM 1.4	CCL-1	Corporate Governance	3	30	70	100
		Coop come contained			, ,	
LLM 1.5	CCL-2	Company Law	3	30	70	100
LLM 1.6	CCL-3	Banking and Insurance Law	3	30	70	100

	CAL	Constitutional and Administrative Law				
LLM 1.4	CAL-1	Constitutional Law of India and Expanding Horizons	3	30	70	100
LLM 1.5	CAL-2	Limited Governance and Security Legislations in India	3	30	70	100
LLM 1.6	CAL-3	Centre-State Relations and Constitutional Governance	3	30	70	100
	CSL	Criminal and Security Law				
LLM 1.4	CSL-1	Criminology & Criminal Justice Administration	3	30	70	100
LLM 1.5	CSL-2	Penology and Victimology	3	30	70	100
LLM 1.6	CSL-3	Cyber-crimes	3	30	70	100

## LLM 2<sup>nd</sup> Semester

Paper	Core/Elec	Title of the Paper	Credit	Internal	External	Total
Code				Marks	Marks	Marks
	CCL	Corporate and Commercial Law				
LLM 2.1	CCL-4	International Trade and Competition Law	3	30	70	100
LLM 2.2	CCL-5	Consumer Protection Law	3	30	70	100
LLM 2.3	CCL-6	Intellectual Property Law	3	30	70	100
LLM 2.4	Core-4	Dissertation	6	••••		200
	CAL	Constitutional and Administrative Law				
LLM 2.1	CAL-4	Independence of Judiciary	3	30	70	100
LLM 2.2	CAL-5	Administrative Law	3	30	70	100
LLM 2.3	CAL-6	Rights of Religious and Linguistic Vulnerable Groups	3	30	70	100
LLM 2.4	Core-4	Dissertation	6	••••		200
	CSL	Criminal and Security Law				
LLM 2.1	CSL-4	Criminal Justice System and Human Rights	3	30	70	100

LLM 2.2	CSL-5	International Criminal Law	3	30	70	100
LLM 2.3	CSL-6	Police Law and Administration	3	30	70	100
LLM 2.4	Core-4	Dissertation	6			200

## 1<sup>st</sup> Semester LL.M Subject: Research Methods and Legal Writing Paper: LLM 1.1/ Core-1

End Semester-70 Internal Assessment -30

**Total Marks: 100** 

**Objectives:** The paper legal research and methodology helps to analyse the facts in a new theoretical framework. It helps to examine the consequences of new facts and new principal of law or judicial decisions. It helps to develop new legal research tools or apply tools of other disciplines in the area of law. The goal of legal writings is to articulate the way people interact with the rules which govern society in an understandable and through manner.

#### **Learning Outcomes:**

- 1. Students will have Basic research Skills
- 2. Basic citation Skills becomes familiar with the different sections, introduced to various other citation manuals and rules used within nation and globally.

UNIT	Sub-Unit	Content	Class	Marks
	F774 . 3		Hours	
1	Title	Introduction of Legal Research	12hrs	14
	1.1	Meaning; objectives and scope of legal		
		research.		
	1.2	Socio-legal Research in India		
	1.3	Research Method vis-a-vis Research		
		Methodology		
	1.4	Kind of Legal Research- Doctrinal and Non-		
		doctrinal legal research;		
	1.5	Doctrinal research vis-a-vis empirical research		
2	Title	Research Design and Techniques	12hrs	14
	2.1	Primary and secondary source		
	2.2	Workable Hypothesis-formulation and		
		evaluation		
	2.3	Major steps in research design		
	2.4	Sampling		
	2.5	Survey and Case Study method		
3	Title	Research Tools and Data Processing	12hrs	14
	3.1	Observation		
	3.2	Interview and schedule		
	3.3	Questionnaire		
	3.4	Socio-metrics and jurimetrics		
	3.5	Data processing (deductions and Inductions) analysis and interpretation of data		

4	Title	Legal Writing: introduction	12hrs	14
	4.1	Report/article writing in legal research		
	4.2	Use of definitions, maxims, concepts, principles, doctrines in legal research		
	4.3	Citation methodology		
	4.4	Research Report		
	4.5	Book review and case comments		
5	Title	Legal Terminology	12hrs	14
	5.1	Terms used in civil and criminal Law.		
	5.2	Legal Maxims		
	5.3	Structure of legal writing		
	5.4	Legal concepts		
	5.5	Drafting of law reports		

#### **Practical exercise:**

- 1. Seminar
- 2. Article writing
- 3. Drafting of law reports
- 4. Reporting of case laws with citation

## **Recommended Books:**

- 1. Price, M.O. Bitner, H. and Bysiewiez : Effective Legal Research, Boston little Brown publications, 4<sup>th</sup> edition.
- 2. S.K. Verma & Dr. Afzal Wani: Legal Research Methodology, Indian law institute, 2<sup>nd</sup> edition.
- 3. Anwarul Yaqin : Legal Research Methodology , lexis nexis, first edition(1 January 2008)
- 4. S.K. Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay, Central Law publications.
- 5. N.R. Madhav Menon, (ed) A Handbook of Clinical Legal Education, (1998) Eastern Book Company publishing, Lucknow.
- 6. Grade, William J.and Paul, K. Hatt.: Methods in social Research, McGraw-Hill Book Company publications, London, 1952
- 7. Erwin, C. Surrency, B. Fieif and : A Guide to Legal Research, Oceana Publications, 1959.
- 8. J. Cera Morris, L. Cohan: Legal Research, West Publishing House Co.publications, 2018.
- 9. Kothari, C.K.: Research Methodology: Method and Technology, New age international publishers; 4<sup>th</sup> edition, 2019
- 10. Myneni: Legal Research Methodology, Allahabad Law Agency, 2017

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## 1<sup>st</sup> Semester LL.M Subject: Comparative Public Law Paper: LLM 1.2/Core-2

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** Comparative public law provides a basis for legal unification or harmonization, or simply increase knowledge and extend awareness, especially in legal education. It provide an overview of the scope, uses and methods of comparative law.it critically analyse new constitutional movements that are changing the boundaries of constitutionalism and constitutional systems.

### **Learning Outcomes:**

- 1. Students will able to define, distinguish and apply the basic concepts comparative public law.
- 2. Students will able to attain deeper knowledge of the legal systems in effect.
- 3. Students will be able to be familiar with the methodology of comparative public law

UNIT	Sub-Unit	Content	Class Hours	Marks
1	Title	Introduction	12hrs	14
	1.1	Meaning and definition of Public Law		
	1.2	Concept of Public Law		
	1.3	Globalization of Comparative Public Law		
	1.4	Constitutionalism and Rule of Law		
	1.5	Difference between Public and Private Law		
2	Title	Tools of Comparative Public Law	12hrs	14
	2.1	Constitutional Law – Forms of Government, Separation of Power		
	2.2	Legislative Mechanism – Supremacy of Legislature		
	2.3	Typology of Federalism – USA, India		
	2.4	Problems and Concerns in using Comparison		
	2.5	Role of Courts in Preserving Federalism		
3	Title	Public Interest Litigation – US, India	12hrs	14
	3.1	Public Interest Litigation movement in India and US, Independence of Judiciary		
	3.2	Judicial Activism		
	3.3	Judicial Accountability		
	3.4	Principles of Accountability and Public Law		
	3.5	Concept of separation of Power		
4	Title	Ombudsman	12hrs	14
	4.1	Ombudsman in Scandinavian countries		
	4.2	International Scenario – Common law and Civil		

		law		
	4.3	Domestic violations-Internationals, Nationals		
	4.4	Plea Bargaining- USA, India White collar Crimes		
	4.5	Indian Scenario i) Lokpal (Ombudsman)		
		ii) Lokayukta		
5	Title	Comparative Administrative Law	12hrs	14
5	Title 5.1	Comparative Administrative Law French concept of Separation of Powers and	12hrs	14
5			12hrs	14
5		French concept of Separation of Powers and	12hrs	14
5	5.1	French concept of Separation of Powers and Administrative courts	12hrs	14
5	5.1	French concept of Separation of Powers and Administrative courts  Droit Administrative	12hrs	14
5	5.1 5.2 5.3	French concept of Separation of Powers and Administrative courts  Droit Administrative  Scope of Judicial review of UK, US, India	12hrs	14

#### **Practical exercise:**

- 1. Research work
- 2. Debate

#### **Books Recommended:**

- 1. Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A 2.Cornerstone of Good Governance (Oxford University Press, 2010).
- 3. D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur).
- 4. David Strauss, The Living Constitution (Oxford University Press, 2010)
- 5. Dr. Subhash C Kashyap, Framing of Indian Constitution (Universal Law, 2004)
- 6. Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008).
- 7. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006)
- 8. M.V. Pylee, Constitution of the World (Universal, 2006)
- 9. Mahendra P. Singh, Comparative Constitutional Law (Eastern Book Company, 1989).
- 10. Neal Devins and Louis Fisher, The Democratic Constitution (Oxford University Press, 2010)
- 11. S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).
- 12. Sudhir Krishna Swamy, Democracy and constitutionalism in India A Study of the Basic Structure Doctrine (Oxford University Press, 2009)
- 13. Sunil Khilnani, Vikram Raghavan, Arun Thiruvengadam, Comparative Constitutionalism in South Asia (Oxford University Press, 2013).
- 14. Vikram David Amar, Mark Tushnet, Global Perspectives on Constitutional Law (Oxford University Press, 2009).
- 15. Zachery Elkins, Tom Ginsburg, James Melton, The Endurance of National Constitutions (Cambridge University Press, 2009).
- 16. D. D. Basu Comparative Administrative Law (2<sup>nd</sup> edition, Wadhwa Nagpur) Wade and Philips Constitutional Law
- 17. Subhram Rajkhuwa and Stuti Deka, Comparative Public Law, 2016, Eastern Book House, Panbazar, Guwahati

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## 1<sup>st</sup> Semester LL.M. Subject: Law and Justice in Globalizing World Paper: LLM 1.3/ Core-3

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** Law and Justice in globalizing world analyse the concept of law through various legal theories. This course is a course on applied justice. Globalisation has stimulated a revival of debates about law and justice. And the purpose of the stated paper is to make us understand about the relationships between law and justice. The paper too enables the students to appreciate the demands for change raised by different groups to the international legal order and institutions in the light of globalization.

#### **Learning Outcomes:**

- 1. Understand the process of globalization and it an impact on international as well as municipal law.
- 2. To enable the students to critically analyse the concept of global justice and the mechanisms designed to be achieved.
- 3. To enable the students to appreciate the demands for change raised by different groups to the international legal order and institutions in the light of globalization.

	1	ontent		
UNIT	Sub-Unit	Content	Class Hours	Marks
1	Title	Law and Justice	12hrs	14
	1.1	Introduction to Law and Justice		
	1.2	Relationship of Law and Justice		
	1.3	Formal requirements of Law: (Systematisation,		
		Completeness, Foresee ability and Consistency)		
	1.4	Relationship between Law and Morality		
	1.5	Impact of Globalisation and Law on		
		Sovereignty of States/ Welfare States		
2	Title	Global Justice-I	12hrs	14
	2.1	Global Justice and its various dimensions		
		(Nationalism, Cosmopolitanism and		
		Multiculturalism)		
	2.2	Concept of Global dimension of Justice:		
		Welfare, Freedom and Virtue		
	2.3	Global Justice and Politics		
	2.4	Global Justice and Global Ethics		
	2.5	Global Justice and International Relation		
3	Title	Global Justice-II	12hrs	14
	3.1	Global Justice and Environmental Protection		
	3.2	Global Justice and Trade Liberalisation		
	3.3	Global Justice and Technology		
	3.4	Global Justice and Regionalism		
	3.5	Global Justice and Religion		
4	Title	<b>Problems of Global Justice</b>	12hrs	14
	4.1	Social Problem		
	4.2	Economic Problem		

	4.3	Political Problem		
	4.4	Environmental Protection		
	4.5	Human Rights		
5	Title	Perspectives in Global Justice	12hrs	14
	5.1	Human rights obligations beyond the State		
	5.2	Forced Migration: Nation State, borders and rights		
	5.3	Rights of indigenous peoples		
	5.4	Gender and Law		
	5.5	Transnational Justice		

#### **Legislation:**

1.Forest Right Act, 2006

#### **Pratical exercise:**

- 1. Project Work
- 2. Debate
- 3. Articles Writings
- 4. Research Work

#### **Recommended books:**

- 1. Brian Barry, Culture and Equality. Cambridge: Polity, 2001
- 2. Duncan Bell (ed.) Ethics and World Politics. Oxford 2010.
- 3. Allen Buchanan. Justice, Legitimacy, and Self-determination: Moral Foundations for International Law. Oxford 2004.
- 4. Simon Caney, Justice Beyond Borders. Oxford:, 2005
- 5. Nicole Hassoun. 2008a. "World Poverty and Individual Freedom." American Philosophical Quarterly. Vol. 45, No. 2: 191-198.
- 6. Andrew Hurrell. 2001. "Global Inequality and International Institutions." Global Justice.
- 7. Martha Nussbaum, Frontiers of Justice. Cambridge, Mass.: Harvard University Press, 2006.
- 8. Thomas Pogge, World Poverty and Human Rights. Cambridge: Polity, 2002.
- 9. John Rawls, The Law of Peoples. Cambridge, Mass.: Harvard University Press, 1999
- 10. Amartya Sen, Development as Freedom. Oxford: 1999

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## 1<sup>st</sup> Semester LLM Subject: Corporate Governance Paper: LLM 1.4/ CCL-1

End Semester-70 Internal Assessment -30 Total Marks: 100

**Objectives:** Is to build an environment of trust, transparency and accountability necessary for fostering long term investment, financial stability and business integrity, thereby supporting stronger growth. For this reason it is very important to introduce the students which lay a powerful foundation for their study of other transactional and related laws in higher semesters.

#### **Learning Outcomes:**

- 1. Demonstrate a solid understanding of the purpose and nature of corporations.
- 2. Evaluate different stakeholders' roles and significance in relation to corporate governance.
- 3. Evaluate international differences and similarities in relevant institutions and developments.
- 4. Critically assess governance concerns for individual corporation and their stakeholders

UNIT	Sub-Unit	Content	Class Hours	Marks
1	Title	Introduction of corporate governance	12hrs	14
	1.1	The role and purpose of the corporation		
	1.2	Theoretical aspects of corporate governance		
	1.3	Agency theory and separation of ownership and control		
	1.4	Corporate Governance and Corporate Responsibility		
	1.5	Globalization and Corporate Governance		
2	Title	Shareholders and Shareholder Activism	12hrs	14
	2.1	Ownership structure and firm performance		
	2.2	Market for corporate control		
	2.3	Proxy fights and takeover bids & Hedge fund activism		
	2.4	The role of institutional investors		
	2.5	Executive compensation & Stock options		
3	Title	Boards of Directors & Management	12hrs	14
	3.1	Director and board structure	121113	17
	3.2	Who are they? Role, fiduciary duties and responsibilities		
	3.3	Independent director & Sarbanes-Oxley Compliance		
	3.4	Management ownership and firm performance		
	3.5	Theory of Financial Contracting	-	
4	Title	International Corporate Governance	12hrs	14

	4.1	Cross-Country comparison		
	4.2	Cross-country difference vs. Firm-level		
		difference		
	4.3	Cross-Border investment by foreign investors		
	4.4	Investor protection and home bias & Country case study: China		
	4.5	Organization of Audit Committee, Blue Ribbon		
		Committee: Objectives		
5	Title	Governance, Political Economy, and	12hrs	14
		Banking		
	5.1	Political economy models of corporate		
		governance arrangements		
	5.2	Governance, Compensation and Bank Risk-		
		Taking		
	5.3	The Role of Public Disclosure		
	5.4	Responsibilities and Duties of the Board		
	5.5	Recommendations for Enhancing Bank		
		Transparency, Supportive Environment to		
	1	Corporate Governance		

#### **Practical exercise**

1. Report on investing procedure on stock market

#### **Recommended Books:**

- 1. A .C.Fernando, Corporate Governce ,Pearson Education publication , 3<sup>rd</sup> edition
- 2. Subhas Chandra Das, Corporate Goverence in India -An Evaliation- Phi learning Pvt. Ltd 4<sup>th</sup> edition.
- 3. Dr.Tej Singh & Lakshay Garg Corporate Goverence, Mahavir Publication Company Introductory edition.
- 4. Kesho Prasad, Corporate Goverence, Prentice hall India Learning private Limited 3<sup>rd</sup> Edition.
- 5. Neeti Shikha and Geetanjali Sharma, Corporate Governance in India, Cengage Learning India Pvt Ltd.

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## 1<sup>st</sup> Semester LL.M Subject: Company Law Paper: 1.5/CCL -2

End Semester-70

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** The students through this subject will have an idea about trade and commerce, business transactions and its various dealings. The basic principles governing the companies and firms are fairly dealt under this subject. Whether the company is suffering loss or profit, sick or under winding up stage, the students are well acquainted with it.

### **Learning Outcomes:**

Students graduating will be able to:

- 1. Define, distinguish and apply the basic concepts of such laws.
- 2. Analyse the concept attach to it and distinguish various processes involved in it.
- 3. Identify the relevant legal issues that arise under this area of law.

UNIT	Sub-Unit	Content	Class Hours	Marks
1	Title	Introduction	12hrs	16
•	1.1	Meaning of Company, characteristics, corporate personality& lifting of corporate veil		
	1.2	Forms of corporate & non corporate organizations, memorandum of association, articles of association		
	1.3	Doctrine of constructive notice and indoor management exceptions		
	1.4	Prospectus-issue, contents, liability for misstatements, statement in lieu of prospectus		
	1.5	Promotors-position-duties and liabilities		
2	Title	Shareholders	12hrs	16
	2.1	Shares-general principles of allotment, statutory restrictions.		
	2.2	Share certificate- objective & effects, transfer of shares, restriction on transfer, procedure & refusal of transfer		
	2.3	Shareholder-meaning, modes, forfeiture & surrender of shares		
	2.4	Lien on shares right& liabilities of shareholders		
	2.5	Share capital-kinds, alteration & reduction of share capital.		
3	Title	Managerial Personnel, Meetings, Dividends	12hrs	16
	3.1	Directors-position-appointment-qualifications-removal & resignation.		
	3.2	Powers & duties of directors-meeting, registers, loans remuneration of directors, role of nominee directors-compensation for loss of		

		office.		
	3.3	Managing directors& other managerial		
		personnel, meetings-kinds, procedure -voting		
	3.4	Dividends & debentures-kinds of debentures.		
	3.5	Majority rule: protection of minority rights,		
		prevention of oppression & mis-management,		
		who can apply, powers of the court and the		
		central government.		
4	Title	Winding Up of Companies	12hrs	16
	4.1	National Company Law Tribunal, powers and		
		functions		
	4.2	Winding up: types, By court, reasons, grounds,		
		who can apply-procedure		
	4.3	Powers of liquidator-powers of court-		
		consequence of winding up order-		
	4.4	Voluntary winding up by members and		
		creditors, winding up subject to the supervision		
		of court.		
	4.5	Winding up proceedings: appointment of		
		liquidator, powers and duties of official		
_		liquidator, preferential payments.	4.07	1.0
5	Title	Joint Ventures	12hrs	16
	5.1	Meaning & characteristics of Joint Ventures		
	5.2	Role in business strategy		1
	5.3	Tax aspects of joint ventures		
	5.4	International joint ventures		
	5.5	Reasons of failures of joint ventures		

#### PRESCRIBED LEGISLATION:

- 1. The Companies Act of 1956
- 2. The Companies Act of 2013.
- 3. The Limited Liability Partnership Act, 2008.
- 4. The Indian Partnership Act, 1932.

#### **Recommended Case Laws:**

- 1. Tony Francis Guiness vs indekka software pvt.ltd AIR 2005 SC 1624
- 2. Pramathanathsanyal vs kali kumar dutt AIR 1925 Cal. 714
- 3. Internet and Mobile Association of India vs Reserve Bank of India AIR 2020 SC 53.
- 4. M.S. Madhusudanan vs keralakaumudipvt.ltd. AIR 2004 SC 909(926).
- 5. Vineeta Sharma vs Rakesh Sharma, 2020 SC 322.
- 6. Centre For Public Interest Litigation vs Union of India AIR 2020 SC 360.
- 7. Union of India vs Agricas LLP 2020 SC 531.

#### **Practical Exercise:**

- 1. Injunction.
- **2.** Agreement to sale.
- 3. Shares and Stocks market.
- **4.** Profit and loss of capital, shares, dividends etc.

#### **Recommended Books:**

- 1. Palmer: Company Law(vol.1)(1972): Stevens and Sons ltd., London
- 2. D.K.Jain: Company Law Ready Reckoner, 2001, Bharat Law House Pvt.Ltd., Delhi.
- 3. Dr.Avatar Singh: Company Law, 2000, Eastern Book Company, Lucknow.
- 4. Kailash Rai, Company Law, 2005 Allahabad Law Agency, Allahabad.
- 5. C.R.Datta, Datta on the Company Law; Lexis Nexis,2001,Butterworth Wadhwa,Nagpur.
- 6. A.Ramaiya, Guide to Companies Act;Lexis Nexis,2002, Butterworths Wadhwa, Nagpur.
- 7. V.S.Datey, Guide to Tax and Corporate Laws; 1999, Taxmann, New Delhi.
- 8. M.C.Kuchhal, Modern Indian Company Law, 1999, Shri Mahavir Book Depot, Delhi.
- 9. H.K.Saharay, Company Law;2000, Universal Law Publishing Co., Delhi.
- 10. K.C.Garg, R.C.Chawla, Vijay Gupta: Company Law;2001, Kalyani Publishers, Ludhiana.

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## 1<sup>st</sup> Semester LL.M Subject: Banking & Insurance Laws Paper: LLM 1.6/CCL 3

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** The students through this subject will have a idea about the banking & insurance related laws in general. This paper tries to enhance the understanding of problems arising out of banking system and enables to find solution of it. It also educate about the various regulation of banking laws at national and international level.

### **Learning Outcomes:**

Students graduating will be able to:

- 1. The students will have knowledge of banking, insurance and capital market laws.
- 2. The research scholars can help to eliminate deficiencies in laws and public policies through their research work findings.
- 3. A good research can contribute in resolving many financial problems. Further it can also lead to enactment of new laws and amendments to the existing laws.

UNIT	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	Introduction	12hrs	16
	1.1	Origin of the word 'Bank'-evolution of banking		
		institution; classification of banking		
	1.2	Commercial banking-central bank-the Reserve		
		Bank of India-organization, functions and		
		powers		
	1.3	Branch banking and unit banking		
	1.4	Chain banking and group banking		
	1.5	Deposit banking investment; banking & mixed		
		banking-features & functions		
2	Title	The Banking Regulation Act, 1949	12hrs	16
	2.1	Definitions, banking, banking-policy, branch		
		office, company demand and time liability		
	2.2	Business in engagement, management and		
		control, determination of policy by RBI		
		regarding loans and advances		
	2.3	Powers of RBI		
	2.4	Suspension of business winding up-powers of		
		High Court in Winding up		
	2.5	Nomination for payment of director's money		
3	Title	Relationship Between Bank And Customer	12hrs	16
	3.1	General relationship, obligation of banker		
		;rights of banker		
	3.2	Special types of bank customers-minors,		

		1	ı
3.3	Executors & administrators – customers		
	attorney-joint accounts-partnership firm		
3.4	Payment of firm debts-separate debts, joint		
	stock companies.		
3.5	Modes of charging securities-lien, pledge,		
	hypothecation, mortgage, charge-contract of		
	indemnity and guarantee.		
Title	Negotiable Instrument Act, 1881	12hrs	16
4.1	Characteristics, kinds, difference between bill		
	as exchange and cheque, bill of exchange &		
	promissory note.		
4.2	Parties to negotiable instrument-competence of		
	parties, liabilities, discharge		
4.3	Dishonor of instruments, liabilities of bankers,		
	when a banker can refuse to pay		
	customer,cheque		
4.4	Liabilities as collecting banker-crossing of		
	cheque-liabilities of bankers on crossed cheque,		
4.5	Payment of customer's cheque, the paying		
	banker's risk-precaution to be taken.		
Title	Law Of Insurance	12hrs	16
5.1	Nature and scope of insurance		
5.2	Classification; general principles- proximate		
	cause		
5.3	Doctrine of Utmost Good Faith		
5.4	Rules of construction of Insurance policy.		
5.5	Concept of life insurance, fire insurance,		
	marine insurance, miscellaneous or liability		
	insurance.		
	3.5  Title 4.1  4.2  4.3  4.4  4.5  Title 5.1  5.2  5.3  5.4	attorney-joint accounts-partnership firm  3.4 Payment of firm debts-separate debts, joint stock companies.  3.5 Modes of charging securities-lien, pledge, hypothecation, mortgage, charge-contract of indemnity and guarantee.  Title Negotiable Instrument Act, 1881  4.1 Characteristics, kinds, difference between bill as exchange and cheque, bill of exchange & promissory note.  4.2 Parties to negotiable instrument-competence of parties, liabilities, discharge  4.3 Dishonor of instruments, liabilities of bankers, when a banker can refuse to pay customer, cheque  4.4 Liabilities as collecting banker-crossing of cheque-liabilities of bankers on crossed cheque,  4.5 Payment of customer's cheque, the paying banker's risk-precaution to be taken.  Title Law Of Insurance  5.1 Nature and scope of insurance  5.2 Classification; general principles- proximate cause  5.3 Doctrine of Utmost Good Faith  5.4 Rules of construction of Insurance policy.  5.5 Concept of life insurance, fire insurance, marine insurance, miscellaneous or liability	3.3 Executors & administrators — customers attorney-joint accounts-partnership firm  3.4 Payment of firm debts-separate debts, joint stock companies.  3.5 Modes of charging securities-lien, pledge, hypothecation, mortgage, charge-contract of indemnity and guarantee.  Title Negotiable Instrument Act, 1881  4.1 Characteristics, kinds, difference between bill as exchange and cheque, bill of exchange & promissory note.  4.2 Parties to negotiable instrument-competence of parties, liabilities, discharge  4.3 Dishonor of instruments, liabilities of bankers, when a banker can refuse to pay customer, cheque  4.4 Liabilities as collecting banker-crossing of cheque-liabilities of bankers on crossed cheque,  4.5 Payment of customer's cheque, the paying banker's risk-precaution to be taken.  Title Law Of Insurance  5.1 Nature and scope of insurance  5.2 Classification; general principles- proximate cause  5.3 Doctrine of Utmost Good Faith  5.4 Rules of construction of Insurance policy.  5.5 Concept of life insurance, fire insurance, marine insurance, miscellaneous or liability

#### PRESCRIBED LEGISLATION:

- 1. The Banking Regulation Act 1949
- 2. The Insurance Act, 1938
- 3. The Life Insurance Corporation Act 1956
- 4. The Insurance Regulatory And Development Authority Act 1999
- 5. The General Insurance Business (Nationalization) Act 1972

#### **Recommended Case Laws:**

- 1. Sajjan Bank(Private)Ltd vs Reserve Bank Of India Air 1961 Mad. 8
- 2. Pink vs Fleming 1890 25 Q.B.D 396.
- 3. Mithoolal Nayak vs LIC ,India Air 1962 SC 814
- 4. Kasim Ali Bulbul vs New India Assurance Co. Air 1968 J&K 39.
- 5. Canara Bank vs P.R.N Upadhya Air 1998 6 SCC 526.

#### **Practical Exercise:**

- 1. Hire Purchase Agreement
- 2. Online Transactions Process.

3. Loans & Capital Investment.

#### **Recommended Books:**

- 1.R.K. Gupta ,Banking –Law And Practice (2008), Research Publication, Allahabad.
- 2. C.R. Dutta & P.M. Bakshi, M.L. Tannan's, Banking –Law And Practice In India (2008). Lexis Nexis, Wadhwa, Nagpur.
- 3.M.N.Mishra –Law of Insurance, 2005, S.Chand & Company Ltd, New Delhi.
- 4.K.S.N Murthy& K.V.S Sarma ,Modern Law Of Insurance In India(2019), Lexis Nexis, Wadhwa, Nagpur.
- 5. Sheldon H.P.: Practice And Law Of Banking, 2015,10 The Edition, London.
- 6.Dr. P.Periyaswamy: Principles And Practice of Insurance, Himalaya Publishing House Pvt.Ltd.(2013), New Delhi.
- 7.Bedi.H.L.: Theory And Practice Of Banking.(1972), Guntur, Commercial Literature Co.
- 8.Shekar.K.C.: Banking Theory Law And Practice.2012, Vikash Publishing House Pvt Ltd, New Delhi.
- 9.Radhaswamy &Vasudevan: A Text Book Of Banking,S.Chand& Company, New Delhi,1979.
- 10.Pannandikar & Mithami: Banking In India, Orient Longman, 1975, Bombay.

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## 1<sup>st</sup> Semester LL.M Subject: Constitutional Law of India and Expanding Horizons Paper: LLM 1.4/ CAL-1

End Semester-70 Internal Assessment -30

**Total Marks: 100** 

**Objectives:** The Constitution, a living document, is said to be always in the making. The judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social mores. Constitution being the fundamental law, an insight into its new trends is essential for a meaningful understanding of the legal system and processes. The post graduate students in law who had the basic knowledge of Indian Constitutional Law at LL.B. level, should be exposed to the new challenges and perspectives of constitutional development while they are allowed to choose an area of law for specialization. Obviously, rubrics under this paper require modification and updating from time to time. The following syllabus prepared with these perspectives will be spread over a period of one Semester.

#### **Learning Outcomes:**

- **1.** The course is designed to understand latest trends
- 2. The course aims at understanding the new challenges of the Constitution
- 3. The new remedies as provided by the judiciary shall also be reflected by the course
- 4. The democratic process and secular fabric of the country in the will be under strict scrutiny

UNIT	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	Federalism	12hrs	14
	1.1	Creation of new states		
	1.2	The inter-state disputes on resources		
	1.3	Center's responsibility and internal disturbance within States		
	1.4	Federal comity: Relationship of trust and faith between		
	1.5	Centre and State - Special status of certain States - Areas, Scheduled Areas		
2	Title	State, Right To Equality & Freedom Of	12hrs	14
	2.1	Speech		
	2.1	"State" the need for widening the definition in the wake of liberalisation		
	2.2	Right to equality: privatization and its impact on affirmative action		
	2.3	Freedom of press and challenges of new scientific development		
	2.4	Freedom of speech and right to broadcast and telecast		
	2.5	Right to strike, Hartal and Bandh.		
3	Title	<b>Emerging Regime of New Rights And Remedies</b>	12hrs	14

			l	1
	3.1	Reading Directive Principles and Fundamental		
		Duties into Fundamental Rights		
	3.2	Compensation jurisprudence		
	3.3	Right to education, Commercialization of		
		Education and its impact, Brain drain by		
		foreign education market		
	3.4	Right of minorities to establish and administer		
		educational institutions and state control.		
	3.5	Secularism and religious fanaticism.		
4	Title	Separation of Powers	12hrs	14
	4.1	Judicial activism and judicial restraint		
	4.2	PIL – implementation		
	4.3	Judicial Independence, Appointment, transfer		
		and removal of judges -		
	4.4	Accountability: executive and judiciary		
	4.5	Tribunals		
5	Title	<b>Democratic Process</b>	12hrs	14
	5.1	Nexus of politics with criminals and the		
		business		
	5.2	Election process - Election commission: Status		
	5.3	Electoral reforms		
	5.4	Coalition government - 'stability, durability,		
		corrupt practice		
	5.5	Grass root democracy		

#### **Practical Exercise:**

- 1. Seminar paper
- 2. Research Article
- 3. Debate
- 4. Teaching exercise

#### **Recommended Books:**

- 1. H. M. Seervai, Constitutional Law of India, Vols 1-3, Universal Law Publishing, Lexis Nexis, 2017.
- 2. D.D. Basu, Commentary on the Constitution of India, (9th Edition) Vols 9, 12, 14 2017.
- 3. Granville Austin, Indian Constitution: Corner Stone of a Nation, Oxford, 1999.
- 4. M.V. Pylee, Constitutions of the World, Vols 1 & 2, Universal Law Publishing, 2012
- 5. Erwin Chemerinsky, Constitutional Law: Principles & Policy, 2006, USA
- 6. Blackshield & William, Australian Constitution Law & Theory, 2006
- 7. Macklem& Des Rosiers, The Canadian Constitution, 2017
- 8. Rosenfeld &Sajo, Comparative Constitutional Law, 2013
- 9. A. V. Dicey, Introduction to the Study of Law of the Constitution, 2008
- 10. D. D. Basu, Comparative Federalism, 2008

Apart from the bibliography suggested for this course since the course materials obviously depends upon the latest developments. These developments in the areas specified in the course can be gathered from the recent materials such as case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values.

## 1<sup>st</sup> Semester LL.M Subject: Limited Governance and Security Legislations in India Paper: LLM 1.5/CAL 2

End Semester-70 Internal Assessment -30

**Total Marks: 100** 

**Objectives:** This paper discusses limited government which is one whose legalized force and power is restricted through delegated and enumerated authorities. Countries with limited governments have fewer laws about what individuals and businesses can and cannot do. In many cases, such as the United States, it is a constitutionally limited government, bound to specific principles and actions by a state or federal constitution. The opposite of a limited government is an interventionist or authoritarian government.

This syllabus also examines national security legislation in India, argues that the usual constitutional limits on the executive have failed to restrain the Indian government's power and actions under security laws, and considers how to resuscitate constitutional checks and balances. The syllabus elucidates how security laws are designed to enhance the executive's powers in ways that facilitate human rights abuses. It then argues that the executive has controlled the process of legislating security laws to an extent that significantly dilutes Parliamentary debate and scrutiny. The article analyzes how the Indian Supreme Court has reviewed the constitutionality of security laws since 1980, and argues that the Court failed to engage with constitutional standards when evaluating security laws. Thus, both the legislature and judiciary have endorsed the executive's national security powers without fully engaging with the impact and import of these powers. Repeated endorsement has, in turn, eroded constitutional constraints – in particular, constitutional rights – in significant ways. The syllabus then considers what measures might make the executive more accountable. Past literature has concentrated on moderating the executive's substantive powers under security laws. This syllabus studies reforms that could better regulate the executive's exercise of power under security laws, by weaving regular legislative and judicial scrutiny into decisions that are currently the exclusive preserve of the government. The article argues that the reforms proposed would lower the stakes of disagreeing with the executive, and would, therefore, harness debate and negotiation between different branches of the State on national security.

#### **Learning Outcomes:**

- 1. The students will understand the aspects of Limited governance
- 2. It will also help the students to dwell into the politics of constitutionalism
- 3. The security laws of the country are dealt with.
- 4. The students will get an insight into the application of security laws in various aspects.

UNIT	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	Constitutionalism	12hrs	14
	1.1	'Constitutionalism': The term and its history		
	1.2	Constitutionalism and the making of the Indian		
		Constitution		
	1.3	The politics of Transformative		
		Constitutionalism in post-colonial India		
	1.4	The legal academic debates around the		

		42nd amendment		
	1.5	The judicial fallout of the 42nd amendment		
2	Title	Rule of Law	12hrs	14
_	2.1	The history and elements of rule of law		
	2.2	Rule of law and democracy		
	2.3	Three themes of rule of law		
		<ul> <li>Government limited by law</li> </ul>		
		Formal legality		
		Rule of Law not man		
	2.4	Essential components behind a rule of law		
		society		
	2.5	Constitutionalism and rule of Law in the Indian		
		Context		
3	Title	Concept of state and civil liberty	12hrs	14
	3.1	Meaning of "Security of State", Meaning of		
		"Public Order",		
	3.2	Civil Liberties and Emergency		
	3.3	Preventive Detention and Indian Constitution		
	3.4	Suspension of Article 19 rights on declaration		
		of emergency and its implication		
	3.5	Article 21, special importance – its non-		
		suspend ability - 44th amendment.		
4	Title	Security Legislations in India and its	12hrs	14
		implication		
	4.1	COFEPOSA and other legislation to curb		
		economic Offenders		
	4.2	TADA, POTA, UAPA "the draconian law"?		
	4.3	AFSPA- A Case study		
	4.4	NSA- its uses and misuse by security agencies.		
	4.5	Preventive detention and its potential to be used		
		as a tool for political suppression		
5	Title	Contemporary issues and challenges	12hrs	14
	5.1	Sedition laws in India vis-à-vis the		
		Constitutional guarantee of Freedom		
	5.2	Human Rights Implications of National		
		Security Laws in India: Combating Terrorism		
		While Preserving Civil Liberties		
	5.3	Executive powers under national security laws		
	5.4	Security laws as crutch and cover to executive		
1		action		
	5.5	Role of judiciary in maintaining civil liberties vis-à-vis the need for a security law regime.		

## **Legislations:**

- 1. The Constitution of India
- 2. Conservation of Foreign Exchange and Prevention of Smuggling. Activities Act, 1974

- 3. Terrorist and Disruptive Activities (Prevention) Act
- 4. The Prevention of Terrorism Act 2002
- 5. Armed Forces Special Powers Act
- 6. National Security Act

**Recommended Case Laws:** To be provided recent and relevant cases.

#### **Recommended Books:**

- 1. Ashok Chandra, Federalism in India
- 2. Dr. Subhash C. Kashyap, Constitution of India: Review and Reassessment
- 3. Glanville Austin, The Indian Constitution: Cornerstone of a nation, Delhi; Oxford University Press
- 4. H.M. Seervai, Constitutional Law of India Vol.I&II
- 5. K.C.Wheare, Federal Government.
- 6. L.M Singhvi, Union-State Relations in India
- 7. M.P Jain, Outlines of Indian Legal History.
- 8. M.P.Jain, Indian Constitutional Law.
- 9. M.V Pylee, Constitutional History of India
- 10. Stuti Deka, Constitutionalism & Constitution of India, Eastern Book House, Guwahati
- 11. Monica David, Indian Legal and Constitutional History, 1600-1949, Vimala Publications, 1968.New Delhi: Deep & Deep Publications, 1981

### **Recommended reading**

- 1. Chopra, Surabhi "National Security Laws in India: The Unraveling of Constitutional Constraints" VL 16, Oregon Review of International Law
- 2. C. Raj Kumar, Human Rights Implications of National Security Laws in India: Combating T Combating Terrorism While Preserving Civil Liberties, Denver Journal of International Law and policy.

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## 1<sup>st</sup> Semester LLM Subject: Centre States Relations and Constitutional Governance Paper: LLM 1.6/CAL-3

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** This paper aims at giving the students an insight into the federal structure as envisaged in the Constitution of India and focuses upon educating them about the Legislative, Administrative and Financial relations between the Centre and the States..

### **Learning outcomes:**

- 1. This course aims at making the students familiar with the historical background of and the nature of federalism in India.
- 2. It gives an understanding of the different forms of Constitutions.
- 3. It enables the students to understand the judicial perspective over the Indian federalism. The course develops an understanding of the legislative, administrative and financial relations between the Union and the States.
- 4. It shall help the students to understand the principles of interpretation of various lists and the doctrines in relation thereto.
- 5. The students will be familiarized with the Services under the Union and the States and also the emergency provisions under the Constitution of India.

UNIT	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	Scheme of Distribution of Legislative and	12hrs	14
		Administrative Powers		
	1.1	Introduction to the concept of Federalism		
	1.2	General Scheme of Distribution of Legislative		
		Powers and Art. 245 to 254.		
	1.3	Factors responsible for according paramountcy		
		to the Centre		
	1.4	Administrative Relations Art. 256-263		
	1.5	Limitations on the Powers of the Union and		
		States with respect to freedom		
		of Trade and Commerce		
2	Title	Distribution of Fiscal Powers	12hrs	14
	2.1	Scheme of allocation of Taxing Powers.		
	2.2	Extent of Union Power of Taxation		
	2.3	Residuary Power.		
	2.4	Restrictions on Fiscal Powers:		
		1) Fundamental Rights.		
		2) Restrictions on the State's Power		
	2.5	Inter- Governmental Tax Immunities -		
		Doctrine- its origin and application		
		in USA, Canada, Australia and India		
3	Title	Distribution of Tax, Revenue and Financial	12hrs	14

		Equilibrium		
	3.1	Tax- Sharing under the Constitution		
	3.2	Grants - in - aid. (Art. 275) and Specific		
		Purpose Grants (282).		
	3.3	Borrowing power of the Government of India		
		and the States		
	3.4	Recent developments in tax sharing		
	3.5	Harmonising tax relations		
4	Title	<b>Planning Commission, Finance Commission,</b>	12hrs	14
		NITI Aayog and distribution of services		
	4.1	Finance Commission – Constitution		
	4.2	Function, Role and Work of the		
		Commission		
	4.3	Drawback of Planning Commission		
	4.4	Working of NITI Aayog		
	4.5	Recruitment and Regulations of Conditions of		
		Services by Union and States		
5	Title	Co-operative Federalism	12hrs	14
	5.1	Development from Competitive to Co-		
		operative Federalism -Emerging Trends.		
	5.2	Inter-State Council		
	5.3	Zonal Councils.		
	5.4	Inter-State Water Disputes		
	5.5	National Integration Council		

#### **Legislations:**

- 1. The Constitution of India
- 2. Citizenship Amendment Act,2019

#### **Recommended Case laws:**

- 1.State of Bihar vs. CharusilaDasi, AIR 1959 SC 1002 188
- 2. State of Bombay vs. R. M. D. C., AIR 1957 SC 699
- 3. Tata Iron & Steel Co. Ltd. vs. State of Bihar, AIR 1958 SC 452
- 4. G.V.K. Industries vs. Income Tax Officer, (2011) 4 SCC 36
- 5. Rameshwar Oraon vs. State of Bihar and Ors. (1995)
- 6. State of Karnataka vs. Union of India, AIR 1977
- 7. State of Rajasthan vs. Union of India, AIR 1977
- 8. In Swaraj Abhiyan vs. Union of India ,AIR 2017
- 9.Inter-State Water Disputes Act, 1956. State of Kerala through the Chief Secretary to 10.Government vs. State of Tamil Nadu through the Chief Secretary to Government AIR 2018

#### **Practical Exercise:**

- **1.**Project for students: Inter-state water dispute in India
- 2. Debate: Tussle between state and central powers regarding revenues

#### **Recommended Books:**

- 1.Dr.Subhash C. Kashyap, Our Constitution-An Introduction to India's Constitution and Constitutional Law, 5th edition reprint 2014..
- 2.K.C. Wheare, Federal Government, 4th Edition, 1963 London, New York, Oxford University Press
- 3. D.T. Lakadawala Union State Financial Relations, 1967 Bombay Lalvani publication.
- 4. M.P. Jain Indian Constitutional Law, eight Edition, 2018 Lexis Nexis
- 5. H.M. Seervai Constitutional law of India Vol.2, 2005, Universal law publication.
- 6. Daniel J. Elazer- American Federalism Chap. 3&4.,1984
- 7. Chandrapal, Centre State Relations and Co-operative Federalism, Chap.
- 5 & 8 (1983)
- 8. A.G. Noorani, (ed.), Centre State Relations in India, Bombay: Lesley Saehney Programme for Training, 1972.
- 9. De Jatindra Ranjan, Development of Federalism in India, 1974, Gauhati Bani Prakashani
- 10. Desai, Justice D.A. Prasad Anirudh, Centre And State Powers Under Indian Federalism
- 11. Dr. Subhash C. Kashyap, The Framing of India's Constitution- A study & Constitution making since 1950- An Overview.

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## 1<sup>st</sup> Semester LLM Subject: Criminology and Criminal Justice Administration Paper: LLM 1.4/CSL-1

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** Promoting a critical understanding of crime and concomitant issues by engaging in research that contributes to the body of knowledge in a vital area of concern to society and that enhances learning opportunities for students. Preparing students for careers in the field and for advanced academic studies. For this reason it is very important which lay a powerful foundation for their study of other transactional and related laws in higher semesters.

## **Learning Outcomes:**

- 1. Criminology and justice studies students will exhibit the ability to apply criminology theory, research methods, and appropriate technology to assess, evaluate and address issues in the practice of criminology and criminal justice.
- 2. Using core concept from criminology theory, students will conduct a research study creating suitable research questions methodology, and analysis to draw valid, ethical, empirically based conclusions.
- 3. Students will develop and apply a personal understanding of diversity and the way it impacts work in criminology and criminal justice administration.

UNIT	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	Concept of Criminology	12hrs	14
	1.1	Meaning, Nature & Scope		
	1.2	Basic Features of Criminology		
	1.3	Pure Criminology		
	1.4	Practical Criminology		
	1.5	Criminalities		
2	Title	Schools of Criminology	12hrs	14
	2.1	Pre-Classical School of Criminology		
	2.2	Classical School of Criminology		
	2.3	Neo Classical School of Criminology		
	2.4	Positivist School of Criminology (Italian		
		School)		
	2.5	Clinical School of Criminology, Sociological		
		School of Criminology		
3	Title	Theories of Criminology	12hrs	14
	3.1	Theory of Radical Criminology (Marxist		
		Approach		
	3.2	Modern Conflict Theories: Sellin's Cultural		
		Conflict Theory, Vold's Group Conflict		
		Theory, Quinney's Theory of Social Reality of		
		Crime, Turk's Theory of Criminalization		
	3.3	The Modern Theory of Criminology		
	3.4	Marxist Theory of Criminology		
	3.5	Bonger's Theory of Economic Criminality		
4	Title	Criminal Justice Administration	12hrs	14

	4.1	Concept of criminal jurisprudence,		
	1.1	Administration of criminal justice.		
		3		
		Organizational hierarchy of criminal court and		
		their jurisdiction. Organization of prosecuting		
		agencies for prosecuting criminals;		
		prosecution, police and withdrawal of		
		prosecution		
	4.2	<b>Pre-trial Procedures</b> -arrest and questioning of		
		the accused, the rights of the accused, the		
		evidentiary value of statements/ articles		
		seized/collected by the Police, right to counsel,		
		role of the prosecutor and the judicial officer in		
		Investigation		
	4.3	Trial Procedures- the Accusatory system of		
		trial and the inquisitorial system of trial-role of		
		the Judge, the prosecutor and defence attorney		
		in the trial-admissibility and inadmissibility of		
		evidence-expert evidence appeal of the Court		
		in awarding appropriate punishment		
	4.4	Correction and after care services-Correctional		
		institutions, correctional programmes, Role of		
		the court in Correctional Programmes in India		
	4.5	Public interest litigation, Preventive and		
		reformative measures in India: provisions		
		under different legislations.		
5	Title	Procedural Mechanism in the Criminal	12hrs	14
		Justice System		
	5.1	Cognizable and Non-cognizable offences.		
	5.2	Bailable and Non-Bailable offences		
	5.3	Compoundable and Non-Compoundable		
		offences		
	5.4	Investigation, Prosecution and Trial, Warrant		
		cases and Summons cases		
	5.5	Response of the society at large towards the		
		Law and Social Legislations, Role of		
		Parliament in Implementation and Enforcement		
		of Social Legislation, Role of Judiciary on		
		Implementation of Social Legislations,		
		1 1		
		Loopholes in Implementation and Enforcement of Social Legislations.		

#### **Practical Exercise**

- 1. The student will be attached with concerned organization
- 2. Presentation
- 3. Case study

## **Recommended Case Laws:**

- 1. Irshad V. State of Rajasthan, 2004 SCC Raj 474
- 2. Umar Abdul SakoorSorathia V. Narcotioc control Bureau, (2000)1 SCC 138
- 3. Laxmi Raj Shetty v. State of T.N. (1988)3 SCC 319

4. Dola v. State of Odisha, (2018)18SCC 695

#### **Recommended Books:**

- 1. Dr. N. MaheshwaraSwamy: Criminology and Criminal Justice System, Asia Law House
- 2. Sutherland and Cressey, Principles of Criminology, Surject Publications
- 3. S.Rao, Crime in Our Society, (1983).
- 4. J.M. Sethna, Society and the Criminal (1980).
- 5. Siddique, Criminology: Problems and Perspectives (1997).
- 6. E. Sutherland, White Collar Crime (1949).
- 7. S. Kaldate, Society, Delinquent and Juvenile Courts (1982).
- 8. W.C.Reckless, The Prevention of Juvenile Delinquency (1972),
- 9. D.C. Pandey, Habitual Offenders and the law (1983).
- 10. D. Abrahensen, David: Crime and the Human Mind (1979).
- 11. Conrad, John. P.: Crime and its Correction: An international survey of Attitudes and Practices.
- 12. Krishna Iyer Report on Female Prisoners (1986).

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## 1<sup>st</sup> Semester LLM Subject: Penology & Victimology Paper: 1.5/CSL-2

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** Penology and Victimology deals with care, custody, treatment, prevention and control of crimes as also the various modes of sentencing and rehabilitation of criminals. The primary concern of victimology is to seek justice for victims of crime who are faced with multiple problems. It will introduce the students to the concepts of penology and victimology and will acquaint them with study of law

## **Learning Outcomes:**

- 1. Facilitating student involvement in society by inculcating a desire for life-long learning, the ability to think critically and to express themselves in a variety of formats.
- 2. Promote a critical understanding of crime and concomitant issues by engaging in research that contributes to the body of knowledge in a vital area of concern to society.
- 3. Mentoring students and involving them in opportunities for active learning
- 4. Preparing students for careers in the field and for advanced academic studies.
- 5. Performing services to the discipline, to the university and to the community.

UNIT	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	<b>Development of Penology</b>	12hrs	14
	1.1	Historical and contemporary approaches to penology		
	1.2	Theories of punishment- Retribution, Utilitarian prevention: Detterence- Utilitarian Intimidation, Behavioural prevention, Incapacitation, Rehabilitation –Classical hindu and Islamic approaches to punishment.		
	1.3	Approaches to sentencing- Probation, Parole, corrective labor, fines, bail, bond, collective fines,		
	1.4	Juvenile Delinquency – Factors – response- JJ Act 2000, JJ Board, Welfare Boards, Constitutional aspects.		
	1.5	Sentencing- types of sentences in IPC and special laws.		
2	Title	Victimology and Compensation	12hrs	14
	2.1	State of Jail Reforms		
	2.2	Classification of prisoners		
	2.3	Rights of prisoners		
	2.4	Open Prison		
	2.5	Privileged Class Deviance		
3	Title	Concept and scope of Victimology	12hrs	14

		<del>_</del>		1
	3.1	Concept of victimology		
	3.2	Historical Development of Victimology		
	3.3	Victim and criminal justice: emerging trends		
		and policies		
	3.4	Deviant Place Theory		
	3.5	Compensation by Human Rights Commission		
		National Human Rights Commission.		
4	Title	Impact of victimization	12hrs	14
	4.1	Physical		
	4.2	Economical		
	4.3	Psychological		
	4.4	Social		
	4.5	Mental		
5	Title	Compensatory Jurisprudence in the field of	12hrs	14
		victimology		
	5.1	Compensatory relief under General Procedure		
		law		
	5.2	Compensation under special laws		
	5.3	Compensation under Probation of offender Act 1958		
	5.4	Compensation under the Motor Vechicle Act, 1988		
	5.5	Compensatory Relief Under the Constitution of India		
	5.5	Compensation by Human Rights Commission National Human Rights Commission		

#### **Recommended Case laws:**

- 1. Balasaheb Rangnath Khade vs The State Of Maharashtra &Ors on 21 September, 2011
- 2. Ankush Shivaji Gaikwad vs State Of Maharashtra on 3 May, 2013
- 3. Sunderbaug Lane vs The State Of Maharashtra on 13 December, 2011
- 4. Karan vs State NctOf Delhi on 27 November, 2020

#### **Recommended Books:**

- 1. Prof. N. V. Panjape: Criminology and Penology, Central Law Agency
- 2. Girjesh Shukla: Criminology, Lexis Nexis
- 3. Sutherland and Cressey, Principles of Criminology, Surject Publications
- 4. N.V Pranjape ,Criminology &Penology with Victimology , 18<sup>th</sup> edition 2021, Central law publication.
- 5. Monhanty R.K, Textbook of Criminology, Penology and Victimology, 1<sup>st</sup> edition 2011, Publisher-Himalaya Publishing house
- 6. J.M.Sethna, Society and the Criminal, 1980, Vikas Publishing House Pvt Ltd,4<sup>th</sup> edition
- 7. A. Siddique, Criminology-Problems and Perspectives, 1997, Lucknow Eastern Book Co.

1<sup>st</sup> Semester LL.M Subject: Cyber Crimes Paper: 1.6/ CSL- 3

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** The students through this subject will have a idea about the cyber world and cyber law in general. This paper tries to enhance the understanding of problems arising out of online transactions and enables to find solution of it. It also educate about the various regulation of cyber space at national and international level.

### **Learning Outcomes:**

Students graduating will be able to:

- 1. The students can contribute a lot for the growth of cyber safety in society.
- 2. The research scholars can help to eliminate deficiencies in laws and public policies through their research work findings.
- 3. A good research can contribute in resolving many cyber problems. Further it can also lead to enactment of new laws.

UNIT	Sub-	Content	Class	Marks
	Unit		Hours	
1	Title	Fundamentals of cyber laws	12hrs	16
	1.1	Conceptual and theoretical perspective of cyber		
		law.		
	1.2	Computer and web technology		
	1.3	Development of cyber law-National and		
		international perspective.		
	1.4	Understanding cyber crimes- in context of		
		internet- actus reus/ mens rea.		
	1.5	Network security, overview of security threats.		
2	Title	Cyber law: Legal issues and challenges in	12hrs	16
		India, USA and EU.		
	2.1	Data protection ,cyber security		
	2.2	Legal recognition of Digital Evidence		
	2.3	Recognition of liability in the digital world		
	2.4	Jurisdiction issues in transnational crimes		
	2.5	Privacy issues; international position on internet.		
3	Title	Cyber law: International perspectives	12hrs	16
	3.1	Budapest convention on cybercrime		
	3.2	ICANN's core principles and the domain name		
		disputes		
	3.3	Net neutrality and the EU electronic		
		communications regulatory framework		
	3.4	Web Content Accessibility Guidelines(WCAG)		
		2.0		
	3.5	Types of attacks- password cracking, concept of		

		fire wall security.		
4	Title	Cyber Law – contemporary trends	12hrs	16
	4.1	Impact of cyber warfare on privacy, identity		
		theft.		
	4.2	International law governing censorship, online privacy, copyright regulations.		
	4.3	Online intermediaries in the governance of internet		
	4.4	Social networking sites vis-à-vis Human Rights.		
	4.5	e-mail,		
		security:webauthentication,SSL&SET,Database		
		security.		
5	Title	Cyber crimes in Indian context	12hrs	16
	5.1	Indian Penal laws and Cyber Crimes Trends-		
		fraud, hacking, mischief, trespass, defamation,		
		stalking, spam etc.		
	5.2	Understanding cyber crimes in context of		
		internet, computing damage in internet crime.		
	5.3	Internet and potential of obscenity, Indian law on		
		obscenity and pornography, tehnical and legal		
		solutions, International efforts, Changes in Indian		
		law.		
	5.4	Freedom of expression in Internet, issues of		
		censorship, hate speech, sedition, libel,		
		subversion, privacy issues, Indian legal system		
		on Free Speech in Internet.		
	5.5	Commerce system security, Advance computers,		
		network& mobile security techniques.		

#### PRESCRIBED LEGISLATION:

- 1. The Companies Act of 1956
- 2. The Companies Amendment act of 2013.
- 3. The Information Technology Act, 2000.

#### **Recommended Case Laws:**

- 1. Shreya Singhal vs UOI AIR 2015 SC 1523.
- 2. M/s Gujrat Petrosynthese ltd and Mr. Rajendra Prasad Yadav vs UOI 2014(1) Kar L J 121.
- 3. Shamser Singh Verma vs State of Haryana 2015 SCC online SC 1242.
- 4. State of Tamil Nadu vs Suhaskatti CC No. 4680 of 2004.
- 5. Avnish Bajaj vs State(NCT) of Delhi(2008) 150 DLT 769.
- 6. Christian Louboutin SAS vs Nakul Bajaj &Ors.(2018) 253 DLT 728.

#### **Practical Exercise:**

- 1. To detect cybercrime in electronic device.
- 2. Identify suspects in cybercrime.
- 3. To deal with techniques of cybercrime such as phishing, botnets & child pornography etc.

#### **Recommended Books:**

1. Justice Yatindra Singh: Cyber laws,2002, Lexis Nexis,wadhwa,Universal Law Publishing,Nagpur.

- 2. Kamath ,nandan: law relating to computer,internet and e-commerce,2001,fifth edition,Lexis Nexis,Universal Law Publishing,Allahabad.
- 3. Ajit narayanan and bennun: law,computer science and artificial intelligence,Intellect books,Vol.I,1998.
- 4. Lawrence lessig: code and other laws of cyberspace,2001,2<sup>nd</sup> edition,Basic books publication,San Francisco,California.
- 5. Vakul Sharma: Information Technology Law and Practice,2012,Lexis Nexis, Universal law publication,Allahabad.
- 6. Harishchander: Cyber laws and IT protection, 2015,PHI Learning Private limited,New Delhi.
- 7. Dr.Satish Chandra: Cyber law in India, A B S Books Publishing, 2017, Delhi.
- 8. Rahul Matthan: The law relating to computers and the Internet, Butterworths India, 2000, Nagpur, Allahabad.

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## 2<sup>nd</sup> Semester LLM Subject: International Trade Law and Competition Law Paper: LLM 2.1/CCL-4

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** The subject focuses on the institutional developments in international trade law as well as the definition and application of the international organizations. The objective is to develop students' analytical skills in relation of the function, scope and operation of the international trade and competition law system and its likely future development, as well as to enable students to apply the law to the various situations.

#### **Learning Outcomes:**

- 1. It will have the understanding of International trade law and its basic principles, concepts and methodologies.
- 2. Be familiar with the sources and methods of research in the field of international and competition law.
- **3.** Have an understanding of the evolution of the concepts of international trade, privacy juris gentium to the drafting of the Statute of the International trade.
- **4.** Have an understanding of the law and procedure regulating the activities of the International trade and competition law
- 5. Be able to examine the role played by the GATT and WTO and its subsidiary bodies in the development of International Trade law and Competition law.

UNIT	Sub-Unit	Content	Class	Marks
1	Title	Origin and Evolution of GATT & WTO	Hours 12hrs	14
_	1.1	Global economics and International Trade Law		
	1.2	Protectionism vs Free Trade		
	1.3	Birth of GATT 1947		
	1.4	GATT Round of Negotiation Including Doha Round and after		
	1.5	The WTO Charter and GATT,1994, WTO Agreements, Understandings		
2	Title	Disputes Settlement Procedures under	12hrs	14
		GATT and WTO		
	2.1	Dispute settlement under GATT: Article XXII,		
		Article XXIII, its merits and demerits		
	2.2	Dispute Settlement Procedure Under the WTO charter		
	2.3	Difference between GATT and WTO dispute		
		settlement procedure		
	2.4	Anti dumping measures		
	2.5	Provisional measures		
3	Title	Introduction	12hrs	14
	3.1	Basic economic and legal principles		
	3.2	Restraint of trade under Indian Contract act		
	3.3	Monopolistic Trade Practices		
	3.4	Restrictive Trade Practices		

	3.5	Price undertakings		
4	Title	Enforcement Mechanisms	12hrs	14
	4.1	Enforcement Mechanisms under the		
		Competition Act. 2002		
	4.2	Competition Commission of India		
	4.3	Constitution of the CCI		
	4.4	Powers and Functions – Jurisdiction of the CCI		
	4.5	Adjudication, Appeals- Director General of		
		Investigation (DGI Competition Advocacy in		
		India and other foreign jurisdictions,		
		International Trade Law and Competition Law.		
5	Title	Competition Appellate Tribunals	12hrs	14
	5.1	Composition, Functions, Power and Procedure		
	5.2	Award Commission		
	5.3	Power to punish for contempt		
	5.4	Execution of orders		

### **Recommended Case laws**

- 1. Garden Silk Mills Ltd. & Anr vs Union Of India And Ors on 29 September, 1999
- 2. Union Of India (Uoi) And Anr. vs International Trading Co. And ... on 7 May, 2003
- 3. Assistant Commissioner Of ... vs Magnum International Trading Co. ... on 3 January, 2002
- 4. Neeraj Malhotra vs Deustche Post Bank Home Finance ... on 2 December, 2010
- 5. Uniglobe Mod Travels Pvt. Ltd vs Travel Agents Association Of ... on 4 October, 2011
- 6. Prabhat Agri Biotech Ltd vs Mahyco Monsanto Biotech (India) ... on 23 July, 2020

#### **Recommended Books**

- 1. R.K. Singh: Restriction Trade Practices and Public Interest, Eastern book Company, 3<sup>rd</sup> edition.
- 2. Suzan Rab- Indian Competition Law- An International Perspective, Wolters Kluwer, CCH India, May, 2012
- 3. S.M. Dugar's MRTP Law, Competition Law and Consumer Protection, Eastern Book Company.
- 4. Report of the Monopolies Inquiries Commission, Govt. of India 1965 (Dr. Hazari Report)
- 5. Sachar Committee Report, High Powered Committee on MRTP Act & Company Act, 1980 and other related work.
- 6. Raj Bhala, International Trade Law: An Interdisciplinary Non-Western Textbook (Vols 1 & 2) Lexis Nexis (2015.
- 7. S.R. Myneni, International Trade Law (International Business Law) (3rd edition Allahabad Law Agency (2014)

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# 2<sup>nd</sup> Semester LLM Subject: Consumer Protection Law Paper: LLM 2.2/CCL-5

End Semester-70 Internal Assessment -30

**Total Marks: 100** 

**Objectives:** The need for consumer education has been felt over the world. Rapid industrialization, revolution in the Communication technology, globalization, etc. have brought about dramatic changes in our need, perceptions, behaviour patterns, attitude towards rights, responsibilities and concerns as consumers. In developing countries like India, these issues have become more problematic. The goal of consumer education is to impart knowledge on consumer laws and to prepare students for their role as consumers, activists in consumer protection movement.

## **Learning outcomes:**

- 1. The subject helps in understanding coherence and synergy between pedagogy and practice.
- 2. To develop capacity of the participants in dealing with the new age challenges such as e-commerce under the consumer law regime
- 3. To develop sectoral perspectives for protection of consumer interests
- 4. To apprise about the role of market regulator (CCI) in supplementing and complementing the consumer law regime in protecting consumer interests
- 5. It helps learners to understand the e-commerce
- 6. To enhance learning about the role of mediation in redressal mechanism.

UNIT	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	An Introduction To Consumer Protection	12hrs	14
		Law and Policies		
	1.1	Meaning and concept of consumer, Consumer Right		
	1.2	Need for consumer protection laws and policies		
	1.3	Globalization and consumerism		
	1.4	Legal frame work and policy challenges		
	1.5	Distinction between Consumer protection Act		
		1986 and consumer protection Act.2019		
2	Title	Salient Features Of Consumer Protection	12hrs	14
		Act		
	2.1	Objective of the legislation		
	2.2	Definitions		
	2.3	Three tire system of grievance redressal system		
	2.4	Jurisdiction of the Consumer Forums,		
		Complainants that can be made under the C.P.		
		Act.		
	2.5	Relief available to consumer		
3	Title	<b>Emerging issues in Consumer Protection</b>	12hrs	14

		and Laws		
	3.1	WTO and Consumer Protection.		
	3.2	E-Commerce and Consumer Rights		
	3.3	Role of Civil Society in Consumer Protection		
	3.4	Access to justice and Consumer Laws		
	3.5	ADR in resolution of Consumer disputes		
4	Title	Legislative Framework on consumer protection in India.	12hrs	14
	4.1	Standards of Weights and Measures Act, 1976		
	4.2	The Drugs and Magic Remedies (Objectionable Advertisement) Act 1954		
	4.3	Sale of Goods Act, 1930		
	4.4	Prevention of Food Adulteration Act, 1954		
	4.5	Consumer Protection Act, 1986-the vision of		1
		the legislation		
5	Title	Case law in consumer protection	12hrs	14
	5.1	Electricity(Rights of Consumer)rules 2020		
	5.2	Service Sector – Airlines, Banking, Insurance,		
		Housing		
	5.3	Medical negligence		
	5.4	Lawyers negligence	-	
	5.5	Remedies for negligence		

## **Legislations:**

- 1. The Consumer Protection Act, 2019
- 2. Prevention of Food Adulteration Act, 1954
- 3. Electricity (Rights of Consumer) rules 2020
- 4. The Bureau of Indian Standard Act, 1986.

## **Recommended Case Laws:**

- 1. Horlicks Ltd. v. Zydus Wellness Products Ltd, 2020 SCC Online Del 873
- 2. Dabur (India) Ltd. v. Colortek (Meghalaya) (P) Ltd., 2010 SCC Online Del 391
- 3. Karnataka Power Transmission Corporation (KPTC) v Ashok Iron Works Private Limited, Civil appeal no.1879 of 2003.
- 4 Indian Medical Association v V.P. Shantha and others AIR 1996.
- 5. Arvind Shah vs Kamlaben Kushwaha 2009 C.P.C24;III(2009)

## **Practical Exercise:**

- 1. Complaint under Section 12 of Consumer Protection Act, 2019
- 2. Written Statement to the complaint under Consumer Protection Act, 2019
- 3. Consumer awareness program
- 4. Seminar on medical and lawyers negligence
- 5. Visit to consumer redressal forum
- 6. Survey on road accidents

### **Recommended Books:**

- 1. D.N. Saraf, Law of Consumer Protection in India, , 1990 Bombay N.M. Tripathi.
- 2. Mamta Rao, Public Utility Services under Consumer Protection Act, 1999, Deep & Deep.
- 3. Girimaji & Roy, Is it Really Safe, CUTS, 2004.

- 4. Consumer Protection, Dr. V.K. Agarwal, 6th edition, Bharat, 2008.
- 5. William T.Vukowich, 2002.Consumer Protection in the 21st Century: A Global Perspective,2002 Transanational US.
- 6. R.K. Nayak, Consumer Protection Law in India: An Eco-Legal Treatise on Consumer, N.M. Tripathi, 1991.
- 7. Ed. Rickell & Telfer International Perspective on Consumers Access to Justice, (2003).
- 8. Avtar Singh and Harpreet Kaur, Introduction to law of Torts and Consumer protection, 1<sup>st</sup> edition. Lexis Nexis 2013.

## **Recommended Readings:**

- 1. Remedies for consumer protection: prevention, restitution, or punishment, Dorothy Cohen, Journal of Marketing, Vol. 39 (Oct 1975) p. 24.
- 2. The consumer ombudsman, Donald B. King, 79 Com.L.J. 355, (1974).
- 3. Challenge to the lawyers: Philippines, Lilia D. Ling, 12 Int'l Legal Prac. 93(1987).
- 4. Who speaks for the consumer, Susan S. Silbey, 1984 Am. B. Found, Res. J. 429,(1984).
- 5. Determination of complex issues under the Consumer Protection Act: a question of jurisdiction, Dr. V.K. Agarwal, (2004) 3 Comp LJ 9.
- 6. Consumer Protection Act, 1986: Supreme Court recent elucidations and interpretations, V. Gopalan, CLC/XII/(2002).
- 7. Are consumer rights human rights, Sinai Deutch, 32 Osgoode Hall L.J. 537, (1994).
- 8. Consumer class litigation, Laird C. Kirkpatrik, 50 Or. L. Rev 21, (1970-71).
- 9. Litigation in the consumer interest, Howells & James, 9ILSAJ Int'l & Comp. L1 (2002).
- 10. Government & consumer, Richard J. Barber, Michigan Law Review, Vol. 64. No. 7 (1966).

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# 2<sup>nd</sup> Semester LLM Subject: Intellectual Property Law Paper: LLM 2.3/ CCL-6

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** To promote the creation of intellectual property by providing incentives and secondly to promote the dissemination of the knowledge in intellectual properties by affording protection to its creators. The Intellectual Property Laws endeavour to maintain the harmony between the interests of the creator of intellectual property and the interests of the society at large.

## **Learning outcomes:**

- 1 Apply intellectual property law principles (including copyright, patents, designs and trademarks) to real problems and analyse the social impact of intellectual property law and policy.
- 2. To understand the intricacies of grant of Patent, Patentability, Licensing and Revocation at National and International levels. To realize the Rights and Duties of Patentees. Students can develop understanding in different types of intellectual properties (IPs) and their roles in contributing to organizational competitiveness.
- 3. Students can utilize research-based knowledge and research methods including design of experiments, analysis and interpretation of data, and synthesis of the information to provide valid conclusions.
- 4. To study the concept of Copyright, its ownership, assignment, infringement and remedies
- 5. To analyze the importance of traditional knowledge and geographical indications, particularly for the developing nations.

UNIT	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	Principles of IPR	12hrs	14
	1.1	Concept and theories: Natural Theory, Hegelian		
		Philosophy (Personality Theory); Lockes'		
		Theory of Property (Labour Theory); Social		
		Contract Theory; Social Planning Theory;		
		Incentive Theory; Reward Theory.		
	1.2	Characteristics of intellectual property right		
	1.3	Kinds and importance of intellectual property		
		rights		
	1.4	Paris Convention for protection of Industrial		
		Property.		
	1.5	WIPO and its organs, Berne convention.		
		TRIPS and patent co-operation treaty		
2	Title	Trademark law	12hrs	14
	2.1	Meaning, Registration of trademark		
	2.2	Grounds of refusal of registration:		
		Absolute ground		
		Relative ground		

	2.3	Classes of trademark		
	2.4	Infringement of trademark		
	2.5	Remedies-civil and criminal		
3	Title	Patent and design law	12hrs	14
	3.1	Meaning, Concept, novelty, utility, non- obviousness		
	3.2	Patentable subject matter, patentability criteria, non- patentable invention		
	3.3	Procedure for granting patent, infringement		
	3.4	Definition, meaning and essentials of design.		
	3.5	Registration of design : procedure and cancellation		
4	Title	Copyright law and practices	12hrs	14
	4.1	Evolution of Copyright Law in India , Nature		
		and Scope of Copyright, Pre-requisites for		
		Copyright, conditions for grant of copyright.		
	4.2	Subject matter of copyright: Copyright in		
		Literary, Dramatic and Musical ,Works, Sound		
		Recording, Cinematograph		
		Films, test of originality		
	4.3	Ownership of copyright, joint authorship,		
	1.4	copyright in lectures		
	4.4	Doctrine of sweat and Brow: position in India,		
	4.5	Doctrine of fair dealings		1
5	Title	Copyright Registrar and Copyright Board	12h	14
٥		Contemporary issues in IPR	12hrs	14
	5.1	Interface between Human rights and		
	5.2	Intellectual Property Rights.		
	5.2	Geographical indications challenges in India		
	5.4	Traditional knowledge and IPR IPR and fashion law		
	5.5			
	3.3	Application of patent to computer technology		

## **Legislations:**

- 1. The Patent Act, 1970
- 2. The Copyright Act, 1957
- 3. Information Technology Act 2000. Trade Mark Act, 1999
- 4. Designs Act, 2000
- 5. The Geographical Indications of Goods (Registration and protection) Act, 1999.

### **Recommended Case Laws:**

- 1. Novartis v. Union of India, Civil Appeal No. 2706-2716 of 2013
- 2. Diamond v. Chakrabarty447 U.S. 303, 100 S. Ct. 2204
- 3. Bajaj Electricals Limited vs. Gourav Bajaj & Anr. Commercial Ip Suit (L) No. 195 Of 2020
- 4. Marico Limited vs. Abhijeet Bhansali, Comip No. 596 Of 2019
- 5. Sameer Wadekar&Anr. vs. Netflix Entertainment Services Pvt. Ltd &Ors, 2020 SCC Online Bom 659
- 6. Star India Pvt. Ltd. vs. Moviestrunk.com &Ors,CS(COMM) 408/2019
- 7. International Society for Krishna Consciousness (ISKCON) vs. Iskcon Apparel Pvt. Ltd &Ors, COMMERCIAL IP SUIT (L) NO. 235 OF 2020
- 8. The Imperial Tobacco Co. of India v. The Registrar of Trade Marks, AIR 1977 Cal 413

- 9. Sony Kabushuki Kaisha v. Samrao Masker, AIR 1985 Bom 327
- 10. Banglar Rasogolla v. Odisha Rasagola
- 11. Tirupati laddu case(GI
- 12. Monsanto Vs Nuziveedu Seeds (BT cotton)

### **Practical Exercise:**

- 1. Cyber-crimes practical
- 2. Application for registration of IP
- 3. Ipr awareness camp
- 4. Self-help group and NGO visit

### **Recommended Books:**

- 1. V K Ahuja, law relating to intellectual property rights (Lexis Nexis) 2009
- 2. B.L. Wadera, Patents, trademarks, copyright, Designs and Geographical Judications, ,2016 Universal Law Publishing
- 3. P. Narayanan, Intellectual Property Law, 2020 ,Eastern Law House
- 4. N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property (2009), Eastern Book
- 5. Merges, Patent Law and Policy: Cases and Materials, 1996
- 6. Brian C. Reid, A Practical Guide to Patent Law, 2nd Edition, 1993
- 7. Brinkhof (Edited), Patent Cases, Wolters Kluwer
- 8. W.R. Cornish, Intellectual Property, Sweet & Maxwell, London (2000)
- 9. Adarsh Ramanujan, A synthesis for India, wolters Kluwer India pvt. Ltd. (2020)
- 10. Besty Vinolia Rajasingh, Digital copyright law

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# 2<sup>nd</sup>Semester Subject: Independence of Judiciary Paper: LL.M- 2.1/CAL 4

End Semester – 70 Internal Assessment -30 Total Marks: 100

**Objectives:** The concept of Independence of Judiciary, like the many other concepts, derived from England. The role of the judiciary is to deliver fair and neutral decisions in accordance with their oath of office and their own sense of justice, without submitting to any kind of influence. It has been well established above that the constitution of India does not exhibit separation of powers in an absolute sense. The prime work of the judicial branch is to protect the constitution. It has been held by the Supreme Court of India that "the constitutional scheme aims at securing an independent judiciary which is the bulwark of democracy." This judicial independence is only applicable to the system of delivering justice. The executive has the power regarding the subject matter of the judiciary including salaries and privileges.

**Learning outcomes:** At the end of the course, a student will be able to understand:

- 1. The concept of 'Judicial Review' in India
- 2. Students will also learn the concepts of Judicial Activism and Judicial Accountability
- 3. Students will understand the concept of Judicial Independence and political role in judicial process.

Unit	Sub-Unit	Content	Class Hours	Marks
1	Title	Establishment and evolution of Judicial System	12 hrs	14
	1.1	History of Courts and Judicial System		
	1.2	History of Courts in India		
	1.3	Evolution of the Judicial Process – Precedent and Stare Decisis		
	1.4	Judiciary under Democratic Constitutions		
	1.5	Position of Judiciary under the Constitution of India		
2	Title	Basic Principles of Judicial Autonomy	12 Hrs	14
	2.1	Rule of Law		
	2.2	Separation of Powers		
	2.3	Judicial Review		
	2.4	Judicial Appointments		
	2.5	Appointment and Transfer of Judges		
3	Title	Independence of Judiciary	12 hrs	14
	3.1	Meaning and Concept		
	3.2	Components of the Independence of Judiciary		

	3.3	Constitutional Litigation and Independence		
		of Judiciary		
	3.4	UN Initiatives		
	3.5	Regional and Municipal Approaches		
4	Title	Changing Contours of Independence of	12 hrs	14
		Judiciary		
	4.1	Parliamentary Sovereignty vs Independence		
		of Judiciary		
	4.2	Judicial Law Making		
	4.3	Prospective Overruling		
	4.4	Judicial Activism vis-à-vis Judicial restraint		
	4.5	Judicial Accountability		
5	Title	Concept of Justice, Law and	12 hrs	14
1				
		Independence of Judiciary	-	
	5.1	Independence of Judiciary Relation between law and Justice		
		·		
	5.1	Relation between law and Justice		
	5.1 5.2	Relation between law and Justice The Concept of Justice		
	5.1 5.2	Relation between law and Justice The Concept of Justice Independence of Judiciary and the Political		
	5.1 5.2 5.3	Relation between law and Justice The Concept of Justice Independence of Judiciary and the Political nature of Judicial process		
	5.1 5.2 5.3	Relation between law and Justice  The Concept of Justice Independence of Judiciary and the Political nature of Judicial process  Analysis of selected cases of Supreme Court		
	5.1 5.2 5.3	Relation between law and Justice  The Concept of Justice Independence of Judiciary and the Political nature of Judicial process  Analysis of selected cases of Supreme Court where the Judicial Process can be seen as influenced by theories of Justice.  The independence theories of justice as a		
	5.1 5.2 5.3 5.4	Relation between law and Justice  The Concept of Justice Independence of Judiciary and the Political nature of Judicial process  Analysis of selected cases of Supreme Court where the Judicial Process can be seen as influenced by theories of Justice.		

### Referred case laws:

- Supreme Court Advocates-on-Record Association and Anr. v. Union Of India AIR 1994, SC 268
- 2. S.P. Gupta and Ors. etc. v. Union of India, A.I.R 1982, S.C 149
- 3. Satvir Singh vs. Baldeva& others, 1996 Scale (4) 201
- 4. K. Veeraswami vs Union of India, A.I.R 1991 SCR(3) 189
- 5. Vineet Narain& Others vs. Union Of India 1996 2 SCC 199

### **Recommended Books:**

- 1. M. P. Jain Constitutional Law of India, LexisNexis, Gurgaon, 8th Edition, 2017
- 2. H. M. Sreevai –Constitutional Law of India, Universal Law Publishing Co. Pvt. Ltd., 4<sup>th</sup> Edition, Delhi,2016
- 3. V. N. Shukla –Constitutional Law of India, Eastern Book Company, Lucknow, 15<sup>th</sup> Edition, 2019.
- 4. D. D. Basu Shorter Constitution of India, LexisNexis, Gurgaon, 15<sup>th</sup> Edition, 2018
- **5.** Dr. J. N. Pandey –Constitutional Law of India, Central Law Publication, Allahabad, 56<sup>th</sup> Edition 2019
- **6.** Dr. S.R Myneni- Constitutional Law of India, Asia law House, Hyderabad, Asia Law House, Hyderabad, 3<sup>rd</sup> Edition, 2020
- **7.** Narendra Kumar- Constitutional Law of India, Allahabad Law Agency, Faridabad, Reprint 2021
- **8.** StutiDeka- Constitutionalism & Constitution of India, Eastern Book House, Panbajar, Guwahati
- **9.** Julious Stone: The Province and Function of Law , Universal Law Publishing Co. Ltd., Edition 2006

10. Cardozo: The Nature of Judicial Process, Ingram short title, Edition 2011

# **Additional list of Relevant Print and Online Resources**

- **1.** An Historical Introduction to Western Constitutional Law R. C. Van Caenegem, Cambridge University Press, London, 2003.
- **2.** An Introduction to the study of the Law of the Constitution A.V. Dicey, Universal Law Publishing, New Delhi, 2012.
- **3.** Appointing Our Judges: Forging Independence and Accountability Santosh Paul, 1<sup>st</sup> Edition, Lexis Nexis, Haryana, 2016
- **4.** Comparative Constitutional Law D. D. Basu, Third edition, Lexis Nexis, Gurgaon, 2014.
- **5.** Comparative Constitutional Law Tom Ginsburg and Rosalind Dixon, Edward Elgal, Cheltenham, 2011.
- **6.** Comparative Constitutionalism in South Asia Sunil Khilnani, Vikram Raghavan and Arun K. Thiruvengadam, Oxford University Press, New Delhi, 2013.
- 7. Constitutional Law of India H. M. Seervai, 4<sup>th</sup> Edition, Universal Law Publishing Co Pvt Ltd, Delhi, 1983.
- **8.** Independence of Judiciary and Judicial Crisis Abrar Hasan, Createspace Independent Publishers, California, 2013.
- **9.** Indian Constitutional Law M. P. Jain, 7<sup>th</sup> Edition (Reprint), LexisNexis, Gurgaon, 2014.
- 10. India's Legal System: Can it be Saved? Fali S Nariman, Penguin, New Delhi, 2017
- **11.** Judges and Democratization: Judicial Independence in New Democracies (Challenges of Globalisation) B. C. Smith, 1<sup>st</sup> Edition Routledge, UK, 2017.
- **12.** Judicial independence and Accountability P. Sabiha Khanum, 1<sup>st</sup> Edition, ICFAI University Press, Hyderabad, 2008.
- **13.** Modern Constitutions K C Wheare, 2<sup>nd</sup> Edition, Oxford University Press, London, 1966.
- **14.** Select World Constitutions Atlanta Publishers and Distributors (P) Ltd, 2009.
- **15.** Strengthen the Judiciary's Independence in Europe: International Recommendations for an Independent Judicial Power Peter Alexis Albrecht and John Thomas (Editors) Intersentia Publishers, Cambridge, 2009.
- **16.** Supreme Whispers: Conversations with Judges of the Supreme Court of India 1980-89 Abhinav Chandrachud, Viking, India, 2018.
- **17.** The Informal Constitution: Unwritten Criteria in Selecting Judges for the Supreme Court of India Abhinav Chandrachud, Oxford University Press, New Delhi, 2014.
- **18.** The Nature of the Judicial Process Benjamin N. Cardozo, Yale University Press, USA, 1921
- **19.** The Oxford Handbook of Comparative Constitutional Law Michel Rosenfeld and András Sajó (Editors), OUP Oxford; Reprint 2013.
- **20.** Whither Indian Judiciary Justice Markandey Katju, Bloomsbury India, 1<sup>st</sup> Edition, 2018.

# 2<sup>nd</sup>Semester LLM Subject: Administrative Law Paper: LL.M- 2.2/CAL-5

End Semester – 70 Internal Assessment -30 Total Marks: 100

**Objectives:** Administrative law is the law that governs the administrative actions. As per Ivor Jennings- the Administrative law is the law relating to administration. It determines the organisation, powers and duties of administrative authorities. It includes law relating to the rule-making power of the administrative bodies, the quasi-judicial function of administrative agencies, legal liabilities of public authorities and power of the ordinary courts to supervise administrative authorities. It governs the executive and ensures that the executive treats the public fairly.

**Learning outcomes:** At the end of the course, a student will be able to understand:

- 1. The relationship between Administrative law and Constitutional law.
- 2. Students will learn the concepts of Delegated legislation.
- 3. Students will also understand the concept of Natural Justice and its principles.

Unit	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	Introduction	12 hrs	14
	1.1	Definition, Nature and scope of		
		Administrative Law.		
	1.2	Reasons for Development and Growth of		
		Administrative Law.		
	1.3	Sources of Administrative Law.		
	1.4	Relationship between constitutional Law and		
		Administrative Law.		
	1.5	Droit Administrative—Council De Etat.		
2	Title	<b>Delegated Legislation</b>	12 hrs	14
	2.1	Definition, concept and growth of Delegated		
		Legislation.		
	2.2	General principles of Delegated Legislation.		
	2.3	Control and safeguards of delegated		
		legislation		
	2.4	Conditional Legislation and sub-delegation		
	2.5	Permissible and impermissible delegation		
3	Title	<b>Principles of Natural Justice (Practice and</b>	12 hrs	14
		<b>Procedure of Administrative Adjudication</b> )		
	3.1	Natural Justice meaning, concept,		
		development and principles of Natural Justice		
	3.2	Rule against Bias-Nemo debetesse judex in		
		propria causa		
	3.3	Exclusion of Natural Justice		

	3.4	Effect of breach of Natural Justice		
	3.5	Administrative Tribunals and other		
		adjudicating authorities-powers and functions		
4	Title	Judicial Review of Administrative Action –	12 hrs	14
		Judicial Remedies and Liability of the		
		Government		
	4.1	Administrative discretion and Judicial		
		control: Meaning, object, nature, scope and		
		limitations		
	4.2	Doctrine of Public Accountability, Doctrine		
		of Estoppel		
	4.3	Doctrine of proportionality		
	4.4	Doctrine of Legitimate Expectation		
	4.5	Writs-Habeas Corpus, Mandamus,		
		Prohibition, Certiorari and Quo-Warranto		
5	Title	Public Corporations and other Remedial	12 hrs	14
		Procedures		
	5.1	Public Corporations: Introduction, definition,		
		characteristics, classification, rights and		
		duties, liabilities.		
	5.2	Ombudsman: meaning and objectives,		
		development in UK, USA and India		
	5.3	Working of the Lokayuktas in the States		
	5.4	Working of the Right to Information Act,		
		2005		
	5.5	Control by Vigilance Commission		
	5.6	Constitutional Protection of Civil servants,		
		Doctrine of Pleasure, certain limitations and		
		Article 311		

### **Recommended Cases:**

- 1. Keshavananda Bharathi V. State of Kerala, (1973) 4 SCC 225(Doctrine if Rule of Law)
- 2. A.D.M. Jabalpur V. Shivakant Shukla, (1976) 2 SCC 521(Doctrine of Separation of Powers)
- 3. Indira, Nehru, Gandhi V. Raj Narayan (1975) Supp. SCC1
- 4. Supreme Court Advocates on Record Assn. V. Union of India (1993) 4SCC 441 (Delegated Legislations)
- 5. Sahni Silk Mills V.E.S.I. Corp (1994) 5 SCC 346 (Natural Justice)
- 6. A.K. Kraipak V. Union of India, AIR 1970 SC 150
- 7. J. Mohapatra of Co. V. State of Orissa, AIR 1987 SC 1572
- 8. Maneka Gandhi V. Union of India, AIR 1978 SC 597
- 9. M.S. Gill V. Chief Election Commissioner, AIR 1978 SC 851
- 10. Olga Tellis V. Bombay Municipal Corpn. AIR 1986 SC 180
- 11. State of Tamil Nadu V. R. Krishnamurthy, AIR 2006 SC 1622 (Administrative Action)
- 12. Divisional Forest Officer, Kothagudem V. Madhusudhan Rao (2008) 3 SCC 469

## **Recommended Books:**

1. I.P. Massay: Administrative Law, 7<sup>th</sup> Edition, 2008, Eastern Book Company, Lucknow

- 2. C.K. Thakwani: Lectures on Administrative Law, 5<sup>th</sup> Edition, 2012, Eastern Book Company, Lucknow
- 3. Dr. U.P.D. Kesari: Administrative Law, 20<sup>th</sup> Edition, 2014, Central Law Publications, Allahabad
- 4. M.P Jain & S.N Jain: Principles of Administrative Law, 6<sup>th</sup> Edition, 2015, LexisNexis, Gurgaon
- 5. S. P Sathe- Administrative Law, LexisNexis, Gurgaon, 1st Edition 2010
- 6.KailashRai- Administrative Law, Allahabad Agency, Faridabad, 7th Edition, 2018
- 7. J.J.R Upadhyaya, Administrative Law, Central Law Agency, Allahabad, 7th Edition, 2011.
- 8. H. W. R. Wade & C.F. Forsyth: Administrative Law, 10<sup>th</sup> Edition, Oxford University Press
- 9. Mark Elliot: Administrative Law Text and Materials, Oxford University Press, Edition 2011

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# 2<sup>nd</sup> Semester LLM Subject: Rights of Religious and Linguistic Vulnerable Groups Paper: LL.M- 2.3/CAL 6

End Semester – 70 Internal Assessment -30 Total Marks: 100

**Objectives:** The Religious and Linguistic Minorities of a community are determined by numerical inferiority, non-dominant status in a state, and possessing a distinct identity. It is seen that "exclusive adherence to a minority language is a leading factor that contributes to socio-economic backwardness, and that this backwardness can be addressed through teaching the intricacies of the subject.

## **Learning outcomes:**

At the end of the course, a student will be able to understand:

- 1. The concept of 'Secularism in India'.
- 2. Students will also learn the various concepts of concepts of minorities in Indian Society.
- 3. Students will understand the concepts of various Commissions relating to minorities and vulnerable groups.

Unit	Sub-Unit	Content	Class	Marks
			Hours	
1	Title	Minorities in Indian society	12 hrs	14
	1.1	Concept of Minorities		
	1.2	Minorities in Indian Society		
	1.3	Linguistic Minorities		
	1.4	Religious Minorities		
	1.5	Secularism		
2	Title	International norms for protection of minorities	12 hrs	14
	2.1	Need of International Norms		
	2.2	Need and Importance of Human Rights		
	2.3	Human Rights of Minorities		
	2.4	Minority Rights under the International		
	2.5	Covenant on Civil and Political Rights  Non-discrimination provisions of the United Nations Charter 1945		
3	Title	Minority rights	12 hrs	14
	3.1	Need of Minority Rights		
	3.2	Right to religion		
	3.3	Linguistic rights		
	3.4	Right to culture and traditions		
	3.5	National Commission for Minority		
4	Title	Rights of minority educational institutions	12 hrs	14
	4.1	Concept of Right to Education		
	4.2	Educational rights of Minorities		
	4.3	Right to administer Minority educational institution		

	4.4	Aided and Unaided Minority Educational Institutions and Governmental Controls		
	4.5	National Commission for Minority Educational Institutions		
5	Title	Role of UNHCR	12 hrs	14
	5.1	Concept of UNHCR		
	5.2	Protection of Vulnerable groups		
	5.3	Evolution of Laws relating to Vulnerable groups		
	5.4	Recent laws relating to Refugees		
	5.5	Contributions of UNHCR regarding upliftment of refugees		

### **Referred Cases:**

- 1. T.M.A Pai Foundation and Others vs. State of Karnataka & Others, A.I.R 2003 S.C 355.
- 2. Frank Anthony Public School Employees Association vs. Union of India & others, (1986) INSC 236
- 3. St. Stephen's College vs. University of Delhi 1868 (W/P Civil)
- 4. General Secretary, Linguistic Minorities Protection Committee vs. State of Karnataka, A.I.R 1989 Kant 226
- 5. Ahmedabad St. Xaviers College Society and another vs. State of Gujarat, A.I.R 1974, S.C 1389

#### **Practical Exercise:**

- 1. Right to Culture and Traditions.
- 2. Constitutional Perspectives of Religious and Linguistic minorities.

### **Recommended Books:**

- 1. M. P. Jain Constitutional Law of India, Lexis Nexis, Gurgaon, 8th Edition, 2017
- **2.** H. M. Sreevai –Constitutional Law of India, Universal Law Publishing Co. Pvt. Ltd., Delhi, 4<sup>th</sup> Edition, 2016
- 3. V. N. Shukla –Constitutional Law of India, Eastern Book Company, Lucknow, 15<sup>th</sup> Edition, 2019.
- 4. D. D. Basu Shorter Constitution of India, LexisNexis, Gurgaon, 15<sup>th</sup> Edition, 2018
- **5.** Dr. J. N. Pandey –Constitutional Law of India, Central Law Publication, Allahabad, 56<sup>th</sup> Edition 2019
- **6.** Dr. S.R Myneni- Constitutional Law of India, Asia law House, Hyderabad, Asia Law House, Hyderabad, 3<sup>rd</sup> Edition, 2020
- **7.** Narendra Kumar- Constitutional Law of India, Allahabad Law Agency, Faridabad, Reprint 2021
- **8.** Subhram Rajkhuwa&StutiDeka- Economic, Social and Cultural Rights, Vol. 1 to 2, 2012, Eastern Book House, Panbajar, Guwahati
- 9. Samantha Knights: Freedom of Religion, Minorities, and the Law, Oxford University Press, Edition 2007
- 10. John Eibner: The Future of Religious Minorities in the Middle East, Lexingtone Books, Edition, 2017

# 2<sup>nd</sup> Semester LLM Subject: Criminal Justice System and Human Rights Paper: LLM 2.1/CSL-4

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** To prevent the occurrence of crime, maintain law and order in the society. To determine or conform to the controverted question of fact in judicial proceeding, hence evidence is the judicial investigation based on logic reasoning. For this reason it is very important to introduce the students to the basic principles governing law and lay a powerful foundation for their study of other transactional and related laws in higher semesters.

## **Learning Outcomes:**

Students graduating with Law of Evidence will be able to:

- 1. Understanding the concept and purpose of criminal justice system.
- 2. Analyze the rule relating to relevance of evidence and admissibility of evidence before the court.
- 3. Evaluate the rules relating to dying declaration and admissibility of dying declaration
- 4. The salient features of the Indian judicial system, its function, structure and powers of the court

e content		CIU	uit: 5
Sub-Unit	Content	Class Hours	Marks
Title	<b>Concept and Development of Human Rights</b>	12hrs	14
1.1	Concept, Importance and Nature		
1.2	U. N. Charter and its agencies		
1.3	History, Evolution and Growth		
1.4	Classification of Human Rights		
1.5	Conceptual perspective, Concept of Crime and Criminal Liability, Role of Criminal Justice		
		12hrs	14
-			
2.2	Rights of arrested persons		
2.3	Rights of Fair and Speedy Trail		
2.4	Rights to Free legal aid		
2.5	Parole and Probation		
Title	Human Rights Problems in the	12hrs	14
	Administration of Criminal Justice		
3.1	Police Atrocities and Custodial Torture		
3.2	Violence against Women and Children		
3.3	Terrorism and Insurgency		
3.4			
	and International Cooperation in combating of Transnational Organized Crime		
3.5	International Norms on Administrative of		
	Criminal Justice		
Title	Role of evidence in Criminal Justice System	12hrs	14
4.1	Relevancy and admissibility, of facts		
	Title 1.1 1.2 1.3 1.4 1.5  Title 2.1 2.2 2.3 2.4 2.5 Title 3.1 3.2 3.3 3.4  Title	Sub-UnitConcept and Development of Human Rights1.1Concept, Importance and Nature1.2U. N. Charter and its agencies1.3History, Evolution and Growth1.4Classification of Human Rights1.5Conceptual perspective, Concept of Crime and Criminal Liability, Role of Criminal Justice System in protection of Human RightTitleHuman Rights and Criminal Jurisprudence2.1Rights of Accused2.2Rights of Fair and Speedy Trail2.4Rights to Free legal aid2.5Parole and ProbationTitleHuman Rights Problems in the Administration of Criminal Justice3.1Police Atrocities and Custodial Torture3.2Violence against Women and Children3.3Terrorism and Insurgency3.4International Perspectives, International Crimes and International Cooperation in combating of Transnational Organized Crime3.5International Norms on Administrative of Criminal JusticeTitleRole of evidence in Criminal Justice System	Sub-UnitContentClass HoursTitleConcept and Development of Human Rights12hrs1.1Concept, Importance and Nature1.21.2U. N. Charter and its agencies1.3History, Evolution and Growth1.4Classification of Human Rights1.5Conceptual perspective, Concept of Crime and Criminal Liability, Role of Criminal Justice System in protection of Human RightTitleHuman Rights and Criminal Jurisprudence2.1Rights of Accused2.2Rights of Fair and Speedy Trail2.4Rights to Free legal aid2.5Parole and ProbationTitleHuman Rights Problems in the Administration of Criminal Justice3.1Police Atrocities and Custodial Torture3.2Violence against Women and Children3.3Terrorism and Insurgency3.4International Perspectives, International Crimes and International Cooperation in combating of Transnational Organized Crime3.5International Norms on Administrative of Criminal JusticeTitleRole of evidence in Criminal Justice System

	4.2	Relevancy of confessions and dying declarations		
	4.3	Admissibility of evidence in Cyber Crime		
	4.4	Types of witnesses		
	4.5	Protection of Witnesses		
5	Title	Implementation of Human rights in India	12hrs	14
	5.1	Role of NGO		
	5.2	Public Interest Litigation		
	5.3	Role of Judiciary		
	5.4	Role of National Human Rights Commission		
	5.5	Role of State Human Rights Commission		

## **Legislations:**

- 1. Indian Evidence Act, 1872
- 2. Protection of Human Rights Act, 1993.
- 3. Indian Penal Code, 1860
- 4. IT Act 2000

### **Practical Exercise**

- 1. Preparation of report on custodial death.
- 2. Case study on Human rights.
- 3. Data collection on crime committed.

### **Recommended Case Laws:**

- 1. M.M. Hoskot v. State of Maharashtra, AIR 1978 SC 1548
- 2. Husainara Khatoon v. State of Bihar, AIR 1979 SC 1360
- 3. Khatri v. State of Bihar, AIR 1981 SC 928
- 4. State of Maharashtra v. ManubhaiPragjiVasi (1995) 5 SCC 730
- 5. D.K. Trivedi v. Union of India, AIR 1986 SC 1328
- 6. Vishaka v. State of Rajasthan, AIR 1997 SC 3011
- 7. State of Karnatka v. Appavalu Ingle, AIR 1995 SC 1126
- 8. West Bengal v. S. Bhaumic, AIR 1981 SC 917

### **Recommended Books:**

- 1. Forest Martin (ed.) International Human Rights Law and Practice- Part I. and II of cases, treaties and materials.
- 2. Vijay Chitinis, et.al (ed.), Human Rights and the Law -National and Global Perspective.
- 3. Basu D.D. Human Rights in Constitutional Law.
- 4. Singh Sehgal B.P-Human Rights in India Problems and Perspectives.
- 5.Upendra Baxi and Manjula Batra Protection of Human Rights in Criminal Justice administration-- A study by Prof.
- 6. Ratanlal and Dhirajlal's, The Law of Evidence, Lexis Nexis, 2015 Edition
- 7. Avtar Singh Indian Evidence Act, Central Law Publications, 2016 Edition
- 8. Batuk Lal, Law of Evidence, Central Law Agency, 2015 Edition

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# 2<sup>nd</sup>semester LLM Subject: International Criminal Law Paper: 2.2/CSL 5

End Semester-70

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** The subject focuses on the institutional developments in international criminal law as well as the definition and application of the crimes of genocide, crimes against humanity, war crimes The objective is to develop students' analytical skills in relation of the function, scope and operation of the international criminal justice system and its likely future development, as well as to enable students to apply the law to the various situation.

## **Learning Outcomes:**

- 1. It will have the understanding of International Criminal Law and its basic principles, concepts and methodologies.
- 2. Be familiar with the sources and methods of research in the field of international criminal law.
- 3. Have an understanding of the evolution of the concepts of international crime, from privacy juris gentium to the drafting of the Statute of the International Criminal Court.
- 4. Have an understanding of the law and procedure regulating the activities of the International Criminal Court.
- 5. Be able to examine the role played by the United Nations and its subsidiary bodies in the development of International criminal Law.

UNIT	Sub-Unit	Content	Class Hours	Marks
1	Title	Development of International Criminal law	12hrs	14
	1.1	The concept and sources of International Criminal law		
	1.2	Evolution of the concept of Individual Criminal Responsibility		
	1.3	The objectives and policies of International Criminal law: including issues of amnesty, truth and justice.		
	1.4	Principle of liability and Participation in International Criminal Law		
	1.5	International Military Tribunals(Nuremberg and Tokyo Tribunals)		
2	Title	Nature and forms of International Crimes	12hrs	14
	2.1	The crime of aggression, Genocide, War crimes, Terrorism as International Crime.		
	2.2	Mechanism in dealing cases related to International Crime.		
	2.3	Rights of Accused and Protection of Victims and Witness.		
	2.4	Obligation of State Parties and Non Party States to International Criminal Court.		
	2.5	Emerging issues under International Criminal Jurisprudence.		

3	Title	Strategies for Prevention, Control, and Correctional Actions	12hrs	14
	3.1	Extradition Act 1962 (Relevant Provisions) and Extradition Treaty		
	3.2	International investigative agencies (Interpol) Adjudication authorities (including ad hoc and permanent criminal tribunal)		
	3.3	Conflicting issues between International humanitarian law and International Crimes(Case study)		
	3.4 3.5	Sentencing policy in International perspectives Prosecution in International crime		
4	Title	Organized Crime in Transnational	12hrs	14
		jurisdiction		
	4.1	Features of transnational organized crime		
	4.2	India's perspective on transnational organized crime		
	4.3	Naples Declaration and Global Action Plan 24 Dec 1994		
	4.4	Role of United Nations in preventing International crime.		
	4.5	Drug Trafficking in Transnational crime		
5	Title	Classification of Transnational Crime	12hrs	14
	5.1	Definition and scope		
	5.2	Characteristics of Transnational crime		
	5.3	Types of Transnational crime		
	5.4	Causes of Transnational crime, Criminal Intent		
		and mens-rea in such crimes, Modus Operandi		
		of Transnational crime		
	5.5	Environment crimes		

### **Recommended Case Laws:**

- 1. Girija K. Phukan v. State of Assam 1984 (2) LR 488 2.
- 2. Bengal Immunity Co. Ltd. V. State of Bihar 1955 2 SCR 603
- 3. SmtiCharu Deka v. Umeswari Nath & other AIR 1995 Gau 9.
- 4. P. Ramachandra Rao v. State of Karnataka (2002) 4 SCC 578
- 5. Bhatia International v. Bulk Trading S.A. (2002) 4 SCC 105

### **Recommended Books:**

- 1. Cassese's International Criminal Law, OUP UK; Third edition, 2013
- 2. From Nuremberg to the Hague: The Future of International Criminal Justice, Cambridge University Press, 2003
- 3. Darryl Robinson, An Introduction to International Criminal Law and Procedure Paperback June 28, 2010, Cambridge University Press, 2003
- 4. International Criminal Law Llias Bantekas, Susan Nash, Routledge Cavendish
- 5. International Criminal Law & International Criminal Court, S.R Mynemi, New Era Law Publication, 2020

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# 2<sup>nd</sup> Semester LLM Subject: Police law and Administration Paper: LL.M. 2.3/CSL-6

**End Semester-70** 

**Internal Assessment -30** 

**Total Marks: 100** 

**Objectives:** Police administration is designed to satisfy the needs of the individuals and students who have interests in various aspects of Police Administration. The students will learn and acquire knowledge in with western and Indian Policing, nuances as well as theories connected to the functioning of the enforcement agency, investigation, interrogative practices, procedures, legislative laws and various other inter related aspects. It pays away for orientation for future research prospects in the field of police administration.

### **Learning Outcomes:**

After this course student will able to Understand:

- 1. Analyze criminal acts, their elements, parties to offenses, and application to the criminal justice system.
- 2. Express an increased awareness of the legal principles of criminal law and its application.
- 3. Recognize the difference between Police Community Relations and Community Oriented Policing.
- 4. Demonstrate an increased understanding of the impact that ethics, emotions and prejudices have on discretionary decision making
- 5. Evaluate the admissibility of testimonial, documentary, real and physical evidence in a criminal trial by applying the appropriate Evidence Code statutes
- 6. Articulate the processes for the adversarial examination of evidence and differentiate between the roles of the district attorney and defence counsel in the presentation of evidence.
- 7. Analyze legal concepts Demonstrate proficiency in case law, criminal procedure updates and custodial laws.
- 8. Identify right to counsel and trial rights issues

UNIT	Sub-Unit	Content	Class Hours	Marks
1	Title	History of police	12hrs	14
	1.1	Origin and development ,policing in India, ancient Indian police system		
	1.2	Police system during medieval India		
	1.3	Police system during British India		
	1.4	Police system during Modern India		
	1.5	Present police system in the state of		
		Meghalaya		
2	Title	Police Act	12hrs	14
	2.1	Basics features of Central Police Act,		
	2.2	Basic features of Meghalaya police Act,2010		
	2.3	Basic features of Assam Police Act 2007		

	2.4	Descritored Associatored suchless training		
	2.4	Recruitment, Appointment, problem, training,		
		working hours , promotion ,transfer ,		
	2.5	disciplinary procedure		
	2.5	Special functions, preventive detention-		
		women ,children ,juveniles , anti corruption		
		,narcotic control		
3	Title	Role of police	12hrs	14
	3.1	Powers and functions – maintenance of law		
		and order ,crime and investigation		
	3.2	Duties and responsibilities – crime detention,		
		investigation, cross question, traffic		
		management and preventive function.		
	3.3	Crime record Bureau and research		
	3.4	Police manual		
	3.5	Standard operating procedure		
4	Title	Challenges faced by police	12hrs	14
	4.1	Budget and utilization		
	4.2	Man power ,strength appointment , vacant post		
	4.3	Facilities, technologies, expertise		
	4.4	Modernization		
	4.5	Forensic laboratory		
5	Title	Changing rules of police and	12hrs	14
		recommendation		
	5.1	Recommendation of crime Padmanabhan		
		Malimath Commission		
	5.2	Recommendation of Solisorabji Commission,		
		NR Madhava memon Committee		
	5.3	Community policing , student policing she/		
		pink policing patrolling		
	5.4	Police welfare ,welfare schemes , association,		
		societies, housing, etc		
	5.5	Police ethics, public perception of police –		
1	0.0			
	5.5			
	3.5	peoples ,media , civil societies		

## **Legislations:**

- 1. Meghalaya Police Act.2010
- 2. Assam Police Act 2007
- 3. Police Approaches, Code Of Conduct For The Police (National Police Commission, 1977)
- 4. Protection of Human Rights Act 1993 Right to Information Act, 2005
- 5. The Immoral Traffic (Prevention) Act, 1956
- 6. The Prevention of Food Adulteration Act, 1954
- 7. Narcotic Drugs and Psychotropic Substances Act, 1988
- 8. Prevention of Corruption Act, 1988
- 9. The Immoral Traffic (Prevention) Act, 1956

### **Recommended Case Laws:**

- 1. State of Bihar And Anr vs J.A.C. Saldanha And Ors on 13 November, 1979
- 2. Makeshwar Nath Srivastava vs State Of Bihar & Ors on 2 March, 1971
- 3. Bench: S.M. Sikri (Cj), J.M. Shelat, C.A. Vaidyialingam, A.N. Grover, A.N. Ray

- 4. Makhanlal Waza & Ors vs State Of Jammu & Kashmir &Ors on 2 March, 1971 AIR 1106, 1971 SCR (3) 863
- 5. Hongray vs. Union of India, 10AIR 1984 SC 571 and AIR 1984 SC 1026
- 6. Rudul Shah case, 12AIR 1983 SC 1086
- 7. Sebastian Hongray case, 3AIR 1984 SC 1026

## **Practical Exercise:**

- 1. Visiting Police Station,
- 2. Visiting Court,
- 3. Interview With Criminals
- 4. Legal Awareness
- 5. Awareness for Crime less Society
- 6. Internship under Grade-1 Police Officer.

#### **Recommended books:**

- 1. R.V. Kelkar's Code of Criminal Procedure, 1973,6<sup>th</sup> edition Eastern Books Company
- 2. S.N. Misra, Indian Panel Code, 1860,21st edition central law publication.
- 3. K N Chandrasekharan Pillai (ed.): Kelkar's Lectures on Criminal Procedure
- 4. Thomas. Dekal, V. (2014). Exam preparatory manual for undergraduates:
- 5. Forensic medicine & toxicology (Theory & Practical). New Delhi: Jaypee
- 6. Gardner, R., & Bevel, T. (2009). Practical crime scene analysis and reconstruction. Boca Raton, Florida: CRC Press
- 7. N. M. Tripathi. Nageshkumar, G. (2007). Practical forensic medicine. New Delhi: Jaypee Brothers Medical.
- 8. Nanda, B.&Tewari, R. (2001). Forensic science in India: A vision for the twenty first century. New Delhi: Select Publishers.
- 9. Subrahmanyam, B. (2001). Modi's Medical Jurisprudence & Toxicology New Delhi India
- 10. Ramanujam, T (1992), Prevention and Detection of crime, Madras book agency.
- 11. Parmar, M.S., Problems of Police Administration, Reliance Publishing House, New Delhi, 1992.
- 12. Jay Tilak Guhee Roy, Policing in Twenty First Century, IIPA, New Delhi, 1999.

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