

**CORRECTED SYLLABUS OF LL.M
ONE YEAR DEGREE COURSE FOR
THE ACADEMIC SESSION
2022-2023 TO 2024-2025**



**Under Credit Based Semester System
(CBSS)**

**HIMACHAL PRADESH UNIVERSITY
FACULTY OF LAW**

SCHEME OF THE COURSE
FIRST SEMESTER

Group	Paper No.	Name of the Paper	Duration of Exam	Marks (Internal)	Marks (Written)
COMPULSORY PAPER	I	LEGAL EDUCATION AND RESEARCH METHODOLOGY	3 Hours	40	60
	II	JUDICIAL PROCESS	3 Hours	40	60
Group 1- INTERNATIONAL LAW	III	INTERNATIONAL LAW	3 Hours	40	60
	IV	INTERNATIONAL ORGANISATIONS: LAW, PRACTICE AND FUTURE	3 Hours	40	60
	V	HUMAN RIGHTS AND INTERNATIONAL ORDER	3 Hours	40	60
Group 2- CONSTITUTIONAL LAW	III	FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICY	3 Hours	40	60
	IV	LOCAL SELF GOVERNMENT AND DIRECT DEMOCRACY	3 Hours	40	60
	V	MASS MEDIA LAWS	3 Hours	40	60
Group 3- CRIMINAL LAW	III	CRIME AND ADMINISTRATION OF CRIMINAL JUSTICE	3 Hours	40	60
	IV	CRIME AND SOCIAL LEGISLATIONS	3 Hours	40	60
	V	PENOLOGY AND TREATMENT OF OFFENDERS	3 Hours	40	60
Group 4- BUSINESS LAW	III	COMPANY LAW	3 Hours	40	60
	IV	COMPETITION LAW	3 Hours	40	60
	V	ECONOMIC LAWS	3 Hours	40	60
Group 5- HUMAN RIGHTS LAW	III	INTERNATIONAL HUMAN RIGHTS STANDARDS	3 Hours	40	60
	IV	INTERNATIONAL HUMANITARIAN AND REFUGEE LAW	3 Hours	40	60
	V	PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS IN INDIA	3 Hours	40	60

SECOND SEMESTER

Group	Sr. No	Name of the Paper	Duration of Exam	Marks (Internal)	Marks (Written)
COMPULSORY PAPER	VI	JURISPRUDENCE	3 Hours	40	60
	VII	LAW AND SOCIAL TRANSFORMATION	3 Hours	40	60
GROUP 1- INTERNATIONAL LAW	VIII	INTERNATIONAL CRIMINAL LAW	3 Hours	40	60
	IX	INTERNATIONAL HUMANITARIAN LAW	3 Hours	40	60
	X	LAW OF SEA	3 Hours	40	60
GROUP 2- CONSTITUTIONAL LAW	VIII	FEDERAL RELATIONS UNDER INDIAN CONSTITUTION	3 Hours	40	60
	IX	NATIONAL SECURITY, PUBLIC ORDERS AND RULE OF LAW	3 Hours	40	60
	X	HEALTH LAWS	3 Hours	40	60
GROUP 3- CRIMINAL LAW	VIII	JUVENILE DELINQUENCY	3 Hours	40	60
	IX	LAW AND ORGANISED CRIME	3 Hours	40	60
	X	VICTIMOLOGY	3 Hours	40	60
GROUP 4- BUSINESS LAW	VIII	BANKING LAW	3 Hours	40	60
	IX	INTELLECTUAL PROPERTY RIGHTS	3 Hours	40	60
	X	INSURANCE LAW	3 Hours	40	60
GROUP 5- HUMAN RIGHTS LAW	VIII	HUMAN RIGHTS OF DISADVANTAGED GROUPS: SC'S, ST'S/OBC'S, WOMEN, CHILDREN, AGED AND DISABLED	3 Hours	40	60
	IX	HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM	3 Hours	40	60
	X	INTER RELATIONSHIP OF SCIENCE, TECHNOLOGY AND HUMAN RIGHTS: EMERGING ISSUES	3 Hours	40	60
	XI	DISSERTATION (COMPULSORY)			

- (i) The regular course of studies for LL.M. semester examination shall consist of two semester with specialization. In each semester student will have to appear in two compulsory and three optional papers out of the offered stream/group.
- (ii) A candidate in LL.M. examination of Semester-I and Semester-II shall be required to secure 50% marks in each paper (Theory as well as Practical).
- (iii) The name of a student shall be sent for examination (both in Semester-I and Semester-II) only when the head of the department is satisfied.
- (iv) Each paper which the candidate will take up in First and Second Semesters shall consist of 100 marks out of which sixty marks shall be assigned for the written examination and forty marks for the Subject Assignment /Seminar/Viva- voce to be fixed by the Chairman in consultation with the subject teacher.
- (v) There shall be Two Question from each unit and student will attempt one question from each unit comprising 15 Marks each question
- (vi) The syllabus and scheme of courses of reading for LL.M. Semester-I and Semester-II examination will be as follows:

Note:- The Internal Assessment of 40 Marks shall be comprised of Case Study, Seminar Presentation, Assignment and shall be decided by the subject teacher in consultation with the Chairman.

LL.M 1st SEMESTER

Time: 3 Hours
L2 T4 P-

Maximum Marks=100
Theory= 60 Marks
Internal Assessment=40 Marks
Credit= 5
Total Lectures= 34

COMPULSORY PAPER

COURSE-I: LEGAL EDUCATION AND RESEARCH METHODOLOGY

COURSE OBJECTIVES:-

This course will give the students an insight about different research methods. To make students realize that the main aim of research is to find out the truth which is hidden and which has not been discovered as yet. It will enable to understand the format of legal writing and enables the students to be well equipped with the skills of legal writing. The subject provides the basic knowledge of techniques of legal research and its application through legal writing in their research work.

COURSE CONTENT

UNIT-I

Lectures-08

Objectives of legal education, teaching methods–The problem method, lecture method, discussion method and the seminar method of teaching, Evaluation of teaching methods. Examination system of legal education–problems in evaluation, external and internal assessment system and suggested approaches for reformation of the system.

UNIT-II

Lectures-08

Clinical Legal Education: Concepts and Dimensions–Legal aid, legal literacy, legal survey and law reforms. Students' participation in Law School Programmes: Organizing seminars, publication and editing of Law Journal and assessment of teachers.

UNIT-III

Lectures-09

Research methods–Socio-legal research, Inter-disciplinary approaches, doctrinal and non-doctrinal research, field surveys, relevance of empirical research and induction and deduction.

UNIT-IV

Lectures-09

Identification of the research problem – What is a research problem and how it is to be selected? Definition and statement of the problem, evaluation of the problem, the hypotheses, the research proposal or synopsis, survey of available literature and bibliographical research, legislative materials, notification and policy statements, decisional material pertaining to research problem juristic writings and compilation of list of reports or special studies conducted, research design, devising tools and techniques for collection of data – methodology, use of observation studies, questionnaires and schedules, interview techniques, use of case studies, sampling procedures and use of scaling techniques, procedure for collecting data and its treatment, analysis and interpretation of data and role of computers in legal research.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Dr. Vinay N. Paranjpe, Legal Education & Research Methodology, Central Law Agency, 2013.
 2. Rattan Singh, Legal Research Methodology, Lexis Nexis, Edition 3rd, 2021
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 35

COMPULSORY PAPER

COURSE-II: JUDICIAL PROCESS

COURSE OBJECTIVES:-

To study the nature of Judicial Process, tools and techniques of Judicial Process and various dimensions of Judicial Process. To inculcate the understanding of the jurisprudential debate upon the role and functions of Judiciary in India. To develop the understanding about the concept of Justice. To discuss the evolving parameters of Law and Justice.

COURSE CONTENTS

UNIT-1

Lectures-09

Nature of Judicial Process–Judicial Process as an instrument of social ordering, Judicial Process and creativity in law–Tool and Techniques. Legal development and creativity through legal reasoning under statutory and codified systems. Multiple Dimensions of Judicial Process– (a) Kinds : Adversary, Inquisitorial, Arbitration, Public Interest Litigation (b) Stages in Judicial process: Advisory, pre-trial, Trial, Appellate, Appeal, Revision (c) Elements of Judicial Process : Practice and judicial technique, Reporting, Attendance and Management, (d) Judicial Process Distinguished from other processes : Legislative Process, Administrative Process, Conciliation, Mediation (e) Drawback of Judicial Process: Costs, Delay, Inadequate Representation, Class Structure, Technically.

UNIT-II

Lectures-09

Judicial Process in India–Indian Debate on the role of Judges and on the notion of judicial review, The independence of Judiciary and the political nature of judicial process, Judicial activism and creativity of the Supreme Court, Judicial process in pursuit of Constitutional goals and values, Accountability of the Courts and judicial activism, Impact of public opinion on judicial process, Public confidence in the Judiciary.

UNIT-III

Lectures-09

The Concepts and basis of Justice–The concept of justice or dharma in India thought, The nature and varieties of justice–views of Karl Marx, John Austin, Hans Kelson, C.K. Allen, Carl Renner, Gemy Benthem, Upendera Baxi, Rajiv Dhawan, Justice as a social norm, The objectivity of justice, Justice and justification, Justice as absolute moral principles, The modern approach to justice. Theoretical basis of justice–The liberal conceptual tradition, the liberal utilitarian tradition, the liberal moral tradition.

UNIT-IV

Lectures-08

Relationship between Law and Justice–The dependence of the realization of justice on law, Can law be independent of justice? The conformity of law to justice, the dependence of justice on social action and not law. The criteria of law (just law). Equivalence theories: Justice is nothing other than the positive law of the stronger classes; Dependency theories – For its realization justice depend of law justice, however, is not the same as law. The independence of justice theories–the relationship in the context of Indian constitutional setting; Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theory of justice.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Laxmikant, Judicial Process and Precedent, Eastern Book, Company, Edition 4th, 2016.

LL.M 1ST SEMESTER

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 34

OPTIONAL/SPECIALISATION GROUPS

GROUP-1: INTERNATIONAL LAW

COURSE-III: INTERNATIONAL LAW

COURSE OBJECTIVES:

To provide the necessary tools to understand and study the nature, sources and status of state and individual under international law. To equip with the knowledge of certain concepts such as nationality, refugee, sovereignty and jurisdiction. To enhance the competence to analyze and discuss treaties, legality of war, etc. To provide the knowledge of law of sea, air law and outer space law.

COURSE CONTENTS

UNIT-I

Lectures-09

Nature and Functions, Theories and Basis of International Law

Third World Approaches to International Law: Asian African Contribution to the Development of International Law

State in International Law: Legal Personality; Recognition; State Responsibility and Sovereign Immunity

Status of Individual and Corporations under International Law: Legal Personality of Individual; Nationality, Statelessness and Refugees; Corporate Nationality.

UNIT-II

Lectures-09

Extraterritorial Jurisdiction: Principles of Jurisdiction; Criminal Jurisdiction, Hijacking Extradition; Immunity from Jurisdiction; State Jurisdiction and the Internet

International Law Commission: Origin, Organization, Programme and method of work

UNIT-III

Lectures-08

Law of Treaties: Definition, Vienna Convention on the Law of Treaties, State Practice — India, Interpretation of Treaties by Indian Courts

The Legality of War and Use of Force: Outlawry of War- Historical Evolution; Position within the UN Charter; Definition of Aggression; and the Legality of Use of Nuclear Weapons

Use of Force in International Law: States, Individual and United Nations

UNIT-IV

Lectures-08

The Law of Sea: Territorial Sea, High Seas, Exclusive Economic Zone, Continental Shelf, Continental Zone, Deep Sea Bed, Air Law: Sovereignty in Air Space, Freedoms and Liability Outer Space Law.

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

SUGGESTED READINGS

1. Akehurst, Michael, Modern Introduction to International Law, 5th ed (George Allen and Unwin, London, 1984).
2. Alexandrowicz, C. H., An Introduction to the History of the Law of Nations in the East Indies in 16th, 17th and 18th Centuries.

3. Alvarez, Jose E., *International Organizations as Law-Makers* (Oxford University Press, Oxford, UK, 2005).
4. Anand, R. P., *Compulsory Jurisdiction of the ICJ* (Asia Publishing House, New Delhi, 1986).
5. Anand, R. P., *Development of Modern International Law and India* (Nomos, Germany, 2005).
6. Anand, R. P., *International Law and the Developing Countries* (Banyan Publications, New Delhi, 1986).
7. Anand, R. P., *New States and International Law* (Vikas Publications, New Delhi, 1994).
8. Anand, R. P., *Origin and Development of the Law of the Sea* (Martinus Nijhoff, The Hague, 1983).
9. Anand, R. P., *Salient Documents of International Law* (Banyan Publication, New Delhi, 1994).
10. Anand, R. P., *Studies in international Law and History: an Asian Perspective* (Martinus Nijhoff Publishers, 2004).
11. Anghie, Antony, *Imperialism, Sovereignty, and the Making of International Law* (Cambridge University Press, Cambridge, UK, 2004).
12. Arend, Anthony Clark and Robert J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (Routledge, New York, 1993).
13. Arend, Antony, Clark and Robert J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (Routledge, New York, 1993).
14. Balkrishna, Rajgopal, *International Law from Below: Development, Social Movements and Third World Resistance* (Cambridge University Press, UK, 2004).
15. Bassiouni, M. Cherif, *Introduction to International Criminal Law* (Transnational, Ardsley, NY, 2003).
16. Brierly, J. L., *Law of Nations: An Introduction to the Law of Peace*, 6th ed (Oxford University Press, London, 1998).
17. Brownlie, Ian, *Principles of International Law*, 5th ed (Oxford University Press, London, 1998).
18. Cheshire, North and Fawcett, James, *Private International Law* (Carruther Jawrr, Oxford, 2008).
19. Chesterman, Simon, *Just War or Just Peace? Humanitarian Intervention & International Law* (Oxford university press, 2001).
20. Chimni, B. S., *International Law and World Order: A Critique of Contemporary Approaches* (Safe, New Delhi, 1993).
21. Churchill, R. R. and Lome, A. V., *The Law of the Sea* (Manchester University Press, Manchester, 1983).
22. Conforti, Benedetto, *The Law and Practice of the United Nations* (Martinus Nijhoff Publishings, 2005).
23. Diederiks, Versehoor, *Introduction to Air Law* (Kluwer Law and Taxation, Dordrecht, 1983).
24. Dixit, R.K. & Jayaraj, C, *Dynamics of International Law in the New Millennium* (Manak Publications, New Delhi).
25. Dixit, R.K. , Shankardass, R.K.P., Jayaraj, C & Sinha, Manoj K., *International Law: Issues and Challenges* (ISIL & Hope India Publications, New Delhi, 2009).
26. Gal, Gyula, *Space Law* (Academiai Kiado, Budapest, 1969).
27. Govindraj, V. C., *Conflict of Laws in India-Interterritorial and Interpersonal Conflicts* (Oxford University Press, New Delhi, 2011).
28. Green, L. C., *International Law through the Cases*, 3rd ed (Stevens and Sons, London, 1970).
29. Harris, D. J., *Cases and Materials on International Law*, 6th ed (Thomson and Sweet and Maxwell, London, 2004).
30. Jambholkar, Lakshmi, *Select Essays on Private International Law* (Universal, New Delhi, 2011).
31. Jasentuliyana, N. and Roy, S. K. Lee, (eds), *Manual on Space Law* (Dobbs Ferry, New York, Oceania Publications, 1969).

32. Jenks, C. W., *Space Law* (Praeger, New York, 1969).
 33. Johnson, D. H. N., *Rights in the Air* (Manchester University Press, Manchester, 1965).
 34. Lachs, Manfred, *Law of Outer Space: An Experience in Contemporary Law Making* (Sijthoff, Leiden, 1972).
 35. Lawrence Collins, Dicey and Morris on Conflict of Laws (Sweet Maxwell, London, 2000).
 36. Mani, Bhatt and Reddy, *Air Law and Policy in India* (Lancers Books, New Delhi, 1994).
 37. Mani, V. S., *Basic Principles of Modern International Law* (Lancers Book, New Delhi, 1993).
 38. Mani, V. S., et al., *Recent Developments in International Space Law and Policy* (Lancers Books, New Delhi, 1997).
 39. Nawaz, M. K., *Changing Law of Nations* (Eastern Law House, New Delhi, 2000).
 40. O'Connell, D. P., *The International Law of the Sea* (Clarendon Press, Oxford, 1982).
 41. Oppenheim's, *International Law of Peace*, vol. 1, 9th ed. (London, 1992).
 42. Patel, Bimal (ed.), *India and International Law* (Martinus Nijhoff Publishings, Leiden, 2008).
 43. Shaw, M. N., *International Law* (Cambridge University Press, New York, 2005).
 44. Starke, J. G., *Introduction to International Law*, 10th ed Butturworths, London, 1992).
 45. Verma, S. K., *50 Years of Supreme Court of India: It's Grasp and Reach* (Oxford, 2008).
 46. Verma, S. K., *An Introdution to Public International Law* (Satyam, New Delhi, 2012).
 47. Weeramantry, C. G., *The World Court: Its Conceptions, Constitutions and Contributions* (A Sarvodaya Vishava Lekha Publications, Sri Lanka, 2002).
-

Time: 3 Hour

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 33

COURSE-IV: INTERNATIONAL ORGANIZATIONS: LAW, PRACTICE AND FUTURE

COURSE OBJECTIVES:

To provide knowledge of evolution of international organisations with special reference to United Nations Organization and its law creating process. To develop skill in the political process of the international organisations specifically NAM and its impact. To examine and understand the Constitution and the functions of the specialized agencies and non-governmental organizations. To analyse the capabilities of United Nations Settlement Mechanism through peaceful change.

COURSE CONTENTS

UNIT-I

Lectures-08

Evolution of International Organizations: The concept of Europe, the League of Nations and the United Nations. United Nation as a Constitutional and Political system: Organs and their functions. Law creating processes including Resolutions and Declarations of the General Assembly and Specialized Agencies. Secretary General of the United Nations.

UNIT-II

Lectures-08

The political process of the international organization stocks and alliances; nonaligned movement and its impact various organizations of United Nations. African and Latin, India and the United Nations, U.N. peace making function keeping force – case studies. Problems of peace enforcement.

UNIT-III

Lectures-08

Special agencies and non-governmental organizations: Constitution and functions of specialized agencies. Case studies at some agencies such as FAO and UNDP as illustrative organizations within the U.N. system select study of NGOs surveying as consultants. Amnesty international. International Commission of Jurist.

UNIT-IV

Lectures-09

Peaceful change through United Nations settlement mechanism of the United Nations. The role of ECOSOC in bringing about peaceful change. UN operational programmes in the social and economic field. Disarmament and human rights.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS

CDC Report, Report 2001, p 210.

.....

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures =35

COURSE-V: HUMAN RIGHTS AND INTERNATIONAL ORDER

COURSE OBJECTIVES:

To provide the knowledge about the historical development of concept of human rights and its various approaches. To provide information relating to international human rights standards and specific norms regarding genocide, prisoners and victims, women and children, etc. To understand the different measures adopted for the protection and enforcements of human rights and the role played by International Court of Justice, International Commission of Human Rights and Amnesty International, etc. To know human rights situation in neighboring countries of India and its jurisprudence.

COURSE CONTENTS

UNIT-I

Lectures-09

Evolution of the Concept of Human Rights: Western, Socialist and Third World approaches. Philosophical and legal foundation of Human Rights. Emerging trends of human rights. Human Rights in 21st century.

UNIT-II

Lectures-09

International Human Rights Standards : (a) General norms under (i) UN Charter, (ii) Universal Declaration of Human Rights 1948, (iii) UN Covenants of Human Rights 1966, (iv) ILO and other Conventions and Protocols dealing with human rights, (b) Specific norms relating to (i) Genocides, (ii) racial discrimination, (iii) prisoners and victims, (iv) women and children, (v) refugees.

UNIT-III

Lectures-09

Measures for the protection and enforcement of Human Rights: (a) at the international level: (i) Relevant provisions under the UN Charter, (ii) Human Rights and domestic jurisdiction clause, (iii) Role of UNO Agencies, (iv) Human Rights and International Court of Justice, (v) Role of International Commission of Human Rights and Amnesty International (b) At the regional level (i) European Convention on Human Rights (ii) European Commission on Human Rights/Courts of Human Rights (iii) American Convention on Human Rights, (iv) Inter-American Courts on Human Rights, (v) African Convention on Human Rights, (vi) Arab Regional Convention on Human Rights, (vii) Asian Convention on Human Rights.

UNIT-IV

Lectures-08

Human rights situation in neighboring countries of India (a) Human Rights situation in Pakistan, (b) Human rights situation in Afghanistan (c) Human Rights situation in Sri Lanka (d) Human Rights situation in Burma (Myanmar), (e) Human Rights situation in Bangladesh and Nepal; Emerging trends in Human Rights jurisprudence.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS

See CDC Report, Report 2001, p.386

Time: 3 Hour

L2 T4 P0

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures =35

GROUP 2: CONSTITUTIONAL LAW

COURSE-III: FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICY

COURSE OBJECTIVES:

To correlate the concept of Fundamental Rights under Constitution of India and its justifiability. To interpret various fundamental rights and related landmark decisions of Supreme Court. To compare fundamental rights, directive principles and fundamental duties. To summarize the power of judicial review.

COURSE CONTENT

UNIT-I

Lecture-09

Concept and Evolution of Fundamental Rights

Concept of Fundamental Rights and Relation with Natural Rights, Justiciability of Fundamental Rights, Definition of "State" - Need to Enlarge the Definition of State, Waiver of Fundamental Rights, Doctrine of Eclipse, Doctrine of Severability, Military Law and Fundamental Rights

UNIT-II

Lecture-09

Forms of Fundamental Rights

Right to Equality: Reasonable Classification, Wednesbury's Principle, Legitimate Expectation, Doctrine of Proportionality and Administrative Discretion, Equality under Personal Laws, Equality of Opportunity in Public Employment: Mandal Commission Case, Protective Discrimination, Right to Freedom and Reasonable Restrictions, Right to Life and Personal Liberty: Changing Dimensions of Right to Privacy, Pre and Post Maneka Gandhi Case, Freedom of Religion and Secularism.

UNIT-III

Lecture-09

Directive Principles of State Policy and their Enforceability

Development and Importance of Directive Principles of State Policy and their Enforceability, Inter-relationship between Fundamental Rights and Directive Principles, Emerging Regime of New Rights and Remedies under the Garb of Fundamental Rights, Use of D.P.S.P. and International Instruments in Interpreting F.Rs., Significance of Fundamental Duties.

UNIT-IV

Lectures-08

Judicial Review of Fundamental Rights and Directive Principles

Right to Property: Present Position, Exceptions to Fundamental Rights (Arts.31-A, 31-B and Ninth Schedule). Right to Constitutional Remedies (Writs) and Public Interest Litigation. Judicial Review of F.R.s and D.P.S.P. Concept of Socio-Economic Justice, Amendment to FRs and DPSP (Shankari Prasad to I.R.Coelho's Case)

NOTE: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carries 15 Marks

SUGGESTED READINGS

1. H.M. Seervai, Constitutional Law of India – Vol. I &II
 2. V.N.Shukla , Constitution of India
 3. Subhash C. Jain, The Constitution of India
 4. D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
 5. M. Hidayatullah (Ed.), Constitution of India.
 6. M.P.Jain, Indian Constitutional Law.
 7. G. C.V. Subba Rao , Indian Constitutional Law
 8. G. S. Pande, Constitutional Law of India
 9. H. K. Saharay, Constitution of India
 10. M. V. Pylee , Our Constitution Government & Politics
 11. T.K. Tope , Constitutional Law of India
 12. V.G. Ramachandran, Law of Writs.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 35

COURSE –IV: LOCAL SELF-GOVERNMENT AND DIRECT DEMOCRACY

COURSE OBJECTIVES:

To trace developmental history of Local Self Government; explain various recommendations given by related Committees. To outline constitutional provisions and constitutional amendments to introduce concept of local self-government and concept of direct democracy. To summarize Acts and rules relevant to Rural local self-government. To discuss various legislative provisions concerning Urban local self-government.

COURSE CONTENTS

UNIT-I

Lectures-10

Concept of Local Self-Government

Evolution of Local Self Government in India

Gram Swaraj: The Gandhian Concept

The Balwant Rai Mehta committee report, 1957

GVK Rao committee report, 1985

Community development programme, National Extension Service

UNIT-II

Lectures-08

Constitutional Provisions and Constitutional Amendment

Direct democracy and grass root planning

The Panchayats: Art. 243, 243- A to 243-O

The Municipalities: Art. 243-P to 243-ZG

The Co-operative Societies: Art. 243-ZH to 243-ZT

73rd and 74th Constitutional amendments

Subject matters of 11th and 12th Schedule of the Constitution of India

UNIT-III

Lectures-08

Rural local self-government

Gram Nyayalayas Act, 2008

Himachal Pradesh Panchayati Raj Act, 1994

Himachal Pradesh Panchayati Raj (General) Rules, 1997.

UNIT-IV Urban local self-government

Lectures-09

Himachal Pradesh Municipal Corporation Act, 1994

Himachal Pradesh Municipal Act, 1994.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS

1. S.P. Aiyar and U. Mehta (eds.), Essays on Indian Federalism, Bombay, Allied Publishers, 1965.
2. D.D. Basu, An Introduction to the Constitution of India, New Delhi, Prentice Hall, 1994
3. K.R. Bombwall, The Foundations of Indian Federalism, Bombay, Asia Publishing House, 1967.

4. R. Khan, Rethinking Indian Federalism, Shimla, Indian Institute of Advanced Studies, 1997
 5. R. Kothari, Party System and Election Studies, Bombay, Asia Publishing House, 1967.
 6. J.A. Kousar, Federalism and Good Governance: Issues across Cultures, New Delhi, South Asian, 1998.
 7. P. Kumar, Studies in Indian Federalism, New Delhi, Deep and Deep 1988.
 8. Z. Hasan (ed.), Parties and Party Politics in India, New Delhi, Oxford University press, 2001.
 9. J. Manor, "Parties and the Party System", in A. Kohli (ed.) India's Democracy: An Analysis of Changing State-Society Relations, Princeton NJ, Princeton University Press, 1988.
 10. S. Pai, State Politics : New Dimensions : Party System, Liberalisation and Politics of Identity, Delhi, Shipra, 2000.
 11. M. Weiner, Party Building in a New Nation : The Indian Congress, Chicago, University of Chicago Press, 1967.
 12. C.E. Zirakzadeh, Social Movements in Politics : A Comparative Study, New York, Addison Wesley, Longman 1997.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 35

COURSE-V: MASS MEDIA LAWS

COURSE OBJECTIVES:

To understand and examine the difference between various types of Mass Media. To illustrate various constitutional and important legal provisions to relate freedom of speech and expression and mass media. To demonstrate various landmark cases and legal provisions pertaining to Press and films. To interpret various Acts dealing with Radio and Television.

COURSE CONTENTS

UNIT-I

Lecture-09

Mass Media

Types of –Press, Films, Radio and Television

Ownership patterns-Press-Private-Public

Ownership patterns-Films-Private

Ownership patterns-Radio and Television, Public

Difference between visual and non-visual Media- impact on People's minds, Role of Internet as Mass media.

UNIT-II

Lectures-09

Freedom of Speech and Expression

Article 19 (1) (a)

Constitutional Restrictions, Parliamentary Privileges

Power to legislate - Article 246 read with the Seventh Schedule.

Media and Contempt of Courts Act, 1971

Issues relating to privacy and Official Secrets Act, 1923.

UNIT-III

Lectures-09

Press and Films

Social Media and Information Technology Act, 2000

The Abbas Case

Cinematograph Act, 1952

Press Councils Act, 1978.

UNIT-IV

Lectures-08

Radio and Television

Prasar Bharti Act, 1990

Cable Television Network Regulation Act, 1995

Monopolies and Restrictive Trade Practices Act, 1964

Telecom Regulatory Authority of India Act, 1997.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SELECT BIBLIOGRAPHY:

1. M.P. Jain, Constitutional Law of India; Wadhwa, Nagpur;(1994)
2. H.M. Seervai, Constitutional Law of India 2002 Vol. 1; Universal Law Publishing Co Ltd.
3. John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for law in Development 1980)

4. Rodney D. Ryder, Brands, trademarks, and advertising, Lexis Nexis Butterworths, (2003).
 5. Soli Sorabjee, Law of Press Censorship in India (1976).
 6. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
 7. D.D. Basu, The Law of Press of India (1980)
 8. Venkat Iyerass, Media Laws And Regulations In India; Bahri Sons (India Research Press) (2000).
 9. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a global perspective, Oxford University Press, (2000).
 10. Kiran Prasad, Media Law in India, Kluwer Law International ;(2011).
 11. Daxton Stewart (ed.) Social Media and the Law: A Guidebook for Communication Students and Professionals, Routledge, (2013).
 12. B. Manna, Mass Media and Related Laws in India, Academic Publishers, (2006).
 13. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a global perspective, Oxford University Press, (2001). M.P. Jain, Constitutional Law of India (1994) Wadhwa.
 14. Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression ". 14 J.I.L.I. 501 (1 972).
 15. Rajeev Dhavan "On the Law of the Press in India" 26 J.I.L.I. 288 (1984).
 16. Press Commission" 26 J.I.L.I. 391 (1984).
 17. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures =34

GROUP 3: CRIMINAL LAW
COURSE-III: CRIME AND ADMINISTRATION OF CRIMINAL JUSTICE

COURSE OBJECTIVES

To study the basic concept of Criminal Jurisprudence. To study the criminal justice agencies: Police, Court, Prosecution and Correctional Agencies. To study the pre-trial procedure and trial procedure. To study correctional programmes and role of court in implementation of these programmes.

COURSE CONTENTS

UNIT-I

Lectures-09

Introduction

Crime, causes of crime, concept of criminal jurisprudence.

Administration of criminal justice.

Organisational hierarchy of criminal court and their jurisdiction.

Organisation of prosecuting agencies for prosecuting criminals; prosecution, police and withdrawal of prosecution.

UNIT-II

Lectures-09

Pre- trial Procedure

Arrest and questioning of accused

The rights of the accused: right to counsel, right to bail, constitutional rights.

Roles of the prosecutor and judicial officer in investigation.

The Evidentiary value of the Statement/ the articles seized/ collected by the police.

UNIT-III

Lectures-08

Trial procedures

The accusatory and the inquisitorial system of trial.

Role of the judges.

Plea bargaining.

Preventive detention laws.

Protection of public peace and order.

UNIT-IV

Lectures-08

Correction and after care services

Correctional institutions, correctional programmes.

Role of the court in Correctional Programmes in India.

Public interest litigation,

Preventive and reformative measures in India: provisions under different legislations.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt

four questions selecting one question from each unit. Each question carries 15 marks.

SELECT BIBLIOGRAPHY:

1. Celia Hampton, Criminal Procedure
 2. Wilkins and Cross, Outline of the Law of Evidence
 3. Archbold, Pleading, Evidence and Practice in Criminal Cases
 4. Sarkar, Law of Evidence
 5. K.N.Chandrasekharan Pillai(ed.), R.V. Kelkar's Outlines of Criminal Procedure (2000)
 6. Patric Devlin, The Criminal Prosecution in England
 7. American Series of Foreign Penal Codes Criminal Procedure Code of People's Republic of China.
 8. John N. Ferdico, Criminal Procedure (1996), West
 9. Sanders & Young, Criminal Justice (1994)
 10. Christina Van Den Wyngart, Criminal Procedure Systems in European Community Joel Samaha,
 11. Criminal Procedure (1997), West
 12. Criminal Procedure Code, 1973
 13. The French Code of Criminal Procedure,
 14. 14th and 41st Reports of Indian Law Commission.
 15. The Paper will be taught with reference, wherever necessary, to the procedures in India, England, US France, Russia and China.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures =35

COURSE-IV: CRIME AND SOCIAL LEGISLATIONS

COURSE OBJECTIVES:

To study the impact of social legislation on criminal law in India. To study the various social legislations on crime against women and children. To study the various social legislations on crime against society. To study the response of the society towards the law and social legislations and its implementation and enforcement.

COURSE CONTENTS

UNIT-I

Lectures-09

Introduction

Meaning, Concept, Needs and Objectives of Social Legislation.
Judicial Interpretation of Social Justice in India.
Impact of Social Legislations on Criminal law in India.
Need for reform in Social Legislations in Indian Context.

UNIT-II

Lectures-09

Legislations on Crime against Women and Children

Dowry Prohibition Act, 1961.
Prevention of Immoral Trafficking Act, 1956.
Medical Termination of Pregnancy Act, 1971.
Protection of Children from Sexual Offences Act, 2012.

UNIT-III

Lectures-09

Legislations on Crime against Society

Corruption: Prevention of corruption Act, 1988.
White collar Crimes.
Food Safety and Standards Act, 2006.
Prevention of Money Laundering Act, 2002.

UNIT-IV

Lectures-08

Implementation and Enforcement of Social Legislation

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.
Loopholes in Implementation and Enforcement of Social Legislations.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS

1. Is Corporate Crime Serious Crime? Criminal Justice and Corporate Crime Control, by Ronald C. Kramer, Journal of Contemporary Criminal Justice 1984; 2; 7 (Online version available at: <http://ccj.sagepub.com>)
2. Crime and Business, by Edwin H. Sutherland, Annals of the American Academy of Political and Social Science Vol. 217, Crime in the United States (Sep., 1941), pp. 112-118 Published by Sage Publications, Inc. Article Stable URL:

<http://www.jstor.org/stable/1023421>

3. Occupational Crime, Occupational Deviance, and Workplace Crime: Sorting Out the Differences, by David O. Friedrichs, 2002, *Criminal Justice* 2:243-56, 'Trusted Criminals: White Collar Crime in Contemporary Society. Belmont, CA: Thomson Wadsworth.
 4. White-Collar Crime: The Essentials by Brian K. Payne, 2013. 5. Corporate and White Collar Crimes, Cases and Materials, 5th edition, by Kathleen F. Brickey, 2011. 6. Understanding White Collar Crimes by J. Kelly Strader, 2011.
-

Time: 3 Hours

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures= 34

COURSE-V: PENOLOGY AND TREATMENT OF OFFENDERS

COURSE OBJECTIVES

To study the basic concept and scope of penology. To study the various theories of punishment and the various approaches of sentencing including Probation, Parole and Corrective measures. To study the circumstances of awarding the capital punishment and punishment for socio-economic offences. To study the prison administration and position of the undertrial prisoners.

COURSE CONTENTS

UNIT-I

Lectures-08

Penology

Definition, nature and scope.

Historical and contemporary approach to penology

Theories of punishment: retribution, deterrence, reformatory, preventive, expiatory.

UNIT-II

Lectures-09

Approaches to sentencing

Probation, parole, corrective labour, bail, bond, fines.

Capital punishment: Constitutionality of Capital punishment; Judicial attitudes towards capital punishment in India. Law reform proposal: retention or abolition of capital punishment.

UNIT-III

Lectures-09

Sentencing of offenders

Types of sentences in the Penal Code and special laws.

Sentencing in White collar Crimes;

Sentencing for habitual offenders;

Judicial discretion in sentencing offenders;

Pre-sentence hearing.

UNIT-IV

Lectures-08

Prison System: the state of Indian jails today

Hierarchy of prisons; classification of prisoners;

Rights of the prisoners and duties of the custodial staff.

Open prisons.

Position of the under trial prisoners.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SELECT BIBLIOGRAPHY

1. S. Chhabra, The Quantum of Punishment in Criminal Law (1970),

2. H.L.A. Hart, Punishment and Responsibility (1968)
 3. Herbert L. Packer, The Limits of Criminal Sanction (1968)
 4. Alf Ross, On Guilt, Responsibility and Punishment (1975)
 5. A. Siddique, Criminology (1984) Eastern, Lucknow.
 6. Law Commission of India, Forty-Second Report Ch. 3 (1971)
 7. K.S. Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey of Sociology and Social
 8. Anthropology 1969-179 (1986)
 9. Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R. Company & Co., Calcutta.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit = 5

Total Lectures = 35

GROUP 4: BUSINESS LAW
COURSE-III: COMPANY LAW

COURSE OBJECTIVES-

To reveal the complete and correct knowledge and understanding of those areas of company law identified in the analytic syllabus above and form a significant judgement on the areas of conflict within the topics studied; To understand the social and economic policy considerations arising in this area. To critically analyze the complex problems in relation to the regulation of companies, apply the basic law related to these problems, identify the competing arguments or solutions and then present the well supported conclusions; To give the demonstration practically on few of the topics related to research;

COURSE CONTENTS

UNIT-I

Lectures-09

Corporate Incorporation and Management

Concept of Corporate Law in India

The Companies Act, 1956 –Bhaba Committee Recommendations

Evolution of Companies Act, 2013 - Dr. J J Irani Committee Report

Exceptions provided under Companies Act 2013 to specific sectors

Classification of Companies

Concept of One Person Company

Legal Position of a Promoters - Rights, Duties, Liabilities and Termination

Incorporation of Companies – Its Procedural Aspects

Rule 3, 6, 28, 30, 31, 32 of Companies (Incorporation) Rules, 2014

Statutory Recognition of Piercing the Corporate Veil

Doctrine of Constructive Notice, Indoor Management and Doctrine of ultra vires

UNIT-II

Lectures-09

Capital Formation and Financing of Companies

Issuance of Prospectus of company

Prescriptions and Rule 5 and 7 under Companies (Prospectus and Allotment of Securities) Rules, 2014

The Golden Rule or Golden Legacy

Difference between Share and Stock

Procedure for Issue of Shares and Reduction of Share Capital General Principles Regarding Allotment

Legal Effect of Share Certificate and Split certificate

Forfeiture of shares, Re-issue of Forfeited Shares Surrender of Shares

Transfer and Transmission of shares

Prescriptions under Companies (Share Capital and Debentures) Rules, 2014

Buy Back of Securities

Provisions for Issue of Debentures under Companies Act, 2013

Registration of Charges, Condonation of Delay in filing of Charge

UNIT-III

Lectures-09

Company Management and Administration

Directors- Appointment, Disqualification, Duties, Resignation and Removal

Code for Independent Directors

Prescriptions under Companies (Appointment and Qualifications of Directors) Rules, 2014

A Comparative study of Provisions under Clause 49 and Companies Act, 2013

Company Meetings- Board Meetings, Annual General Meetings and Extra Ordinary General Meetings

Rule 3 and 15 of the Companies (Meeting of Board and its Powers) Rules, 2014

Inspection and Investigation

Prevention of Oppression and Mismanagement

Company Secretary- Appointments and his Legal position.

National Company Law Tribunal and Appellate Tribunal

Concept of Merger and Amalgamation under Companies Act, 2013

Winding up

UNIT-IV

Lectures-08

Corporate Governance and Social Responsibility

Corporate Governance under SEBI Regulations

Corporate Social Responsibility: Theories and Justification

Regulation of Multinational Corporations in India

Incorporation of Limited Liability Partnership - Advantages and Disadvantages

General structure of an e-form and e-filing process under MCA 21

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

BOOKS RECOMMENDED

Text books:

1. Avtar Singh, Company Law, 17ed, eastern Book Company, 2016
2. Guide to Companies Act, 2013 by Corporate Law Advisor, 5th ed, Jain Book Agency, 2017
3. S.M. Shah, Lectures on Company Law (1988)
4. Smith and Keenon's, Company Law, Pearson Education Ltd., 2009
5. G.K Kapoor & Sanjay Dhamija, Company Act, 2013, 19th, Taxmann, 2016
6. T.P Gosh, Companies Act, 2013

Further Readings

1. Palmer, Palmer's Company Law, 2nd ed), Sweet and Maxwell, London, 2017
2. A. Ramaiya, Guide to the Companies Act, 18th ed, Lexis Nexis, 2014
3. Taxmann, Company Law Manual, 7th ed, Taxmann, 2017
4. L.C.B. Gower, Principles of Modern Company Law, 10th ed, Sweet and Maxwell, London, 2016
5. A.K Majumdar & Dr.G.K.Kapoor, Company Law, 16th Taxmann, 2011

Statutory Readings

1. Companies Act, 2013
-

Time: 3 Hours

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit = 5

Total Lectures= 33

L2 T4 P-

COURSE-IV: COMPETITION LAW

COURSE OBJECTIVES:

To provide an understanding of principles of Competition law, together with an ability to subject it to economic, legal and critical analysis. To give an insight of fundamentals of the market economy and deep knowledge of the application of competition policy in India. To study the development of the policy of free and fair Competition in India with reference to latest legal developments, i.e MRTP to the Competition Act. The subject provides the basic understanding of various functions of authorities established under Competition Act, 2002.

COURSE CONTENTS

UNIT-I

Lectures-07

Need for a Competition Policy; Object of Competition Law; Pre-requisites for its policy, Anti-Competition Practices; WTO Regime and Agreements; Relevance of MRTP Act in Competition Milieu;

UNIT-II

Lectures-09

Competition Act 2002; Prohibition of Anti-Competitive Agreements/ Per se illegal Practices; Presumption of adverse effect; Prohibition: Agreement under English Competition Law; Prohibition and Abuse of Dominant Position; Combination and its regulations; Competition Advocacy; finance, Account and Audit; Intellectual Property and Competition Law

UNIT-III

Lectures-09

Competition Commission of India; its establishment; composition; selection Committee; Term in Office; Registration; Removal and suspension of Chairman; Power and function of Competition Commission of India; Appointment; Qualification and Disqualification of its members; Meetings etc.

UNIT-IV

Lectures-08

Foreign Agency- Agreement, Competition Commission; Inquiry of certain agreements, Reference and Meeting by Commission, Director General, Duties of Director General; Competition Appellate Tribunal: its composition; Qualification for appointment of Chairperson and Members of Selection Committee- Term; Power and function of CAT.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Neha Vyas, Competition Law, Eastern Book, Company, Edition 1st, 2021.
 2. Taxmann, Competition Law Mannuals with Cuse Laws Digest, Taxmann Publishers, Edition 9th, 2022.
 3. A.dv.Gautam Shani and Dr. Sudhanshu Kumar, Indian Competition Law, Taxmann Publishers, 2021.
 4. The Competition Act, 2002.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 33

COURSE-V: ECONOMIC LAWS

COURSE OBJECTIVES:

*To provide an understanding of principles Development and Regulation of International Trade
To critically analyze the legal regulations with reference to MNC's. To understand the law of export and import regulations. To understand all provisions of securities and SEBI.*

COURSE CONTENTS

UNIT I-

Lectures-08

Development and Regulation of International Trade

World Trade Organization : Genesis, History, Structural Dimension and Dispute Settlement Mechanism.

World Trade Organisation : Agreement on Agriculture Textile and Clothing, Agreement on Sanitary and Phyto sanitary Measures , Agreement on Technical Barriers to Trade and Agreement on Trade in Agreement on Import-Licensing Proceeding , Agreement on Pre-shipment Inspection Service.

World Trade Organisation and Competition Policy.

World Trade Organisation and Labour Standards.

World Trade Organisation and Environment Issues.

World Trade Organisation and Trade and Investment. Legal Frame Work of GATT 1994

UNIT II-

Lectures-09

Legal Regulation of Economic Enterprises.

Constitutional Perspectives

The New Economic Policy- Industrial Policy Resolutions, Declarations and Statements, Disclosure of information, Fairness in competition, Emphasis on Consumerism

Development and Regulation of Industries

Take-over of Management and Control of Industrial Units

Sick Undertakings: Nationalization or Winding Up

Growing Trends of Liberalization: Licensing Policy and Legal Process

Financial Services: Changing Techniques of Regulation.

Critical Issues Regarding the Capital Issues

Equity and Debt Finance

Global Depositories

Regulation of Multinationals: Collaboration Agreements for Technology Transfer, Development and Regulation of Foreign Investments

Special Aspects of Legal Regulation of Select Public Enterprises: Telecom Regulatory Authority, Insurance Regulatory Authority, Broadcasting Regulatory Authority

UNIT III

Lectures-09

Law of Export and Import Regulation

General Law on Control of Imports and Exports: Legislative Control, Central government and RBI power to control

Foreign Trade Development and Regulation Act 1992

Customs Act, 1962: Restrictions under Customs law, Prohibition and Penalties

Control of Exports: Quality Control,

Regulations on goods
 Foreign Exchange management Act,
 Changing Dimensions of Exim Policy
 Investment policy: NRIs, FIIs (Foreign Institutional Investors), FDIs (Foreign Direct Investment)
 Prohibition on importation and exportation of goods
 Control of smuggling activities in export-import trade
 Levy of and exemption from customs duties
 Clearance of Imported Goods and Export Goods
 Conveyance and Warehousing of Goods

UNIT IV

Lectures-07

Laws Regulating Securities and Debts

Law of Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) : Concept, Historical Background and Working, Rights of Borrowers ,Pre Conditions for Enforcing the Rights by the Creditors, Different Methods of Recovery and Power of Debt Recovery Tribunal, Role of High Court and District Magistrate or Chief Metropolitan Magistrate

Security Exchange Board of India Act,1992 (SEBI) : Genesis , Organisation ,Structure and Functions Performed by the Board, Powers of the Board, Penalties and adjudication, Composition, Salary, Tenure, Qualification and Powers of SecuritiesAppellate Tribunal

Recovery of Debts Due to Banks & Financial Institutions Act, 1993 (RDDBFIA): Debt recovery tribunal and appellate tribunal: Establishment and Composition, Appointment of Presiding Officer, Qualification, Tenure of Service, Removal and Resignation and Method of Filling up of Vacancy, Jurisdiction, Powers and Authority of Tribunal, Procedure and Power of Tribunal and Appellate Tribunal, Various Modes of Recovery of Debts by the Tribunal

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

RECOMMENDED BOOKS

- ❑ Bandari Surendra, World Trade Organization and Developing Countries (1995), Universal, Delhi
- ❑ Myneni Srinivasa Rao, International Economic Law (1996), Pioneer Books, New Delhi.
- ❑ Arun Goyal(ed.), WTO in the new Millennium (2000), Academy of Business Studies, New Delhi-110002. Schwarzenberger, Economic World Order (1970) Manchester University Press.
- ❑ Jayanta Bagchi, World Trade Organization : An Indian Perspective (2000), Eastern Law House, Calcutta.
- ❑ S.Aswani Kumar, The Law of Indian Trade Mark (2001), Commercial Law House, Delhi.
- ❑ Final Treaty of GATT, 1994.
- ❑ Ramaiya A, Guide to the Companies Act (1998), Vol. I, II and III.
- ❑ H.A.J. Ford and A.P. Austen, Fords' principle of Corporations Law (1999) Butterworths.
- ❑ Journal of Indian Law Institute
- ❑ Journal of Business Law
- ❑ Chartered Secretary Company
- ❑ Law Journal, Law and Contemporary Problems.
- ❑ Statutory Materials - Companies Act and laws relating SEBI, depositories, industrial financing

Further Readings

- ❑ Industrial Policy Resolutions of 1948,1956, 1991
- ❑ Industrial Licensing Policy 1970,1975
- ❑ Industrial Policy Statements 1973,1977, 1980
- ❑ Industries (Development and Regulation) Act, 1951
- ❑ Indian Law Institute, Law of international Trade Transactions, (1973)

- Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)
- Government of India Export and Import Rules ,2017
- Government of India Import and Export Policy (1997 -2002)
- The Students should consult the relevant volumes of the Annual Survey of Indian Law, Published by the Indian law Institute, New Delhi.
- Customs Manual (Latest edition) Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)
- Government of India Import and Export Policy (1997 -2002)
- The Students should consult the relevant volumes of the Annual Survey of Indian Law, Published by the Indian law Institute, New Delhi.
- Foreign Trade Development and Regulation Act 1992 and Rules
- Foreign Exchange Management Act 1999.

Statutory Reference

- Foreign Trade Development and Regulation Act 1992 Foreign Exchange Management Act 1999
- Customs Act,1962
- Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI)
- Security Exchange Board of India Act,1992 (SEBI)
- Recovery of Debts Due to Banks & Financial Institutions Act, 1993 (RDDBFIA).

.....

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 33

GROUP-5: HUMAN RIGHTS LAW

COURSE- III: INTERNATIONAL HUMAN RIGHTS STANDARDS

COURSE OBJECTIVES:

Acquire an understanding of the origin and evolution of the concept of Human Rights along with the emerging trends of Human Rights. To conceptualize the basic human rights Laws/ Conventions/ Declarations e.g. Universal Declaration of Human Rights, 1948, International Covenant on Civil and Political Rights, 1966 etc. along with various articles of the Constitution of India. To recognize conventions protection against racial discrimination or the discrimination against women, protection of the rights of Children or people subjected to torture or inhumane treatment. To appreciate the role of the UN bodies and Organisations in promoting and protecting Human Rights e.g. ILO, WHO, UNESCO etc.

COURSE CONTENTS

Unit-I

Lectures-08

Evolution of the Concept of Human Rights: Western, Socialist and Third World Approaches. Philosophical and Legal Foundation of Human Rights. Position of Human Rights before World War II and Post World War III. Emerging Trends of Human rights.

Unit-II

Lectures-08

U.N. Charter, Universal Declaration of Human Rights, 1948. International Covenant on Civil and Political Rights, 1966. International Covenant on Economic Social and Cultural Rights, 1966. Enforcement of International Obligations through Domestic Laws: Article 51, 253 read with 246 of the Constitution of India.

Unit-III

Lectures-08

Convention on Elimination of All Forms of Racial Discrimination, 1965. Convention on Elimination of All Forms of Discrimination against Women 1979. Convention on the Rights of the Child 1989. Convention on the Protection of All Persons from Being Subjected to Torture and other Cruel and Inhuman or Degrading Treatment or Punishment, 1984

Unit-IV

Lectures-09

U.N. Bodies involved in Promotion and Protection of Human Rights - Economic and Social Council, U.N. Commission on Human Rights and its Sub-Commissions on Women, Minorities, etc., General Assembly, Human Rights Committee and other Committees under the various Conventions, I.L.O., U.N.E.S.C.O., W.H.O., F.A.O.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Louis B. Sohn & Thomas Buergenthal, International Protection of Human Rights (1973).
2. Julius Stone, Human Law and Human Justice, (2000), Universal, New Delhi.

3. Alston, Phillip, The United Nations and Human Rights (London: Clarendon Press, 1995).
 4. Brownlie, Ian, Principles of Public International Law (Oxford: Clarendon Press, 1990).
 5. Francisco Forrest Martin, International Human Rights Law and Practice, (1997)
 6. P. C. Sinha ,Global Sourcebook on Human Rights (2000).
 7. Benedetto Conforti and Francesco Francioni, Enforcing International Human Rights in Domestic Courts, (1997)
 8. Agarwal, H.O., Implementation of Human Rights Covenants with Special Reference to India(Allahabad: Kitab Mahal, 1983).
 9. Nagendra Singh, Enforcement of Human Rights (Calcutta : E L House, 1986).
 10. Amnesty International, Human Rights in India (New Delhi: Sage Publications, 1994).
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures =35

COURSE-IV: INTERNATIONAL HUMANITARIAN AND REFUGEE LAW

COURSE OBJECTIVES:

This course is designed to endow the students to understand the Concept, Origin and Development of International Humanitarian Laws and Role of various National and International Humanitarian agencies. To engage the students in recognising the problems faced by Prisoners of War, Protection and facilities for Armed Forces in the field, at sea and when they are wounded and sick. To learn the Concept of Implementation and enforcement of International Humanitarian Law and Control of Weapons.

NOTE: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

COURSE CONTENTS

UNIT-I

Lectures-09

Origin and Development of IHL. Doctrine of Military Necessity versus the Principles of Humanity. Role of IHL in Non-International Armed Conflicts. National Perspectives on IHL. Role of International Red Cross and NGOs

UNIT-II

Lectures-09

Amelioration of the Wounded and Sick , Armed Forces in the Field, Armed Forces at Sea , The Shipwrecked , Protection and Facilities, Prisoners of War , Civilians in Times of War , Cultural Properties, International Convention on Genocide

UNIT-III

Lectures-08

Implementation and Enforcement of IHL: Concept of Protecting Power, United Nations, International Criminal Courts and Tribunals, Unilateralism: 'Humanitarian' Intervention versus State Sovereignty, Humanitarian Assistance, Control of weapons: Conventional, Chemical, Biological, Nuclear.

UNIT-IV

Lectures-09

The Concept of Refugees: Definition of Refugees and Displaced Persons –their Problems, The UN Relief and Rehabilitation Administration and other International Refugee Organizations. Protection under National Laws, Strategies to Combat Refugee Problem, Repatriation,

Resettlement in Other Countries, Local Integration and Rehabilitation, Role of U.N.H.C.R. , U.N.H.C.R., and India.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. K. Balachandran, Rose Varghese, Introduction to International Humanitarian Law, (1997).
2. Hingorani, R.C., ed., Humanitarian Law (New Delhi: Oxford and IBH Publishing Co., 1991).
3. Kelly Dawn Askin, War Crimes Against Women, (1997)
4. Anti-personnel Landmines Friend or Foe?, International Committee of Red Cross, (1996)
5. B.S. Chimni, International Refugee Law (2000)
6. Chakrabarty, Manik, Human Rights and Refugees: Problems, Law and Practices (New

- Delhi: Deep and Deep Publications, 1998).
7. Veral Gowlland-Debbas, The Problem of Refugees in the Light of Contemporary International Law Issues, (1996)
 8. Loescher, Gil and L. Mohan, eds., Refugees and International Relations (Oxford: Oxford University Press, 1989).
 9. Jean Yves Calier, Who is a Refugee :A Comparative Case Law Study, (1997)
 10. MGuy S. Goodwin-Gill, The Refugee in International Law, (1996).
-

Time: 3 Hour

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures =33

COURSE-V: PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS IN INDIA

COURSE OBJECTIVES:

This course familiarises the students with various legal, philosophical conceptions of human rights including the development of human rights in Ancient, Medieval and Modern times in India. To understand the Constitutional and Legislative Protection given under Human rights in India. To recognise the role of Judiciary and its contribution in safeguarding Human Rights in India.

COURSE CONTENTS

UNIT-I

Lectures-08

Meaning , Nature and Concept of Human Rights, Legal and Philosophical Conceptions of Human Rights and Duties, Development of Human Rights Movement and Law in Indian Tradition: Ancient, Medieval and Modern.

UNIT-II

Lectures-08

Constitutional Guarantees and Legislative Measures for the Promotion and Protection of Human Rights in India. Emergence of the Basic need oriented Human Rights Jurisprudence in India.

UNIT-III

Lectures-08

Constitutional and Statutory Safeguards against Violation of Human Rights, Contribution of Judiciary to Human Rights Law. Survey of Judicial Pronouncements Protecting Human Rights in India.

UNIT-IV

Lectures-09

Enforcement of Human Rights : Formal Enforcement Mechanism, Role of Supreme Court Role of High Court ,Role of Civil and Criminal Courts ,Statutory Tribunals ,Special Courts , Armed Forces Act and Violation of Human Rights. Displacements and Human Rights Protection. Role of N.G.O.s and Media.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Praveen Vadkar ,Concepts, Theories and Practice of Human Rights (2000).
 2. Baxi, Upendra, Inhuman Wrongs and Human Rights (Delhi: Har Anand Publications, 1994).
 3. J. S. Verma ,The New Universe of Human Rights (2011).
 4. Upendra Baxi ,The Future of Human Rights (2002).
 5. Prakash Mishra ,Law Enforcement and Human Rights (2012).
 6. Basu, D.D., Human Rights in Constitutional Law (New Delhi: Prentice Hall, 1994).
 7. Iyer, V.R. Krishna, Dialectics and Dynamics of Human Rights in India (1999).
 8. Anthony M.J.,Social Action through Courts (Landmark Judgements in PIL) New Delhi, ISI Publications 1993.
 9. Justice Palok Basu ,Law Relating to Protection of Human Rights under the Indian Constitution and Allied Laws (2002).
 10. Arun Ray Mohapatra National Human Rights Commission of India: Formation, Functioning and Future Prospects (2001).
-

LL.M. 2nd SEMESTER

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40Marks

Credit= 5

Total Lectures =35

COMPULSORY PAPER

COURSE-VI: JURISPRUDENCE

COURSE OBJECTIVES

To acquaint the students about the philosophy of law prevalent in the world and India in particular and the relationship between law and morality. To make students to understand the historical and evolutionary theories of law and the basic concepts behind the formulation of these theories. To provide an in depth understanding of the analytical legal positivism and contemporary modifications in it.

COURSE CONTENTS

UNIT-I

Lectures-09

Historical Introduction to the Philosophy of Law, Philosophical idealism and the search for absolute values: Greek Theories of natural law: Roman theories of justice: Philosophical idealism in middle ages: Philosophy of social contract theories; German transcendental idealism; Indian transcendentalism; Aurbindo, philosophy of Bhagvad Gita; Neo Kantian philosophy; Theories of relationship between law and morality; Modern value philosophies and revival of natural law theories.

UNIT-II

Lectures-09

Historical and Evolutionary Theories of Law : The Doctrine of Historical School; Savigny and Historical School in Germany; Historical School in England and United States; Biological-Cultural theory of evolution of law: the Herbert Spencer; Theory of living law : Ehrlich. Utilitarian Approach to law: General significance of Bentham's work; Pleasure and pain principle in legislation, Bentham on codification and law reforms; Utilitarian theory of law: Stuart Mill; Ihering's social utilitarianism: the jurisprudence of interests.

Unit-III

Lectures-09

Analytical Legal Postivism: Doctrine of analytical positivism; Austin's theory of law; German positivistic theories of law; Analytical positivism in France; Kelsen's pure theory of law; Contemporary modification of analytical positivism. Sociological jurisprudence; Characteristics of sociological jurisprudence; Developmental aspects of sociological schools: (a) Mechanical stage (b) the Biological stage; (c) the Psychological stage; and (d) the stage of unification; Sociological theories of law: theory of social interests – Rescoe Pound; Law and social control mechanism

Unit-IV

Lectures-08

Pragmatism in Legal Philosophy : Pragmatism and a philosophy of law Origin of pragmatism; Basic ideas of pragmatism in American legal philosophy; Philosophy of the radical pragmatist: John Dewey, William James and O.H. Holmes; Pragmatic approach to law – the Indian experience; Study in Scandinavian Realism: Some implication of juristic pragmatism Economic Philosophy of Law : meaning and definition of economic jurisprudence Economic theories of legal evolution, (a) Communist theories of law, (b) Marxist theory of law, (c) Renner's analysis of law, and (d) Legal theory of social democracy.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Edgar Bodenheimer : Jurisprudence
 2. R.W.M. Dias : Jurisprudence
 3. W Friedman : Legal Theory
 4. P.N. Sen : Hindu Jurisprudence
 5. G.W. Paton : A Text Book of Jurisprudence.
 6. Julius Stone : Stone on Jurisprudence.
 7. C.K. Allen : Law in the Making.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures= 35

COMPULSORY PAPER

COURSE-VII: LAW AND SOCIAL TRANSFORMATION

COURSE OBJECTIVES:

To understand the social and economic problems in context of law. To understand the importance of Law as an instrument of social change. The spirit of exploring and exploiting law and the legal instrument as a means to accomplish development within the framework of law. To make students aware of role of law played and has play in contemporary Indian society.

COURSE CONTENTS

UNIT-I

Lectures-09

Law and social change – Law as an instrument of social change, Law and public opinion, Relation between law and public opinion, Characteristics of law making public opinion, Public opinion and democracy. Law and public opinion in England and India during 19th and 20th centuries.

UNIT-II

Lectures-09

Religion and the law – Religion as a divisive factor, Secularism as a solution to the problem, Freedom of religion and non-discrimination on the basis of religion, Religious fundamentalism.

UNIT-III

Lectures-08

Community and the Law – Caste as a divisive factor, Non-discrimination on the basis of the caste, Reservation – Action for social equality, Reservation policy, statutory commissions/provisions and the role of Supreme court of India. Children and the law – Menace of child labour – the legal perspective Constitutional philosophy of child education in India, Child welfare and the judicial role.

UNIT- IV

Lectures-09

Women and the Law – Crimes against women Empowerment of women – Constitutional and legal perspective, women commissions in India, Women welfare and judicial role. Modernization and the law Modernization as a value – Constitutional perspective reflected in the fundamental duties. Changing dimensions of right to property, Reform of court processes, widening dimensions of compensatory jurisprudence in criminal law, Lok Adalats: Alternative dispute resolution device in civil law, Prison jurisprudence and prison reforms, Emerging trends of democratic decentralization and the philosophy of local self-government.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. G.P. Tripathi, Law and Social Transformation, Central Law Publications, 2012.
 2. P. Ishwara Bhat, Law and Social Transformation, Eastern Book, Publications, 2020.
-

Time: 3 Hour

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures =34

GROUP 1: INTERNATIONAL LAW
COURSE-VIII: INTERNATIONAL CRIMINAL LAW

COURSE OBJECTIVES

To explain the concept and principles of international criminal law under various conventions.

To find out the history of international criminal prosecution and trials in international criminal tribunals. To develop the understanding of international criminal courts. Its constitution and jurisdiction

COURSE CONTENTS

UNIT-I

Lectures-08

Meaning, Concept, Objectives and Sources of International Criminal Law

The Principle of *Nullum Crimen, Nulla Poena Sine Lege* in International Criminal Law

Genocide Convention

UNIT-II

Lectures-09

History of International Criminal Prosecutions: Nuremberg and Tyyko Trials

Ad hoc International Criminal Tribunals: Yugoslavia and Rwanda

Other Courts with International Elements

Issues relating to Jurisdiction including National Prosecutions of International Crimes

UNIT-III

Lectures-08

Rome Statute of the International Criminal Court:

Establishment of the Court Composition and Administration of Court

General Principles of Criminal Law Jurisdiction,

Admissibility and Applicable Law Investigation and Prosecution, Trial Penalties and Appeal and Revision

International Cooperation and Judicial Assistance

Enforcement

UNIT-IV

Lectures-09

Transitional Crimes, Aggression, Torture

Relationship between National and International Systems

International Terrorism

The future of International Criminal Law

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Antonio Cassese, Paolo Gaeta and John R.W.D. Jones (Eds.), The Rome Statute of the International Criminal Court: A Commentary (Oxford, 2002): Cassese, Commentary. Jose Doria, Hans-Peter Gasser and M. Cherif Bassiouni (Eds), The Legal Regime of the International Criminal Court: Essays in Honour of Professor Igor Blishchenko (Leiden, 2009): Doria, Legal Regime.
2. Jean-Marie Henckaerts and Louise Doswald-Beck, Customary International Humanitarian Law (Cambridge, 2000), Vol. I: Henckaerts and Doswald-Beck, ICRC Customary Law.
3. Roy Lee (ed.), The International Criminal court – The Making of the Rome Statute: Issues, Negotiations, Results (The Hague, 1999): Lee, The Making of the Rome Statute.

4. Roy Lee et al. (eds.), *The International Criminal Court – Elements of Crimes and Rules of Procedure and Evidence* (New York, 2001): Lee, *Elements and Rules*.
 5. Goran Sluiter and Sergey Vasiliev (Eds.), *International Criminal Procedure: Towards a Coherent Body of Law* (London, 2009): Sluiter and Vasiliev, *International Criminal Procedure*.
 6. Carsten Stahn and Goran Sluiter (Eds.), *The Emerging Practice of the International Criminal Court* (Leiden, 2009): Stahn and Sluiter, *Emerging Practice*.
 7. Otto Triffterer (Ed.), *Commentary on the Rome Statute of the International Criminal Court: Observers' Notes, 2nd Edn.*, (Munich/Oxford/Baden-Baden, 2008): Triffterer, *Observers' Notes*.
 8. Robert Cryer, Hakan Friman, Darryl Robinson, Elizabeth Wilmshurst, *An Introduction to International Criminal Law and Procedure, 2nd Edition* (Cambridge University Press, First Asian Edition, 2011).
-

Time: 3 Hour

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures =34

COURSE-IX: INTERNATIONAL HUMANITARIAN LAW

COURSE OBJECTIVES:

To outline various conventions regarding humanization of war fare prisoner of war etc. To identify anti-slavery laws and international efforts to outlaw slavery. To summarize international refugee laws, problems and rehabilitation. To study the implementation of various laws and rights for eliminating discrimination against women and people in colonial countries.

COURSE CONTENTS

UNIT-I

Lectures-09

International movement for humanization of warfare: Contributions of classical writers; History of the Red-cross; Geneva Conventions of 1864 for amelioration of the condition of wounded soldiers in land army; St. Peter's Burg Declaration 1868; The Hague Convention of 1899 and 1907; Geneva Convention of 1929 and 1949 on treatment of prisoners of war, wounded and sick persons and civilian persons.

UNIT-II

Lectures-09

International efforts to outlaw slavery, slave trade and practices similar to slavery. Forced labour and trafficking in human beings. United Nations and the humanitarian law: The Role of ECOSOC and ILO; Crusade against discrimination in respect of employment and occupation; Racial discrimination.

UNIT-III

Lectures-08

International refugees: The UN relief and rehabilitation administration and other international refugee organizations; Conventions relating to status of refugees and stateless persons; Genocide Convention.

UNIT-IV

Lectures-08

Implementation of the right to self-determination: Declaration on the grant of independence to colonial countries and people, humanitarian treatment of people living under colonial rule and trusteeships, eliminating discrimination against women through international cooperation.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Heike Krieger, Pablo Kalmanovitz, Eliav Lieblich & Rebeca Mignot-Mahadavi, Yearbook of International Humanitarian Law, Volume 24, 2021.
 2. Drazon Djnkic and Niccolo Pons, The Comparison to International Humanitarian Law, Volume 55, 2019.
 3. Anne Quintin, Nature of International Humanitarian Law, Elgar International Law Series, 2020.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 33

COURSE-X: LAW OF SEA

COURSE OBJECTIVES:

To summarize the historical and developmental issues of law of Sea. To demonstrate the changing concepts and principles of maritime frontiers, territorial waters etc. To know the problems and prospective faced by different countries while exploitation of deep sea bed resources. To rephrase the problems and future of conservation of living resources of high sea.

COURSE CONTENTS

UNIT-I

Lectures-09

Historical introduction to the law of the Sea: Contribution of seldom group Bynkershock and others to the development of the early and the Anglo Norwegian Fishers case and its a ferments solution and utilization of the new resources of the sea; population explosion and its impact on the law; The UN Conferences on the law of the sea: Developing nations and the uses of sea.

UNIT-II

Lectures-08

Changing concepts of Maritime Frontiers: Rights of states over territorial waters and contiguous zones; Continental shelf. Exclusive economic zone: Principles for determination of Maritime Frontiers and Maritime Boundaries under the customary and conventional law.

UNIT-III

Lectures-08

Exploitation of Deep Sea Bed Resources: International Sea Bed Authority, its functions and powers, decision making, settlement of disputes, principles governing joint ventures; Transfer of data and training personnel of the Authority; Problems and perspectives.

UNIT-IV

Lectures-08

Conservation of living resources of the High Sea: Problems of Maritime Pollution; Land Locked States and the law of the sea. Sea as common heritage of mankind: The future of the law of the sea. International Sea Tribunal to settle sea disputes.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. S.P. Gupta, The Outlines of Maritime Law, Allahbad Law Agency, Edition 2nd, 2014.
 2. Samaseshwar Mahanty, Maritime Jurisdiction and Admiralty Law in India, Universal Law Publishing House, Edition 2nd, 2017.
 3. The Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017.
 4. U.N Gupta, The Law of Sea, Atlantic Publishers, 2005.
-

Time: 3 Hour

L2 T4 P0

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 35

GROUP 2: CONSTITUTIONAL LAW

COURSE-VIII: FEDERAL RELATIONS UNDER INDIAN CONSTITUTION

COURSE OBJECTIVES:

To enable the student to understand the concept of federalism in the Indian context. To acquaint the student's about the central and state relations: Legislative, administrative and financial. To aware the students about the institutional mechanism of achieving balance and equilibrium between Union and States, Planning and Financial Commission (Now NITI Ayog) etc.

COURSE CONTENTS

UNIT-I

Lectures-09

Federalism

Federalism and Unitary Forms of Constitution
Models of Federal Government – U.S.A, Australia, Canada
Difference Between Federalism and Confederation
Evolution of Federal Government in India

UNIT-II

Lectures-09

Distribution of Legislative and Administrative Powers

Legislative Relations Between Centre and States
Administrative Relations and Cooperative Federalism
Common Civil Service and Impact on Autonomy of States
Principles of Interpretation in Distribution of Powers
Inter-State Council.

UNIT-III

Lectures-09

Distribution of Fiscal Power

Constitutional Scheme of Allocation of Taxing
Powers Grant in Aid
Difference Between Tax, Fee and Surcharge
Finance Commission, Niti Ayog
National Development Council.

UNIT-IV

Lectures-08

Inter-State Trade and Commerce/ Borrowing by the Governments

Freedom of Inter-State Trade and Commerce
Restrictions on Legislative Power of the Union and States with Regard to Trade and Commerce
Borrowing by the Government of India
Borrowing by the States
Sarkaria Commission Report.

NOTE: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carries 15 Marks.

SUGGESTED READINGS:

1. H.M. Seervai, Constitutional Law of India (1991), Tripathi, Bombay
 2. Sudha Bhatnagar, Union-State Financial Relations and Finance Commissions, (1979)
 3. Ashok Chandra, Federalism in India, (1965)
 4. V.D. Sebastian, Indian Federalism : The Legislative Conflicts (1980)
 5. Chandrapal, Centre-State Relation and Co-operative Federalism, (1983)
 6. K.C.Wheare, Federal Government.
 7. M.P .Jain Outlines of Indian Legal History.
 8. M.V. Pylee, Constitutional History of India
 9. Rama Jois M, Legal and Constitutional History of India.
 10. M.C.Stetalvad , Constitutional History of India
 11. A.B.Keith , Constitutional History of India
 12. H.M. Seervai, Constitutional Law of India – Vol.I &II.
 13. G.C.V Subbarao, Legislative Powers in Indian Constitutional Law.
 14. V.D. Sebastian, Indian Federalism: The Legislative Conflict.
 15. L.M Singhvi, Union-State Relations in India
 16. K.Subba Rao, The Indian Federation.
 17. K.P. Krishna Shetty, The Law of Union-State Relations and Indian Federalism.
 18. Ashok Chandra, Federalism in India.
 19. G.C.V Subba Rao , Indian Constitutional Law
 20. G.S.Pande, Constitutional Law of India
 21. H.K.Saharay, Constitution of India
 22. M.V. Pylee, Our Constitution, Government & Politics
 23. T.K.Tope, Constitutional Law of India
 24. G.C.V.SubbaRao, Legislative Powers in Indian Constitutional Law, Chs. 37,38,39 (1982)
 25. Richard M.Pious, The American Presidency, (1979)
 26. Daniel J. Elazar, American Federalism, (1984)
 27. K.P. Krishna Shetty, The Law of Union-State Relations and Indian Federalism, (1981)
 28. Report of the Eighth Finance Commission
 29. Administrative Reforms Commission on Centre-State Relationship (1969)
 30. Constituent Assembly Debates Vol.9, Vol. 10
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures =35

COURSE-IX: NATIONAL SECURITY, PUBLIC ORDER AND RULE OF LAW

COURSE OBJECTIVES:

To enable the students to understand the concept of Security of State, Public Order and Rule of Law. To explore the importance of national security and various legislation and its functional aspects, maintenance of public order. To critically appraise the changes brought about through Constitution (forty fourth Amendment) Act, 1978 and (Fifty-ninth Amendment) Act, 1988

COURSE CONTENTS

UNIT-I

Lecture-08

Origin of concept

Emergency Detention in England - Civil Liberties

Pre-Independence law – Defense of India Act, 1858, Government of India Act, 1935

Meaning and concept of Security of State, Public Order, Rule of Law

Concept of Subjective satisfaction or objective assessment of detaining authorities.

UNIT-II

Lecture-09

Rule of Law, Preventive Detention under Indian Constitution

Article 14 - Special courts and tribunals

Article 21 - Due process and special legislation

Article 22 - Preventive Detention and Safeguards

Article 34 - Martial Law

Article 359 – Suspension of enforcement of Fundamental Rights and judicial review

Constitution (Forty-fourth), Amendment Act, 1978.

Constitution (Fifty-ninth) Amendment Act, 1988.

UNIT-III

Lecture-08

Special Legislations

National Security Act, 1980

The Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (COFEPOSA)

Armed Forces (Special Powers) Act.

UNIT-IV

Lecture-10

Civil Liberties and Emergency

Emergency provisions: Article 352, 356, 360

Declaration of Emergencies: 1962, 1965, 1970 and 1975 Emergencies

Suspension of Article 19 rights on declaration of emergency

President's Right to suspend right to move any court

Article 21 - special importance - it's non-suspend ability

Access to Courts and Emergency.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SELECT BIBLIOGRAPHY

1. G.O. Koppell "The Emergency, The Courts and Indian Democracy" 8 J.I.L.I. 287 (1966)
2. H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus: A Criticism (1978)
3. International Commission of Jurists, Status of Emergency and Human Rights (1984)
4. N.C. Chatterji and Parameshwar Rao, Emergency and the Law (1966).

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures =33

COURSE-X: HEALTH LAWS

COURSE OBJECTIVES:

This course focuses specifically on developing an in-depth knowledge of Health Laws so as to enable the students to understand the concept of healthcare system nationally and internationally. To Understand the Constitutional and other Statutory Provisions related to health rights in India. To discuss in a constructive way the Health Laws and Technological Challenges affecting medicine, law and ethics today.

COURSE CONTENTS

UNIT-I

Lecture-08

Concept of Health: International Perspective

Definition of Health, Lifestyles and health care, Environment and health

WHO: Concept of Health

Universal Declaration of Human Rights, 1948

UN Declaration on the Rights of Mentally Retarded Persons, 1971

Declaration on Rights of Disabled Persons, 1975.

UNIT- II

Lecture-08

Constitutional and Legal Provisions Related to Health

Related Fundamental Rights: Articles 21 (Convention on Elimination of

All Forms of Discrimination Against Women, 1979), Article 23, 24 (UN Convention on Rights of Child, 1989)

Directive Principles: Articles 38, 39, 41, 42, 48A, 51A

Indian Penal Code: Sections 52, 84, 87, 88, 89, 92, 176, 243-G and 11th

Schedule 270, 271, 272, 273, 274, 275, 276, 277, 278, 284, 290, 304A, 312, 313, 319, 320, 375, 376

UNIT- III

Lecture-08

Health Laws and Technological Challenges

Medical Termination of Pregnancy Act, 1971: Reproductive Rights

Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994: Issues and Challenges.

The Transplantation of Human Organs and Tissues Act, 1994: Framework for regulating Technological advancement (Surrogacy) and Rules of 2014 there under.

UNIT- IV

Lecture-09

Public Health Safety: Laws and Standards

Food Safety and Standards, 2006: Food Safety and Standards Regulations, 2011, 2016 (Food product standards, Food Additives, Prohibition and restriction on sales)

Bio-Medical Waste (Management and Handling) Rules, 1998

Narcotic Drugs and Psychotropic Substance Act, 1985 and Rules

Maternity Benefit Act, 1961 and Rules

Insecticide Act, 1968 and Rules

Pharmacy Practice Regulations, 2015: Role of Pharmacist in Patient Care

MCI's Code of Medical Ethics.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS

1. Basu Durga Das, Commentary on the Constitution of India, (Lexis Nexis Butter worths Wadhwa Nagpur, New Delhi, 2008).
2. Davar V. Bhargavi, Mental Health from a Gender Perspective, (Sage Publications India Pvt. Ltd., New Delhi 2001).
3. Dhanda Amita, Legal Order And Mental Disorder, (Sage Publication, New Delhi, 2000).
4. Doyal Lesley, What makes women Sick-Gender and the Political Economy of Health, (Macmillan Press Ltd., London, 1995).
5. Gupta M. C., Health And Law, (Kanishka Publishers, Distributors, New Delhi, 2002).
6. Jain K Ashok, Socio legal off shoots, The Sana of Female Foeticide in India', (Ascent Publication, Delhi, 2006).
7. Kishore J., National Health Programs of India, (Century Publications, New Delhi, 2006).
8. Kishwar Madhu, Off the beaten track rethinking gender justice for Indian women, (Oxford University Press, New Delhi, 1999).
9. Kumar Avanish, Human Right to Health, (Satyam Law International, New Delhi, 2007).
10. Kumar Narinder, Constitutional Law of India, (Pioneer Books, Delhi, 2005).
11. Maan Jonathan, Health and Human Rights: A Reader, (New York, Routledge, 1999).
12. Parmanand Desai's, Law of Disability-medical & nonmedical(Dwivedi& Company Law Publishers & Book sellers, Adersh Nagar, Bhawapur, Allahabad, 2004).
13. Patel Tulsi, Sex-Selective Abortion in India, Gender, Society and New Reproductive Technologies, (Saga Publications India Pvt. Ltd., New Delhi, 2007).
14. Rao B. Shiva, The Framing of India's Constitution, (Universal Law Publishing Co. Pvt. Ltd., Vol. 2, Delhi, 1967).
15. Singh Jagdish, BhushanVishwa, Medical Negligence & Compensation, (Bharat Law Publication, Jaipur 2004).
16. Srivastava S. C., Verma S. K., Legal Framework for Health Care in India,(Lexis Nexis Butterworth's, The Indian Law Institute, New Delhi, 2002).
17. Swarup Jagdish, Constitution of India, (Modern Law Publication, Allahabad Vol. I, 2006).

.....

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures =35

GROUP 3: CRIMINAL LAW
COURSE-VIII: JUVENILE DELINQUENCY

COURSE OBJECTIVES

To study the concept and Rights of child under Indian Constitution. To study the law relating to juvenile delinquency and latest amendments in juvenile justice Act. To study the sexual offences against children and related legislative provisions. To study the role of judiciary, legal professionals and state for the protection and implementation of welfare programmes for juveniles.

COURSE CONTENTS

UNIT-I

Lecture-09

Basic concepts

The concept child in Indian Constitution and Penal codes.

Juvenile delinquency: Meaning, neglected juvenile.

Factors responsible for Juvenile delinquency.

National and international concern for Juvenile Justice.

UNIT-II

Lecture-09

Juvenile Justice Act, 2016

General principles of care and protection of Children, Juvenile Justice Board.

Child in conflict with law: procedure in relation to that and child welfare committee.

Procedure in relation to children in need of care and protection: rehabilitation and social reintegration and adoption

Other offences against children.

UNIT-III

Lecture-09

The Protection of children from sexual offences act, 2012.

Sexual offences against children

Using child for pornographic purposes and punishment thereof.

Abetment and attempt to commit an offence.

Procedure for recording statement of the child.

Special courts: procedure, powers and recording of statements.

UNIT- IV

Lectures-08

Judicial contribution

Social action litigation / public interest litigation.

Salient Judicial decisions.

Role of legal profession in Juvenile Justice system.

Accountability: annual reports and accessibility of public to Juvenile Justice Institutions.

Role of State welfare programmes, voluntary bodies and individuals.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SELECT BIBLIOGRAPHY

1. National institute of Social Defence, Model Rules under the Juvenile Justice Act, 1986, (1986)
2. K.S. Shukla, Adolescent Offender (1985)
3. United Nations, Beijing Rules on Treatment of Young Offenders (1985)

4. Myron Weiner, The Child and State in India (1990)
 5. The United Nations Declaration on the Rights of Children
UNICEF periodic materials
 6. The Juvenile Justice Act, 2016.
 7. The Protection of children from sexual offences Act, 2012.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures= 32

COURSE-IX: LAW AND ORGANISED CRIME

COURSE OBJECTIVES:

To study the concept of organised crimes and comparison between white collar crimes, corporate crimes and organised crime. To study the problem of drug addiction and related offences. To study the problems and laws relating to national security. To study the latest challenges of cybercrimes and criminal justice system.

COURSE CONTENTS:

UNIT- I

Lectures-08

Introduction

Definition, concept and nature of organised crime.

Causes of organised crime

Types and characteristics of Organised crime.

Comparison between white- collar crime, corporate crime and organised crime.

UNIT- II

Lectures-08

Drug Addiction, prostitution and collective violence.

Narcotics and Drugs and Psychotropic Substances Act, 1985: Causes, National and International perspective.

Approaches to drug abuse.

Causes and concern for prostitution, child prostitution and flesh trade.

Communal violence- godhra etc.

Naxal problems- causes and concerns, Telangana struggle.

UNIT- III

Lectures-08

Organised crime and National Security laws

Armed Forces (Special Powers) Act, 1958.

Maharashtra Control of Organised Crime Act, 1999.

National Security Act, 1980.

UNIT- IV

Lectures-08

Cyber-crime and criminal justice system

Classification of Cybercrime.

Legislative and judicial response to Cyber-crime.

Challenges in investigation of Cyber Crime.

Applicability of Criminal procedure code, Evidentiary regime and Forensic computing.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SELECT BIBLIOGRAPHY

1. H.S. Becker, Outsiders : The Studies in Sociology of Deviance (1966)
2. J.A. Incard, C.D. Chambers, (eds.), Drugs and the Criminal Justice System (1974)
3. R. Cocken, Drug Abuse and personality in Young Offenders (1971)
4. G. Edwards Busch, (ed.) Drug Problems in Britain : A Review of Ten Years (1981)
5. P. Kondanram and Y.N. Murthy, "Drug Abuse and Crime : A Preliminary Study" 7 Indian Journal of Criminology, 65-68 (1979)
6. P.R. Rajgopat Violence and Response: A Critique of the Indian Criminal System (1988)

7. United Nations, Economic and Social Reports of the Commission on Narcotic Drugs, United Nations
 8. Social Defence, Research Institute (UNSDRI) Combating Drug Abuse and Related Crimes (Rome, July 1984, Publication No. 21).
 9. Lok Sabha and Rajya Sabha Debates on 1986 Bill on Psychotropic Substances. Useful Journals in this area are:
 - (i) The Law and Society Review (USA)
 - (ii) Journal of Drug Issues (Tallahassee Florida)
 - (iii) International Journal of Addictions (New York)
 - (iv) British Journal of Criminology
 - (v) Journal of Criminal Law, Criminology and Police Science (Baltimore , Md.)
 - (vi) Journal of Criminal Law and Criminology (Chicago, III)
 - (vii) International Journal of Offender Therapy and Comparative Criminology (London)
 - (viii) Bulletin on Narcotics (United Nations)
 10. U. Baxi, "Dissent, Development and Violence" in R. Meagher (ed.) Law and Social Change: Indo-American Reflections 92 (1988)
 11. U. Baxi (ed.), Law and Poverty: Critical Essays, (1988)
 12. A.R. Desai, (ed.) Peasant Struggles in India, (1979)
 13. A.R. Desai, Agrarian Struggles in India: After Independence (1986) A.R. Desai, Violation of democratic Rights in India (1986)
 14. D.A. Dhangare, Peasant Movement in India: 1920-1950 (1983)
 15. Ranjit Guha, Element any Aspects of Peasant Insurgency in Colonial India (1983)
 16. Ranjit Guba, (ed,) Subaltern Studies Vol. 1-6 (1983-1988)
 17. T. Honderich, Violence for Equality (1980)
 18. Mark Juergensmeyer, "The Logic of Religious Violence: The Case of Punjab" 22 Contributions to Indian Sociology 65 (1988)
 19. Rajni Kothari, State Against Democracy (1987)
 20. G. Shah, Ethnic Minorities and Nation Building: Indian Experience (1984)
 21. K.S. Shukla, "Sociology of Deviant Behaviour," in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986).
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures =34

COURSE-X: VICTIMOLOGY

COURSE OBJECTIVES:

To study the concept of victimology and rights and protection of victim under criminal law. To study the various patterns of criminal victimization. To study the impacts of victimisation on the family, psychology and social impact etc. on the victim. To study the latest trend for principle of compensatory jurisprudence in India.

COURSE CONTENTS

UNIT-I

Lecture-09

Introduction

Meaning, nature and Concept of Victimology.

Historical Development of Victimology.

Rights of Victims, Protection of Victims under Criminal Law.

National and International thinking.

UNIT-II

Lecture-08

Patterns of Criminal Victimisation

Victim- offender relationship.

Victim and abuse of power.

Victimisation of women.

Victimisation of children.

UNIT-III

Lecture-08

Impact of Victimisation

Physical and Financial Impact of Victimisation.

Impact of Victimisation on family.

Psychology and social Impact.

Victimisation, sense of security and Socio- economic development.

UNIT-IV

Lecture-09

Victims and Criminal Justice System

Victim and Police.

Role of NGOs.

Compensation under various Laws.

Principle of Compensatory Jurisprudence: latest trends in India.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS

1. Dutta K.K., Some Aspects of Criminal Law, Law Research Institute, Edition 1997, APH, Publishing House, Darya Ganj, New Delhi -02.
2. Dr. Mrinmaya Chaudhari, Languishing for Justice, A Critical Survey of the Criminal Justice System, DATTSONS, J. Nehru Marg, Sadar, Nagpur.
3. Malik P.L., Criminal Court Hand Book, 18th Edition, Eastern Book Company, 32, Lalbagh, Lucknow -01.
4. Manjula Batra, Protection of Human Rights in Criminal Justice Administration, Deep and Deep Publication, New Delhi.
5. Parvesh K Atri, Readings in Criminal and Criminology, 1st edition 1998, Anmol Publication Pvt. Limited, New Delhi -2

6. Ahmed Siddiqui, Criminology, Problems and Perspectives, 4th edition 1997, Eastern Book Company, Lucknow -01
 7. Clive Coleman and Clive Norris , Introducing Criminology, Edition 2000, Lawman (India) Pvt Limited, Lajpat Nagar, New Delhi-24
 8. Bharat B Das, Victims in the Criminal Justice System, 1st Edition 1997, APH Publication Corporation, New Delhi 2.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures =33

GROUP-4: BUSINESS LAW

COURSE-VIII: BANKING LAW

COURSE OBJECTIVES

This course is designed to accustom the students with the conceptual and equipped parameters of banking law. It also helps in understanding the judicial interpretation, new and emerging dimensions of the banking system. This course also gives an insight knowledge of Negotiable Instrument Act. The subject provides the basic knowledge of general principles of social control of banking institutions.

COURSE CONTENTS

UNIT-I

Lecture-09

Nature and Development of Banking System in India: Different kinds of Banks and their functions, Multi-functional Banks – growth and legal issues. Nationalization of Banks in India – the policy issue. Relationship of Banker and Customer, Definition of Banker and Customer, Salient features of inter-relationship between Banker and Customer. Special classes of customers, nature and type of accounts, banking business and bankers lien.

UNIT-II

Lecture-08

Social Control of Banking Institutions. Banking Regulation Act, 1949. Definitions, Business of Banking Companies, Control by Government and its agencies- control over management, accounts and audit, Inspection, credit control, Power of Reserve Bank to give directions, Suspension of banking business, Winding up of business companies. Lending by banks and Banking securities, Principles of sound lending, Lending to poor masses – reasons for neglect, repayment of loans, default and recovery and enforcing legal action vis-à-vis Banking Securities.

UNIT-III

Lecture-08

Reserve Bank of India Act, 1934 – purpose and scope, Organizational structure of Reserve Bank of India, Powers and functions of Reserve Bank of India- regulation of monitoring mechanism of the economy, Monopoly of currency issue, Currency chests, Exchange controls, Credit control, Bank rate policy formulation, Collection and furnishing of credit information, Non-banking institutions receiving deposits. Bank Frauds – Definition. Classification of Frauds and actions required by Banks, Fraud prone areas in different accounts and preventive measures thereof. Recent trends of banking system in India. The birth of new technology, Information Technology and its effect, automation and legal aspects, Automatic teller machine and use of internet, Smart cards, Credit card and use of expert system. Reforms in Indian Banking Law.

UNIT-IV

Lecture-08

Negotiable Instruments Act – Definition, kind of negotiable instruments, Holder and holder in due course, Bank drafts, Endorsement, Kinds of endorsement and its effect, Presentment of negotiable instrument and payment, Consequences of non-presentment, Payment and crossing of cheque, dishonor of cheque by the Bank of insufficiency of funds and criminal liability of drawer. Consumer protection vis-à-vis banking as service.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. P. Vasantha Kumar, Banking and Negotiable Instruments Law and Practice, Eastern Book Company, Edition 1st, 2020.
 2. Avtar Singh, Banking and Negotiable Instruments, Eastern Book Company, 2018.
 3. R.N. Choudhary, Banking Law, Central Book Publication, Edition 4th, 2016.
 4. S.N Gupta, Banking Law, Universal Law Publishing, 2018.
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures= 35

COURSE-IX: INTELLECTUAL PROPERTY RIGHTS

COURSE OBJECTIVES

The course IPR forms an integral part of business law in modern world. To equip the students with the fundamental knowledge of IPR. It helps in understanding of copyright law, patent law, design and geographical indication. It also gives an insight related to various international treaties and conventions.

COURSE CONTENTS

UNIT-I

Lecture-09

IPR and International Perspectives: Meaning and Content of Intellectual Property; national and international protection of intellectual property – an overview of TRIPS agreement, WTO and WIPO. Paris Convention for Protection of Industrial Property, The Trademark Act, 1999 – Object and scope, concepts of Mark, Trademark, Registered Trademark, Certification Trademark – Conditions for registration procedure for registration and duration of registration. Assignment and transmission of registered Trademark and unregistered Trademark, Infringement of Trademark and remedies.

UNIT-II

Lecture-08

Copyright Law – Object and purpose. International Conventions on copyright, Berne Convention, WIPO Copyright Convention and Phonogram Treaty. The Copyright Act, 1957 as amended till date and its objectives. The concept of author, work, literary work, artistic work, musical work, cinematograph film, work of sculpture, computer programme copyright and adaptation and the role of IT Act, 2000, Copyright Office and Copyright Board, Copyright Society, registration of copyright, infringement of copyright and remedies.

UNIT-III

Lecture-09

Patent Law – Object and purpose, value of patent system, international character of patents, advantages of patent to inventor, rights and obligations of Patentee, commercial exploitation of patent. The Patents Act, 1970 with latest amendments – objects and scope, concept of patent, invention, patented article and patented process, registration of patents, inventions not patentable, infringement of patents and remedies.

Unit-IV

Lecture-09

Industrial Design and Geographical Indications –The Design Act 2000 – Objects and scope concept of design, proprietor of a new or original design, registration of design, copyright in registered design, piracy of designs and remedies. Geographical Indications of Goods Act 2002 – Object and scope, concept of geographical indications, conditions for registration, procedure and duration of registration, effect of registration.

NOTE: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carries 15 Marks.

SUGGESTED READINGS:

T1 P. Narayanan, Intellectual Property Law (Eastern Law House, Third Edition, 2001)

T2 Lionel Bently & Brad Sherman, Intellectual Property Law (Oxford University Press;

4 edition 2014)

T3 B.L.Wadhera, Law Relating to Intellectual Property (Universal Publications, 5th Edition, 2011)

T4 Taraporewala, Law on Intellectual Property (Thompson Reuters, 2013).

REFERENCE STATUTES

R1 The Copyright Act, 1957

R2 The Patent Act, 1970

R3 The Trade Marks Act, 1999

R4 The Designs Act, 2000

.....

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures =31

COURSE-X: INSURANCE LAW

COURSE OBJECTIVES:

To acquaint the students with the conceptual and operational parameters of insurance law. To provide knowledge and understanding of laws which form background to operation of insurance, within which these laws operate. To provide the basic knowledge of general principles of Insurance Laws.. To give an insight of different types of insurances.

COURSE CONTENTS

UNIT-I

Lectures-09

Nature of Insurance Contract, various kinds of insurance, proposal, policy, parties, consideration, need for utmost good faith, insurable interest, indemnity. Insurance policy, law of contract and law of torts – future of insurance, need, importance and place of insurance. Constitutional perspectives – the Entries, 24, 25, 29, 30 and 47 of List 1 Union list : 23, 24 of list 3 Concurrent list, General Principles of Law of Insurance – Primary or Fundamental Principles, Legal Principles, the Principle of utmost good faith, the Principal of Warranties, the Principle of indemnity, the principle of subrogation, the principle of contribution, the principle of proximate cause, and the principle of mitigation of losses. Effect of war on policies, Indian Insurance Law: history and development, the Insurance Act 1938 and Insurance Regulatory Act, 2000. Mutual Insurance Companies and Cooperative Life Insurance Societies.

UNIT-II

Lectures-05

Life Insurance : Nature and scope, event insured against life insurance contract, circumstances affecting the risk, amounts recoverable under life policy, persons entitled to payment, settlement of claim and payment of money, miscellaneous insurance scheme – new dimensions – group life insurance, mediclaim, sickness insurance.

UNIT-III

Lectures-08

Insurance against Accidents: The Fatal Accidents Act, 1885, objects and reasons, assessment of compensation, contributory negligence, apportionment of compensation and liability, The Personal Injuries (Compensation Insurance) Act, 1963, compensation payable under the Act, Compensation Insurance Scheme under the Act – compulsory insurance Scheme under the Act – compulsory insurance. Insurance against third party risks : The Motor Vehicles Act, 1988, nature and scope, process and conditions of the policy, effect of insolvency or death on claims of insolvency and death of party, certificate of insurance, claims tribunal, constitution, functions, application for compensation, procedure powers and award. Liability Insurance – The Public Liability Insurance Act, 1991, nature and kind of such insurance, public liability insurance, professional negligence insurance.

UNIT-IV

Lectures-09

Marine Insurance: Nature and scope, definition classification of Marine Insurance, The Marine Insurance Act, 1963, Marine Insurance – insurable interest insurable value, Marine Insurance Policy – condition, expressed warranties, construction of terms of policy. Voyage – deviation, perils of the sea, assignment of policy, partial laws of Ship and of freight, salvage, general average, particular charges. Return of premium. Property Insurance : Fire Insurance, the emergency risks (Factories) Insurance, the emergency risks (Goods) insurance, Policies covering risks of explosion, Policies covering accidental loss, damage to property, policies covering storms and tempest, glass-plate policies, burglary and theft policies, live-stock

policies, goods in transit insurance, agricultural insurance.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READING

See CDC Report 2001, p 259.

.....

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures= 33

GROUP-5: HUMAN RIGHTS LAW

**COURSE-VIII: HUMAN RIGHTS OF DISADVANTAGED GROUPS: SC's,
ST's/OBC's, WOMEN, CHILDREN, AGED AND DISABLED**

COURSE OBJECTIVES

To critically understand the International norms and laws relating to women and children in India. To make out various areas of exploitation of women and children and to examine the role of judiciary in this regard. To understand the Constitutional and other provisions for the protection of SC's, ST's and OBC's and to evaluate the role of judiciary.

COURSE CONTENTS

UNIT-I

Lectures-08

Women and the Law : International Norms, Constitution and Special Laws in India for the Protection of Women. Crimes against women, Gender Injustice and its Various Forms, Women's Commission, Empowerment of women : Role of Judiciary and NGO's.

UNIT-II

Lectures-08

Children and the Law : International Norms, Constitution and Special Laws in India for the Protection of Child, Child labour , Sexual exploitation, Adoption and related problems, Children and education. Role of Judiciary and NGO's.

Unit-III

Lectures-09

SCs, STs ,OBCs and Law: Indian Constitution and Protection for SCs/STs and OBCs, Protection of Civil Rights Act 1955, Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act 1989, The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act ,2013,National Commissions, State Commissions. Role of Judiciary and NGO's.

UNIT-IV

Lectures-08

Aged , Disabled and Law: International Norms, Constitution and Special Laws in India for the Protection of Aged and Disabled .Special Protection Through Reservations, Major Issues of Barrier-Free Access to Public Places, and Development of Special and Appropriate Technologies. Institutional Mechanisms for Protection of the Aged and the Disabled,. Role of Judiciary, Role of NGO's.

Note:- The Question Paper will have four units. The Examiner is required to set eight questions with two questions from each unit. The candidate shall be required to attempt four questions selecting one question from each unit. Each question carries 15 marks.

SUGGESTED READINGS:

1. Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford
2. Saxena, Shobha, Crimes against Women and Protective Laws (New Delhi: Deep and Deep, 1999).
3. The Human Rights Watch Global Report on Women's Human Rights (1995).
4. Geraldine Van Bueren, The International Law on the Rights of the Child, (1998)
5. Bhargava, G.S. and R.M.Pal, ed., Human Rights of Dalits: Societal Violation (New Delhi: Gyan Publishing House, 2000).
6. Bhatia, K.L. and others, Social Justice of Dr. B.R. Ambedkar (New Delhi: Deep and

- Deep, 1995).
7. G.S. Bhargava and R.M. Pal, Human Rights of Dalit Societal Violation, (1999)
 8. B. S. Aswal ,Tribal and Human Rights – An Analytical Study (2012).
 9. S. K. Verma & S. C. Srivastava , Rights of Persons with Disabilities (2002).
 10. Alam, Aftab, ed., Human Rights in India: Issues and Challenges (New Delhi: Raj Publications,1999).
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit= 5

Total Lectures =33

COURSE-IX: HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM

COURSE OBJECTIVES:

To understand the concept of crime and criminal liability and to examine the role of criminal justice system. To study the various rights of accused and prisoners under the constitution and other legislative provisions. To examine the problems and matters connected with the understanding of human rights.

COURSE CONTENTS

UNIT-I

Lectures-08

Concept of Crime and Criminal Liability, Offences involving Human Rights, Human Dignity of both Victims of Crime and Persons Accused of it. Role of Criminal Justice System: Ordinary Courts, Special Courts, District Human Rights Courts, Nyaya Panchyats, Human Rights Sensitization. Code of Conduct for Law Enforcement Officials.

UNIT-II

Lectures-08

Rights of Accused and Inmates: Ex-post Fact Laws, Double Jeopardy, Against Self-Incrimination, Production before Magistrate, Medical Examination, Fair Trial, Speedy Trial, Legal Aid, Compensation, Appeal, Protection Home, Reformatory and other Institutions, Prisons.

UNIT-III

Lectures-08

Human Rights Problem : Police Atrocities and Accountability, Encounter Killings, The plea of Superior Orders , Violence against Women and Children, Communal Violence, Caste and Class Conflicts. Maintenance of Law and Order, Terrorism and Insurgency.

UNIT-IV

Lectures-09

The Problem of International Crime, International Cooperation in Combating of Transnational Organized Crimes and International Terrorism - Palermo Convention on Transnational Organized Crime 2000, Convention Against Illicit Trafficking in Narcotic and Psychotropic Substances 1988-90, Extradition and Mutual Assistance in Criminal Proceedings, International Criminal Court - Rome Statute 1998, International Criminal Police Organization (Interpol).

NOTE: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carries 15 Marks.

Suggested Readings:

1. Andrews J.A., Human Rights in Criminal Procedure, (1982)
2. Walsh, Cecil, Crime and Punishment in Indian Society (Delhi: Shubhi Publications, 1999).
3. Fitz Gerald : Criminal Law and punishment
4. Moberly : Ethics of Punishment
5. Nirmal, C.J., Human Rights in India (New Delhi: Oxford, 1999).
6. Misra, Shailendra, Police Brutality: An Analysis of Police Behaviour (New Delhi: Vikas, 1986).
7. Ramesh Thakur ,Human Rights of Prisoners and Prison Justice (2013).
8. V.V. Devasia & Leelamma Devasia, Human Rights and Victimology (1998).
9. Duncan Derret, The State, Religion and Law in India (1999), Oxford University Press,

New Delhi.

10. Mathur, K.M., Crime, Human Rights and National Security (New Delhi: Gyan Publishing House, 1999).
-

Time: 3 Hours

L2 T4 P-

Maximum Marks=100

Theory= 60 Marks

Internal Assessment=40 Marks

Credit =5

Total Lectures= 33

**COURSE-X: INTER RELATIONSHIP OF SCIENCE, TECHNOLOGY AND
HUMAN RIGHTS: EMERGING ISSUES**

COURSE OBJECTIVES:

To critically understand the concept and role of Science and Technology for the progress of human and social welfare. To analyse the law relating to the rights and liabilities of medical professionals as well as the rights of patients including the human rights with regard to medical negligence. To understand the benefits and exploitations of Scientific and Technological development in relation to human rights and the role of Human Rights ethics in this regard.

COURSE CONTENTS

UNIT I

Lectures-08

Concept of Science & Technology as a Tool for Furtherance of Human and Social Welfare. Scientific Temper. Positive Role of Science & Technology: Material Comforts, Food, Education, Health and Personal Well-Being. Negative Role of Science & Technology: Neutral Character of Science and Technology, Concept of 'Dual Use' Technologies, Impact of Unbridled use of Natural Resources, Development of Means and Methods of Violence and War, New Torture Methods.

UNIT-II

Lectures-08

Medicine and the Law : Organ Transplantation , Experimentation on Human Beings , Medical Negligence and Human Rights, Right to Die in Dignity and Peace: Euthanasia (Mercy Killing) ,Gene therapy.

UNIT-III

Lectures-09

Issue of Human Rights Ethics in Scientific and Technological Development: Sex Determination Test, Induced Abortion, Reproductive Technology, Right of Foetus, Cloning, Invitro Fertilization, Artificial Insemination, Surrogate Motherhood, Sex Reassignment Surgery.

UNIT-IV

Lectures-08

Impact of Scientific and Technological Progress on Human Rights: Right to life, Right to privacy, Right to Physical Integrity , Right to Information, Right to Benefit from Scientific and Technological Progress, Right to Adequate Standard of Living, Life Sustaining Technologies: Artificial Organs, Kidney Dialysis, Life Sustaining Drugs, Computer Crimes, Pornography Online.

NOTE: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carries 15 Marks.

SUGGESTED READINGS:

1. Weeramantry, C.G., Human Rights and Scientific and Technology Development, 1990.
 2. Adwin W. Patterson, Law in a Scientific Age, (1963)
 3. Suresh T. Viswanathan, The Indian Cyber Law (2000)
 4. The International Dimensions of Cyberspace Law (2000), UNESCO Publication.
 5. D.P. Mittal, Law of Information Technology (Cyber Law), (2000)
 6. Diane Rowland, Elezabeth Macdonald, Information Technology Law, (1997)
 7. Michael Chissick, Alistair Kelman, Electronic Commerce, Law and Practice, (1999)
 8. Steve Jones, Borin Van Leon, Genetics for Begineers, (1993)
 9. Bankowski, I., ed., International Ethical Guidelines for Bromedial Research Involving Human Subjects (Geneva: WHO, 1993).
 10. Prakash Mishra, Human Rights in India (2012).
-

COURSE-XI: DISSERTATION

The Dissertation shall be evaluated by the External Examiners preferably Teacher of Law. The panel of Examiners shall be submitted by the Chairman in consultation with Supervisor of the candidate. The viva-voce shall be conducted by Board consisting of following members:

- | | |
|--------------------------------|-------------------|
| 1. Dean, Faculty of Law | Chairman of Board |
| 2. Chairman of the Department | Member |
| 3. Supervisor of the candidate | Member |
| 4. External Examiner | Member |
-