DETAIL SYLLABUS

LL.M. ONE YEAR COURSE
FIRST SEMESTER
**Research Methods And Legalwriting**  
**LL.M-101**

**Objective:** To impart knowledge and understanding about the process of conducting socio-legal research, organizing seminars, publication of law journals, and holding legal aid clinics.

**Unit-1; Meaning, Objectives, Kinds and Importance of Research**
- Meaning of research, kinds of research, and objectives of legal research.
- Criteria of good research, factors affecting legal research, importance of research.
- Problems of researchers in India.

**Unit-2; Research Design and Its Components, Necessary Steps**
- Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources.
- Major steps of preparation of research design.
- Identification and formulation of research problem, hypothesis and research design (characteristics and contents).
- Processing the plan of research: data collection, analysis and use of internet, legislative material, Indian & foreign court decision and juristic writings.

**Unit-3; Research Techniques & Conduct of Research**
- Data collection: tools and techniques, sampling procedure, survey and case study method,
- Scaling and content analysis, questionnaire and interview, collection of case materials and juristic literature,
- Use of historical and comparative research material, census and survey sampling: types, merits and demerits,
- Report writing, legal material, interpretation and analyzing data, statistical tools, Supervision, guidelines for researchers.

**Unit-4; Legal Writing and Paralegal Activities**
- Report/article writing, citation methodology.
- Book review and case comments, organization of seminars, and publication of journals.
- Clinical legal education: legal aid, legal literacy camp,
- Legal survey and law reforms.

Text Books
1. Agrawal, S.K; Legal Education in India; Eastern Book House
2. Legal Research and Methodology; Indian Law Institute

Reference Books
1. Pauline, V.; Scientific Social Survey and Research; Prentice-Hall of India
4. Journal on Research Methodology; Indian Law Institute
5. Index to Indian and Foreign Legal Articles; National Law University, Delhi.
Objective: The need for comparative method has become inevitable in any study of human culture, achievements and institutions. The comparative approach will enlarge the vision of student.

The course is designed not only to give knowledge of different political system of the world but also give in-depth jurisprudential knowledge to them.

Unit-1

Concept of constitution

Meaning and idea of Constitution, Nature, Scope and Goal

Constitution as Supreme law

Making of Constitution: UK, U.S.A. and India

UNIT-2

Forms of Government: Unitary and Federal-salient features of both

Federal Government: USA, India, Australia

Unitary Government: UK

UNIT-3

Constitutional law-a branch of public law

Political parties and political system: USA, U.K., India


UNIT-4

Judicial review and exception to judicial review: USA and India

Jurisdiction: USA, India and Canada

   Original Jurisdiction
Advisory Jurisdiction

The Doctrine of state action: USA, India

Amend ability of the Constitution

Doctrine of “Basic Structure”

Theory of “Implied Limitations” on amending power

Difficulties of study at world level

TEXT BOOK:

Comparative constitutional law, d.d. basu, lexis nexis

Select constitution, anup chand kapur, k.k. mishra, s. Chand

Legal system in the world, dr. S.r. myneni, asia law house

Select constitutions of world, m .v. Pylee, universal law publishing

A.c. kapoor, seluth constitution (hindi and english)

Prabhu datta sharma, vishwa ke pramukh samvidhan
Objectives of the Course

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

Unit -1  Concept of Fundamental Rights

- Evolution of Fundamental Rights
- Concept of Fundamental Rights and Relation with Natural Rights
- Enforcement of Fundamental Rights
- Definition of State - Rights against state
- Is there need to enlarge the definition of State?

Unit -2 Forms, Limitations, Suspendability and Amendability of Fundamental Rights

- Rights to Equality
- Right to Freedom and Right against Exploitation
- Fundamental Freedoms and Right to Information
- Right to Life and Personal Liberty
- Arrest, Preventive Detention and National Security
- Freedom of Religion and Secularism
- Fundamental Rights: Suspend ability, Amenability and Limitations
- Remedies against Violation/Threat of Violation of Fundamental Rights
Unit-3 Directive Principles of State Policy and their Unenforceability

- Development and Importance of Directive Principles of State Policy and their enforceability
- Emerging Regime of New Rights and Remedies under the Garb of Directive Principles
- Use of and Directive Principles International Instruments in Interpreting Fundamental Rights

Unit-4 Fundamental Rights and Directive Principles of State Policy and Judicial Review

- Judicial Response on Fundamental rights and Directive Principles of State Policy
- Amendment to FRs and Directive Principles (Shankari Prasad to I.R.Coelho’s Case)
- FRs and Judicial Review

Select Bibliography

1. P. Ishwara Bhat Inter-relationship between Fundamental Rights
2. M P Jain Indian Constitutional Law
3. H M Seervai Constitutional Law of India
4. V N Shukla Constitution of India
5. D D Basu Shorter Constitution of India
6. B Sivarao Constitutional Assembly Debates
8. Paras Diwan Human Rights and the Law
9. P K Tripathi Some Insight into Fundamental Rights
10. S P Sathe Fundamental Rights and Amendment to the Constitution
11. P B Gajendragadkar Law, Liberty and Social Justice
12. David Karys Politics of Law
Objectives of the paper

This paper deals with the interaction between law and mass media. This paper examines the major laws, regulations and court decisions affecting the media. It aims to familiarize the theoretical debates on media, law and ethics in the Indian context. It also attempts to evolve an understanding of the complexities of ethical and legal media practice.

Syllabus

Unit-1 Introduction

- Evolution of Media
- Types of media:
  1. Print
  2. Electronic

- E-Media – Free Flow of Information beyond boundaries and barriers
- Difference between Visual and non-Visual Media - impact on People

Unit-2 Freedom of Speech and Expression -Article 19 (1) (a)

- An introduction to Freedom of expression
- Evolution of Freedom of Press
- Restrictions under Constitution

  1. Article 19(2)
  2. Government Power to legislate - Article 246 read with the Seventh Schedule.
  3. Power to impose Tax -licensing and licence fee.

- Advertisement & Ethics: Misleading Advertisement vis-à-vis Consumers rights

Unit-3 Law of defamation and obscenity
Defamation
  (i) Libel
  (ii) Slander
Obscenity
Sedition

Unit-4 Development of laws relating to Media vis a vis International regime

- Censorship of films
- Censorship under Constitution
- Censorship under the Cinematograph Act.
- Pre-censorship of films

Select Bibliography

1. M.P. Jain, Constitutional Law of India Wadawa, Nagpur
Objectives

The very objective of studying of Administrative law is to understand nature of the administration available in the country. This will definitely ensures the better administration not only for those who study but also for others. The goal of ideal state is not depending upon the how best the state ensures the good administration but it is depending upon how best the people will take part in the administrative process.

Syllabus

Unit-1 Scope and Development of Administrative Law

- Administrative Law-Definition, Nature, Scope and Functions
- Growth of Administrative Law in India
- Basic Constitutional Principles: Indian Perspectives
  - Rule of Law: changing dimensions, relation of administrative process
  - Separation of Powers
- Constitutional Torts

Unit-2 Administrative Functions and Discretion

- Classification of Administrative Functions
- Administrative Discretion
- Natural Justice
  - Rule of Fairness
  - Rule against Bias
  - Fair Hearing

Unit-3 Growth and Development of Delegated Legislation
Delegated Legislation.
Importance, Need and Constitutionality of Delegated Legislation.
Conditional Legislation.
Controls on Delegated Legislation.
  • Parliamentary Control.
  • Judicial Control.

Unit-4 Transparency and Accountability

  • Lokpal and Lokayukt.
  • Right to Information.
  • Vigilance Commission.

References

7. Richard J Pierce & Kenneth Culp Davis - Administrative law treatise
**Objective**

Objective of the paper is to give comprehensive knowledge of company law including Multinational Corporation to the students.

**Unit - I: Introduction, Formation and Capital Including Financing**

- Development of modern company law, meaning & Kinds of companies, Formation formalities, characteristic features of a company, lifting the corporate veil, certificate of incorporation.
- Promoter- Definition and his legal position, effects of pre-incorporation contracts.
- Memorandum and articles of association, prospectus.

**Unit-2; Business Management, Amalgamation, Take Over, Mergers**

- Shares, share capital, allotment, membership, borrowing powers, debenture-issue, floating and fixed charge, registration of mortgage and charges, intercorporate loans and investments, mutual funds, FDI and NRI investments.
- Qualifications, appointment, remuneration and removal of directors, managing directors and managers.
- Legal position of directors and criminal liability of the officers of the company.
- Meetings of the company- Types of meetings, procedure of calling meeting, company’s resolutions and its kinds.
- Company secretary- Qualification, appointments duties, and his legal position.
- National company law tribunal and appellate tribunal.
- Investigations into the affairs of the company.
- Amalgamation, take over, mergers, corporate collapse.

**Unit-3; Oppression & Mismanagement, Winding Up Of Company And Law Relating To Multinational Corporation**

- Prevention of oppression and mismanagement, Meaning and kinds of winding up, Appointment, Powers and Duties of Liquidator, Contributory,
- Meaning and Definition of Multinational Corporation

**Unit-4; Corporate Governance and Social Responsibility**

- Concept, Significance, dimensions, Legal framework, Impact of globalization. Importance of
Corporate Governance.
- Impact of Legal Traditions and the Rule of Law on Corporate Governance
- Legal Reforms of Corporate Governance in India
- Reports of the various Committees on Corporate Governance.

Corporate Social and Environmental Responsibility.

**Reference books**

- Smith And Keenan’s, Company Law (2002)
- Andrew Lidbetter, Company Investigations Ad Public Law (1999)
- Smith And Keenan’s Company Law.
- S. K. Verma & Suman Gupta, Corporate Governance And Corporate Law Reform In India. (2005).
- Companies Act, 1956.
- Gower-Principles Of Modern Company Law.
- Ramaiyaguide To Companies Act.
- Indian Law Institute Current Problems Of Corporate Law.
- Datta-Company Directors.
- Compendium on SEBI, Capital Issues and Listing By Chandatre, Acharya, Israni, Sethurama.
Objective: Objective: To provide knowledge and understanding of laws and procedures in international trade, and to train students in dealing with issues and challenges of international trade.

Unit-1; The History and Development of International Trade, and Financial Institution

- History and development of international trade.
- International Monetary Fund (IMF), International Bank
- For Reconstruction and Development (IBRD).
- International Finance Corporation (IFC), International.
- Development Association (IDA), Multilateral Investment Guarantee Agency (MIGA).

Unit-2; WTO and International Trade Law; Regulation of International Trade in India

- Multilateral Agreements on Trade in Goods, GATS, TRIPS Agreement.
- Doha Round and aftermath, Institutional Structure.
- Foreign trade (Development and Regulation) Act, 1992, Foreign Trade Policy.
- Foreign Trade Procedures.

Unit-3; International Sale and Carriage of Goods and International Investment Laws

- Bills of Lading and other Shipping Documents, Documentary Credit and other Payment Arrangements, International Contracts Claims before National Courts.


**Unit-4: Settlement of International Trade Disputes**

- Consultations, Panel and appellate reviews, Good offices,

- conciliation and mediation; Arbitration

- Compliance and enforcement.

**Text Books**

1. Schnitzer, Simone; Understanding International Trade Law; Universal Publication

**Reference Books**

1. Goyal, Arun; WTO in the new Millennium: Commentary, Case Law, Legal Texts; MVIRDC World Trade Centre
2. Carr, Indira; International Trade Law; Cavendish Publishing House
3. Rao, M. B; and Guru, Manjula; WTO and International Trade; Vikas Publishing House
Objective: To acquaint students with the conceptual and operational parameters of banking and insurance law, the judicial interpretation, and emerging dimensions of the banking and insurance system.

Unit-I: Introduction and Social Control over Banking

- Nature and development of Banking.
- Evolution of Banking in India and elsewhere.
- Different kinds of banks, their functions.
- Nationalization, liberalization etc.

Unit II: Reserve Bank of India Act, 1934 and Negotiable Instrument Act, 1881

- Origin and development of RBI as a central bank, powers-functions and objectives.
- Meaning and kinds, transfer and negotiations, holder and holder in due course, presentment and payment, liabilities of parties.
- Crossing of cheques and payment, dishonour of cheques.

UNIT-3 Recent Trends in Banking System in India and Reforms in Indian Banking Law

- New technology, information technology, automation and legal aspects.
- Automatic teller machine and use of internet, smart card, use of expert system, credit cards.
- Recommendations of committees: a review.

UNIT-4 Insurance

- Introduction, meaning of insurance, historical aspect, characteristic of insurance, nature of
insurance contract, principles of insurance.

- Reinsurance, double insurance, types of insurance, life insurance, marine insurance, fire insurance & miscellaneous insurance indemnity, subrogation, causa proxima, mitigation of loss,

- Attachment of risk, contribution constitution, function and powers of insurance.

- The Insurance Regulatory and Development Authority - Establishment, composition and duties, powers and functions; application of Consumer Protection Act, 1986

Books:

- M.N. Mishra, Law of Insurance
- C. Rangarajan, Handbook of Insurance and Allied Law.
- M.L. Tannen, Jannen's Banking Law & Practice in India, 2000
- S.N. Gupta, The Banking Law in Theory & Practice, 1999
- Sharma and Nainta, Banking Law & Negotiable Instruments Act.
Criminology and Penology LL.M-106

Objective

- To articulate the role of theory in criminology.
- To analyze the manner in which society responds to crime.
- To understand the nature and sources of criminal behaviour.
- Explain major trends in crime in recent decades.
- Evaluate the merits of various theories of crime.

Unit I Nature and Definition

- The definition, concept of crime
- Nature and Scope of Criminology
- The schools of Criminology
- Principles of Criminal Jurisprudence

Unit II Theories of crime

- Causation of crime
- Theory of crime
- Relation between crime and society
- Crime, Social Control and Crime Prevention

Unit III Justice system in India

- Theories of Punishment
- Criminal Court in India
- International Criminal Court
- Constitutional validity of capital punishment
Unit IV Prison system in India

- Historical development of prisons
- Objectives of imprisonment.
- Legal framework of the prison system in India.
- Prison organization in India
- Modernization of prisons

Reference Books

10. Sutherland, Edwin H; Principles of Criminology; General Hall.
11. Paranjape, N.V.; Criminology and Penology; Central Law Publication.
Objectives; Explain the importance of police within the criminal justice administration.

- Discuss the origin and the organizational setup of the police in general and in particular about India.

- Analyze the structural the make up of the police in particular reference to police services in India.

- Discuss the powers of the police in the administration of criminal justice.

- Explain and categorize the functions of police as per the provisions in law and in practice.

Unit I: Introduction

- History of Indian Police
- Policing in Ancient, Medieval and Modern India –
- Police Act of 1861
- The Police System Structural Organization of Police
- Role of police in modern societies

Unit II:

- Organization and Structure of Indian Police
- The Police System Structure and hierarchy.
- Functioning of police organizations
- Types of police organizations.
- State Police.
- District Police,
- Central Police Organizations.
- International Criminal Police Organizations
Unit III: Police Investigation Procedures

- Methods of Investigation - Information, Interrogation and Instrumentation. Recording of FIR, Case Diary and Station House Diary. Modus Operandi, Collection of Evidence,
- Examination of Witnesses and Suspects, Confession, Filling charge sheet.

Unit IV: Contemporary Policing

- Modernization of police, Public perception of police,
- Police self image : measures to improve police image;
- Developing healthy police public relationship, zero tolerance policing.
- Police Reforms and role played by Supreme Court

Reference:-
Objective

- To enhance knowledge and understanding of the Indian system of criminal justice from systematic approach.
- To understand the various components of the criminal justice system and how they relate and interact with another.
- To understand the law and how it interfaces with crime, criminal justice professionals and public expectations.
- Describe the history, evolution and present structure of the criminal justice system.

Unit I; Crime

- Development of Criminal Law and Criminal Justice System during British period and post independent period.
- Kinds of Punishment Elements of Criminal Liability of the crime, Intention, preparations, attempt and commission.
- Mens rea – Intention, recklessness, negligence, malice, inchoate offences.
- Mens rea under the Indian Penal Code 1860
- Exemptions from criminal liability

Unit II Procedural Mechanism in the Criminal Justice System

- Cognizable and Non-cognizable offences.
- Bailable and Non-Bailable offences.
- Compoundable and Non-Compoundable offences
- Investigation, Prosecution and Trial
- Warrant cases and Summons cases
• The right to counsel and legal aid With special reference to Indian Constitution and Cr.P.C

Unit III Police System in India

• History of Police & Policing
• Role of police in modern societies.
• Police organization in India
• Police community and crime.
• Police reforms and modernization
• Effective Judicial Control on Criminal Justice system

Unit IV Role of evidence in Criminal Justice System

• Relevancy and admissibility, of facts
• Relevancy of confessions and dying declarations
• Appreciating expert evidence in court
• Relevancy and Admissibility of evidence collected through
  Forensic and other modern tools and techniques
• Admissibility of evidence in Cyber Crime
• Protection of Witnesses
• Hostile witnesses.

Books
1. Nelson, R.A.; Indian Penal Code; LexisNexis
2. Huda, Shamsul; The Principles of the Law of Crimes in British India; LexisNexis

Reference Books
1. Ashworth, Andrew; Principles of Criminal Law; Oxford University Press
2. Hall, Jerome; General Principles of Criminal Law; Law Book Exchange
4. Choudhary, Ram Naresh; Principles of Criminal Law; Eastern Book Company
5. Nigam, R.C.; Criminal Law; Asia Law House
6. Pillai, Dr. K.N. Chandrasekharan; General Principles of Criminal Law; Eastern Book Company
7. Friedmann, Wolfgang Gaston; Law in a Changing Society; Literary Licensing Compan


Objective: - Primary duty of international organization is not only to maintain international peace but also to promote mutual co-operation among the society of nations for the welfare of human being. The course will highlight the origin, function, socio-economic and political role of these international organization in reshaping the life of people and restructuring socio-economic life of country. The study will provide platform to students for indepth analysis of international organization.

Unit-1

Introduction

Nature of International organization and their place in contemporary world

Definition and Classification of International organization

Role and Functions

Development in the 19th century The Concert of Europe, The Hague conference, 1899 and 1907

Unit-2

League of Nation

Origin

Principal organs Assembly, Council, The secretariat

Mandate system

Functions

Weakness, Defect and Factor Leading to Dissolution

Unit-3

UNITED NATIONS

Sources of the charter

Legal character of UN

Purpose and principle
Specialized agencies - constitution, function and power

Relationship between General Assembly and Security Council

Uniting for Peace Resolution

**Unit-4**

*International Economic/Financial Institution*

(a) UN Development Program (UNDP)

(b) General Agreement on Tariffs and Trade (GATT) and WTO

(c) UN Conference on Trade and Development (UNCTAD)

(d) UN Commission on International Trade Law (UNCITRAL)

(e) International Monetary Fund (IMF)

**References:**

4. Rajan, M.S, et. al., The Non-Aligned and united nations (South Asia Publication, New Delhi)
5. Rajan, M.S. et. al., UN at fifty and beyond (Lancer Book, New Delhi, 1996)
6. UN Library, The League of Nations: A Precept for Peace
7. UNITAR, United Nations and Maintenance of International Peace and Security
Private International Law  LL.M.113

Objective:- Private International law has assumed unprecedented significance today due to globalization and intensive interaction between parties belonging to different countries. This subject is most valuable in deciding the jurisdiction, applicable law and fate of foreign judgments and it is not proper to neglect it in the curriculum at LL.M level.

Unit-I

Meaning, Rules of private international law in India, Need to evolve Indian rules of private International law, Choice of law, Historical perspective, theories and development in contemporary world, local law theory and Genesis of private international law in India.

Unit-II

Sources of private International law, Concepts and general question of civil code, Conceptual inadequacy in India, Evolution of jurisdiction in personam, Transnational disclosure, Recommendation for jurisdictional rules.

Unit-III

Personal law, Concept of Nationality, Custody of Children, Conflict in Matrimonial regime, Matrimonial causes, Alimony.

Unit-IV

Rules for choice of law, characterization, content of juridical law Act applicable, arbitration, partial recognition or enforcement, the legal recognition of foreign legal person.

Text book

Noronha, F.E., Private International Law in India, Universal law publication, 2010

Jambolker, Laxmi, Select Essays on Private International Law (Universal, New Delhi)

Lawrence Collins, Dicey and Morris on Conflict of Laws (Sweet and Maxwell)

Govindraj, V.C., Conflict of Laws in India-Inter-territorial and Inter-personal Conflicts (Oxford University Press, New Delhi, 2011)
INTERNATIONAL HUMANITARIAN LAW (IHL) LL.M-114

Objective: The human rights have acquired new dimension with the adoption of Universal Declaration of Human Rights 1948. At present a number of regional and international organizations are working for the protection of these rights. The role of these organization are vital in protecting the different venerable sections of society. The course will highlight the international instrument recognizing different venerable sections of society and the role played by international organization for their protection.

Unit-1

Introduction to international humanitarian law, nature and definition of IHL-Historical Background and Origins of IHL, IHL as part of international law –sources of Modern IHL-Development of Geneva Convention and Additional protocols, Relationship between IHL and International human right law.

Unit-2


Unit-3

INTERNATIONAL HUMANITARIAN LAW AND VULNERABLE GROUP

WOMEN: Definition of ‘Discrimination against women
Implementation procedure, conferences on women, Beijing conference

CHILD


MIGRANT WORKERS

Definition of Migrant Worker, Rights of the Migrant Workers, Implementation Procedure reporting System, Inter-State Communication System, Individual Communication System
Unit-4

*IHL AND REFUGEE*

Definition of Refugee and Displaced Person, and their problem, Convention on Status of Refugee, UN Relief and Rehabilitation Administration (UNRRA), International Refugee Organization, UN High Commission for Refugee, Convention on Status of Refugee, Status of Refugee in India, Strategies to Combat Refugees Problem.

**TEXT BOOK**

Wallace R: International Human Rights, Sweet and Maxwell Publication

Agarwal, H. O., Human Rights, Central Law Publication

Sinha, Manoj kumar, Basic documents of International Human Rights and Refugee laws (Manak Publisher, New Delhi)

Sinha, Manoj kumar, Humanitarian Intervention by the UN, (Manak Publisher, New Delhi)

Singh, Nagendra, The Role and Record of UNHCR Macmillion Publication Delhi
Second Semester
Law and Justice   LL.M.201

Objective: The main objective of the course is to enable students to understand and seek solutions to pressing problems in the domain of justice. By the end of the term, students are expected to become familiar with the multiple dimensions of the theoretical literature and be able to critically evaluate the attempts to make sense of, and to ameliorate, prevailing instances of injustice in the world. This will be imparted through theoretical and philosophical debates advanced by various scholars and the institutional mechanism that need to be accelerated to achieve the objectives of global justice.

Unit I: Introduction to law and justice

- The concept of law as conceived by Plato
- Aristotle’s concept of justice
- Law and morality
- Relationship between law and ethics

Unit II: Legal Theory

- Law and justice as per Natural law school
- Positivism and Analytical Theories of Law:
- Sociological jurisprudence: Pound

Unit III Concept of Justice

- Concept of justice
- Types of justice
• Theories of justice: Justice by utilitarianists, Marxist approach to justice, Rawls theory of justice, Amartya sen’s theory of justice

Unit IV Concept of Law

• Theory of liability
• Fault liability or no fault theory
• Strict liability
• Concept of Property: Possession, Ownership
• Corporate Personality
• Feminist Jurisprudence
Objectives

The paper is aiming to give clear picture regarding the structure of the Indian polity and principles, procedures and practices that are complied by the house of people and the Government while unveiling any legislation/policy.

Unit-I Federalism

- The Concept of Federalism and its significance
- Evolution of federal government in India
- Difference between Federalism and confederation
- Unitary Features of the Constitution of India
- Federal Government – U.S.A, Australia, Canada

Unit-II Distribution of Legislative Power / Administrative Power

- Legislative Relations between Centre and States
- Parliaments Power to legislate in State List
- Cooperative Federalism

Unit-III Distribution of Fiscal Power

- Financial Relations - Dependence of States on Centre
- Residuary power – inclusion of fiscal power
- Grant in Aid
- Restrictions of Fiscal Power
- Distribution of Tax Revenues
- Finance Commission – Specific purpose grants (Article 282)
Unit-IV Inter-State: Trade and Commerce, Emergency

- Freedom of Inter-State trade and commerce.
- Restrictions on legislative power of the Union and States with regard to trade and commerce.
- Emergency and Division of Powers.

Reference

1. K.C. Wheare, Federal Government.
2. Jain M.P Outlines of Indian Legal History.
3. M.V Pylee, Constitutional History of India
4. Rama Jois M, Legal and Constitutional History of India.
5. Stetalvad M.C., Constitutional History of India
6. Keith A.B., Constitutional History of India
8. G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
9. V.D. Sebastian, Indian Federalism: the Legislative Conflict.
10. L.M Singhvi, Union-State Relations in India
13. Ashok Chandra, Federalism in India.
Objective:
In every written constitution, provision is required to be made to equip the state to face grave threats to its existence arising from extra-ordinary circumstances created by war or external aggression or armed rebellion. Although "amidst the clash of arms, the laws are not silent" they do not speak the same language in war as in peace. Extra-ordinary circumstances warrant the invocation of extra-ordinary laws and such laws are known as emergency laws. They put greater fetters on individual liberty and also eclipse certain aspects of the due process. But in such circumstances, the democratic forces must assert that for survival of the State, the least possible liberty should be available. The students should be familiarized with different aspects of such emergency powers and scrutinizing intellectual attitude towards such powers.

Unit-1

National Security, Public Orders and Rule of Law

1. Emergency Detention in England -Civil Liberties
2. Subjective satisfaction or objective assessment?
3. Pre Independence law.

Unit-2

Exceptional Legislation

1. COFEPOSA and other legislation to curb economic offenders
2. The draconian law and NHRC
3. Special courts and tribunals
4. Due process and special legislation

Unit-3

Martial Law

1. Provisions in English Law
2 Provisions in the Constitution

**Unit-4**

*Access to Courts and Emergency*

1. Article 359: ups and downs of judicial review
3. Constitution (Fifty-ninth) Amendment Act, 1988

**Reference:-**

5. M.S. Parmar, (1992), Problems of Police Administration, Reliance Publishing House, New Delhi
Local Self-Government & Federal Governance LL.M.-210

Objectives

With the introduction of the Constitution seventy third and seventy fourth amendments, India is moving towards the ideal of direct democracy endowing the local bodies with powers of administration in matters of regional and local importance. This change has added new vistas of Indian democracy and it offers an opportunity to translate the Gandhian concept of Gram Swaraj into practice. Necessarily, a person specializing in administrative law has to be equipped with the knowledge on the working of early systems, the present constitutional scheme, the legislative powers of the State transferring responsibility to local bodies and on the increasing regulatory and financial powers of the local bodies. The nature of the democratic functioning of these elected bodies and the scope of administrative control as well of the judicial control over them are challenging areas for students of administrative law to evaluate and help formulation of new and pragmatic working methods.

Unit-1 Local Self-Government

- Federalism in India and Local Self Government
- Evolution of Local Self Government in India
- Gram Swaraj: the Gandhian concept
- Concept of Sarvodaya

Unit-2 Local Self-Government and Constitutional Amendment

- 73rd and 74th Constitutional amendments
- Subject matters of 11th and 12th Schedule of the Constitution of India
- The Balvant Rai Mehta committee report
- The Sarkariya Commission report

Unit-3 Rural local self government

- Importance of Rural local self government
- Rural local self government: Origination
- Powers and functions of Rural local self government
Women's reservation in Panchayat and its effects

Unit-4 Urban local self government

- Urban local self government: Meaning and significant
- organization of Urban local self government
- Urban local self government: powers and function
- Finance and Local self Govt.

Select bibliography

1. Friedman, The State and the Rule of Law in a Mixed Economy
3. Dicey, Introduction to the Law of the Constitution,
4. Iwor Jennings, Law and the Constitution
5. Schwartz & Wade, Legal Control of Government
6. Davis, Discretionary Justice
7. Jain & Jain, Principles of Administrative Law
9. Indian Law Institute, Government Regulation of Private
Competition Law LL.M.202

Objective: To impart the basic knowledge of competition law and anti-competitive practices adopted in the commercial world.

Introduction:

- Restraint of Trade under Indian Contract Act, monopolistic trade practices, restrictive trade practices.
- Provisions of Sherman’s Act, Aims, objects and salient features of The Competition Act, 2002, its relationship with the Monopolies and Restrictive Trade Practices Act,
- Comparison between MRTP Act and Competition Act, 1969, Raghavan Committee Report,
- Definition of competition and competition Law.

Anti-Competitive Agreements, Abuse of Dominant Position and Regulation of Combinations

- Horizontal and vertical Agreement, dominant position.
- Abuse of dominant position, regulation of combinations viz. mergers and acquisitions.
- Combination, protection of consumers, anti-competitive.

Competition Commission of India

- Establishment, composition, powers, duties and functions,
- Distribution of business amongst commission and benches,
- Jurisdiction of benches and procedure for adjudication,
- Penalties for offences under the Competition Act, 2002.

Competition Appellate Tribunal

- Composition, functions, powers and procedure,
- Award Compensation, power to punish for contempt,
- Execution of orders.

Text Books

- Aggarwal, V.K; Bharat Law House.
- Dugar, S. M.; Commentary on the MRTP Law, Competition Law and Consumer Protection Law;
LexisNexis.

Suggested Reading

- K.S. Anantaranan: Lectures on Company Law and MRTP
- Dr. R.K. Singh: Restriction Trade Practices and Public Interest
- Suzan Rab: Indian Competition Law - An International Perspective
- S.M. Dugar's MRTP Law, Competition Law and Consumer Protection
- Report of the Monopolies Inquiries Commission, Govt. of India 1965 (Dr. Hazari Report)
- Sachar Committee Report, High Powered Committee on MRTP Act & Company Act, 1980 and other related work
- A.E. Rodrigues, Ashok Menon: The limits of Competition Policy, the shortcomings of Economics
- Taxmann's competition Law and Practice.
Law on Securities And Financial Markets LL.M. -203

Objective: To provide knowledge in the field of law and practices related to securities and financial markets and to train students to deal with legal and economic aspects of them.

Unit-1; Overview of Capital and Financial Markets

Unit-2; Sebi Act, 1992 & Security Contract (Regulation) Act, 1956
Objective, Powers and Functions of SEBI
Securities Appellate Tribunal, Appeals, Appearance before SAT

Unit-3; Depositories Act, 1996
Definitions, setting up depositories, its type, role, functions, Admission of securities, Dematerialization vs rematerialisation, Depository process, Inspection and penalties, Internal audit, concurrent audit of depository participants.

Unit-4; Other Related Laws

Acts and Statutes (As Amended)
1. The Companies Act, 2013
2. The Securities Contracts (Regulation) Act, 1956
3. The Securities Exchange Board of India Act, 1992
4. The Depositories Act, 1996
5. The Limited Liability Partnership Act, 2008
6. The Foreign Exchange Management Act, 1999

Text Books
1. Singh, Avtar; Company Law; Eastern Book Company
2. Kuchhal, M.C. and Vivek; Modern Indian Company Law; Shree Mahavir Book Depot
3. V.L.Iyer; SEBI practical manual.
4. TAXMAN; SEBI manual.
Objective: To provide comprehensive knowledge of the I.P.R. to the student.

UNIT-1; History and Evolution

Origin and Genesis of IPR, Theories of IPR – Locke’s, Hegel and Marxian, Ethical, moral and human rights perspectives of IPR, Theories justifying intellectual property rights, Nature of Intellectual Property Rights (IPR) and need for their protection, Dispute Settlement System in WTO, WTO-TRIPS as global binding charter of IPR and its impact on national legislation.

UNIT-2; International Perspective of IPRs

TRIPs, Berne Convention, Paris Convention, WCT, WPPT, PCT, Rome Convention, World Intellectual Property Organization (WIPO). National Perspective of IPRs

UNIT-3; Components of IPRs

Trade Mark, Copyright, Patent, and Design, Geographical indications, and Term, Registration, Licensing, and Infringement issues.

UNIT-4; Contemporary Trends and Emerging Issues and Challenges for IPR System


Acts and Statutes (As Amended)

1. The Copyright Act, 1957
2. The Patents Act, 1970
3. The Trade Marks Act, 1999
4. The Geographical Indications of Goods (Registration and Protection) Act, 1999
5. The Designs Act, 2000

Text Books
1. Ahuja, V.K.; Law relating to Intellectual Property Rights; LexisNexis

2. Bhandari, M. K.; An Introduction to Intellectual Property Rights; Central Law Publication

**Reference Books**

1. Narayanan, P.; Intellectual Property Law; Eastern Law House


3. Wadhera, B. L.; Law Relating to Intellectual Property; Universal Publication

Criminal Justice And Human Right LL.M.205

Objectives

At the end of the Course, students are expected to:

1- Understand the human rights of those suspected of committing criminal offences including heinous crimes such as terrorism;
2- Understand the human rights of those facing a criminal trial;
3- Know and understand the human rights of prisoners;
4- Analyze and evaluate how human rights law has impacted upon sentencing and punishment, including a study of the death penalty from a human rights perspective
5- Critically examine the supposed friction between the human rights of offenders and the victims.

UNIT-I Identifying the linkages between Human Rights and Criminal justice-International and National Perspective.

Human rights, Indian Constitution and criminal justice.

Human Rights and the United Nations Charter,

International Bill of Right Understand the human rights regime at the global level with special reference to criminal justice.

UNIT-II Human Rights of Offender vis-s-vis Criminal Justice

Human rights of the offender at the pre-trail stage viz. investigation, arrest, search and seizure.

Human rights of the offender during trail.

Human rights issues in sentencing process.

Police accountability and custodial violence, Police reforms and implementation, Judicial pronouncements
Unit-III  Recognizing Human Rights of the Victims of Crime

Victomological approaches to human rights jurisprudence.

Human rights of victims vs. human rights of offenders a conflict zone?

Protection from double jeopardy, Self-incrimination, Production before magistrate from police custody, Fair and speedy trial, Representation, Protection from ex post facto laws, Legal aid, Compensation, Rehabilitation, Administration of criminal justice.

Role of various Protection Agencies/Institutions

Unit-IV Role of Human rights institutions in criminal justice

National Human Rights Commission,

State Human Rights Commission and Criminal justice.

Human rights courts, International Criminal Court, International norms on Administration of Criminal justice

Text Books


2. Singh, M. P.; V.N Shukla’s Constitution of India; Eastern Book Company

Reference Books

1. Journal of the Indian Law Institute; Indian Law Institute

2. Parekh, P.H.; Human Right Year Books; Universal Publication


4. Bava, Noor Jahan; Human Rights and Criminal Justice Administration in India; Uppal Publishing Vibhute,
K. I.; Criminal Justice: A Human Rights Perspective of the Criminal Justice Process in India; Eastern Book Company

2. Singh, M. P.; V.N Shukla’s Constitution of India; Eastern Book Company

Reference

1. Journal of the Indian Law Institute; Indian Law Institute
2. Parekh, P.H.; Human Right Year Books; Universal Publication
White Collar Crimes And Corporate Crime LL.M.206

Objective

- To study the concept of white collar in details.
- To study the impact of white collar crime from Indian perspective.
- To study the impact of white collar crime on Indian Economy and its affect on development activities.

UNIT-1 Nature and Definition

- Genesis of White Collar Crime.
- Nature and Scope of White Collar Crime.
- Growth of White Collar Crime in India and Western Countries.
- Men-srea and White Collar Crime.
- Vicarious liability in White Collar Crime
- Strict liability in White Collar Crime.

UNIT –II Corporate Crimes

- Corporate Crimes-Meaning and Nature.
- Psychological and Socio-economic Factors underlying corporate frauds.
- Types of Corporate Crimes.
- Judicial Attitude towards Corporate Crimes.
- Offences Relating to Statutory Noncompliance under Companies Act
- Vicarious Liability of Corporation

UNIT III: Statues dealing with White Collar Offences.
- The Essential Commodities Act, 1955:
- The Food Safety and Standards Act, 2006:
- Provisions relating to Food Articles.
- Implementation of the Act by Food Safety Officers.
- Food Safety and Standards Authority of India.
- Breach of Foreign Exchange Regulations (FEMA)

UNIT-IV Indian Scenario

- White Collar Crimes in Indian scenario.
- Corruption in government and politics
- Black Money.
- Judicial response to white collar crimes in India.
- Cyber Crimes

REFERENCES-


7. Cambridge University Press, 2001, White Collar Crime Explosion: How to protect yourself and your company from prosecution


Victology LL.M.207

Objectives: Objective of this paper is to provide in depth and advance knowledge regarding victimology, to the student.

Unit I Victims: Concept and Importance.

- Meaning nature and types of victims of crime.
- Historical development of victimology.
- Scope and objectives of victimology

Unit II Patterns of Criminal Victimizations.

- Role of victims in Criminal Occurrence ! Victim – Offender relationship
- Victim typologies.
- Victim of abuse of power.
- Women and crime victimization.
- Children and crime victimization.

Unit III Impact of Victimization - ! - Physical and Financial.

- Physical and financial impact of victimization.
- Victimization: Impact on family.
- Psychological stress and trauma.
- Criminal, victimization, sense of security and socio economic development.

Unit IV Criminal Justice System & Victim.

- Criminal Justice System and victim relationship: Collaborator or evidence.
- Victim & Police: Lodging of FIR & recording of statement.
- Deposition & cross-examination in courts.
- NGO intervention: Victim-Witness Association, Victim Association
- Concept, meaning & importance for society & criminal justice system.
- Restitution, ex-gratia payment & insurance.
- Compensation by public authorities as social obligation.
- Victim Compensation in India: Provisions under Cr. P.C, SC, ST Act, etc.

Reference:

Air and Space law LL.M.-211

Objective: New innovations, technological developments in the field of Air and Space have brought a number of challenges before legal fraternity. The response to such challenges has been both legal and international. The course will provide in-depth understanding of Air and Space law along with fundamental principle of public international law concerning Air and Space law.

UNIT-1

Definition, nature and scope of Air law, Various convention relating to Aerial navigation(Paris convention 1919, Havana convention, Warsaw Convention, 1929, Chicago convention, 1944), Five Freedoms of Air, International Civil Aviation Organization (ICAO): organizational set up, legislative, Administrative and Judicial functions.

UNIT-2


UNIT-3


UNIT-4


Books:

Kapoor, S. K, international law.

Current development in air and space law, national law university press

Lyall francuis, paul b larsen, space law: a treatis, ashgate

Aircraft hijacking and international law, s.k. agarwal

New policy in india, s.bhatt

Law of carriage-air, land and sea, avtar singh
Public International Law LL.M.-212

**Objective:** Over the years international law has witnessed phenomenal growth. It is playing very important role in achieving peace and prosperity around the world. Adherence to International Law has become indispensible for society of nations for their peaceful co-existence. This course will focus upon the nature, source and different aspect of International Law.

**UNIT-1**

Development of international law: Jurisdictional theories on the basis of International Law, Codification of international law, Modern system of International law, Nature of International law, Sources of International law, Relationship between municipal law and international law

**UNIT-2**

Recognition, Succession, State Responsibility, Nationality, Extradition, Asylum;

**UNIT-3**

LAW OF TREATIES: Concept of ‘Treaty’, Reservation, Pacta Sunt Servanda, Treaties and Third states, Interpretation of Treaties, jus Cogens, Rebus Sic Stantibus

**UNIT-4**


**TEXT BOOK:**

SINGH, GURDIP, International law, Macmillian India Ltd, Delhi, 2003

Objective: With the increasing interdependence of state, international disputes has been arising amongst them at an accelerated phase. The course will focus upon the role of international organization for the settlement of International Disputes. It also focus upon the jurisdiction, admissibility and enforceability of decisions in international disputes.

UNIT-1

International Court and Tribunal


UNIT-2

Admissibility and Justifiability

Distinction between jurisdiction and admissibility, Absence of a necessary third party, Diplomatic protection, Nationality of claims exhaustion of local remedies, Investment treaty Arbitration: Contract Claims and Treaty Claims

UNIT-3

International adjudication

Characterization, Law applicable to substantive issues, Jurisdiction and Admissibility, Arbitration clause, Procedure, Capacity of parties, Issues of State Responsibility, Remedies in International Adjudication, Three forms of Reparation: Restitution, Compensation, and Declaratory judgments

UNIT-4

International Decisions, Recognition and Enforcement

Interpretation and Revision, Challenges before the International Court of Justice (ICJ), Challenges before the Municipal courts at the seat of arbitration, Special case for an International Centre for Settlement of Investment Disputes(ICSID), Annulment proceedings, New York Convention on the Recognition and Enforcement of arbitral award.

BOOKS
French, Duncan, Saul, Mathew and White, Nigel D, International law and Dispute Settlement, Hart Publishing

Tams, Christian J and Tzanakopoulos, Antonios; The Settlement of International Disputes, Hart publishing


Merrills, J.G., International Dispute Settlement, Cambridge University Press

Gupta, S.P., International Organization, Allahabad law agency