



**Master of Laws LL.M.
Semester – I**

Paper: Core Course Code: LLM CC-101

Marks: 30 Internal + 70 End Sem

Course Title: LEGAL PHILOSOPHY I

Course Outcomes:

Credit- 4

- C.O. 1:** Grasp the fundamentals of different schools and their dominant ideas.
- C.O.2:** Understand the concept of law and legal order in the backdrop of the theories of different schools.
- C.O.3:** Apply their understanding of law in different legal systems;
- C.O.4:** Identify and analyze problems of legal order and their analysis with multiple perspectives.
- C.O.5:** To appreciate establishment of an egalitarian legal order.

Programme Outcomes

- P.O.1:** Demonstrate the ability to extract rules and policy from cases, statutes, and administrative regulations and analyzing, interpreting and arguing differing interpretations of rules and statutes;
- P.O.2:** Demonstrate the ability scientific, critical and comparative inquiry of the theory and ideas;
- P.O.3:** Identify legal issues and application of legal ideas thereto;
- P.O.4:** Inculcating the value of research;
- P.O.5:** Demonstrate the ability to solve problems with an holistic approach

UNIT I: Legal Philosophy & Natural Law School (12 Lectures)

1. Legal Philosophy & Jurisprudence
2. Jurisprudence: Distinct Study & Synthetic Jurisprudence
3. Jurisprudence: A Priori & A Posteriori, Deductive & Inductive Method
4. Natural Law School: Roman & Greek School, Thomist & Sophist, Social Contract, Dark Ages, Stammler & Kohler

UNIT II: Historical School & Analytical School (12 Lectures)

1. Maine & Status to Contract, Anthropology & Law
2. Kelsen: Pure Theory of Law: Normative Character of Law
3. Hart: Minimum Content of Morality, Morality & Law Discourse in Contemporary World

UNIT III: Philosophical School & Sociological School (12 Lectures)

1. Kant & Hegel: Idealism, Metaphysical and Materialism, Dialectical Materialism
2. Sociology of Law and Sociological Jurisprudence
3. Inhering: Interest Theory
4. Roscoe Pound: Theory of Interests & Social Engineering

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UNIT IV: Realist, Critical Studies & Feminism

Badman Theory, Jurimetrics & Skepticism & Scandinavian School
Critical Legal Studies
Feminism: Liberal & Radical Approach

UNIT V: Modernism and Post-Feminism and Post Modernism School (12 Lectures)

Modernism & Deconstructionism
Post-feminism and Post Modernism Discourse
Contemporary Discourse

Books:

1. Bodenehimer, Jurisprudence-The Philosophy & Method of Law, Universal, Delhi
2. R.W.M. Dias, Jurisprudence, Indian Reprint-Adithya Books, Delhi
3. Fitzgerald, Salmond on Jurisprudence, Tripathi, Bombay
4. Dhyani S N, Jurisprudence-A Study of Indian Legal Theory.
5. Wayne Morrison, Jurisprudence, Cavendish Publication.
6. Llyod, Introduction to Jurisprudence, Sweet and Maxwell.
7. N.E. Simmonds, Central Issues in Jurisprudence, Justice, Law and Rights, Second Edition (Sweet & Maxwell) .
8. Brian Bix, Jurisprudence: Theory and Context, Carolina Academic Press, 1999.
9. Roger Cotterrell, Politics of Jurisprudence.

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Master of Laws LL.M.

Semester – I

Paper: Core Course Code: LLM CC-102

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: LAW AND SOCIAL TRANSFORMATION

Course Outcomes:

- C.O. 1 :** To assess the concept of social transformation and its impact on the legal culture.
- C.O. 2 :** To evaluate the social problems affecting the Indian nation state and its legal solutions.
- C.O. 3 :** To critically evaluate the existing legal structure and its efficacy in solving the current social evils of the nation state .
- C.O. 4 :** To assess the legal culture of India in a post globalized era

Program Outcomes

P.O.1: To foster an inter disciplinary approach in order to assess the social reality of law in India **P.O.2:** To assess the changing nature of law in India in the era of „Right Based Jurisprudence“. **P.O.3:** To encourage a Critical method of thinking among the students to assess the legal situation **P.O.4:** To assess the social impact and outcome of law.

UNIT I : Law and Social Change

(12 Lectures)

1. Meaning of Social Change and Social Transformation.
2. Relation between Law and Society : The Consensus and Conflict model
3. Social, Economic and Educational Corollary
4. Law and Morality.

UNIT II: Constitution and Social Change

(12 Lectures)

1. The normative method and sociological mode of change.
2. Constitutional Amendments and Social change
3. Basic Structure theory as a balancing factor
4. Women Empowerment and Social Dichotomy
5. Liberty and Social Acceptance

UNIT III: Globalization and Constitution of India (12 Lectures)

1. Impact of Globalization on the vision of Article 38 and Article 39 (b), (c) of the Constitution.
2. Impact of Globalization on the legal aspects of Industries and Agriculture in India.
3. Impact of Human Rights on Indian Legal Culture.
4. Status of Welfare state in a Globalized Economy.

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UNIT IV: Social Transformation & Modern India (12 Lectures)

1. Regionalism and Law : Right to Movement, Residence and Business
2. Language Policy and Indian Constitution : Official, State and Court Language
3. Freedom of Religion and Religious Minorities
4. Reservation Policy in India : Schedule Caste, Schedule Tribe and Backward Class

UNIT V: Contemporary Issues in Indian Legal Culture(12 Lectures)

1. Citizenship Law of India and Identification Documents in India .
2. Right to Privacy and Supreme Court of India.
3. Alternate Dispute Resolution Mechanism and Social Upliftment
4. Good governance and RTI

Resources:

1. Marc Galanter (ed.) Law and Society in Modern India, Oxford.
2. Robert Lingat, The Classical Law of India,
3. U. Baxi, The Crisis of the Indian Legal system,
4. Duncan Derret, The State, Religion and Law in India,
5. H.M.Seervai, Constitutional Law of India.
6. Tarngini Sriraman, *In Pursuit of Proof: A History of identification Documents in India* , Oxford publications
7. Chris Thornhill, *A Sociology of Constitutions: Constitution and State legitimacy in Historical – Sociological Perspective* , Cambridge Publications .
8. Anupama Roy, *Mapping Citizenship in India*, Oxford Publication.
9. Gautam Bhatia, *The Transformative Constitution : A Radical Biography in Nine Acts* , Harper Collins India

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Master of Laws LL.M.
Semester – I

Paper: Core Course Code: LLM CC-103

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: CONSTITUTIONAL LAW- NEW CHALLENGES

Course Outcome:

- C.O. 1: The objective of this paper is to study the nature of constitutional governance.
- C.O. 2: It is intended to highlight the role of constitution to face new challenges of society.
- C.O. 3: This paper further intends to expose the intricacies of challenges of constitutional governance.
- C.O. 4: To Understand the concept of Constitutional Morality.

Programme Outcome:

- P.O. 1: To understand and distinguish the role of Constitution to tackle the problems of society
- P.O.2 : To understand the impact of Constitution in making public opinion.P.O.3: To Inculcate the value of legal research

Unit I: Indian Federal Structure

(12 Lectures)

1. Federalism : Creation of New States, Special status of certain States & Article 370,
2. Federal Comity-Relationship of trust and faith between Centre and State,
3. Tribal Areas, Scheduled Areas, Boundary disputes, Deployment of security forces etc.
4. Separation of Power : Doctrine of Separation of Powers and checks and balances,

Unit II: Judicial Framework & Constitutional Governance(12 Lectures)

1. Constitutional framework-Judicial interpretation and practice, Judicial activism andjudicial restraining, PIL : Implementation, Judicial autonomy and independence,
2. Accountability of Executive, Legislature and Judiciary.
3. Democratic Process : Election and Electoral reforms, Election Commission.
4. The Rule Of Law: The independence of judiciary as an aspect of separation of powers/Division of functions.
5. Constitutional Morality, Right to Dissent, Doctrine of Legitimate Expectation, Inclusiveand Egalitarian Governance.

Unit III : State & Constitutional Governance

(12 Lectures)

1. The Executive : Constitutional status, Powers and functions of the President vis-a visform of Government.
2. The Legislature : Parliamentary/Legislative Privilege : Nature, Extent, Scope and Limitation On Privileges.
3. The Judiciary: Status, Power, functions and contemporary developments, Power of Judicial Review.
4. Constitutional torts and compensatory Jurisprudence, Contractual Liability of State Fundamental Duties & Citizenship

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Unit IV: Equality, Liberty & Constitutional Governance (12 Lectures)

1. Liberalization & Social Justice
2. Right to Equality: Privatization and its Impact On Affirmative Action.
3. Empowerment of Women.
4. Freedom of Press and Challenges of New Scientific Development,
5. Data Protection & Privacy

Unit V: Constitutional Governance & Emerging Trends (12 Lectures)

1. Emerging regime of new rights and remedies.
2. Reading Directive Principles and Fundamental Duties into Fundamental Rights.
3. Secularism: Religious freedom and right of minorities to establish and administer educational institutions of their choice.
4. Implementation of International Obligation : Human Rights, Environmental protection and International trade.

Books:

1. D.D. Basu, Shorter Constitution of India
2. M.P. Jain, Constitution of India
3. M.P. Singh, Comparative Constitutional Law
4. T.K. Tope, Constitution of India

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Master of Laws LL.M.

Semester – I

Paper: Core Course Code: LLM CC-104

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: CONSTITUTIONALISM, PLURALISM AND GOOD GOVERNANCE

Course Outcomes:

- C.O. 1 :** To Understand the concept of Constitution.
- C.O. 2 :** Understand the concept of Constitutionalism
- C.O. 3 :** Understand the concept of Constitution and Good governance
- C.O. 4 :** Understand the concept of Constitution with relation to Federalism

Program Outcomes

The Student will learn a critical and collaborative approach to constitution.

Unit I : Constitutionalism

(12 Lectures)

1. Authoritarianism-Dictatorship,
2. Democracy-Communism,
3. Limited Government-concept, Limitations on Governmental Power,
4. What is a Constitution? Development of a democratic government in England-Historical evolution of Constitutional government,
5. Conventions of Constitutionalism-law and conventions,
6. Written Constitutions : U.S.A., Canada, Australia, Sweden, South Africa and India,

UNIT II: Separation of Powers & Rule of Law (12 Lectures)

1. Separation of Powers : Montesquieu,
2. Rule of Law : Concept and new horizons,
3. Marxist concept of constitutionalism,
4. Dictatorship of the proletariat,
5. Communist State from Stalin to Gorbachov,
6. Fundamental Rights : Human Rights,
7. Judicial Review : European Court of Human Rights,
2.8 Human Rights : International conventions,
2.9 Limits & doctrine of domestic jurisdiction in international law.

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Unit III : Federalism

(12 Lectures)

1. What is a federal government? Difference between confederation and federation
2. Conditions requisite for federalism,
3. Patterns of federal government-USA, Australia, Canada, India, Judicial review-for federal umpiring,
4. New trends in federalism : Co-operative federalism,
5. India-Central Control v. State Autonomy,
6. Political factors influencing federalism,
7. Plural aspects of Indian Federalism : Jammu & Kashmir, Punjab, Assam, Dynamics of federalism.

Unit IV : Pluralism

(12 Lectures)

1. What is a pluralistic society? Ethnic, linguistic, cultural, political pluralism,
2. Individual rights, Right to dissent, Freedom of speech and expression, Freedom of the Press,
3. Freedom of association, Rights to separateness, Rights of the religious and linguistic minorities,
4. Compensatory discrimination for backward classes,
5. Scheduled Tribes,
6. Distinct identity-protection against exploitation,
7. Uniform Civil Code-Non-State Law(NSLS) and State Law Systems - Problem of a Uniform v. 4.8 Personal laws - vertical federalism.

Unit V :

(12 Lectures)

1. Equality in Plural Society : Right to equality and reasonable classification,
2. Prohibition of discrimination on ground of religion, caste, sex, language, Abolition of untouchability, Secularism-Constitutional principles, Tribal Groups and Equality.
3. Pluralism and International Concerns : International Declaration of Human Rights,
4. Conventions against genocide, Protection of religious, ethnic and linguistic minorities, State intervention for protection of human rights, Right of self-determination.

Select Bibliography :

1. Upendra Baxi, Law, Democracy and Human Right , 5 Lokayan Bulletin 4 (1987).
2. V.M. Dandekar. Unitary Elements in a Federal Constitution, 22 E.P.W 1865, 1988
3. Rajeev Dhavan, The Press and the Constitutional Guarantee of Free Speech and Expression, 28 JILI 299 (1986)
4. M.A. Fazal, Drafting a British Bill of Rights, 27 JILI 423, 1985
5. M.P. Jain, Indian Constitutional Law (1994), Wadhwa
6. H.M. Seervai, Constitutional Law of India, (1993)

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Master of Laws LL.M.

Semester – I

Paper: Core Course Code: LLM CC-105

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: JUDICIAL PROCESS

Course Outcome:

C.O. 1: The objective of this paper is to study the nature of judicial process as an instrument of social ordering.

C.O. 2: It is intended to highlight the role of court as policy maker participant in the power process and as an instrument of social change.

C.O. 3: This paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques.

C.O. 4: Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of the concept of justice and its various theoretical foundations is required.

C.O.5: This paper, therefore, intends to familiarize the students with various theories different aspects and alternative ways of attaining justice.

Programme Outcome:

P.O. 1: To understand and distinguish the law making process.

P.O.2 : To understand the impact of judiciary in law making.

P.O.3: To understand the role of judicial process in social order.

Unit I: Nature of Judicial Process

(12 Lectures)

1. Judicial process as an instrument of social change.
2. Judicial process and creativity in law-common law model,
3. Legal Reasoning and growth of law change and stability.
4. The tools and techniques of judicial creativity precedent.

Unit II: Legal Development And Creativity Through Legal Reasoning

(12 Lectures)

1. Legal development and creativity through statutory and codified systems.
2. Role of judiciary in constitutional adjudication-various theories of judicial role.
3. Judicial Behaviour and constitutional adjudication.

Unit III: Judicial Process in India :

(12 Lectures)

1. Judicial accountability-Problems and Prospects.
2. Indian debate on the role of judges and on the notion of judicial review.
3. The “Independence” of Judiciary “Political” nature of judicial process.

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Unit IV: Judicial Activism And Creativity Of the Supreme Court: (12 Lectures)

1. The tools and techniques of creativity.
2. Judicial process in pursuit of constitutional goals and values.
3. Judicial Delay, Docket Explosion, Court Management & Litigation Management, and Performance of the Judges.

Unit V: Development of Human Rights Jurisprudence By Judiciary: (12 Lectures)

1. New dimensions of judicial activism and structural challenges.
2. Institutional liability of courts scope and limits.
3. The expansion of Human Rights jurisprudence by Interpretational tools.

Resources

1. Julius Stone, The Province and Function of Law, Part II, Chs. 1-8-16, Universal, New Delhi.
2. Cardozo : The Nature of Judicial Process, Universal, New Delhi 21.
3. Henry J. Abraham : The Judicial Process , Oxford.
4. J.Stone : Precedent and the Law : Dynamics of Common Law Growth .
5. Butterworths W. Friedmann : Legal Theory , Stevens, London.
6. Bodenheimer : Jurisprudence - The Philosophy and Method of the Law , Universal.
7. Delhi J. Stone : Legal System and Lawyer's Reasoning (1999), Universal, Delhi.
8. U. Baxi : The Indian Supreme Court and Politics (1980), Eastern, Lucknow.
9. Rajeev Dhavan : The Supreme Court of India - A Socio-Legal Critique of its Juristic Techniques .
10. Tripathi, Bombay John Rawls : A Theory of Justice , Universal, Delhi Edward.
11. H. Levi : An Introduction to Legal Reasoning , University of Chicago

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Master of Laws LL.M.

Semester – I

Paper: Value Added Course Course Code: LLM VC-101

Right to Information and Good Governance

Credit- 4 Marks: 30 Internal + 70 End Sem

A Common man or an Activist or an Academician requires knowledge of access to justice and this paper in LL.M course is an endeavor in this direction. The objective of this paper is to understand that Right to Information is an effective tool of Good Governance. Right to information (RTI) Act 2005 have been implemented for subtle change in the administration of the governmental process. Across the world, there are many initiatives which are implemented for realizing the need of Good Governance. Right to information (RTI) is being recognized as potential tool of empowerment. Right to information Act 2005 has been enacted with a view to promote openness, transparency and accountability in public administration. To achieve these objectives, this paper in LL.M is a right step in this direction. This paper highlights the importance of right to information as a tool to achieve good governance. It also discusses that a government which operates in greater secrecy is more prone to corruption as compared to a government which operates in greater openness. This paper tries to explain the conception of Right to Information and its utility in good governance. Hence, this course is being added as a Value Added Course in the Curriculum.

UNIT- 1

Right to Information Act, 2005

- Definitions.
- Right to information and obligations of public authorities.
- How can a person obtain information under the Act?.
- What information may not be given?.
- The Central Information Commission.
- The State Information Commission.
- Powers and functions of Information Commissions, Appeal and Penalties.

UNIT-2

Drafting RTI

- RTI application drafting, drafting of right questions, filling and submitting of application.
- Role of judiciary and Central information Commission in implementation of the Act.
- Public Authority.

UNIT-3

Good Governance and Challenges.

- Right to Information as an instrument of change.
- Role of RTI in reducing corruption in India.
- Challenges in attaining good governance by way of RTI

UNIT-4

RTI and Activism

- Challenges and obstacles faced by RTI activists.
- Policy framework for their protection.
- Right to Information Amendment Act, 2019.

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UNIT-5

Misuse of RTI

- RTI not a means of Grievance redressal.
- RTI and File Notings.
- Misuse of Right to Information.

Bibliography:

1. Brooks, Heather., “*Your Right to Know: A citizen Guide to the Freedom of Information Act*”, Pluto Press (U.K.) 2006.
2. Brady Ronan and Smithpatrik., “*Democracy Blindfolded: The Case of a Freedom of Information Act*”, Cork University Press, 1994.
3. Carey, Peter and Turle, Marcus., “*Freedom of Information Handbook*”, The Law Society, 2nd Revised Edn., 2008.
4. Dhaka, R.S., “*Right to Information and Good Governance*”, 2010.
5. Martin, Shanon E., “*Freedom of Information: The News the Media Use*”, Peter Lang Inc., 2008.
6. Mishra, S.S., “*Right to Information (RTI) and Rural Development in India*”, New Century Publications, 2009.
7. Mustafa, Faizan., “*Constitutional Issue in Freedom of Information: International and National Perspective*”, Kanishka Publishers and Distributors, 2003.
8. Sathe, S.P., “*The Right to Know*”, 1991.
9. Seervai, H.M., “*Constitutional law of India*”, 3 Vols., Universal Law Publishers, 2007.
10. Singleton, Susan “*The Freedom of Information Act*”, Thorogood Publications 2010.
11. Shukla, V.N., “*Constitution of India*”, 11th Edition, Eastern Book Company, Lucknow, 2008.
12. Smith, Kelvin, “*Freedom of Information: A Practical Guide to Implement the Act*”, Facet Publishing 2004.
13. Wadia, Angela., “*Global Sourcebook on Right to Information*”, Kanishka Publishers and Distributors, 2006.
14. Chhachhar. Varun, “*Right to Information and Administration of Justice*”, Published by ACUMEN Publishers, The Netherlands, First Edition (2019), ISBN: 978-9-83024-21-9.
15. Chhachhar. Varun, “*Misuse of Right to Information in India*”, Published in the Journal of the Campus Law Centre, University of Delhi, Vol IV & V of 2017, ISSN : 2321-4716. P.86-99.

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Master of Laws LL.M.

Semester – II

Paper: Core Course Code: LLM CC-201

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: LEGAL PHILOSOPHY-II

Course Outcome

- C.O. 1:** To analyze the changing nature of Law in the 21st century.
- C.O. 2 :** To analyze and interpret the impact of international social movements on law .
- C.O. 3 :** To understand and interpret the new approaches to law.
- C.O. 4 :** To analyze the concepts of justice and rights as applicable in the 21st century.

Program Outcomes

- To inculcate an inter disciplinary approach in order to understand the nature of law.
- To assess the changing nature of law.
- To assess the changing nature of Law , State , Sovereignty and Justice.

UNIT I : Law in a Post Modern World

(12 Lectures)

- Law and Post Modernism: Critical Legal School, Ideas of Roberto Unger, Duncan Kennedy , Michel Foucault, Jacques Derrida .
- Queer Jurisprudence.
- Feminist Jurisprudence.
- Law and Ideology.

UNIT II : Law , State and Sovereignty in a Contemporary world.

(12 Lectures)

- Challenges to Sovereignty in the 21st century :Subsidiarity , Sovereignty as Responsibility ,
- Chunk theory of Sovereignty , Globalization , The concept of Fail / Weak State.
- Post 9/11 world and State : Philosophy of Carl Schmitt , Giorgio Agamben , The concept of Bio Politics .
- Cosmopolitanism and Globalization as an alternate to the State system.
- The concept of Demosprudence .

UNIT III : Changing notion of Justice in a contemporary world

(12 Lectures)

- Rawlsian Difference Principle and the ideas of Nozick and Sen
- Global Distributive Justice : Views of Peter Singer , Thomas Pogge , Kok Chor Tan , Martha Nussbaum, Refugee justice ,
- Anti Globalization Movement : Meaning , Nature and Scope .

UNIT IV : Minorities & Governance

(12 Lectures)

- Right of Self-determination and the Minorities.
- Ethnic Minorities and Governance
- Sustainable Development, Inclusive Governance

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UNIT V: Recent Global Trends

(12 Lectures)

- TWAIL scholarship.
- Importance of Legal monism in establishing international peace.
- Global Administrative Law : Meaning , Nature and Scope .
- Global Governance, Post Secularism and Public Reason
- Linguistic Philosophy, Wittgenstein, Interpretation of Law,

Bibliography

1. Encyclopedia of Global Justice ,Deen Chatterjee (ed) , Springer.
2. Global Governance by Thomas Weiss , Polity .
3. Global justice : The basics by Huw . L. Williams and Carl Death , Routledge.
4. Jurisprudence : from the Greeks to Post Modernism by Wayne Morrisson , Lawman (India) , Private Limited .
5. Globalization and After by Dasgupta and Kelly ,Routledge.
6. Legality and legitimacy by David Dyzenhaus , Cambridge publication.
7. Sovereignty as Responsibility by Luke Glanville , Chicago university press.
8. International Law from Below by Balakrishna Rajagopal , Cambridge .

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**Master of Laws LL.M.
Semester – II**

Paper: Core Course Code: LLM CC-202

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: RESEARCH METHODOLOGY

Course Outcomes :

- C.O. 1 :** To understand the dimensions of legal research.
- C.O. 2 :** To be able to find out research problem and hypothesize the research universe and tool techniques for the same .
- C.O. 3 :** To apply various tools and techniques in doctrinaire and non-doctrinaire researches.
- C.O. 4 :** To be able to understand the use of ICT in researches.

Program Outcomes

- To inculcate the value of inter disciplinary research attitude.
- To assess the importance of investigation and exploration of facts in law & policy making and in its enforcement.
- To encourage to find out legal issues in a comparative way of social problems and its solutions via legal researches.
- To train in comprehensive comparative legal research.

Unit I : Research Methods

(12 Lectures)

1. Research, Meaning & Significance
2. Legal Research, Socio-Legal Research
3. Doctrinal and Non-Doctrinal
4. Relevance of Empirical Research
5. Induction and Deduction

Unit II: Identification of Problem of Research

(12 Lectures)

1. Research Problem
2. Formation of Research Problem
3. Sampling Technique, Meaning, Type & Scaling
4. Questionnaire / Interview, Observation
5. Compilation of List of Reports or Special Studies Conducted Relevant to The Problem

Unit III Research Design & Tools(12 Lectures)

1. Steps in Preparation of Research
2. Devising tools and techniques for collection of Data : Methodology
3. Methods for the collection of statutory and case materials and juristic literature, Use of case studies,
4. Literature Review, Jurimetrics, Case Study & Case Law Analysis
5. Hypothesis, Nature, Type, Formulation, Testing & Variables

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Unit IV Classification and Tabulation of Data

(12 Lectures)

1. Rules for Tabulation
2. Explanation of tabulated data
3. Analysis of Data, Report Writing & Interpretation
4. Plagiarism & Research Ethics, Copyright Violations, Fair Use, Citation & Bibliography

Unit V Computerized Research

(12 Lectures)

1. Legal Research & Computer
2. Use of software for legal research SPSS
3. Use of Computer, Mobiles and Camera in Data Collection
4. Use of Power Point Presentation and Explanation, Audio Visual

References:

1. M. O. Price, H. Bitner and Bysiewicz, Effective Legal Research
2. Pauline V. Young, Scientific Social Survey and Research
3. William J. Grade and Paul K. Hatt, Methods in Social Research, McGraw - Hill Book Company, London.
4. H. M. Hyman, Interviewing in Social Research
5. Payne, The Art of Asking Questions
6. Erwin C. Surrency, B. Fielf and J. Crea, A Guide to Research
7. Morris L. Cohan, Legal Research in Nutshell, West Publishing Co.
8. Harvard Law Review Association, Uniform System of Citations
9. ILI Publication, Legal Research and Methodology
10. S.K. Verma and M. Afzal Wani (Eds.) *Legal Research and Methodology*, Indian Law Institute (2001) 2nd Edition.
11. Goode and Hatt, „*Methods in Social Research*“, Singapore, Mc. Graw Hill Book Co., 1985 (reprint).

References:

1. Baxi, Upendra, „*Socio-Legal Research in India – A Program Schriff*“, ICSSR, Occasional Monograph, 1975.
2. Cohen, Morris L., „*Legal Research*“, Minnesota, West Publishing Co. 1985.
3. Ghosh, B.N., „*Scientific Method and Social Research*“, New Delhi, Sterling Publishers Pvt. Ltd., 1984.
4. Johari J.C. (ed), „*Introduction to the Method of Social Sciences*“, New Delhi, Sterling Publishers Pvt. Ltd. 1988.
5. Kothari C.K., „*Research Methodology: Method and Techniques*“, New Delhi, Wiley Eastern Ltd., 1980.
6. Stone, Julius, „*Legal System and Lawyer’s Reasoning*“, Sydney, Maitland Publications, 1968.

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Master of Laws LL.M.

Semester – II

Paper: Core Course Code: LLM CC-203

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: COMPARATIVE CONSTITUTIONAL LAW

Course Outcomes:

C.O. 1 : Comparative study of constitutions

C.O. 2 : Constitutional Borrowings.

C.O. 3 : Constitutional Interlinkage.

Program Outcomes The paper introduces the understanding about Comparative Constitutions.

UNIT I: Constitutional Governance

(12 Lectures)

1. Federal & Unitary Governance
2. Constitution, Constitutionalism & Governance
3. Features of Constitutionalism
4. Comparison of Federal Governance in Indian, UK & USA

UNIT II: Rule of Law

(12 Lectures)

1. Rule of Law & Constitutional Governance
2. Equality & Rule of Law
3. Equality & Affirmative Action
4. Discrimination & Equality

UNIT III: Judicial Review

(12 Lectures)

1. Judicial Review & Constitutional Governance
2. Judicial Review & Interpretation of Constitution
3. Writs & Remedies
4. Judicial Accountability

UNIT IV: Separation of Power & Division of Power

(12 Lectures)

1. Separation of powers
2. The Doctrine of Checks and Balances
3. Rule of Law and Separation of Powers in the Indian Constitution
4. Division of Powers & Judiciary

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UNIT V: Contemporary Constitutional Governance

(12 Lectures)

1. Privacy & Digital Rights
2. LGBTQ Rights
3. Indigenous People & Minority Rights
4. Displaced Persons & Refugee, Vulnerables & Migrant

BOOKS

1. H.M.Seervai, Constitutional Law of India
2. M.P.Jain, Constitutional Law of India,
3. John B.Howard, The Social Accountability of Public Enterprises,
4. Rajeev Dhavan, On the Law of the Press in India, 26 JILI 288 (1984)
5. Soli Sorabjee, Law of Press Censorship in India
6. Justice E.S.Venkaramiah, Freedom of Press : Some Recent Trends,
7. D.D.Basu, The Law of Press of India
8. Rajeev Dhavan, Legitimizing Government Rhetoric : Reflections on Some Aspects of the Second Press Commission, 26 JILI 391, 1984

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**Master of Laws LL.M.
Semester – II**

Paper: Core Course Code: LLM CC-204

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Law and Justice in Globalized World

Course Outcomes:

- C.O. 1:** Grasp the fundamentals of philosophical and analytical skills including close reading, logical analysis and exemplary modes of problem solving;
C.O.2: Understand the concept of justice as a political and legal ideal and appreciate the different motivations and assumptions behind key conceptions of justice;
C.O.3: Apply their understanding of justice in adopting a critical perspective on the nature of the law and legal systems;
C.O.4: Identify and analyze problems of justice within and beyond national communities with a special emphasis on the distinction between national, international, global and cosmopolitan justice; and **C.O.5:** To appreciate the institutional and practical dimensions of securing a just and equitable society.

Program Outcomes

- P.O.1:** Demonstrate the ability to extract rules and policy from cases, statutes, and administrative regulations and analyzing, interpreting and arguing differing interpretations of rules and statutes;
P.O.2: Demonstrate the ability to conduct investigation of facts and to construct a coherent narrative based on that investigation;
P.O.3: Identify legal issues in facts and applying rules and policy to facts;
P.O.4: Perform comprehensive legal research;
P.O.5: Demonstrate the ability to solve problems in light of a client's objectives: anticipating consequences and assessing risks;

Unit I : Legal Philosophy & Utilitarianism (12 Lectures)

1. Legal and Philosophical Analysis
2. Utilitarian Justice
3. Non-Utilitarian Theories of Justice

Unit II: Law & Justice (12 Lectures)

1. Law and Justice
2. Rawls & Nozick, Sen and Justice
3. The Separation of Law and Morals
4. The Unity of Law and Morals

Unit III: Economic Justice & Rights & Governance (12 Lectures)

1. Rights Based Theory of Justice
2. Economic Analysis of Law and Justice
3. Justice in Critical Legal Studies

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Unit IV: Socialism & Communism

(12 Lectures)

1. Marx, Law and Justice
2. Communitarian Justice
3. Economic State & Laissez
4. Faire State

Unit V: Feminism & Global Justice

(12 Lectures)

1. Feminist Theories of Justice
2. Cosmopolitan Justice
3. Global Justice

Resources:

1. Aristotle. Nicomachean Ethics, OUP Oxford, 2009. (Excerpts)
2. Simmonds, N.E. Central Issues in Jurisprudence, Justice, Law and Rights, Second Edition(Sweet & Maxwell) pp. 1-15.
3. Bix, Brian. Jurisprudence: Theory and Context, Carolina Academic Press, 1999, Chapter 1.
4. Williams, Bernard. Philosophy as a Humanistic Discipline, Princeton University Press, 2006.
5. Mill, JS. Utilitarianism, Chapters 1 & 2
6. Smart, J.J.C and Williams, Bernard. Utilitarianism: For and Against, Cambridge University Press, 1973.
7. Kymlicka, Will. Contemporary Political Philosophy: An Introduction, Oxford University Press, 2002, pp. 23-52.
8. Sandel, Michael. Liberalism and the Limits of Justice, Cambridge: Cambridge University Press, 1982, Chapter 1.
9. Rawls, John. A Theory of Justice, Harvard University Press, 2009, Chapter 1.
10. Kymlicka, Will. Contemporary Political Philosophy: An Introduction, Oxford University Press 2002, Chapter 3.
11. Sen, Amartya. The idea of justice. Harvard University Press, 2011. Chapter 1, 2, 10
12. Cohen, G.A. Rescuing Justice and Equality, Harvard University Press, 2008.
13. Hart, Herbert Lionel Adolphus. The Concept of Law. OUP Oxford, 2012, Chapter 6
14. Coleman, Jules. „Beyond Inclusive Legal Positivism“, Ratio Juris, 22(3) 2009.
15. Hart, Herbert Lionel Adolphus. The Concept of Law, OUP Oxford, 2012, Chapters 1, 5, 8 & 9.
16. Fuller, Lon. “Positivism and Fidelity to Law”, Harvard Law Review, 71(4), 1958.
17. Dworkin, Ronald. Taking rights seriously. Harvard University Press, 1978, Chapters 2 & 3, 6, 10
18. Dworkin, Ronald, Law’s Empire, Belknap Press, 1986, Chapter 2.
19. Guest, S. “Integrity, equality and justice”, Revue Internationale de Philosophie, 59(3), 2005
20. Posner, Richard A. The Economics of Justice, Harvard University Press, 1981, Chapter 3.
21. Dworkin, Ronald. A Matter of Principle, OUP Oxford, 2001, Chapter 12.
22. Marilyn Baskin, et. al, v. Penny Bogan, et. Al, 766 F.3d 648ennedy, Duncan. “Form and substance in private law adjudication”, Harvard Law Review, 89(8), 1976.
23. Unger, Roberto Mangabeira. The Critical Legal Studies Movement: Another Time, a GreaterTask. Verso Books, 2015.
24. Waldron, Jeremy. “DidDworkin Ever Answer the Crits?” in Scott Hershovitz (ed), Exploring Law’s Empire: The Jurisprudence of Ronald Dworkin OUP Oxford, 2006.

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25. Sypnowich, Christine, The Concept of Socialist Law, Oxford: Clarendon, 1990.
26. Cohen, G.A. Self-Ownership, Freedom and Equality, Cambridge University Press, 1995.
27. Cohen, G.A. If You're An Egalitarian How Come You're So Rich?, Harvard University Press, 2001 (Revised edition).
28. Okin, Susan Moller. "Justice and Gender", Philosophy and Public Affairs, 16(1), 1987.
29. Putnam, Ruth Anna. "Why not a Feminist Theory of Justice?" in M Nussbaum and J Glover(ed.) Women, Culture and Development: A Study of Human Capabilities, Oxford University Press, 1995.
30. Walzer, M. Spheres of Justice, Basic Books New York, 1983.
31. Sandel, Michael. Liberalism and the Limits of Justice, Cambridge University Press, 1982.
32. Rawls, John. The Law of Peoples, Harvard University Press, 2001.
33. Pogge, Thomas W. "An egalitarian law of peoples", Philosophy & Public Affairs 23(3), 1994.
34. Pogge, Thomas, "What is global justice?" (2003).
35. Nagel, Thomas, "The problem of global justice", Philosophy & Public Affairs 33 (2), 2005.
36. Miller, David. National Responsibility and Global Justice, Oxford University Press, 2007.

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Master of Laws LL.M.
Semester – II

Paper: Core Course Code: LLM CC-205

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: ALTERNATIVE DISPUTE RESOLUTION

Course Outcomes:

- C.O. 1 :** To analyse the efficaciousness of ADR.
- C.O. 2 :** To evaluate ADR its types, tools and techniques.
- C.O. 3 :** To critically evaluate the existing legal structure of ADR in the backdrop of emerging trends.
- C.O. 4 :** To evaluate the ADR legal order in India.
- C.O. 5 :** To understand the critical legal issues in International Commercial Arbitration.

Program Outcomes

- To foster an alternative approach in order to resolve legal disputes.
- To assess the Mediation and Conciliation as an ADR Technique.
- To encourage a Critical assessment of Dispute Resolution Processes.
- To assess the social impact of dispute resolution.

Unit I: Alternative Dispute Resolution

(12 Lectures)

1. Historical Development of ADR
2. Arbitration and Conciliation Act, 1996: Object, Development and Salient features
3. Arbitration: Definition, Sources, Kinds, Scope and Differences to Court
4. Arbitration Agreement, Composition of Arbitral Tribunal
5. Jurisdiction of Arbitral Tribunal,

Unit II Arbitral Tribunal & Procedure

(12 Lectures)

1. Conduct of Arbitral Proceeding,
2. Fast Track Arbitration, Regime for Cost
3. Making of Arbitral Award
4. Termination of Proceedings
5. Recourse against Arbitral Award, finality and Enforcement of Arbitral Award, Appeal

Unit III Institutional Arbitration

(12 Lectures)

1. Deposit & Lien on Arbitral Award & Deposit of Costs
2. Insolvency & Arbitration
3. Institutional Arbitration vis-à-vis Ad Hoc Arbitration
4. Arbitration Council of India

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Unit IV International Arbitration

(12 Lectures)

1. International Commercial Arbitration
2. Enforcement of Certain Foreign Awards,
3. New-York and Geneva Convention
4. UNCITRAL: International Arbitration, LCA, ICC, SIAC, MCIA
5. Investment Arbitration

Unit V Conciliation & Mediation

(12 Lectures)

1. Conciliation, Lok-Adalat & Permanent Lok-Adalat, Negotiation, Med Arb.
2. Media, Summary trials, Family Court, Gram Nyayalaya, Commercial Courts
3. Negotiation Theories, Development and its types, Collective Bargaining, Plea Bargaining
4. Qualities of Negotiator and Process for Negotiation, International Negotiation
5. Mediation & Good Offices
6. Commercial Mediation & Indian Scenario

Acts:

1. Arbitration and Conciliation Act, 1996
2. Legal Service Authority Act, 1987
3. Code of Civil Procedure, 1908
4. Family Courts Act, 1984
5. Gram Nyayalaya Act, 2008
6. Commercial Courts Act, 2015

Books

1. B.P. Saraf & M. Jhunjhunwala, Law of Arbitration & Conciliation, Snow White, Mumbai
2. Gerald R. William (ed.), The New Arbitration & Conciliation Law of India
3. P.C. Rao & William Sheffield, Alternative Disputes Resolutions, Universal, Delhi
4. Johari, Commentary on Arbitration and Conciliation Act. Universal, Delhi
5. G.K. Kwatra, The Arbitration & Conciliation Law of India, Universal, Delhi
6. Banshi Dhar Singh, ADR System, CLP, Allahabad
7. J. G. Merrills, International Dispute Settlement. U.K : Cambridge University Press.
8. Robert J. Niemic, Donna Stienstra and Randall E. Ravitz, Guide to Judicial Management of Cases in ADR, Federal Judicial Centre, 2001
9. J. Auerbach, Justice Without Law? Oxford University Press, 1983
10. Abraham P. Ordoover and Andrea Doneff, Alternatives to Litigation : Mediation, Arbitration, and the Art of Dispute Resolution, Notre Dame: National Institute for Trial Advocacy, 2002

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**Master of Laws LL.M.
Semester – II**

Paper: Core Course Code: LLM CC-206

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: ADMINISTRATIVE LAW

Course Outcomes:

C.O. 1 :To introduce Administrative Law.

C.O. 2 :To introduce rule of law.

C.O. 3 :To introduce judicial review Program Outcomes

Program Outcomes

To inculcate the value of Administrative Law and Good Governance.

Unit I

(12 Lectures)

1. Evolution and significance of Administrative Law in various systems of governance-from ancient to modern.
2. England and USA
3. France
4. Other systems

Unit II :

(12 Lectures)

1. Doctrine of Separation of Powers:
2. Comparative survey-Common Law and Continental System:
3. England, USA, France and India from Rigidity to Flexibility.
4. Rule of Law : Changing dimensions, Regulation of administrative process.

Unit III :

(12 Lectures)

1. Delegated Legislation :Problems,
2. Process and Control,
3. Judicial Review of delegated legislation.

Unit IV :

(12 Lectures)

1. Procedural Fairness : Evolution and Significance of Natural Justice,
2. England : Judicial Process,
3. Doctrine of fairness and doctrine of legitimate expectation
4. U.S. : Due process and judicial decision,
5. India : Through judicial decision-Doctrine of Fairness (Art.14, 19, 21)-Doctrine of Legitimate Expectation,
6. Privilege against disclosure, official secrecy, Access to information and Right to Information Act.

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Unit V :

(12 Lectures)

1. Control on Maladministration :Ombudsman,
2. Commissions of Inquiry,
3. Vigilance Commissions,
4. Investigative Agencies : The CBI,
5. Inquiries by Legislative Committee,
6. Legislative control, Judicial Inquiries.

Select Bibliography

1. Pater H. Schunk, Foundation of Administrative Law
2. Friedman, The State and Rule of law in a mixed Economy.
3. Ivor Jennings, Law & the Constitution
4. Schwartz and Wade, Legal Control of Government
5. De Smith, Judicial Review of Administrative Action,
6. D.D.Basu, Comparative Administrative Law,
7. K.S.Shukla and S.S.Singh, LokAyukta : A Socio-Legal Study,
8. Jain & Jain, Principles of Administrative Law

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Master of Laws LL.M.

Semester – II

Paper: Core Course Code: LLM VNC-201

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Environmental Law

UNIT-I: Introduction

(12 Lectures)

- Environment: Meaning. Environment Pollution: Meaning and Issues
- Constitutional Guidelines Right to Wholesome Environment: Evolution and Application,
- Environment Protection & Public Interest Litigation
- Environmental Laws: India and International; Law of Torts; Law of Crimes; Public Nuisance;
- Emergence of Environmental Legislations

UNIT-II:

(Lectures-12)

- The Legal regime of pollution control-water pollution and air pollution control-specific legislations,
- Environment (Protection) Act, 1986,
- National Green Tribunal Act, 2010.
- Noise pollution regulation. Nuclear and Radiation Pollution, Judicial Response and environment protection.
- Central and State Pollution Control Boards: Constitution, Powers and Functions. Air Pollution Control Areas. Consent Requirement: Procedure, Grant/Refusal, Withdrawal. Sample of Effluents: Procedure; Restraint Order.

UNIT-III: Environmental Law, Forest & Wildlife

(Lectures-12)

- Environmental (Protection) Act, 1986: Environment, Environment Pollutant, Environment Pollution”
- Powers and Functions of Central Govt.
- Important Notifications U/s 6: Hazardous Substance Regulation, Bio Medical Waste Regulation and Coastal Zone Management, Environment Impact Assessment, Public Participation & Citizen Suit Provision
- Laws Related to Forest: Forest Act, 1927. Kinds of forest – Private, Reserved, Protected and Village Forests The Forest (Conservation) Act, 1980 iv. Forest Conservation vis-a vis Tribals’ Rights
- The Wild Life (Protection) Act, 1972: Authorities to be Appointed and Constituted under the Act. Hunting of Wild Animals. Protection of Specified Plants. Protected Area. Trade or Commerce in Wild Animals, Animal Articles and Trophies; Its Prohibition

UNIT-IV: International Environment Law& Issues

(Lectures-12)

- Historical development of International Environment Law.
- Soft Law and Hard Law, Global Environmental Organizations.
- Environmental Summits: Stockholm Conference to Rio+1 20
- Principles of international environment law: Intergenerational equity, Polluter pays Principles
- Precautionary Principles. Public Trust Doctrine.
- World Commission on Environment and Development. Our Common Future, 1987 Notion of Sustainable Development and Sustainable Development Goals, 2030

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UNIT-IV:

(Lectures-12)

- Regulation of hazardous wastes.
- Problem of Climate Change in its broader context.
- Trade and Environment WTO and TRIPS Agreement.
- Conservation on Wetlands (Ramsar Convention).
- Convention on International trade in endangered Species (CITES)
- Conservation of Biological Diversity (CBD) Intellectual property rights and biodiversity conservation, Cartagena Protocol on Bio safety.

Books:

1. Shyam Diwan & Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press, 2nd Edition.
2. P. Leelakrishnan, Environmental Law in India, Lexis Nexis,.
3. S. C. Shastri, Environmental Law, Eastern Book Company.
4. Gurdip Singh, Environmental Law in India, MacMillan Publisher.
5. Benny Joseph, Environment Studies, Tata McGraw Hill, New Delhi.

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Master of Laws LL.M.

Semester – III

Paper: Core Course Code: LLM CC-301

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Human Rights

Course Outcomes:

- C.O. 1 : Human Rights
- C.O. 2 : human rights protection scheme
- C.O. 3 : Human Rights Protection in International Order

Program Outcomes

To inculcate the value of protection of Human Rights.

Unit I : Panoramic View of Human Rights

(12 Lectures)

1. Human Rights in Non-Western Thought, Awareness of Human Rights during the nationalist movement, Universal Declaration of Human Rights, Constituent Assembly and Part III, drafting process,
2. Subsequent developments in International Law and the Position in India (e.g., Convention of Social Discrimination, Torture, Gender discrimination, Environment and the Two human right covenants.)
3. Fundamental Rights Jurisprudence as Incorporating Directive Principles The dichotomy of Fundamental Rights and Directive Principles, The interaction between Fundamental Right and Directive Principles, Resultant expansion of basic needs oriented human rights in India.

Unit II : Right not be Subject to Torture, Inhuman or Cruel Treatment (12 Lectures)

Conceptions of torture, third-degree methods, 'Justification' for it, Outlay of torture at international and constitutional law level, Incidence of torture in India, Judicial attitudes, Law Reform- proposed and pending. Minority Rights : Conception of minorities, Scope of protection, The position of minority 'Woman' and their basic rights, Communal Riots as involving violation of rights.

Unit III

(12 Lectures)

Rights to Development of Individuals and Nations : The U.N. Declaration on right to Development, 1987, The need for constitutional and legal changes in India from human rights standpoint. People's Participation in Protection and Promotion of Human Rights : Role of International NGOS, Amnesty International, Minority Rights Groups, International Bars Association, Law Asia, Contribution of these groups to protection and promotion of human rights in India.

Unit IV

(12 Lectures)

1. Development Agencies and Human Rights : Major International funding agencies and their operations in India,
2. World Bank lending and resultant violation/promotion of human rights,
3. Should development assistance be tied to observance of human rights (as embodied in various UN declarations)
4. Comparative Sources of Learning : EEC Jurisprudence,

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5. The Green Movement in Germany,
6. The International Peace Movement,
7. Models of Protection of the rights of indigenous peoples : New Zealand (Maoris), Australia, Aborigines and Canada (Indians).
8. Freedom : Free Press-its role in protecting human rights,
9. Right of association, Right to due process of law,
10. Access and Distributive justice.

Unit V

(12 Lectures)

1. Independence of Judiciary : Role of the Legal Profession,
2. Judicial appointments-tenure of judges,
3. Qualifications of judges,
4. Separation of judiciary from executive.
5. European Convention of Human Rights : European Commission/Court of Human Rights,
6. Amnesty International, PUCL, PUDR,
7. Citizens for Democracy,
8. Minorities Commission, Human Rights Commission,
9. Remedies Against Violation of Human Rights.

Select Bibliography

1. M.J. Akbar, Riots after Riots, 1988
2. U. Baxi (ed.) The right to be Human, 1986 3. U.Baxi, The Crisis of the Indian Legal System, 1982
3. F. Kazmi, Human Rights, 1987
4. L. Levin, Human Rights, 1982
5. H. Beddard, Human Rights and Europe, 1980
6. Nagendra Singh, Human Rights and International Co-operation, 1969 8.S.C.Kashyap, Human Rights and Parliament, 1978
7. Moskowitz, Human Rights and World Order, 1958
8. J.A. Andrews, Human Rights in International Law, 1986

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Master of Laws LL.M.

Semester – III

Paper: Core Course Code: LLM CC-302

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Public International Law

Course Outcomes:

- The paper focuses on international branch of public law and its fundamental principles and Application.
- The paper enables student to develop understanding and application of various concepts and Principles of Public International Law like recognition, state territory, succession and Intervention

UNIT-I: Definition , Scope and Sources of International Law (12 Lectures)

- Definition & Scope of International Law
- Nature of International Law
- International Law is a Weak Law
- Differences between Public & Private International Law
- International Customs, International Treaties, General Principles of Law, Judicial Decisions & Juristic Works Resolutions of General Assembly

UNIT- II Subjects of International Law (12 Lectures)

- Status of International Organizations
- Place of Individuals in International Law
 - Holder of Rights
 - Duties of Individuals
 - Procedural Capacity of Individuals
- Relationship between International Law & Municipal Law

UNIT-III Recognition, Law of the Sea (12 Lectures)

- Meaning & Theories of Recognition
- De Facto & De Jure Recognition
- Express, Implied & Conditional Recognition
- Withdrawal & Retroactivity of Recognition
- Territorial Sea, Contiguous Zone, Continental Shelf & Exclusive Economic Zone, High Seas

UNIT-IV Extradition, Asylum , International Organizations (12 Lectures)

- Meaning definition and basic principle of extradition
- Consequence of no-extradition of political crimes

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- Meaning and definition of asylum
- Types of asylum; territorial & non- territorial
- Relationship between extradition and asylum

UNIT-V International Organizations

- The United Nations & its Organs
- The International Court of Justice
- International Criminal Court

Prescribed Books:

1. Oppenheim, International Law, Biblio Bazaar, LIC, 2010
2. James Crawford Brownlie, Principles of International Law, Oxford University Press, 2013
3. Starke, Introduction to International Law, Oxford University Press, 2013
4. Shaw, International Law, Cambridge University Press, 2008 (6th Edn)
5. A. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, 2007
6. R. P. Dhokalia, The Codification of Public International Law, United Kingdom: Manchester University Press, 1970
7. Mark Villiger, "The Factual Framework: Codification in Past and Present", in Customary International Law and Treaties, Mark Villiger, pp.63-113, The Netherlands: MartinusNijhoff, 1985
8. S.K. Kapoor, International Law, Human Rights, Central Law Agency, 2009
9. Brownlie, International Law and the Use of Force by States, Oxford: Clarendon Press, 1991
10. H.O. Agarwal, International Law & Human Rights, Central Law Agency 1st Ed. (Rep) 2014

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Master of Laws LL.M.

Semester – III

Paper: Elective Course Code: LLM EL-301 A

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Mass Media Law

Course Outcomes:

- C.O. 1 :To develop media awareness.
- C.O. 2 : to apprise the students about media.
- C.O. 3 :to apprise the incumbents about digital rights.

Program Outcomes

To make students understand the role of media in constitutional governance.

Unit I : Mass media-Types of-Press Films, Radio and Television (12 Lectures)

1. Ownership pattern-Press-Private-Public, Ownership pattern-Films-Private, Ownership patterns Radio & Television, Public,
2. Difference between Visual and non-Visual Media-impact on People's minds.
3. Press-Freedom of Speech and Expression-Article 19 (1) (a)
4. Includes Freedom of the Press, Laws of defamation, obscenity, blasphemy and sedition.

Unit II

1. The law relating to employees' wages and service conditions,
2. Price and Page Schedule Regulation,
3. Newsprint Control Order,
4. Advertisement-is it included within freedom of speech and expression?
5. Press and the Monopolies and Restrictive Trade Practices Act.

Unit III : Films-How far included in freedom of speech and expression? (12 Lectures)

1. Censorship of films-Constitutionality,
2. The Abbas Case,
3. Difference between films and Press-why pre-censorship valid for films but not for the press?
4. Censorship under the Cinematograph Act.

Unit IV : Radio and Television-Government Monopoly (12 Lectures)

1. Why Government department? Should there be an autonomous corporation?
2. Effect of television on people,
3. Report of the Chanda Committee,
4. Government policy,
5. Commercial advertisement, Internal Scrutiny of serials etc. Judicial Review of Doordarshan decisions: Freedom to telecast.

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Unit V : Constitutional Restrictions

(12 Lectures)

1. Radio and Television subject to law of defamation and obscenity,
2. Power to legislate-Article 246 read with the Seventh Schedule.
3. Power to impose tax-licensing and licensing fee.

Select Bibliography

1. H.M.Seervai, Constitutional Law of India,
2. M.P.Jain, Constitutional Law of India,
3. John B.Howard, The Social Accountability of Public Enterprises,
4. Rajeev Dhavan, On the Law of the Press in India, 26 JILI 288 (1984)
5. Soli Sorabjee, Law of Press Censorship in India,
6. Justice E.S.Venkaramiah, Freedom of Press : Some Recent Trends, 1984
7. D.D.Basu, The Law of Press of India,
8. Rajeeve Dhavan, Legitimizing Government Rhetoric : Reflections on Some Aspects of the Second Press Commission, 26 JILI 391, 1984

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Master of Laws LL.M.

Semester – III

Paper: Elective **Course Code:** LLM EL-301 B

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: Family and Jurisprudence

Course Outcomes

- C.O.1:** It develops basic understanding about the origin and development of the family system.
- C.O.2:** It helps to the student to develop a comprehensive knowledge about the plural society of India.
- C.O.3:** It provides an opportunity to understand the sociological and psychological aspect of the family.
- C.O.4:** To access the distinctive family system of the each religion of the country.

Programme Outcomes

- P.O.1:** This Course develops an understanding about the problems and prospects of the family system.
- P.O.2:** An objective of the course is to provide a comprehensive understanding of the Family system.
- P.O.3:** To understand the dynamics of family in the Society and its application in the modern context.

Unit 1: Sociology of Family

(12 Lectures)

1. Concept of Family, Family as An Institution Essential For The Social Life,
2. Development of Family System, Features Of Family, Relatives In Family,
3. Status of Relatives In Family, Status Of Women In The Indian Family,
4. Family of The Individuals Of Different Religion,
5. Family System Of The Other Cultures, Changing Scenario Of Family In Modern World

Unit II: Hindu Jurisprudence

(12 Lectures)

1. Concept of Hindu Jurisprudence,
2. Development of Hindu Jurisprudence, Features of Hindu Jurisprudence,
3. Schools of Hindu Jurisprudence, Sources of Hindu Jurisprudence, Legal Literature,
4. Development of Law in Post Smiriti Period,
5. History of the Codification of the Hindu Law, Relevancy of the Hindu Jurisprudence in modern world

Unit III: Muslim Jurisprudence

(12 Lectures)

1. Concept of Muslim Jurisprudence, Origin of Muslim Jurisprudence,
2. Development of Muslim Jurisprudence, Concept of Islam, features of the Islam
3. Sources of Islam, Quran as a Source of Muslim Jurisprudence,
4. Other sources of the Islam,
5. Comparative study of the Islamic Jurisprudence in India and other Islamic Countries.

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Unit IV: Christian and Parsi Jurisprudence (12 Lectures)

1. Concept and origin of the Christian and Parsi jurisprudence,
2. Development of the Christian and Parsi Jurisprudence,
3. Features of the Christian and Parsi Jurisprudence,
4. Sources of Cristian and Parsi Jurisprudence,
5. Comparative study of the Christian jurisprudence in India and other European countries.

Unit V: Modern Family Law (12 Lectures)

1. Family Law Reforms in India
2. Live-in-relationship; Surrogacy in India
3. Pre-Nuptial Agreement; Civil Partnerships
4. Rights of Transgender, Lesbian and Gay
5. Concept of Matrimonial Property

References

1. David G. Mandelbaum, „Society in India“ Sage Publication 2019
2. Ram Ahuja, Society in India, Concepts Theory and Recent trends, Rawat Publications 1999
3. Yogendra Singh, Modernization of Indian Tradition (A systematic study of social change), Thomson Press India Ltd.
4. K.M. Kapadia: Marriage & Family in India, Oxford University Press, 1966
5. J. Rama Jois, Legal and Constitutional History of India, Ancient, Legal, Judicial and Constitutional System, Universal Law Publishing Co., New Delhi 1984
6. JDM Derrett, Hindu Law

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Master of Laws LL.M.

Semester – III

Paper: Elective Course Code: LLM EL-301 C

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Criminology and Criminal Justice System

Course Objective

To acquaint students with concepts of psychological factors related to questions of social and criminal deviant behavior.

Programme Outcome

On completion of course, students will be able to develop the ability to analyze exact reasons for criminal activity/ behavior, means and ways to curb its rate.

Unit –I

Introduction: Nature and scope of criminology; Social, psychological and legal approaches; Relation with other social sciences; Relevance of criminology to contemporary society; School of Criminology; Classical, Biological Cartographic; Sociological and Socialist.

Unit –II

Concept of Crime: Definition & Nature; Crime in ancient medieval society; Crime in modern society; Crime and sense of security.

Unit –III

Impact on the Society: Social change; social deviance and social disorganization; Individual disorganization; Group disorganization; Community disorganization; Social control and crime prevention.

Emerging trends in Criminology: Phenomenology; postmodernism and Feminism Crime and Feminism.

Unit –IV

Human Rights and Criminal Justice System: Prison administration and Human Rights, Police accountability and Custodial Violence; Police Reforms and implementation; Judicial pronouncements.

Role of various Protection Agencies/Institutions: National Human Rights Commission, State Human Rights Commissions, Human Rights Courts; International Criminal Court, International norms on administration of criminal justice.

Unit –V

Jurisprudential Approach: Human Rights in correlation to the Reformatory theory of punishment; Human Rights of Prisoners and status of Custodial homes; Corrective Techniques adopted by Indian Criminal Justice System in light of Human Rights.

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Reference Books:

1. Sutherland Edwin H. and Cressey Donald R., *Principles of Criminology*, J.B. Lippincott Co., Philadelphia.
2. Siddique, Ahmad, *Problems and Perspective of Criminology*, Eastern Book Company.
3. Paranjape Dr.N.V., *Criminology and Penology*, Central Law publication.
4. Maniyar, Mridula, *Women criminals and their life-style*, Kaveri Books, New Delhi.
5. Swamy Dr. N. Maheshwara.: *Criminology and Criminal Justice System*, Asia Law House.
6. Burke Roger Hopkins, *An Introduction to Criminological Theory*, Routledge Taylor and Francis Group.
7. Williams Katherine S., *Textbook on Criminology*, Oxford University Press.
8. Coleman Clive and Norris Clive, *Introducing Criminology*, Willan Publication.
9. Lombroso Cesare; *Crime, Its cause and remedies*; Boston – Little, Brown and Company.
10. Gaur K.D., *Criminal Law and Criminology*; Deep and Deep Publication.

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Master of Laws LL.M.

Semester – III

Paper: Elective **Course Code:** LLM EL-301 D

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: CORPORATE FINANCE

Course Outcomes:

- C.O. 1 : To assess the concept of corporate governance in India.
- C.O. 2 : To understand the value of transparency and accountability in Governance.
- C.O. 3 : To critically evaluate the corporate governance & Corporate Social Responsibility
- C.O. 4 : To assess the legal regime of corporate governance in a global era

Program Outcomes

To foster an inter disciplinary approach to inculcate the best practices of governance. To assess the value of inclusive and egalitarian governance.
To encourage a Critical, analytical and comparative thinking . To assess the social responsibility of corporations.

Unit I Protection of Investors

(12 Lectures)

1. Individual shareholder right, Corporate membership right
2. Majoritarian Governance: Derivative Actions, Protection of Minority
3. Depositories: IDR(Indian depository receipts), ADR(American depository receipts), GDR(Global depository receipts)
4. Mutual fund and other collective investment schemes, Institutional investments - LIC, UTI and banks
5. FDI and NRI investment - Foreign institutional investments

Unit II Corporate Governance and Corporate Social Responsibility

(12 Lectures)

1. Corporate Governance Conceptual Framework of Corporate Governance,E-Governance
2. Introduction, Need Scope and Importance: Evolution of Corporate Governance, Development in India; Components of Good Corporate Governance.
3. Legislative Framework Corporate Governance in India- Under Listing Agreement, SEBI Guidelines and Companies Act, 2013; Role of Institutional Investors& Independent Directors in Corporate Governance
4. Corporate Social Responsibility: Concept and Meaning of Corporate Social Responsibility : Good Corporate Citizenship and Its Advantages; CSR Voluntary Guidelines; National Voluntary Guidelines on Social Economic and Environmental Responsibility of Business;
5. CSR under Companies Act 2013 International CSR Practices.

Unit III Administrative Regulation/control on Corporate Finance

(12 Lectures)

2. SEBI, SFIO & ED
3. Central Government Control, MCA,ROC
4. Control by registrar of companies

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5. RBI control & Regulation of FDI & FII
6. Liquidator & NCLT
7. Corporate Governance, E-Governance

Unit IV Corporate Winding up

(12 Lectures)

1. Types of Winding up
2. Winding up under the order of the NCLT
3. Voluntary Winding UP
4. Winding Up and Interests of Various Stakeholders

Unit V Corporate Insolvency

(12 Lectures)

1. Corporate Insolvency
2. Corporate Insolvency & Insolvency & Bankruptcy Code 2016
3. Corporate Insolvency Resolution Plan
4. Corporate Insolvency Legal Issues
5. Insolvency and Bankruptcy Code, 2016: Insolvency of Banking & Financial Companies

References :

1. Alastair Hundson, The Law on Financial Derivatives (1998), Sweet & Maxwell
2. Eil's Ferran, Company Law and Corporate Finance (1999), Oxford.
3. Jonathan Charkham, Fair shares: the Future of Shareholder Power and Responsibility (1999), Oxford.
4. Ramaiya A, Guide to the Companies Act (1998), Vol. I, II and III.
5. H.A.J. Ford and A.P. Austen, Fords' principle of Corporations Law (1999) Butterworths.
6. J.H. Farrar and B.M. Hanniyan, Farrar's company Law (1998) Butterworths
7. Austen R.P., The Law of Public Company Finance (1986) LBC R.M. Goode, Legal Problems of Credit and Security (1988) Sweet and Maxwell
8. Altman and Subrahmanyam, Recent Advances in Corporate Finance (1985)
9. LBC Gilbert Harold, Corporation Finance (1956)
10. Henry E. Hoagland, Corporation Finance (1947)
11. Maryin M. Kristein, Corporate Finance (1975)
12. R.C. Osborn, Corporation Finance (1959)
13. S.C. Kuchhal Corporation finance : Principles and Problems (6th ed. 1966)
14. V.G. Kulkarni, Corporate Finance (1961)

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**Master of Laws LL.M.
Semester – III**

Paper: Elective **Course Code:** LLM EL-302 A

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: Federalism and Comparative Power Sharing

Course Outcomes:

- C.O. 1 : to introduce federal structure.
- C.O. 2 : To Introduce the comparative federal structure.
- C.O. 3 : Different Federal Structure.

Program Outcomes

To understand and develop a comparative and collaborative federal structure.

UNIT I:

1. Conceptual position of federation and confederation.
2. Rights and Duties of the states in confederal union.
3. Nature and scope of cooperative federalism.
4. Is India quasi-federal?
5. Relationship of trust and faith between centre and state in federalism.

UNIT II:

1. Federalism in USA, Canada, Australia and Switzerland.
2. Views of Thomas Jafferson about federalism.
3. Comparative analysis of federalism of Government of India Act 1935 and Constitution of India.
4. Role of concurrent list in federal structure of India and Australia.
5. Lujan v. Defenders of wildlife, 504 U.S. 555(1992).
6. Analysis of United States v. Munoz-Flores, 495 U.S. 385, 394 (1990) with search light case.

UNIT III:

1. Concept of Checks and balances in India, USA, Canada and Australia.
2. Separation of powers is a corner-stone of federalism or not?

UNIT IV

1. Administrative relations of centre and state/cantons in India and Switzerland.
2. Allocation of Taxing powers in India, USA and Canada.
3. Concept of Grants-in-Aid.

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UNIT V:

1. The Official Languages Act, 1963 and the concern amendments.
2. Concept of Legislative relation between centre and state in South Asia.
3. Distribution of powers in USA, Canada, Australia and Switzerland.
4. Article 352 v. Article 356 (Indian Constitution).

BOOKS

1. Upendra Baxi, Law, Democracy and Human Right , 5 Lokayan Bulletin 4(1987).
2. V.M. Dandekar. Unitary Elements in a Federal Constitution, 22 E.P.W 1865,1988
3. Rajeev Dhavan, The Press and the Constitutional Guarantee of Free Speech and Expression, 28 JILI 299 (1986)
4. M.A .Fazal, Drafting a British Bill of Rights, 27 JILI 423,1985
5. M.P. Jain, Indian Constitutional Law (1994),Wadhwa
6. H.M. Seervai, Constitutional Law of India,(1993)

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Master of Laws LL.M.

Semester – III

Paper: Elective Course Code: LLM EL-302 B

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: FORENSIC SCIENCE AND ITS EVIDENTIARY VALUE

Outcome

1. It will promote inter-disciplinary learning.
2. It will help students in better understanding of the criminal law as a whole.
3. It will help in understanding the various complicated issues associated with the crime scene and will help better understanding of the Evidence law.
4. It will demonstrate the competency in the collection, processing, analyzing and evaluation of evidence.
5. It will identify the role of forensic scientist and physical evidence with the criminal justice system.

UNIT-I : Crucial Role of Evidence in Criminal Trials

(12 Lectures)

Need for investigating agencies to appreciate the special value of use of modern technology in collection and presentation of evidence

The role of Forensic Sciences in Criminal Cases

1. Kinds of Forensic Evidence
2. The basic question in investigation-Qui Bono;
3. The scene of crime;
4. Discovery of traces of physical evidence;
5. Classification and reference to classified record: Systematization and classification of physical evidence and comparison with suspected material;
6. The principles of exchange;
7. The principles of heredity, Taxonomy etc.
8. Probative Value of Forensic Evidence
9. Processes Involved in Collecting Forensic Evidence

UNIT-II

(12 Lectures)

The Establishment of Identity

The Establishment of Identity of Individuals: Footprints, hair, skin, blood grouping; physical peculiarities.

The Establishment of the Identity of Physical Objects by shape and size: Identifying marks and impressions made by physical objects; shoe prints: type and tread marks; die and tool marks; rupture of fracture marks.

UNIT-III

(12 Lectures)

Questioned Documents and the Identification of Handwriting: Paper, its types and identification; Inks: pencils and writing tools;

Handwriting habit and flow; Disguised writing; comparison and points of identity; Samples; various type of forgery and their detection;

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Additions; erasures alterations; seals; rubberstamps; typewriting; printing; blocks. The Identification of Fire-Arms and Cartidges and Related Problems:
Type of fire-arms and their use; time and range of firing; ii. Identification of a fire-arm with a cartridge case and bullet; iii. Miscellaneous fire-arm problems like origin or direction of fire.

UNIT-IV

(12 Lectures)

Injuries to Persons

- i. Evidentiary value of details of injuries;
 - ii. Traces left by the weapon used: its range and direction;
 - iii. Danger to clothing worn by the victim and related problems;
 - iv. The flow of blood from injuries;
 - v. The shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects;
 - vi. Accidental deaths and suicides.
Evidentiary value of Physical Evidence as Evaluated a Forensic sciences laboratory viz, Evidence with scientific report.
 - a) Fallibility of eye witnesses. The probative value of such evidence. ii. Findings of scientific methods of investigation; their probative value. iii. Assessment of value from actual cases. Value to be assigned to the different types of exhibit. Restoration of numbers; iv. Examination of the walking, picture of footprints; clothing; copper wire; pieces of wood etc.
- Modern scientific Techniques
Narco-Analysis ii. Tests, Polygraph test, Brain Mapping Test, hypnotism, iii. Lie Detector Test & others

UNIT-V: Victimology and Forensic Science

(12 Lectures)

- i. Meaning of Victimology and forensic psychology
- ii. Insanity in its medico legal aspect
- iii. Mental ill-health, feigned mental ill health and criminal responsibility

Bibliography

1. Max M. Houck, Jay Siegel: Fundamentals of Forensic Science
2. Sharma: Forensic Science in Criminal Investigation and Trials
3. Modern Criminal Investigation: Harry Soderman and John J.O. Conell (Published by Funk & Wagnalls Co.Inc.,New York)
4. Indian Evidence Act, (Amendment up to date)
5. Rattan Lal, Dhiraj Law of Evidence (1994) Wadhwa, Nagpur
6. Pole in Murphy, Evidence (5th Edn. Reprint 2000) Universal Delhi
7. Albert S. Osborn, The Problem of Proof (First Indian Reprint 1998) Universal, Delhi
8. Sarita Jhand, Forensic Science and Law,
9. Ishita Chatterjee, Law on Forensic Science.
10. Cross: Crime investigation, Sweet and Maxwell Ltd., London
11. Parekh, Medical Jurisprudence

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Master of Laws LL.M.

Semester – III

Paper: Elective Course Code: LLM EL-302 C

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Competition Law and Policy

COURSE OUTCOMES

1. Relate the history and evolution of Competition law
2. The laws relating Anti – Competitive activities and its Practical applicability
3. The student shall be able to comment on current controversies and criticisms
4. The student shall be able to Analyze the law for better applications
5. The student shall further be researching in the area.

Program Outcomes

P.O. 1: Demonstrate the ability to extract rules and policy from cases, statutes, and administrative regulations and analyzing, interpreting and arguing differing interpretations of rules and statutes

P.O. 2: Demonstrate the ability to conduct investigation of facts and to construct a coherent narrative based on that investigation;

PO. 3: Identify legal issues in facts and applying rules and policy to facts

PO. 4: Perform comprehensive legal research

PO. 5: Demonstrate the ability to solve problems in light of a client's objectives: anticipating consequences and assessing risks;

Unit I: Competition Law

(Lectures 8)

1. Evolution of Competition Law, Constitutional aspect of Elimination of Concentration of Wealth and Distribution of Resources Article 39 (b) (c) Relation between Competition Policy and
2. Competition Law –Objectives of Competition Law
3. Monopoly & Restrictive Trade Practices Act, 1969,
4. Raghavan Committee Recommendations
5. Competition Act, 2002, Objectives and Overview,
6. Appreciable Adverse Effect Over the Competition, Unfair Trade Practices.

Unit II: Anti-Competitive Agreements

(Lectures 8)

1. Horizontal Agreements: Price Fixing, Output Limitation, Market Sharing, Bid Rigging, Collusive Bidding, Cartel
2. Vertical Agreements: Tie In Agreement, Exclusive Supply, Exclusive Distribution, Refusal To Deal & Resale Price Maintenance.
3. Rule of Reason & Rule Per Se
4. Competition & Intellectual property Rights; Inter-linkage

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Unit III: Abuse of Dominant Position & Regulation of Combination (Lectures 8)

1. Abuse of Dominant Position: Dominant Position and Its Abuse,
2. Predatory Pricing, Trade Barriers & Denial of Market Access.
3. Regulation of Combination: Threshold Limits,
4. Procedure and Role of Commission

Unit IV: Competition Authorities & Investigation, Enforcement (Lectures 8)

1. Competition Commission of India: Composition, Appointment, Power, Function and Duties
2. Director General, Power & Functions
3. Competition Appellate Tribunal: Composition Power, Function
4. Investigation: General Procedure and Remedies,
5. Extra-territorial Operation of Commission.

Unit V: Enforcement & Competition Policy (Lectures 8)

1. Competition Advocacy,
2. Leniency Programme, Contemporary Issues in Competition
3. Relation between International Trade Law and Competition Law
4. International Competition Law

Books & References:

1. T, Ramappa, Competition Law in India, Oxford University Press, 2013
2. VinodDhall, Competition Law Today: Concept, Issues and Law in Practice, Oxford University Press, 2007
3. Richard Wish, David Bailey, Competition Law, Oxford University Press, 2012.

Cases

1. FTC v Indiana Federation of Dentists
2. United States v Socony Vacuum Oil Co.
3. United States v. Trenton Potteries Co.
4. The Lombard Club Case; Standard Oil Co. of California v United States.
5. BrahmDutt v. Union of India, AIR 2005 SC 730
6. CCI v. Steel Authority of India Ltd. & Anr, (2010) 10 SCC 744
7. Excel Crop Care Ltd v Competition Commission of India & Ors (2017) 8 SCC 47
8. Aamir Khan Productions Private Limited v. Union of India, (2010) 4 Comp LJ 580 (Bom)
9. Builders Association of India v. Cement Manufacturers', Case No. 29/2010, CCI.
10. All India Tyres Dealers Federation v. Tyres Manufacturers, 2013 COMP LR 92 (CCI)
11. ShamsherKataria v. Honda Sael Cars India Ltd., 2014 Comp LR 1 (CCI)

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Master of Laws LL.M.

Semester – III

Paper: Elective **Course Code:** LLM EL-302 D

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: Law Relating to Industry

Course Outcomes:

- C.O. 1 : The paper aims to expose Industry
- C.O. 2 : Introduces the industrial disputes.
- C.O. 3 : Introduce the dispute resolution.

Program Outcomes

The paper deals with industrial interface and labour issues.

Assessment Plan

- End Term: 70 Marks.
- Internal Assessment : 30 Marks

UNIT-I

1. Concept of labour legislation, Industrial Jurisprudence,
2. Concept of labour and Labour policy.
3. Definitions Clause of I. D. Act, 1947: Appropriate Government, Closure, Controlled Industry, Industry, Industrial Dispute, Industrial Establishment or Undertaking, Labour Court.
4. Definitions Clause of I. D. Act, 1947: Lay-Off, Lock-out, Retrenchment, Strike and Workman.

UNIT-II

1. Industrial disputes resolution system (sections 3 to 7C under I. D. Act, 1947).
2. Reference to disputes to Boards, Courts or Tribunals Section 10).
3. Voluntary reference of Disputes to Arbitration (Sections 10A to 10K).
4. Procedure powers and Duties of Authorities (Sections 11 to 21),

UNIT-III

1. Strikes and Lock-outs (sections 22-25).
2. Penalties and procedure (Sections 26-30 and 34) of I. D. Act, 1947.
3. Lay-off and Retrenchment (Sections 25A-25J)
4. Special provisions relating to Lay-off, Retrenchment, closure in certain establishment (Sections 25K - 25S)

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UNIT-IV

1. Penalty for closure without notice (section 30A), Unfair Labour Practices (Sections 25T-25U),
2. Penalty for other offences (Section 31), offences companies, etc., (section 32)
3. Conditions of service, etc., to remain unchanged and changed under certain circumstances during pendency of proceedings (section 33-33A).
4. Power to transfer certain proceedings (section 33B), recovery of money due from an employer.

UNIT-V

1. **The Industrial Employment (Standing Order) Act, 1946:** Interpretations; Submission of Draft Standing Orders, Conditions for Certification and Certificate of Standing Orders (Secs. 3-35)
2. Appeals, Date of Operation of Standing Orders, Register of Standing Orders, Posting of Standing Orders (secs. 6-9)
3. Duration and Modification and Penalty etc., (Secs. 10-13B)
4. Delegation of Powers and Power to make Rules (Secs. 14-15) and Schedule.

References:

1. OP Malhotra : the Law of Industrial Disputes two vols. Publication- LexisNexis
2. HL Kumar: Labour Problems and Remedies 12th Ed. Publication-Universal Law Publishing Co.
3. VSP Rao: Human Resource Management, Publisher: Excel Books, New Delhi-28
4. SC Srivastava: Industrial Relation and Labour Laws, Publisher: Vikash Publishing House Pvt Ltd. Noida UP.
5. SN Mishra: Labour and Industrial Laws, Publisher: Central Law Publications, Allahabad.
6. HL Kumar: Practice and Procedure of Labour Laws with Model Forms, Publisher: Universal Law Publishing Co. New Delhi
7. EM Rao: Industrial Jurisprudence, Publisher: Lexis Nexis Butterworth's, New Delhi-1
8. Government of India, Report of the first National Commission on Labour (1969).
9. Government of India, Report of the Second National Commission on Labour (2002).
10. GB Pai: Labour Law in India, in two Vols. Publication-Butterworth's.
11. VG. Goswami: Labour and Industrial Laws, Publication-Central Law Agency.
12. HG Abhyankar: Industrial Disputes Act, 1947, Publication-
13. KD Srivastava: Labour Laws
14. BD Singh: Industrial Laws
15. VB Coutinho: Lectures on Labour Laws, EBC
16. P. L. Malik: Industrial Law, Publication-EBC

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Paper: Internship (Compulsory)
Course Code: LLM IN-303
Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Summer Internship

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Paper: Inter Departmental Course **Course Code:** LLM IER-301

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: Cyber Law

Course Outcomes:

- C.O. 1 : To understand the dimensions of cyber space and its legal regulation.
- C.O. 2 : To be able to understand the legal issues in jurisdiction of cyber disputes.
- C.O. 3 : To understand the various cybercrimes.
- C.O. 4 : To be able to understand the role of intellectual property in cyber space.

Program Outcomes

To inculcate the value of inter-disciplinary study with reference to technology and law. To assess the importance of forensic investigation and adjudication.
To encourage to find out legal issues electronic governance and regulation. To train in comprehensive comparative legal research.

UNIT I: Cyber Space & Cyber Law

(12 Lectures)

1. Cyber Space & Legal Regulation
2. Cyber Law & UNCITRAL-Information Technology Act,
3. Definition: Electronic Data Interchange, computer, computer network, computer system, communication device, addressee, originator
4. Cyber Authorities & E-Commerce-E-Governance
5. Electronic Signature & Digital Signature

UNIT II: Cyber Adjudication

(12 Lectures)

1. Cyber Adjudication; Traditional Rule & Problems
2. Jurisdiction: Rule of International Law and private international law,
3. Party autonomy - Hague convention on Choice of court agreements, 2005;
4. Cyber Forensic
5. Cyber Adjudication

UNIT III: Electronic Contracts

(12 Lectures)

1. Concept of E-Contract
2. E-Contract: International Perspective
3. Formation of E-Contract
4. Enforcement of E-contract
5. Standard Form Contracts & Cryptanalysis

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UNIT IV: IPR & Cyber Law

(12 Lectures)

1. Copyright & Cyber Law
2. Trademark and Domain Name
3. Cyber Crimes
4. Obscenity and Pornography, Voyeurism & Stalking

UNIT V: Cyber War

(12 Lectures)

1. Freedom of Expression in Internet;
2. Privacy Issues – Information Privacy; interception, monitoring; Data Protection
3. Computer emergency response team (CERT)
4. Cyber Terrorism
5. Cyber War

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Master of Laws LL.M.

Semester – IV

Paper: Core Course Code: LLM CC-401

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: INTERPRETATION OF STATUTES

Course Outcome:

- To expose students to the art of interpretation and aids of interpretation.

Unit – I

Introduction to Interpretation of Statutes

Meaning of Interpretation of Statutes Objects &

Kinds of Interpretation of Statutes General

theories of Interpretation of Statutes

Unit – II Rules of Statutory Interpretation Primary Rules

Literal or Grammatical Rule

Golden Rule

Mischief Rule (Rule in the Heydon's case)

Purposive Rule

Secondary Rules or Subsidiary Rules of Interpretation

Noscitur a Sociis

Ejusdem Generis Reddando

Singula Singulis

Unit – III Aids to Interpretation

1. Internal Aids
Definitions; Interpretation clauses General Clauses Act
Proviso
Exceptions and saving clauses
2. External Aids General
Travaux preparatoires or surrounding circumstances
Parliamentary History

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Unit – IV Commencement of Statutes; Retrospective effect of Statutes, Repeals and Temporary Statutes

1. Commencement of Statutes
2. Retrospective effect of Statutes
3. Consequences of Repeals
4. Temporary Statutes

Unit – V Interpretation with reference to the subject matter of Statutes

1. Taxing Statutes
2. Penal Statutes
3. Remedial and Beneficial Statutes

Interpretation of Constitutional

4. Harmonious Construction – *Generalis Specialibus Non Derogant*
5. Interpretation of Fundamental Rights The rule of Severability

Doctrine of Eclipse
Doctrine of Waiver

Suggested Readings

1. P. Singh “Principles of Statutory Interpretation, (9th Edition) 2008, Wadhwa, Nagpur.
2. St. Langan (Ed.) Maxwell on The Interpretation of Statutes (1976), Lexis Nexis Butterworths, New Delhi.
3. S. Bindras’s Interpretation of Statutes, 2007, Lexis Nexis Butterworths, New Delhi.
4. P, Interpretation of Statutes, (2008) Orient Publishing, New Delhi.
5. Bakshi, P.M. Interpretation of Statutes. (2008) Orient Publishing, New Delhi.
6. Dias – Jurisprudence – chapt. 7, 8, and 15

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Master of Laws LL.M.

Semester – IV

Paper: Core Course Code: LLM CC-402

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Law and Technology

Course Objective-

CO.1: To Create Awareness among students with regards to legal development in the context of emerging technology and science across various fields.

CO.2. To critically analyse legal issues arising from technological advancements and assess social implications in area of health and agriculture.

CO.3: To explore legal frameworks regulating social networking and analyse their potential positive and negative effects

CO.4: To be able to demonstrate an understanding of legal principles and frameworks related to technology, privacy, and cybersecurity laws.

Program Objectives-

PO.1. Understanding of both the complexities of cyber-crimes and victim's rights.

PO.2 Investigate the role of technology in health and agricultural practices

PO.3: Understanding the complex interactions between social networking, regulation, and technology.

PO.4. Equip students to analyse technology and privacy laws

Unit- 1: INTRODUCTION

- An introduction to law and technology
- Crimes- wrongs- offences
- Rights of the victims
- Punishment
- Ethical issue with respect to biological sciences

Unit - II: REGULATION OF TECHNOLOGY IN HEALTH AND AGRICULTURE

- Organ donation
- Illegal termination of pregnancy
- Issues of negligence
- Medical ethics
- Hippocratic oath

Unit - III: AGRICULTURE

- Plant variety protection
- Fertility of soil and regulation of fertilisers and other agricultural implements

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- Quarantine and pest management
- Environmental issues
- Micro- organism and Law

Unit- IV: SOCIAL INTEGRATION & REGULATION OF TECHNOLOGY

- Social networking- Positive and Negative Effects
- Regulation of social networking

SAFETY & PRIVACY

- Concept of privacy and the issues of safety
- Surveillance- CCTV; Blocking; Throttling etc.; Interception
- Offences pertaining to safety and privacy
- Statutory norms pertaining to the offences

Unit - V: LAW OF EVIDENCE & ROLE OF TECHNOLOGY

- Concept of evidence and Law
- Recognition of electronic evidence in Law
- Relevance of electronic evidence

ELIMINATION OF CORRUPTION & ROLE OF TECHNOLOGY

- Concept of e- governance
- Corruption and role of e- governance
- Scientific mechanisms to control corruption

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Master of Laws LL.M.

Semester – IV

Paper: Elective Course Code: LLM EL- 401 A

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: National Security, Rule of Law and Public Order

Course Outcomes:

- C.O. 1 :To introduce the concept of National Security
- C.O. 2 : Interlink age of Rule of Law & National Security
- C.O. 3 : To Understand the order of Public Order

Program Outcomes

To apprise the student about collaborative and critical study to legal order.

Unit I

(12 Lectures)

1. National Security,
2. Public Orders and Rule of Law
3. Emergency Detention in England-Civil Liberties,
4. Subjective satisfaction or objective assessment?
5. Pre-Independence law

Unit II

(12 Lectures)

1. Article 22 of the Constitution,
2. Preventive Detention and Safeguards,
3. Declaration of Emergency, 1962, 1965 and 1970 Emergencies, 1975Emergency

Unit III

(12 Lectures)

1. Exceptional Legislations : COFEPOSA and other legislation to curb economic offenders,
2. TADA -The Draconian Law, Comments of NHRC,
3. Special courts and Tribunals

Unit IV

(12 Lectures)

1. Due process and special legislation,
2. Martial law,
3. Provisions in English, Provisions in the Constitution.

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Unit V

(12 Lectures)

1. Civil Liberties and Emergency : Article 19,
2. Meaning of 'Security of State',
3. Meaning of 'Public Order',
4. Suspension of Article 19 Rights on Declaration of Emergency,
5. President's Right to suspend right to move any court,
6. Article 21-Special importance-its non-suspendability,
7. Suspendability-44th Amendment.
8. Access to Courts and Emergency : Article 359-ups and downs of judicial review,
9. Constitution (44th) Amendment Act, 1978, Constitution (59th) Amendment Act, 1988

Select Bibliography :

1. G.O. Koppell, The Emergency, The Courts and Indian Democracy 8 JILI 287(1966).
2. H.M. Seervai, The Emergency, Future Safeguards and the Habeas Corpus, 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

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Master of Laws LL.M.

Semester – IV

Paper: Elective Course Code: LLM EL- 401 B

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: International Criminal law & Transnational Crimes

Objectives:

1. To get a detailed understanding of international criminal law and transnational crime.
2. To get an understanding of working of international criminal justice system.
3. To understand about the prevention, control and correctional strategies.

Outcomes:

1. It will help students in understanding the transnational crimes.
2. It will further enhance student's understanding in role of police and judiciary in handling organized crimes.

Unit-I: International criminal law Development

(12 Lectures)

1. The substantive international law
2. The concept of an international crime
3. Crimes under general international law (i): general
4. Crimes under general international law (ii): imposing responsibility
5. Crimes under general international law (iii): excluding responsibility
6. Treaty crimes (i): general
7. Treaty crimes (ii): focus on treaty-based responses to terrorism
8. The role of the International Criminal Court and jurisdiction – The Rome Statute
9. The crime of aggression b. Genocide c. Crimes against humanity d. War crimes e.
10. Terrorism and transnational crimes
11. The objectives and policies of international criminal law; including issues of amnesty, truth and justice
12. Various International criminal tribunals
13. Emerging issues in international criminal law

UNIT-II: Transnational crimes

(12 Lectures)

1. Definition and Scope
2. Characteristics of Transnational crime
3. Types of Transnational crime
4. Causes of Transnational crime
5. Criminal Intent and mens-rea in such crimes
6. Modus operandi of Transnational crime

UNIT-III: Classification of Transnational Crimes

(12 Lectures)

1. International Perspective
2. Drug Trafficking as Transnational Crime
3. Trafficking of Weapons
4. Counterfeit of Goods
5. Trafficking of Persons and Smuggling of Migrants
6. Money Launderin
7. Terrorism
8. Environmental Crimes

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UNIT-IV: Laws relating to Transnational Crime

(12 Lectures)

1. Organized crime and United Nations,
2. The UN Convention on transnational and organized crime
3. United Nations Conventions Against Organized Crime, 2000

UNIT-V Prevention, control and correctional strategies

(12 Lectures)

1. Extradition Act 1962 (Relevant Provisions) and Extradition Treaty
2. International investigative agencies (Interpol etc), Adjudication authorities(including ad hoc and permanent criminal tribunals),
3. Role of Police in Investigation of organized crime
4. Role of Judiciary, Trial and Sentencing in organized crime
5. Profiles of Criminal Gang / Investigation and Prosecution

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1. The International Criminal Court: Challenges to Achieving Justice and Accountability in the 21st Century by Mark S. Ellis; Richard J. Goldstone. International Debate Education Association, 2008
2. An Introduction to International Criminal Law and Procedure Paperback – June 28, 2010 by Robert Cryer, Hakan Friman, Darryl Robinson
3. International Criminal Law: Cases and Commentary (Paperback) By (author) Antonio Cassese, By (author) Guido Acquaviva, By Mary De Ming Fan, Alex Whiting
4. An Introduction to Transnational Criminal Law (Paperback) by Neil Boister
5. The International Criminal Court: A Commentary on the Rome Statute (Oxford Commentaries on International Law) By William A. Schabas
6. An Introduction to the International Criminal Court By William A. Schabas
7. International and Transnational Criminal Law by David Luban, Julie R. O'Sullivan, David P. Stewart
8. From Nuremberg to the Hague: The Future of International Criminal Justice, Philippe Sands., Cambridge University Press, 2003
9. Transnational Organized Crime- An Overview from Six Continents by Jay Albanese, Philip Reichel
10. Transnational Organized Crime: A Commentary on the United Nations Convention and its Protocols (Oxford Commentaries on International Law) Hardcover – May 17, 2007 by David McClean, Oxford University Press (May 17, 2007)
11. Handbook of Transnational Crime and Justice by Jay Albanese, Philip Reichel, Sage Publications.

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Master of Laws LL.M.

Semester – IV

Paper: Elective Course Code: LLM EL- 403 C

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: INTELLECTUAL PROPERTY LAW-1

Course Outcomes:

- C.O. 1 : To assess the conceptual framework of Intellectual Property Laws
C.O. 2 : To understand the philosophy of intellectual property protection and commercial and non- commercial uses.
C.O. 3 : To critically evaluate the existing legal structure its comparison to international intellectual property regime.
C.O. 4 : To assess the intellectual property culture of India in a post globalized era .

Program Outcomes

To foster an inter disciplinary approach in order to assess the ground reality of intellectual property law in India .

To assess the changing nature of intellectual property law in India with reference to TRIPS To encourage a Critical method of thinking among the students to assess the legal situation. To assess the social impact and outcome of intellectual property law.

To train incumbents to present and resolve Intellectual property disputes effectively.

Assessment Plan

- End Term Assessment : 70 Marks .
- Internal Assessment :30 Marks

Unit I: Intellectual Property Law An Overview

(12 Lectures)

1. Intellectual Property History& Modern Development: International & National
2. Intellectual Property Order
3. Intellectual Property Rights Meaning and Nature
4. Intellectual Property Rights in India
5. Forms of Protection of Intellectual Property
6. Object, Role, Advantages , Recent Development

Unit II: Copyright

(12 Lectures)

1. Copyrights Subject matters, Originality in Copyrights
2. Fixation of work, Economic rights
3. Ownership, Authorship, License, Terms (modes of assignment)
4. Infringement of copyrights
5. Performers/Broadcasters and their rights

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Unit III: Design

(12 Lectures)

1. Design, Industrial design, Layout
2. Procedure of application for registration
3. Opposition to registration
4. Copyrights in registration
5. Deception and Similarities

Unit IV: Trademark

(12 Lectures)

1. Principles of Trademarks, concept, Emergence, justification
2. Registration of Trademark, Grant and Refusal
3. Distinctiveness, Deceptive Similarities
4. Misuse of Trademarks
5. Cancellation

Unit V: Geographical Indication

(12 Lectures)

1. Concept of Geographical Indication (G I), Objective, Justification, International Imitative
2. Registration of Geographical Indication/ Appellation of Origin
3. Effect of Registration/ G I Protection in India
4. Passing off/ Remedies
5. Case Studies

BOOKS:

1. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company.
2. B.L. Wadhwa, Law Relating to Intellectual Property, Universal Law Publishing.
3. S. Narayan, Intellectual Property Law in India, Gogia Law Agency, Hyderabad.
4. A. K. Bansal, Law of Trademark In India, Thomson & Reuter.
5. V.K. Ahuja, Law Relating to Intellectual Property Law, Lexis Nexis.Elizabeth Veghese, Law of Patents, Eastern India Company.
6. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press.
7. P. Narayanan, Law of Trademarks (The Trademarks Act 1999) and Passing Off, Eastern Law, Calcutta.
8. W.R. Cornish, Intellectual Property: Patents, Copyright, Trademark and Allied Rights, Universal Law Publishing.
9. Dr.C.P.Singh, Baudhduik Sampada Vidhi, Allahabad Law Agency, Allahabad.

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Master of Laws LL.M.

Semester – IV

Paper: Elective Course Code: LLM EL- 403 D

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: SAFEGUARDS OF WOMEN AND CHILD IN LABOUR LAWS

Course Outcomes:

- C.O. 1 : To Introduce the idea of safeguards of women.
- C.O. 2 : To Introduce the idea of safeguards of Children.
- C.O. 3 : To Introduce the concept of protective discrimination.

Program Outcomes

Safety and security at workplace of women workers and the crèche houses related provisions aware to such workers.

UNIT-I The Child Labour

(12 Lectures)

1. The Child Labour (Prohibition and Regulation) Act, 1986:
2. Definitions; Prohibition of Employment of Children in Certain occupation and Processes (Sections 3-5). (2 Lect.)
3. Regulation of Conditions of Work of Children (Sections 6-13).
4. Penalties and procedure (Sections 14-16).
5. Appointment of Inspectors, Power to make Rules and Remove Difficulties (Sections 17-18 and 21).

UNIT-II: The Maternity Benefit

(12 Lectures)

1. The Maternity Benefit Act, 1961: Definitions; Employment of or work by women prohibited during certain periods, right to payment of maternity benefit and payment of Maternity benefit in certain cases (secs. 4-5B).
2. Notice and Leave (sections 6-11).
3. Dismissal, Appointment of Inspectors and Forfeiture of Maternity benefit (Sections 12-18).
4. Penalties and Procedure (Sections 21-23).

UNIT-III: The Equal Remuneration

(12 Lectures)

1. The Equal Remuneration Act, 1976: Definitions; Payment of Remuneration at Equal Rates to Men and women workers and other matters (Secs. 4-7)
2. Duty of Employers to maintain register, Inspectors and Penalties and Procedure (Secs. 8-12)
3. The Equal Remuneration Rules, 1976: Definitions; Complaint and Claims under the Act (Sections 3-5).
4. The Various Forms for Applications.

UNIT-IV: Equal Remuneration Rules

(12 Lectures)

1. The Central Advisory Committee on Equal Remuneration Rules, 1991: Whole Act.
2. Constitutional as well as Judicial Pronouncement Regarding to safety of women at workplace.

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UNIT-V: Beedi and Cigar Workers

(12 Lectures)

1. The Beedi and Cigar Workers (Conditions of Employment) Act, 1966:
2. Definitions; Industrial premises to be Licensed, Licenses and Appeal (Sections 3-5).
3. Inspectors, first Aid, Crèches and Canteens (Sections 6-16).
4. Working Hours and Holidays (Sections 17-23).
5. Prohibition of employment of Children and women (Sections 24-25) and Penalties & procedure (Sections 32-34, and 36).

References:

1. OP Malhotra : the Law of Industrial Disputes two vols. Publication- Lexis Nexis
2. HL Kumar: Labour Problems and Remedies 12th Ed. Publication-Universal Law Publishing Co.
3. VSP Rao: Human Resource Management, Publisher: Excel Books, New Delhi-28
4. SC Srivastava: Industrial Relation and Labour Laws, Publisher: Vikash Publishing House Pvt Ltd. Noida U P.
5. SN Mishra: Labour and Industrial Laws, Publisher: Central Law Publications, Allahabad.
6. HL Kumar: Practice and Procedure of Labour Laws with Model Forms, Publisher: Universal Law Publishing Co. New Delhi
7. EM Rao: Industrial Jurisprudence, Publisher: Lexis Nexis Butterworth's, New Delhi -1
8. Government of India, Report of the first National Commission on Labour (1969).
9. Government of India, Report of the Second National Commission on Labour (2002).
10. GB Pai: Labour Law in India, in two Vols. Publication- Butterworth's.
11. VG. Goswami: Labour and Industrial Laws, Publication-Central Law Agency.
12. HG Abhyankar: Industrial Disputes Act, 1947, Publication-
13. KD Srivastava: Labour Laws
14. BD Singh: Industrial Laws
15. VB Coutinho: Lectures on Labour Laws, EBC
16. P. L. Malik: Industrial Law, Publication- EBC

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Master of Laws LL.M.

Semester – IV

Paper: Dissertation and Viva Voce **Course Code:** LLM MT- 404

Credit- 8 **Marks: 30 Internal + 70 End Sem**

Course Title: Dissertation and Viva-Voce

Students shall have to select any one topic on prescribed subjects and submit synopsis to panel of teachers of Faculty of Law to be approved and permitted to write and submit a written dissertation.

The assessment shall comprise of 200 marks out of which Evaluation of written work shall be of 150 marks accompanied with evaluation of 50 marks as a viva-voce examination.

Dissertations shall be governed by the Rules as annexed in Schedule - C to the ordinances of LLM .

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Master of Laws LL.M.

Semester – IV

Paper: Intra Departmental **Course Code:** LLM IRA- 405 A

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: Administrative Process and Judicial Control

Course Outcomes:

- C.O. 1 :** To Inculcate the value of administrative process.
- C.O. 2 :** To introduce the judicial control over administrative process.
- C.O. 3 :** To differentiate the role of Judicial Processes.

Program Outcomes

This paper inculcates a collaborative and critical approach to study of law.

Unit I : (12 Lectures)

Administrative process : Nature and Meaning,

The role of civil service,

The role of administrative agencies,

Unit II : (12 Lectures)

- 5. Constitutional standards : Doctrine of Police Power, Doctrine of Eminent Domain,
- 6. Taxing power,
- 7. Responsibility and accountability.

Unit III : (12 Lectures)

- 1. Judicial Review of Administrative action in India : Historical development,
- 2. Power of Supreme Court, Powers of High Courts, Role of Subordinate Courts.
- 3. Jurisdiction : Finality Clause,
- 4. Conclusive evidence Clauses,
- 5. Law Fact distinction , Exclusionary Clause.
- 6. Ground of Judicial Review : Doctrine of Ultra vires,
- 7. Unreasonable discretionary power : From liver sidge to padfield, discretion and Justifiability, violation of fundamental rights,
- 8. Extraneous consideration and /or irrelevant ground, delegation acting under dictation, Malafides and Bias,
- 9. Lack of rationality and proportionality, oppressing decision.

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Unit IV : (12 Lectures)

1. Limits of Judicial Review : Locus standi and PIL,
2. Laches,
3. Resjudicata,
4. Alternative remedies,
- 5.5 Remedies Writs,
- 6.6 Injunction and declaration.

Unit V : (12 Lectures)

1. Tortuous and contractual liability,
2. Emerging liability-Personal accountability,
3. Compensatory jurisprudence and right to live,
4. Accountability under consumer protection law,
5. Promissory Estoppels : Legitimate expectation and Constitutional dimensions.

BOOKS

1. Peter H. Schuck, Foundations of Administrative Law (1994), Oxford, New York.
2. Neville L. Brown and J.F. Garner, French Administrative Law
3. Davis, Discretionary Justice
4. De Smith, Judicial Review of Administrative Action (1995)
5. Jennings Ivor, Law and the Constitution.
6. Schwartz & Wade, Legal Control of Government.
7. Friedman, The State and the Rule of Law in a Mixed Economy
8. Dicey, Introduction to the Law of the Constitution,
9. M.P. Jain, Cases and Materials on Administrative Law (1996), Vol.I, Wadha, Nagpur.
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14. B.Schwartz, An Introduction to American Administrative Law.
15. K.S. Shukla and S.S.Singh, Lokayukta: a Social Legal Study (1988), Indian Institute of Public Administration, N.Delhi.
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Master of Laws LL.M.

Semester – IV

Paper: Intra Departmental Course Code: LLM IRA- 405 B

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Intellectual Property Law-II

Course Outcomes:

C.O. 1 : To assess various dimensions of patents.

C.O. 2 : To evaluate the commercial exploitation of patents and resolving the infringement of patents.

C.O. 3 : To critically evaluate the existing legal order and its comparison with international order.

C.O. 4 : To critically understand the Indian Intellectual property and its protection through law.

C.O.5: To train for dispute resolution of Intellectual property.

Program Outcomes

To foster an inter disciplinary approach to understand the intellectual property protection regime.

To assess the changing nature of protection and commercial exploitation of property.

To encourage a Critical method of thinking among the students to assess the legal situation. To assess the social impact and outcome of intellectual property law.

UNIT I : Patent

(12 Lectures)

1. Patent, Introduction, Subject matter of Patent, Conditions of Patentability,
2. Patentable and Non Patentable
3. Object, Nature, Scope, Role, Advantage
4. Specification, Kinds of Specification, Contents of Specification, Priority provisions
5. Working of Patents, Compulsory Licenses, Revocation and Non working of Patents,
6. Purpose of Gravity ,Compulsory Licenses, Termination of Compulsory License
7. Opposition to grant of patent, Anticipation, Infringement and Remedies, Surrender and revocation of patents.

UNIT II: Patent & TRIPS

(12 Lectures)

1. Paris Convention- Major Provisions
2. TRIPS Agreement, Obligations and Indian Position, Public Interest Issues
3. Intellectual Property and Human Rights, Intellectual property Health Care and Food Security
4. Prospective
5. WTO, Obligations, Dispute settlements, Issues and Controversies WIPO

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UNIT III: Biodiversity

(12 Lectures)

1. Intellectual Property and Biological Diversity, Convention on Bio Diversity (CBD)
2. Regulation and Access to Biological Diversity and Biopiracy
3. Biodiversity Management Committee/Boards
4. Biodiversity Funds
5. Biodiversity Authorities

UNIT IV: Plant Variety Protection

(12 Lectures)

1. Intellectual Property and Farmers Rights, Proactable plant Varieties
2. Farmers Rights
3. Essentially Derived varieties
4. Registration of Plant varieties
5. Duration and Effect of Registration and Benefits

UNIT V: Traditional Knowledge

(12 Lectures)

1. Intellectual Property and Traditional Knowledge Concept/Significance Nature
2. Rights of Indigenous People, Forms of Protection
3. Intellectual Property Exploitation, Dispute Resolution & Its Management & Valuation

Book:

1. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company.
2. B.L. Wadhera, Law Relating to Intellectual Property, Universal Law Publishing.
3. S. Narayan, Intellectual Property Law in India, Gogia Law Agency, Hyderabad.
4. A. K. Bansal, Law of Trademark In India, Thomson & Reuter.
5. V.K. Ahuja, Law Relating to Intellectual Property Law, Lexis Nexis. 6 Elizabeth Veghese, Law of Patents, Eastern India Company.
6. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press.
7. P. Narayanan, Law of Trademarks (The Trademarks Act 1999) and Passing Off, Eastern Law, Calcutta.
8. W.R. Cornish, Intellectual Property: Patents, Copyright, Trademark and Allied Rights, Universal Law Publishing.
9. Dr.C.P.Singh, Baudhduik SampadaVidhi, Allahabad Law Agency, Allahabad

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Master of Laws LL.M.

Semester – IV

Paper: Intra Departmental **Course Code:** LLM IRA- 405 C

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: OFFENCES AND LAW RELATED TO JUVENILE

Objectives:

1. To give an exhaustive study of juvenile delinquency and laws in India.
2. To give an insight into international approach on juvenile delinquency.
3. To provide a detailed study about the judicial approach on the issue and give a comparative study with other countries.

Outcomes:

1. Students will develop a better understanding of the laws on juvenile delinquency.
2. It will develop a better understanding of the approach prevalent in other countries.

Unit I :

(12 Lectures)

1. The conception of “child” in Indian Constitution and Penal Code,
2. Delinquent Juvenile, “Neglected Juvenile”, the Overall situation of children/young persons in India, also with reference to crime statistics (of crime by and against children),
3. Differential Association, Anomie, Gang-sub-culture.

Unit II: Legislative Approaches

(12 Lectures)

1. Legislative approaches during the late colonial era, Juvenile Justice Act, 2015,
2. Constitutional Aspects, Competent Authorities, Powers given to government, Community Participation as envisaged,
3. United Nation Conventions on the Right of Child, 1989

Unit III: Offences Against Juveniles

(12 Lectures)

1. The child population percentage to total sex ratio, urban/rural/rural-urban, laborers, In organized industries like Zari, Carpet, Bidi, Glass. In unorganized section like domestic servant, shops and establishments,
2. Drug Addicts, Victims of violence-sexual abuses, battered, killed by parents.

Unit IV: Judicial Contribution and Preventive Strategies

(12 Lectures)

1. Social Action Litigation concerning Juvenile Justice, Judicial decisions,
2. Role of legal profession in Juvenile Justice System,
3. State Welfare Programme health, Nutrition, Role of community, family, voluntary, bodies, industrials, individual.

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Unit-V: Comparative Study on Juvenile Delinquency (12 Lectures)

5.1 Analyzing and comparing legal position on juvenile delinquency between developed and developing countries

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- 1.K.S. Shukla, Adolescent Offender (1985)
- 2.United Nations, Beijing Rules on Treatment of Young Offenders (1985)
- 3.Myron weiner, The Child and State in India (1990)
- 4.The United Nations Declaration on the Rights of Children UNICEF periodic materials.
- 5.Singh Makkar, S.P, 1993, Global perspectives in Victimology, ABC Publications, Jalandar.
- 6.Rajan, V.N, 1981, Victimology in India: An Introductory Study, Allied Publishers, New Delhi
- 7.Devasia, V.V, 192, Criminology, Victim logy and Corrections, Ashish Publishing House, New Delhi
8. Law Commission of India, 42nd report, Ch. 3 (1971).

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Master of Laws LL.M.

Semester – IV

Paper: Intra Departmental **Course Code:** LLM IRA- 405 D

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: SPECIAL CONTRACT AND E-CONTRACTS

Course Outcomes:

- C.O. 1 : To assess the conceptual order of Applied Contracts.
- C.O. 2 : To evaluate the Sale of Goods and its role in Commercial Transactions.
- C.O. 3 : To critically evaluate the existing legal structure and change in it owing to E-Commerce Platform.
- C.O. 4 : To assess the legal regime of Information Technology.
- C.O. 5: To evaluate the cyber forensic and cyber adjudication process.

Program Outcomes

- P.O. 1: To encourage commercial transaction in Indian social order to fulfill various needs of society.
- P.O. 2 :To assess the role of Commercial Transaction and informal business associations.
- P.O. 3 :To encourage a Critical method of thinking among the students to assess the legal situation.
- P.O. 4: To assess the use of ICT in Commercial Transaction and Governance.

Unit I Special Contract

(8Lectures)

1. Contract of Indemnity
2. Contract of Guarantee
3. Extent of Surety's Liability
4. Discharge of Surety

Unit II Law of Agency

(12 Lectures)

1. Meaning of Contract of Agency
2. Creation of Agency
3. Extent of Agents Authority
4. Delegation of Authority of Agent
5. Termination of Agency

Unit III Sale of Goods Act and Partnership

(12 Lectures)

1. Meaning and Essential Element of Contract of Sale
2. Condition and warranties
3. Right of Unpaid Seller
4. Meaning and Essential of Partnership
5. Mutual Rights and Duties of partners
6. Dissolution of Partnership Firm& Limited Liability Partnership

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Unit IV E-Commerce

(12 Lectures)

1. Meaning, Scope, Advantages and related legislations
2. E – Commerce Contracts
3. E-Commerce, Emerging significance
4. Transactions and Technology of E –Commerce

Unit V Information Technology and Commercial Law

(12 Lectures)

1. I T Act, 2000 and commercial law
2. Jurisdiction in E-commerce Dispute
3. Cyber Forensic & Cyber Adjudication
4. UNCITRAL mechanism & Dispute Resolution

References :

1. Beatson (Ed), Anson's Law of Contract
2. P. S. Atiya, Introduction to the Law of Contract (Clarendon Law Series)
3. Avatar Singh, Law of Contract, Eastern Lucknow
4. G. C. Cheshire, and H. S. Fifoot Law Contract ELBS with Butterworths.
5. Pollock and Mulla on the Indian contract and the Specific Relief Act, Butterworths Publication
6. S.C Benerjee. Law of Specific Relief, Universal
7. Anson, Law of Contract, Universal
8. Dutt on Contract ,Universal
9. Nandan Kamath Computers Internets & Ecommerce, Universal Law Publication

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