



UNIVERSITY OF RAJASTHAN

JAIPUR

SYLLABUS

Faculty of Law

L.L.M. (General)

(Semester Scheme)

I & II Semester Examination 2023-24

III & IV Semester Examination 2024-25

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DEPARTMENT OF LAW
UNIVERSITY OF RAJASTHAN, JAIPUR



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LL.M. (General)

(SEMESTER SCHEME)

I & II Semester Examination	2023-24
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UNIVERSITY OF RAJASTHAN, JAIPUR

MASTER OF LAWS (LL.M.) Syllabus

Semester Scheme 2011-13

Contains:

1. Ordinances
2. Eligibility
3. Scheme of Examination
4. Semester Structure
5. Course Details

1. NEW ORDINANCES RELATED TO MASTER OF LAW (LL.M.). (Semester Scheme)

O.199F1: The examination of Regular students of Master degree (Post-graduate) courses of the University admitted in the academic session 2011-12 and after shall be based on (a) Semester Examinations, (b) Continuous Assessment, (c) Choice Based Credit System, and (d) Semester Grade Point Average and Cumulative Grade Point Average system as provided in O.199F1 to O.199F5. The ordinances which were in force prior to academic session 2011-12, will be applicable for Non-collegiate students (wherever permissible) and students admitted prior to academic session 2011-12 only. The ordinances O.199F1 to O.199F5 will have overriding effect over other ordinances for the Regular courses leading to Masters' degree.

O.199F2: Fifteen (15) hours of theory teaching will lead to one credit (which means one hour per week theory teaching in a semester of 90 teaching days) and in case of practical 45 hours of laboratory work will lead to two credit (which means 3 hours practical class per week in a semester of 90 teaching days). Each semester of Master's course shall offer 36 credits or more. Number of Semester Examinations and Minimum Credit required to be earned for award of Master degree in various Post-Graduate courses is specified in table given below.

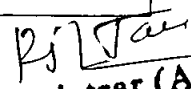
S. No.	Faculty	Degree	Subject	Number of Semesters	Minimum Credit Required
1	Arts	M.A. (Master of Arts)	1. English	4	120
2			2. European Studies	4	120
3			3. French	4	120
4			4. Hindi	4	120

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5			5. Philosophy	4	120
6			6. Sanskrit	4	120
7			7. Urdu	4	120
8	Social Science	M.A. (Master of Arts)	1. Anthropology	4	120
9			2. Economics	4	120
10			3. Garment Production and Export Management	4	120
11			4. Geography	4	120
12			5. History	4	120
13			6. Mathematics	4	120
14			7. Political Science	4	120
15			8. Psychology	4	120
16			9. Public Administration	4	120
17			10. Sociology	4	120
18			11. Statistics	4	120
19		M.S.W. (Master of Social Work)	4	120	
20		M.J.M.C. (Master of Journalism and Mass Communications)	4	120	
21	Fine Arts	M.A. (Master of Arts)	Dramatics	4	120
22			Drawing and Painting	4	120
23			Music	4	120
24		M.V.A. (Master of Visual Arts)	4	120	
25		M. Mus. (Master of Music)	4	120	
26	Commerce	M.Com. (Master of Commerce)	Accountancy and Business Statistics	4	120
27			Business Administration	4	120
28			Economic Administration and Financial Management and Cooperation	4	120
29		M.C.C.A. (Master of Cost Control and Accounts)	4	120	
30		M.H.R.M. (Master of Human Resource Management)	4	120	
31		M.I.B. (Master of International Business)	4	120	
32		M.F.C. (Master of Finance and Control)	4	120	
33	Management	M.B.A. (Master of Business Administration)	4	120	
34		M.B.A. (Executive) (Master of Business Administration (Executive))	4	120	
35		M.B.A. (CAM) (Master of Business Administration-Computer Aided Management)	4	120	
36		M.B.A. (E-Com) (Master of Business Administration-E-Commerce)	4	120	
37	ca	M.Ed. (Master of Education)	2	60	

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38		M.P.Ed. (Master of Physics Education)	4	120	
39		M.Lib. & Inf. Sc. (Master of Library and Information Science)	2	60	
40	Law	LL.M. (Master of Law)	4	120	
41		LL.M. (H.R.&V.E.) (Master of Law -Human Rights and Value Education)	4	120	
42	Science	M.Sc. (Master of Science)	1. Anthropology*	4	120
43			2. Biochemistry	4	120
44			3. Biotechnology	4	120
45			4. Botany	4	120
46			5. Chemistry	4	120
47			6. Environmental Science	4	120
48			7. Garment Production and Export Management*	4	120
49			8. Geography*	4	120
50			9. Geology	4	120
51			10. Home Science	4	120
52			11. Information Technology	4	120
53			12. Mathematics*	4	120
54			13. Microbiology	4	120
55			14. Pharmaceutical Chemistry	4	120
56			15. Physics	4	120
57			16. Psychology*	4	120
58			17. Statistics*	4	120
59			18. Zoology	4	120
60		M.C.A. (Master of Computer Applications)	6	180	
61		B.Sc.-M.Sc. Integrated Biotechnology	10	300	
62		B.Sc.-M.Sc. Integrated Information Technology	10	300	
63		M.Tech. (Engineering Physics)	4	120	
64	Engineering and Technology	Dual degree B.Tech. M.Tech. in Converging Technologies	1. Nanomaterials and Nanotechnology	10	300
65			2. Bioinformatics and Biotechnology	10	300
66			3. Information and Communication Technologies	10	300
67			4. Cognitive and Neuroscience	10	300


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68.	Social Science	Master of Arts	12. Museology and conversation	4	120
69	Social Science	Master of Arts	13. Rajasthani Language Literature & Culture	4	120

*Candidate who have been admitted to Master's degree in Anthropology/ Garment Production and Export Management / Geography/ Mathematics/ Psychology/ Statistics based on the Bachelor degree in Arts shall be awarded the M.A. degree in the concerned subject and candidates who have been admitted to Master's degree in Garment Production and Export Management based on the Bachelor degree in Commerce shall be awarded the M.Com. degree in the subject.

The number of papers, course type and credits and detailed syllabus for each course shall be shown in the syllabus for the course concerned. A candidate will be required to earn minimum credits prescribed above for award of the Master degree.

O.199F3:

- a) The Department in context of this ordinance means the Department/Centre of concerned PG subject at University of Rajasthan or that of an affiliated institution or college, as the case may be. Teacher of parent Department means a duly appointed Teacher as per UGC prescribed qualifications in the Department where student is enrolled for the course.
- b) A Credit Monitoring Committee (CMC) of the Department will consist of the Head and THREE Senior Most Teachers on roll of the Department with Head of the Department as Chairperson. Under special circumstance, when the number of teachers on roll is less than four, the Vice-Chancellor may constitute the Credit Monitoring Committee. Registration of candidates in the First and subsequent Semesters after the prescribed last date shall not be permitted. For subsequent semesters no minimum credit earning criterion will be applicable. Credit registration at least once in all Compulsory Credit Course shall be binding, however, earning all CCC Credits for accumulation of the prescribed minimum credits shall not be required.
- c) The candidate will be required to finalize the number of credits at the time of registration in a semester and no change will be permitted after seven days of start of the semester. The CMC of the Department shall forward the credit registration details of all students enrolled in the semester, latest by the tenth day of commencement of the semester. The prior approval of Credit Monitoring Committee will be essential and decision of Credit Monitoring Committee shall be final and binding.
- d) The Credit Courses have been classified as
 - i. Compulsory Core Courses (CCC)
 - ii. Elective Core Courses (ECC),

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- iii. Seminar (SEM), Project Work (PRJ), Field Study (FST), Self-Study Courses (SSC), and other Supportive Courses (OSC), Research Publications [RPJ] can also be taken in support of Core or Elective course wherever so prescribed.
- e) The aim of the seminar is to give students an exposure to recent developments and advance topics of research interest. The Seminar preparations can be undertaken only on prior approval of Credit Monitoring Committee of the Department. The CMC will allot Seminar Credits on Merit Basis out of desiring students. Seminar preparations are to be undertaken under guidance of a Teacher of parent Department. No teacher shall be permitted to guide more than three students in a semester for Seminar supervision. The guiding teacher will make continuous internal assessment of the Seminar. At the End of Semester Examination (EoSE) the Seminar will be conducted and credits will be awarded by a Board of Three Examiners consisting of the Head of the Department, guide and one faculty member other than guide.
- f) The aim of Project Work or Field Study is to introduce students to research methodology in the subject and prepare them for pursuing research in theoretical or experimental or computational areas of the subject. The project work or Field Study is to be undertaken under guidance of a Teacher of the Department or a Scientist or any other suitable person with proven research excellence in the concerned field of study. The Project Work or Field Study can also be taken up in an outside institution of repute on approval by Credit Monitoring Committee of the Department. The Project Work or Field Study can be undertaken only on prior approval of Credit Monitoring Committee of the Department. The CMC will allot Project Work or Field Study Credits on Merit Basis out of desirous students. The guiding teacher will make continuous internal assessment of the Project Work/ Field Study. No teacher shall be permitted to guide more than three students in a semester for Project Work/Field Study under his/her supervision. EoSE for Project Work/ Field Study will be held at the unit where project work has been undertaken by a board of three examiners consisting of HoD, guide and one senior faculty.
- g) Each department is required to arrange delivery of all compulsory core courses and special number of elective core courses so that the students enrolled for the course can complete prescribed minimum number of credits. It is not binding on the Department to make provision for all elective core courses.
- h) A course is identified by a course code designated by a string of six alphanumeric characters and a course title. In a course code the first three characters of the string indicate the Department offering the course and the later three alphanumeric characters designate a particular course. In the case of compulsory core course the fourth character identifies the semester numeric digit and in case of the elective core courses the fourth character indicates the cluster of specialization. For compulsory theory core courses the fifth character is '0' , for

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laboratory core courses it is '1' and for Project Work/ Seminar/Field Study it is '2' and for Research Publications in journals it is '3'.

- i) There will be no supplementary/due paper/special examination. Students with grade 'F' or 'E' will have to get themselves re-registered in the course if they so desire with option either as a Self Study Course or as a regular course depending on the feasibility at the Department. The credit will be considered and counted only if registered and approved by the Credit Monitoring Committee at the time of semester registration.
- j) The candidate shall not be permitted to appear in EoSE of a particular credit if (i) he/she does not fulfil the minimum 75% attendance requirement, or (ii) he/she fails to secure a Semester Grade Point Average (SGPA) of 1.5 in the continuous assessment. The concerned department will have to communicate the eligibility of candidate for EoSE to the University Fifteen days before commencement of Examination.

O.199F4: In Continuous Assessment (Department/ College/Institution wise) and End of Semester Examination (EoSE) examination (University as a whole) separate Grades will be awarded as specified under this ordinance. The continuous assessment will consist of two components, namely, (i) Internal Assessment and (ii) Sessional Test(s) in ratio 30:70. The internal assessment component will comprise of assessment of students performance on the basis of factors like Attendance, Classroom Participation, Quiz, Home Assignment etc. The sessional test shall be conducted on coverage of 50% of course content specified in the syllabus. The Semester Grade Point Average (SGPA) and Cumulative Grade Point Average (CGPA) for Continuous Assessment will be calculated on the Department/College level and for EoSE at the University level. The name of College/Department will be mentioned with SGPA and CGPA of Continuous Assessment.

O.199F5:

- a) Grades in a particular examination with less than 10 students registered in the course (cumulative at Department level for continuous assessment and cumulative at university level for EoSE) will be awarded on the basis of percentage of marks obtained as per table given below.

Percentage Range	Grade	Grade Point	Grade Definition
75-100	O	6	Outstanding
65-74	A	5	Very Good
55-64	B	4	Good
45-54	C	3	Average
33-44	D	2	Below Average
25-33	E	1	Poor
0-24	F	0	FAIL

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- b) Grades in a particular examination with more than 10 students registered in the course (cumulative at Department level for continuous assessment and cumulative at university level for EoSE) will be calculated on the basis of relative merit of marks obtained, that is, Grade O (Point 6) to top 10% students, Grade A (Point 5) to next 25 % students in merit order, Grade B (Point 4) to further next 30% students in the merit order and Grade C (Point 3) to further next 25% in the merit order and Grade D (Point 2) to remaining last 10% students with exceptions permitted (i) to the extent to award students with same mark and the same grade, (ii) to award Grade E (Point 1) to those students securing less than 33% but more than 25% marks in the examination, and (iii) to award Grade F (Point 0) to those students securing less than 25% marks in the examination. The grade point assignment is also given below in tabular form.

Standing in Merit of the Course or Marks Obtained in the course	Grade	Grade Point	Grade Definition
Top 10 % in Merit	O	6	Outstanding
Among Top 35% in Merit but not in Top 10%	A	5	Very Good
Among Top 65% in Merit but not in Top 35%	B	4	Good
Among Top 90% in Merit but not in Top 65%	C	3	Average
Among Last 10% in Merit	D	2	Below Average
25% <=Marks<33%	E	1	Poor
Marks<25%	F	0	FAIL

- c) Semester Grade Point Average (SGPA) and Cumulative Grade Point Average (CGPA) will be calculated on the credit weighted average of the grade points obtained as given below.

$$SGPA = \frac{\sum_{i=1}^n C_i P_i}{\sum_{i=1}^n C_i}$$

Where

C_i : Number of credits earned in the i^{th} course of Semester for which SGPA is to be calculated.

P_i : Grade Point Earned in i^{th} course

i : 1, 2, ..., n represents the number of courses in which a student is registered in the concerned semester.

$$CGPA = \frac{\sum_{i=1}^n C_i P_i}{\sum_{i=1}^n C_i}$$

Where

C_i : Number of credits earned in the i^{th} course of Course till date for which CGPA is to be calculated.

P_i : Grade Point Earned in i^{th} course

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i: 1, 2,n represents the number of courses in which a student is registered in the concerned semester.

d) The SGPA, CGPA grades will be assigned as per table given below.

SGPA or CGPA	Grade	Definition
5.50 to 6.00	O	Outstanding
4.50 to 5.49	A	Very Good
3.50 to 4.49	B	Good
2.50 to 3.49	C	Average
1.50 to 2.49	D	Below Average
0.50 to 1.49	E	Poor
0.00 to 0.49	F	FAIL

- e) The University will issue a complete transcript of credits, grade obtained, SGPA and CGPA on declaration of each semester result and a consolidated one on the accumulation of minimum credits required for the award of Master degree.
- f) The maximum period for accumulation of the credit for Award of Master degree is 5 years (8 years for Ten Semester courses). Failing which the credits earned will stand withdrawn and null and void.
- g) The details of conversion of seven point scale into percentage as per UGC notification is given below

SGPA or CGPA	Grade	Definition	Percentage
5.50 to 6.00	O	Outstanding	75-100
4.50 to 5.49	A	Very Good	65-74
3.50 to 4.49	B	Good	55-64
2.50 to 3.49	C	Average	45-54
1.50 to 2.49	D	Below Average	33-44
0.50 to 1.49	E	Poor	25-33
0.00 to 0.49	F	FAIL	0-24

Thus, the percentage will be obtained by using this table

CGPA	%	CGPA	%	CGPA	%
6	100	4	60	2	39
5.9	95	3.9	59	1.9	37.8
5.8	90	3.8	58	1.8	36.6
5.7	85	3.7	57	1.7	35.4
5.6	80	3.6	56	1.6	34.2
5.5	75	3.5	55	1.5	33
5.4	74	3.4	54	1.4	32.2

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5.3	73	3.3	53	1.3	31.4
5.2	72	3.2	52	1.2	30.6
5.1	71	3.1	51	1.1	29.8
5	70	3	50	1	29
4.9	69	2.9	49	0.9	28.2
4.8	68	2.8	48	0.8	27.4
4.7	67	2.7	47	0.7	26.6
4.6	66	2.6	46	0.6	25.8
4.5	65	2.5	45	0.5	25
4.4	64	2.4	43.8	0.4	20
4.3	63	2.3	42.6	0.3	15
4.2	62	2.2	41.4	0.2	10
4.1	61	2.1	40.2	0.1	5

The enhancement of CGPA by 0.01 will enhance percentage as given below:

Grade	SGPA or CGPA	Parentage enchantement on 0.01 CGPA enchantement
O	5.50 to 6.00	0.5
A	4.50 to 5.49	0.1
B	3.50 to 4.49	0.1
C	2.50 to 3.49	0.1
D	1.50 to 2.49	0.12
E	0.50 to 1.49	0.08
F	0.00 to 0.49	0.5

For example (i) CGPA of 5.73 is equivalent to 86.5%, (ii) CGPA of 5.12 is equivalent to 71.2%, (iii) CGPA of 4.34 is equivalent to 63.4%, (iv) CGPA of 3.26 is equivalent to 52.6%, (v) CGPA of 2.17 is equivalent to 41.04%, and (vi) CGPA of 1.11 is equivalent to 29.88%.

2. Eligibility:

A candidate who has passed the Bachelor of Laws (three years or 5 Years B.A., LL.B. or 5 years B.A., LL.B. (Hons.) degree examination of the University or an examination of some other University recognized by the Syndicate as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds the degree of Bachelor of Laws (three years of 5 years B.A., LL.B. or 5 years B.A., LL.B. (Hons.) or has also passed any of the Diploma courses of this University in the Faculty of Law with 55% marks in the aggregate at the Diploma Examination shall be eligible for admission to LL.M.-I Semester Examination.

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3. Scheme of Examination:

- (1) Each theory paper at EoSE shall carry 100 marks. The EoSE will be of 3 hours duration. Part 'A' of theory paper shall contain 10 Short Answer Questions of 20 marks in one or two sentences each, based on knowledge, understanding and applications of the topics/tests covered in the syllabus. Each question will carry two marks for correct answer.
- (2) Part 'B' of paper will consist of Four questions with internal choice (except in cases where a different scheme is specifically specified in the syllabus) of 20 marks each. The limit of answer will be five pages.
- (3) Each EoSE will involve viva-voce on recent legal developments in respective subject and dissertation with presentation thereon.

4. Course Structure:

The details of the courses with code, title and the credits assigned are as given below.

Abbreviations Used

Course Category

CCC: Compulsory Core Course

ECC: Elective Core Course

OEC: Open Elective Course

SC: Supportive Course

SSC : Self Study Core Course

SEM: Seminar

PRJ: Project Work

RP: Research Publication

Contact Hours

L: Lecture

T: Tutorial

P: Practical or Other

S: Self Study

Relative Weights

IA: Internal Assessment (Attendance/Classroom Participation/Quiz/Home Assignment etc.)

ST: Sessional Test

EoSE: End of Semester Examination

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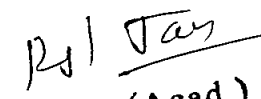
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SEMESTER - I (LL.M.)

S. No.	Sub. Code	Course Title	Course Category	Credit	Contact Hours Per Week			EOSE Duration Hrs.	
					L	T	P	Thy.	P
1.	LLM1011	Legal Theory - I	CCC	6	6	2		3	
2.	LLM1012	Constitutional Law of India : New Challenges - I	CCC	6	6	2		3	
3.	LLM1013	Legal Research Methodology - I	CCC	6	6	2		3	
4.	LLM1014	Elective 1 - Law and Social Transformation in India - I	ECC	6	6	2		3	
5.	LLM1015	Elective 2 - Legislation Principle - I	ECC	6	6	2		3	
6	LLM1016	Elective 3 - Recent Legal Development and Cases - I (Viva-Voce Exam. & Project work)	ECC	6			6		4

SEMESTER - II (LL.M.)

S. No	Sub. Code	Course Title	Course Category	Credit	Contact Hours Per Week			EOSE Duration Hrs.	
					L	T	P	Thy.	P
1.	LLM2011	Legal Theory - II	CCC	6	6	2		3	
2.	LLM2012	Constitutional Law of India : New Challenges - II	CCC	6	6	2		3	
3.	LLM2013	Legal Research Methodology - II	CCC	6	6	2		3	
4.	LLM2014	Elective 1 - Law and Social Transformation in India - II	ECC	6	6	2		3	
5.	LLM2015	Elective 2 - Legislative Methods and Interpretation- II	ECC	6	6	2		3	
6.	LLM2016	Elective 3 - Recent Legal Development and Cases - II (Viva-Voce Exam. & Project work)	ECC	6			6		4


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S. No.	Sub. Code	Course Title	Course Category	Credit	Contact Hours Per Week			EOSE Duration Hrs.	
					L	T	P	Thy.	P
1.		Core Elective 1	ECC	8	6	2		3	
2.		Core Elective 2	ECC	8	6	2		3	
3.		Core Elective 3	ECC	8	6	2		3	
4.		Core Elective 4	ECC	8	6	2		3	
5.		Core Elective 5	ECC	4			6		4
6.		Core Elective 6	ECC	8	6	2		3	
7.		Core Elective 7	ECC	8	6	2		3	
8.		Core Elective 8	ECC	8	6	2		3	
9.		Core Elective 9	ECC	8	6	2		3	
10	LLM 421	Dissertation	PRJ	12			18		1

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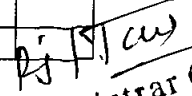
Specialization Clusters

- A. CONTRACT, BUSINESS & CORPORATE LAW (CBC)
- B. TORT & CRIME (TC)
- C. PERSONAL LAW (PL)
- D. CONSTITUTIONAL LAWS (CL)
- E. INTERNATIONAL LAW (IL)
- F. LABOUR LAW (LL)

Paper Code	Specialization	Paper Title	Course Category	Semester
LLMA 1001	CBC	General Principles of Contract-I	CCC	III
LLMA 1002	CBC	Special Contracts-I	CCC	III
LLMA 1003	CBC	Corporate Law-I	CCC	III
LLMA 1004	CBC	Law Relating to Negotiable Instrument Act	ECC	III
LLMA 1005	CBC	Commercial Arbitration	ECC	III
LLMA 1006	CBC	Recent Legal Development in Contract, Business & Corporate Law (Viva-Voce Exam. & Project work)	ECC	III
LLMA 1007	CBC	General Principle of Contract-II	CCC	IV
LLMA 1008	CBC	Corporate Law-II	CCC	IV
LLMA 1009	CBC	Dissertation	CCC	IV
LLMA 1010	CBC	Special Contract-II	ECC	IV
LLMA1011	CBC	Law Relating to Bankruptcy	ECC	IV
LLMA 1012	CBC	Competition & Consumer Protection Laws	ECC	IV
LLMB1001	TC	General Principles of Torts	CCC	III
LLMB1002	TC	General Principles of Crimes and Offences relating to State and Public tranquillity, morality	CCC	III
LLMB1003	TC	Contemporary forms of Crime	CCC	III
LLMB1004	TC	Comparative Criminal Procedure	ECC	III
LLMB1005	TC	Law Relating to Rehabilitation and Treatment of Offenders -I	ECC	III
LLMB1006	TC	Recent Legal Development in Tort & Crime (Viva-Voce Exam. & Project work)	ECC	III
LLMB1007	TC	Specific Wrongs	CCC	IV
LLMB1008	TC	Law Relating to Specific offences under the Indian Penal Code	CCC	IV
LLMB1009	TC	Dissertation	CCC	IV
LLMB1010	TC	Law Relating to Rehabilitation and Treatment of Offenders -II	ECC	IV
LLMB1011	TC	Law Relating to Special Penal Legislations Relating to Women	ECC	IV
LLMB1012	TC	Recent Developments in Criminal Justice System	ECC	IV
LLMC1001	PL	Hindu Jurisprudence and Law Relating to Joint Family	CCC	III
LLMC1002	PL	Family Law relating to Adoption, Maintenance, Minority and Guardianship	CCC	III
LLMC1003	PL	Muslim Jurisprudence and Matrimonial Laws	CCC	III
LLMC1004	PL	Personal Laws relating to Indian Christian, Parasi and Jews	ECC	III

LLMC1005	PL	Contemporary Laws, Issues and Comparative Muslim Law-I	ECC	III
LLMC 1006	PL	Recent Legal Developments in Personal Law (Viva-Voce Exam & Project work)	ECC	III
LLMC1007	PL	Un-Codified and Codified Hindu Law relating to Marriage	CCC	IV
LLMC1008	PL	Law relating to Property and Inheritance	CCC	IV
LLMC1009	PL	Dissertation	CCC	IV
LLMC1010	PL	Special Legislations on Family Affairs	ECC	IV
LLMC1011	PL	Laws relating to Civil Marriages, Foreign Marriages and Will	ECC	IV
LLMC1012	PL	Contemporary Laws, Issues and Comparative Muslim Law-II	ECC	IV
LLMD1001	CL	Constitution, Constitutionalism and Rule of Law : Principles and Applications-I	CCC	III
LLMD1002	CL	Administrative Law : Basic Principles and Comparative Analysis	CCC	III
LLMD1003	CL	Judicial Process	CCC	III
LLMD1004	CL	Media and Law - I	ECC	III
LLMD1005	CL	Constitutional Law of United States of America	ECC	III
LLM D 1006	CL	Recent Legal Development in Constitutional Law (Viva-Voce Exam. & Project work)	ECC	III
LLMD1007	CL	Constitution, Constitutionalism and Rule of Law : Principles and Applications-II	CCC	IV
LLMD1008	CL	Administrative Process and Judicial Control	CCC	IV
LLMD1009	CL	Dissertation	CCC	IV
LLMD1010	CL	Media and Law - II	ECC	IV
LLM D 1011	CL	British Constitutional law	ECC	IV
LLM D 1012	CL	Protection of Human Rights under Indian Constitution	ECC	IV
LLME 1001	IL	International Law -I	CCC	III
LLM E 1002	IL	International Organizations -I	CCC	III
LLM E 1003	IL	Human Rights and International Law-I	CCC	III
LLM E 1004	IL	International Humanitarian Law-I	ECC	III
LLM E 1005	IL	Conflict of Laws	ECC	III
LLM E 1006	IL	Recent Legal Developments in International Law(Viva-Voce Exam. & Project work)	ECC	III
LLM E 1007	IL	International Law -II	CCC	IV
LLM E 1008	IL	International Organizations -II	CCC	IV
LLM E 1009	IL	Dissertation	CCC	IV
LLM E 1010	IL	International Humanitarian Law -II	ECC	IV
LLM E 1011	IL	International Criminal Law	ECC	IV
LLM E 1012	IL	Human Rights and International Law-II	ECC	IV
LLM F 1001	LL	Labour Jurisprudence and the International Labour Organization (I.L.O.) -I	CCC	III
LLM F 1002	LL	Law relating to Child & Women Labour and Industrial Safety& Health - I	CCC	III
LLM F 1003	LL	Law Relating to Industrial Relations-I	CCC	III
LLM F 1004	LL	Laws Relating to Wages - I	ECC	III
LLM F 1005	LL	Labour Welfare and Minor Legislations	ECC	III
LLM F 1006	LL	Recent Legal Developments in Labour Law (Viva-Voce Exam. & Project work)	ECC	III
LLM F 1007	LL	Labour Jurisprudence and the International Labour Organization (I.L.O.)-II	CCC	IV
LLM F 1008	LL	Law relating to Child & Women Labour and Industrial Safety& Health - II	CCC	IV
LLM F 1009	LL	Dissertation	CCC	IV
LLM F 1010	LL	Law Relating to Industrial Relations-II	ECC	IV
LLM F 1011	LL	Laws Relating to Wages - I	ECC	IV
LLM F 1012	LL	Labour Economics, Labour Statistics and Labour Organization (Organized and Unorganized)	ECC	IV

Credit Structure								
Paper Code	Paper Title	Course Category	Credit	Contact Hrs. per Week			EoSE Duration Hrs.	
				L	T	P	Thy.	P
Br. I (C.B.C.) Semester III								
LLM A 1001	General Principles of Contract-I	CCC	6	6	2		3	
LLM A 1002	Special Contracts-I	CCC	6	6	2		3	
LLM A 1003	Corporate Law-I	CCC	6	6	2		3	
LLM A 1004	Law Relating to Negotiable Instrument Act	ECC	6	6	2		3	
LLM A 1005	Commercial Arbitration	ECC	6	6	2		3	
LLM A 1006	Recent Legal Development in Contract, Business & Corporate Law (Viva-Voce Exam. & Project work)	ECC	6			6		4
Br. I (C.B.C.) Semester IV								
LLM A 1007	General Principle of Contract-II	CCC	6	6	2		3	
LLM A 1008	Corporate Law-II	CCC	6	6	2		3	
LLM A 1009	Dissertation	CCC	6	6		2		3
LLM A 1010	Special Contract-II	ECC	6	6	2		3	
LLM A 1011	Law Relating to Bankruptcy	ECC	6	6	2		3	
LLM A 1012	Competition & Consumer Protection Laws	ECC	6	6	2		3	
Br. II (Tort & Crime) Semester III								
LLM B 1001	General Principles of Torts	CCC	6	6	2		3	
LLM B 1002	General Principles of Crimes and Offences relating to State and Public tranquillity, morality	CCC	6	6	2		3	
LLM B 1003	Contemporary forms of Crime	CCC	6	6	2		3	
LLM B 1004	Comparative Criminal Procedure	ECC	6	6	2		3	
LLM B 1005	Law Relating to Rehabilitation and Treatment of Offenders -I	ECC	6	6	2		3	
LLM B 1006	Recent Legal Development in Tort & Crime (Viva-Voce Exam. & Project work)	ECC	6			6		4
Br. II (Tort & Crime) Semester IV								
LLM B 1007	Specific Wrongs	CCC	6	6	2		3	
LLM B 1008	Law Relating to Specific offences under the Indian Penal Code	CCC	6	6	2		3	
LLM B 1009	Dissertation	CCC	6	6		2		3
LLM B 1010	Law Relating to Rehabilitation and Treatment of Offenders -II	ECC	6	6	2		3	
LLM B 1011	Law Relating to Special Penal Legislations Relating to Women	ECC	6	6	2		3	
LLM B 1012	Recent Developments in Criminal Justice System	ECC	6	6	2		3	
Br. III (Personal Law) Semester III								
LLM C 1001	Hindu Jurisprudence and Law	CCC	6	6	2		3	


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	Relating to Joint Family							
LLM C 1002	Gender Justice Hindu Law Relating to Adoption and Maintenance	CCC	6	6	2		3	
LLM C 1003	Muslim Jurisprudence and Matrimonial Laws	CCC	6	6	2		3	
LLM C 1004	Personal Laws relating to Indian Christian, Parasi and Jews	ECC	6	6	2		3	
LLM C 1005	Contemporary Laws, Issues and Comparative Muslim Law-I	ECC	6	6	2		3	
LLM C 1006	Recent Legal Developments in Personal Law (Viva-Voce Exam. & Project work)	ECC	6			6		4
Br. III (Personal Law) Semester IV								
LLM C 1007	Un-Codified and Codified Hindu Law relating to Marriage	CCC	6	6	2		3	
LLM C 1008	Hindu Law relating to Minority, Guardianship and Succession	CCC	6	6	2		3	
LLM C 1009	Dissertation	CCC	6	6		2		3
LLM C 1010	Muslim Law relating to Property	ECC	6	6	2		3	
LLM C 1011	Laws relating to Civil Marriages, Foreign Marriages and Will	ECC	6	6	2		3	
LLM C 1012	Contemporary Laws, Issues and Comparative Muslim Law-II	ECC	6	6	2		3	
Br. IV (Constitutional Law) Semester III								
LLM D 1001	Constitution, Constitutionalism and Rule of Law : Principles and Applications-I	CCC	6	6	2		3	
LLM D 1002	Administrative Law : Basic Principles and Comparative Analysis	CCC	6	6	2		3	
LLM D 1003	Judicial Process	CCC	6	6	2		3	
LLM D 1004	Media and Law - I	ECC	6	6	2		3	
LLM D 1005	Constitutional Law of United States of America	ECC	6	6	2		3	
LLM D 1006	Recent Legal Development in Constitutional Law (Viva-Voce Exam. & Project work)	ECC	6			6		4
Br. IV (Constitutional Law) Semester IV								
LLM D 1007	Constitution, Constitutionalism and Rule of Law : Principles and Applications-II	CCC	6	6	2		3	
LLM D 1008	Administrative Process and Judicial Control	CCC	6	6	2		3	
LLM D 1009	Dissertation	CCC	6	6		2		3
LLM D 1010	Media and Law - II	ECC	6	6	2		3	
LLM D 1011	British Constitutional law	ECC	6	6	2		3	
LLM D 1012	Protection of Human Rights under Indian Constitution	ECC	6	6	2		3	
Br. V (International Law) Semester III								
LLM E 1001	International Law -I	CCC	6	6	2		3	
LLM E 1002	International Organizations -I	CCC	6	6	2		3	
LLM E 1003	Human Rights and International Law-I	CCC	6	6	2		3	
LLM E 1004	International Humanitarian Law -I	ECC	6	6	2		3	

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LLM E 1005	Conflict of Laws	ECC	6	6	2		3	
LLM E 1006	Recent Legal Developments in International Law (Viva-Voce Exam. & Project work)	ECC	6			6		4
Br. V (International Law) Semester IV								
LLM E 1007	International Law -II	CCC	6	6	2		3	
LLM E 1008	International Organizations -II	CCC	6	6	2		3	
LLM E 1009	Dissertation	CCC	6	6		2		3
LLM E 1010	International Humanitarian Law -II	ECC	6	6	2		3	
LLM E 1011	International Criminal Law	ECC	6	6	2		3	
LLM E 1012	Human Rights and International Law-II	ECC	6	6	2		3	
Br. VI (Labour Law) Semester III								
LLM F 1001	Labour Jurisprudence and the International Labour Organization (I.L.O.) -I	CCC	6	6	2		3	
LLM F 1002	Occupational Safety, Health and Working Conditions Code -I	CCC	6	6	2		3	
LLM F 1003	Law Relating to Industrial Relations-I	CCC	6	6	2		3	
LLM F 1004	Code on Wages and Social Security-I	ECC	6	6	2		3	
LLM F 1005	Labour Welfare and Minor Legislations	ECC	6	6	2		3	
LLM F 1006	Recent Legal Developments in Labour Law (Viva-Voce Exam. & Project work)	ECC	6			6		4
Br. VI (Labour Law) Semester IV								
LLM F 1007	Labour Jurisprudence and the International Labour Organization (I.L.O.)-II	CCC	6	6	2		3	
LLM F 1008	Occupational Safety, Health and Working Conditions Code -II	CCC	6	6	2		3	
LLM F 1009	Dissertation	CCC	6	6		2		3
LLM F 1010	Code on Wages and Social Security-II	ECC	6	6	2		3	
LLM F 1011	Labour Economics, Labour Statistics and Labour Organization (Organized and Unorganized)	ECC	6	6	2		3	
LLM F 1012	Law Relating to Industrial Relations-II	ECC	6	6	2		3	

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SYLLABUS

LL.M. (GENERAL) SEMESTER -I

Paper I (LLM 1011) Legal Theory -I

1. Jurisprudence:

- i. Definitions, Nature and Scope
- ii. Importance of Jurisprudence
- iii. Relation between Law and Morality
- iv. Schools of Jurisprudence :
 - Positivism
 - Analytical School - John Austin, Kelsen - Pure Theory of Law, H.L. Hart
 - Historical School - Von Savigny, Henry Maine
 - Sociological school - Ihering, Ehrlich, Roscoe Pound - Social engineering
 - American Realism - Justice Cardozo, Justice Holmes
 - Natural School. - Theological school to revival of nature law.
 - Feminist Jurisprudence.

2. Nature of Law

Definitions : Austin, Salmond, Holland, Gray, Hart

3. Sources of Law and its Meaning

- i. Custom, Kinds, Tests of particular legal custom ; importance of
- ii. customs, theories of customary laws.
- iii. Precedent, kinds, Ratio decidendi, Obiter dicta ; declaratory theory of
- iv. precedent, judge-made law theory - Article 141- Constitution of India
- v. Legislation : kinds, comparison between legislation and other sources of law

Suggested Readings:

1. Holmes : The Common Law
2. Austin : Lecture on Jurisprudence
3. Allen : Law in the Making
4. Holland : Jurisprudence
5. Salmond : Jurisprudence
6. Paton : A Text Book of Jurisprudence
7. Julius Stone : The Province & Function of Law
8. Pound : An Introduction to the Philosophy of Law
9. Goodhart : Modern Theories of Law
10. Vinegradoff : Common sense in Law
11. Jethre Brown : The Austinain Theory of Law

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12. Goodhart : English Law and the Moral Law
13. Friendmann : Legal Theory
14. Jaipur Law Journal from Volume I to Latest-Articles concerning Jurisprudence
15. Henry Maine : Ancient Law
16. Dias : Jurisprudence
17. Dhyani, S.N. : law, Morality and Justice Indian Development
18. Lon Fuller : Morality of Law
19. Hart HLA : The Concept of Law, 1961
20. Bodinheimer E Jurisprudence, 1962
21. Julious Stone : Human Law and Human Justice
22. Julious Stone : Social Dimensions of Law and Justice
23. Julious Stone : Legal System and Lawers Reasoning
24. Llyod : Intriuduction to Jurisprudence
25. John Rawls : Theory of Justice
26. Finch : Introduction to Legal Theory
27. Dworkin : Taking Rights seriously

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Paper II (LLM- 1012)
Constitutional Law of India: New Challenges -I

The Constitution of India is an organic, developing and changing system established over five decades ago. Through the years it has been in force the constitutional law enacted through the Constitution has shown adaptability to the changing new social order and the institutions of national life. The processes of judicial interpretation precedents, amendment, conventions, political change have interacted to provide necessary catalysts for growth of the constitutional jurisprudence. The paper encourages the post graduate student to study, analyse and articulate the essential features and principles, rules of the basic frame work of the constitutional system.

I. Introduction:

Main Features and Basic Constitutional Values, Preamble, Basic Structure, Constitutionalism and Constitutional Morality

II. Fundamental Rights:

Concept and Nature of Fundamental Rights

State and Its Instrumentalities Under Article 12

Article 13: Doctrine of Eclipse, Doctrine of Severability, Limitation on the powers of State under Article 13(2), Definition of Law and the interpretation vis-a-vis Personal Laws.

III. Right to Equality:

Equality before Law and Equal Protection of Laws

Positive Discrimination and Affirmative Actions

Concept of Gender Equality and Justice

Untouchability and Abolition of Titles

IV. Right to Freedom:

Ambit of Article 19 (1) and Reasonable Restrictions

Freedom of Speech and Expression in the Era of social media

Protection in Respect of Conviction for offences

V. Right to Life and Personal Liberty

Personal Liberty: Concept, Philosophy and Judicial Approach

Right to Life: Expansion of its Scope by Judiciary

Protection against Arrest and Detention

VI. Right against Exploitation

Prohibition of Trafficking in Human beings and Force Labour

Child Labour

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VII. Freedom of Religion and Minority Rights

Freedom of Religion and Secularism in India; Challenges and Judicial Response
Rights and Protection of the interest of Minorities

VIII. Right to Constitutional Remedies

Writ Jurisdiction of Supreme Court and High Court
Judicial Activism and Judicial Overreach

IX. Directive Principles of State Policy and Fundamental Duties

Nature, Philosophy and Justiciability
Interrelationship with Fundamental Rights

Leading Cases

1. Kesavananda Bharati v. State of Kerala, A.I.R. 1973 S.C. 146 4 S.C.S. 225.
2. Indira Gandhi v. Raj Narain, A.I.R. 1975 S.C. 2299.
3. State of Rajasthan v. Union of India, A.I.R. 1977 S.C. 1361
4. State of Karnatka v. Union of India, A.I.R 1978 S.C. 58.
5. M. Karunanidhi v. Union of India, A.I.R. 1979 S.C. 898
6. I.C. Goak Nat v. State of Punjab, A.I.R. 1967, S.C. 1643.
7. R.C. Cooper v. Union of India, A.I.R. 1970, S.C. 564.
8. In-re-Reference Special Bill, A.I.R., 1979 S.C. 585
9. R.K. Dalmia v. Justice Tendokkar, A.I.R., 1958, S.C. 538.
10. Budhan Chaudhary v. State of Bihar, A.I.R., 1955, S.C. 191.
11. Lachmandas Kawlalram v. State of Bombay, A.I.R., 1952 S.C. 235.
12. D.N. Chanchala v. State of Mysore, A.I.R., 1971, S.C. 1762.
13. M.R. Balaji, v. State of Mysore, A.I.R., 1963 S.C. 649.
14. M. Thomasa v. State of Kerala, A.I.R. 1976 S.C. 490.
15. Bennet Coleman v. Union of India, A.I.R. 1973 S.C. 186.
16. K.A. Abbas v. Union of India, A.I.R. S.C. 481.
17. Anuradha Bhasin v. Union of India and others (2020)
18. Aishat Sifha v. State of Karnataka
19. Janhit Abhiyan v. Union of India
20. Maneka Gandhi v. Union of India, A.I.R., 1978 S.C. 597
21. Bhut Nat v. W.B., A.I.R., 1974 S.C. 806.
22. S.N. Sarkar v. W.B., A.I.R., 1973 S.C. 1425.
23. Fagu Shah v. W.B., A.I.R., 1974 S.C. 613
24. Sunil Batra v. Delhi Administration, A.I.R., 1978 S.C. 1675.
25. Justice K. S. Puttaswamy (Retd.) and another v. Union of India and others (2017)
26. Navtej Singh Johar and others v. Union of India (2018)
27. Commr. of Hidnu Religious Endowment D.L.T. Swamiar, A.I.R., S.C. 282.
28. Durgah Committee v. Syed Hussain Ali, A.I.R., 1961 S.C. 1402
29. Syodna Tahee Saifuddin v. State of Bombay, A.I.R., 1962 S.C. 853
30. Yulitha Myde v. State of Orissa, A.I.R., 1973 S.C. 116

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31. Indian Young Lawyers Association v. the State of Kerala
32. Shayara Bano v. Union of India and others (2016)
33. Bombay v. Bombay Education Society, A.I.R., 1954 S.C. 651.
34. Pradeep Jain v. Union of India, A.I.R., 1984 S.C. 1420.
35. Azeez Basha v. Union of India, A.I.R., 1968 S.C. 662
36. St. Xavier's College v. State of Gujarat, A.I.R., 1974 S.C. 1389.

Suggested Readings

1. H.M. Seervai : Constitutional Law of India (2nd Ed. 1975) N.M. Tripathi Ltd.
2. Jain, M.P. : Constitutional Law, N.M. Tripathi Ltd
3. Kagzi, M.C.J. : The Constitution of India, Metropolitan Book Co.
4. Kagzi, M.C.J. : Segregation and Untouchability Abolition, Metropolitan Book Co.
5. Shukla V.N. : Commentaries on the Constitution of India (Ed. D.K. Singh 1972) Eastern Book co.
6. D.D. Basu : Commentaries on the Constitution of India.
7. Kagzi M.C.J. : Kesavananda's Case.
8. Basu : Shorter Constitution of India.
9. Ville Austin : Indian Constitution.
10. Ville Austin : Cornerstone of a Nation.
11. Anville Willams : Working a Democratic Constitution - The Indian Experience.

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Paper III (LL.M. 1013)

Research Methodology-I

1. Research:

What is Research? Meaning and Objectives; Research methods vis-a-vis Research Methodology; Legal Research - Meaning, scope and purpose. Relation between Law and Society; Types/kinds: Doctrinal and Non-Doctrinal (empirical); Applied, Fundamental; Library Research, Field Research, Analytical, Descriptive, Conceptual; Participatory and Non-Participatory; Comparative, Historical, Statistical, Critical, Socio-Legal; Mono disciplinary and Trans Disciplinary; Quasi-Disciplinary, Inter-Disciplinary (multi-disciplinary) Research; Quantitative and Qualitative, One Time and Longitudinal, Clinical or Diagnostic Research; Research for Legal Reform;

2. Research Methods and Research Methodology:

Definition, Meaning, Significance; Qualities of a Good Researcher; Criteria for a Good Research; Obstacles to Good Research in India; Research Design; Various Steps in Research: Research Process; Research Problem: Identification and Formulation; Hypothesis Formulation in Project/Dissertation/Thesis etc., Using Null Hypothesis in Legal Research; Use of Library; Use of Modern Technology/ Computer Assisted Research;

3. Tools and Techniques for Collection of Data: Primary and Secondary Sources, Literature Review, Observation Method, Questionnaire, Interview, Case Study, Sampling, Jurimetrics, Analysis and Interpretation of Data: Use of Deductive and Inductive Methods in Research; Preparation of Research Report and Writing of Research Report; Budgeting of Research; Ethical and Legal Issues: Plagiarism and Copyright Violation; Paraphrasing: Good or Bad for legal research?

4. Legal Writing:

Framing of Write Up: Research Question, Title, Identifying Relevant Areas of Law, Identifying Literature and Case Laws, Analysis, Discussion, Recommendations and Conclusion; Sources of Authority; Issues and challenges faced by researchers in completing entire research?

5. Exercises on kinds of Legal Writing:

Informative, Persuasive; Writing for Individual Purposes; Writing for Academic Purpose; Writing for Court Purposes: Briefs, Plaints etc.; Writing for Publication: reviews, articles, books etc.; Judicial Writing; Blue Book Citation, Reference and Footnoting; Editing and Proof Reading; Writing of Research Proposal; Dissertation/ Thesis/ Project Writing, Things to Consider.

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Suggested Readings*:

- Bruce L. Berg, Qualitative Research Methods For The Social Sciences (London, Allyn and Bacon, 2001).
- C.R. Kothari, Research Methodology: Methods and Techniques (New Delhi: Wiley Eastern Ltd., 1985).
- Dennis P. Forcece and Stephen Richer (ed.), Stages of Social Research – Contemporary Perspectives (New Jersey : Prentice Hall Inc., Englewood Cliffs, 1970).
- Frederic Charles Hicks, Materials and Methods in Legal Research (Lawyers Cooperative Publishing, New York).
- Goode and Hall, Methods in Social Research (Singapore : McGraw Hill Book Co., 1985).
- Harvard Law Review Association, The Bluebook: Uniform system of Citation (Harvard Law Review, Harvard).
- Janathan Anderson, Thesis and Assignment Writing (Wiley Eastern Ltd., New Delhi).
- Johan Galtung, Theory And Methods of Social Research (London: George Allen &Unwin Ltd., 1970).
- Leon Festinger (ed.), Research Methods in Behavioral Sciences (Holt, Rinehart andWinston, New York, 1953).
- Pauline V. Young, Scientific Social Surveys and Research (New Delhi : Prentice Hallof India Pvt. Ltd., 1984).
- S. K. Verma and Afzal Wani, Legal Research and Methodology, ILI, New DelhiSeltiz, Jahoda et.al., Research Methods in Social Relations (Holt, Rinehart andWinston, New York, 1964).
- Vijay K. Gupta, Decision Making In The Supreme Court of India (A Jurimetric Study)– Alternatives in Judicial Research (Delhi : Kaveri Books, 1995).

* SUGGESTED READINGS ARE NOT EXHAUSTIVE. NEED TO BE SUPPLEMENTED WITH ADDITIONAL READINGS.

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Paper IV (LLM 1014)
Law and Social Transformation in India- I

1. Law and Social Change

- (a) Law as an instrument of social change : A jurisprudential discussion
- (b) Law as a mean of social change : A theoretical perspective
- (c) Relation of Law with social change
- (d) Impact of social movements on social changes

2. Religion and the Law

- (a) Religion : Meaning and Relationship with Law
- (b) Religion as an integrative or divisive factor
- (c) Secularism : Meaning and its contribution in Indian Society
- (d) Religious minorities and the Law
- (e) Concept of National Integrity and brotherhood

3. Language and the Law

- (a) Language as an integrative or divisive factor
- (b) Formation of Linguistic States and its impact on policy in Governance
- (c) Language policies and the Constitution
- (d) Constitutional Protection to the Linguistic minorities
- (e) Non-discrimination on the ground of language

4. Community System and the Law

- (a) Caste system in Indian society
- (b) Caste as an integrative or divisive factor
- (c) Non-discrimination on the basis of Caste
- (d) Reservation policy for Schedule Caste, Schedule Tribes and other backward classes as a protective discrimination

Suggested Readings :

- Marc Galanter (ed.) Law and Society in Modern India, 1977 Oxford.
- Robert Lingat, The Classical Law of India, 1998
- U. Baxi, The Crisis of the Indian Legal System, 1982
- Duncan Derret, The State, Religion and Law in India, 1999
- H.M.Seervai, Constitutional Law of India, 1996. U. Baxi(Ed.), Law and Poverty : Critical Essays (1988).
- P. Ishwar Bhat, Law and Social Transformation, EBC (2009)
- Savitri Gunasekhare, Children, Law and Justice (1997), Sage
- M.P.Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay.
- 11. Shyam S. Agarwal, Religion and Caste Politics, (1998)

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Paper V (LLM 1015) Legislation Principles -I

I. Benthamite Approach

1. Principles of Legislation:

- (a) The Principle of Utility
- (b) The Different Kinds of Pleasure and Pain.
- (c) Pain and Pleasures considered as Sanctions.

2. Principles of the Civil Code

- (a) Rights and Obligations
- (b) Ends of Civil Law.

3. Rights and Obligations attached to several private conditions

- (a) Master and Servant
- (b) Of Slavery
- (c) Guardian and Ward
- (d) Father and Child
- (e) Of Marriage

4. Principles of the Penal Code

- (a) Classification of Offences
- (b) The Influence of Motives upon the Greatness of Alarm
- (c) Ground of Justification

5. Of Punishment

- (a) The Kinds of Punishments
- (b) Justification of Variety in Punishment
- (c) Of the Pardoning power

6. Indirect Means of Preventing Offences

- (a) Indirect means of preventing the Wish to Commit Offences
- (b) To Satisfy certain desires without injury or with the Least Possible Injury
- (c) To Facilitated Knowledge of the Fact of an Offence
- (d) To Prevent Offences by giving to many Persons an Interest to Prevent them.
- (e) Employment of the Motive of Honour or the Popular Sanction
- (f) Means of Diminishing the bad effects of Offences

II. Dicey on Legislation and Public Opinion

- (a) Relation between Law and Public Opinion
- (b) Democracy and Legislation
- (c) Three Main Currents of Public Opinion

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- (d) The Period of Benthamism and Individualism
- (e) Counter-Currents and Cross-Currents of Legislative Opinion
- (f) Judicial Legislation

Suggested Readings:

1. Bentham : Theory of Legislation
2. Jethrow Brown : Underlying Principles of Modern legislation
3. Dicey : Law and Public Opinion in England
4. Illbert : Legislative methods and Forms
5. Illbert : Mechanism of Law making
6. Ginsberg : Law and Public Opinion in England in the 20th Century

Paper VI (LLM 1016)
Recent Legal Development and Cases -I
(Viva-Voce Examination and Project Work)

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SYLLABUS
LL.M. (GENERAL) SEMESTER -II

Paper I (LLM 2011)
Legal Theory - II

Concept of Law

1. Rights and Duties:

Rights and Duties: Nature of rights and duties, correlation of rights and duties, kinds of Rights and Duties,

2. Property

Property : definition and kinds

3. Negligence

Negligence : Criminal liability

4. Ownership and Possession

- I. Meaning of Ownership, kinds, definitions ; Austin and Salmond
- II. Relation between Ownership and Possession
- III. Importance of Possession : Elements of Corporeal possession and problems.
- IV. Theories of Possession : Salmond and Savigny

5. Person

- i. Nature of Personality : Kinds, corporate personality and its kinds.
- ii. Theories of Corporate personality
- iii. Problems of legal persons and punishment.

6. Administration of Justice

Civil and Criminal justice system

Suggested Readings:

1. Holmes : The Common Law
2. Austin : Lecture on Jurisprudence
3. Allen : Law in the Making
4. Holland : Jurisprudence
5. Salmond : Jurisprudence
6. Paton : A Text Book of Jurisprudence
7. Julius Stone : The Province & Function of Law
8. Pound : An Introduction to the Philosophy of Law
9. Goodhart : Modern Theories of Law
10. Vinegradoff : Common sense in Law
11. Jethre Brown : The Austinian Theory of Law

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12. Goodhart : English Law and the Moral Law
13. Friendmann : Legal Theory
14. Jaipur Law Journal from Volume I to Latest-Articles concerning Jurisprudence
15. Henry Maine : Ancient Law
16. Dias : Jurisprudence
17. Dhyani, S.N. : law, Morality and Justice Indian Development
18. Lon Fuller : Morality of Law
19. Hart HLA : The Concept of Law, 1961
20. Bodinheimer E Jurisprudence, 1962
21. Julious Stone : Human Law and Human Justice
22. Julious Stone : Social Dimensions of Law and Justice
23. Julious Stone : Legal System and Lawyers Reasoning
24. Llyod : Introduction to Jurisprudence
25. John Rawls : Theory of Justice
26. Finch : Introduction to Legal Theory
27. Dworkin : Taking Rights seriously

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Paper II (LLM 2012)
Constitutional Law of India: New Challenges -II

I. Federalism:

Principles of Federalism
Cooperative and Competitive Federalism
Nature of Indian Constitution and Challenges

II. Union Executive:

Parliamentarian and Presidential Form of Government
President: Election, Powers and Functions
Council and Ministers and Prime Minister
Position of President vis-à-vis Council of Ministers

III. Union Legislature:

Parliament: Composition, Powers and Functions
Parliamentary Procedure and Privileges

IV. Supreme Court:

Appointment of Judges and Collegium System
Jurisdiction and Duty to do Complete Justice
Independence and Accountability of Judiciary

V. Distribution of Powers between Central and State:

Distribution of Legislative Powers
Distribution of Administrative Powers
Distribution of Financial Powers
Inter State Trade and Commerce

VI. Emergency:

Types of Emergencies
Impact of Emergency on Federal Structure and Fundamental Rights

VII. Anti-defection Law:

Party System in India
X Schedule and Judicial Approach

Leading Cases:

- In re-The Gujarat Legislative Assembly, A.I.R. (1974) 2 S.C. 33
- S.K. Singh v. V.V. Giri, A.I.R., 1970 S.C. 2097.
- U.N. Rao v. Indira Gandhi, A.I.R., 1971 S.C. 1002.
- Shamsher Singh v. State of Punjab, A.I.R., 1974 S.C. 2192.
- Mahabir Prasad v. P.C. Ghose, A.I.R. 1969 Cal. 198.

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- In re-Reference, (UP Assembly, Allahabad, H.C.), A.I.R., 1965 S.C. 745.
- M.S.M. Sharma v. Sri Krishan, A.I.R., 1959 S.C. 1574.
- T.K. Jain v. S. Reedy etc., A.I.R. 1970 S.C. 1574.
- In re-Delhi Laws Act, A.I.R., 1951, 332.
- Union of India v. Jyoti Prakash, A.I.R., 1971 S.C. 1093.
- State of Bihar v. Union of India, A.I.R. 1970 S.C. 1446.
- State of Kerala v. Union of India, A.I.R. 1978 S.C. 54.
- Tarachand Pemu v. State of Maharashtra, A.I.R. S.C. 130.
- Dhakeshwari Cotton Mill Ltd. v. C.I.T., A.I.R. 1965 S.C. 65.
- Pritam Singh v. State of Punjab, A.I.R. 1960 S.C. 160.
- Mangal Das v. State of Maharashtra, A.I.R. 1966 S.C. 2156.
- Reghubir Singh v. State of U.P. A.I.R. 1971 S.C. 2156.
- Automobile Transport Rajasthan Ltd. v. State of Rajasthan, A.I.R., 1962 S.C. 1406.
- Ariabari Tea Co. Ltd. v. State of Assam, A.I.R. S.C. 232.
- Rao Birendra Singh v. Union of India, A.I.R., 1958, P&H 441.
- State of Rajasthan v. Union of India, A.I.R. 1977 S.C. 1361.
- Makhan Singh v. State of Punjab, A.I.R. 1964 S.C. 381.
- A.D.M. Jabalpur v. State of M.P., A.I.R. 1976 S.C. 1207.

Suggested Readings :

- H.M. Seervai : Constitutional Law of India (2nd Ed. 1975) N.M. Tripathi Ltd.
- Jain, M.P. : Constitutional Law, N.M. Tripathi Ltd
- Kagzi, M.C.J. : The Constitution of India, Metropolitan Book Co.
- Kagzi, M.C.J. : Segregation and Untouchability Abolition, Metropolitan Book Co.
- Shukla V.N. : Commentaries on the Constitution of India (Ed. D.K. Singh 1972) Eastern Book co.
- D.D. Basu : Commentaries on the Constitution of India.
- Kagzi M.C.J. : Kesavananda's Case.
- Basu : Shorter Constitution of India.
- Ville Austin : Indian Constitution.
- Ville Austin : Cornerstone of a Nation.
- Anville Willams : Working a Democratic Constitution - The Indian Experience.

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Paper III (LLM 2013)
Legal Research Methodology-II

1. Legal Education: Methods & Objective:

Lecture Method of Teaching: Merits and Demerits; The problem method; Discussion Method and its suitability at postgraduate level teaching; The Seminar Method of teaching; Examination system and problems in evaluation external and internal assessment; Student participation in law school programmes, organizations of seminars, publication of journal and assessment of teachers; Clinical legal education – Legal Aid, Legal Literacy, Legal Survey and Law Reform;

2. Research Method:

Socio-Legal Research; Doctrinal and non-doctrinal research; Relevance of empirical research; Induction and deduction; Identification of problem of research – what is a research problem; Survey of available literature and preparation of bibliography; Legislative materials including subordinate legislation, notification and policy statements;

3. Research Materials:

Decisive materials including foreign decisions; methods of discovering the “rule of the case”; Juristic writings: A Survey of juristic literature, its relevance in selection of problems in India and foreign periodicals; Compilation of list of reports or special studies conducted relevant to the problems; Use of the Case Studies; Use of questionnaires/interview; Sampling procedures, design of sample, types of sampling to be adopted; Use of scaling techniques; Jurimetrics;

4. Data Collection:

Computerized Research: A study of legal research programmes such as lexis and West law coding; Classification and Tabulation of Data: use of cards for data collection, Rules for tabulation, Explanation of tabulated data; Analysis of Data – Qualitative and Quantitative; Searching for a relevant case/ relevant other data etc. on Internet;

5. Exercises on Report Writing:

Research report & techniques of writing research work; Citation rules and modes of legal writing, Case Analysis, Impact of Decisions of the Court; Exercises based on How to write a good article, Case comment etc., Drafting good Synopsis for Project, Dissertation/PhD Thesis etc.

Suggested Readings:

- High Brayal, Nigel Dunnean and Richard Crimes, Clinical Legal Education: Active Learning in your Law School, (1998) Blackstone Press Limited, London.
- S. K. Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.

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- M.O. Price, H. Bitner and Bysiewicz, Effective Legal Research (1978)
- William J. Grade and Paul K. Hatt, Methods in Social Research, Mc Graw-Hill Book Company, London
- H. M. Hyman, Interviewing in Social Research (1965)
- Payne, The Art of Asking Questions (1965)
- Erwin C. Surrency, B. Fielf and J. Crea, A Guide to Legal Research (1959)
- Morris L. Cohan, Legal Research in Nutshell, (1996), West Publishing Co.
- Havard Law Review Association, Uniform System of Citations.
- I.I.I. Publication, Legal Research and Methodology.

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Paper IV (LLM 2014)
Law and Social Transformation in India- II

- 1. Nationalism, Regionalism and the Law**
 - (a) Concept of Nationalism and Regionalism and Nationality
 - (b) Regionalism as an integrative or divisive factor
 - (c) Concept of India as one unit
 - (d) Concept of Citizenship : Ways to gain and loss the citizenship

- 2. Children, Women and the Law**
 - (a) Status of Children and Women in Indian Society
 - (b) Crime against Children and Women
 - (c) Gender Justice : Forms, causes and remedies
 - (d) Constitutional Provisions for Children and Women
 - (e) Sexual exploitation of Children and Women

- 3. Modernization and the Law**
 - (a) Modernization of social institutions through Law
 - (b) Reforms of Family Law
 - (c) Environmental Protection through Modernization
 - (d) Reforms of Court Process
 - (i) Criminal Law : Plea bargaining, compounding and payment of compensation to the victim
 - (ii) Civil Law : (ADR) Confrontation v. Consensus, mediation and conciliation and Lok Adalat

- 4. Alternative Approaches to Law**
 - (a) Modern Indian Approaches : Swami Vivekanand, M.K. Gandhi, Dr. B.R. Ambedkar and Jai Prakash Narain
 - (b) Indian Marxist critique of Law and Justice
 - (c) Nexalite movement : Causes and cure

Suggested Readings:

- Marc Galanter (ed.) Law and Society in Modern India, 1977 Oxford.
- Robert Lingat, The Classical Law of India, 1998
- U. Baxi, The Crisis of the Indian Legal System, 1982
- Duncan Derret, The State, Religion and Law in India, 1999
- H.M.Seervai, Constitutional Law of India, 1996. U. Baxi(Ed.), Law and Poverty : Critical Essays (1988).
- P. Ishwar Bhat, Law and Social Transformation, EBC (2009)
- Savitri Gunasekhare, Children, Law and Justice (1997), Sage
- M.P.Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay.
- A.S. Anand, Justice for women concern and expression, (2002)
- Shvam S. Agarwal, Religion and Caste Politics, (1998)

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Paper V (LLM -2015)
Legislative Methods and interpretation-II

I. Legislative Methods:

II. Interpretation:

- 1. Law Making Roles of the Legislature and the Judiciary**
 - Interpretation as Complementary Law Making.
 - Reconstructing and Constructing the Law
- 2. Relation between the Executive and the Legislature**
- 3. Techniques, Tools and Rules of Interpretation**
 - Presumptions
 - Rules of Interpretation
 - Internal Aids to Interpretation
 - Retrospective Operation of Statutes
 - Maxims Used to aid Interpretation
 - External Aids to Interpretation
- 4. The Contextual Dimension of Interpretation**
 - General and Special Statutes
 - Interpretation of Fiscal Statutes
 - Interpretation of Penal Statutes
 - Interpretation of Constitution
- 5. Precedents and Interpretation**

Suggested Readings

1. Maxwell : The interpretation of Statutes
2. Beal : Rules of Interpretation
3. Odges : Interpretation of Statutes
4. Narasimhan : Interpretation of States in British, India
5. Wigmore : Panorama of World Legal System
6. Eraskine May : Parliamentary Practice
7. Prof. T. Bhattacharya : Interpretation of Statutes
8. Kaul & Shakhdar : Practice and Procedure of Parliament
9. Subhash Kashyap : Parliamentary Procedure-Law, Privileges, Practice and Precedents
10. Caries : Statute Law
11. G.P. Singh : Principles of Statutory interpretation
12. Bindra, N.S. : Interpretation of Statutes
13. Swaroop Jagdish : Legislation and Interpretation

Paper VI (LLM 2016)
Recent Legal Development and Cases -II
(Viva-Voce Examination and Project Work)

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SYLLABUS
BRANCH I: CORPORATE, BUSINESS AND CONTRACTUAL LAWS

LL.M. (GENERAL) SEMESTER III

Paper I - (LLM A1001)
General Principles of Contract-I

- Historical Development of Law of Contract, Foundation theories of Law of Contract.
- Nature, Scope, and Objective of Law of Contract
- Indian Contract Act, 1872 (Sec 1 to 36) with Latest Amendment.
- Standard form of Contract
- E- contracts: Definition, Salient Features, Formation, and types enforcement of E- Contract, Law applicable on E-contracts, Advantages and disadvantages of E- Contract, disputes relating to E – Contracts.

Leading Case Laws:

1. Carlill v. Carbolic Smoke Ball Co. (183) 1 QB 256
2. Bhagwandas v. Girdhari Lal & Co. AIR 1966 SC 543
3. Motilal Padampat Sugar Mills v. State of U.P. AIR 1979 SC 621
4. Lalman Shukla v. Gauri Datt (1913)
5. Mohori Bibi v. Dharmodas Ghose, (1903) 30 I.A. 114
6. P. R. Transport Agency v. Union of India AIR 2006 All. 23

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Readings:

1. Leak : Contract
2. Pollock: Indian Contract and Specific Relief Acts
3. Salmond : Principles of the Law and Contract
4. Anson : Law of Contract
5. Odgers : Introduction to the Law of Contract
6. Street : Introduction to the Law of Contract
7. Pollock & Mulla: Indian Contract and Specific Relief Acts
8. Treitel-Law of Contracts
9. Slesenchengar : Formation of Contract
10. Venkata Iyer – Law of Contract
11. Avtar Singh – Law of Contract

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Paper II - (LLM A1002)
Special Contracts-I

- (a) Indian Contract Act, 1872 Section 124 to end (with Latest Amendment)
(b) Indian Partnership Act, 1932 with latest amendment

Leading Case Laws:

- National Bank of Lahore Ltd v. Sohanlal Sehgal and Others, 1965 AIR 1663, 1965 SCR (3) 293
- Amritlal Goverdhan Lallan v. State Bank of Travancore, AIR 1968 SC 1432
- State of Gujarat v. Memon Mahomed, AIR 1967 SC 1885
- Cox v. Hickman (1860) 8 H.L.C. 268
- Shivgouda Ravji Patil v. Chandrakant Neelkanth Sadalge, AIR 1965 SC 212
- Haldiram Bhujawala v. Anand Kumar Deepak Kumar (2000) 3 SCC 250
- Syndicate Bank v. R.S.R. Engg. Works (2003) 6 SCC 265

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Readings:

- Benjamin : On Sale of Goods Act
- Blackburn : On Sale
- Beal : The Law of Bailments
- Story : Bailments
- Bowstead : A digest of the Law of Agency
- Lindley : partnership
- Pollok and Mulla : Sale of Goods and Partnership
- Desai : Contracts Sale of Goods and partnership
- Iyer : Sale of Goods
- Dutt : Law of Contract
- Goel : Law of Contract
- Desai – Contracts Sale of Goods and Partnership

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Paper III (LLM A1003)
Corporate Law-I

Company Act, 2013 with Latest Amendments, Corporate Personality, Registration & Incorporation, Kinds of Company, Memorandum of Association, Articles of Association, Prospectus, Promoters, Shares, Share Holders & Members, Share Capital Dividends, Accounts & Audit, Borrowing, Lending, Investments and Contracts, Debentures.

Leading Case Laws:

- Gilford Motor Co Ltd v. Horne [1933] Ch 935
- Royal British Bank v. Turquand, 6 E&B 327, All ER 435
- Hindustan Lever Employees' Union v. Hindustan Lever, AIR 1995 SC 470, (1995) 83 COMPLJ 30 (SC)
- Kotla Venkaswamy v. China Ramamurthy, AIR 1934 Madras 579
- Ashbury Railway Carriage and Iron Co. Ltd. v. Riche , (1875) LR 7 HL 653.

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Readings:

1. K.M. Gosh : Indian Companies
2. Palmer on Company Law
3. Gower : Principles of Company Law
4. Dutt : Company law

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Paper IV (LLM A1004)
Law Relating to Negotiable Instrument

Negotiable Instrument Act, 1881 with latest amendments.

Leading Case Laws :

- M/s Meters and Instruments Private Limited &Anr. v. Kanchan Mehta, Criminal Appeal No. 1731 Of 2017
- M.M.T.C. Ltd. and Anr. v. Medchl Chemicals and Pharma (P) Ltd. and Anr. (AIR 2002 SC 182)
- Dashrath Rupsingh Rathod v. State of Maharashtra &Anr., Cr.L.A. No. 2287 of 2009 (Supreme Court)
- Msr Leathers v. S. Palaniappan & Anr., (2013) 1 SCC 177
- Kusum Ingots and Alloys Ltd v. Pennar Peterson Securities Ltd., Appeal (Crl.) 212-216 of 2000, (2000) 2 SCC 745: AIR 2000 SC 954

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Readings:

1. Byles : Bill of Exchange
2. Chalmers: Negotiable Instrument
3. Bhashyam and Adiga : The Negotiable Instrument Act
4. Legal and e-commerce Environment Today
5. Sen Gupta : Negotiable Instrument Act

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Paper V (LLM A1005)
Commercial Arbitration

- I. Historical Background of the Arbitration, Existing justice delivery system in India: effectiveness and weaknesses, Reform in the legal system for achieving effective and speedy resolution of disputes, Historical background of the arbitration and arbitration agreements.
- II. Conduct of Arbitral Proceeding
Composition and jurisdiction of arbitral tribunal, Conduct of arbitral proceeding, Making of arbitral award and termination of proceedings.
- III. Arbitral Award and Appealable Awards
 - Recourse against arbitral award, Finality and enforceability of arbitral award, Appealable orders and miscellaneous provisions.
 - Foreign Arbitral Awards
 - Provisions regarding foreign awards and their enforcement.
- IV. International Commercial Arbitration
 - Meaning And Development of International Arbitration, Basic Concepts of International Arbitration
 - An Introduction to UNCITRAL Model Law on International Commercial Arbitration
 - Types of Laws Applicable In International Commercial Arbitration
 - India's Position on Autonomy of Arbitration Agreement
 - Recognition, Enforcement and Challenge of Arbitral Award
 - Other Internationally Accepted Modes of Alternative Dispute Resolution (ADR)
- V. Act and Statute (As Amended)
 - The Arbitration and Conciliation Act, 1996 with Latest Amendment
 - The Arbitration and Conciliation (Amendment) Act, 2015
 - UNCITRAL model law on International Commercial Arbitration with Latest Amendments

Leading Case Laws:

- Star Shipping v. China National Foreign Trade (1993) 2 Lloyd's Rep 445
- N T P C v. The Singer Company, AIR 1993 SC 998
- Union of India v. McDonnell Douglas Corp. (1993) 2 Lloyd's Rep 48
- Citation Infowares Ltd. v. Equinox Corp. (2009) 7 SCC 22
- Wellington Associates v. Kirit Mehetha [(2004) 4 SCC 272]
- Smita Conductors Ltd. v. Euro Alloys Ltd. (2001) 7 SCC 728]
- M.V. Baltic v. State Trading Corp. (2001) 7 SCC 474

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

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Suggested Reading :

1. Saraf, B.P. and M. Jhunjhunwala; *Law of Arbitration and Conciliation*; Snow White Publication
2. Bansal, A.K.; *Law of International Commercial Arbitration*; Universal Publication
3. Malik, S.B; *Commentary on Arbitration and Conciliation Act*; Universal Publication
4. Mustill, Michael J.; *Commercial Arbitration*; LexisNexis
5. Acharya N.K; *Law Relating to Arbitration and ADR*; Asia Law House
6. William, Gerald R.; *The New Arbitration and Conciliation Law of India*; Indian Council of Arbitration
7. Markanda. P.C; *Law relation to Arbitration and Conciliation*; Wadhwa Publication
8. Paranjpe, Dr. N.V.; *Law Relating to Arbitration and Conciliation in India*; Central Law Agency
9. Sethi Harsh, Gupta Arpan Kumar; *International Commercial Arbitration and its Indian Perspectives*, Universal Law Publishing

Paper VI (LLM A1006)

**Recent Legal Development in Contract, Business & Corporate Law
(Viva-Voce Examination and Project Work)**

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LL.M. (GENERAL) SEMESTER IV

Paper I (LLM A1007) General Principles of Contract-II

- Indian Contract Act, 1872 (Section 37 to Section 75) with Latest amendment
- Specific Relief Act, 1963 (with Latest Amendment)

Leading Case Laws :

- Satyabrata Ghose v. Mugneeram Bangur and Company & Anr. , AIR 1954 SC 44
- Taylor v. Caldwell, A.I.R (1863) 3 B & S. 826; 129 R.R 573
- Nash v. Inman [1908] 2 KB 1
- Devaynes v. Noble (1816) 35 ER 781
- Hadley v. Baxendale (1854) 9 EX 341

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Readings:

- Leak : Contract
- Pollock: Indian Contract and Specific Relief Acts
- Salmond : Principles of the Law and Contract
- Anson : Law of Contract
- Odgers : Introduction to the Law of Contract
- Street : Introduction to the Law of Contract
- Pollock & Mulla: Indian Contract and Specific Relief Acts
- Treitel-Law of Contracts
- Slesenchengar : Formation of Contract
- Venkata Iyer – Law of Contract
- Avtar Singh – Law of Contract
- Pollock and Mulla – The Specific Relief Act, 1963, Lexis Nexis Publication
- M.L.Bhargava, Digest on the Specific Relief Act, 1963, Kamal Publishers

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Paper II (LLM A1008)
Corporate Law II

- Directors, Meetings, Majority Powers & Minority Rights, Prevention of Oppression and Mismanagements, Protection of stakeholders and creditors, Investigation, Tribunals, Reconstruction & Amalgamation, Defunct Companies, Winding up, Miscellaneous.
- Corporate Governance, Basic Principles of Corporate Governance, Models of Corporate Governance, Corporate Governance Structure In India.

Leading Case Laws :

- Shanti Prasad Jain v. Kalinga Tubes Ltd., 1965 AIR 1535, 1965 SCR (2) 720
- Miheer H. Mafatlal v. Mafatlal Industries Ltd., AIR 1997 SC 506, (1997) 1 SCC 579
- Foss v. Harbottle, [1843] 67 ER 189, (1843) 2 Hare 461.
- Rajahmundry Electric Supply Corporation Ltd. v. A. Nageshwara Rao AIR 1956 SC 213
- Pierce Leslie & Co. Ltd v. Violet Ouchterlony Wapshareand, 1969 AIR 843, 1969 SCR (3) 203

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Readings:

1. K.M. Gosh : Indian Companies
2. Palmer on Company Law
3. Gower : Principles of Company Law
4. Dutt : Company law
5. Avtar Singh on Company Law

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**Paper III - (LLM A1009)
Dissertation**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

This paper will have two Components:

- a) Dissertation (Written Part) 70 Marks (To be evaluated by three different experts)
- b) Viva – Voce (External) 30 Marks (To be conducted by the University)

GUIDELINES RELATING TO DISSERTATION:

- i. Two-word formats named **Cover Page and Associated Pages and Final Written Document** shall be made available by the Head, Department of Law in **the office and on the website** ready to download (MS Word files attached)
- ii. All the titles of the individual chapters framed under the guidance of the supervisor in the dissertation shall establish a link with the main title of the research work
- iii. All chapters shall have an "Introduction" and a "Conclusion" describing the work to be done by the candidate in that very chapter and
- iv. Before closing of the individual chapter summarize the chapter in few lines giving a hint as to what will be researched by the candidate in the coming chapter
- v. Similarly, in the next chapter candidate shall mention as to what he/she did in the last chapter and what is to be proposed and attempted in this chapter
- vi. *the page numbers for the associated pages shall be in roman numbers and when the candidate starts writing the main final document i.e. The dissertation starting from chapter one (Introduction Chapter) the page numbers shall start with 01, 02 and so on.*
- vii. **The dissertation should be minimum of 90 (ninety) pages in total, shall be hard bound and top cover page shall be SKY BLUE with BLACK embossing of letters.**
- viii. The entire research work shall conform to the standard Indian Law Institute (ILI) footnoting style as updated from time to time: available at:
ix. <https://www.ili.ac.in/footnoting12.pdf> and <https://www.ili.ac.in/cstyle.pdf>
- x. The Viva-Voce for the Dissertation shall be conducted by One External Examiner to be recommended through the Dean, Faculty of Law, as per rules
- xi. For the Viva-Voce, the candidate shall prepare a 10-15 Minutes PPT or Oral Presentation of the research work in consultation with his/her supervisor which he/she shall be required to present before the External Examiner on a date fixed by the Department in each session as per rules.
- xii. **To pass this paper, it is mandatory for the candidate to appear in the Viva-Voce personally, in the same session, on the date notified by the Department.**
- xiii. No Grace Marks shall be awarded in case of Viva-Voce Examination.
- xiv. Four (04) Copies of Dissertation shall be submitted by the candidate to the Department of Law on or before the last date mentioned in the notice issued by the department. [Three for External Examiners and One for Supervisor]
- xv. There shall be no Revaluation of the dissertation.
- xvi. Each supervisor shall ensure that the dissertation submitted by the candidate qualifies the research ethics and is made as per the common format provided.

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Paper IV (LLM A1010)
Special Contract II

- a) Limited Liability Partnership Act, 2008 with Latest Amendment
- b) Sale of Goods Act 1930 with Latest Amendment

Leading Case Laws :

- R.D. Saxena v. Balaram Prasad Sharma, AIR 2000 SC 2912
- Richard Thorold Grant v. Australian Knitting Mill, Ltd. AIR 1936 PC 34
- State of Madras v. Gannon Dunkerley & Co. (Madras) Ltd., 1959 SCR 379
- Gopalakrishna Pillai v. K.M. Mani (1984) 2 SCC 83: AIR 1984 SC 216
- Raskovv v. Stapke & Harris 2010, WL 522780
- Henry v. Masson, 2010 WL 5395640
- Ferrell v. Express Check Advance of SC LLC 591 F. 3d 698

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Readings:

1. Benjamin : On Sale of Goods Act
2. Blackburn : On Sale
3. Beal : The Law of Bailments
4. Story : Bailments
5. Bowstead : A digest of the Law of Agency
6. Lindley : partnership
7. Pollok and Mulla : Sale of Goods and Partnership
8. Desai : Contracts Sale of Goods and partnership
9. Lyer : Sale of Goods
10. Dutt : Law of Contract
11. Goel : Law of Contract
12. Desai – Contracts Sale of Goods and Partnership

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Paper V (LLM A1011)
Law Relating to Bankruptcy

- Origin and History of Bankruptcy Law in India, Definitions; Basic Principles, Applications; Insolvency Resolution and Bankruptcy Process for Corporate Persons, Partnership Firm, Individuals; Insolvency and Bankruptcy Board of India, Regulation of Insolvency Professionals, Agencies and Information utilities.
- Act : The Insolvency and Bankruptcy Code, 2016 With Latest Amendments

Leading Case Laws:

- Alchemist Asset Reconstruction Company Limited v. M/s Hotel Gaudavan Private Limited &Ors. (Supreme Court), Civil Appeal No. 16929 of 2017, decided on October 23, 2017
- Mobilox Innovations Private Limited v. Kirusa Software Private Limited (Supreme Court), Civil Appeal No. 9405 of 2017 decided on 21.9.2017
- Macquarie Bank Limited v. Shilpi Cable Technologies Limited (Supreme Court), Civil Appeal No. 15135 of 2017, decided on December 15, 2017
- Pioneer Urban Land and Infrastructure Limited &Anr. v. Union of India &Ors. (2019) 8 SCC 416
- Swiss Ribbons Pvt. Ltd. &Anr. v. Union of India &Ors. Writ Petition (Civil) No. 99 of 2018

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Readings :

1. Khatavkar Pranav ; Commentary on the Insolvency and Bankruptcy Code, 2016 (Including Latest Amendments)
2. Kothari Vinod & Bansal Sikha ; Law Relating to Insolvency & Bankruptcy Code 2016 (Taxman's).
3. Mulla ; The Law of Insolvency in India (Lexis Nexis).

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Paper VI (LLM A1012)
Competition and Consumer Protection Laws

- **Basic Principles of Competition Law**
Evolution and Growth of Competition Law, Theoretical Aspects of Competition law, Relevant provisions of Sherman's Act, Salient features of Monopolies and Restrictive Trade Practices Act, 1969, Raghavan Committee Report, WTO Agreements and the Competition Policy.
- **Competition Act, 2002:** Aims and objects of the Competition Act, 2002, Definitions.
- **Anti-Competitive Agreements (ACA):** Horizontal and Vertical agreement, Rule of Perse and Reason, Appreciable Adverse Effect on Competition (AAEC) in India, Prohibition on ACA/ Cartels
- **Abuse of Dominant Position:** Market, Relevant Market, Dominance in the Relevant Market, AAEC, Prevention of Abuse of Dominance.
- **Regulation of Combinations:** Acquisition, Merger, Amalgamation and Takeover, CCI Regulations on Combination.
- **Competition Commission of India:** Establishment and Composition of CCI, Powers, Duties and functions of CCI, Jurisdiction of CCI, Adjudication and Appeals, Tribunals, Director General and its Powers, Penalties for offences under the Competition Act, 2002.
- **Other Related Issues:** Competition Advocacy, Advertisement and Competition law, IPRs and Competition.
- **Consumer Protection Act, 2019 and Competition Law**
Concept of Consumer Welfarism, Relevant Definitions under Consumer Protection Act, Unfair Trade Practices and Restrictive Trade Practices, Rights of Consumers and remedies.

Acts and Statutes (As Amended)

- The Sherman Antitrust Act, 1890
- The Clayton Antitrust Act, 1914
- The Monopolies and Restrictive Trade Practices Act, 1969
- The Competition Act, 2002 with latest amendments
- The Reports of Competition Commission of India
- Relevant CCI Regulations
- Consumer Protection Act, 2019 with latest amendments.

Leading Case Laws :

- Competition Commission of India v. Steel Authority of India Ltd. [Civil Appeal No.7779 of 2010, decided on 9th September 2010]

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- Microsoft Corp v. Commission (Microsoft Judgment) [(2007) ECR II-3601]
- Volkswagen AG v. Commission of the European Communities [(2000) ECR II-2707]
- ITT Promedia v. Commission of European Countries [(1988) ECR-II, 2987]
- Hoffmann-La Roche and Co. AG v. Commission [(1979) 85/76 ECR 461]
- General Motors v. Commission, [(1975) 26/75 ECR-1367]

Note: The above list is illustrative and not exhaustive. The updated case laws and recent amendments will be discussed.

Suggested Reading :

- Aggarwal, V.K; *Consumer Protection: Law and Practice*; Bharat Law House
- Dugar, S. M.; *Commentary on the MRTP Law, Competition Law and Consumer Protection Law*; LexisNexis
- Ramappa, T; *Competition Law in India: Policy, Issues and Development*; Oxford University Press
- Viswanathan, Suresh T; *Law and Practice of Competition Act, 2002*; Bharat Law House
- Talati, Adi P. and Mahala, Nahar S.; *Competition Act, 2002: Law, Practice and Procedure*; Commercial Law Publisher

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SYLLABUS
BRANCH II: TORT AND CRIME

LL.M. GENERAL SEMESTER - III

Paper I (LLM B1001)
General Principles of Torts

- Definition and nature
- Foundation of tortious liability
- General conditions of liability in tort
- Mental elements in law of torts
- General exceptions to liability in tort
- Discharge of tort
- Remedies for torts
- Doctrine of remoteness of damages and nervous shock
- Joint tortfeasors and vicarious liability

Suggested readings:

1. Clerk and Lindsell: The Law of Torts.
2. Street: Torts
3. Pollock: on Torts
4. Salmond: The law of Torts
5. Winfield: A text book of Law of Torts
6. Winfield: Province of the Law of Torts
7. Restatement of the Law of Torts
8. Harper: The Law of Torts
9. Ramaswami Iyer: The Law of Torts
10. Rattan Lal & Dhiraj Lal: Law of Torts
11. Dias & Markensisis: Tort Law
12. B.M. Gandhi: Torts
13. C.M. Row: Law of Damages and Compensation
14. Jagdish Singh: Medical Negligence and Compensation
15. Charlesworth: Negligence
16. Daret: Law of Nuisance

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Paper II (LLM B1002)
**General Principles of Crime and Offences Relating to State and
Public Tranquillity, Morality**

- **Elements of Crime:** Mens rea; Actus reus
- **Stages of Crime:** Mental and Physical
- **General Explanations:** Section 6 to 52A
- **Of Punishment:** Section 53 to 75
- **General Exceptions:** Section 76 to 106
- **Of Abetment:** Section 107 to 120
- **Criminal Conspiracy:** 120A and 120 B
- **Offences against State:** Section 121 to 124A of I.P.C.
- **Offences against Public Tranquillity and Joint Liability:** Section 34 to 38, 141, 142, 143 and 149, 146, 147, 156, 159
- **Transfer of malice**
- **Offences against Morality**

Suggested Readings:

1. T. Bhattacharya: Indian penal Code
2. Harris: Principles & Practice of the criminal Law
3. Ratan Lal & Dhiraj Lal: Law of Crimes
4. Ejaz Ahmed: The Law of Crimes
5. Raghavan: Law of Crimes
6. N.D. Basu: Indian Penal Code
7. Gaur: Penal Law of India
8. K.D Gaur: Criminal Law Cases and Material

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Paper III (LLM B1003)

Contemporary Forms of Crime

Course Objectives

The object of this course is to acquire specific knowledge of law and practice relating to emerging forms of crimes globally and in India.

I. Cyber Crimes

- i. Meaning, Definition, Nature of Cyber Crimes
- ii. Classification of Cyber Crimes
- iii. Offences under Information Technology Act, 2000 (including Amendments)

II. Intellectual Property Crimes

- iv. Meaning, Definition, Nature of Intellectual Property Crimes
- v. Offences under Copyright Act, 1957
- vi. Offences under Trademarks Act, 1999
- vii. Offences relating to Intellectual Property under Indian Penal Code, 1860

III. Environmental Crimes

- i. Environmental crimes: Meaning, Definition, Types, Causes, Issues and Challenges
- ii. Green Criminology
- iii. Environmental Crime in Transnational Context: Global Issues and Challenges
- iv. Offences under various Indian laws:
 - Wild Life (Protection) Act, 1972
 - Environmental (Protection) Act, 1986
 - Air & the Water (Prevention & Control of Pollution) Act,
 - National Green Tribunal Act, 2010

Suggested Readings:

1. Talat Fatima: Cyber Crimes
2. Karnika Seth: Computers, Internet, and New Technology Laws
3. Debarati Haldar & K. Jaishankar: Cybercrime against women in India
4. V K Ahuja: Intellectual Property Rights in India
5. Ananth Padmanabhan: Intellectual Property Rights-Infringement and Remedies
6. Rob White: Environmental Crime: A Reader
7. Toine Spapens, Rob White, et al.: Environmental Crime and its Victims: Perspectives within Green Criminology
8. Divan Shyam & Rosencranz Armin: Environmental Law and Policy in India: Cases, Material & Statutes
9. P. Leelakrishnan: Environmental Law in India
10. Valsamis Mitsilegas, et al: The Legal Regulation of Environmental Crime, The International and European Dimension Series: Queen Mary Studies in International Law

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Paper IV (LLM B1004)
Comparative Criminal Procedure

- **Organization of Courts and Prosecuting Agencies:** Hierarchy of Criminal Courts and their Jurisdiction, Nyaya Panchayats in India. Panchayats in tribal areas, Organization of Prosecuting agencies for prosecuting criminal cases: prosecutors and the police, withdrawal of prosecution.
- **Preventive Measures in India:** Provisions in the Criminal Procedure Code, Special enactments, Public Interest Litigation: Directions for Criminal Prosecution.
- **Pre-trial Procedures:** Arrest and questioning of the accused. The rights of the accused. The evidentiary value of statements/articles and the judicial officer in the Police, Right to counsel, Roles of the prosecutor system of trial and the inquisitorial system, role of the judge, the judge, the prosecutor or and defense attorney in the trial. Admissibility and inadmissibility of evidence, expert evidence, Appeal of the Court awarding appropriate punishment, plea-bargaining.

Suggested Readings:

1. Ceylia Hampton: Criminal Procedure
2. Wikins and Cross: Outline of the Law of Evidence
3. Archbold: Criminal Pleading, Evidence and Practice 2000
4. Sankar: Law of Evidence
5. K.N. Chandrasekhran Pillai (ed): R.V. Kelkar's Outlines of Criminal Procedure
6. Patric Devlin: The Prosecution in England
7. John N: Fedice: Criminal procedure (1996)
8. West Sanders & Young: Criminal Justice (1994)
9. Christian Van den Syngart: Criminal Procedure Systems in European Community
Joel Samaha

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Paper V (LLM B1005)
Law Relating to Rehabilitation and Treatment of Offenders-I

Objectives of the course:

This course offers a specialist understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications, and the problematic of discretion in the Sentencing experience of the 'developing' societies.

I- Introductory Definitions of Penology

The scope and importance of penology, Definition of Penology and its relation with other branches of criminology.

II- Theories of punishments

Retribution, Utilitarian prevention: Deterrence, Utilitarian: Intimidation, Behavioural prevention: Incapacitation, Behavioural prevention: Rehabilitation – Expiation, Classical Hindu and Islamic approaches to punishment.

III- Capital punishment

Constitutionality of Capital Punishment, Judicial Attitudes towards Capital Punishment in India - An inquiry through the statute law and case law, Recent Law commission reports, clemency powers of president and governor.

Suggested Readings:

- Chabra: The Quantum of Punishment in Criminal (1970)
- H.L.A. Hart: Punishment and Responsibility (1968)
- Harbert L. Packer: The Limits of Criminal Sanction (1968)
- Alfross: On Guilt Responsibility and Punishment (1975)
- A. Siddique: Criminology (1984)
- Law Commission of India, Forty-Second Report, Ch. 3 (1971)
- K.S. Shukla: Sociology of Deviant Behaviour
- ICSSR Survey of Sociology and Social Anthropology 1969-179 (1986)
- Tapas Kumar Benerjee: Back-round to Indian Criminal Law (1990)

Paper VI (LLM B1006)
Recent Legal Development in Tort & Crime
(Viva-Voce Examination and Project Work)

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LL.M. (GENERAL) SEMESTER - IV

Paper I (LLM B1007) Specific Wrongs

- Negligence, Contributory Negligence
- Defamation
- Strict and Absolute liability
- Nuisance
- Assault Battery False imprisonment
- Tort of Malicious Abuse of Legal Process
- Tort Relating to immovable
- Tort Relating to Movable Property
- Tort Affecting contractual and Business Relations
- Tort of Injurious falsehood.

Suggested readings:

- Clerk and Lindsell: The Law of Torts.
- Street: Torts
- Pollock: on Torts
- Salmond: The law of Torts
- Winfield: A text book of Law of Torts
- Winfield: Province of the Law of Torts
- Restatement of the Law of Torts
- Harper: The Law of Torts
- Ramaswami Iyer: The Law of Torts
- Rattan Lal & Dhiraj Lal: Law of Torts
- Dias & Markensisis: Tort Law
- B.M. Gandhi: Torts

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Paper II (LLM B1008)
Law Relating to Specific Offences Under the Indian Penal Code

Note:

- 1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
- 2) Leading cases prescribed under this paper may be read wherever they are relevant.

- I. Offences against human body
- II. Offences against human property
- III. Offences against marriage
- IV. Offences relating to defamation

Suggested Readings:

- T. Bhattacharya: Indian penal Code
- Harris: Principles & Practice of the criminal Law
- Ratan Lal & Dhiraj Lal: Law of Crimes
- Raghavan: Law of Crimes
- N.D. Basu: Indian Penal Code
- Gaur: Penal Law of India
- K.D Gaur: Criminal Law Cases and Material
- R A Nelson's Indian Penal Code
- K. I. Vibhute: PSA Pillai's Criminal Law

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Paper III (LLM B1009)
Dissertation

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

This paper will have two Components:

- a) Dissertation (Written Part) 70 Marks (To be evaluated by three different experts)
- b) Viva - Voce (External) 30 Marks (To be conducted by the University)

GUIDELINES RELATING TO DISSERTATION:

- i. Two-word formats named **Cover Page and Associated Pages** and **Final Written Document** shall be made available by the Head, Department of Law in **the office and on the website** ready to download (MS Word files attached)
- ii. All the titles of the individual chapters framed under the guidance of the supervisor in the dissertation shall establish a link with the main title of the research work
- iii. All chapters shall have an "Introduction" and a "Conclusion" describing the work to be done by the candidate in that very chapter and
- iv. Before closing of the individual chapter summarize the chapter in few lines giving a hint as to what will be researched by the candidate in the coming chapter
- v. Similarly, in the next chapter candidate shall mention as to what he/she did in the last chapter and what is to be proposed and attempted in this chapter
- vi. *the page numbers for the associated pages shall be in roman numbers and when the candidate starts writing the main final document i.e. The dissertation starting from chapter one (Introduction Chapter) the page numbers shall start with 01, 02 and so on.*
- vii. **The dissertation should be minimum of 90 (ninety) pages in total, shall be hard bound and top cover page shall be SKY BLUE with BLACK embossing of letters.**
- viii. The entire research work shall conform to the standard Indian Law Institute (ILI) footnoting style as updated from time to time: available at:
 - ix. <https://www.ili.ac.in/footnoting12.pdf> and <https://www.ili.ac.in/cstyle.pdf>
 - x. The Viva-Voce for the Dissertation shall be conducted by One External Examiner to be recommended through the Dean, Faculty of Law, as per rules
 - xi. For the Viva-Voce, the candidate shall prepare a 10-15 Minutes PPT or Oral Presentation of the research work in consultation with his/her supervisor which he/she shall be required to present before the External Examiner on a date fixed by the Department in each session as per rules.
- xii. **To pass this paper, it is mandatory for the candidate to appear in the Viva-Voce personally, in the same session, on the date notified by the Department.**
- xiii. No Grace Marks shall be awarded in case of Viva-Voce Examination.
- xiv. Four (04) Copies of Dissertation shall be submitted by the candidate to the Department of Law on or before the last date mentioned in the notice issued by the department. [Three for External Examiners and One for Supervisor]
- xv. There shall be no Revaluation of the dissertation.
- xvi. Each supervisor shall ensure that the dissertation submitted by the candidate qualifies the research ethics and is made as per the common format provided.

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Paper IV (LLM B1010)
Law Relating to Rehabilitations and Treatment of Offenders-II

Course Objective:

The objective of this course is to make the students aware about the criminal policies including theories of punishment, approaches to sentencing and the problematic of discretion in the sentencing. It also provides the knowledge about the treatment of the offenders under imprisonment and alternative to imprisonment.

I- Punishment

Meaning, definition, nature, type and scope, punishments in ancient, medieval and modern/new India: significance, concept and objectives of punishment: Major Purpose of Punishment.

II- Approaches to Sentencing:

Alternatives to Imprisonment Probation, Corrective Labour, Fines, Collective fines, Reparation of the offenders by the court, parole, open prison in India, Model prison manual, Classification of prisoners, Rights of prisoner and duties of custodial staff, United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) – 1990

III- Sentencing

Principle to sentencing, Main types of sentences in the Panel Code and Special laws, sentencing for white collar crime, Pre-sentence hearing, sentencing for habitual offender, summary punishment, plea bargaining.

Suggested Readings:

- Chabra: The Quantum of Punishment in Criminal (1970)
- H.L.A. Hart: Punishment and Responsibility (1968)
- Harbert L. Packer: The Limits of Criminal Sanction (1968)
- Alfross: On Guilt Responsibility and Punishment (1975)
- A. Siddique: Criminology (1984)
- Law Commission of India, Forty-Second Report, Ch. 3 (1971)
- K.S. Shukla: Sociology of Deviant Behaviour
- ICSSR Survey of Sociology and Social Anthropology 1969-179 (1986)
- Tapas Kumar Benerjee : Back-round to Indian Criminal Law (1990)

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Paper V (LLM B1011)
Law Relating to Special Penal Legislations Relating to Women

Course Objective:

This course aims to introduce the special penal legislation relating to women from ancient time to modern era. It will help the students to understand the laws in changing circumstances of the patriarchal society where crimes have increased against women and new forms of crimes have emerged. The list of special laws is not exhaustive, it has to be studied with allied general penal laws (IPC, CrPC, Evidence etc.) with amendments.

- I. Prevention of Commission of Sati Act 1987
- II. Indecent representation of women (Prohibition) Act 1987
- III. Dowry Prohibition Act 1961
- IV. Protection of Women on Domestic Violence Act 2005
- V. Information Technology Act 2000 (Section 67)
- VI. Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act 2013
- VII. Criminal law Amendment Act 2013

Suggested Readings:

1. Anne Wade: Crime against women and Children
2. Shobha Saxena: Crime against women and Protective Laws
3. Laxmi devi: Crime atrocities and violence against women and related laws and Justice
4. Versha Mehta & Vibhuti Nakta: Violence against Women: it's Criminal It's not cultural

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Paper VI (LLM B1012)
Recent Developments in Criminal Justice System

Course Objectives

The object of this course is to acquire specific knowledge of law and practice relating to emerging forms of crimes globally and in India.

I. Contemporary Investigative Techniques and their Evidentiary Value

(i) Deception Detection Tools

- a. Narco-Analysis Test
- b. Brain Mapping
- c. Polygraph Test

(ii) DNA Profiling

(iii) Fingerprint Analysis

(iv) Electronic Evidences

II. Crime, Technology and Law

- i. Issues and Challenges in the Investigation of Cyber Crimes
- ii. Social Media and Crimes
- iii. Application of Technology in Criminal Justice Administration

III. Social & Other Forms of Crime

- i. Communal and Religious Conflict
- ii. Hate Crimes: Caste Conflicts, Communal Violence, Ethnic Violence,
- iii. Crimes against Scheduled Tribes
- iv. Crimes against LGBT & Transgenders

Suggested Readings

1. M. Rakesh: Computer Crimes: Concept, Control and Prevention
2. Karnika Seth: Computers, Internet and New Technology Laws.
3. Anirudh Rastogi: Cyber Law
4. Garima Tiwari: Understanding Cyber Laws and Cyber Crimes
5. R.K. Chaubey: Cyber Crime and Cyber Law
6. B.R. Sharma: Forensic Science in Criminal Investigation and Trials.
7. Modi & K. Kannan: A Textbook of Medical Jurisprudence and Toxicology
8. Zachary J. Wolfe: Hate Crimes Law, 2021 ed.
9. Neil Chakraborti & Jon Garland: Hate Crime Impact Causes and Responses

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SYLLABUS
BRANCH III PERSONAL LAW

LL.M. GENERAL SEMESTER - III

Paper I (LLM C1001)
Hindu Jurisprudence and Law Relating to Joint Family

1. Hindu Jurisprudence
2. Sources of Hindu Law
 - 1) Shruti (Vedas and their Appendix)
 - 2) Smriti
 - Dharam-Sutra (Apastamb, Budhayan, Gautam, Vashishta, Harit, Vishnu, etc)
 - Dharam-Shashtra (Manu Smriti, Narad Smriti, Yajnavalkya Smriti, Brahaspati, Katayan, etc)
 - 3) Digest and Commentaries
 - 4) Custom and Uses
 - 5) Modern Sources
 - Justice, Equity and Good Conscience
 - Judicial Precedents
 - Legislation
3. Kautilya's Arthashastra
4. Schools, Sub-Schools of Hindu Law and their Jurisprudence
5. Application of Hindu Law
6. Joint Hindu Family
 - Coparcenary
 - Coparcenary Property and its Incidents
 - Impact of Codification on Coparcenary
 - Management and Alienation of Coparcenary Property
 - Karta: Status, Powers and Duties
7. Partition and Re-opening of Partition
8. Religious and Charitable Endowments.
 - a) Essentials of Math
 - b) Mahant: Status, Powers and Duties
 - c) Shebait: Status Powers and Duties

Suggested Reading:

1. Mulla : The Principles of Hindu Law
2. Sahay H.K. : Law of Marriage and Divorce
3. Paras Diwan : Modern Hindu Law
4. B.M. Gandhi: Hindu Law

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5. Mitra Principles of Hindu Law
6. G.S.S. Sastri and Bhular : Hiindui Law
7. Manu's Institutes : Chapter i, III, VII, VIII and IX (Sacred Books of the East)
8. Yagnavalkya Smriti with Mitakshara, Book I, II, III
9. Vyavahara Majukha
10. Smriti Chandrika
11. The Dayabagha
12. P.V. Kane : History of Dharmasastras
13. Ganganath Jha : Hindu Law in its Sources
14. Maynes : Treatise on Hindu Law and Usage
15. West and Bhuler : Hindu Law
16. Sen, P.N. : Hinidu Jurisprudence
17. Sharma B.K. : Law of Divorce
18. Kesri U.P.D. · Hindu Law

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Paper-II (LLM C1002)
Family Law Relating to Adoption, Maintenance Minority and
Guardianship

I. Adoption under Hindu Law

- a) Meaning
- b) Object
- c) Nature
- d) Rules of Adoption Before and, after Codification
- e) Capacity to take or give a child in Adoption
- f) Capacity of a child who may be adopted
- g) Other Essential Conditions
- h) Effects

II. Maintenance under Hindu Law and Criminal Procedure Code-1973

- a) Various grounds for separate Residence and Maintenance of a Hindu Wife,
- b) Maintenance of Widow Daughter-in-Law
- c) Maintenance of Children and Infirm or Aged parents
- d) Provisions related to Maintenance under Criminal Procedure Code-1973
- e) Dependents Defined
- f) Maintenance of Dependents
- g) Amount of Maintenance
- h) Alienation of Property charged with Maintenance

III. Hindu Minority and Guardianship

- a) Application
- b) Definitions
- c) Different kinds of Guardian and their powers
- d) Guardian and Wards Act, 1890

Suggested Reading:

1. Mulla : The Principles of Hindu Law
2. Paras Diwan : Modern Hindu Law
3. B.M. Gandhi: Hindu Law
4. Mitra : Hindu Law
5. Dattak Mimansa
6. Dattak Chandrika
7. G.S.S. Sastri and Bhular : Hindu Law
8. Ganganath Jha : Hindu Law in its sources
9. Mynes : Treatise on Hindu Law & Usage
10. West & Bhuller : Hindu Law
11. Derrett Duncan : Essay on classic and Modern Hindu Law
12. All Acts of the Indian Legislature
13. Tagore Law Lectures on Marriage, Adoption and Stridhana
14. Derrett Duncan : Essays on classic and Modern Hindu Law

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Paper III (LLM C1003)
Muslim Jurisprudence and Matrimonial Laws

1. Various Phases and development of Muslim Law
2. Deferent Sources of Muslim Law
3. Schools, Sub-Schools and Application of Muslim Law
4. Marriage under Muslim Law
 - a) Definitions
 - b) Types in different Schools
 - c) Valid Conditions of Sahih Nikah
 - d) Prohibitions of Sahih Nikah
 - e) Valid Retirement (Khilwat-us-Sahih)
5. Dower under Muslim Law
 - a) Definition under Muslim Law
 - b) Definition under Dowry Prohibition Act, 1961
 - c) Objects of Mehr under Muslim Law
 - d) Types of Mehr
 - e) Amount of Mehr
 - f) Effects of non-payment of Mehr
6. Dissolution of marriage
 - a) Meaning
 - b) Types of Dissolutions
 - c) Khyar-ul-Bulugh
 - d) Effect of The Dissolution of Muslim Marriage Act, 1939
7. Guardianship and Custody of minor children;
8. Acknowledgement of Paternity
 - a) Definition
 - b) Concept
 - c) Effects
 - d) Difference with Adoption
9. Legitimacy of Children.

Suggested Reading:

1. Tyabji : Mohammedan Law
2. Ameer Ali : Mohammedan Law
3. Abdur Rahim : The Principle of Mohammedan Jurisprudence
4. Sharma Bharu Sarkar : Mohammedan Law
5. B.R. Verma : Mohammedan Law
6. Mulla : Mohammedan Law
7. Fyzee AAA : Outlines of Mohammedan Law
8. Schacht : Islamic Jurisprudence
9. Tahir Mehmood : Muslim Law

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Paper IV (LLM C1004)
Personal Laws relating to Indian Christian, Parsi and Jews

1. The Indian Christian Marriage Act, 1872
2. Indian Divorce Act, 1869;
3. Parsi Marriage and Divorce Act, 1936
4. Customary Laws of the Jews relating to Marriage and Matrimonial Causes

Suggested Reading:

1. Commentaries and cases of the Supreme Court and High Court of India
2. Diwan Paras : Family Law, Vol. I and II
3. Desai Kumud : Indian Law of Marriage and Divorce
4. Beri B.P. : Law of Marriage and Divorce in India
5. Relevant Legislative Enactments

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Paper V (LLM C1005)
Contemporary Laws, Issues & Comparative Muslim Law - I

I. Contemporary Laws and their relevancy in Personal Law.

1. Anand Marriage Act, 1959
2. Arya Marriage Validation Act, 1937
3. The Prohibition of Child Marriage Act, 2006

II. Contemporary Issues and their relevancy in Personal Law.

1. Live-in-Relationship.
2. Uniform Civil Code
3. Marriage Offences in Foreign countries.

III. Comparative Muslim Law: South Asia (India, Pakistan, Bangladesh) and Britain.

1. Application of Muslim Law.
 - a. Definition of Muslim and legal strategies in South Asia and Britain
2. Muslim Marriage: Form and capacity
 - a) Muslim Marriage in South Asia
 - b) Muslim Marriage in English Law
3. Polygamy
 - a) Muslim Polygamy in South Asia
 - b) Polygamy in Britain
4. Dissolution of Marriage
 - a) Muslim divorce Law in South Asia
 - b) Muslim and divorce in Britain

Suggested Reading:

1. Tyabji : Mohammedan Law
2. Ameer Ali : Mohammedan Law
3. Abdur Rahim : The Principle of Mohammedan Jurisprudence
4. Sharma Bharu Sarkar : Mohammedan Law
5. B.R. Verma : Mohammedan Law
6. Mulla : Mohammedan Law
7. Fyzee AAA : outlines of Mohammedan Law
8. Schacht : Islamic Jurisprudence
9. Tahir Mehmood : Muslim Law
10. David Pearl & Werner Menski : Muslim Family Law.
11. Prof. Kusum : Family Law Lectures
12. Prof. Poonam Pradhan : Family Law Lectures
13. Raj Bhala : Islamic Law
14. M.P. Jain : Constitutional Law of India.

Paper VI (LLM C1006)
Recent Legal Development in Personal Law
(Viva-Voce Examination and Project Work)

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LL.M. (GENERAL) SEMESTER IV

Paper I (LLM C1007)

Un-Codified and Codified Hindu Law relating to Marriage

1. History and Nature of Hindu Marriage
2. Essential Conditions and Solemnization of a Valid Hindu Marriage
3. Nullity of Marriage
 - a) Void Marriage
 - b) Voidable Marriage
4. Restitution of Conjugal Rights,
5. Judicial Separation and
6. Divorce under Hindu Law
 - a) Various theories and Grounds of Divorce
7. Maintenance as Pendent-Lite
8. Permanent Alimony
9. Family Dispute Resolution

Suggested Reading:

1. Mulla : The Principles of Hindu Law
2. Saharary H.K. : Law of Marriage and Divorce
3. Paras Diwan : Modern Hindu Law
4. Mitra : Principles of Hindu Law
5. G.S.S. Sastri and Bhular : Hindu Law
6. Manu's Institutes : Chapter I, III, VII, VIII and IX (Sacred Books of the East)
7. Yagnavalkya Smriti with Mitakohara; Book, I, II, III
8. Vyarahara Majukha
9. Smriti Chandrika
10. The Dayabhaga
11. P.V. Kane : History of Dharmasastras
12. Ganganth Jha : Hindu Law in its sources
13. Sankhla U.C. Fundamental of Divorce Law
14. Majnes : Treatise on Hindu Law and Usage
15. West & Bhullers: Hindu Law
16. Derrett Ducan : Essays on Classic and Modern Hindu law and Death of a Marriage Law
17. All Acts of the Indian Legislature.
18. Tagore Law Lecture on Marriage, Adoption and Stridhana
19. Sen, P.N. : Hindu Jurisprudence
20. Jaipur Law Journal from Volume I latest articles concluding
21. Sharma B.K. : Law of Divorce
22. Kesri 'IPD : Hindu Law

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Paper II (LLM C1008)
Family Law relating to Property and Inheritance

I. Muslim Law

1. Haq Shufa
2. Hiba
3. Waqf
4. Will
5. Inheritance under Sunni School
 - Doctrine of Aul and Rudd

II. Hindu Law

1. Succession
2. Meaning of Succession,
3. Devolution of Mitakshara Coparcener Property
4. Succession in Respect of the Separate Property of a Male Hindu during intestate
 - Heirs and Distribution of property among them.
5. Hindu Women's Absolute Property
6. Succession in respect of Female Hindu during intestate
 - Heir and Distribution of Property among them
7. General Rules Relating to Succession and Disqualification of heirs.

Suggested Reading:

1. Mulla : The Principles of Hindu Law
2. Paras Diwan : Modern Hindu Law
3. Mitra : Hindu Law
4. Dattak Mimansa
5. Dattak Chandrika
6. G.S.S. Sastri and Bhular : Hindu Law
7. Ganganath Jha : Hindu Law in its sources
8. Majnes : Treatise on Hindu Law and Usage
9. West & Bhuller : Hindu Law
10. Derrett Duncan : Essays on classic and Modern Hindu Law
11. All Acts of the Indian Legislature
12. Tagore Law Lectures on Marriage Adoption and Stridhana

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University of Rajasthan
JAIPUR

Paper III (LLM C1009)
Dissertation

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

This paper will have two Components:

- a) Dissertation (Written Part) 70 Marks (To be evaluated by three different experts)
- b) Viva – Voce (External) 30 Marks (To be conducted by the University)

GUIDELINES RELATING TO DISSERTATION:

- i. Two-word formats named **Cover Page and Associated Pages** and **Final Written Document** shall be made available by the Head, Department of Law in **the office** and **on the website** ready to download (MS Word files attached)
- ii. All the titles of the individual chapters framed under the guidance of the supervisor in the dissertation shall establish a link with the main title of the research work
- iii. All chapters shall have an "Introduction" and a "Conclusion" describing the work to be done by the candidate in that very chapter and
- iv. Before closing of the individual chapter summarize the chapter in few lines giving a hint as to what will be researched by the candidate in the coming chapter
- v. Similarly, in the next chapter candidate shall mention as to what he/she did in the last chapter and what is to be proposed and attempted in this chapter
- vi. *the page numbers for the associated pages shall be in roman numbers and when the candidate starts writing the main final document i.e. The dissertation starting from chapter one (Introduction Chapter) the page numbers shall start with 01, 02 and so on.*
- vii. **The dissertation should be minimum of 90 (ninety) pages in total, shall be hard bound and top cover page shall be SKY BLUE with BLACK embossing of letters.**
- viii. The entire research work shall conform to the standard Indian Law Institute (ILI) footnoting style as updated from time to time: available at:
 - ix. <https://www.ili.ac.in/footnoting12.pdf> and <https://www.ili.ac.in/cstyle.pdf>
- x. The Viva-Voce for the Dissertation shall be conducted by One External Examiner to be recommended through the Dean, Faculty of Law, as per rules
- xi. For the Viva-Voce, the candidate shall prepare a 10-15 Minutes PPT or Oral Presentation of the research work in consultation with his/her supervisor which he/she shall be required to present before the External Examiner on a date fixed by the Department in each session as per rules.
- xii. **To pass this paper, it is mandatory for the candidate to appear in the Viva-Voce personally, in the same session, on the date notified by the Department.**
- xiii. No Grace Marks shall be awarded in case of Viva-Voce Examination.
- xiv. Four (04) Copies of Dissertation shall be submitted by the candidate to the Department of Law on or before the last date mentioned in the notice issued by the department. [Three for External Examiners and One for Supervisor]
- xv. There shall be no Revaluation of the dissertation.
- xvi. Each supervisor shall ensure that the dissertation submitted by the candidate qualifies the research ethics and is made as per the common format provided.

Paper IV (LLM C1010)
Special Legislations on Family Affairs

1. Dowry Prohibition Act, 1961
2. Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994
3. The Protection of Women from Domestic Violence Act, 2005
4. The Medical Termination of Pregnancy Act, 1971 with Amendment 2021

Suggested Reading:

1. All Acts of the Indian Legislature

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Paper V (LLM C1011)
Laws Relating to Civil Marriages, Foreign Marriages and Will

1. Special Marriage Act, 1954;
2. The Foreign Marriage Act, 1969:
3. Indian Succession Act, 1925 Relating to Will

Suggested Readings:

1. Commentary and cases of Supreme Court and High Court of India
2. Diwan Paras : Family Law Vol. I & II
3. Desai Kumud : Indian Law of Marriage and Divorce
4. Ben B.P. : Law of Marriage and Divorce in India
5. Relevant legislative Enactments.

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Paper VI (LLM C1012)
Contemporary Laws, Issues & Comparative Muslim Law – II

I. Contemporary Laws and their relevancy in Personal Law.

1. The Shariat Act, 1937
2. The Family Courts Act, 1984

II. Contemporary Issues and their relevancy in Personal Law.

1. Surrogacy
2. Inter-Country Adoption
3. Inter-Religious Adoption

III. Comparative Muslim Law: South Asia (India, Pakistan, Bangladesh) and Britain.

1. Legitimacy
2. Adoption
3. Custody of Children
4. Guardianship
5. Maintenance
6. Law of inheritance
 - a) Compulsory succession
 - b) South Asian Muslim law of inheritance
 - c) Muslim Law of Succession in Britain

Suggested Reading:

1. Tyabji : Mohammedan Law
2. Ameer Ali : Mohammedan Law
3. Abdur Rahim : The Principle of Mohammedan Jurisprudence
4. Sharma Bharu Sarkar : Mohammedan Law
5. B.R. Verma : Mohammedan Law
6. Mulla : Mohammedan Law
7. Fyzee AAA : outlines of Mohammedan Law
8. Schacht : Islamic Jurisprudence
9. Tahir Mehmood : Muslim Law
10. David Pearl & Werner Menski : Muslim Family Law.
11. Prof. Kusum : Family Law Lectures
12. Prof. Poonam Pradhan : Family Law Lectures
13. Raj Bhala : Islamic Law
14. M.P. Jain : Constitutional Law of India.
15. Laxmi Jambholkar : Private International Law.
16. Dr. Aneesh V. Pillai : Surrogate Motherhood & the Law.
17. Anil Malhotra, Ranjit Malhotra : Surrogacy in India.
18. Anil Malhotra, Ranjit Malhotra : India, Inter country Parental Child Removal and the Law.

**BRANCH-IV CONSTITUTIONAL LAW
LL.M. GENERAL SEMESTER - III**

**Paper-I (LLM D1001)
Constitution, Constitutionalism and Rule of Law: Principles and
Applications-I**

Unit I : The Concept of Constitution

Essential Principles of Constitutionalism, Constitutionalism and Rule of Law, Functions of Rule of Law and Constitutionalism in the Indian Legal Order. Nature and limitations of constituent and amending power; Basic structure theory.

Unit II : Federalism and as aspect of Constitutionalism

The federal principle : Classical and Modern An overview of the Canadian and American Position. Concept of Federalism in constitutional scheme-Allocation of resources-Inter State Disputes-Center-State Relations-Special status of certain States-Concept of Secularism and religious fanaticism.

Unit III : New challenges of Constitutionalism : Some social issues

Equality and Affirmative action (Dalits, and Backward Class and Minorities – Religious and Linguistic), Human Rights of the Marginalized Groups. An Evaluation of role of Courts, Principle of Judicial Review. GST-more unitary than federal; GST Council of Resolution process.

Unit : IV : Justice Deliver System in India

Interpreting of Constitution as a value document; Purposive interpretation, Living Organism Approach, Reading Down and Reading up and Reading in, Inter-relationship of Fundamental Rights. Interpreting the Constitution as legal document. Presumption of constitutionality, Literal Interpretation and its limitations.

Suggested Readings :

1. C. H. Mell Wain, Constitutionalism: Ancient and Modern (1947)
2. A. V. Dicey, Introduction to the Study of Law of the Constitution (1982) Edition
3. Lary Alexander (ed) Constitutionalism: Philosophical Foundations, Cambridge (1998)
4. M. P. Singh, 'Constitution of India 11th Ed. 2008, Eastern Book Co.4545
5. K. C. Wheware, Federal Government, Ch. 1 & 2, 4th Edition 1963
6. V. N. Shukla Constitutional Law of India
7. M. P. Singh Federalism, Democracy and Human Rights
8. Granville Austin, working of Democratic Constitution: A history of the India Experience
9. B. Shiva Rao. Framing of Indian Constitution (in 5 Volumes) Indian Institute of Public Administration, New Delhi

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Paper II (LLM D1002)
Administrative Law: Basic Principles and Comparative Analysis

- I. Evolution and significance of Administrative Law in various systems of governance-from ancient to modern.
 - a. England and USA
 - b. France
 - c. Other systems
- II. Rule of Law: Changing dimensions, Regulation of administrative process.
- III. Delegated Legislation: Problems, Process and Control, Judicial Review of delegated legislation.
- IV. Processual Fairness: Evolution and Significance of Natural Justice, England: Judicial Process,
- V. Doctrine of fairness and doctrine of legitimate expectation. U.S.: Due process and judicial decision, India -Doctrine of Fairness (Art.14, 19, 21) Doctrine of Legitimate Expectation, doctrine of proportionality, Privilege against disclosure, official secrecy, Access to information and Right to Information Act.

Suggested Readings :

- Pater H. Schunk, Foundation of Administrative Law, 1994
- Friedman, The State and Rule of law in a mixed Economy.
- Ivor Jennings, Law & the Constitution
- Schwartz and Wade, Legal Control of Government
- De Smith, Judicial Review of Administrative Action, 1998
- D.D.Basu, Comparative Administrative Law, 1998
- K.S.Shukla and S.S.Singh, Lok Ayukta: A Socio-Legal Study, 1988
- Jain & Jain, Principles of Administrative Law

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Paper III (LLM D1003)

Judicial Process

Objectives:

A lawyer, whether academic or professional, is expected to be competent to analyse and evaluate the legal process from a broader juristic perspective. Hence a compulsory paper on Judicial Process is essential in the LL.M. curriculum. The objective of this paper is to study the nature of judicial process as an instrument of social ordering. It is intended to highlight the role of court as policy maker, participant in the power process and as an instrument of social change.

I. NATURE OF JUDICIAL PROCESS

- Judicial Process as an Instrument of Social Ordering.
- Judicial process and creativity in law with special reference to the common law model.
- The tools and techniques of judicial creativity and precedent.
- The authority of precedents

II. JUDICIAL PROCESS IN INDIA

- The notion of Judicial review.
- The "Political" nature of judicial process.
- Accountability in Judicial Law making.
- Constitutional goals and values - New Dimensions of Judicial activism and structural challenges.

III. THE CONCEPTS OF JUSTICE

- Dharma in Indian thought - A regulator of Justice.
- The Theories of Justice and its relevance in the administration of Justice
- Judicial Activism and judicial overreach.

IV. JUDICIAL PRECEDENTS AND THEIR IMPACT.

- Ratio Decidendi and Obiter Dicta: Methods of Determining Ratio
- Precedent in Common Law and Civil Law Countries-Operation of Precedent in India
- Constitutional Interpretations by the Supreme Court: Stare Decisis
- Supreme Court's Authority to overrule its Own Decisions; Advisory Jurisdiction and its Impact on Precedent
- Importance of dissenting judgements in Indian jurisprudence

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Suggested Readings :

- Abraham, Henry. J., The judicial Process (Oxford, 1988)
- Baxi, Upendra., The Indian Supreme Court and Politics (Lucknow, Eastern Book Company 1980)
- Cardozo, Benjamin., The Nature of the Judicial Process (Delhi, Universal Publishing House, 2002)
- Cooper C.J., "Stare decisis: Precedent and Principle in Constitutional Adjudication", 73 Cornell Law Review (1988)
- Levi, Edward H., An Introduction to Legal Reasoning (Chicago University press, 1970)
- Lord Reid., The Judge as Law Maker (1972)
- Malcolm. M. Freely and Edward L. Rubin., Judicial Policy Making and the Modern State (Cambridge : university press 1998)
- Lord Devlin., The Judge (Oxford, University Press, 1979)
- Holmes. O. W., the common law (Boston, Little brown & co 1981)
- Rama Jois, Concept of Dharma (Delhi, Universal Law Publishing)
- Rajeev Dhavan., The Supreme Court of India - A Socio Legal Critique of its Juristic Techniques (Bombay : M.M Tripathy, 1977)
- John Rawls., A Theory of Justice (Delhi Universal Publishing House, 2000)
- Ronald Dworkin., "Hard Cases" 88 Harvard Law Review
- Stone Julius. The Province and Functions of Law, part 2 (New Delhi, Universal Publishing House 2000)
- Stone Julis., Legal system and Lawyers Reasoning (New Delhi, Universal Publishing House, 1999)
- Thomas E.W., The Judicial Process (Cambridge University Press, 2008)
- Timothy A.O. Endicott., Vagueness in Law. (Oxford, University Press, 2000)

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Paper IV (LLM D1004)
Media And Law- I

- I. Media, and the Constitution**
- II. Disseminating facets of media**
Understanding the Concept of Media, History of Media Theories of Media, Evolution of Media in India, and Media Legislation (including Media Laws in US, Scrips Newspapers Chain, Foreign Direct Investments in Media)
- III. Media and Ethic:** Era of Yellow Journalism, Tabloids & magazines, paid news, Fake news; Citizen Reporters: Social Media Issues
- IV. Media & Self-Regulation**
- V. History of Media Law in India**
Constitutional Rights of Media & Limitations on Freedom of Speech and Expression Article 19(1) (a), Limits of Press Freedom Legislature: Breach of Privileges/What is Contempt of Legislature? Some Cases of Contempt of Legislatures Judiciary: Contempt of Courts Act, 1971, Amendments of 2006, Problems in Reporting Sub-judice Matter Executive: Official Secrets Act, Central Civil Service Conduct Rules. Issues relating to reporting Legislature and Judiciary
- VI. Media and Privacy**
- a. Obscenity and pornography – historical background - Hicklin Test – contemporary standards in Miller v California - Child pornography
 - b. Blasphemy – historical overview- censorship of stage productions – violence - legal regulation of blasphemy
 - c. Privacy – historical development of private and confidential information – media practices and human rights – photo journalism in public places – child right to privacy
 - d. Information privacy and reputation - personal data protection – abuse of personal information – market ing of personal information- internet privacy
 - e. Press and Public access to the judicial processes, records, places and meetings – Right to information Act.

Suggested Readings:

1. D D Basu, Law of the Press (Delhi, LexisNexis)
2. Madhavi Diwan, Facets of Media Law (Lucknow, EBC)
3. Ram Jethmalani, Media Law (Thomson Reuters)
4. Ursula Smartt, Media and Entertainment Law (Routledge)
5. Perry Keller, European and International Media Law (Oxford)
6. Frank Leishmann, Policing and the Media (Lawman)
7. Roger L Sadler, Electronic Media Law (Sage)

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Paper V (LLM D1005)
Constitutional Law of United States of America

Salient features, Amendment Process. Separation of Power. Check and balance. Bill of Rights. Federalism. President and cabinet. President and his power. Elections. Congress. Supreme Court and judicial review. Party system. Freedom of Speech. Freedom of Religion and Establishment. Police power. New deal and Commerce Clause. Federal system. Judicial review. Procedure of due, substantive and new process. Separation of Power.

Suggested Readings :

- Dicey A.V. : Law of the Constitution.
- Wade and Phillips : Constitutional law
- Hood and Phillips : Constitutional Law
- Keir and Lawson : Cases on Constitutional Law
- Jenning and Young : Constitutional Law of the Common Wealth.
- Jenning : Law and Constitution
- D.D. Basu : World Constitution.
- Antieau : Commentaries on Constitution of USA.
- Shapin : American Constitutional law.
- Enight : Constitutional Law.
- Kelley & Harbinson : American Constitution.
- Raiph A. : American Constitutional Law.
- B.M. Gandhi : World Constitution.

Paper VI (LLM D1006)
Recent Legal Development in Constitutional Law
(Viva-Voce Examination and Project Work)

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LL.M. (GENERAL) SEMESTER IV

Paper I (LLM D1007)

Constitution, Constitutionalism and Rule of Law: Principles and Applications-II

Unit I : Transformative Constitutionalism in India

- Revisiting the Ancient Political thought on Constitutionalism – Constitutional History in Post British India.
- The Enactment of Indian Constitution – The Constituent Assembly Debates for the incorporation of Fundamental rights and Directive Principles of State Policy.
- Constitutional Morality and the Judiciary – Gender Justice, Decriminalization of Adultery, Same Sex Relationship, Electoral Reforms, Religious Reforms.

Unit II : Federalism

- Creation of new states, Allocation and share of resources – distribution of grants-in-aid. The inter-state disputes of resources, Rehabilitation of internally displaced persons. Centre's responsibility and internal disturbance with states.
- Direction of Centre to the State under Article 356 and 365, Federal Comity0-Relationship of trust and faith between Centre and State.
- Special status of certain states and recent changes.

Unit III : The Statehood in Indian Constitution

- The Executive : Constitutional status, power and functions of the President vis-a-vis form of Government.
- The legislature : Parliamentary/Legislative Privilege : Nature, Extent, Scope and Limitation of Privileges.
- The Judiciary : Status, Power, functions and contemporary developments, power of judicial review.

Unit : IV : Emerging regime of new rights and remedies

- Reading Directive Principles and Fundamental Duties into Fundamental Rights.
- Secularism: Religious freedom and right of minorities to establish and administer educational institutions of their choice. Implementation of International
- Obligation: Human Rights, Environmental protection and international trade.

Suggested Readings :

- H. M. Seervai : The Constitutional Law of India
- A. V. Dicey, Introduction to the Study of Law of the Constitution (1982) Edition
- Lary Alexander (ed) Constitutionalism: Philosophical Foundations, Cambridge (1998)
- M. P. Singh, 'Constitution of India 11th Ed. 2008, Eastern Book Co.4949

- K. C. Whehare, Federal Government, Ch. 1 & 2, 4th Edition 1963
- M. P. Singh Federalism, Democracy and Human Rights
- Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford
- Constituent Assembly Debate (Official Report), (in 5 Books and 12 Volumes), Indian Institute of Public Administration, New Delhi

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Paper II (LLM D1008)
Administrative Process and Judicial Control

- I. **Administrative process:** Nature and Meaning, the role of civil service, the role of administrative agencies, Constitutional standards: Doctrine of Police Power, Doctrine of Eminent Domain, taxing power, Responsibility and accountability
- II. **Judicial Review of Administrative action in India:** Historical development, power of Supreme Court, Powers of High Courts, Role of Subordinate Courts. Jurisdiction
- III. **Ground of Judicial Review:** Doctrine of Ultra vires, Unreasonable discretionary power: discretion and Justifiability, violation of fundamental rights, Extraneous consideration and /or irrelevant ground, delegation acting under dictation, Malafides and Bias, Lack of rationality and proportionality, oppressing decision.
- IV. **Limits of Judicial Review:** Locus standi and PIL, Laches, Res judicata, alternative remedies, Remedies Writs, injunction and declaration

Suggested Readings :

- Pater H. Schunk, Foundation of Administrative Law, 1994
- Friedman, The State and Rule of law in a mixed Economy.
- Ivor Jennings, Law & the Constitution
- Schwartz and Wade, Legal Control of Government
- De Smith, Judicial Review of Administrative Action, 1998
- D.D.Basu, Comparative Administrative Law, 1998
- K.S.Shukla and S.S.Singh, Lok Ayukta: A Socio-Legal Study, 1988
- Jain & Jain, Principles of Administrative Law

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University of Rajasthan
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Paper III (LLM D1009)
Dissertation

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

This paper will have two Components:

- a) Dissertation (Written Part) 70 Marks (To be evaluated by three different experts)
- b) Viva – Voce (External) 30 Marks (To be conducted by the University)

GUIDELINES RELATING TO DISSERTATION:

- i. Two-word formats named **Cover Page and Associated Pages** and **Final Written Document** shall be made available by the Head, Department of Law in **the office and on the website** ready to download (MS Word files attached)
- ii. All the titles of the individual chapters framed under the guidance of the supervisor in the dissertation shall establish a link with the main title of the research work
- iii. All chapters shall have an "Introduction" and a "Conclusion" describing the work to be done by the candidate in that very chapter and
- iv. Before closing of the individual chapter summarize the chapter in few lines giving a hint as to what will be researched by the candidate in the coming chapter
- v. Similarly, in the next chapter candidate shall mention as to what he/she did in the last chapter and what is to be proposed and attempted in this chapter
- vi. *the page numbers for the associated pages shall be in roman numbers and when the candidate starts writing the main final document i.e. The dissertation starting from chapter one (Introduction Chapter) the page numbers shall start with 01, 02 and so on.*
- vii. **The dissertation should be minimum of 90 (ninety) pages in total, shall be hard bound and top cover page shall be SKY BLUE with BLACK embossing of letters.**
- viii. The entire research work shall conform to the standard Indian Law Institute (ILI) footnoting style as updated from time to time: available at:
 - ix. <https://www.ili.ac.in/footnoting12.pdf> and <https://www.ili.ac.in/cstyle.pdf>
- x. The Viva-Voce for the Dissertation shall be conducted by One External Examiner to be recommended through the Dean, Faculty of Law, as per rules
- xi. For the Viva-Voce, the candidate shall prepare a 10-15 Minutes PPT or Oral Presentation of the research work in consultation with his/her supervisor which he/she shall be required to present before the External Examiner on a date fixed by the Department in each session as per rules.
- xii. **To pass this paper, it is mandatory for the candidate to appear in the Viva-Voce personally, in the same session, on the date notified by the Department.**
- xiii. No Grace Marks shall be awarded in case of Viva-Voce Examination.
- xiv. Four (04) Copies of Dissertation shall be submitted by the candidate to the Department of Law on or before the last date mentioned in the notice issued by the department. [Three for External Examiners and One for Supervisor]
- xv. There shall be no Revaluation of the dissertation.

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- xvi. Each supervisor shall ensure that the dissertation submitted by the candidate qualifies the research ethics and is made as per the common format provided.

Paper IV (LLM D1010)

Media and Law- II

- I. Media and the Law**
- a. Media & Criminal Law: Law of Defamation Definition and Kinds of Defamation Punishment for Defamation, Journalistic Defences under Law of Defamation, Official Secrets Act 1923, Sedition Obscenity
 - b. Media and Civil wrongs (Torts) Defamation, breach of privacy (Press Council of India and Concept of Privacy, News Broadcasters' Association and Concept of Privacy) negligence
 - c. Media & Copyright issues Intellectual Property Rights, Fair Dealing, Fair Dealing in the Age of Internet
- II. Right to Information Act 2005: New tool for Press Freedom**
- III. Media and Journalists: Working Journalists Act and Press Council & Human Rights, Press and Registration of Books Act, 1867, Working Journalists Act, 1955, Press Council of India Act, 1978, Objects and Functions, Power to Censure Ombudsman**
- IV. Trial by Media: Influence on Adjudicators**
- V. Advertisement and the Law**
- a. Basis of Advertisement: Constitutional Freedom of Commercial Speech
 - b. Drug and Magic Remedies (Objectionable Advertisements) Act and other Laws regulating Advertisements
 - c. Content of Advertisements: Civil and Criminal liability
 - d. Unfair Practices through Advertisements and Consumers Rights
 - e. Advertising Standards Council of India: A Private Regulatory
 - f. Misleading Advertisements: Need for New Law
- VI. Electronic Media and Regulatory Law**
- a. Convergence of New Media in the Internet: Cinema, Social Media
 - b. Expansion of Electronic Media: Broadcast sector – TV and Radio
 - c. Autonomy of Public Sector Broadcaster: Prasar Bharti Law
- VII. Freedom of Private Broadcasting: Broadcasting Regulation Bill and Cable TV Network Regulation Act, Code for Television, Programme Code, Advertising Code, Electronic Media Monitoring Centre, News Broadcasting Standards Authority: Code of Ethics, Broadcasting Content Complaints Council.**

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VIII. Cinematography Act, Pre-censorship, Indecent Representation of Women (Prohibition) Act and Young Persons (Harmful Publications) Act, Information Technology Act 2000.

Suggested Readings :

- D D Basu, Law of the Press (Delhi, LexisNexis)
- Madhavi Diwan, Facets of Media Law (Lucknow, EBC)
- Ram Jethmalani, Media Law (Thomson Reuters)
- Ursula Smartt, Media and Entertainment Law (Routledge)
- Perry Keller, European and International Media Law (Oxford)
- Frank Leishmann, Policing and the Media (Lawman)
- Roger L Sadler, Electronic Media Law (Sage)

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Paper V (LLM D1011)
British Constitutional Law

- i. Nature and Features of British Constitution. Conventions of the British Constitution. Sanctions behind conventions. Importance of Conventions. Habeas Corpus. Racial Discrimination
- ii. Role and Functions of Monarchy. Origin of Monarchy. Difference between king and crown. Parliamentary Supremacy. Position and powers of the Monarch. Appointment, Powers, Functions and Position of Prime Minister of England. Fundamental rights. Martial Law and Military Tribunal. Emergency Power in Peace and War.
- iii. British Cabinet System, Origin and Development. Meaning and organization of the cabinet, committee of the cabinet. Salient features of the British Cabinet System. House of Lords, Composition, Privileges, Powers, Functions and weaknesses, Lord-Chancellor.
- iv. House of Commons : Composition, Method of Election, Tenure, Privileges of the members, Speaker of the House, Powers and Functions of the House of Commons, British Judicial System, Salient Features, organization of Courts, Position of Rule of Law,
- v. Privy Council : Its Composition and functions, Liberty of discussion. Minister and Civil Servant. Delegated Legislation. Party System.
- vi. Supreme Court : Composition and Jurisdiction.

Suggested Readings :

- Wade & Philips : Constitutional Law.
- Philips & Hood : Constitutional & Administrative Law.
- Dicey : Introduction of the Study of the Constitution.
- Jenning : The British Constitution.
- Jenning : The Law and the Constitution.
- Vishnoo Bhagwan & Vidya Bhushan : World Constitution.

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Paper VI (LLM D1012)
Protection Of Human Rights Under Indian Constitution

Objectives:

The purpose of the study of this course is to expose the students to the regime of human rights in a comprehensive way. It is the endeavour of this course to appraise both theoretical and practical study. The course comprises of the following four Modules

Introduction

Concept of Human Rights, Human rights in ancient India- History and the development of human rights under the Indian Constitution, Constitutional philosophy of human rights, International Conventions on Human Rights and role of India

Protection And Enforcement Of Human Rights Under The Indian Constitution

- Preamble and the Human Rights, Fundamental Rights, Constitutional provisions for protecting human rights- Article 13 invalidating laws inconsistent with Part III of the Constitution- Understanding human rights in Part IV of the Constitution and the enforceability, Role of the Supreme Court in protection of Human Rights.
- National Human Rights Commission and the States Human Rights Commissions and their role in protecting human rights.

Human Rights Protection For Vulnerable And Disadvantaged Groups:

- Protection of human rights of vulnerable and disadvantaged groups under the Indian Constitution, Development of jurisprudence to accord special protection to vulnerable and disadvantaged groups.
- Issues and challenges concerning protection to vulnerable and disadvantaged groups- Women's rights- Rights of Children- Rights of indigenous people, SCs and STs and LGBT+ community

Suggested Readings :

- D. D. Basu, Human Rights in Constitutional Law (Delhi, LexisNexis)
- Nihal Jayawickrama, THE JUDICIAL APPLICATION OF HUMAN RIGHTS LAW (2002).
- Phillip Alston and James Crawford, THE FUTURE OF U.N. HUMAN RIGHTS TREATY MONITORING (2000).
- Arjun Sengupta, On the Theory and practice of the Right to Development: Agenda for the Robert McCorquodale, Self Determination: A Human Rights Approach 43 (4) INTERNATIONAL AND COMPARATIVE LAW QUARTERLY, 857-885 (1994).
- T.S.N. Sastry, INDIA AND HUMAN RIGHTS: REFLECTIONS (ed.), (Concept Publishing Company, 2005).
- Mahendra P.Singh, V.N. SHUKLA'S CONSTITUTION OF INDIA, (2008).

- Ashish Kumar Das and Prasant Kumar Mohanty, HUMAN RIGHTS IN INDIA (2007)
- HUMAN RIGHTS IN INDIA: ISSUES AND PERSPECTIVES (Dr.S. Mehartaj Begum ed., 2000).
- CHANGING CONCEPTS OF RIGHTS AND JUSTICE IN SOUTH ASIA (Michael R.Anderson and Sumit Guha eds., India: Oxford University Press, 1998).
- Upendra Baxi, THE FUTURE OF HUMAN RIGHTS, (Oxford University Press, New Delhi, 2002)
- Paras Diwan and Peeyushi Diwan, HUMAN RIGHTS AND THE LAW: UNIVERSAL AND INDIAN (1998).

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BRANCH V: INTERNATIONAL LAW
LL.M. GENERAL SEMESTER III

Paper I (LLM E1001)
International Law -I

Objectives of the course:

This course provides an insight into Public International Law and its significance in the economically globalised world. It enables the students to understand the interdependence of the countries and how they are constantly addressing the global issues through peaceful measures. This course would help the students to understand both the theoretical framework and the working of international law.

- I. Definitions; Development and Nature of International Law; Difference between Public and Private International Law; Legality of International Law: Positive Morality; Theories as to the basis of International Law: Naturalist Theory, Positivist Theory, Grotius Theory and Consent Theory; Main Functions of International Law; Sources and Subjects of International Law: Customs; Treaties and Conventions; General Principles of Law; Judicial Decisions; Other Sources; Subjects of International Law: Various Theories: Realistic Theory, Fictional Theory, Functional Theory

- II. International Law and Municipal Law: Monistic Theory; Dualistic Theory; Specific Adoption Theory; Transformation Theory; Delegation Theory States: Concept of State; Essential Ingredients of State; Different Kinds of States; Territory of State: Land, Water and Air Space; War, its Legal Character and Effects; The Law of Neutrality: Basis of Neutrality, Role, Rights and Duties of Neutral States; Settlement of International Disputes: Legal and Political Disputes; Pacific Means: Arbitration; Negotiation; Mediation; Good Offices; Conciliation; Settlement under United Nations Organization; Compulsive Means: Retorsion, Reprisals, Embargo, Pacific Blockade, Intervention;

- III. Law of Treaties: Concept of Treaty; Kinds of Treaties; Binding Force of Treaties; *Pacta Sunt Servanda*; *Jus Cogens*; *Clausula Rebus Sic Stantibus*; Parties of a Treaty; Formation of a Treaty; Reservations; Invalidity and Termination of Treaties; Vienna Convention on the Law of Treaties;

Suggested Readings:

- A. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, 2007
- H.O. Agarwal, International Law & Human Rights, Central Law Agency 1st Ed. (Rep) 2014

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- James Crawford Brownlie, Principles of International Law, Oxford University Press, 2013
- Landmark Cases in Public International Law, Editor(s): Eirik Bjorge, Cameron Miles, 1st ed., Bloomsbury Publishers, 2017
- L. F. L. Oppenheim's International Law (9th Edition): Volume 1 Peace; Edited by Robert Jennings, Arthur Watts KCMG QC, Oxford University Press, 2008.
- Mark Villiger, "The Factual Framework: Codification in Past and Present", in Customary International Law and Treaties, Mark Villiger, pp.63-113, The Netherlands: Martinus Nijhoff, 1985.
- R. P. Dhokalia, The Codification of Public International Law, United Kingdom: Manchester University Press, 1970
- Sharma Satyendra Kumar, Law of Sea and Exclusive Economic Zone, Taxmann New Delhi, Publications, 2017
- S.K. Kapoor, International Law, Human Rights, Central Law Agency, 2009
- Shaw, International Law, Cambridge University Press, 6th ed., 2008
- Starke, Introduction to International Law, Oxford University Press, 2013

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Paper II (LLM E1002)
International Organizations - I

OBJECTIVES OF THE COURSE:

An international organization (intergovernmental organization) is an organization established by a treaty or other instrument governed by international law and possessing its own international legal personality, such as the United Nations, the World Health Organization etc. For the overall development of the students in this field this paper is being introduced to train the students of law to have a basic and extensive knowledge about international organizations which is indispensable at the National and International level for its importance.

- I. League of Nations: Origin and Objectives; Organs: Role of League of Nations in the maintenance of International Peace: Causes for the League's Failure: United Nations Organization: Genesis: San Francisco Conference: Adoption and Ratification of the Charter: Purposes and Principles of United Nations Organization;
- II. United Nations: Organs of United Nations: General Assembly, Security Council, International Court of Justice, Economic & Social Council, Secretariat, Trusteeship Council; Powers and Functions; Jurisdiction and Contribution towards Development of International Law;
- III. Specialized Agencies: [Limited to History, Importance, Objectives; Structure, Persons holding key positions and place of sitting, Key Features of the Organization],
- IV. International Labour Organization (ILO); International Monetary Fund (IMF); World Health Organization (WHO); United Nations Educational, Scientific and Cultural Organization (UNESCO); World Intellectual Property Organization (WIPO); International Criminal Court (ICC);

Suggested Readings:

- D.W. Bowett, Law of International Institutions, (1982) 4th Ed. London: Stevens & Sons, 1982
- Ingrid Detter, Law Making by the International Organisation, (1965) P. A. Norstedt & Söner, Stockholm, 1965
- Stephen S. Goodspeed, Nature and Function of International Organisation, Oxford University Press, 1967
- Wilfred Jenks, The Proper Law of International Organizations, Stevens And Sons Limited; New York: Oceana Publications, 1962
- Leland M. Goodrich, United Nations in a Changing World, New York Columbia University (1974)
- Rosalyn Higgins, Development of International Law through Political Organs of the United Nations New York Columbia University (1963)

- B. S. Brown, IMF Governance, the Asian Financial Crisis, and the New International Financial Architecture, Chapter in International Law in the Post-Cold War World: Essays in Memory of Li Haopei, pp. 295-302, 564-575, 2001.
- Dinah Shelton, Analysis of African Commission for Human Rights Decision Regarding Communication 155/96, 96 A.J.I.L. 937, 2002.
- Frederic L. Kirgis, Jr., Enforcing International Law, The American Society of International Law Newsletter, January 1996.
- Herman Nys, Towards an International Treaty on Human Rights and Biomedicine? Some Reflections Inspired by UNESCO's Universal Declaration on Bioethics and Human Rights, 13 European Journal of Health Law 5-8, 2005.
- Jose E. Alvarez, Centennial Essay: In Honor of The 100th Anniversary of the AJIL and the ASIL: International Organizations: Then And Now, 100 A.J.I.L. 324, 2006

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PaperIII (LLM E1003)
Human Rights and International Law- I

Objectives of the course:

The changes in the global scenario bring new concept of Human Rights (HR) protection against violation which are not mere privileges given to the subjects by the legal system but are liberties permitted to the 'citizens' in a democracy. Only when a society is aware of this right-duty relationship can there be any meaning to human rights. This course is intended to highlight the concept of human rights, their evolution and their importance in our society now particularly in the era of privatisation, globalisation and liberalisation together with study of International Law and Human Right relations.

- I. Human Rights: Concept and Theories of Rights; Natural Law and Natural Rights; Human Rights Meaning, Concept and Classification; Historical Evolution and Theories;
- II. Human Rights of First Generation: Meaning, Scope, Relevant Provisions in Universal Declaration of Human Rights, 1948, International Covenant on Civil and Political Rights, 1966 and its Optional Protocol, Convention on the Prevention and Punishment of Genocide, 1948, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 and ILO Convention concerning the Abolition of Forced Labour, 1957; Enforcement and Challenges;
- III. Human Rights of Second Generation: Meaning, Scope, Relevant Provisions in Universal Declaration of Human Rights, 1948, International Covenant on Economic, Social and Cultural Rights, 1966 and ILO Convention No. 87, 98, 100 and 102; Role of UNESCO, Enforcement and Challenges;
- IV. Human Rights of Third Generation: Concept of Collective Rights and Solidarity Rights, Relevant Provisions in Stockholm Declaration, 1972, Rio Declaration, 1992, Declaration on the Right to Development, 1986 and Millennium Development Goals; U.N.E.P., U.N.D.P., Enforcement and Challenges;

Suggested Readings:

- Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, and David Harris (eds), International Human Rights Law, (OUP 2013).
- Dinah Shelton, Analysis of African Commission for Human Rights Decision Regarding Communication 155/96, 96 A.J.I.L. 937 (2002).
- Ian Brownlie and Guy Goodwin-Gill, Brownlie's Documents on Human Rights, (5th ed., OUP 2006).
- Nsongurua J. Udombana, CRITICAL ESSAY: Can the Leopard Change Its Spots? The African Union Treaty and Human Rights, 17 Am. U. Int'l L. Rev. 1177, (2002).
- Patrick Hayden, "The Philosophy of Human Rights (Paragon Issues in Philosophy)", 2001.
- Philip Alston (Author), Ryan Goodman (Author), Harry J. Steiner (ed), International Human Rights in Context: Law, Politics, Morals, (3rd ed, OUP 2007).
- Rhona K.M. Smith, Textbook on International Human Rights, (6th ed, OUP 2014).
- Yannaras Christos, Human Rights and the Orthodox Church, Greek Orthodox Archdiocese of America, 2003.

Paper IV(LLM E1004)
International Humanitarian Law - I

Objectives of the course:

International Law has traditionally been a law which regulates relations among states. Individuals have been objects and not subjects of International Law. A logical extension of these principles led to the theory that international law could not confer rights nor impose duties on individuals. The total character of modern war and threat of annihilation due to use of nuclear weapons have been responsible for a new concern for survival of humanity. To meet this challenge the United Nations and other voluntary international agencies have been actively involved in prescribing standards of treatment based upon dictates of humanity and overseeing their implementation in difficult situations. The following syllabus prepared with this perspective will be spread over a period of one year.

- I. Humanitarian Law and Public International Law; *Jus In Bello* and *Jus Ad Bellum*; Definition and Concept of International Humanitarian Law (IHL); Fundamental Principles of IHL; Sources of IHL; Ancient Indian and Oriental Philosophies on the Law of War; Eastern and Western Philosophies on the Law of War; History of International Legal Instruments on the Laws of War; Application of IHL
- II. Definition of War (Traditionally viewed as an International Conflict); The Concepts of International and Internal Armed Conflicts; Applicability of IHL in Various Conflict Situations & Common Article 3 of the Geneva Conventions: Its Applicability and the question of threshold; IHL and Human Rights; Origin, Development and Scope of Human Rights Law; A Comparative Study of the Two Bodies of Law: Similarities, Differences and Areas of Overlap
- III. Application of Human Rights Provisions in Conflict Situations; Conditions and Provisions for Derogation; Applicability of Human Right's Norms to Internal Disturbances and Tensions; Treatment of Detainees and others Deprived of Liberty; Applicable Norms; Developments concerning a Declaration of Minimum Humanitarian Standards

Suggested Readings:

- Alexander, Amanda, (2015) "A Short History of International Humanitarian Law", European Journal of International Law, vol. 26 no. 1, pp. 109-138.
- Crawford, Emily, "Unequal Before the Law: The Case for the Elimination of the Distinction between International and Non-International Armed Conflicts", Leiden Journal of International Law, vol. 20, no. 2, pp. 441-465, 2007.
- Doswald Beck, Louise, And Vite, Sylvain, "International Humanitarian Law and Human Rights Law", International Review of the Red Cross, No. 293, pp. 94, March 1993.
- Fleck, Dieter (ed), The Handbook of International Humanitarian Law, 2nd Ed., OUP, 2009.
- Mccoubrey, Hilaire, International Humanitarian Law: Modern Developments in the Limitation of Warfare, 2nd Ed., (Aldershot, UK: Ashgate), 1998.
- Sassòli, Marco, Bouvier, Antoine A. and Quinti, Anne, How does Law Protect in War? Cases, Documents and Teaching Materials on Contemporary Practice in International Humanitarian Law, 3rd ed., ICRC, Geneva, 2011.

PaperV (LLM E1005)
Conflict of laws

Objective of the course:

This course will help the students to litigate a case where a foreign element is involved. It will also help the students to determine which law will govern the litigation at hand. Wider knowledge regarding the jurisdiction of court and execution of foreign judgment will enrich the student to handle any litigation from any part of the world involving matters relating to Private International Law.

- I. Definitions, Nature and scope of Private International Law; Historical Development and current theories; Classification, the Incidental Questions; Renvoi; Application and Exclusion of Foreign Law; Domicile, Nationality and Residence;
- II. Jurisdiction of Courts; Enforcement of Judgement
- III. Family Law: Marriage, Matrimonial Causes, Legitimacy and Legitimation, Adoption, Guardianship and Custody of Children.
- IV. Law of Property: The Distinction between movables and immovable Property, the Transfer of Tangible and Movables, the Assignment of Intangible Movables, Insolvency, Succession.
- V. Law of Obligation: Contract, Torts, Negotiable Instruments, Restitution.
- VI. Law of Person: Corporation

Suggested Readings:

- Atul M. Setalvad, Conflict of Laws (LexisNexis)
- Briggs, A., The conflict of laws, Oxford: Oxford University Press, (2nd ed 2008)
- Cheshire and Brack: Private International Law, 1992 Ed. Butterworths, London.
- Cheshire, North & Fawcett, Private International Law (Oxford University Press)
- Clarkson and Hill, The Conflict of Laws, Oxford: Oxford University Pres, (3rd ed 2007)
- Craveson: Conflict of Laws.
- Dicey: Conflict of Laws.
- Govindraj, The Conflict of Laws (Oxford University Press)
- John , O Brien, Conflict of Laws, Cavendish Press, (Part 1)
- Kahn Freund: General Problems of Private International law
- Lakshmi Jambholkar, Private International Law (Universal Law Publishing)
- Morris, The Conflict of Laws (Sweet and Maxwell)
- Paras Divan, Private International Law (Deep and Deep Publications)

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Leading Cases:

1. Bahrein Petroleum Co. Ltd. v. P.J. Pappu, AIR 1966 SC
2. Cohn v. Cohn, 1945
3. Kuwait Airways Corporation v. Iraqi Airways Company (Appellants and Others)
Kuwait Airways Corporation, (1995) 1 Lloyd's Rep 25
4. National Thermal Power Corporation v. Singer Company And Ors., 1992 SCR (3)
106
5. Ogden v. Ogden, 1908
6. Satya v. Teja Singh, AIR 1975
7. Swastik Gases Private Limited v. Indian Oil Corporation Limited, (2013) 9 SCC 32
8. Vishvanathan v. Syed Abdul Wajid, AIR 1963

PaperVI (LLM E1006)
Recent Legal Development in International Law
(Viva-Voce Examination and Project Work)

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LL.M. (GENERAL) SEMESTER IV

Paper I (LLM E1007)

International law - II

Objectives of the course:

This course provides an insight into Public International Law and its significance in the economically globalised world. It enables the students to understand the interdependence of the countries and how they are constantly addressing the global issues through peaceful measures. This course would help the students to understand both the theoretical framework and the working of international law.

I. States Recognition and Succession:

Recognition of States: De Facto and De Jure; Theories of Recognition: Recognition of Government, Recognition of Belligerency and Recognition of Insurgency; Collective Recognition; State Jurisdiction; Territorial Sovereignty; State Responsibility and State Succession: Responsibility of States: Original and Vicarious; State Responsibility for various Acts: Individual Acts, Mob Violence, Insurgency, etc. State Succession: Theories of State Succession; Rights and Duties arising out of State Succession;

II. Individuals under International Law: Position of Individuals; Nationality: Acquisition and Loss of Nationality, Statelessness; Difference between Nationality and Domicile; Domicile and Citizenship; Nationality and Citizenship; Citizenship and State; Basic Concepts and Future Effects relating to the provisions of the Indian Constitution and the Citizenship Act, 1955 as amended by The Citizenship (Amendment) Act, 2019; Diplomatic Agents: Powers and Functions; Theories as to Diplomatic Immunities and what immunities are available to Diplomatic Agents; Asylum: Meaning, Definition, Types; Territorial and Extra-territorial Asylum; Extradition: Meaning, Definition and Basic Principle; Rules relating to Extradition; Relationship and difference between Extradition and Asylum;

III. Law of the Sea: Concepts of *Mare Liberum* and *Mare Clausum*; The Anglo Norwegian Fisheries Case and Its After Math; The Technological Revolution and the Utilization of the new resources of the sea; Population Explosion and Its Impact; Changing Concepts of Maritime Frontiers: Territorial Sea, Contiguous Zone, Continental Shelf & Exclusive Economic Zone, High Seas; Territorial Waters and Contiguous Zone; Principles for Determination of Maritime Frontiers And Maritime Boundaries under the Customary and Conventional Law; Exploitation of Deep Sea: Bed Resources: International Sea Bed Authority;

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Suggested readings:

- A. Boyle & C. Chinkin, *The Making of International Law, Foundations of Public International Law*, Oxford University Press, 2007
- H.O. Agarwal, *International Law & Human Rights*, Central Law Agency 1st Ed. (Rep) 2014
- James Crawford Brownlie, *Principles of International Law*, Oxford University Press, 2013
- *Landmark Cases in Public International Law*, Editor(s): Eirik Bjorge, Cameron Miles, 1st ed., Bloomsbury Publishers, 2017
- *L. F. L. Oppenheim's International Law (9th Edition): Volume 1 Peace*; Edited by Robert Jennings, Arthur Watts KCMG QC, Oxford University Press, 2008.
- 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.
- R. P. Dhokalia, *The Codification of Public International Law*, United Kingdom: Manchester University Press, 1970
- Sharma Satyendra Kumar, *Law of Sea and Exclusive Economic Zone*, Taxmann New Delhi, Publications, 2017
- S.K. Kapoor, *International Law, Human Rights*, Central Law Agency, 2009
- Shaw, *International Law*, Cambridge University Press, 6th ed., 2008
- Starke, *Introduction to International Law*, Oxford University Press, 2013

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Paper II (LLM E1008) International Organizations - II

Objectives of the course:

An international organization (intergovernmental organization) is an organization established by a treaty or other instrument governed by international law and possessing its own international legal personality, such as the United Nations, the World Health Organization etc. For the overall development of the students in this field this paper is being introduced to train the students of law to have a basic and extensive knowledge about international organizations which is indispensable at the National and International level for its importance.

- I. Specialized Agencies: [Limited to History, Importance, Objectives; Structure, Persons holding key positions and place of sitting, Key Features of the Organization] Food and Agriculture Organization of the United Nations (FAO); International Monetary Fund (IMF); Organization for Economic Cooperation and Development (OECD); United Nations Office on Drugs and Crime (UNODC); World Bank (WB); North Atlantic Treaty Organization (NATO), G20;

- II. The World Trade Organization (WTO): Introduction to International trade and the law of the WTO, Sources of WTO Law, Basic rules and principles of WTO Law; Historical background of WTO: Evolution of GATT as a trading institution and transition of GATT to WTO; Marrakesh Agreement; Negotiating history of the WTO, the Dunkel Draft and the Agreement establishing the WTO, 1994; WTO as an International Institution; WTO and TRIPS;

Suggested readings:

- D.W. Bowett, Law of International Institutions, (1982) 4th Ed. London: Stevens & Sons, 1982
- Ingrid Detter, Law Making by the International Organisation, (1965) P. A. Norstedt & Söner, Stockholm, 1965
- Stephen S. Goodspeed, Nature and Function of International Organisation, Oxford University Press, 1967
- Wilfred Jenks, The Proper Law of International Organizations, Stevens and Sons Limited; New York: Oceana Publications, 1962
- Leland M. Goodrich, United Nations in a Changing World, New York Columbia University (1974)
- Rosalyn Higgins, Development of International Law through Political Organs of the United Nations New York Columbia University (1963)
- B. S. Brown, IMF Governance, the Asian Financial Crisis, and the New International Financial Architecture, Chapter in International Law in the Post-Cold War World: Essays in Memory of Li Haopei, pp. 295-302, 564-575, 2001

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- Dinah Shelton, Analysis of African Commission for Human Rights Decision Regarding Communication 155/96, 96 A.J.I.L. 937, 2002.
- Frederic L. Kirgis, Jr., Enforcing International Law, The American Society of International Law Newsletter, January 1996.
- Herman Nys, Towards an International Treaty on Human Rights and Biomedicine? Some Reflections Inspired by UNESCO's Universal Declaration on Bioethics and Human Rights, 13 European Journal of Health Law 5-8, 2005.
- Jose E. Alvarez, Centennial Essay: In Honor of The 100th Anniversary of the AJIL and the ASIL: International Organizations: Then And Now, 100 A.J.I.L. 324, 2006

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Paper III (LLM E1009)
Dissertation

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

This paper will have two Components:

- a) Dissertation (Written Part) 70 Marks (To be evaluated by three different experts)
- b) Viva - Voce (External) 30 Marks (To be conducted by the University)

GUIDELINES RELATING TO DISSERTATION:

- i. Two-word formats named **Cover Page and Associated Pages** and **Final Written Document** shall be made available by the Head, Department of Law in **the office and on the website** ready to download (MS Word files attached)
- ii. All the titles of the individual chapters framed under the guidance of the supervisor in the dissertation shall establish a link with the main title of the research work
- iii. All chapters shall have an "Introduction" and a "Conclusion" describing the work to be done by the candidate in that very chapter and
- iv. Before closing of the individual chapter summarize the chapter in few lines giving a hint as to what will be researched by the candidate in the coming chapter
- v. Similarly, in the next chapter candidate shall mention as to what he/she did in the last chapter and what is to be proposed and attempted in this chapter
- vi. *the page numbers for the associated pages shall be in roman numbers and when the candidate starts writing the main final document i.e. The dissertation starting from chapter one (Introduction Chapter) the page numbers shall start with 01, 02 and so on.*
- vii. **The dissertation should be minimum of 90 (ninety) pages in total, shall be hard bound and top cover page shall be SKY BLUE with BLACK embossing of letters.**
- viii. The entire research work shall conform to the standard Indian Law Institute (ILI) footnoting style as updated from time to time: available at:
 - ix. <https://www.ili.ac.in/footnoting12.pdf> and <https://www.ili.ac.in/cstyle.pdf>
 - x. The Viva-Voce for the Dissertation shall be conducted by One External Examiner to be recommended through the Dean, Faculty of Law, as per rules
 - xi. For the Viva-Voce, the candidate shall prepare a 10-15 Minutes PPT or Oral Presentation of the research work in consultation with his/her supervisor which he/she shall be required to present before the External Examiner on a date fixed by the Department in each session as per rules.
- xii. **To pass this paper, it is mandatory for the candidate to appear in the Viva-Voce personally, in the same session, on the date notified by the Department.**
- xiii. No Grace Marks shall be awarded in case of Viva-Voce Examination.
- xiv. Four (04) Copies of Dissertation shall be submitted by the candidate to the Department of Law on or before the last date mentioned in the notice issued by the department. [Three for External Examiners and One for Supervisor]
- xv. There shall be no Revaluation of the dissertation.
- xvi. Each supervisor shall ensure that the dissertation submitted by the candidate qualifies the research ethics and is made as per the common format provided.

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PaperIV(LLM E1010)
International Humanitarian Law - II

Objectives of the course:

International Law has traditionally been a law which regulates relations among states. Individuals have been objects and not subjects of International Law. A logical extension of these principles led to the theory that international law could not confer rights nor impose duties on individuals. The total character of modern war and threat of annihilation due to use of nuclear weapons have been responsible for a new concern for survival of humanity. To meet this challenge the United Nations and other voluntary international agencies have been actively involved in prescribing standards of treatment based upon dictates of humanity and overseeing their implementation in difficult situations. The following syllabus prepared with this perspective will be spread over a period of one year.

- I. Implementation of International Humanitarian Law: National Implementation of IHL; Role of National Legislations; Other National Measures for IHL Implementation; International Implementation of International Humanitarian Law; Role of the United Nations; System of Protecting Powers; Role of the ICRC; International Fact-finding Commission; International Criminal Law Mechanisms for Implementation of IHL;
- II. Introduction to the General Concept of War Crime Trials; Early War Crimes Trials: Nuremberg and Tokyo Trials; The Ad Hoc War Crimes Tribunals for the former Yugoslavia and Rwanda; Developments Concerning Creation of a Permanent International Criminal Court; Special Issues Concerning Implementation of IHL in Times of Internal Armed Conflicts

Suggested readings:

- Alexander, Amanda, (2015) "A Short History of International Humanitarian Law", European Journal of International Law, vol. 26 no. 1, pp. 109-138.
- Crawford, Emily, "Unequal Before the Law: The Case for the Elimination of the Distinction between International and Non-International Armed Conflicts", Leiden Journal of International Law, vol. 20, no. 2, pp. 441-465, 2007.
- Doswald Beck, Louise, And Vite, Sylvain, "International Humanitarian Law and Human Rights Law", International Review of the Red Cross, No. 293, pp. 94, March 1993.
- Fleck, Dieter (ed), The Handbook of International Humanitarian Law, 2nd Ed., OUP, 2009.
- Mccoubrey, Hilaire, International Humanitarian Law: Modern Developments in the Limitation of Warfare, 2nd Ed., (Aldershot, UK: Ashgate), 1998.
- Sassòli, Marco, Bouvier, Antoine A. and Quinti, Anne, How does Law Protect in War? Cases, Documents and Teaching Materials on Contemporary Practice in International Humanitarian Law, 3rd ed., ICRC, Geneva, 2011.

Paper V (LLM E1011) International Criminal Law

Objectives of the course:

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

- I. International Criminal Law: Development of the Substantive International Law; The objectives and policies of International Criminal Law; Crimes under International Law : General Crimes and imposition of responsibility: Excluding responsibility; Treaty crimes: General Treaty crimes: Focus on treaty-based responses to terrorism; The Rome Statute; The crime of Aggression; Genocide; Crimes against Humanity; War Crimes; Terrorism and transnational crimes; The role of the International Criminal Court and jurisdiction – Issues of Amnesty, Truth and Justice
- II. Transnational Crimes: Definition, Scope and Characteristics of Transnational crime; Types of Transnational crime; Causes of Transnational crime; Criminal Intent and mens-rea in such crimes; Modus operandi of Transnational crime, Classification of Transnational Crimes; International Perspective. Drug Trafficking; Trafficking of Weapons; Counterfeit of Goods; Trafficking of Persons and Smuggling of Migrants; Money Laundering; Terrorism; Environmental Crimes;
- III. Laws relating to Transnational Crime: Organised crime and United Nations. The U.N. Convention on transnational and organised crime; Naples Declaration and Global Action Plan 24 Dec. 1994; United Nations Conventions against Organized Crime, 2000; [Limited to History, Importance, Objectives; Structure, Key Features];

Suggested readings:

- 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
- An Introduction to International Criminal Law and Procedure Paperback – June 28, 2010 by Robert Cryer, Hakan Friman, Darryl Robinson
- An Introduction to Transnational Criminal Law (Paperback) by Neil Boister
- The International Criminal Court: A Commentary on the Rome Statute (Oxford Commentaries on International Law) By William A. Schabas
- From Nuremberg to the Hague: The Future of International Criminal Justice, Philippe Sands., Cambridge University Press, 2003
- 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)

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Paper VI (LLM E1012) Human Rights and International Law- II

Objectives of the course:

The changes in the global scenario bring new concept of Human Rights (HR) protection against violation which are not mere privileges given to the subjects by the legal system but are liberties permitted to the 'citizens' in a democracy. Only when a society is aware of this right-duty relationship can there be any meaning to human rights. This course is intended to highlight the concept of human rights, their evolution and their importance in our society now particularly in the era of privatisation, globalisation and liberalisation together with study of International Law and Human Right relations.

I. Human Rights and the UNO:

Regional Protection of Human Rights: European Convention on Human Rights, 1950: Rights and Implementation Mechanism under European Court of Human Rights; Inter-American Convention on Human Rights, 1969: Rights and Implementation Mechanism under Inter-American Commission of Human Rights and Inter American Court of Human Rights; Banjul Charter, 1981; GDHR, 2014;

II. Human Rights of Disadvantaged Groups:

Women: CEDAW, 1979: Rights of Woman, Obligation of States and the Committee on Elimination of Discrimination against Women;

Children: Convention on the Rights of the Child, 1989: Rights of the Child, Obligation of States and the Committee on the Rights of the Child;

Refugees: Statute of the Office of the UN High Commissioner for Refugees, 1950- Scope (Article 6A) and Role of UNHCR; Convention on the Status of Refugees, 1951- Definition of Refugee and Obligation of the States; Definition of Refugees under the Protocol Relating to the Status of Refugees, 1967; Principle of Non-Refoulement; Climate Refugees and Internally Displaced Persons; Indigenous People: ILO Convention No. 107 and 169 and Recommendation No. 104 and United Nations Declaration on the Rights of Indigenous Peoples, 2007; [Limited to History, Importance, Objectives; Structure, Key Features];

Suggested readings:

- Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, and David Harris (eds), International Human Rights Law, (OUP 2013).
- Dinah Shelton, Analysis of African Commission for Human Rights Decision Regarding Communication 155/96, 96 A.J.I.L. 937 (2002).
- Ian Brownlie and Guy Goodwin-Gill, Brownlie's Documents on Human Rights, (5th ed., OUP 2006).
- Nsongurua J. Udombana, CRITICAL ESSAY: Can the Leopard Change Its Spots? The African Union Treaty and Human Rights, 17 Am. U. Int'l L. Rev. 1177, (2002).
- Patrick Hayden, "The Philosophy of Human Rights (Paragon Issues in Philosophy)", 2001.
- Philip Alston (Author), Ryan Goodman (Author), Harry J. Steiner (ed), International Human Rights in Context: Law, Politics, Morals, (3rd ed, OUP 2007).
- Rhona K.M. Smith, Textbook on International Human Rights, (6th ed, OUP 2014).
- Yannaras Christos, Human Rights and the Orthodox Church, Greek Orthodox Archdiocese of America, 2003.

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BRANCH VI: LABOUR LAW
LL.M. GENERAL SEMESTER III

Paper I(LLM F1001)
Labour Jurisprudence and the
International Labour Organization (I.L.O.) - I

- I. Concept and Growth of Labour Welfare Jurisprudence; Natural Justice, Concept of Social Justice and Labour; Constitution of India, 1950 [Articles: 14,19,21,23-24, 38, and 41-43A]; Meaning, Scope, Importance and Theories of Labour Welfare;
- II. The Policing Theory, The Religious Theory, The Philanthropic Theory, The Paternalistic or Trusteeship Theory, The Placating Theory, The Public Relations Theory and The Functional Theory; Basic Concepts; Labour and Judicial Process and Public Interest Legislation; Judicial Responses;
- III. The Employees' Compensation Act, 1923 as amended by The Employees' Compensation (Amendment) Act 2017: [Limited to Basic Overview] Need; Importance; Objectives; Definitions; Concept; Key Features of the Act(s); Penalties & Procedures;

Leading cases:

- Bandhua Mukti Morcha v. Union of India A. I. R. 1984 S.C. 802.
- Excel Wear v. Union of India 1978, L.C.J. 527 SC
- National Textiles Workers Union v. Ram Krishna AIR 1983 S.C. 759.
- People Union for Democratic Rights & others. v. Union of India. 1982 II L.L.J. 454 S.C.
- Som Prakash v. Union of India. A.I.R. 1981 S.C. 212.
- The Delhi Cloth & General Mills Ltd. v. Sambhunath Mukerjee 1935 I.L.J. 36 S.C.

Books recommended:

- David Miller: Social Justice.
- K. Johri: Indian Tripartite System.
- Govt. of India : Report of National Commission of Labour.
- Govt. of India : Tripartite Consultations.
- Kamal Mathur and N. R. Seth: Tripartitism in Labour Policy
- Mahesh Chandra: Industrial Jurisprudence.
- R. G. Chaturvedi: Natural and Social Justice.
- S. K. Agrawal: K. N. Mushi Lectures on Public Interest Litigation in India.
- Ministry of Labour and Employment: List of Enactments in the Ministry
- ILO Official Website: <https://www.ilo.org/global/about-the-ilo/lang-en/index.htm>
<https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/member-states/lang-en/index.htm>
- India and ILO: <https://labour.gov.in/lcandilasdivision/india-ilo>

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Paper II (LLM F1002)
Laws Relating to Child & Women Labour and
Industrial Safety & Health - I

- I. The Child and Adolescent Labour (Prohibition & Regulation) Act, 1986 along with The Child and Adolescent Labour (Prohibition & Regulation) Amendment Act, 2016:
- II. Need; Importance; Objectives; Definitions; Concept; Key Features of the Act(s); Prohibition of Employment of Children In Certain Occupations And Processes; Regulation of Conditions of Work of Adolescents; Miscellaneous; Penalties & Procedures;
- III. The Building and Other Constructions Workers' (Regulation of Employment and Conditions of Service) Act, 1996 and The Building and Other Construction Workers Welfare Cess Act, 1996: [Limited to Basic Overview]Need; Importance; Objectives; Definitions; Concept; Key Features of the Act(s); Penalties & Procedures;

Leading cases :

- Alembic Chemical Works v. Its workman, A.I.R. 1961, S.C. 647.
- Labour working in Salal Hydel Project v. State J.K. A. I. R.1983 S. C. 177.
- Rural Litigation and Entitlement Kendra Dehradun v. State of U.P. A. I. R. 1985 S.C. 652.
- V.P. Gopala Rao. v. Public Prosecutor A. P. A. I. R. 1970 S.C. 66.
- Workmen of F.C. I. v. F. C. I. AIR 1985 SC 670

Books recommended :

- Government of India: Report of the Committee on Labour Welfare, 1970
- Govt. of India : Report of National Commission on Labour
- K.N. Vaid: Labour Welfare in India.
- M.V. Moorty: Principles of Labour Welfare.
- Occupational Safety, Health and Working Conditions Code, 2020

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Paper III (LLM F1003)
Law Relating to Industrial Relations - I

- I. Industrial Relations – Genesis, Concept; Emerging Issues;
- II. The Trade Unions Act, 1926 along with The Trade Union’s Amendment Act, 2001:
- III. Need; Importance; Objectives; Definitions; Concept; Key Features of the Act; Registration of Trade Unions; Rights and liabilities of Registered Trade Unions; Regulations and Judicial Responses;
- IV. Maternity Benefits Act, 1961 (as amended by Maternity Benefit Amendment Act 2017): [Limited to Basic Overview] Need; Importance; Objectives; Definitions; Concept; Key Features of the Act(s); Penalties & Procedures;

Leading cases:

- Balmer Lawrie Workers Union Bombay v. Balmer Lawrie & Co. Ltd. 1984 I. L.L. J. 314 (S.C.)
- Jay Engineering Work Ltd. V. State of West Bengal A.I.R. 1968 Cal. 406.
- L.I.C. of India v. D.T. Bahadur 1981 I L.L.J. I (S.C.)
- R.S. Ruikar v. Emperor A.I.R. 1935 Nag. 149.
- Rohtas Industries v. Its. Union A.I.R. 1967 S.C. 425.

Books recommended:

- Central Labour Ministry Website: <https://labour.gov.in/industrial-relations>
- John T. Dulong : Industrial Relations System.
- J. Henry Richardson : An Introduction of the Study of Industrial Relations.
- S.N. Mishra : An Introduction of Labour and Industrial Law.
- I.L.O. : Freedom of associations USA, UK, USSR.
- Sarma, A.M. (2011) Industrial Jurisprudence and Labour Legislation, Himalaya Publishing House, Mumbai.
- Taxmann (2009) Labour Laws, Taxmann Allied Services Pvt. Ltd.

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Paper IV (LLM F1004)
Laws Relating to Wages - I

- I. National Wage Policy; Genesis of West Regulations; Concepts of Minimum Fair, Living and Need based Minimum Wages
- II. The Minimum Wages Act, 1948: Need; Importance; Objectives; Definitions; Concept; Key Features of the Act; Fixing of minimum rates of wages; Minimum rate of wages; Procedure for fixing and revising minimum wages; Advisory Board; Central Advisory Board; Composition of committees, etc.; Correction of errors; Wages in kind; Payment of minimum rates of wages; Fixing hours for a normal working day, etc.; Overtime;
- III. Wages of worker who works for less than normal working day; Wages for two or more classes of work; Minimum time rate wages for piece work; Maintenance of registers and records; Inspectors; Claims; Single application in respect of a number of employees; Penalties for certain offences; General provision for punishment of other offences; Cognizance of offences; Offences by companies;
- IV. Payment of undisbursed amounts due to employees; Protection against attachment of assets of employer with Government; Application of Payment of Wages Act, 1936, to scheduled employments; Exemption of employer from liability in certain cases; Bar of suits; Contracting out; Exemptions and exceptions; Power of State and Central Government; Validation of fixation of certain minimum rates of wages;

Leading Cases:

- Air India v. Nargesh Meerza, A. I. R. 1981 SC 1830.
- B. E. S. T. Undertaking Bombay v. Mrs. Agens AIR 1964 SC 193.
- D. S. Nakara v. Union of India A. I. R. 1983 SC 130.
- Express Newspaper Ltd. & others v. Union of India & others. AIR 1958 SC 578.
- Royal Talkies Hyderabad v. E.S.I. Corporation AIR 1978 SC 19.

Books Recommended:

- K.N. Vaid: Labour Welfare in India.
- M.V. Morty: Principles of Labour Welfare.
- Government of India: Report of the Committee on Labour Welfare, 1970.

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Paper V (LLM F1005)
Labour Welfare and Minor Legislations

- I. Theories of Labour Welfare: Genesis, Concept and Emerging Issues; Role of Labour Welfare: Officers, Labour Welfare in India Legislative and Judicial Perspectives.
- II. Industrial Sociology: Meaning, Scope and Development, Industrialization and Social Change and Social Problems of Industrial Relations.
- III. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013: Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses;
- IV. Employment of Children Act, 1938: Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses;

Books recommended:

- Employment of Children Act, 1938
- Government of India: Report of the Committee on Labour Welfare, 1970.
- Govt. of India: Report of National Commission on Labour
- K.N. Vaid: Labour Welfare in India.
- M.V. Moorty: Principles of Labour Welfare.
- Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Paper VI (LLM F1006)
Recent Legal Development in Labour Law
(Viva-Voce Examination and Project Work)

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LL.M. (GENERAL) SEMESTER IV

Paper I (LLM F1007)

Labour Jurisprudence and the International Labour Organization (I.L.O.) - II

- I. International Labour Organization (I.L.O.): Need, Importance, Objectives; Definition, Concept, Key features and History of the Organization;
- II. How the ILO works: ILO Director-General; Multilateral system; Partnering for Development Programme and budget; Accountability and Transparency; Organizational Structure; Member States; 2030 Development Agenda, Economic and Social Development;
- III. I.L.O. Conventions and Problems in their Ratification; I.L.O. & Regional Conferences; International Labour Standards and Labour Legislations in India; Mission and Impact of I.L.O.; I.L.O. and Human Rights in India;

Recommended:

- ILO Official Website: <https://www.ilo.org/global/lang-en/index.htm>
- Ministry of Labour and Employment: List of Enactments in the Ministry: <https://labour.gov.in/list-enactments-ministry>
- ILO Official Website:
 - <https://www.ilo.org/global/about-the-ilo/lang-en/index.htm>
 - <https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/member-states/lang-en/index.htm>
- India and ILO: <https://labour.gov.in/candilasdivision/india-ilo>

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Paper II(LLM F1008)
Laws Relating to Child & Women Labour and
Industrial Safety & Health - II

- I. **The Factories Act, 1948:** Need; Importance; Objectives; Definitions; Concept; Key Features of the Act; the Inspecting Staff; Health; Safety; Provisions Relating To Hazardous Processes; Welfare; Working Hours of Adults; Employment of Young Persons; Annual Leave With Wages; Special Provisions; Penalties And Procedure;

- II. **The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013:** Need, Importance, Objectives; Definitions, Concept, Key Features of the Act;

Books Recommended:

- Government of India: Report of the Committee on Labour Welfare, 1970
- Govt. of India : Report of National Commission on Labour
- K.N. Vaid: Labour Welfare in India.
- M.V. Moorty: Principles of Labour Welfare.
- Occupational Safety, Health and Working Conditions Code, 2020
- The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

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Paper III (LLM F1009) Dissertation

SCHEME OF PAPER:

MAX. MARKS: 100

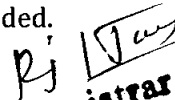
MIN. PASS MARKS: 40

This paper will have two Components:

- a) Dissertation (Written Part) 70 Marks (To be evaluated by three different experts)
- b) Viva - Voce (External) 30 Marks (To be conducted by the University)

GUIDELINES RELATING TO DISSERTATION:

- i. Two-word formats named **Cover Page and Associated Pages** and **Final Written Document** shall be made available by the Head, Department of Law in **the office and on the website** ready to download (MS Word files attached)
- ii. All the titles of the individual chapters framed under the guidance of the supervisor in the dissertation shall establish a link with the main title of the research work
- iii. All chapters shall have an "Introduction" and a "Conclusion" describing the work to be done by the candidate in that very chapter and
- iv. Before closing of the individual chapter summarize the chapter in few lines giving a hint as to what will be researched by the candidate in the coming chapter
- v. Similarly, in the next chapter candidate shall mention as to what he/she did in the last chapter and what is to be proposed and attempted in this chapter
- vi. *the page numbers for the associated pages shall be in roman numbers and when the candidate starts writing the main final document i.e. The dissertation starting from chapter one (Introduction Chapter) the page numbers shall start with 01, 02 and so on.*
- vii. **The dissertation should be minimum of 90 (ninety) pages in total, shall be hard bound and top cover page shall be SKY BLUE with BLACK embossing of letters.**
- viii. The entire research work shall conform to the standard Indian Law Institute (ILI) footnoting style as updated from time to time: available at:
 - ix. <https://www.ili.ac.in/footnoting12.pdf> and <https://www.ili.ac.in/cstyle.pdf>
 - x. The Viva-Voce for the Dissertation shall be conducted by One External Examiner to be recommended through the Dean, Faculty of Law, as per rules
 - xi. For the Viva-Voce, the candidate shall prepare a 10-15 Minutes PPT or Oral Presentation of the research work in consultation with his/her supervisor which he/she shall be required to present before the External Examiner on a date fixed by the Department in each session as per rules.
 - xii. **To pass this paper, it is mandatory for the candidate to appear in the Viva-Voce personally, in the same session, on the date notified by the Department.**
 - xiii. No Grace Marks shall be awarded in case of Viva-Voce Examination.
 - xiv. Four (04) Copies of Dissertation shall be submitted by the candidate to the Department of Law on or before the last date mentioned in the notice issued by the department. [Three for External Examiners and One for Supervisor]
 - xv. There shall be no Revaluation of the dissertation.
 - xvi. Each supervisor shall ensure that the dissertation submitted by the candidate qualifies the research ethics and is made as per the common format provided.


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Paper IV (LLM F1010)
Laws Relating to Industrial Relations - II

The Industrial Disputes Act, 1947: [Thorough Study]Need; Importance; Objectives; Definitions; Concept; Key Features of the Act; Authorities under this Act; Notice of change; Reference of certain individual disputes to grievance settlement authorities; Reference of disputes to boards, courts or tribunals; Procedure, powers and duties of authorities; Strikes and Lock-outs; Lay-off and Retrenchment; Special provisions relating to lay-off, retrenchment and closure in certain establishments; Unfair labour practices; Miscellaneous; Penalties and Judicial Responses;

Books Recommended:

- Central Labour Ministry Website: <https://labour.gov.in/industrial-relations>
- John T. Dulop : Industrial Relations System.
- J. Henry Richardson : An Introduction of the Study of Industrial Relations.
- S.N. Mishra : An Introduction of Labour and Industrial Law.
- I.L.O.: Freedom of associations USA, UK, USSR.
- Sarma, A.M. (2011) Industrial Jurisprudence and Labour Legislation, Himalaya PublishingHouse, Mumbai.
- Taxmann (2009) Labour Laws, Taxmann Allied Services Pvt. Ltd.

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Paper V (LLM F1011)
Laws Relating to Wages - II

- I. The Payment of Wages Act, 1936 along with The Payment of Wages (Amendment) Act(s) of 2005 and 2017: [Limited to Basic Overview] Need; Importance; Objectives; Definitions; Concept; Key Features of the Act(s); Penalties & Procedures;
- II. The Payment of Bonus Act, 1965 along with The Payment of Bonus (Amendment) Act(s) of 2007 and 2016: [Limited to Basic Overview] Need; Importance; Objectives; Definitions; Concept; Key Features of the Act(s); Penalties & Procedures;

Recommended:

Central Labour Ministry Official Website: <https://labour.gov.in/wagess>

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Paper VI (LLM F1012)
Labour Economics, Labour Statistics and Labour Organizations
(Organized and Unorganized)

- I. Labour Force in Organized and Unorganized Sectors: Sources Composition, Characteristics etc.; Employment, Un-employment and Under-employment- conceptual and Development Aspects; Labour Turnover and Absenteeism; Unemployment Guarantee Scheme; Unorganized Labour- Magnitude, Problems and Public Policy on Unorganized Labour; Integrated Rural Development Programmes and Labour
- II. Labour Statistics: Labour Statistics and Labour Standards in I.L.O. (Basic Overview); Growth of Labour Statistics in India;
- III. The Collection of Statistics Act, 2008:
- IV. Need, Importance, Objectives; Definition, Concept, Key features of the Act; Labour Statistics relating to Disputes, Wages, Strikes; Lockouts, Man days, Labour Safety, Health and Welfare Cost of Living etc. and Judicial Responses
- V. The Unorganized Workers Social Security Act, 2008: Need; Importance; Objectives; Definitions; Concept; Key Features of the Act; Social security benefits; National Social Security Board for unorganized workers; State Social Security Board for unorganized workers; Registration; Miscellaneous;

Books Recommended:

- B. N. Asthana: Applied Statistics of India.
- Government of India: Report of National Commission of Labour.
- J. L. Dholakia: Industrial Labour and Economics Development in India.
- J. N. Mongia: Readings in Indian Labour.
- L. G. Reynolds: Labour Economics.
- P. Sharma and Desai: The Rural Economy of India.
- R. Desai: The Rural Sociology of India.
- R. Mukerjee: Labour Planning.
- The Collection of Statistics Act, 2008
- Labour Welfare: <https://labour.gov.in/labour-welfare>
- I.L.O. Official Website (Labour Statistics):
<https://www.ilo.org/global/statistics-and-databases/lang--en/index.htm>
- I.L.O. Official Website (Labour Standards):
<https://www.ilo.org/global/standards/lang--en/index.htm>

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