

Introduction of Choice Based Credit System (CBCS) from the Session 2016-17 & 2017-18

The meeting of the Faculty of Law was held on 24.12.2015 at 11.30 a.m. in the chamber of Dean, Faculty of Law, M.D. University, Rohtak to introduce the Choice Based Credit System (CBCS) from the Session 2016-17. The relevant papers introduce in the Choice Based Credit System (CBCS) are enclosed herewith.

SCHEME OF EXAMINATION LL.M. FIRST SEMESTER w.e.f. 2016-17

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Constitutional Law of India	Core	16LLM21C1	80	20	4:1:0	100	3 Hrs
2.	Administrative Law	Core	16LLM21C2	80	20	4:1:0	100	3 Hrs
3.	Jurisprudence	Core	16LLM 21C3	80	20	4:1:0	100	3 Hrs
4.	Transparency Law (RTI, Lokpal, Citizen Charter, Prevention of Corruption Act)	Core	16LLM 21C4	80	20	4:1:0	100	3 Hrs
Total credits						20		

SCHEME OF EXAMINATION LL.M. SECOND SEMESTER w.e.f. 2016-17

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Interpretation of Statutes & Principles of Legislation	Core	16LLM22C1	80	20	4:1:0	100	3 Hrs
2.	Research Methodology	Core	16LLM22C2	80	20	4:1:0	100	3 Hrs
3.	Environmental Law	Core	16LLM22C3	80	20	4:1:0	100	3 Hrs
*4.	Law & Social Transformation Or Judicial Process	Discipline Specific Elective	16LLM22D1 Or 16LLM22D2	80	20	4:1:0	100	3 Hrs
**5.	Foundation Elective	To be chosen from the pool of papers provided by the University				02		3 Hrs
6.	Open Elective	To be chosen from the pool of open elective papers provided by the University				03		3 Hrs
Total credits						25		

***Available to the students as optional paper.**

****The candidate has to select one of the Foundation Elective paper provided in the University Pool.**

SCHEME OF EXAMINATION LL.M. THIRD SEMESTER w.e.f. 2017-18

A student has to choose one of the following groups:

Group-A (Constitutional Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	British Constitutional Law	Core	17LLM23GA1	80	20	4:1:0	100	3 Hrs
2.	American Constitutional law	Core	17LLM23GA2	80	20	4:1:0	100	3 Hrs
3	Dissertation	Core	17LLM23GA3			8	100	3 Hrs
*4.	Local Self Govt. OR Federal Governance	Discipline Specific Elective	17LLM23DA1 or 17LLM23DA2	80	20	4:1:0	100	3 Hrs
**5.	Open Elective	To be chosen from the pool of open elective papers provided by the University				3		3 Hrs
	Total credits					26		

***Available to the students as optional paper.**

****The candidate has to select one of the Open Elective paper provided in the University Pool.**

Group-B (Business Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Law of Contracts in India & England	Core	17LLM23GB1	80	20	4:1:0	100	3 Hrs
2.	Law of Corporate Management & Partnership	Core	17LLM23GB2	80	20	4:1:0	100	3 Hrs
3	Dissertation	Core	17LLM23GB3			8	100	3 Hrs
*4.	Law of Export-Import Regulations OR Competition Law	Discipline Specific Elective	17LLM23DB1 or 17LLM23DB2	80	20	4:1:0	100	3 Hrs
**5.	Open Elective	To be chosen from the pool of open elective papers provided by the University				3		3 Hrs
	Total credits					26		

***Available to the students as optional paper.**

****The candidate has to select one of the Open Elective paper provided in the University Pool.**

Group-C (Personal Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credit L-T-P	Total marks	Time
1.	Hindu Law (excluding Hindu law of Succession Trusts & Endowments)	Core	17LLM23GC1	80	20	4:1:0	100	3 Hrs
2.	Muslim Law (excluding Muslim Law of inheritance wakfs and Endowments)	Core	17LLM23GC2	80	20	4:1:0	100	3 Hrs
3	Dissertation	Core	17LLM23GC3			8	100	3 Hrs
*4.	Development of Islamic Jurisprudence OR Development of Hindu Jurisprudence	Discipline Specific or Elective	17LLM23DC1 or 17LLM23DC2	80	20	4:1:0	100	3 Hrs
**5	Open Elective	To be chosen from the pool of open elective papers provided by the University				3		3 Hrs
	Total credits					26		

*Available to the students as optional paper.

**The candidate has to select one of the Open Elective paper provided in the University Pool.

Group-D (Criminal Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	History and Principles of Criminal Law	Core	17LLM23GD1	80	20	4:1:0	100	3 Hrs
2.	Comparative Criminal Procedure (India & England)	Core	17LLM23GD2	80	20	4:1:0	100	3 Hrs
3	Dissertation	Core	17LLM23GD3			8	100	3 Hrs
*3.	Criminology & Juvenile Delinquency OR Terrorism & Organised Crimes	Discipline Specific or Elective	17LLM23DD1 or 17LLM23DD2	80	20	4:1:0	100	3 Hrs
**5.	Open Elective	To be chosen from the pool of open elective papers provided by the University				3		3 Hrs
	Total credits					26		

*Available to the students as optional paper.

**The candidate has to select one of the Open Elective paper provided in the University Pool.

SCHEME OF EXAMINATION LL.M. FOURTH SEMESTER w.e.f. 2017-18

Group-A (Constitutional Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Comparative Federalism (India, Australia, Canada & Switzerland)	Core	17LLM24GA1	80	20	4:1:0	100	3 Hrs
2.	Mass Media Law	Core	17LLM24GA2	80	20	4:1:0	100	3 Hrs
3.	Election Law	Core	17LLM24GA3	80	20	4:1:0	100	3 Hrs
*4.	Human Rights OR Minorities Laws	Discipline Specific Elective	17LLM24DA1 Or 17LLM24DA2	80	20	4:1:0	100	3 Hrs
	Total credits					20		

***Available to the students as optional paper.**

Group-B (Business Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Law of Corporate Finance & the S.E.B.I. Act, 1992	Core	17LLM24GB1	80	20	4:1:0	100	3 Hrs
2.	Law of Negotiable Instruments, banking & Insurance	Core	17LLM24GB2	80	20	4:1:0	100	3 Hrs
3.	Industrial and Intellectual Property Law	Core	17LLM24GB3	80	20	4:1:0	100	3 Hrs
*4.	International Trade Law OR International Disputes Settlement	Discipline Specific Elective	17LLM24DB1 Or 17LLM24DB2	80	20	4:1:0	100	3 Hrs
	Total credits					20		

***Available to the students as optional paper.**

Group-C (Personal Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Indian Law of Testamentary & Intestate Succession	Core	17LLM24GC1	80	20	4:1:0	100	3 Hrs
2.	Religious Trusts & Endowments: Central & State Legislation	Core	17LLM24GC2	80	20	4:1:0	100	3 Hrs
3.	Population Planning and Gender Justice	Core	17LLM24GC3	80	20	4:1:0	100	3 Hrs
*4.	Criminal Justice system under Personal laws OR Women Rights and Protection	Discipline Specific Elective	17LLM24DC1 Or 17LLM24DC2	80	20	4:1:0	100	3 Hrs
	Total credits					20		

***Available to the students as optional paper.**

Group-D (Criminal Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Penology & Victimology	Core	17LLM24GD1	80	20	4:1:0	100	3 Hrs
2.	Socio-Economic Offences and Felonious Torts	Core	17LLM24GD2	80	20	4:1:0	100	3 Hrs
3.	Collective Violence and Criminal Justice System	Core	17LLM24GD3	80	20	4:1:0	100	3 Hrs
*4.	Drug Addiction Criminal Justice & Human Rights OR Money Laundering and White Collar Crimes	Discipline Specific Elective	17LLM24DD1 Or 17LLM24DD2	80	20	4:1:0	100	3 Hrs
	Total credits					20		

***Available to the students as optional paper.**

LL.M. FIRST SEMESTER EXAMINATION w.e.f. Session 2016-17
Constitutional Law of India (Code 16LLM21C1)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Seervai, M.M.	: <u>Constitutional Law of India</u>
Basu, D.D.	: <u>Commentaries on the Constitution of India : Constitution of India</u>
Shukla, V.N.	: <u>Indian Constitutional Law</u>
Jain, M.P.	: <u>Constitutional Development Since Independence : Aspects of Indian</u>
ILI	<u>Constitutional Law</u>
Joshi, G.N.	: <u>Framing of the Indian Constitution: A Study</u>
Shiva Rao, B	: <u>The Union and the State National, Delhi, 1972</u>
Jain, Kashyap	
Srinivasan	: <u>Federal Government</u>
(Ed.) Wheare,	: <u>Indian Constitution: The Corner Stone of a Nation</u>
K.C. Austin, G.	: <u>Centre-State Relations; and Cooperative Federalism : Indian</u>
Dr. Chandra	<u>Constitutional Law</u>
Pal T.K. Tope	: <u>State Autonomy in Indian Federation: Emerging Trends</u>
Dr. Chandra	
Pal	

LL.M. FIRST SEMESTER EXAMINATION w.e.f. Session 2016-17
Jurisprudence (Code 16LLM21C3)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

John Austin : Lecturers on Jurisprudence Holland : Jurisprudence
 Salmond : Jurisprudence Paton : Jurisprudence Dias RWM : Jurisprudence Friedman : Legal Theory
 Hart, HLA : The Concept of Law Alen, C.K. : Law in the Making Roscoe Pound : Outline of Jurisprudence
 Roscoe Pound : Philosophy of Law & Morals
 Newman(ed.) : Essay in Jurisprudence in Honour of Roscoe Pound Stone, J. : a) Social Dimension of Law & Justice
 : b) Legal System of Lawyers Reasoning : c) Human Law and Human Justice
 Llyod Dennis : Introduction of Jurisprudence Holmes : Common Law
 Pollock & Wright : Possession Fuller : Morality of Law
 Basu : Modern Theories of Law (ILL) Dhyani, S.N. : Law, Morality and Justice
 Cordozo : Growth of Law
 Stone : The Province and Function of Law Hohfield : Fundamental Legal
Conceptions Vinogradoff : Outlines of Historical Jurisprudence

LL.M. FIRST SEMESTER EXAMINATION w.e.f. Session 2016-17

Transparency Law (RTI, Lokpal, Citizen Charter, Prevention of Corruption Act) (Code 16LLM21C4)

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-1

Citizen charter: Objective of the Citizens' Charter, Components of Citizen Charter, Plans of citizen charter, Problems faced in implementing the Charters, Deficiencies in the Existing Citizens' Charters, Guidelines for the Citizens' Charters in India.

Unit-2

Prevention of corruption Act: Prevention of Corruption Act, 1988 - Objects and Reasons of the Act, Definitions - Public duty, Public Servant; Power to appoint special judges, cases triable by special judges, Procedure and Powers of special judges; Offences and Penalties - Public Servant taking gratification other than legal remuneration in respect of an official Act, Criminal misconduct by a Public Servant.

Unit-3

Right to information: Right to Information Act, 2005: Historical Background: Colonial and Post Independent; Significance of Right to Information in Democracy Constitutional basis of RTI with special reference to Art. 19 and 21 of the Constitution; Right to Information and obligations of public authorities Central Information Commission, State Information Commission, Powers and Functions of Information Commissions, Appeals and Penalties; Press and NGO's Role in RTI Public awareness and public participation in RTI, Supreme Court on Right to Information

Unit- 4 Lokpal: Lokpal: Historical Background, meaning, Scope of Lokpal in India; Laws Relating to Lokpal in India; Power and Functions of Lokpal and Limitation; Lokpal and Lokayukt: A comparative study

Books:

1. Dr. Niraj Kumar: Treatise on Right to Information Act, 2005
2. Dheera Khandelwal & Krishan K. Khandelwal: Right to Information Act, 2005
3. P.K. Das: Right to Information Act
4. N.K Jain: Right to Information Concept Law & Practise
5. K.Rao (Advocate): Commentary on the Prevention of Corruption Act, 1988
6. P.V.Ramakrishna, revised by D.M.Rao (Advocate): Handbook on Prevention of Corruption Act, 1988
7. Aravinda K. Sharma & Indu Sharma: Inducing Client Focus in Bureaucracy – The Citizen's Charters in India
8. M. V. Kamath : Corruption and the Lokpal Bill

LL.M. SECOND SEMESTER EXAMINATION w.e.f. Session 2016-17
Interpretation of Statutes and Principles of Legislation (Code 16LLM22C1)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

- Craies : Statute Law
 Cross : Statutory Interpretation Maxwell : On the Interpretation of Statutes Sarup,
 Jagdish : Legislation and Interpretation Sarathi, Vepa P. : Interpretation of Statutes
 Singh, G.P. : Principles of Statutory Interpretation Bentham : Theory of Legislation
 Dicey, A.V. : Lecturers on the Relation Between :Law and Public Opinion in England
During the Nineteenth Century
 Mathur : Principles of Legislation Mires, David R.Page : Legislation
 Alan
 Ruthnaswami : Legislation Principles and Practice

GENERAL READINGS

- Abrahm, H.L. : The Judicial Process
 Bell John : Policy Arguments in Judicial Decisions Cardozo, B.N. : The Nature of the
Judicial Process Diredger, E.A. : The Construction of Statutes
 Dworkin, R. : A Matter of Principle Friedmann : Law in a Changing Society Hidayatullah,
 M. : Judicial Methods
 Indrayan, N.K. : Law and Public Opinion in India Mitchell, WJT(Ed) : The Politics of
Interpretation Sutherland : Statutory Constructions

LL.M. SECOND SEMESTER EXAMINATION w.e.f. Session 2016-17
Research Methodology (Code 16LLM22C2)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

M.O. Price, H.Bitner : Effective Legal Research (1978) And Bysiewiez
 Pauline V. Young : Scientific Social Survey and Research (1962) H.M. Hyman :
Interviewing in Social Research (1965) Payne : The Art of Asking Questions (1965)
 Erwin C. Surrency, B.Fielf : A Guide to Legal Research (1959) And J. Crea
 Morris L. Cohan : Legal Research in Nutshell (1996), West Publishing Co. : Havard Law
Review Association, Uniform System of
 Citations
 : ILI Publication, Legal Research and Methodology

LL.M. SECOND SEMESTER EXAMINATION w.e.f. Session 2016-17
Environmental Law (Code 16LLM22C3)

MM : 80
 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

- : The Water(Prevention & Control of Pollution) Act, 1974 : The Forest (Conservation) Act, 1980
- : The Air (Prevention & Control of Pollution) Act, 1981 : The Environment (Protection) Act, 1986
- : The National Environment Tribunal Act, 1995
- : The National Environment Appellate Authority Act, 1997
 - : Declaration of the United Nations Conference on the Human Environment, 1972
 - : Rio Declaration on Environment and Development of 1992
- Dr. Chandra Pal : Environmental Pollution and Development: Environment Law, Policy and Role of Judiciary, 1999 Gurdip Singh
 - : Environmental Law, 1997
- Paras Diwan(edited) : Environment Protection: Problems, Policy and Administration, 1995
- Justice Krishna Iyer : Environmental Pollution & Law V.R.
- Trivedi, R.K. : Ecology and Pollution of Indian Rivers
 - : World Commission on Environmental and Development
- Dr. Naresh Kumar : Air Pollution and Environment Protection (1999)

LL.M. SECOND SEMESTER EXAMINATION w.e.f. Session 2016-17
Law & Social Transformation (Code 16LLM22D1)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I: Law and Social Change

Meaning and concept of Law, Social Change, Theoretic Models on Social change and their application-Inter play between law and social change, Relationship between law and morality, Social change in the context of democracy.

Historical and Sociological Study on the role of law in bringing about social change

Law and social change in ancient India-Social dimensions of law and social concern for justice-Role of family, associations and charitable institution, The Interpretation of Shruti, Smriti and Interaction between law and custom, Social control during the Muslim conquest-Social reform during the medieval period, Social reforms and Women, Children and others in modern India, Codification of Laws-Freedom of Movement and Social reform ideas.

Unit-II: Constitution and Social Transformation

Impact of Sociological school in India, Constitutional mechanism for social change, Basic structure theory as balancing continuity and change-The role of Governmental organs, Application of international law in the process of constitutional interpretation-Constitutionalism and social transformation.

Auxiliary Efforts: Jurisprudence of Sarvodaya-Gandhiji, Vinoba Bhava, Jaya Prakash Narain-Concept of grama nyayalayas, law and justice, constitutional debates on the right to property, Indian Marxist critique of law and justice, Naxalists Movement-Causes and cure-Rise of Dalits and changing equations in social order in twenty first century.

Unit-III: Religion and Law

Religion as a divisive factor, secularism-Reform of the law on secular lines, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law.

Language and the Law

Formation of linguistic states, Constitutional protection to linguistic minorities, Non-discrimination on the ground of language.

Community

Acceptance of caste as a factor to undo past injustices, Protective discrimination-Scheduled castes, Tribes and Backward classes, Reservation: Statutory Commission, Statutory provisions.

Regionalism and the law

Equality in matters of employment-the slogan “sons of the soil” and its practice.

Unit-IV: Modernization and law

Modernization as a value-fundamental duties, Reforms in family law, Agrarian reform-Industrialization of agriculture, Industrial reform-Free enterprise v. State regulation-Industrialization and environmental protection. Reform of court process-Criminal law-plea bargaining, compounding and payment of compensation to victim, Civil laws-(ADR) Confrontation v. Consensus, mediation and conciliation, Lok adalats, Prison reforms, Democratic decentralisation and local self-government.

Select Bibliography:

1. Marc Galanter (ed.) Law and Society in Modern India, 1977 Oxford.
2. Robert Lingat, The Classical Law of India, 1998
3. U. Baxi, the Crisis of the Indian Legal System, 1982
4. Duncan Derret, The State, religion and Law in India, 1999
5. H.M. Seervai, Constitutional Law of India, 1996
6. P. Ishwar Bhatt, Social Transformation in India

LL.M. SECOND SEMESTER EXAMINATION w.e.f. Session 2016-17
Judicial Process (Code 16LLM22D2)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I: Nature of Judicial Process

Judicial Process as an instrument of social ordering, Judicial process and creativity in law common law Model-Legal Reasoning and growth of law-change and stability, the tools and techniques of judicial creativity and precedent, Legal development and creativity through legal reasoning under statutory and codified systems.

Special Dimensions of Judicial Process in Constitutional Adjudications: Notions of judicial review, Role in Constitutional adjudication. Varieties of judicial and juristic activism, Problems of accountability and judicial law-making

Unit-II: Judicial Process in India

Indian debate on the role of judges and on the notion of judicial review, the independence of judiciary and the political nature of judicial process, Judicial activism and creativity of the Supreme Court-The tools and techniques of creativity, Judicial process in pursuit of constitutional goals and values-New dimensions of judicial activism and structural challenges, Institutional liability of courts and judicial activism-Scope and limits.

Unit-III: The Concepts of Justice

The concept of justice or Dharma in Indian thought, Dharma as the foundation of legal ordering in Indian thought, the concept and various theories of justice in the western thought, Various theoretical bases of justice-the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

Unit IV: Relation between Law and Justice

Equivalence Theories-Justice as nothing more than the positive law of the stronger class, Dependency theories-For its realization justice depends on law, but justice is not the same as law, the independence of justice theories-means to end relationship of law and justice-the relationship in the context of the Indian Constitutional ordering, Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

Select Bibliography

1. Julius Stone, The Province and Function of Law, 2000 Universal, New Delhi
2. Cardozo, The Nature of Judicial Process, 1995 Universal, New Delhi
3. Henry J. Abraham, The Judicial Process, 1998, Oxford.
4. J. Stone, Precedent and the Law-Dynamics of Common Law Growth, 1985
5. W. Friedmann, Legal Theory, 1960
6. Bodenheimer-Jurisprudence-the Philosophy and Method of the Law, 1997, Universal, New Delhi
7. J. Stone, Legal System and Lawyers', Reasoning's, 1999 Universal, New Delhi

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
British Constitutional Law (Code 17LLM23GA1)

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

- | | |
|----------------------|--|
| Wade, H.W.R.
W.A. | : <u>Justice and Administrative Law: Study of the British Constitution</u> Robson,
: <u>Justice and Administrative Law: A Study of the British
Constitution</u> |
| Foulkes, David | : <u>Introduction to Administrative Law</u> |
| Bamett, Hilane | : <u>Constitutional and Administrative Law, 1996</u> Keir, D.L. &
: <u>Cases in Constitutional Law, 1997</u> |
| Cawson, E.H. | |
| Phillips, O.Hood | : <u>Leading Case in Constitutional and Administrative Law</u> |
| Turpin, Colin | : <u>British Government and the Constitution: Text case and materials</u> |

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
 American Constitutional Law (Code 17LLM23GA2),

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Denning	: <u>Freedom Under the Law</u>
Schwartz	: <u>An Introduction to the American Administrative Law</u> : <u>Administrative</u>
Bernard Davis,	<u>Law and Government</u>
Kanneth Beck,	: <u>Constitution of U.S. Yesterday, Today & Tomorrow</u> : <u>Law of the</u>
J.M. Burdick,	<u>American Constitution</u>
G.K. Cooley,	: <u>Constitutional Law in the United States of America</u> : <u>Constitutional and</u>
T.M. Corwin	<u>What it means today.</u>

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Dissertation (Code 17LLM23GA3)

MM : 100

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Local Self Govt. (Code 17LLM23DA1)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit 1. Historical Perspectives: Ancient period; Gram Swaraj: the Gandhian concept; Constitutional Scheme: Directive Principles; Structure and powers of local bodies

Unit 2. Legislative Powers: Direct democracy and grass root planning; Municipalities and corporations; Gram Sabha

Unit 3. Quasi-legislative Powers: Rule making power of the State Government; Regulations and Bye-laws; Financial Powers: Levying taxes; Licensing power; Financial resources and powers

Unit 4. Judicial and Quasi-judicial powers of the Local Bodies; Election to Local Bodies; Conduct of Meetings: Corporation, Municipal Council, Panchayat Committee and Gram Sabha; Institutional and Judicial Control

Select bibliography

Friedman, The State and the Rule of Law in a Mixed Economy

Neville L. Brown and J.F. Garner; French Administrative Law

Dicey, Introduction to the Law of the Constitution,

Ivor Jennings, Law and the Constitution

Schwartz & Wade, Legal Control of Government

Davis, Discretionary Justice

Jam & Jam, Principles of Administrative Law (1986), Tripathi, Bombay

De Smith, Judicial review of Administrative Action (1995)

Indian Law Institute, Government Regulation of Private

W.Thornhill (ed.), *The Growth and Reform of English Local Self-government* (1971). Weidenfeld and Nierlson London

Radhakumud Mookerji, *Local Government in Ancient India* (1985), Daya Publishing Delhi.

M.Venketarangaiya & Pattabhiram, *Local Government in India* (1969) Allied, New Delhi.

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Federal Governance (Code 17LLM23DA2)*

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit 1. Federalism: Creation of new states, Allocation and share of resources-distribution of grants-aid; The inter-state disputes on resources; Rehabilitation of internally displaced persons; Centre's responsibility and internal disturbance within states; Direction of the Centre to the State under Article 356 and 365; Federal Comity-Relationship of trust and faith between Centre and State; Special status of certain States; Tribal Areas, Scheduled Areas; Boundary disputes, Deployment of security forces etc. **Separation of Power:** Doctrine of Separation of Powers and checks and balances; Constitutional framework-Judicial interpretation and practice, Judicial activism and judicial restraining; P11: Implementation; Judicial autonomy and independence; accountability of Executive; Legislature and Judiciary; **Democratic Process:** Election and Electoral reforms; Election Commission; **The rule of law:** The independence of judiciary as an aspect of separation of powers/Division of functions

Unit II: The Executive: Constitutional status, Powers and functions of the President vis-a vis form of Government. **The Legislature:** Parliamentary/Legislative Privilege: Nature, Extent, Scope and Limitation on privileges. **The Judiciary:** Status, Power, functions and contemporary developments, Power of judicial review. **Good Governance:** Principle of good governance- Administrative responsibility and accountability-Liability of the state in Torts-Constitutional torts and compensatory Jurisprudence.

Unit III: 'State'-Need for widening the definition in the wake of liberalization; . Right to equality: Privatization and its impact on affirmative action; Empowerment of Women; Freedom of Press and Challenges of new scientific development.

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:

- Aiyer and Mehta : Essays on Indian Federalism
- Jennings : Some characteristics of Indian Constitution
- Basu, Durga Das : Constitutional Law of India
- Dicey, A.V. : Law of the Constitution
- Banerjee, Anil Chandra: The Constitutional History of India
- Friederic, Care S. : Constitutional Government and Democracy
- Sarkaria Commission Report on Centre-State Relations (1988)
- The National Commission to Review the working of the Constitution -2002, Chairman - M.H. Venkatachaliah.

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Law of Contract in India & England (Code 17LLM23GB1)

MM : 80
 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Sir William Anson	: <u>Principles of Law of Contract</u> : <u>The Law of Contract</u>
Cheshire and Fi	: <u>Contract</u>
foot Leak	: <u>Indian Contract Act</u> : <u>Contract</u>
Pollock & Mulla	: <u>Law of Contract in India</u> : <u>Cases of Contract</u>
Dutt	: <u>The Law of Contract</u> : <u>Law of Contract</u>
V.G.	: <u>Law of Contract</u> : <u>Law of Contract</u> : <u>Contract</u>
Ramachandran	
Finchd	
G.H. Treital Dr.	
Avtar Singh	
Dr. R.K. Bangia Dr.	
J.D. Jain Chitney	

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Law of Corporate Management & Partnership (Code 17LLM23GB2)

MM : 80
 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

L.C.B. Cower Dutta Ghosh	: <u>Principles of Modern Company Law</u> : <u>The Company Law</u> : <u>Company Law</u>
Jagdish Saroop	: <u>Commentaries on Company Act, 1956</u> : <u>Principles of Company Law</u>
Dr. L.C. Dhingra(Ed.)	: <u>Indian Company Law</u>
Dr. Avtar Singh	: <u>Lectures on Company Law</u> : <u>Company Law</u>
S.M. Shah	: <u>Law of Partnership</u>
S.K. Kapoor &	: <u>The Law of Partnership</u> : <u>Law of Partnership</u>
Majumdar S.L. Gupta	: <u>The Partnership Act</u>
Lord Lindley Dr. Avtar Singh Dr. R.K. Bangia	: <u>The Law of Partnership</u> : <u>The Partnership Act, 1932</u>
D.F. Mulla	

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Dissertation (Code 17LLM23GB3)

MM : 100

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Law of Export-Import Regulations (Code 17LLM23DB1)*

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-1. Introduction: State control over import and export of goods - from rigidity to liberalization; Impact of regulation on economy; **The Basic Needs of Export and Import Trade:** Goods; Services; Transportation

Unit-2. International Regime: WTO agreement; WTO and tariff restrictions; WTO and non- tariff restrictions; Investment and transfer of technology; Quota restriction and anti- dumping; Permissible regulations; Quarantine regulation; Dumping of discarded technology and goods in international market; Reduction of subsidies and counter measures.

Unit-3. General Law on Control of Imports and Exports: Control of Import: General scheme; Legislative control; Power of control : Central government and RBL Foreign Trade Development and Regulation Act 1992; Restrictions under customs law; Prohibition and penalties; Export-Import formulation : guiding features; Control under FEMA; Foreign exchange and currency; Import of goods; Export promotion councils; Export oriented units and export processing zones, **Control of Exports:** Quality control; Regulation on goods; Conservation of foreign exchange; Foreign exchange management; Currency transfer; Investment in foreign countries

Unit-4. Exim Policy : Changing Dimensions: Investment policy : NRIs, FII's (foreign institutional investors), FDIs; Joint venture; Promotion of foreign trade; Agricultural products; Textile and cloths; Jewellery; Service sector, **Law Relating to Customs:** Prohibition on importation and exportation of goods; Control of smuggling activities in export-import trade; Levy of, and exemption from, customs duties; Clearance of imported goods and export goods; Conveyance and warehousing of goods, **Regulation on Investment:** Borrowing and lending of money and foreign currency; Securities abroad - issue of; Immovable property - purchase abroad; Establishment of business outside; Issue of derivatives and foreign securities — GDR (global depositories receipts), ADR (American depository

receipts) and Uro; Investment in Indian banks; Repatriation and surrender of foreign securities, **Technology transfer:** Restrictive terms in technology transfer agreements; Automatic approval schemes

Select Bibliography

Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)

Government of India Import and Export Policy (1997 -2002)

The Students should consult the relevant volumes of the Annual Survey of Indian Law, published by the Indian law Institute, New Delhi.

Foreign Trade Development and Regulation Act 1992 and Rules

Foreign Exchange Management Act 1999

Marine Products Export Development Authority Act 1972

Customs Manual (Latest edition)

Final Treaty of GATT, 1994.

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Competition Law (Code 17LLM23DB2)*

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit:-1. Introduction: Basic economic and legal principles; Restraint of Trade under Indian Contract Act; Monopolistic Trade Practices; Restrictive Trade Practices

Unit:-2. Development of Law from MRTP to Competition Act 2002: Aims, Objects and Salient features; Comparison between MRTP Act and Competition Act; Anti- Competitive Agreement; Abuse of Dominant position; Combination; protection of consumers

Unit:-3. Competition Commission of India: Structure and function of CCI; regulatory role

Unit:-4. Competition Appellate Tribunal: Composition, Functions, Powers and Procedure; Award Compensation; Power to punish for contempt; Execution of orders

Suggested Reading

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

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
 Hindu Law (Code 17LLM23GC1)
 (Excluding Hindu Law of Succession Trust & Endowments)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Max Muller	: <u>Sacred Books of the East Series Law of Manu : Hindu Law and its sources</u>
Jha, Jaganath	: <u>History of Dharma Shastras : Hindu Law and Usage</u>
Kane/P.V.	: <u>Epochs in Hindu Legal History</u>
Mayne, Henry	: <u>Religion, Law and the State in India : Introduction to Modern Hindu Law : A</u>
Sarkar, U.C.	<u>critique of Modern Hindu Law</u>
Derrett, J.D.M.	: <u>Modern Hindu Law</u>
Derrett, J.D.M.	: <u>Studies in Hindu Law : Hindu Law</u>
Derret, J.D.M.	
Paras Diwan	
Tahir	
Mahmood	
Mulla, D.F.	

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
 Muslim Law (Code 17LLM23GC2)
 (Excluding Muslim Law of Inheritance, Wakfs and Endowments)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

- | | | |
|------------------------------------|--|----------------------------------|
| Baillie, Naile | : <u>Digest of Mohammendan Law</u> Anderson, J.N.D. | : <u>Islamic Law in the</u> |
| <u>Modern World</u> Ameer Ali | : <u>Mohammendan Law</u> (Vol.I & II) Tyabji | : <u>Muslim Law</u> |
| Mulla, D.F. | : <u>Principles of Mohammendan Law</u> Fyzee, AAA | : <u>Guidelines of</u> |
| <u>Mohammendan Law</u> | | |
| Tahir Mehmood | : <u>Islamic Law Since Independence in India</u> Tahir Mehmood | : <u>Muslim</u> |
| <u>Law of India</u> | | |
| Khalid Rashid | : <u>Muslim Law</u> | |
| Tahir Mahmood | : <u>Muslim Personal Law: Role of State in the Indian Sub</u> | <u>continent</u> |
| David Pearl | : <u>A Text Book on Muslim Personal Law</u> K.H. Dkinson | : <u>Muslim</u> |
| <u>Family Law: A Source Book</u> | Tahir Mahmood | : <u>Personal Laws in Crisis</u> |
| Anderson, J.N.D. | : <u>Law Reform in the Muslim World</u> | |
| C. Mallal & J. Corner | : <u>Islamic Family Law: Latest Developments</u> Joseph Schacht: | <u>An</u> |
| <u>Introduction to Islamic Law</u> | | |
| Paras Diwan | : <u>Muslim Law in Modern India</u> | |

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Dissertation (Code 17LLM23GC3)

MM : 100

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
 Development of Islamic Jurisprudence (Code 17LLM23DC1)*

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I Nature and Scope of Islamic Jurisprudence

1. Islam: An Introduction
2. Definition of Islamic Jurisprudence
3. Subject matter of Islamic Jurisprudence
4. Works on Islamic Jurisprudence

Unit-II Development of Islamic Jurisprudence

1. Underlying Principles and Shaping of Islamic legal thought
2. Periods of development
3. Emergence of different Schools of Islamic Jurisprudence and their characteristic features
4. Islamic and comparative legal theories

Unit-III Sources and Foundation of Islamic Jurisprudence

1. The Quran: Revelation, compilation, Legislative functions
2. Hadith : Meaning, authority, Role in Legislation, Works on Hadith
3. Ijma : Concept, Utility and binding character
4. Other sources: Qiyas, Ijtehad, Taqlid and Urf.

Unit-IV Basic Legal Concepts

1. State and Sovereignty
2. Rights and duties
3. Personality
4. Possession and Property

Recommended Readings:

1. The Reconstruction of Legal thought in Islam by ‘Dr. Raizul Hasan Gilani’
2. Mohammad an Jurisprudence by ‘Abdur Rahim’
3. Origin of Islamic Jurisprudence of ‘Joseph-Schacht’
4. Family Law Reform in the Muslim World: J.N.D. Anderson.
5. A History of Islamic Law: N.J. Kolson
6. Lesson from the Stories of Quran: Ali Musa Raza Muhajir
7. The Philosophy of Islamic Jurisprudence: Mahmasani
8. Conflict and Tension in Islamic Jurisprudence: J.N. Kolson
9. The Meaning of the Quran Vol-I: Sayyid Abdul Ali Maududi
10. Dimension of Islam – Afzal Iqbal
11. Sermons of the Prophet: S.F.H. Faizi
12. Islam and Contemporary Muslim Worlds: Anwar Moazzam
13. Islamic Jurisprudence: Kamal A. Faruqi
14. Fundamentals of Ijtehad: Mohd. Taqi Amini
15. The Doctrine of Ijma – Ahmad Hasan
16. The Urgency of Ijtehad – Alhaj Moinuddin Ahmad

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Development of Hindu Jurisprudence (Code 17LLM23DC2)*

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I

Meaning and Concept of Hindu Law: Origin, Immemorial custom and usages, later developments.

Sources of Hindu Law: Ancient Sources: Sruties; Smritis; Commentaries and Digests; Custom.

Modern Sources: Equity, justice, and good conscience, Judicial decisions (Precedents) Legislation,

Mimmsa (interpretation), **Schools and Application:** Schools of Hindu Law: Mitakshra school,

Dayabhaga school, Main differences, Application of Hindu Law.

Cases: (i) Tagore vs. Tagore (1872) IIA 54/47, 68 (ii) Collector of Madura vs. Mootoo Ramalinga (1868) 12 MIA 327

Unit-II

Family Relations: Concept and Nature of Marriage, Essentials of Marriage, Effects of Hindu Marriage Act, 1955, Hindu Marriage Law's (Amendments) Act. 1976, Changing concept of Marriage

a) Marriage as Contract b) Sacrament c) Sacrosant, Judicial Trends, **Matrimonial Remedies:** Nullity of marriage, Restitution of conjugal rights, judicial separation, conversion, Divorce, theories of Divorce: (a) Fault theory (b) Breakdown theory (c) Consent theory (d) Irretrievable theory, Judicial trends

Cases: (i) Tikait Munmohni vs. Basant Kumar ILR 28 Cal. 758 (ii) Gopal Krishana vs. Mithilesh Kumari AIR (1979) All. 316

Unit-III

Adoption: Meaning, concept and nature of adoption, Religious and secular nature, Effect of Hindu Adoption and Maintenance Act, 1956, Ceremonies required for adoption under old and present Laws, Requisites of a valid adoption, Adoption by male, female and widow, Judicial Trends.

Cases: (i) Naidu vs. Naidu (1970) S.C. 1673, (ii) Kartaar Singh vs. Surjan Singh AIR (1974) S.C. 2161.

Unit-IV

Hindu Minority and Guardianship: Guardian – Meaning and concept, Kinds of Guardians, Natural Guardians, Natural Guardian under the Act 1956, The rights and obligation of guardians relating to person and property, Changes made by the Minority and Guardianship Act, 1956, Powers of Guardian, Disabilities to Act as a guardian, Welfare of minor to be paramount consideration, Judicial trends.

Case: (i) Hanuman Prasad vs. Mst. Babooyee 8 MIA 293, 412, 413 (ii) Mohri Bibi vs. Pathan AIR 1971 S.C. 315 P. 315

Recommended Readings:

1. Mulla: Principal of Hindu law, PP. 1-32, 40-63
2. Paras Diwan: Modern Hindu Law, PP. 1-9, 24-35
3. Dr. U.P.D. Kesri: Modern Hindu law, PP. 7-18, 21-24
4. Mayne: Hindu Law and usage, PP. 157-310
5. Dr. U.P.D. Kesri: Modern Hindu Law, PP. 29-140
6. J. Duncun M. Derrett: A Critique of Modern Hindu Law, PP. 122-135
7. Dr. U.P.D. Kesri: Modern Hindu Law PP. 159-187
8. R.K. Agarwal: Hindu Law, PP. 176-202, 112-142

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
History and Principles of Criminal Law (Code 17LLM23GD1)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOK RECOMMENDED

Stephen : A History of Criminal Law of England Kenny : Outlines of Criminal Law
 Rattan Lal : Law of Crimes
 R.C. Nigam : Principles of Criminal Law (Law of Crimes in India) Shamshul Huda : The Principles of Law of Crimes in British India (Tagore Law Lectures)
 Rankin : Background of Indian Law H.S. Gour : Indian Penal Code Glanville
 Williams : Criminal Law
 Smith and Hogan : Criminal Law
 Indian Law Institute : Essays on Indian Penal Code Publication
 Peter Seago : Criminal Law Sweet & Maxwell 1981

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Comparative Criminal Procedure (Code 17LLM23GD2)
(India & England)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

K.N.C. Pillai(Ed)

Patric Devlin : The Criminal Prosecution in England : Criminal Procedure Code, 1973

Rattan Lal : The Code of Criminal Procedure

: 14th & 41st Report of Law Commission of India Celio Hamptom : Criminal Procedure

B.P. Singh : Search, Seizure & Personal Liberty: A Comparative Study of Laws and Judicial Trends in India, U.S.A. & Britain (Ph.D.

Thesis)

Sohony : Criminal Procedure in 4 Vols. AIR Publication David Barnard : The Criminal Court in Action

Richard Card (ed) : Cases and Statutes on Criminal Law Cross & Jones

B.B. Mitra : Code of Criminal Procedure

: Criminal Procedure Code, 1973 : The Indian Evidence Act, 1872

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Dissertation (Code 17LLM23GD3)

MM : 100

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Criminology & Juvenile Delinquency (Code 17LLM23DD1)*

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I

Definition of Criminology, Crime and Criminal Law, their theory and significance, Development of criminal law and criminology in India; Study of crime as behavior. Schools of Criminology:- Pre-classical, Classical and Neo-classical and their theories Baccaria and Bentham, The Positive school and their contributors C. Lambroso, R Garafellow and E Ferricriews of other schools i.e. cartographer sociological sociologist and clinical and multifactor's etc. and their contributors.

Unit-II

Types of Crimes and Criminals: Habitual, Sexual, Professional, Organized and white-collar. Terrorism Marginal and Victimless crimes, Modern and International crimes such as —cyber crime, Human organ crime, Hijacking, Feticide and Nuclear theft, crime against Women- Murder, Rape, Dowry-death, Torture, Kidnapping, abduction etc.

Unit-III

Cause of Crimes:- Individual, Mental, Physical, Economical, Psychological and Religious, Sexual, Harmonial abreoviability as a cause of crime Social disorganization, movibility, Theory of Differentiate association. Anomie, Labeling, Gang delinquency, Effect mass media and role of state and politician as crime causation.

Unit-IV

Juvenile Delinquency:- Its causes, Economic, Pressing, Gang culture, Differential association, Vagrancy, Truancy, Recidivism, Drug addiction, Tract went of Juvenile and their signification: Borsht system observation home Reformatories after care organization and Provision of the Juvenile Justice (care and protection of children) Act 2000.

Books Recommended

Sutherland & Crassly - Criminology
 Taft & England - Criminology
 Reckless W. - Criminology The Crime Problem
 Vole G.B. - Theoretical Criminology
 Mannheim - Compensation criminology
 Lolika Asrkar - Crime & Woman
 Upendra Baxi - Law & Poverty
 Pillai S. - Theory of Criminology
 Cyril Burt - Young Delinquents
 Gilliam J.L. - Criminology Penology
 Gluck - Delinquents in working
 A. Siddique - Criminology Problem & Perspective
 David Abrahanson - Crime & Human Maid
 Cove Land - The Emitters of Criminology
 Katherine S. William - Text Book of Criminology
 Leon Radzeinowitz - Ideology of Crime
 W. Reckless - The Prevention of Juvenile Delinquency
 P.H. Kohen - Juvenile Offenders & The Law
 K.S. Shukla - Adolescent Offenders
 ILI (Delhi) - Habitual Offenders & The Law
 E. Sutherland - White Collar Crime
 M. Ponnianan - Criminology and Penology

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18
Terrorism & Organised Crimes (Code 17LLM23DD2)*

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I: Terrorism and Organised Crime:

Definition and Scope; Characteristics of organized crime; Types of organized crime; Causes of organized crime

Unit-II: Classification of Organized Crimes:

A) International Perspective: Transnational organized crime; Illicit Firearms trafficking; Drug trafficking; Money laundering scams and frauds

B) Indian Perspective: Smuggling, Money Laundering and Hawala; Terrorism; Counterfeiting of Currency; Drug trafficking: NDPS Act penal provisions; Cyber Crimes, IT Act, 2000 (Sec. 65, 66 & 67)

Unit-III: Profiles of Criminal Gang/Investigation and Prosecution:

Criminal Intent and Mensrea in such Crimes; Modus operandi of organized crime; Role of Police in Investigation of organized crime; Role of Judiciary, Trial and Sentencing in organized crime; Relevant Provisions under IPC and Indian Evidence Act

Unit-IV: Laws relating to Transnational Organized Crime:

Organised Crime and United Nations; Naples Declaration and Global Action Plan 24 Dec. 1994 (Salient features); United Nations Conventions Against Organized Crime 15 Dec. 2000 (Salient features); Extradition Treaty: Extradition Act 1962 (Relevant Provisions) International Crimes: Emerging Crimes of International Nature; Objective of International Criminal Law; Salient features of International Criminal Court.

Books of Reference

Bare Acts:

1. Narcotic Drugs and Psychotropic Substances Amendment (Act) 2001
2. Immoral Traffic (Prevention) Act, 1956
3. Maharashtra Control of Organized Crimes Act 1999
4. Naples Declaration and Global Action Plan, 1994
5. Extradition Treaty & Extradition Act, 1962

Books:

1. Mathur K.M., Crime, Human Rights and National Securities, Gian Publishing House, New Delhi-02
2. Nadan Kamat, Computer and Information Technology Law
3. Attra Chand, Terrorism Political Violence Security of Nation, Gian Publishing House, New Delhi-02
4. William A Schabas, International Criminal Court, 1 Edition 2001, Cambridge University Press.

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
 Comparative Federalism (Code 17LLM24GA1)
 (India, Australia, Canada & Switzerland)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

- | | | |
|-----------------|----------------------|--|
| Dr. Chandra Pal | Dr. | : <u>Centre-State Relations and Cooperative Federalism</u> |
| Chandra Pal | Aiyer, S.P. | : <u>State Autonomy in Indian Federation: Emerging Trends : Federation and Social Change, 1963</u> |
| Birch, A.H. | | : <u>Federalism, Finance and Social Legislations in Canada, 196</u> |
| 3 | Bombwall, K.R.(Edit) | |
| -do- | | : <u>National Power and State Autonomy, 1978 : The Foundation of Indian Federalism, 1962 : Studies in Federalism, 1958</u> |
| Bowie & | Friendrich | |
| Wheare, K.C. | Livingston, | : <u>Federal Government, 1963</u> |
| W.S. Meekison, | J.Peter(ed) | : <u>Federalism & Constitutional Change, 1956</u> |
| Reagan Michae | I.D. Vile, | : <u>Canadian Federalism: Myth or Reality, 1968 : The New Federalism, 1972</u> |
| M.J.C. | | |
| Vile, M.J.C. | | : <u>The Structure of American Federalism, 1961</u> |
| | | : <u>Federalism in the US, Canada & Australia, 1973</u> |

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
 Mass Media Law (Code 17LLM24GA2)

MM : 80 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

A) Mass Media Law (Code No.16)

1. Ownership patterns –Press-Private-Public 2. Ownership patterns –Films-Private
3. Ownership patterns-Radio & Television, Public
4. Difference between visual and Non-Visual Media-Impact of People minds

B). Press-Freedom of Speech & Expression –Article 19(a)

1. Includes Freedom of the Press
2. Laws of defamation, obscenity, blasphemy and sedition
3. The relating to employees wages and service conditions
4. Price and Page Schedule Regulation
5. Newsprint Control Order
6. Advertisement-is it included within freedom of speech and expression
7. Press and the Monopolies and Restrictive Trade Practices Act.

C) Films –How far included in freedom in of speech and expression?

1. Censorship of Films-constitutionality

2. The Abbas Case

3. Difference between Films and Press-why pre-censorship valid for films but not for the press

4. Censorship under the Cinematograph Act

D) Radio & Television – Government Monopoly

1. Why Government Department?

2. Should there be an autonomous corporation?

3. Effect of Television on people.
4. Report of the Chanda Committee
5. Government Policy
6. Commercial Advertisement
7. Internal Scrutiny of serials, etc.
8. Judicial Review of Doordarshan decisions: Freedom to telecast

E) Constitutional Restrictions

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

Books Recommended

- M.P. Jain : Constitutional Law of India (1994) Wadhwa H.M.Seervai :
Constitutional Law of India Vol.(1991) Tripathi, Bombay
- Johan B.Howard : The Social Accountability of Public Enterprises In Law and Community Controls in New Development strategies
(International Centre for Law in Development 1980)
- Bruce Michael Boyd : Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Express 14, JILI 501 (1972)
- Rajeev Dhavan : On the Law of the Press in India 26 JILI 288 (1984)
- Rajeev Dhavan : Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission
- Soli Sorabjee : Law of Press Censorship in India (1976) Justice E.S. : Freedom of Press: Some Recent Trends (1984) Venkaramiah
- DD Basu : The Law of Press of India (1980)

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Election Law (Code 17LLM24GA3)

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

UNIT-I: Meaning and Concept of Election and Election Dispute: Challenge to Election: Whom and How to Made; Forum for filing Election Petition; Parties to Election Petition; Contents of Election Petition; Grounds of Challenge to Election; Trial of Election Petition ; Recriminatory Petition; Withdrawal, Abetment and Appeal; Election to President and Vice President; Composition and Powers of Election Commission (Part XV-Article 324-329 of the Constitution of India)

UNIT-II: Qualification and Disqualification of Candidates: Meaning and Distinction Between Qualification and Disqualification; Qualifications and Disqualifications Provisions under Indian Constitution and the Representation of Peoples' Act, 1951; Office of Profit; Government Contract; Disqualifications on Convictions under the Representation of Peoples' Act, 1951; Anti-Defection Law.

UNIT-III: Nomination (Sections 30-39, s100(1)(c), s100(1)(d) of the Representation of Peoples' Act, 1951: Meaning of Valid Nomination; Procedure for Filing of Nomination Security Deposits etc.; Grounds of Rejection of and Withdrawal of Nominations; Voter's Right to Know Antecedent of the Candidates; Recognition of Political Parties and Election Symbols

UNIT-IV: Corrupt Practices: Meaning and Distinction between Corrupt Practices and Electoral Offences; Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc. 106; Needs of Educational Qualification for Candidates; Criminalization of Politics; Election Expenses; Model Code of Conduct; Use of Government/Private Electronic Media and Social Media by Political Parties; Opinion and Exit Polls i. Defacement of Public and Private Properties; Reservation for Women in Parliament and State Legislatures PSDA (Professional Skill Development Activities)

Text Books:

1. V.S. Rama Devi & S.K. Mehendiratta, Election Law, Practice and Procedure, Butterworths Publishers, 2013
2. P.C. Jain & Kiran Jain, Election Law and Practice, Chawla Publishers, 2012
3. P.M. Bakshi, The Constitution of India, Universal Publishing Company Ltd., 2014
4. The Representation of Peoples' Act, 1950 (Bare Act), Universal Publishing Company Ltd., 2014
3. The Presidential and Vice-Presidential (Election) Act, 1952(Bare Act), Universal Publishing Company Ltd., 2014
4. The Registration of Elector Rules, 1960(Bare Act), Universal Publishing Company Ltd., 2014
5. The Conduct of Election Rules, 1961(Bare Act), Universal Publishing Company Ltd., 2014

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Human Rights (Code 17LLM24DA1)*

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

1. Panoramic View of Human Rights
 - a) Human Rights in Non-Western Thought
 - b) Awareness of Human rights during the nationalist movement
 - c) Universal Declaration of Human Rights, Constituent Assembly and Part III, Drafting process.
 - d) Subsequent developments in international law and the position in India (e.g. Convention of Social discrimination, torture, gender discrimination, environment and the two human rights covenants).
2. Fundamental Rights Jurisprudence as Incorporating Directive Principles
 - a) The dichotomy of Fundamental Rights(FR) and Directive Principles (DP) b) The interaction between F.R. and D.P.
 - c) Resultant expansion of basic needs oriented human rights in India 3. Right not to be subject to Torture, Inhuman or Cruel Treatment
 - a) Conceptions of Torture, Third-degree methods b) "Justifications" for it
 - c) Outlawry of torture at international and constitutional law level d) Incidence of torture in India
 - e) Judicial attitudes
 - f) Law Reform-proposed and pending 4. Minority Rights
 - a) Conception of Minorities b) Scope of Protection
 - c) The position of minority "Woman" and their basic rights d) Communal Riots as Involving violation of Rights

5. Rights to development of Individuals and Nations
 - a) The UN Declaration on Right to Development, 1987
 - b) The need for constitutional and legal changes in India from human rights standpoint
6. People's Participation in Protection and Promotion of Human Rights
 - a) Role of International NGOS
 - b) Amnesty International
 - c) Minority Rights Groups
 - d) International Bar Association, Law Asia
 - e) Contribution of these groups to protection and promotion of human rights in India
7. Development Agencies and Human Rights
 - a) Major International funding agencies and their operations in India
 - b) World Bank Lending and resultant violation/promotion of human rights
 - c) Should development assistance be tied to observance to human rights (as embodied in various UN declarations)
8. Comparative Sources of Learning
 - a) EEC Jurisprudence
 - b) The Green Movement in Germany
 - c) The International Peace Movement
 - d) Models of Protection of the rights of indigenous people: New Zealand (Maoris) Australia, Aborigines and Canada (Indians)
9. Freedoms
 - a) Free Press – Its role in protecting human rights
 - b) Right of Association
 - c) Right to due process of Law
 - d) Access and Distribution Justice
10. Independence of the Judiciary
 - a) Role of the Legal Profession
 - b) Judicial appointments-tenure of judges
 - c) Qualifications of judges
 - d) Separation of judiciary from executive
11. European Convention of Human Rights
 - a) European Commission/Court of Human Rights
 - b) Amnesty International
 - c) PUCL, PUDR, Citizens for Democracy
 - d) Minorities Commission
 - e) Human Rights Commission
 - f) Remedies against Violation of Human Rights

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Minorities Laws (Code 17LLM24DA2)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I: MINORITIES IN INDIAN SOCIETY

Concept of Minorities

Linguistic Minorities

Religious Minorities

Secularism

Unit-2: INTERNATIONAL NORMS FOR PROTECTION OF MINORITIES

Human Rights of Minorities

Minority Rights under the International

Covenant on Civil and Political Rights

Non-discrimination provisions of the United Nations Charter 1945

Declaration on Rights of Minorities

Unit -3: MINORITY RIGHTS

Right to religion

Linguistic rights

Right to culture and traditions

National Commission for Minority

Unit – 4: RIGHTS OF MINORITY EDUCATIONAL INSTITUTIONS

Educational rights of Minorities

Right to administer Minority educational institution

Aided and Unaided Minority Educational Institutions and Governmental Controls

National Commission for Minority Educational Institutions

SUGGESTED READINGS

1. M.P.Jain, Indian Constitutional Law
2. D.D.Basu, Commentary on the Constitution of India
3. A.P.Datar, Commentary on the Constitution of India
4. H.M. Seervai, Constitutional Law of India
5. M.P. Singh, Constitution of India
6. Brolmann, C. and others, eds., Peoples and Minorities in International Law
7. Phillips, A. and A. Rosas, eds., The UN Minority Rights Declaration
8. Reddy, Jagmohan, Minorities and the Constitution
9. Sheth, D.L. and Gurpreet Mahajan, ed., Minority Identities and the Nation State
10. Thomberry, Patrick, International Law and the Rights of the Minorities

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Law of Corporate Finance and the SEBI Act, 1992 (Code 17LLM24GB1)

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Sen Gupta : The Company Law
Charles : Company Law
Palmer : Company Law
Sethna : Indian Company Law
Dr. U.V. Parnjape : Companies Act
Sweet P. Maxwell : Companies Act
A. Ramaiya : A Guide to Company Law
Kailash Rai : Company Law
: Sacher Committee Report on Companies
: SEBI Act, 1992
Pannington : Principles of Company Law
Dr. L.C. Dhingra : Principles of Company Law
Dr. Avtar Singh : Company Law

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
 Law of Negotiable Instruments, Banking & Insurance (Code 17LLM24GB2)

MM : 80
 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

- : The Negotiable Instruments Act, 1881
- Dr. Avtar Singh : Negotiable Instruments Acts
- Dr. R.K. Bangia : Negotiable Instruments Acts
- Khergamudea : Law of Negotiable Instruments
- : The Banking Regulation Act, 1949
- : The Reserve Bank of India Act, 1939
- Seth : Commentaries on Banking Regulation Act and Allied Banking Laws
- Dawra and Mishra : Banking Laws
- S.H. Gupta : Banking Laws in Theory and Practice (in two volumes)
- J.H. Holden : The Law and Practice of Banking (in two volumes)
- S.R. Mukherjee : Banking Law and Practice
- M.L. Tannen : Banking Law and Practice in India (in two volumes)
- M.N. Mishra : Principles of Insurance
- C.H. Rao : Principles of Law of Insurance
- M.N. Mishra : Insurance Principles and Practice
- B.N. Singh : New Insurance Law
- Mohanty and Sharma : Modern Law of Insurance
- : The Insurance Act, 1939
- : The Insurance (Regulatory & Development Authority Act, 1999)
- : Provisions regarding compulsory insurance under the M.V. Act, 1988
- : Provisions relating to fire and Marine Insurance
- Rodder : Marine Insurance
- S.S. Srivastava : Insurance Administration and Legislation in India

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Industrial and Intellectual Property Law (Code 17LLM24GB3)

MM : 80
 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

1. IPR and International Perspectives
2. Trademarks and Consumer Protection (Study of UNCTAD report on the subject)
3. The Legal Regime of Unfair Trade Practices and of Intellectual Industrial Property
 - a) United Nations approaches (UNCTAD, UNCITRAL)
 - b) EEC approaches
 - c) Position in US
 - d) The Indian Situation
4. Special Problems of the Status of Computer Software in Copyright and Patent Law: A Comparative Study
5. Biotechnology Patents
 - a) Nature and types of biotechnology patents
 - b) Patent over new forms of life: TRIPS obligations
 - c) Plant Patenting
 - d) Sui generic protection for plant varieties
 - e) Multinational ownership
 - f) Regulation of environment and health hazards in biotechnology patents
 - g) Indian Policy and position
6. Patent Search, Examination and Records:
 - a) International and global patent information retrieval systems (European Patent Treaty)
 - b) Patent Co-operation Treaty (PCT)
 - c) Differences in resources for patent examination between developed and developing societies
 - d) The Indian situation
7. Special Problems of Proof of Infringement
 - a) Status of intellectual property in transit – TRIPS obligation – Indian Position
 - b) The evidentiary problems in action of passing off.
 - c) The proof of non-anticipation, novelty of inventions protected by patent law
 - d) Evidentiary problems in piracy; TRIPS obligation – reversal of burden of proof in process patent
 - e) Need and Scope of Law Reforms
8. Intellectual Property and Human Rights

- a) Freedom of speech and expression as the basis of the regime of intellectual property copyright protection on internet –WCT (WIPO Copyright Treaty, 1996)
- b) Legal Status of hazardous research protected by the regime of intellectual property law.
- c) Human right of the impoverished masses intellectual property protection of new products for healthcare and food security
- d) Traditional knowledge – protection- biodiversity convention – right of indigenous people

BOOKS RECOMMENDED

- Terenee P. Stewart(ed.) : The GATT Uruguay Round : A Negotiating History
Iver P. Cooper : Biotechnology and Law (1998), Clerk Boardman
Callaghan, New York
David Bainbridge : Software Copyright Law (1999)
Sookman : Computer Law (1998)
Carlos M. Correa(ed.) : Intellectual Property and International Trade (1998)
Sweet and Maxwell : Patent Co-operation Treaty Hand Book (1998)
Christopher Wadlow : The Law of Passing-Off (1998)
W.R. Cornish : Intellectual Property Law (1999)

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
International Trade Law (Code 17LLM24DB1)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I: International Sale of Goods:

Special Trade terms in export sales — Definitions, kinds, Differences between Rights and duties of buyers and sellers; Standardization of terms in International Sales: Uniform Conditions of Export Sales — Role of UNCITRAL, International Chamber of Commerce Publications, Standard contract forms applied to specified international transactions; Offer and acceptance; Performance of contract; Rights of unpaid seller; Countertrade; Frustration of contract; conflict of laws; Unification of the Law of International Sales

Unit-II: Financing and Payment in International Trade

Meaning, types and control of foreign investment; Bill of Exchange — Meaning; Letters of Credit — Characteristics and kinds; Bank guarantees and other contract guarantees;

Unit -III: Transportation of Exports

Carriage of Goods by Sea- Unimodal and Multimodal Transport, Contract of Carriage by Sea, Bills of Lading, Charterparty Liability of shipowner for loss or damage to goods; Container transport — Course of business in container Transport, Legal Problems of container transport; Carriage of Goods by Air; Carriage of Goods; Carriage of Goods by Land

Unit-IV: Insurance of Exports — Marine and Aviation Insurance:

Books:

1. Carr and Kidner — Statutes and Conventions on International Trade Law, 1993
2. Jason Chuah — International Trade Law, Cavendish Publishing Ltd., London, 1995
3. Motiwal and Awasthi International Trade, 1st edn., 1995. Bhowmik and co; New Delhi.
4. Clive M. Schmitthoff, Schmitthoff's, Export Trade, 8 Edn., 1986, Stevens and Sons, London.

5. Law of International Trade Transactions — ed. Rahmatullah Khan, Tripathi Pvt. Ltd., Bombay, 1973
6. UNCITRAL Year Book, 1970-1995, United Nations, New York.
7. Dicey, Conflict of Laws.
8. Justice Kochu Thomen — Bill of Lading.
9. Payne and Ivory — Carriage of goods, 12 Edn., Butterworth.
10. M.C. Vaish, Sudama Singh: International Economic Law, 4 Edn. Oxford and IBH Publishing Co.
11. New Directions in International Trade Law, Vol.-I & II, Oceana Publications Inc.
12. B.C. Mitra — Law Relating to Bills of Lading and Charter party (Air, Land and Sea) 1998.
13. Avtar Singh Law of Carriage (Road, Rail, Air and Sea) 3 Edn. Eastern Book Co.

Books:

1. Mathur K.M., Crime, Human Rights and National Securities, Gian Publishing House, New Delhi-02
2. Nadan Kamat, Computer and Information Technology Law
3. Attra Chand, Terrorism Political Violence Security of Nation, Gian Publishing House, New Delhi-02
4. William A Schabas, International Criminal Court, 1 Edition 2001, Cambridge University Press.

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
International Dispute Settlement (Code 17LLM24DB2)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit 1 International Courts and Tribunals:

Dispute adjudication and arbitration; International Court of Justice; Permanent Court of Arbitration; Human Rights Courts and Commissions; International Criminal Court; International Tribunal for the Law of Sea.

Unit 2. Admissibility and Justice ability: Distinction between jurisdiction and admissibility; Absence of a necessary third party; Diplomatic protection: nationality of claims and exhaustion of local remedies; Investment treaty arbitration: contracts claims and treaty claims.

Unit 3. International Adjudication: Characterization; Law applicable to substantive issues; Jurisdiction and admissibility; Arbitration clause; Procedure; Capacity of parties; Issues of state responsibility; Remedies in international adjudication; Three forms of reparation: restitution, compensation, and declaratory judgments.

Unit 4. International Decisions, Recognition and Enforcement: Interpretation and revision; Challenges before the International Court of Justice (ICJ); Challenges before the Municipal Courts at the seat of the arbitration; Special case for an International Centre for Settlement of Investment Disputes (ICSID); Annulment proceedings; New York Convention on the Recognition and Enforcement of arbitral awards.

Text Books

1. French, Duncan, Saul, Matthew and White, Nigel D.; International Law and Dispute Settlement; Hart Publishing
2. Tams, Christian J and Tzanakopoulos, Antonios; The Settlement of International Disputes; Hart Publishing

Reference Books

1. Hurd, Ian; International Organizations: Politics, Law, Practice; Cambridge University Press
2. Merrills, J.G; International Dispute Settlement; Cambridge University Press
3. Gupta, S.P; International Organizations; Allahabad Law Agency

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Indian Law of Testamentary & Intestate Succession (Code 17LLM24GC1)

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Paruck : Indian Succession Act

Tahir Mahmood : Studies in Hindu Succession Act

Rao : Indian Succession Act

Mitra : Indian Succession Act

All Books on Hindu & Muslim Law relevant portions pertaining to Succession and Inheritance

and Central and State Legislations having a bearing on the subject

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Religious Trusts and Endowments: Central & State Legislation (Code 17LLM24GC2)

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Bhagwati, P.N. : Tagore Lectures on Hindu Endowments
Chose : Hindu Law Religious and Charitable Endowments
: The (Central) Wakf Act, 1995
Khalid Rashid : Wakf Laws & Administration in India
Khalid Rashid : Wakf Administration in India
Paras Diwan : Law of Trusts and Taxation
: Indian Trusts Act, 1882
: Religious Endowments, 1863
: Charitable Endowments Act, 1890
: Religious & Charitable Endowments Act, 1920
: Societies Registration Act, 1863

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Population Planning and Gender Justice (Code 17LLM24GC3)

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

POPULATION PLANNING AND GENERAL JUSTICE

1. Introductory

1. About demography as a Social Science.

2. Demography and human and cultural geography

3. Poverty and population

4. Population Policy Perspectives

5. Constitutional Aspects of Population Policy

2. Law as a Factor-Affecting Fertility

1. Nations of Fertility

2. Raising the Minimum age of Marriage through the Law: Problem and Prospects.

3. Population planning and equal inheritance rights for women, as factor affecting fertility.

4. Adverse Sex ratio and legal order

5. Infant mortality rate of girls

6. Nutritional sex discrimination

7. Amniocentesis

8. "Social Sterilization" of Widows

9. Polygamous Marriages

10. Uniform Civil Code and Population Planning

3. Sterilization

1. The relating to manufacture, advertisement and sale of contraceptives

2. Vasectomy v tubectomy. Discrimination against women in family welfare programme.

3. Incentives and disincentives for family planning

4. Abortion law and services

5. Coercive/compulsory family planning measures: The 1975-1976 Emergency Excesses

6. Injectable contraceptives, women's health and wellbeing, and judicial response.

7. Human Rights Issue and Sterilization of the Unfit.

4. Laws on Economic Factors Affecting the Family

1. The incidence of income tax and family planning.

2. Maternity benefits

3. Factories Act

4. Maternity Benefits Act, 1961

5. Workmen's Compensation Act, 1923

6. The Minimum Wages Act, 1948
7. Child Labour regulation and population planning
5. Migration, Law, Population Planning
 1. Fundamental Right for Movement
 2. Migration, growth of informal sector and quality of life: Problems for the Indian Population
 3. The Bombay Pavement Dwellers
 4. The Hawkers Cases
 5. The Sons of Soil Movement

BOOKS RECOMMENDED

Ashoka Mitra : The India's Population: Aspects of Quality Control (1978)

S. Chandrasekhar : Population and Law in India (1976)

: Govt. of India, Towards Equality Report of the National Committee on the Status of Women (1975)

: Govt. of India, The Shah Commission Report on Emergency Excesses (1978). Relevant Articles from The Economic and Political Weekly

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Criminal Justice system under Personal laws (Code 17LLM24DC1)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I

Dowry Prohibition Act, 1961: Definition of Dowry; Distinction between Dowry and Dower; Dowry offenders; Transfer of Dowry to the bride; Dowry offences; Trial of Dowry offenders; Authorities under Dowry Prohibition Act, 1961. Punishment under the Act; Dowry death, Dowry and criminal breach of trust; Husband or relative of husband of a women subjecting her to cruelty; Evidence in Dowry offences.

Unit-II

Infanticide, Female-foeticide, The Pre-conception and Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, Bigamy, Homo-Sexuality. The Commission of Sati (Prevention) Act, 1987. Definitions, Punishment for offences relating to Sati. Power to present offences relating to Sati. Special Courts. Burden of Proof. Disqualifications. The Prohibition of Child Marriage Act, 2006. The Protection of Women from Domestic Violence Act, 2005.

Unit-III

Family Courts Act, 1984 Concept of Family Court, Status of Family Court. Jurisdiction of Family Court. Procedure of Family Court. Proceedings in Camera. Exclusion of lawyers. Reconciliation. Petition/Application for Matrimonial Reliefs under Personal Laws. Jurisdiction. Forum of Petition. Contents of Petitions. Verification. Ex-parte decree. Setting aside ex-parte decree, Execution of decree.

Unit-IV

Matrimonial Bars under Personal Laws : Doctrine of Proof. Taking advantage of one's own wrong or disability. Accessory, Connivance, Condonation, Collusion, Delay etc; Applicability of Provisions of Code of Civil Procedure. Order XXXH-A (Reconciliation Proceeding). Powers to transfer petition in certain cases. Special provisions relating to trial and disposal of petitions. Appeals from Decrees.

Suggested Reading:

R.Dayal: Law Relating to Dowry

Aiyar & Tripathi : Dowry Prohibition Act

V.K. Upadhay: Dowry Death

Paras Diwan: Dowry and Protection to the Married Women

Bhatnagar's: Dowry Prohibition

Manjula Batra: Women and Law

U.S. Gaur: Penal Law of India

I.K.Magoo: Law Relating to Sexual Offences and Homosexuality in India

The Protection of Women from Domestic Violence Act, 2005

Paras Diwan: Modern Hindu Law

H.K. Saharay: Law of Marriage and Divorce

A.N. Saha: Marriage and Divorce

Paras Diwan: Law of Marriage and Divorce in India

R.C. Nagpal: Modern Hindu Law

G.M. Divekar: Hindu Law

D.K. Tiwari: Family Courts Act

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Women Rights and Protection (Code 17LLM24DC2)*

MM : 80
 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-I: Introduction

Status and Position of women: Vedic, Post Vedic, Medieval period and Contemporary India.

Unit-II: Rights and Protection of Women: International Perspective

Relevant provisions of: Universal Declaration on Human Rights (UDHR), Convention on Elimination of Discrimination Against Women (CEDAW), Convention Political Rights of Women, Convention on Nationality of Married Women, Convention on Elimination of Violence Against Women.

Unit-III: Rights and protection of women: National scenario

Position under general laws: Constitution of India, Criminal laws, Personal laws, Property laws, Industrial and Labour laws. Position under special laws: Dowry prohibition act, Domestic violence act, Pre-conception and prenatal diagnostic techniques (, of sex selection) act, National Women Commission.

Unit-IV

Contemporary issues and Special initiatives for women Law against Sexual harassment at workplace, National policies for girl child, National policies for the empowerment of women, Participation of women in politics, armed forces etc.

Acts and Statutes (As Amended)

1. The Constitution of India
2. The Indian Penal Code, 1860
3. The Indian Evidence Act, 1872
4. The Special Marriage Act, 1955
5. The Hindu Marriage Act, 1955
6. The Dowry Prohibition Act, 1961

7. The Medical Termination of Pregnancy Act, 1971
8. The Protection of Women from Domestic Violence Act, 2005
9. The Equal Remuneration Act, 1976
10. The National Commission for Women Act, 1990
11. The Prevention of Sexual Harassment Act, 2013
12. The Report of Justice Verma Committee

Text Books

1. Kaushik , P.D.; Women Rights: Access to Justice; Bookwell Publication
2. Kaushal, Rachna; Women And Human Rights In India; Kaveri Books

Reference Books

1. Naidu, Guruappa; Violence Against Women in India; Serials Publications
2. Goel, Aruna; Violence Protective Measures for Women Development and Empowerment; Deep and Deep Publications
3. Mishra, Preeti; Domestic Violence Against Women: Legal Control and Judicial Response; Deep and Deep Publications
4. Flavia, Agnes; Law and Gender Inequality: The Politics of Women ' Rights in India; Oxford

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Penology and Victimology (Code 17LLM24GD1)

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Oppenheim : Rationale of Punishment
Raizada, R.K. : Trends in Sentencing (Ph.D. Thesis)
Johnson, Elmer.H : Crime, Correction and Society
Israel Drapkin : Crime and Punishment in Ancient World
Sethna : Society and the Criminal
Sen, P.K. : Penology-Old and New
-do- : From Punishment to Prevention
Walter C. Reckless : The Crime Problem
Barnes and Teeter : New Horizons of Crime
S. Chhabra : The Quantum of Punishment in Criminal Law
(1970)
H.L.A. Hart : Punishment and Responsibility (1968)
Herbert D. Facker : The Limits of Criminal Sanction (1968)
: A Siddique(1984)
: Law Commission of India Forty second report,
Ch.3 (1971)
Tapas Kumer Benerjee : Background of Indian Criminal Law
K.S. Shukla : Sociology of Deviant Behaviour
J.D. Barkar : Victim

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Socio-Economic Offences & Felonious Torts (Code 17LLM24GD2)

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

BOOKS RECOMMENDED

Mahesh Chandra : Socio-Economic Crimes (1979)
 Jaspal Singh : A Handbook of Socio-Economic Offences
 Hermann Mannheim : Comparative Criminology Vol. 20th 1,2, and 3
 Law Commission : 27th Report to include certain social and economic offences in the Indian Penal Code
 -do- : 47th Report on the Trial and Punishment of Social and Economic Offences
 : Prevention of Corruption Act, 1988
 : Prevention of Food Adulteration Act
 : The Dowry Prohibition Act, 1961
 : Narcotic Drugs and Psychotropic Substance Act, 1985 as amended upto date
 : Protection of Civil Rights Act
 : Prevention of Immoral Traffic in Women and Girls act
 Upendra Baxi : Liberty and Corruption The Antulay Case and Beyond (1989)
 Upendra Baxi : The Usages of the Indian Legal System
 S.N. Dwivedi and : Political Corruption in India
 G.S. Bhargava
 Clark & Lindsell : Torts(Sweet & Maxwell)
 Fleming : The Law of Torts (LBC Sydney)
 Winfield and Jolowicz : On Tort (Sweet & Maxwell)
 Salmond : On the Law of Torts (Sweet & Maxwell)
 Ramaswamy Year : Law of Torts(Tripathi)
 Ramamoorthy : Law of Malicious Prosecution & Definition
 C.K. Rao : Law of Negligence (L.B.C. Allahabad)
 R.K. Bangia : Law of Tort

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Collective Violence and Criminal Justice System (Code 17LLM24GD3)

MM : 80
 Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM

1. Introductory

1. Notions of “Force”, “Coercion”, “Violence”
2. Distinctions: “Symbolic” violence, “Institutionalized” violence, “structural violence”
3. Legal order as a coercive normative order
4. Force-Monopoly of Modern Law
5. “Constitutional” and “Criminal” speech: Speech as incitement to violence
6. “Collective Political Violence” and Legal Order
7. Notion of Legal and Extra-Legal “Repression”

2. Approaches to Violence in India

1. Religiously sanctioned structural violence: Caste and gender based.
2. Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India.
3. Gandhiji’s approach to non-violence
4. Discourse on political violence and terrorism during colonial struggle
5. Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period.

3. Agrarian Violence and Repression

1. The Nature and Scope of Agrarian Violence in the 18-19 centuries India
2. Colonial Legal Order as a Causative factor of collective political (agrarian) violence
3. The Telangana struggle and the legal order
4. The Report of the Indian Human Rights Commission on Arwal Massacre
4. Violence against the Scheduled Castes

1. Notion of Atrocities

2. Incidence of Atrocities

3. Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities

4. Violence Against Women

5. Communal Violence

1. Incidence and Courses of ‘Communal’ violence

2. Findings of various commissions of enquiry

3. The role of police and para-military systems in dealing with communal violence

4. Operation of criminal justice system tiring, and in relation to, communal violence

BOOKS RECOMMENDED

U. Baxi : “Dissent, Development and Violence” in R. Meagher(ed.) Law

- and Social Change: Indo-American Reflections 92 (1988).
- U. Baxi(Ed.) : Law and Poverty: Critical Essays, (1988)
- A.R. Desai, (Ed.) : Peasant Struggles in India, (1979)
- A.R. Desai : Agrarian Struggle in India: After Independence (1986) .R. Desai,
Violation of democratic Rights in India (1986)
- D.A. Dhangare : Peasant Movement in India: 1920-1950(1983)
- Ranjit Guha : Element any Aspects of Peasant Insurgency in Colonial India
(1983) Rajnit Guba, (ed.) Subaltern Studies Vol. 1-6 (1983-1988)
- T. Honderich : Violence for Equality (1980)
- Mark Juergensmeyer : The Logic of Religious Violence: The Case of Punjab” 22
Contributions to Indian Sociology 65 (1988)
- Rajni Kothari : State Against Democracy (1987)
- G. Shah : Ethnic Minorities and Nation Building: Indian Experience(1984)
- K.S. Shukla : “Sociology of Deviant Behaviour”, in 3 ICSSR Survey of
Sociology and Social Anthropology 1969-1979 (1986)

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Drug Addiction Criminal Justice & Human Rights (Code 17LLM24DD1)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit-1. Introductory: Basic conceptions; Drugs' narcotics" "psychotropic substances"; 'Dependence," "addiction"; "Crimes without victims; "Trafficking" in "drugs"; "Primary drug abuse"; **How Does One Study the Incidence of Drug Addiction and Abuse?:** Self-reporting; Victim-studies; Problems of comparative studies; **Anagraphic and Social Characteristics of Drug Users:** Gender; Age; Religiousness; Single individuals/cohabitation; Socio-economic level of family; Residence patterns (urban/rural/urban); Educational levels; Occupation; Age at first use; Types of drug use; Reasons given as cause of first use; Method of intake; Pattern of the — Use; Average Quantity and Cost; Consequences on addict's health (physical/psychic)

Unit-2. The International Legal Regime: Analysis of background, text and operation of the Single Convention on Narcotic Drugs, 1961, 1972; Analysis of the Convention on Psychotropic Substances, 1972; International collaboration in combating drug addiction; The SARC, and South-South Cooperation; Profile of international market for psychotropic substances

Unit-3. The Indian Regulatory System: Approaches to narcotic trafficking during colonial India; Nationalist thought towards regulation of drug trafficking and usage; The Penal provisions (under the IPC and the Customs Act); India's role in the evolution of two international conventions; Judicial approaches to sentencing in drug trafficking and abuse; The Narcotic Drugs and Psychotropic Substances Act, 1985; Patterns of resource investment in India: policing adjudication, treatment, aftercare and rehabilitation

Unit-4. Human Rights Aspects: Deployment of marginalized people as carrier of narcotics; The problem of juvenile drug use and legal approaches; Possibilities of misuse and abuse of investigative prosecutor powers; Bail; The Problem of differential application of the Ugal Regimes, especially in relation to the resource less; **The Role of Community in Combating Drug Addiction:** Profile of Community initiatives in inhibition of dependence and addiction (e.g. de-addiction and aftercare); The role of educational systems; The role of medical

profession; The role of mass media; Initiatives for compliance with regulatory systems; Law reform initiatives

Select Bibliography

H.S. Becker, *Outsiders: The Studies in Sociology of Deviance* (1966)

J.A. Incard, C.D. Chambers, (eds.), *Drugs and the Criminal Justice System* (1974)

R. Goeken, *Drug Abuse and Personality in Young Offenders* (1971)

G. Edwards Busch (ed.) *Drug Problems in Britain: A Review of Ten Years* (1981)

P. Kondanram and Y.N. Murthy, "Drug Abuse and Crime: A Preliminary Study" 7 *Indian Journal of Criminology*, 65-68 (1979)

P.R. Rajgopat *Violence and Response: A Critique of the Indian Criminal System* (1988)

United Nations, *Economic and Social Reports of the Commission on Narcotic Drugs*, United Nations

Social Defence, Research Institute (UNSDRT) *Combating Drug Abuse and Related Crimes* (Rome, July 1984, Publication No. 21).

Lok Sabha and Rajya Sabha Debates on 1986 Bill on Psychotropic Substances. Useful Journals in this area are:

(i) *The Law and Society Review* (USA)

(ii) *Journal of Drug Issues* (Tallahassee Florida)

(iii) *International Journal of Addictions* (New York)

(iv) *British Journal of Criminology*

(v) *Journal of Criminal Law, Criminology and Police Science* (Baltimore, Md)

(vi) *Journal of Criminal Law and Criminology* (Chicago, III)

(vii) *International Journal of Offender Therapy and Comparative Criminology* (London)

(viii) *Bulletin on Narcotics* (United Nations)

LL.M. FOURTH SEMESTER EXAMINATION w.e.f. Session 2017-18
Money Laundering and White Collar Crime (Code 17LLM24DD2)*

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit- 1

Money Laundering: Origin - Definition - Techniques Impact on Banks - Structuring; Integration, Preventive Legislations - International Co-operation - UK; USA; India - Basel Committee - PMLA Objectives - RBI Guidelines - System Adequacy to Combat Money Laundering - Antiterrorism finance - Financial Intelligence Unit (FIU) The Financial Action Task Force (FATF) - IBA Working Group - Software for AML Screening : Money Laundering and Correspondent Banking - Exchange Companies - Foreign Branches.

Unit-2

White Collar Crime: Emergence of White-Collar Crime; Concept and Nature of White-Collar Crimes; Sutherlands, view on white-collar crimes and it's analysis.

Unit- 3

Causes of White-Collar Crimes; Distinguish between White-Collar Crimes and Blue-Collar Crimes; Implications of white collar crimes, Courts and white collars crime in India.

Unit-4

White Collar Crimes in India; Hoarding, Black Marketing and Adulteration; White Collar Crimes in certain Professions - Medical Profession, Legal profession, Educational Institutions, Engineering; White Collar Crimes in business deals; Fake Employment Placement Rockets; Remedial Measures.

Suggested Readings :

Mahesh Chandra : Socio- Economic Crimes

Marshal B. Clinard : Crime in Developing Countries

N.V. Pranjape : Criminology and Penology
Prevention of Corruption Act, 1988
47th Report of Law Commission of India
Trial and Punishment of Socio-Economic Offences.
Annual Report Criminal Law Review.