

**MAA PATESWARI UNIVERSITY
BALRAMPUR**

LL.M. Programme
Under CBCS System



Offered by
SCHOOL OF LAW
MAA PATESWARI UNIVERSITY BALRAMPUR - 271201

1. ADMISSION TO THE LL.M. PROGRAMMES

- (i) Admission to all the LL.M. programme in the Department of Law shall be made on the basis of merit in the Entrance Test.
- (ii) The LL.M. programme shall have the status of regular course of study.
- (iii) On his/her selection for admission to LL.M. Programme, the candidate shall, within the time fixed by the Head, Department of Law deposit the tuition and other fees prescribed for the programme. If the candidate fails to deposit the fees within the stipulated time, his/her selection shall automatically stand cancelled. Such a candidate shall not be admitted to the concerned programme unless a fresh order of selection or extension of date for payment of fees is issued by the Head of the Department concerned.

2. RESERVATION AND WEIGHTAGE

- (a) The reservation policy as prescribed by the State Government and the University regarding admission from time to time shall be adhered to in the admission to the course.
- (b) Rules regarding weightage as prescribed by the University for Admission to various courses shall be followed for the present course also.

3. ELIGIBILITY CONDITIONS FOR ADMISSION TO LL.M. PROGRAMME

A person shall be eligible for being a candidate for admission in LL.M. programme, only if he/she has passed one of the following examinations or recognized equivalent examinations thereto:

- (1) Three year LL.B. (after Graduation under atleast 10+2+3 pattern); or
- (2) Five years B.A. LL.B. (after Intermediate examination under 10+2 pattern) recognised by the Bar Council of India with a minimum of 55% marks in the aggregate in LL.B. or B.A. LL.B. Degree as the case may be. However, the rule of minimum marks will not apply in the case of Scheduled Castes/Tribes candidates.

4. OTHER CONDITIONS FOR ADMISSIONS:

The minimum eligibility conditions for admission to LL.M. Degree programme have been described above. In addition, following documents would also be required:

- (ii) Candidates selected for admission to the concerned PG programme of study shall submit the following certificates:
 - (a) Transfer Certificate/Migration certificate from the University/ Institute last attended indicating that he/she has passed qualifying examination from another University;
 - (b) Certificate of Character from the Principal of the College (or appropriate authority of the university) last attended.

- (iii) If the Head of the Department concerned is satisfied that there are genuine difficulties in the production of the above certificates he/she shall, at the request of the candidate, give him/her time to submit the above certificates within the period prescribed by the University. In case he/she is unable to do so, his/her admission shall be cancelled.

5. CONDITIONS FOR AWARD OF LL.M. DEGREE

- (i) A student of the LL.M. degree programme shall not be permitted to seek admission concurrently to any other fulltime degree or diploma programme in the University or elsewhere.
- (ii) To qualify for the LL.M. Degree, the candidate must:
- (a) satisfy the minimum requirement as prescribed above for the LL.M. Degree Programme;
 - (b) attend regular courses of lectures, seminars, sessionals/ practicals as may be prescribed for the LL.M. Examinations in the relevant prospectus of studies;
 - (c) pass in the required number of courses taught during the 4 semesters, as the case may be, to accumulate the stipulated minimum number of credits prescribed for the degree. An Examination shall be held at the end of each semester in various courses taught during that semester. The overall performance in sessionals/ practicals and written examinations in the prescribed number of courses shall determine the result of the candidate for the LL.M. degree in accordance with the rules and regulations prescribed for the purpose.
 - (d) Sessionals shall include class tests, presentations, quiz, assignments etc. as prescribed by the Board of Studies.
- (iii) **Attendance**
- (a) A student is required to have **atleast 75%**, attendance and condonation upto 10% can be considered for specific cogent reasons.
 - (b) The attendance of a newly admitted candidate shall be counted from the date of his/her admission, or date of beginning of classes whichever is later, while in the case of promoted candidates, attendance shall be counted from the date on which respective class begins.
 - (c) There shall be an Attendance Monitoring Committee in the Department constituted by the Head of the Department.

6. SCALE OF TUITION AND OTHER FEES

The students admitted in LLM programme shall be required to pay fee as per University rules.

7. THE CREDIT SYSTEM:

The credits specified for LL.M programme describe the weightage of various courses of the programme. The number of credits along with grade points that the student has satisfactorily completed, measures the performance of the student. Satisfactory progress of a student is subject to his/ her maintaining a minimum **Cumulative Grade Point Average (CGPA)**, as well as minimum grades in different courses of the programme. A certain number of credits as specified in these Ordinances must be earned by the student to qualify for the degree. Description of credit distribution for core Courses, elective courses, dissertation and viva voce has been shown below.

(A) Assignment of credits:

- (i) For all theory (Lecture) courses, one credit shall be assigned for one one-hour lecture per week in a semester.
- (ii) Credits shall be in whole numbers.

(iii) A credit can be earned from lectures/tutorials, practical/*viva-voce*, project, report writing etc. Credits can also be awarded for dissertation, minor and major projects etc. The credits for an activity are given only when an activity is completed and cleared as prescribed in the syllabus.

PROGRAMME STRUCTURE FOR THE LL.M. COURSE

(i) The minimum credit requirement for the two-year LL.M. Degree in the Faculty of Law shall be 64 credits.

<u>I-Semester</u>			
Course Category	Credits	No. of Courses	Total Credits
Core Courses (Theory)	4	1	4
Electives	4	3	12
Total Credits in I-Semester			16
<u>II-Semester</u>			
Core Courses (Theory)	4	1	4
Electives	4	3	12
Total Credits in II-Semester			16
<u>III-Semester</u>			
Core Courses (Theory)	4	1	4
Electives	4	3	12
Total Credits in III-Semester			16
<u>IV-Semester</u>			
Core Courses (Theory)	4	1	4
Dissertation	10	1	10
<i>Viva-voce</i>	2	1	2
Total Credits in IV-Semester			16
Total Credit requirement for LL.M.			64

(ii) The semester-wise details of Courses/Credits of two-year (IV-Semester) LL.M. Degree in the Faculty of Law are given below:

LL.M. Programme			
Course Code No.	Course	Nature of Course	Credits
I-Semester			
L010701T	Jurisprudence and Legal Theory	Core	4
LL.M. II-Semester			
L010801T	Constitutional Law of India	Core	4
LL.M. III-Semester			
L010901T	Legal Research Methodology	Core	4
LL.M. IV-Semester			
L011001T	Law and Social Transformation in India	Core	4
L011002R	Dissertation	Core	10
NOTE:	1.	The topic for Dissertation will be assigned in the beginning of the III-Semester and the candidates are required to submit dissertation work by the end of the IV-Semester.	

	2.	Apart from the Core Courses, a student shall offer One Elective group (comprising of 3 courses) in each of the first three semesters. The elective group offered in one semester is not to be repeated in the other two semesters from the list given below:		
I-Semester				
Group A: Constitutional Law				
L010702T	Constitutionalism and Constitutional Development in India and England		Elective	4
L010703T	Comparative and Cooperative Federalism		Elective	4
L010704T	Civil and Political Rights – Comparative Study of Select Constitutions		Elective	4
Group B: Family Law				
L010705T	Hindu Law including Hindu Jurisprudence		Elective	4
L010706T	Muslim Law including Muslim Jurisprudence		Elective	4
L010707T	Christian and Parsi Laws and Jews Laws		Elective	4
Group C: Torts				
L010708T	Development of Law of Torts and Tort actions Generally		Elective	4
L010709T	Specific Torts I		Elective	4
L010710T	Specific Torts II		Elective	4
Group D: Crimes				
L010711T	Criminology and Penology		Elective	4
L010712T	Criminal Law in India		Elective	4
L010713T	Crimes against Social and Economic Security and Problems of their Control		Elective	4
II-Semester				
Group A: Administrative Law				
L010802T	Administrative Law in India I		Elective	4
L010803T	Administrative Law in India II/Local Self Government Law		Elective	4
L010804T	Comparative Administrative Law		Elective	4
Group B: Administration of Justice				
L010805T	Law relating to Jurisdiction and Systems of Courts in India		Elective	4
L010806T	Law relating to Procedure and Proof		Elective	4
L010807T	Law relating to Relief		Elective	4
Group C: Contract and Insurance				
L010808T	General Principles of Contract/Law of Export & Import Regulation		Elective	4
L010809T	Specific Contracts/Corporate Finance		Elective	4
L010810T	Insurance/Banking Law		Elective	4
Group D: International Law				
L010811T	Law of Treaties/Diplomatic and Consular Relations/Law Relating to Outer Space		Elective	4
L010812T	International Court of Justice/Law of		Elective	4

		Seas/International Arbitration		
L010813T		India and International Law	Elective	4
III-Semester				
Group A: Human Rights				
L010902T		International Law of Human Rights	Elective	4
L010903T		International Humanitarian Law/Human Rights and the Refugees	Elective	4
L010904T		Human Rights in India	Elective	4
Group B: Environmental Law				
L010905T		International Environmental Law	Elective	4
L010906T		Natural Resources and the Law in India	Elective	4
L010907T		Pollution Control Law in India	Elective	4
Group C: Labour Management Relations				
L010908T		Regulation of Labour Management Relations/Comparative Study of the Law Relating to Trade Unions	Elective	4
L010909T		Law Relating to Employment and Non-Employment	Elective	4
L010910T		Law Relating to Terms of Employment and Conditions of Service	Elective	4
		Group D: Law of Taxation		
L010911T		Constitutional and Administrative Law Problems relating to Taxation	Elective	4
L010912T		Tax on Business and Industry	Elective	4
L010913T		Current Tax Problems/Tax Accountancy	Elective	4
Total Credits of LL.M.				64

9. EXAMINATION RULES

Theory, dissertation courses and *Viva-Voce* examination shall be of 100 marks each. For evaluation, the overall structure of the distribution of marks in a course shall be such that 30 marks are allotted to various assessments during the semester, while 70 marks shall be allotted for the each course in semester examinations.

(i). The scheme of assessment during the semester (for 30 marks):

(a) The assessment (sessional) in theory courses shall comprise a Project of 10 marks, Oral presentation of 10 marks and 10 marks for regularity, punctuality, discipline and alertness in the class pertaining to the concerned course.

(b) The Project/presentation shall be conducted by the teacher (or group of teachers) teaching the course and the marks shall be displayed on the Notice Board.

(c) The Head shall ensure that all internal assessment marks of sessionals are sent to Controller of Examination prior to the commencement of each Semester Examination.

(d) There shall not be any sessional marks for courses which involve Dissertation.

(e) Sessional marks of a course shall be carried over for failed students in the course.

(ii) Semester Examination and evaluation (for 70 marks)

The Board of Studies will appoint Paper-setters and examiners in each course. The examiners so appointed will evaluate the answer books.

(iii) Dissertation

- (a) Candidate shall be required to submit the Dissertation (in three copies) at least two weeks before the commencement of Fourth Semester Examination.
- (b) The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.
- (c) The Examiner shall either-
 - (i) Award at least 50% marks, or
 - (ii) Return the Dissertation for revision, or
 - (iii) Reject the Dissertation.
- (d) The candidate whose Dissertation is returned for revision may revise the dissertation and re-submit it within a period of two months. Failure to submit in time shall result in a declaration that the candidate has failed at the relevant LL.M. Examination.
- (e) A Dissertation can be revised only once. If the candidate fails to secure pass marks in the revised Dissertation, he shall be declared failed in the LL.M. Examination.
- (f) The candidate whose Dissertation is rejected, may with the approval of the Head of the Department in consultation with the Supervisor concerned and two senior-most faculty members, write a Dissertation on another topic and submit it within a period of six months. And if he fails to secure pass marks in respect of this Dissertation also, he shall be declared failed at LL.M. Degree Examination.
- (g) A Dissertation shall be examined by a Board of two examiners at least one of them shall necessarily be an external examiner.
- (h) The evaluation of the two examiners shall be co-ordinated as hereunder:
 - (a) Each examiner shall award marks out of 100 which shall be subsequently averaged.
 - (b) If one of the examiners returns the Dissertation for revision or rejects the Dissertation, his decision shall prevail;
provided that if one of the examiners has rejected the Dissertation and another examiner has returned it for revision, the Dissertation shall be deemed to be rejected.

(iv) Viva-Voce Examination:

- (a) The Viva Voce Examination shall be conducted by a Board of Examiners.
- (b) The Board shall consist of three members; at least one of them shall be an external member.
- (c) The Viva-voce Examination shall carry 100 marks.
- (d) The candidate shall be required to obtain a minimum of 50 marks to pass the Viva Voce Examination.

10. Regulations Regarding Examinations

The result of every year of the course shall be declared on the basis of the performance of the candidates in both the semesters comprised in that particular year subject to the following rules:

(i) It is essential for a candidate 'to pass' in a particular year of the course to secure minimum 50% marks in aggregate taking both the semesters together and at least 40% marks in each paper.

(ii) If a candidate secures 50% or above marks in aggregate (in a particular year of the course) and secures 40% marks or above in each paper except one in which he secures 39 marks then he shall be given "one mark" as the "grace mark" in that paper.

Or

If the candidate secures 40% or above marks in each paper and he secures one mark less than 50% marks in aggregate (in a particular year of the course) then he shall be given "one mark" as the "grace mark" in aggregate.

(iii) Subject to the foregoing provision [i.e., sec. 10 (ii)], if a candidate secures 50% or above marks in a *particular* year of the course and in one of the papers he secures less than 40% marks then in that paper his result will be declared as "back paper" and will be promoted to the second year.

Provided that if a candidate secures less than 40% marks in back paper examination for the first time, then his result shall be declared "re-back" in that paper. In case he fails in "re- back" examination also, he shall be given no further chance.

(iv) If a candidate secures-

(a) less than 40% marks in more than one papers in a particular year of the course, or

(b) Subject to the provisions of sec. 10 (ii), less than 50% marks in aggregate in a particular year of the course,

his result will be declared as "failed".

(v) If a candidate 'fails' or 'fails to appear' in any year of the course, he may appear as "ex-student". However, if he has secured more than 50% marks in any paper/papers (including tutorials), those marks may be reserved at the option of the candidate. But, as "ex-student", a candidate will not be given more than two chances, in continuation only, to appear in the examination.

However, if a candidate has passed in a year of the course and wants to enhance his marks, he may appear for improvement in only one paper in which he has secured less than 50% marks.

11. SYLLABUS:

The syllabi for the LL.M. programme shall be framed by the Department.

SCHEDULE-A

LL.M. COURSE OF STUDY

LL.M. FIRST SEMESTER

CORE PAPER

L010701T: JURISPRUDENCE & Legal Theory

The course shall comprise of the following;

1. Nature and scope of Legal Theory, Importance of the study of legal theory
2. Natural Law Theory
3. Analytical positivism-Austin: Kelsen and Hart
4. Savigny's Theory of Volk-geist, and Maine's Theory of 'status to contract'
5. Marxian theory of Law.
6. Pound's Theory of social engineering
7. American Realism
8. Law and Morals
9. Sources of Law
10. Legal Concepts- Rights & Duties, Person, Possession, Ownership & Property

LL.M. SECOND SEMESTER

CORE PAPER

L010801T: CONSTITUTIONAL LAW OF INDIA- The New Challenges

The Course shall comprise of the following:

1. Indian Federalism:
Conceptual position of Federalism. Nature of the Indian Constitution. Cooperative Federalism, Relationship of trust and faith between centre and states. Challenges before the Indian Federalism.
2. Distribution of Legislative Powers:
The Scheme of the distribution of legislative powers in India, the judicial approach and the present position. Recommendation of Sarkaria Commission & Venkatachaliah Commission.
3. Right to Equality:
Scope of the right to Equality. New approach of Article 14. Equality of opportunity in matters of public employment and in admission to educational institutions.
4. Freedom of Speech and Expression:
The area of freedom and its limitation. Freedom of Press and challenges of new scientific development.
5. Emerging regime of new Fundamental Rights:
The changing dimension of Right to Life and Personal Liberty. Reading Directive Principles and Fundamental Duties into Fundamental Rights.
6. Right to Freedom of Religion:
The scope of the freedom and the State Control. Secularism and religious fanaticism.
7. The Judiciary:
The Supreme Court of India. Jurisdiction and Powers. Its role as guardian of the Constitution.

LL.M. THIRD SEMESTER

CORE PAPER

L010901T: LEGAL RESEARCH METHODOLOGY

The Course shall comprise of the following:

Part-A: Legal Education. (25%)

1. Objectives of Legal Education.
2. Lecture method of teaching; Merits and Demerits.
3. Discussion method and Seminar method of teaching.

Part B: Research Methodology (75%)

1. Meaning and objectives of Research, Importance of Research, Kinds of Research, Criteria of good research, Problems of Researchers in India.
2. Importance of Research Methodology, Formulation of the Research problem, Different Steps.
3. Survey of the literature. Working Hypothesis. Determination of Sample Design. Collection of Data and analysis. Test of Hypothesis.
4. Different Steps in writing of Research Report. Layout of Research Writing. Preliminary. Main Text. Conclusion and Observation.
5. Mechanics of writing a Research Report, Practical aspect. Physical design. Treatment of quotation. Footnotes. Documentation style. Abbreviations. Bibliography. Index etc.

LL.M. FOURTH SEMESTER

CORE PAPER

L011001T: LAW AND SOCIAL TRANSFORMATION IN INDIA

The Course shall comprise of the following:

1. Interaction of Law and Social Sciences
2. Impact of Social Development on Law
3. Law as an instrument of Social Change
4. Legal Idealism: Philosophical and legal Perspective; Varieties of legal idealism
5. Social Morality and Legal Order
6. Rule of Law, the individual and the welfare state: Women and law- Crime against Women, Gender Injustice and its various forms, Constitutional and other legal provisions; Children and law- Exploitation and Protective Measures, Role of Law and Education.
7. Economic, Social and Political Reforms and the Law: Modernisation and the Law

L011002R: DISSERTATION

**SCHEDULE-B
OPTIONAL GROUPS**

I-SEMESTER

GROUP- A : CONSTITUTIONAL LAW

**L010702T: CONSTITUTIONALISM AND CONSTITUTIONAL DEVELOPMENT IN
INDIA AND ENGLAND**

The Course shall comprise of the following:

1. What is a Constitution ? Constitution, Constitutional Law and Constitutionalism.
2. Historical evaluation of constitutional government in India and England.
3. Rule of Law. Concept and new horizons; Separation of powers. Concept and its applicability in India and England.
4. Sovereignty of British Parliament, Powers and Functions, Privileges of the Parliament and Courts-Indian and British position.
5. The Judicial system in England.
6. Judicial Review and Constitutionalism in India.
7. Prerogative writs.

L010703T: COMPARATIVE AND COOPERATIVE FEDERALISM

The Course shall comprise of the following:

1. Concept of Federalism. Requisite conditions of Federalism. Patterns of federal government of U.S.A. and India.
2. Indian Federal Constitution and its present shape.
3. The changing dimension of modern federal Constitutions.
4. New trends in federalism. National supremacy. Cooperative Federalism.
5. The scheme of the distribution of legislative powers in India and a comparative study of the scheme of U.S.A.
6. Emergency provisions. Effect of Emergency on the federal structure. Judicial approach. Indian and American experiences.
7. Judicial Review for federal Umpiring. Scope of judicial review in the federal Constitutions. The approach of Indian & American Constitution.

**L010704T: CIVIL AND POLITICAL RIGHTS- COMPARATIVE STUDY OF SELECT
CONSTITUTION(India & USA)**

The Course shall comprise of the following:

1. Constitutional basis for protection of Individual rights.
2. Balance between individual liberty and social needs.
3. To whom and against who Rights are available. Suspension of Rights.
4. Right to Equality. General principles. Protective discrimination with special references to emerging judicial response to the problems of group inequalities.
5. Freedom of Speech and Expression: Special attention will be paid to the liberty of Press as interpreted by the Indian Supreme Court and to the interpretation of the freedom guaranteed by the First Amendment of the American Constitution.
6. Right to life and Personal Liberty: Judicial determination of the scope of the term “personal liberty”, “procedure established by law” and the American expressions “liberty” and “due process”. Radical changes in judicial thinking in this area.
7. Freedom of Religion, judicial interpretation of the freedom under the Constitution of India and of the United States.

8. Amendment of Rights: Adaptability of the Constitutional law to the changing needs of the society. Power and Procedure for amendments of these rights under the American and Indian constitution.

GROUP B- FAMILY LAW

L010705T : HINDU LAW INCLUDING HINDU JURISPRUDENCE

The Course shall comprise of the following:

1. Concept of Marriage under Hindu Law
2. Matrimonial Remedies
 - a) Nullity of Marriage
 - b) Restitution of Conjugal Rights
 - c) Judicial Separation
 - d) Divorce
3. Changing Concept of Adoption: From religious to secular
4. Succession under the Hindu Succession Act, 1956 (including Stridhan and Women's Estate)
5. Minority & Guardianship under the Minority & Guardianship Act, 1956.
6. Maintenance of wife, children, parents.
7. Joint Hindu family (Coparcenary, Alienation & Partition)

L010706T: MUSLIM LAW INCLUDING MUSLIM JURISPRUDENCE

The Course shall comprise of the following:

1. Sources of Muslim Law
2. Schools of Muslim Law
3. Law of Marriage
4. Law of Dower
5. Maintenance
6. Divorce under Muslim Law
7. Dissolution of Muslim Marriage Act.
8. Paternity & Legitimacy
9. Law of Inheritance

L010707T: CHRISTIAN & PARSI AND JEWES LAWS

The Course shall comprise of the following:

1. Essentials of Marriage
2. Divorce
3. Nullity of marriage
4. Judicial Separation
5. Alimony
6. Custody of Children
7. Intestate succession of Parsis
8. Intestate succession other than Parsis

GROUP C – LAW OF TORTS

L010708T: DEVELOPMENT OF LAW OF TORTS AND TORT ACTIONS GENERALLY

The Course shall comprise of the following:

1. Evolution of Law of Torts
2. Definition, nature, scope and objects
3. Principles of Liability in torts
4. Justification in Tort
5. Vicarious liability
6. Doctrine of sovereignty and its relevance in India
7. Absolute and Strict liability
8. Legal Remedies

L010709T: SPECIFIC TORTS- I

The Course shall comprise of the following:

1. Assault, battery, mayhem
2. False imprisonment
3. Defamation
4. Malicious prosecution
5. Trespass to land, Trespass to goods, Detinue, Conversion
6. Injurious falsehood, misstatements, passing off.
- 7.

L010710T: SPECIFIC TORT-II

The Course shall comprise of the following:

1. Negligence:
 - (a) Basic concepts
 - (b) Theories of negligence
 - (c) Standards of care, duty to take care, carelessness, inadvertence
 - (d) Doctrine of contributory negligence
 - (i) Res ipsa loquitor and its importance in contemporary law
 - (ii) Liability due to negligence-different professionals.
 - (iii) Liability of common cause for negligence.
2. Nervous shock.
3. Nuisance: definition, essentials and types
4. Acts which constitute nuisance-obstructions of highways, pollution of air, water, noise, and interference with light and air.
5. Liability due to negligence- different professions- under the Consumer Protection Act.
6. Liability of manufacturers and business houses for their products under the Consumer Protection Act.

GROUP-D : CRIMES

L010711T: CRIMINOLOGY AND PENOLOGY

The Course shall comprise of the following:

1. Criminology – Definition, Nature, Scope and Utility.
2. Methods of Criminological Studies.
3. Schools of Criminology: Classical, Biological, Cartographical, Sociological and Socialist.
4. Theories of Criminal Etiology: Lombroso and Neo-Lombrosian, Psycho-analytical, Differential Association, Anomie, Critical Criminology with special reference to Labeling, Interactionism and Conflict Theory.
5. Modern Trends in Criminology: Phenomenology, Postmodernism and Feminism and Crime.
6. Punishments: Concept and Theories.
7. Death Sentence
8. Treatment of Offenders: Prison, Probation and Parole.
9. Victimology.

L010712T: CRIMINAL LAW IN INDIA

The Course shall comprise of the following:

1. Crime and Criminal Law
2. Elements of Crime: External and Internal Intention, Recklessness, Negligence, Relevance of Motive, Strict Liability.
3. Joint and Constructive Liability.
4. Preliminary Offences: Attempt, Criminal Conspiracy, Abetment.
5. Defences: Mistake, Necessity, Intoxication, Unsoundness of Mind, Consent, Compulsion by Threat, Superior Order, Private Defence.
6. Offences against Human Body: Culpable Homicide and Murder, Kidnapping and Abduction.
7. Offences against Property: Theft, Robbery.
8. Offences against Marriage: Bigamy, Adultery.
9. Offences against Morals: Obscenity.
10. Offences against State: Sedition, Terrorism.

L010713T: CRIMES AGAINST SOCIAL AND ECONOMIC SECURITY AND PROBLEMS OF THEIR CONTROL

1. Nature, Scope and Impact of Socio-economic Crimes, White Collar Crimes, Distinction between Traditional Crimes and Socio – economic Crimes, Applicability of mens rea in Socio – economic Crimes, Burden of Proof and Presumption in Socio –economic Crimes.
2. Criminal Etiology of Socio-economic Crimes, Special Measures Requisite for Prevention of Socio-economic Crimes – Punishment, Applicability of Probation and other Reformatory Measures, Investigative and trial measures.
3. Offences against Consumers: Food Adulteration, Hoarding and Black Marketing, Food Safety and Standard Act 2006, Essential Commodities Act 1955, Prevention of Black Marketing and maintenance of Supplies of Essential Commodities Act 1980.
4. Drug Addiction and Drug Peddling: Narcotic Drugs and Psychotropic Substances Act (NDPS Act), Prevention of illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1988 (PITNDPS Act).
5. Professional Deviance: Medical Practitioners – Indian Penal Code, Criminal Procedure Code, Medical Termination of Pregnancy Act 1971, Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, Organ Transplant Act 1994.
6. Organized Crimes: Smuggling – Customs Act 1962, Conservation of Foreign Exchange and Prevention of Smuggling Act 1974 (COFEPSA), Prevention of illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1988 (PITNDPS Act).

7. Corporate Crimes: Corporate Criminal Liability, Individual and organization Liability Dilemma – allocating responsibility – human or corporate, Indian Penal Code, Essential Commodities Act 1955, Food Safety and Standard Act 2006, Drugs and Magic Remedies (Objectionable Advertisements) Act 1954, Drugs and Cosmetic Act 1940, Organ Transplant Act 1994, Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, Foreign Exchange Management Act 1999 (FEMA), Arms Act 1959, Prevention of Money Laundering Act 2002, Shell companies.
8. Corruption: Prevention of Corruption Act, Prevention of Money Laundering Act 2002, Lokpal and Lokayukta Act 2013, Prohibition of Benami Property Transactions Act 1988, Black Money (undisclosed Foreign Income and Assets) and Imposition of Tax Act 2015.
9. Dowry and Dowry related Crimes: Indian Penal Code, Dowry Prohibition Act 1961.

II-SEMESTER

GROUP- A : ADMINISTRATIVE LAW

L010802T: ADMINISTRATIVE LAW IN INDIA-I

The Course shall comprise of the following:

- (1) Importance and Scope of Administrative Law;
- (2) Rule of Law;
- (3) Separation of Powers;
- (4) Delegated Legislation
 - a. Constitutionality
 - b. Judicial Control
 - c. Parliamentary Control
 - d. Procedural Control
- (5) Ombudsman in India

L010803T: ADMINISTRATIVE LAW IN INDIA-II

The Course shall comprise of the following:

- (1) Judicial Review of Discretionary Power;
- (2) Writ of Mandamus;
- (3) Writ of Certiorari;
- (4) Writ of Prohibition;
- (5) Writ of Quo-warranto
- (6) Natural Justice: Bias; Opportunity of Hearing;
- (7) Administrative Tribunals;
- (8) Administrative Finality;
- (9) Role of Declaratory Decree as Public Law Remedy;
- (10) Role of Injunction as Public Law Remedy;

L010804T: COMPARATIVE ADMINISTRATIVE LAW

The Course shall comprise of the following:

- (1) Availability of Judicial Review in the United States-
 - a. Doctrine of Primary Jurisdiction;
 - b. Doctrine of Exhaustion of Administrative Remedies;
 - c. Doctrine of Standing;
 - d. Doctrine of Ripeness;
- (2) Government liability for torts committed by its employees in Great Britain, France and India;
- (3) Promissory Estoppel in Great Britain and India.

- (4) Right to Information Act, 2005.
 - a. State privilege to refuse Production of documents in Courts in Great Britain and India;
 - b. The Official Secrets Act, 1923 (India)
 - c. The Freedom of Information Act, 2002
- (5) Doctrine of Legitimate Expectation in India and Great Britain.

GROUP- B: ADMINISTRATION OF JUSTICE

L010805T : LAW RELATING TO JURISDICTION AND SYSTEMS OF COURTS IN INDIA

The Course shall comprise of the following:

1. Adalat System and its Re-organization.
2. Supreme Court created under the Regulating Act, 1773.
3. High Courts created under the Indian High Courts Act, 1861.
4. Privy Council
5. Federal Court under the Govt. of India Act, 1935.
6. High Court and Supreme Court under the Constitution of India.
7. Sub-ordinate Civil Judicature and Criminal Judicature.
8. Village Panchayat Courts
9. New Dispute Redressal Machinery: Lok-Adalats, Family Courts and Tribunals, e.g. CAT

L010806T : LAW RELATING TO PROCEDURE AND PROOF

The Course shall comprise of the following:

A. Civil:

1. Jurisdiction of Civil Courts and Place of Suing
2. Res Sub-judice. Res Judicata and Foreign Judgment
4. Pleadings- Complaint and Written Statement
5. Issue – Meaning, Framing, kinds and importance
6. Trial, Judgment, Decree and its execution
7. Appeal, Reference, Review and Revision
8. Inherent Powers of Courts

B. Criminal:

1. General principles relating to Fair Trial
2. Classes of Criminal Courts and Powers
3. Arrest, Search and seizure
4. Investigation by Police
5. Local Jurisdiction of Courts and cognizance
6. Bail
7. Charge and Trial
8. Appeal, Reference and Revision

C. Proof:

1. Nature and Function of Law of Evidence
2. Relevancy of Facts and Admissibility
3. Proof and Burden of Proof

L010807T : LAW RELATING TO RELIEF

The Course shall comprise of the following:

1. Constitutional Relief: writs-Habeas, corpus, Mandamus, Certiorari, Prohibition and Quo-warranto.
2. Recovery of Possession-Movable and immovable property.
3. Specific Performance of Contract
4. Rescission of contract
5. Rectification & cancellation of Instruments
6. Declaration Decree
7. Preventive Relief-Injunctions
8. Damages: Types, Remoteness and Measure of Damages
9. Bar on Relief: General Law relating to limitation

GROUP -C : CONTRACT AND INSURANCE

L010808T: GENERAL PRINCIPLES OF CONTRCT

The Course shall comprise of the following:

1. Theories of Contract
2. Formation of Contract: A Critical Study of Offer and Acceptance
3. Electronic Contract
4. Doctrine of Consideration
5. Doctrine of Privity of Contract
6. Standard Form of Contract
7. Capacity to Contract: Nature of Minor's Agreement
8. Free consent with special reference to Coercion and Undue influence
9. Void agreements
10. Discharge of Contract with special reference to Doctrine of Frustration
11. Relation resembling those created by Contract
12. Remedies in form of Compensation

L010809T : SPECIFIC CONTRACTS

The Course shall comprise of the following:

1. Contract of Indemnity.
 - (a) Definition and nature of contract of indemnity
 - (b) Extent and commencement of liability
2. Contract of Guarantee
 - (a) Meaning and Essentials of Contract of Guarantee
 - (b) Extent of Surety's Liability
 - (c) Discharge of Surety's Liability
 - (d) Rights of Surety
3. Contract of Bailment & Pledge
 - (a) Meaning and Essentials of Contract of Bailment.
 - (b) Duties of Bailer and Bailee
 - (c) Rights of Bailee
 - (d) Meaning and Essentials of Pledge and persons entitled to pledge.

4. Contract of Agency
 - (a) Nature and Essentials of Contract of Agency.
 - (b) Creation of Agency: Implied Agency and Agency of Necessity.
 - (c) Agency by Ratification
 - (d) Termination of Agency.

L010810T : INSURANCE

The Course shall comprise of the following:

1. Nature and definition of Contract of Insurance
 - (a) Definition of Contract of Insurance
 - (b) Contract is 'Aleatory'
 - (c) Contract of utmost good faith
 - (d) Contract of indemnity
 - (e) Contract of Wager.
2. Insurable interest:
 - (a) Nature of insurable interest
 - (b) Time or duration of interest
 - (c) Insurable interest and Life insurance
 - (d) Insurable interest and Fire insurance
3. The Risk:
 - (a) Meaning of risk
 - (b) Scope of risk
 - (c) Application of rule in various classes of insurance
 - (d) The elements of risk
 - (e) The alteration of the risk
4. The Insurance Regulatory and Development Authority:
 - (a) Establishment
 - (b) Composition
 - (c) Duties, powers and functions.

GROUP D : INTERNATIONAL LAW L010811T : LAW OF TREATIES

The course shall comprise of the following:

Concept of Treaty in International Law
 Nature, Scope and Importance of treaty
 Historical Background of the Law of Treaty
 Capacity
 Conclusion and Entry into Force
 Reservation
 Problem of Unequal Treaty
 Interpretation
 Jus cogens
 Amendment
 Invalidity
 Termination and Suspension
 Rebus Sic Stantibus
 Succession

OR

DIPLOMATIC AND CONSULAR RELATIONS

The course shall comprise of the following:

1. Meaning, definition, evolution and development of diplomatic and consular law.
2. The Vienna Convention on Diplomatic Relations, 1961.
 - (a) The inviolability of the premises of the diplomatic mission
 - (b) Diplomatic immunities-personal and property.
 - (c) Waiver of immunity.
3. Consular privileges and immunities. The Vienna Convention Consular Relations, 1963.
4. The Convention on Special Missions, 1969
5. The Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character.
6. The Immunities of International organizations.
7. Internationally protected persons.
8. Diplomatic Law and Indian State practice

OR

LAW RELATING TO OUTER SPACE

The Course shall comprise of the following:

1. The concept, substance and subject matter of International space law.
2. The History and development of space law.
3. Sources of International space law.
4. Fundamental principles of International space law.
5. Legal statue of space objects
6. Liability convention.
7. The Moon Treaty
8. The regulation of various aspects of space activities include remote sensing, space communication, dire of television broadcasting satellites.
9. Protection of the outer space environment
10. Outer space law and India.

L010812T: INTERNATIONAL COURT OF JUSTICE

The Course shall comprise of the following:

1. International adjudication in a historical perspective.
2. International Court of Justice-a principal organ and principal judicial organ of the United Nations.
3. Organization and Structure of the ICJ.
4. The jurisdiction of the Court-general
5. Contentions jurisdiction, voluntary of jurisdiction, compulsory jurisdiction, reservation and reciprocity, Transferred jurisdiction forum prorogatum.
6. Sources of Law, Property and Legal Interest.
7. Provisional measures, non-appearance, and third party intervention.
8. The advisory jurisdiction of the ICJ.
9. Enforcement of the judgements and advisory opinions.
10. The Role of the Court.

OR
INTERNATIONAL ARBITRATION

The Course shall comprise of the following:

1. Growth of the idea of international arbitration and justice, difficulties of its realization.
2. History of the institution of international arbitration (since 1875).
3. The composition of Arbitral Tribunals, types of disputes submitted to arbitral tribunals, procedure and rules applied by arbitral tribunals, admissibility or inadmissibility of appeal.
4. Diverse fields of arbitral awards: state territory, the individual, international delinquencies, treaties.
5. The efficacy of arbitral awards.
6. The Immunities of International Organizations.
7. Internationally protected persons.
8. Diplomatic Law and Indian State practice

OR
LAW OF SEAS

The Course shall comprise of the following:

1. Evolution and Recent Developments
2. Territorial Sea and Contiguous Zone
3. Continental Shelf
4. Exclusive Economic Zone (EEZ)
5. High Seas
6. Landlocked States
7. Exploration, Exploitation and Management of the Resources of the International Sea-bed Area
8. Protection and Preservation of Marine Environment.

L010813T : INDIA AND INTERNATIONAL LAW

The Course shall comprise of the following:

1. International law in ancient,, medieval and British India
2. Relationship between International law and Municipal law.
3. Recognition
4. Territorial and boundary disputes.
5. Human rights, humanitarian law and refugee protection.
6. International crimes including terrorism.
7. Use of force: validity of India's actions in Kashmir, Goa and Bangladesh.
8. India and WTO

III- SEMESTER

GROUP – A : HUMAN RIGHTS

L010902T : INTERNATIONAL LAW OF HUMAN RIGHTS

The course shall comprise of the following:

1. International Concern:
Protection of Individual in International Law; League of Nations; War Crime Trials.
2. Human Rights and the United Nations Charter:
 - (a) Normative and Institutional Framework of the UN
 - (b) Role of The permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights.
3. Universal Declaration on Human Rights:
 - (a) History of the Declaration
 - (b) Structure of the Declaration
 - (c) Legal Significance
4. International Covenants: ICCPR and ICESCR
 - (a) Nature and Characteristic
 - (b) Optional Protocols
5. Regional Instruments
 - (a) European Convention on Human Rights
 - (b) American Convention on Human Rights
 - (c) African Charter on Human and People's Rights
 - (d) Asia and Human Rights

L010903T: INTERNATIONAL HUMANITARIAN LAW

The course shall comprise of the following:

1. Introduction
Nature, Basic Principles; Historical Development since 1899
2. Protection of Victim of War-Wounded, Sick; Shipwrecked; and Prisoners of War
3. Implementation of International Humanitarian Law
4. Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law.

OR

HUMAN RIGHTS AND THE REFUGEES

The course shall comprise of the following:

1. Introduction
Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967.
2. Human Rights of the Refugees
3. Solution to Refugee Problem:
 - (a) Resettlement in Third Country
 - (b) Local Integration
 - (c) Voluntary or Forced Repatriation
 - (d) Comprehensive Responses
4. Contemporary Developments in Refugee Law
 - (a) International Burden Sharing
 - (b) International Safe Countries Burden

- (c) Temporary Protection
- (d) Environmental refugees
- (e) Safety Zones
- 5. Internally Displaced Persons: UN Guiding Principles on Internal Displacement 1998.
- 6. Refugee Law and Policy in India.

L010904T: HUMAN RIGHTS IN INDIA

The Course shall comprise of the following:

1. History and Development of Human Rights in Indian Constitution. Constitutional Philosophy. Preamble, Fundamental Rights- General.
2. Right to Equality: Gender Justice and Empowerment of Women. Special provisions for Weaker Sections of society Reservation Policy under the Constitution.
3. Freedom of Speech and Expression. Freedom of Press. Limitations, Right to Information.
4. Right to Life and Personal Liberty. New Dimension. Judicial approach.
5. Right to Freedom of Religion. Secularism. Protection to Minorities under the Constitution.
6. Implementation and Enforcement Mechanism of Human Rights in India. Remedies provided by the Judiciary and National Human Rights Commission.
7. Fundamental Duties. Article 51-A of the Constitution concept and need of Fundamental Duties. Enforcement and Effectuation of Fundamental Duties.
8. Emerging regime of new human rights in India. Taking guidance from, Directive Principles of State Policy and Fundamental Duties. New Approach.

GROUP- B : ENVIRONMENTAL LAW

L010905T: INTERNATIONAL ENVIRONMENTAL LAW

The Course shall comprise of the following:

1. Basic features of International Environmental Law and its evolution.
2. The Landmarks in International Environmental Law- a Journey from Stockholm to Johannesburg
3. Important conventions concerning Protection and Conservation of Environment; Vienna Convention and Protocol on the Depletion of Ozone Layer, Convention and Protocol on Climate Change, Chemical Weapons convention, Basel Convention, and Regulation of Hazardous Waste Convention on Biological Diversity.
4. Regulation of Transboundary pollution with special reference to Industrial Accidents and Air Pollution.
5. Impact of International Environmental Law on Indian Law with special reference to Principles of Environmental Protection.

L010906T : NATURAL RESOURCES AND THE LAW IN INDIA

The Course shall comprise of the following:

1. Protection of Wild Life- with special reference to authorities, sanction and remedies under Wild Life (Protection) Act, 1972.
2. Protection and conservation of Forest-with special reference to Authorities, sanctions and remedies under Forest Act.1927 and Forest Conservation Act.1980.

3. Conservation of Fresh water and Ground water. Coastal Zone Management under the Environment (Protection) Act, 1986 and other relevant Statutes.
4. Protection and Conservation of Biodiversity with special reference to Biodiversity Act 2002.
5. The scope and Limit of PIL to protect the natural resources-(Special emphasis shall be placed on directions issued by the Supreme Court of India from time to time)

L010907T : POLLUTION CONTROL LAW IN INDIA

The Course shall comprise of the following:

1. Constitutional Mandate and Environment with special reference to Article 32 and 226 (emphasis shall be given on use of PIL as a tool to provide environmental justice)
2. Comparative Study of Water Act, 1974, the Air Act, 1981 and the Environment (Protection) Act, 1986 with special reference to authorities, mechanism and sanctions
3. Efficacy of Remedies- Section 133 Criminal Procedure Code, Public Liability Insurance Act, 1991, National Environmental Tribunal Act, 1995, National Environment Appellate Authority Act, 1997. Citizens Suit provisions, remedies under Civil Procedure code, 1908.
4. Specific Environmental Problems and Legal Responses- special emphasis shall be placed on rules and notification framed under the Environment (Protection) Act, 1986. (Rules and Notifications shall be prescribed each year).
5. Environment Impact Assessment and People's Participation, EIA and Public Hearing under the Environment Protection Act, 1986.

GROUP- C: LABOUR MANAGEMENT RELATIONS

L010908T: REGULATION OF LABOUR MANAGEMENT RELATIONS

The Course shall comprise of the following:

1. Meaning, Nature and Philosophy of Labour Management Relations
2. An Historical and Constitutional perspective of Labour Management Relations.
3. State Regulatory process of Labour Management Relations in India.
4. Labour Management Regulatory processes in U.K. and USA-Its impact on India
5. Labour Management Relations and collective Bargaining
6. The New Economic policy and its impact on Labour Management Relations in India.
7. Some recent trends to regulate the Labour Management Relations.

OR

COMPARATIVE STUDY OF THE LAW RELATING TO TRADE UNIONS

The Course shall comprise of the following:

1. Meaning, Concept and Nature of Trade Unions.
2. Evolution, origin and growth of Trade Unions
 - a) U.S.A.
 - b) U.K.
 - c) India
3. Legal Basis of Trade Unions

- a) U.S.A.
- b) U.K.
- c) India
- 4. Collective Bargaining and its Status
 - a) U.S.A.
 - b) U.K.
 - c) India
- 5. Trade Unions and the Right to Strike
- 6. Recent Judicial trends in the Law Relating to Trade Unions
- 7. Globalization, privatization and its impact on the working of the Trade Unions.

L010909T: LAW RELATING TO EMPLOYMENT AND NON-EMPLOYMENT

The Course shall comprise of the following:

- 1. Meaning and Concept of Employment
- 2. Wages and Conditions of Service
- 3. Termination of Employment
- 4. Termination other than Dismissal
- 5. Dismissal for Misconduct

L010910T: LAW RELATING TO TERMS OF EMPLOYMENT AND CONDITIONS OF SERVICE

The Course shall comprise of the following:

- 1. Meaning and concept of terms of Employment and conditions of service
- 2. The term of employment or the conditions of Labour or of any person.
 - a) Continuity of service
 - b) Permanency of tenure of service
 - c) Transfer
- 3. Hours of work
- 4. Work loads
- 5. Shifts
- 6. Promotions
- 7. Increments
- 8. Fringe benefits
- 9. Refusal benefits

GROUP- D: TAXATION

L010911T: CONSTITUTIONAL AND ADMINISTRATIVE LAW PROBLEMS RELATING TO TAXATION

The Course shall comprise of the following:

- 1. Distinction between Tax and Fee
- 2. Power to levy taxes on income
- 3. The Constitution (One Hundred and First) Amendment Act and General Features of Goods and Service Tax
- 4. Residuary Power of Taxation Under Entry 97 of the Union List

5. Role of Taxation in achieving the Objectives of Directive Principles
6. Taxation and Right to Equality
7. Taxation and Freedom of Trade, Commerce and Intercourse
8. Distribution of Tax Revenues
9. Inter-Governmental Tax Immunities
10. Delegation of Taxing Powers
11. Judicial Review of the Orders of Tax Authorities.

L010912T: TAX ON BUSINESS AND INDUSTRY

The Course shall comprise of the following:

- (1) Residence of Firms
- (2) Residence of Company
- (3) Business Connection
- (4) Profits and gains from business or Profession
- (5) Depreciation allowance
- (6) Business Expenditure
- (7) Capital Gains
- (8) Income Tax authorities & their powers with special reference to search & Seizure
- (9) Procedure for assessment
- (10) Appeal & Revision.

L010913T: CURRENT TAX PROBLEMS/TAX ACCOUNTANCY

The Course shall comprise of the following:

- (1) Assessment of Charitable Trusts
- (2) Tax on Agricultural income.
- (3) Concept of Value Added Tax and its Merits and Demerits.
- (4) Problems of Double Taxation.
- (5) Goods and Service Tax (GST)
- (6) Problems Relating to Taxation of e - commerce

LMH 522: DISSERTATION

LMH 523: VIVA-VOCE