

PANJAB UNIVERSITY, CHANDIGARH.

Outlines of Tests, Syllabi and Courses of reading for the Master of Laws (One Year Course) w.e.f. academic session 2015-2016.

1st Semester

- Paper I Research Methods and Legal Writing - Compulsory
Paper II Comparative System of Governance - Compulsory
Paper III One optional Group from the following six groups (to be chosen by the candidate)

Paper III - Group I - International and Comparative Law i) Public International Law ii) Human Rights Law and Human Rights of Women and Children iii) International Humanitarian and Criminal Law
Paper III - Group II - Corporate and Commercial Law i) Banking and Insurance Law ii) Intellectual Property Rights iii) Commercial Arbitration
Paper-III - Group III - Criminal and Security Law: i) Criminology and Penology ii) Criminal Justice and Human Rights iii) Victimology
Paper III - Group IV - Family and Social Security Law i) Uniform Civil Code ii) Child Rights and Protection iii) Labour and Employment Laws
Paperó III - Group V -Constitutional and Administrative Law i) Fundamental Rights and Directive Principles ii) Health Laws iii) Service Law
Paper ó III - Group VI Legal Pedagogy and Research i) Clinical Legal Education ii) Law and Development iii) Education Law

Paper-IV - Term Paper (35 ó 50 pages - font 12 Times New Roman ó 1 ½ spacing)

2nd Semester

Paper V Law and Justice in a Globalizing World - Compulsory

Paper VI One optional Group from the following six groups (to be chosen by the candidate)

<p>Paper VI - Group I - International and Comparative Law</p> <p>iii) xxx iv) xxx v) xxx</p>
<p>Paper VI - Group II - Corporate and Commercial Law</p> <p>i) xxx ii) xxx iii) xxx</p>
<p>Paper VI - Group III - Criminal and Security Laws</p> <p>i) International Criminal Law ii) Police Law and Administration iii) Corporate Crimes/White Collar Crimes</p>
<p>Paper VI - Group IV - Family and Social Security Law</p> <p>i) xxx ii) xxx iii) xxx</p>
<p>Paper VI - Group V - Constitutional and Administrative Law</p> <p>i) Centre State Relations and Constitutional Governance ii) Media Law iii) Global Administrative Law</p>
<p>Paper VI - Group VI - Legal Pedagogy and Research</p> <p>i) xxx ii) xxx iii) xxx</p>

Paper VII : Dissertation

Scheme of Examination:

The Scheme of examination of papers of both the semesters (excluding dissertation) shall be as under:-

Maximum 100 marks will be allotted for each paper (except term paper and dissertation). These marks will be further divided into two parts i.e. theory examination (75 marks) and Seminar (25 marks).

Theory Examination (75 marks):

For the theory examination the whole syllabus shall be divided into two sections. Question paper will be divided into three units. Unit I will have one compulsory question of 25 marks, from Section A and B of the syllabus, consisting of 5 parts (at least two parts from each section) of 5 marks each. Unit II to III of the question paper corresponding to the Section A to B of the syllabus will have four questions each and the students will be required to attempt two questions of 12 ½ marks each from each unit. The focus of the papers shall be to critically examine the academic/research aptitude of the LL.M. students.

Seminar (25 marks):

The Seminar will include a research paper of 2000 words excluding footnotes, (Font-12 óTimes New Roman óSpacing 1 ½) and its presentation. The topic of the Seminar will be given by the concerned teacher in the class. The seminar and its presentation shall be evaluated by the concerned teacher/s and atleast one Professor. The marks of Seminar will be divided as under:

Research Paper	-	12 ½ marks
Presentation	-	12 ½ marks

Term Paper : 50 (marks):

There will be a Term Paper of 35-50 pages (font ó 12 ó Times New Roman and spacing 1 ½) to be assigned by the concerned teacher in the class on the relevant subject. The term paper shall be evaluated by an external examiner. Three names of external examiners will be proposed by the concerned teacher and out of which one name will be recommended by the committee of all Professors of the Department to be approved by the DUI.

Instructions to Paper Setters

For the theory examination the whole syllabus shall be divided into two sections. Question paper will be divided into three units. Unit I will have one compulsory question of 25 marks, from Section A and B of the syllabus, consisting of 5 parts (at least two parts from each section) of 5 marks each. Unit II to III of the question paper corresponding to the Section A to B of the syllabus will have four questions each and the students will be required to attempt two questions of 12 ½ marks each from each unit. The focus of the papers shall be to critically examine the academic/research aptitude of the LL.M. students.

LL.M. SEMESTER 1

PAPER I RESEARCH METHODS AND LEGAL WRITING (COMPULSORY)

Section A Research Methods

1. Meaning and objectives of research:
2. Legal Research- Meaning, Purpose and Scope: Legal Reforms, Law Making and Academics
3. Doctrinal and Non- Doctrinal Research
4. Socio- Legal Research

Designing the Legal Research

1. Title of Investigation- Its Identification and Formulation
2. Review of literature
3. Hypothesis ó Its Meaning, Importance and Kinds
4. Research Design
5. Sampling Design For Legal Research
6. Research Methods- Data Collection Techniques/Tools
7. Reliability, Validity, Content Analysis and Item Analysis

Section B Legal Writing

1. Strategies to do Legal Research

➤ Primary and Secondary Authorities

1. Legislative research material-- Central Legislations and State Legislations
2. Decisional research material
 - i) Case Law and Judicial Opinions- Reported and unreported Supreme Court, High Courts and lower courts
 - ii) Ratio decidendi and obiter dicta.

2. Legal Reasoning- Inductive and Deductive Methods

3. Legal Research: Using Electronic and Digital Resources

1. The Digital Library and online data base
2. E-Research

4. Citing and Validating the Authorities

- ###### ➤ Legal Citation Form: Blue Book Nineteenth Edition

5. Legal Writing

1. The Research Process- How to Begin
2. Basics of Effective Legal Writing Skills

6. Case Method of Study- Case Analysis -

1. Mohori Bibee v. Dharmodas Ghose, (1902-03) 30 IA 114: ILR 30 Cal 539
2. Kesavananda Bharati v. State of Kerala, (1973) 4 SCC 225
3. Maneka Gandhi. V. Union of India, (1978) 1 SCC 248
4. Bangalore Water Supply & Sewerage Board v. A. Rajappa, (1978) 2 SCC 213
5. Bachan Singh v. State of Punjab, (1982) 3 SCC 24
6. M.C. Mehta v. Union of India, (1986) 2 SCC 176
7. Vellore Citizens Welfare Forum v. UOI, (1996) 5 SCC 647
8. D.K.Basu v. State of West Bengal, (1997) 1 SCC 416
9. Indra Sawhney v. Union of India, AIR 2000 SC 498
10. Rupa Ashok Hurra v. Ashok Hurra, (2002) 4 SCC 388
11. Midas Touch Investors Association v. M/S Satyam Computer Services Ltd., Civil Appeal No. 4786 of 2009
12. Selvi v. State of Karnataka, (2010) 7 SCC 263
13. Public Union for Civil Liberties v. Union of India, (2010) 14 SCC 611
14. Mohd Ajmal Amir Kasab v. State of Maharashtra, (2012) 9 SCC 1
15. Bharat Aluminium Co. v. Kaiser Aluminium Technical Services Inc., (2012) 9 SCC 552 & Enercon (India) Ltd & Ors v. Enercon GMBH, Civil Appeal No. 2086 of 2014
16. Suresh Kumar Koshal v. Naz Foundation, (2014) 1 SCC 1

SUGGESTED READINGS

1. John W. Creswell, Research design, 3rd Edition Sage South Asia Edition.
2. Devendra Thakur, Research Methodology in Social Sciences, Deep & Deep Publications, 2009.
3. Robert Watt, Concise Legal Research, Universal Law Publishing Co., 5th Edition, 2009.
4. Dawn Watkins & Mandy Burton (Eds.), Research Methods in law.
5. S.R. Myneni, Legal Research Methodology, Allahabad Law Agency, 2010.
6. S.K. Verma & M. Afzal Wan (Eds.), Legal Research and Methodology, Indian Law Institute.
7. Ranjit Kumar, Research Methodology, Sage Publications, 3rd Edition, (2011).
8. Blue Book ó A Uniform System of Citation, Nineteenth Edition.
9. Charles R. Calleros, Legal Method and Writing, Sixth Edition, Wolters Kluwer
10. Richard K. Neuman, Jr Sheila Simon, Second Edition, Wolters Kluwer
11. John C. Dernbach et al., Legal Writing & Legal Method, Fourth Edition, Wolters Kluwer

LL.M. SEMESTER 1

PAPER II COMPARATIVE SYSTEM OF GOVERNANCE (COMPULSORY)

Section A

- I. Introduction- Meaning & Concept of Governance; Forms of Government: ó Federal and Unitary ó Feature, Advantages and Disadvantages, Models of Federalism ó USA, India; Parliamentary and Presidential forms of Government ó Features, Advantages & Disadvantages, Models of Parliamentary and Presidential forms of Government ó UK, India & USA.
- II. Constitutional foundations of Powers- Rule of Law:- Dicey's Concept of Rule of law; Position of Rule of Law under the Indian Constitution; Modern Concepts of Rule of Law; Separation of Powers & Checks & Balances:- Meaning & Concept, Montesquieu's theory of Separation of Powers; Models of Separation of Powers & Checks & Balances- USA & India.
- III. Power of Judicial Review-Concept & Origin of Judicial Review; Methods of Constitutional Review-Judicial and Political Review, Anticipatory & Successive Review, Concentrated & Diffused Review.

Section B

- I. Public Interest Litigation as a tool of Governance in USA & India ó Meaning, Origin & Concept of PIL; Doctrine of Locus standi.
- II. Right to Information: A Powerful Tool of Governance in UK, USA & India- Concept, US Freedom of Information Act 1966; UK Freedom of Information Act 2000; Right to Information Act 2005 in India.
- III. Ombudsman:- Origin & Evolution of concept in Scandinavia Countries; India's Lok Pal & Lokayukta Institutions; UK's Parliamentary Commissioner, US & Organizational Ombudsman.

SUGGESTED READINGS

1. A.V. Dicey, *Introduction to Law of the Constitution*, (Macmillan & Co. Ltd. London & New York).
2. B. Schwartz- *American Administrative Law: Case Book*, (Aspen Publishers 2006).
3. Bignami, Francesca: *Comparative Law* (Ch. 7 (PP-145-170) at Cambridge University Press 2012).

4. Christopher Forsyth, Mark Elliott, Swati Jhaveri, *Effective Judicial Review: A Cornerstone of Good Governance* (Oxford University Press, 2010).
5. D.D. Basu, *Comparative Constitutional Law* (2nd ed., Wadhwa Nagpur).
6. David Strauss, *The Living Constitution* (Oxford University Press, 2012).
7. DeSmith, *Judicial Review of Administrative Action*, (7th Ed. Sweet & Maxwell, 2013).
8. Dr. Subhash C Kashyap, *Framing of Indian Constitution* (Universal Law, 2004).
9. Elizabeth Giussani, *Constitutional and Administrative Law* (Sweet and Maxwell, 2008).
10. Ivor Jennings, *Law & the Constitution*, (University of London Press, 1964).
11. I.P. Massey, *Administrative Law*, (Eastern Book Co., Lucknow, 2008).
12. K. S. Shukla & S. S. Singh, *Lokayukta-A Socio-Legal Study*, (Indian Institute of Public Administration, New Delhi, 1988).
13. Louis Leventhal Jaffe, *Judicial Control of Administrative Law*, (Little Brown, 1965).
14. M.V. Pylee, *Constitution of the World* (Universal, 2006).
15. Mahendra P Singh, *Comparative Constitutional Law* (Eastern Book Company, 1989).
16. M.P. Jain, S. N. Jain, *Principles of Administrative Law*, (2 Vols.: Lexis Nexis, 7th Edition, 2013).
17. M.P. Jain, *Cases & Materials on Administrative Law*, (3 Vols.).
18. M. Shukla, *Judicial Accountabilty: Welfare & Globalization*, (Regal Publications, New Delhi, 2010).
19. R.K. Gupta & P. K. Saini, *Right to Information Act 2005: Implimentation & Challenges*, (Deep & Deep Publications Pvt. Ltd., New Delhi, 2009).
20. S.K. Aggarwal, *Towards Improving Governance*, (Academic Foundation, New Delhi, 2008).
21. S.K. Aggarwal, *Public Interest Litigation in India: A Critique*, (The Indian Law Institute, New Delhi).
22. S.N. Ray, *Judicial Review & Fundamental Rights*, (Eastern Law House, 1974).
23. Tom Bingham, *The Rule of Law*, (Penguin Publication, 2011).
24. Videh Upadhyay, *Public Interest Litigation in India: Concepts, Cases, Concerns*, (1st Ed. Lexis Nexis 2007).

LL.M. SEMESTER 1

PAPER III

GROUP I – INTERNATIONAL AND COMPARATIVE LAW

(i) PUBLIC INTERNATIONAL LAW

Section A

1. Definition, Nature and basis of International Law
2. History, development and Codification of International Law Third world approaches to International Law: *Asian and African Contribution to the development of international Law*
3. Subjects of international Law & Status of Individual, Organisation and corporations under international Law
4. Sources of International law
5. Relationship between International and State Law
6. Recognition

Section B

1. State Responsibility:
2. Meaning, Kinds of state responsibility, State responsibility for injuries suffered in the service of the United Nations, Calvo Doctrine
3. State jurisdiction:
Principles of jurisdiction and extraterritorial jurisdiction
4. Nationality:
definition, Nationality and citizenship, Modes of acquiring and losing nationality, Double nationality.
5. Extradition:
Meaning, purpose, basis of principle of extradition, Extradition and expulsion, non-extradition of political criminal
6. Asylum
7. Intervention

SUGGESTED READINGS

1. Oppenheim's International Law, Oxford Publications.
2. Starke, J. G., *Introduction to International Law*, 10th ed Butterworths, London, 1992).
3. Brownlie, Ian, *Principles of International Law*, 5th ed (Oxford University Press, London, 1998).
4. Malcolm N. Shaw, *International Law*, Cambridge University press, 2008.
5. Anand, R. P., *Development of Modern International Law and India* (Nomos, Germany, 2005).
6. Anghie, Antony, *Imperialism, Sovereignty, and the Making of International Law* (Cambridge University Press, Cambridge, UK, 2004).
7. Arend, Anthony Clark and Robert J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (Routledge, New York, 1993).
8. Brierly, J. L., *Law of Nations: An Introduction to the Law of Peace*, 6th ed (Oxford University Press, London, 1998).
9. Cheshire, North and Fawcett, James, *Private International Law* (Carruther Law, Oxford, 2008).
10. Chesterman, Simon, *Just War or Just Peace? Humanitarian Intervention & International Law* (Oxford university press, 2001)
11. Chimni, B. S., *International Law and World Order: A Critique of Contemporary Approaches* (Sage, New Delhi, 1993)
12. Harris, D. J., *Cases and Materials on International Law*, 6th ed (Thomson and Sweet and Maxwell, London, 2004).
13. Mani, V. S., *Basic Principles of Modern International Law* (Lancers Book, New Delhi, 1993).
14. Verma, S. K., *50 Years of Supreme Court of India: Its Grasp and Reach* (Oxford, 2008).

LL.M. SEMESTER 1

PAPER III

GROUP I – INTERNATIONAL AND COMPARATIVE LAW

(ii) HUMAN RIGHTS LAW AND HUMAN RIGHTS OF WOMEN AND CHILDREN

Section A

1. Human Rights: Concept, evolution
2. International Instruments
 - International Bill on Human Rights
 - Convention against Racial Discrimination
 - Convention on Right of persons with disability
 - Convention for protection from enforced disappearance
3. Human Rights Bodies
 - Human Rights Council
 - Office for High Commissioner on Human Rights(OHCHR)
4. Regional Human Rights Instruments
 - European Convention
 - African Convention
 - American Convention

Section B

1. Convention on Elimination of All Forms of Discrimination against Women 1979
2. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others 1949
3. Declaration on the Elimination of Violence against Women 1993
4. Beijing Platform for Action (BPFA);
5. UN Convention on the Rights of the Child 1989 & its Optional Protocols,
6. Declaration and Plan of Action of World Summit for Children.

SUGGESTED READINGS

1. Yearbook of United Nations Today, 2009, DPI, United Nations, New York
2. Agosin, Marjorie (2003), Women, Gender, and Human Rights: A Global Perspective, New Delhi: Rawat
3. Biswal, Tapan (2006), Human Rights, Gender and Environment, New Delhi: Viva.
4. Centre for Development and Human Rights (2004), The Right to Development ó A Primer, New Delhi: Sage Pub.
5. Detrick, S. (1992), The United Nations Convention on the Rights of the Child, (Dordrecht: Martinus Nijhoff.

LL.M. SEMESTER 1

PAPER III

GROUP I – INTERNATIONAL AND COMPARATIVE LAW

(iii) INTERNATIONAL HUMANITARIAN AND CRIMINAL LAW

Section A

International Humanitarian Law

1. Origin, Sources and Development of IHL
2. Law relating to International Armed Conflict
 - a. Hague Conventions (1899 and 1907)
 - b. Geneva Conventions (1949, its Protocols of 1977 and 2005)
3. Doctrine of military necessity versus the Principle of humanity
4. Law relating to Non-International Armed Conflicts: Common Article 3 and the Additional Protocol II; National perspectives on IHL
5. Relationship between International Human Rights and Humanitarian Law.
6. Role of ICRC as implementing agency
7. Protecting Power; Role of United Nations, International Criminal Courts and Tribunals
8. Unilateralism: 'Humanitarian' intervention versus State Sovereignty,

Section B

International Criminal Law

1. Meaning of International criminal Law
2. Establishment of International Criminal Court
 - Rome Statute of the ICC
 - Jurisdiction
 - Applicable Law and Principles
 - Composition
3. The Crime of Genocide
 - Meaning and definition, History
 - Genocide Convention 1948
 - Bosnia and Herzegovina v Yugoslavia (Serbia and Montenegro)
4. Crimes against Humanity
 - Meaning and Definition
 - Nuremberg Charter

5. War Crimes
 - Definition of war crimes
 - UN War Crimes Commission
 - War Crimes Trials:
 - Nuremberg Trials
 - Tokyo Trials
6. Crime of Aggression
7. Adhoc International Tribunal ó Yugoslavia and Rwanda

Suggested Readings

1. Aggarwal, H.O. (2010) International Law and Human Rights, Allahabad: Central law Publications.
2. Bhuiyan Md. Jahid Hossain, Louise Doswald Beck & Azizur Rahman Chowdhury (2009), International Humanitarian Law - An Anthology. Nagpur, LexisNexis, Butterworths Wadhwa.
3. Dominice, Christinians (1982), "The Implementation of Humanitarian Law", in Karel Vasak, (ed.), The International Dimensions of Human Rights. Vol. I Paris: UNESCO, pp.427-43.
4. Geza, Herczegh (1984) Development of International Humanitarian Law. Budapest: Akademiai Kiado.
5. Hingorani, R.C. (ed.) (1991), Humanitarian Law, New Delhi: Oxford and IBH Publishing Co.
6. Kalshoven, K. and Zegveld, H., (eds), (2011), Constraints on the waging of war: An Introduction to International Humanitarian Law, Geneva: International Committee of Red Cross.
7. W.Elizabeth and Susan B. (eds), (2005), Perspectives on the ICRC: Study on Customary International Humanitarian Law, Cambridge: British Institute of International and Comparative Law.
8. Cahill, Kavin M., *Basics of International Humanitarian Missions* (NY: Fordham University Press, 2003).
10. Geza, Herczegh, *Developments of International Humanitarian Law* (Akademiai Kiado, Budapest, 1984).
11. Henckaerts, Jean-Marie and Beck-Doswald, Louise, *Customary International Humanitarian Law* (Cambridge University Press, UK, 2005).
12. Hingorani, R. C., *Humanitarian Law* (OUP, New Delhi, 1987).
13. Lattimer, Mark and Sands, Philippe (ed.), *Justice for Crimes Against Humanity* (Hart Publishing, USA, 2003).
14. Sinha, Manoj Kumar, *Humanitarian Intervention by the United Nations* (Manak Publishers, New Delhi, 2002).
15. Teson, Fernando, R., *Humanitarian Intervention: An Enquiry into Law and Morality* (Transnational Publishers, New York, 1997).
16. Harris, D. J., et al., *Law of the European Convention on Human Rights* (Butterworths, London, 1995).

LL.M. SEMESTER 1

PAPER III

GROUP II – CORPORATE AND COMMERCIAL LAW

(i) BANKING AND INSURANCE LAW

Section A

Banking Law

Banking System; Emergence and importance of Commercial Banking; Pre and Post Independence Development; Relationship between bankers and Customer; banking Sector reforms in India- an overview Nationalism and Privatization Policy. Legal regulatory Framework ó provisions of RBI Act 1935, Banking Regulation Act, 1949. The Securitization and Reconstruction of financial Assets and Enforcement of Security Interest Act, 2002, the negotiable Instruments Act.

Advances against Collateral securities/Documents of Title to goods, Miscellaneous Securities, guarantee and LC Frauds, Forgeries, Embezzlement, banker's Advances to Insolvents. Interference by Third Parties- Injunctions, Garnishee, or attachment orders and decrees. Bankers Lien and set off; Debt Recovery Tribunal Act.

Section B

Insurance Law

Insurance: Meaning, nature and significance; essential requirements and principles of risk insurance; re-insurance; nationalization of insurance business in India; Insurance Regulatory Development Authority Act.

Life Insurance

Law Relating to Life Insurance; general principles of life insurance contract; Life Insurance Corporation- role and functions; Medical Insurance.

General Insurance

Law relating to general insurance; different types of general insurance; general insurance and life insurance; nature of fire insurance; various types of the policy; subrogation; double insurance; contribution; proximate cause; claims and recovery.

Accident and Motor Insurance

Nature, disclosure, terms and conditions; claims and recovery; Third party insurance; compulsory motor vehicle insurance; accident insurance.

SUGGESTED READINGS

1. Banking Law and Practice - B.M. Lall Nigam.
2. Banking Theory and Practice - Shekhar & Shekhar
3. Banking, Law and Practice in India - M.L. Tannan
4. Banking Law and Practice ó Varshney, PN
5. Banking Law and Practice in India ó Taxmann, MC
6. Introduction to Banking Principles, Practice & Law ó Ghose, BC
7. General Principles of Insurance Law ó Ivany, ER Hardy
8. Law of Insurance ó Banerjee, BN
9. Life Insurance in India: its history, Law Practice and Problems ó Ray, RM

LL.M. SEMESTER 1

PAPER III

GROUP II – CORPORATE AND COMMERCIAL LAW

(ii) INTELLECTUAL PROPERTY RIGHTS

Section A

1. Intellectual Property Rights: Meaning, Scope and concept
2. WIPO (World Intellectual Property Organization): Composition, Objectives and functions of WIPO
3. WIPO Treaties:
 - WCT, 1996 (WIPO Copyright Treaty)
 - WPPT, 1996 (WIPO Performances and Phonograms Treaty, 1996)
4. TRIPs (Trade Related aspects of Intellectual Property Rights):
 - Objectives and Basic Principles (Article 1 -8)
 - Standards concerning the availability, scope and use of IPR. (Copyrights and related rights (Articles 9-14), Trade mark (Article 15-21), Patent (Article 27-34))

Section B

1. The Biological Diversity Act, 2002
 - Definitions,
 - Regulation of Access to Biological Diversity (Sections 3-7)
 - National Biodiversity Authority (Sections 5-21)
 - State Biodiversity Board (Sections 22-25)
 - Duties of Central government and State Government (Sections 36-40)
2. Geographical Indications of Goods (Registration and Protection Act, 1999)
 - Definitions
 - Procedure and Duration of Registration (Sections 11-19)
 - Effect of Registrations (Sections 20-24)
 - Special Provisions relating to Trademark and Prior Users (Sections 25-27)

- Offences, Penalties and Procedures (Sections 37-54)
3. The Protection of Plant Varieties and Farmers' Rights Act, 2001.
 - Definitions,
 - Protection of Plant Varieties and Farmers' Authority and Registry (Sections 3-13)
 - Farmers' Rights (Sections 39-46)
 - Compulsory License (Sections 47-53)
 - Infringement and Penalty (Sections 64-77)
 4. Traditional knowledge

SUGGESTED READINGS - 1

1. World Intellectual Property Organisation: An Overview, WIPO, 2007.
2. Summaries of Convention, Treaties and Agreements administered by WIPO, WIPO, 2006.
3. Intellectual Property and International Trade: The TRIPS agreement by Carlos M. Comes, Abdul Qaco: A: Yusug Kluwer Law International.
4. A Handbook on WTO TRIPS Agreement by Antony Taubwan & Hamu Wages, Jayashree Watal, Cambridge University Press, 2012.
5. Intellectual Property Rights in a Fair World Trade System by Annette Kus & Mariamme Levin, Edward Elgar, 2011 Biodiversity and Law.

SUGGESTED READINGS - 2

1. Biodiversity and Law: Intellectual Property, Biotechnology and Traditional Knowledge by Charles McManis Publisher ó Routledge.
2. Intellectual Property and Traditional knowledge in the Global economy by Teshager W. Dange: Publisher ó Tailor & Francis.
3. Geographical Indications: A search for Identity by Latha R. Nair & Rajendra Kumar, Publisher ó Nexis Lexis.
4. Rhetoric of Plant Varieties Prolechar in India by Jayna Kuviakose and Mayank Misra, Publisher, Easter Book Company.

LL.M. SEMESTER 1

PAPER III

GROUP II – CORPORATE AND COMMERCIAL LAW

(iii) COMMERCIAL ARBITRATION

Section A

- A. (i) Commercial Arbitration: Conceptual Dimensions
(ii) International Arbitral Awards: Meaning, Types and Contents
(iii) Framework of International Conventions on Recognition and Enforcement of Foreign Awards
- a. Convention before 1958
 - The Geneva Protocol (1923) & The Geneva Convention (1927)
 - The New York Convention (1958)
 - b. Conventions after 1958
 - The European Convention of 1961
 - UNICITRAL Model (the Model Law and the Revised Model Law)
- B. International Institutional Arbitration
- a. International Court of Arbitration
 - b. International Centre for ADR
 - c. The London Court of International Arbitration

Section B

- A. Arbitration Laws in India
- (i) The Arbitration and Conciliation Act, 1996
 - (ii) Legal Requirement for Enforcement of Arbitration Award
 - (iii) Judicial Response to the Enforcement and Recognition of Arbitration Award
- B. Institutional Arbitration in India

SUGGESTED READINGS

1. Binder, UNCITRAL Model Law on International Commercial Arbitration (Sweet & Maxwell, 2000).
2. Dr. S.S. Mishra, Law of Arbitration and Conciliation in India with (Alternate Dispute Resolution Mechanism), Central Law Publications (2007).
3. Julian, D.M. Lew, Loukas A. Mistelis, Stefan M. Kroll, Comparative International Commercial Arbitration, Woltes Klower/Kulwer Law International (2007).
4. Justice R.S. Bachawat, Law of Arbitration and Conciliation, 4th Edition, (2005), Wadhwa & Co., Nagpur.
5. Nigel, Blackaby, Constantine Partasides, Alan Redfern & Martin H. Hunter on International Arbitration (Oxford University Press, 2009).
6. O.P. Malhotra, Indu Malhotra, The Law and Practice of Arbitration and Conciliation, 2nd Edition (2006), Lexis Nexis Butterworths.
7. P.C. Markanda, Naresh Markanda, Rajesh Markanda, Law Relating to Arbitration and Conciliation, 8th Edition (2013), Lexis Nexis Butterworths.
8. Justice S.B. Malik, Commentary on Arbitration and Conciliation Act, 1996 ó An Exhaustive Section wise commentary on the Arbitration and conciliation, 1996 5th Edition (2011), Universal Law Publishing Co. Pvt. Ltd.
9. Sutton & Gill Russel on Arbitration, 2nd Edition (Sweet & Maxwell, 2002).

LL.M. SEMESTER 1

PAPER III

GROUP III – CRIMINAL AND SECURITY LAW

(i) CRIMINOLOGY AND PENOLOGY

Section A

Criminology—Meaning, Nature and Scope; Etiology of Crime: Social, Economic, Environmental, Biological, Psychological, Relationship between Crime and Criminology; **Schools of Thought:** Classical, Neo-Classical, Positivist

Section B

Criminal Behaviour: Corporate and white Collar Crime, Youth Crime, Organised Crime, **Criminology and Penology:** Relationship, Kinds of Punishments, Capital Punishment, Rights of Prisoners and their Rehabilitation

SUGGESTED READINGS

1. Walker, N. Crime and criminology: A Critical introduction (1987)
2. S. Rao, Crime in Our Society, (1983)
3. A. Siddique, Criminology: Problem and perspectives (1997)
4. E. Sutherland, White Collar Crime (1949)
5. Mulla Committee Report (1983)
6. J.P.S.Sirohi, Criminology and Penology (2004)
7. H.L.A. Hart, Punishment and Responsibility (1968).
8. Alf Ross, On Guilt, Responsibility and punishment (1975),
9. A. Siddique, Criminology (1984) Eastern, Lucknow.
10. Law Commission of India, Forty-Second Report Ch. 3 (1971),
11. Sen P.K. Penology Old and New
12. Gillian J.L. Criminology and Penology

LL.M. SEMESTER 1

PAPER III

GROUP III – CRIMINAL AND SECURITY LAW

(ii) CRIMINAL JUSTICE AND HUMAN RIGHTS

Section A

1. Criminal justice and human rights ó conceptual perspective - concept of crime and criminal liability, recent trends of mensrea in criminal law; Human Rights ó concept and law; historical perspective, philosophical perspective of criminal justice system and human rights.
2. International and National perspective of Criminal Justice System and Human Rights - Human Rights under UN Charter, Universal Declaration of Human Rights, International Covenants- International Covenant on Civil and Political Rights, 1966 and International Covenant on Economic, Social & Cultural Rights, 1966, Regional Conventions - European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950 and African Charter on Human and Peoplesø Rights, 1981, International Human Rights Institutions- UN Centre for Human Rights, Economic and Social Council and Various Commissions and Sub-Commissions on Human Rights, Constitutional Guarantees and Legislative Measures in India, Contribution of Judiciary to Human Rights Law and Role of Human Rights Commissions.

Section B

1. Human Rights Issues and Criminal Justice System ó Custodial violence, terrorism and insurgency, human rights violation of marginalised section, communal violence, caste and class conflicts, maintenance of law and order, rights of inmates of prisons, custodial homes, protection homes, reformatory homes and other social organizations.
2. New trends in criminal justice system ó Criminal Justice System and Medical Examination, Criminal Justice System and Cyber Laws, Criminal Justice System and Preventive Detention Laws, Criminal Justice System and Arbitration/Plea-bargaining, Criminal Justice System and Restorative Justice System of USA ó A comparative analysis.

SUGGESTED READINGS

1. Bava, Noorjahan, (ed), (2000), Human rights and Criminal Justice Administration in India, Uppal Publishing House, New Delhi.
2. Arora, Nirman, (1999), Custodial Torture in Police Stations in India: A Radical Assessment, Journal of Indian Law Institute, Vol. 41, Nos. 3 and 4.
3. Shubhi Ghosh, S.K., (1993), Torture and Rape in Police Custody, New Delhi: Asish Publishing House.
4. Vada Kumchery, James, (1991), The Police and Delinquency in India, New Delhi: APH Publishing Corporation.

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PAPER III
GROUP III – CRIMINAL AND SECURITY LAW
(iii) VICTIMOLOGY

Section A

Victimology: Definition and Meaning; Nature and Scope of Victimology; Kinds of Victims; Theories of Victimology. **Victim and victimizers:** Victim offender Relationship Sources of Victimization (Criminals/Individuals/Non State actors, State, Police). **Impact of Victimization:** Physical impact, Psychological impact, Financial impact, Social impact

Section B

Rights of and Protection to Victims under The Criminal justice system: Rights of Victim; Compensation and Restitution to the victim; State liability to pay compensation; Compensatory provisions in Criminal law; Recommendations of The Malimath Committee with respect to compensation to the victims of crime; Latest trends in Victimology and Compensation

SUGGESTED READINGS

1. Dutta K.K., Some Aspects of Criminal Law, Law Research Institute, Edition 1997, APH, Publishing House, Darya Ganj, New Delhi -02.
2. Dr. Mrinmaya Chaudhari, Languishing for Justice, A Critical Survey of the Criminal Justice System, DATTSONS, J. Nehru Marg, Sadar, Nagpur.
3. Malik P.L., Criminal Court Hand Book, 18th Edition, Eastern Book Company, 32, Lalbagh, Lucknow -01.
4. Manjula Batra, Protection of Human Rights in Criminal Justice Administration, Deep and Deep Publication, New Delhi.
5. Parvesh K Atri, Readings in Criminal and Criminology, 1st edition 1998, Anmol Publication Pvt. Limited, New Delhi -2
6. Ahmed Siddiqui, Criminology, Problems and Perspectives, 4th edition 1997, Eastern Book Company, Lucknow -01
7. Clive Coleman and Clive Norris , Introducing Criminology, Edition 2000, Lawman (India) Pvt Limited, Lajpat Nagar, New Delhi-24
8. Bharat B Das, Victims in the Criminal Justice System, 1st Edition 1997, APH Publication Corporation, New Delhi 2

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PAPER III

GROUP IV – FAMILY AND SOCIAL SECURITY LAW

(i) UNIFORM CIVIL CODE

Section A

1. Uniform civil code - Meaning, need, feasibility, impediments to the formulation of uniform civil code and role of state, comparative analysis with U.S.A, connotations of directive principles u/a -44 of constitution of India with special reference to personal law and role of judiciary.
2. Religious pluralism and its implications in the matters of marriage, divorce and maintenance ó concept of marriage and theories of divorce with special reference to Hindu law, Muslim law, Parsi law, Christian law, Special marriages law, Foreign marriages law and Indian divorces law. Kinds of maintenance and right to get maintenance under personal and Uniform law.

Section B

1. Optional uniform civil code ó meaning, need and scope of optional uniform civil code specifically in the law on succession and inheritance applicable to Hindu, Muslim, Christian and Parsi, and its comparative analysis with uniform law.
2. Secular laws and its implications in the matters of adoption including inter country adoptions and guardianship ó concept, nature and relevance of adoption and guardianship with special reference to Hindu law , Muslim law, Parsi law, Christian law and Uniform law.

SUGGESTED READINGS

1. M.P Raju - Uniform civil code ó A Mirage, Anamika Pub & Distributors, 2003.
2. Dina Nath Raina ó Uniform civil Code and Gender Justice, Reliance Publishing House, 01-Jan-1996.
3. M.S Rattnaparki ó Uniform Civil Code ó An Ignored Constitutional Imperative, Atlantic Publishers & Dist, 01-Jan-1997 - Civil law - 106 pages
4. Vasudha daghmvar ó Towards uniform civil code , ILI publication 1989.

5. Naseem Akhtar ó Family Law on divorce and judicial separation, deep and deep publication, 2003.
6. A.M Bhattacharjee ó Muslim law and constitution, Eastern law house, 1985.
7. Sayed Khalid Rashid revised by V.P Bharatiya ó Muslim law, eastern book company, 1996.
8. Tahir Mahmood and Dr. Saif Mahmood ó Introduction to Muslim law, universal law publishing company pvt. Ltd., 2013.
9. Justice S.A Kader ó Muslim Law of marriage and succession in India (a critique with a plea for optional civil code).
10. Family Law lectures ó Family law -1 and II ó Lexis Nexis publication latest edition.
11. Mulla ó Principles of Hindu Law, butterworths publication 1998.
12. Mayne ó Hindu law, bharat law house, 1987.
13. Justice S. Krishnamurthy Aiyar ó law of marriage, maintenance, separation and divorce, universal law publication 2009.
14. Cowas Noshirwan Wadia ó Parsi law relating to marriage and divorce and inheritance and succession.

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PAPER III

GROUP IV – FAMILY AND SOCIAL SECURITY LAW

(ii) CHILD RIGHTS AND PROTECTION

Section A

International Norms for the Protection of the Child: Definition of Child-International and National level; UN Declaration of the Rights of the Child 1959; UN Convention on the Rights of the Child 1989; International bill on Human Rights- Child Rights; UN Standard Minimum Rules for the Administration of Juvenile (The Beijing Rules) 1985; ILO Convention on Restriction and Prohibition on Child Labour including ILO Convention on Child Labour, 1999.

Indian Constitution and the Protection of the Child: Fundamental Rights (Art 15(3), 23, 24 and 21A); Directive Principles of State Policy; Protection of the child against Economic Exploitation: Child rights and labour laws; Child Labour (Protection and Regulation), Act, 1986.

Section B

Protection of child against Exploitation: Child Prostitution, Sale and Immoral Trafficking, Child Sexual Abuse, Problem of Street Children and Child Beggars, Problem of Child Marriages.

Criminal Law and the Child: Child and Indian Penal Code, 1860; Juvenile Justice (Care and Protection of Children) Act, 2000; Child and the Information Technology Act, 2000.

SUGGESTED READINGS

1. Asha Bajpai, Child Rights In India, Law policy and Practise, 2nd Edition 2006, Oxford India Paperbacks.
2. S.P. Shaw- Laws of the Child, (2000) Alia Law Agency , Allahabad.
3. The Juvenile Justice (Care and Protection of Children) Act, 2000.
4. The Child Labour (Protection and Regulation), Act, 1986.

5. Savitri Gunasekhare. *Children, Law and Justice* (1997) Sage Publications.
6. The Protection of Children from Sexual Offences Act, 2012.
7. Myron Weiner, Neera Burra, Asha Bajpai, *Born Unfree: Child Labour, Education, and the State in India*; (2006) Oxford University Press India.
8. Neera Burra, *Born to work: child labour in India*; (1997) Oxford University Press.
9. Geraldine Van Bueren. *The International Law on the Rights of the Child*; (1995) Netherland: Kluwer Academic Publishers.
10. Mamta Rao, *Law Relating to Women and Children*; (2005); Eastern Book Company.
11. D.C. Nanjunda, *Child Labour and Human Rights: A Prospective*, (2008) Gyan Publishing House.
12. Michael D. A. Freeman, *The Moral Status of Children: Essays on the Rights of the Children*, 1997, Martinus Nijhoff Publishers.
13. Joseph Anthony Gathia, *Child Prostitution in India*, (1999), Concept Publishing Company.
14. The Prohibition of Child Marriage Act, 2006.

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PAPER III

GROUP IV – FAMILY AND SOCIAL SECURITY LAW

(iii) LABOUR AND EMPLOYMENT LAWS

Section A

- Industrial Relation ó Concept and meaning
- Impact of globalization
- Freedom of association ó International norms
- Right to organized and unorganized labour to form unions
- Constitutional and legal aspects
- Concept of misconduct of workman
- Disciplinary proceeding and punishment
- Role of judiciary in the development of law relating to industrial relations

Section B

- Social Security ó Concept and Meaning
- Social insurance
- Social Assistance
- Compensation and benefits under The Employees Compensation Act 1923, Employees State Insurance Act, 1948, Maternity Benefit Act, 1961.
- Remunerative Aspects & Concept of wage
- Minimum Wages Act, 1948
- Payment of Wages Act, 1936

SUGGESTED READINGS

1. Industrial Disputes Act, 1947
2. Trade Unions Act, 1926
3. Industrial Employment (Standing Orders) Act, 1946
4. Employees Compensation Act, 1923

5. Employees State Insurance Act, 1948
6. Minimum Wages Act, 1948
7. Payment of Wages Act, 1936
8. Maternity Benefit Act, 1961
9. Child Labour (Prohibition and Regulation) Act, 1986
10. Khan & Kahan, Labour Law -Asia Law house, Hyderabad
11. K.D. Srivastava, Payment of Wages Act
12. K.D. Srivastava, Industrial Employment (Standing Orders) Act, 1946
13. S.C. Srivastava, Treatise on Social Security
14. Jidwitesukumar Singh, Labour Economics, Deep& Deep, New Delhi
15. Ravi Singhania-Employment Law in India, CCH Wolters Kluwer
16. Guide to Employment Law-CCH Wolters Kluwer Business
17. Marian Baird, Keith Hancock, Joe Isaac- Work and Employment Relations An Era of Change, Routledge, The Federation Press, Sydney, 2011.
18. Jan Breman, At Work in the Informal Economy of India: A Perspective from the Bottom Up, Oxford University Press (2013).
19. Suresh C. Srivastava, Industrial Relations and Labour Laws
20. O.P. Malhotra, O. P. Malhotra's the Law of Industrial Disputes, LexisNexis Butterworths, 2007
21. The Reports of Commissions, Committees & Research Groups and relevant ILO Conventions

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PAPER III

GROUP V – CONSTITUTIONAL AND ADMINISTRATIVE LAW

(i) FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES

Section A

Concept of Fundamental Rights

Justiciability of Fundamental Rights, State and Other Authorities, Personal Laws & Customs, Unconstitutionality of a Statute, Doctrine of Eclipse, Severability, Waiver of Fundamental Rights, Emergency and Fundamental Rights, Military Law and Fundamental Rights.

Equality Principles

Concept of reasonable classification, Principles of non-discrimination and non-arbitrariness, Wednesbury Principle, Doctrine of proportionality and legitimate expectation, Equality of opportunity in public employment, Protective discrimination

Rights against Exploitation

Begar, Forced Labour, Trafficking in Human Beings, Child Labour

Section B

Freedoms and Concept of Reasonable Restrictions

Rights of Accused and arrested persons and persons detained under the Preventive detention laws

Right to life and personal liberty. Procedure established by law versus Due process of law

Freedom of Religion, Cultural and Educational Rights

Safeguards to minorities

Right to Constitutional Remedies and Public Interest Litigation

Concept of Socio-Economic Justice and Relationship between Fundamental Rights and Directive Principles of State Policy. Fundamental Duties

SUGGESTED READINGS

1. Basu, Durga Das: Shorter Constitution of India, 13th Edition, Wadhwa, 2006.
2. Jain, M.P.: Indian Constitutional Law- 5th Edition, Wadhwa, 2006.
3. Seervai, H.M.: Constitutional Law of India- 4th Edition, Universal Law Publishing Co. Pvt. Ltd., 2008.
4. Shukla, V.N.: The Constitution of India- 11th Edition, Eastern Book Company, 2008.
5. Austin, Granville : Working a Democratic Constitution: Indian Experience- 2nd Edition, Oxford University Press, 2000
6. Kagzi, M.C.J. : The Constitution of India- 6th Edition, India Law House, 2004.
7. Bakshi, P.M.: Constitution of India- 8th Edition, Universal Law Pub., 2008.

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GROUP V – CONSTITUTIONAL AND ADMINISTRATIVE LAW

(ii) HEALTH LAWS

Section - A

I Introduction

Concept of Health: Meaning, Definitions & Historical Perspective of Health; Determinants, Indicators of Health & Levels of Health Care; Health as a Human Right under International Instruments; Constitutional framework of Right to health in India.

II Health Law & Bio Ethics: Issues & Challenges: -

- a) Reproductive Health Law & Bio Ethics: Reproductive Rights; Abortion & Medical Termination of Pregnancy Act 1971; Foeticide and The Pre-Conception & Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994;
- b) Reproductive & Therapeutic Technology-Surrogacy; Organ Transplantation Technology & Transplantation of Human Organs Act 1994.

Section – B

I Medical Professionals, Patients & The Law:

Nature of Doctor-Patient Relationship-Informed Consent & Confidentiality; Duty of Care & Standard of Care; Code of Ethics in Medical Profession; Role of Indian Judiciary in Regulating Medical Profession; The Clinical Establishments(Registration & Regulation) Act 2010.

II Important Health Laws:

- a) Laws Relating to Public Health & Convenience:-
Anti-Smoking Laws- The Cigarettes & Other Tobacco Products (Prohibition of Advertisements & Regulation of Trade & Commerce, Production, Supply & Distribution) Act 2003; The Epidemic Disease Act 1897 & Relevant Section of Chapter XIV of

IPC 1860; The Food Safety & Standards Act 2006 & Relevant Provisions of Chapter XIV of IPC 1860; The Prohibition of Employment as Manual Scavengers & their Rehabilitation Act 2013.

b) Health Laws for Specially Challenged Persons:

The Persons with Disabilities (Equal Opportunities, Protections of Rights & Full Participation) Act 1995; The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities) Act 1999; The Mental Health Act 1987.

SUGGESTED READINGS

1. Basu Durga Das, *Commentary on the Constitution of India*, (Lexis Nexis Butterworths Wadhwa Nagpur, New Delhi, 2008).
2. Davar V. Bhargavi, *Mental Health from a Gender Perspective*, (Sage Publications India Pvt. Ltd., New Delhi 2001).
3. Dhanda Amita, *Legal Order And Mental Disorder*, (Sage Publication, New Delhi, 2000).
4. Doyal Lesley, *What makes women Sick-Gender and the Political Economy of Health*, (Macmillan Press Ltd., London, 1995).
5. Gupta M. C., *Health And Law*, (Kanishka Publishers, Distributors, New Delhi, 2002).
6. Jain K Ashok, *Socio legal off shoots, The Sana of Female Foeticide in India* (Ascent Publication, Delhi, 2006).
7. Kishore J., *National Health Programs of India*, (Century Publications, New Delhi, 2006).
8. Kishwar Madhu, *Off the beaten track rethinking gender justice for Indian women*, (Oxford University Press, New Delhi, 1999).
9. Kumar Avanish, *Human Right to Health*, (Satyam Law International, New Delhi, 2007).
10. Kumar Narinder, *Constitutional Law of India*, (Pioneer Books, Delhi, 2005).

11. Maan Jonathan, *Health and Human Rights: A Reader*, (New York, Routledge, 1999).
12. Parmanand Desai, *Law of Disability-medical & nonmedical*(Dwivedi & Company Law Publishers & Book sellers, Adersh Nagar, Bhawapur, Allahabad, 2004).
13. Patel Tulsi, *Sex-Selective Abortion in India, Gender, Society and New Reproductive Technologies*, (Saga Publications India Pvt. Ltd., New Delhi, 2007).
14. Rao B. Shiva, *The Framing of India's Constitution*, (Universal Law Publishing Co. Pvt. Ltd., Vol. 2, Delhi, 1967).
15. Singh Jagdish, Bhushan Vishwa, *Medical Negligence & Compensation*, (Bharat Law Publication, Jaipur 2004).
16. Srivastava S. C., Verma S. K., *Legal Framework for Health Care in India*, (Lexis Nexis Butterworth, The Indian Law Institute, New Delhi, 2002).
17. Swarup Jagdish, *Constitution of India*, (Modern Law Publication, Allahabad Vol. I, 2006).

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PAPER III

GROUP V – CONSTITUTIONAL AND ADMINISTRATIVE LAW

(iii) SERVICE LAW

Section A

Constitutional right of equality (Articles 14 to 16) in relation to service matters (including reservation in the services), Compassionate Appointment, Principles of equal pay for equal work Article 323-A of the Constitution, Administrative Tribunals, their Constitution, powers, jurisdiction and procedure under the Administrative Tribunals Act, 1985 along with the provisions of the Administrative Tribunal (Amendment) Act, 2006.

Services under the Union and the States (Articles 309-311) including applicability of Article 311 to various categories of non-permanent employee and Article 320, compulsory retirement, probation, status and rights of adhoc employees and daily wagers and their regularization.

Section B

Suspension and subsistence allowance (with special reference to CCS (CCA) Rules 1965, Principles for determination of seniority including a) Seniority based on the date of confirmation, b) seniority as per statutory rules framed under Article 309 read with Article 16 (4) (a) of the Constitution, Annual Appraisal Performance Report, Deputation. Major and Minor Penalties, Conduct and procedure of disciplinary departmental enquiries (including chargesheet, inspection and supply of copies of documents, production of evidence, enquiry report, hearing if any on the question of penalty and final competent authority) (with special reference to CCS (CCA) Rules, 1965)

SUGGESTED READINGS

1. A.S. Bhatnagar : Guide to Departmental Problems Enquiries, Punishment & Appeal- 7th Edition, Ashok Law House, 2005.
2. G.B. Singh : Law of Suspension, Penalties and Departmental Enquiries- Mrs. Baljit Kaur, 2005.
3. Muthu Swami : Swami's Manual on Disciplinary Proceedings- 5th Edition, Swami Pub. Pvt.Ltd., 1993.
4. Ramchandaran, A.S. : Law relating to Departmental Enquiries, Punishment & Appeal- 7th Edition, Ashok Law House, 2005.
5. Narinder Kumar : Law relating to Government Services and Management of Discipline Proceedings- Allahabad Law Agency, 2003.

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PAPER III

GROUP VI – LEGAL PEDAGOGY AND RESEARCH

(i) CLINICAL LEGAL EDUCATION

Section A

Clinical Legal Education: Concept and Concerns
Clinical Legal Education: Comparison between India and U.S.A.
Globalisation of Legal Practice: Challenge before the Indian Bar
Legal Education for Professional Responsibilities and Democratic Development
Learning of Skills and Values
Advocacy Skills

Section B

Indian Legal Profession, the Courts and Globalization
Legal Aid and Legal Education: A Challenge and An Opportunity
Information Technology and Clinical Legal Education
Tasks in Clinical Legal Education: Case Planning and Strategy, Interviewing and Client Counselling, Negotiation and Mediation Techniques, Community
Mediation Clinic
Environmental Law Clinic
Human Rights Clinic
Prisoners and Families Clinic
Critiquing Clinical Performances
Implementing Clinical Legal Education

SUGGESTED READINGS

1. N.R. Madhava Menon, *Clinical Legal Education*, Eastern Book Company, 2006.
2. G Mohan Gopal (ed.) *Reflections on Legal and Judicial Education*, Universal Law Publishing Co. 2009.
3. David A. Chavkin, *Clinical Legal Education: A Textbook for Law School Clinical Programs*, LexisNexis, 2001.
4. Glanville Williams, *Learning the Law*, Thomson Sweet Maxwell, 11th ed.
5. Oliver Mendelsohn, *Law and Social Transformation in India*, Oxford University Press, 2014.

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PAPER III

GROUP VI – LEGAL PEDAGOGY AND RESEARCH

(ii) LAW AND DEVELOPMENT

Section A

I. Introduction : Concept of law and development, Link between Law & Development, Legal and economic theories of development: history of legal theories implicit in economic development policies, and economic theories implicit in law & development policies, Left Theory, Dependency Theory , Self Reliance theory, human Rights-Based Approaches to Development .Economic analysis of law

II. The Law and Development Movement: Vision and activities, Neoliberal growth and the revival of law and development, Promoting good governance and the rule of law: Vision and methods Informal rules and practices as obstacles to economic development.

Section B

I. Globalization and development: Global Institutions and Development, the Bretton Woods Institutions; IMF and World Bank; Debt Crises and Development, Neoliberalism & Washington Consensus: privatization, Deregulation, Liberalization, Western Development & Third World Development:

II. Law, Development, and Democracy; Constitutionalism & the Nature of the State, Corruption; need of Creating Legal Institutions their accountability, The role of civil society in law & development.

SUGGESTED READINGS

1. William Easterly, To Help the Poor, The Elusive Quest For Growth: Economists' Adventures And Misadventures In The Tropics (MIT Press, 2002) pp. 5-15.
2. Joseph Stiglitz, the Ethical Economist, Foreign Affairs, November/December, 2005.
3. Amartya Sen, Development As Freedom, (New York: Knopf, 1999) pp. 3-53.

4. Jerome Segal, The Politics of Simplicity; American Way of Life, Tikkun, July, 1996
5. Karl Polanyi, Satanic Mill, in The Great Transformation: The Political And Economic Origins of Our Time (1944), pp. 103-118.
6. H. W. Arndt, Economic Development: The History of An Idea (1987)
7. Arturo Escobar, Encountering Development: The Making And Unmaking of The Third World (Princeton U. P., 1995)
8. William Easterly, The Elusive Quest For Growth: Economists' Adventures And Misadventures In The Tropics (MIT Press, 2002) pp.
9. Mancur Olson, Big Bills Left on the Sidewalk: Why Some Nations are Rich, and Others Poor, 10 J. ECON. PERSP. 3-24 (1996).
10. Douglass C. North, The New Institutional Economics and Third World Development, in The New Institutional Economics And Third World Development (J. Harriss et al. Eds., 1995).
11. Francis Fukuyama, Social Capital, in Culture Matters: How Values Shape Human Progress (Lawrence E. Harrison & Samuel P. Huntington, eds. 2000)
12. Ibrahim F.I. Shihata, The World Bank and "Governance" Issues in its Borrowing Members, in The World Bank In A Changing World, pp. 53-54 and 85.
13. D. Kaufmann, A. Kraay, and P. Zoido-Lobaton, Governance Matters (World Bank Policy Research Working Paper 2196) (October, 1999)
14. Richard A. Posner, "Creating a Legal Framework for Economic Development," 13 (1998) World Bank Research Observer
15. T. J. Pempel, The Developmental Regime in a Changing World Economy, in The Developmental State (Meredith Woo-Cummings ed 1999), pp. 137-181.
16. John K. M. Ohnesorge, The Rule of Law, Economic Development and the Developmental States of Northeast Asia, in Law And Development In East And Southeast Asia (1999).
17. Donald Clarke, Economic Development and the Rights Hypothesis: The China Problem Brookings Papers On Economic Activity 1990, No. 2 (1990)
18. James K. Galbraith, Shock without Therapy, The American Prospect, VOL. 13, ISSUE 15 (26 AUG 2002).
19. Lawrence H. Summers, Lant H. Pritchett, The Structural Adjustment Debate, The American Economic Review 83, NO. 2 (MAY 1993), 383-389.
20. Joseph Stiglitz, Globalization And Its Discontents (2003), 53-88
Maxwell Cameron, Lisa North, Development Paths at a Crossroads

21. Pranad Bardhan, Corruption and Development: A Review of the Issues, in *Journal of Economic Literature*, Vol. 35, No. 3 (September, 1997), pp. 1320-1346.
22. Fareed Zakaria, The Rise of Illiberal Democracy, *FOREIGN AFFAIRS*, Nov./ Dec. 1997,
23. Philip Keefer, Governance and Economic Growth, *Dancing With Giants: China, India And The Global Economy* (World Bank, 2008), pp. 211-242.
24. Thomas Carothers, *Aiding Democracy Abroad: The Learning Curve* (1999)
25. Kevin Davis, Taking the Measure of Law: The Case of the Doing Business Project, 32
26. Dani Rodrik, Trade as if Development Really Mattered, in *In Search of Prosperity: Analytic Narratives on Economic Growth* (edited), Princeton University Press, 2003.

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PAPER III

GROUP VI – LEGAL PEDAGOGY AND RESEARCH

(iii) EDUCATION LAW

Section A

INTRODUCTION: Importance of education for the society, right to education under international law ; right to education as human right, UDHR 1948, ICCPR 1966, ICESCR 1966, CEDAW 1981, UNESCO CONVENTION 1960.

Right to Education in India: evolution of right to education in India; a historical perspective, right to education under constitution of India; Equal opportunity of education, Special provisions for socially and educationally backward classes, Educational rights of minorities, Right to access higher education, rights of educational institutions (including minority and private institutions), fundamental duty and right to education, Right to free and compulsory education.

Section B

Globalization and Education: challenges of legal education in the era of globalizations with special reference to challenges of legal education in India. Laws related to Professional education and their relevance in changing times.

Education Policies and Planning; role of regulatory bodies in higher education, university grant commission, Bar council of India, Radhakrishnan commission 1948, Mudaliar commission 1952, Kothari commission 1968, National policy on education 1986-1998, Yashpal committee 2009, National knowledge commission report 2006-2009 (with special references to legal education, Planning and education).

Contemporary issues in Education: Ragging and Law, student election and law, crime in campuses.

SUGGESTED READINGS

1. M.P. Jain, Indian Constitutional Law, Lexisnexis, Butterworths Wadhwa Publication Nagpur (2010).
2. D.D. Basu, Commentary on the Constitution of India, Lexisnexis, Butterworths Wadhwa Publication Nagpur.
3. H.M. Seervai, Constitutional Law of India, Universal Law Publishing Co. (4th Edition).

4. H.O. Aggarwal, International law and Human Rights, (Central Law Publications).
5. B.M. Sankhdher, Encyclopaedia of Education System in India, (deep and Deep Publication 1999).
6. R.D. Aggarwal, Law of Education and Educational Institutions (Sterling Publishers, 1983).
7. G.S. Sharma,(ed.),Educational Planning: Its Legal and Constitutional Implications in India (N. M. Tripathi, 1967 - Educational law and legislation, Indian Law Institute, India. Education Commission).
8. University grant commission Act,
9. Radhakrishnan commission1948
10. Mudaliar commission 1952
11. Kothari commission 1968
12. National policy on education 1986-1998,
13. Yashpal committee2009
14. National knowledge commission report 2006-2009

LL.M. SEMESTER 2

PAPER V LAW AND JUSTICE IN A GLOBALIZING WORLD (COMPULSORY)

Section – A

- I. Introduction:- Meaning, Significance & Dimensions of Globalization; Concept of Justice in a Globalized world; Models to Achieve Global justice:- Social justice/Distributive justice-John Rawls Theory of Justice; Gandhian model of justice.
- II. Impact of Globalization & Central Challenges to Global Justice- Impact on sovereignty of States, on federalism and Democratic Law making; Impact on Environment & Natural Resources- Displacement for Development;

Section – B

- I. Globalization and Economic Development in India- Economic development and economic justice; Impact of WTO and TRIPs on Indian Economy- WTO & Indian Agricultural Challenges; Industrial Reforms:- Free enterprise versus State regulation.
- II. Globalization and Reforms in Justice Delivery System in India- Concept of Plea Bargaining, Justice to victims of crime, shift from adversarial system to accusatorial & inquisitorial system, ADRs UNCITRAL Model.

SUGGESTED READING

1. Amartya Sen, *Development of Freedom*, (Oxford University Press, 1999).
2. Amartya Sen, *The Idea of Justice*, (Oxford, 2009).
3. Amit Bhandari, *Development with Dignity*, (National Book Trust of India, New Delhi, 2005).
4. Andrew Kuper, *Democracy Beyond Borders: Justice and Representations in Global Institutions* (OUP, 2006).
5. Anthony McGrew, David Held (eds.), *Governing Globalization: Power, Authority and Global Governance*, (Polity Press, 2002).
6. Ashok Nathan, *Economic Liberalization and its Implication for Employment*, (2002).
7. Boaventura de Sousa Santos, Cesar A. Rodriguez-Garavito (eds.) *Law and Globalization from Below*, (Cambridge University Press, 2005).
8. David B. Goldman, *Globalization and the Western Legal Tradition: Recurring Patterns of Law and Authority*, (Cambridge University Press, 2008).
9. David Held, *A Globalizing World? Culture, Economics, Politics*, (2004).
10. David Kinley, *Civilizing Globalization: Human Rights and the Global Economy*, (Cambridge University Press, 2009).

11. D. R. Saxena (ed.), *Law, Justice and Social Change*, (Deep & Deep Publication, New Delhi, 1996).
12. Eleotrora Kofman & Gillian Youngs (eds.), *Global Station: Theory and Practice*, (2nd edn-Continuum, London, 2003).
13. Johan Rauls: *A Theory of Justice*, (Harvard University Press, 1971).
14. Johan Rauls: *Justice as Fairness: A Restatement*, (Harvard University Press, 2001).
15. Martha Nussbaum, *Frontiers of Justice*, (Cambridge, Mass: Harvard University Press, 2006).
16. N. R. Madhava Menon (ed.), *Social Justice and Social Process in India*, (Indian Academy of Social Sciences, Allahabad, 1988).
17. P. Ishwara Bhat: *Law & Social Transformations*, (Eastern Book Co., Lucknow 1st ed, 2009).

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PAPER VI

GROUP III – CRIMINAL AND SECURITY LAWS

(i) INTERNATIONAL CRIMINAL LAW

Section A

- I. Meaning of International criminal Law
- II. Establishment of International Criminal Court
 - Rome Statute of the ICC
 - Jurisdiction
 - Applicable Law
 - Composition
 - Mandate and Principles of International Criminal Responsibility
- III. The Crime of Genocide
 - Meaning and definition, History
 - Genocide Convention 1948
 - Bosnia and Herzegovina v Yugoslavia (Serbia and Montenegro)
- IV. Crimes against Humanity
 - Meaning and Definition
 - Nuremberg Charter
- V. War Crimes
 - Sanctions of laws of war
 - Definition of war crimes
 - Crimes against peace
 - UN War Crimes Commission
 - War Crimes Trials:
 - Nuremberg Trials
 - Tokyo Trials
 - Peleus Trial
 - Eichmann Trial
 - Mai Lai Trial
 - Chernigov Trial
- VI. Crime of Aggression

Section B

- I. The Laws of war (Armed Conflict)
 - War ó its legal character and effects
 - Laws of land warfare
 - Geneva Convention
 - Applicability and Scope
- II. The ICRC (International Committee on Red Cross)
 - Law of Armed Conflict
 - Geneva Convention and Prisoners of war 1949
 - Geneva Convention on Treatment of Dead and Injured members of armed forces
 - Geneva Convention on treatment of civilians/persons in time of war 1949.
 - Additional Protocol on the Geneva Convention on protection of victims of International armed conflict
- III. Prosecution under International criminal Law
 - Special bodies for trying International Crimes
 - ICTR (Criminal Tribunal for Rwanda)
 - ICTY (Criminal tribunal for Yugoslavia)
 - Special Court in Cambodia
 - Special Court in Lebanon
- IV. Immunity under International Criminal Responsibility
 - Heads of State
 - Diplomatic
 - Emerging trends:
 - International Responsibility
 - Liability of Corporations

SUGGESTED READINGS

1. Julius Stone, "Legal contract of International Conflicts"
2. JG Starke "Introduction to International Law"
3. Dr.S.K Kapoor "International Law and Human Rights"
4. Ian Brownli "principles of International Law"
5. Malcolm Shaw "International Law"
6. L Oppenheim "Principles of International Law"
7. Charles Fenwick "International Law"
8. Phillip C Jessup "A Modern Law of Nations"

LL.M. SEMESTER 2

PAPER VI

GROUP III – CRIMINAL AND SECURITY LAWS

(ii) POLICE LAW AND ADMINISTRATION

Section A

Police Law

1. Police as a Law Enforcement Body.
 - Who is Police?
 - Functions of Police
2. Objectives of Police Law
 - Order Maintenance
 - Law Enforcement and Implementation

Policing the Police

Section B

Police Administration

1. A study of Police Procedures and Human Relations
 - Legal Aspects of Police Administration
 - Constitutional and Human Rights
 - Model Police Act
2. Evolution of Policing
3. Community Policing

E-REFERENCES

1. http://www.lacitycollege.edu/academic/departments/law/docs/Revised_0708_AJ_COURSE_DESCRIPTIONS.pdf
2. <http://www.floridatechonline.com/programs/undergraduate/undergraduate-courses/crm-4108-police-organization-and-administration/>
3. http://degreedirectory.org/articles/Bachelors_Degrees_in_Police_Administration_and_Management.html
4. <http://www.questia.com/library/p5152/journal-of-criminal-law-and-criminology?gclid=CMicxdL7scECFVYWjgodUgIAAtA>

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PAPER VI

GROUP III – CRIMINAL AND SECURITY LAWS

(iii) CORPORATE CRIMES/WHILTE COLLAR CRIMES

Section A

- ❖ Understanding Corporate Crimes and their impacts
- Meaning and Forms of Corporate Crimes
 - Crimes committed against companies (by own employees/executives)
 - Crimes committed by companies against its stakeholders
 - White Collar crimes by executives and managers
- Historical background of Corporate Crimes
- Impacts of these crimes on a corporation's various stakeholders (including direct and indirect industry damage and reputational damage) such as the employees, the public, customers, environment, middlemen, investors, shareholders, government and competing companies.

Section B

- ❖ Corporate Criminal Liability
 - Extent of criminal liability
 - Legal approach

Section B

- ❖ Defining and Assessing White Collar Crimes
- Historical Background
- Theories of White Collar Crimes
 - Sub-cultural Theory
 - Structured Action Theory
 - Anomie Theory
- Typology of White Collar Crimes

- ❖ Controlling/Regulating White Collar Crimes
- Self Control (special focus on resistance to Insider trading)
- Whistle Blowing
- Government Control
- Legal Control ó Prosecution
- Media Influence and impact (impact of throwing limelight on these crimes publicly)

SUGGESTED READINGS

1. Is Corporate Crime Serious Crime? Criminal Justice and Corporate Crime Control, by Ronald C. Kramer, *Journal of Contemporary Criminal Justice* 1984; 2; 7 (Online version available at: <http://ccj.sagepub.com>)
2. Crime and Business, by Edwin H. Sutherland, *Annals of the American Academy of Political and Social Science* Vol. 217, Crime in the United States (Sep., 1941), pp. 112-118 Published by : Sage Publications, Inc. Article Stable URL: <http://www.jstor.org/stable/1023421>
3. Occupational Crime, Occupational Deviance, and Workplace Crime: Sorting Out the Differences, by David O. Friedrichs, 2002, *Criminal Justice* 2:243-56, -Trusted Criminals: White Collar Crime in Contemporary Society. Belmont, CA: Thomson Wadsworth.
4. White-Collar Crime : The Essentials by Brian K. Payne, 2013.
5. Corporate and White Collar Crimes, Cases and Materials, 5th edition, by Kathleen F. Brickey, 2011.
6. Understanding White Collar Crimes by J. Kelly Strader, 2011.

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PAPER VI

GROUP V – CONSTITUTIONAL AND ADMINISTRATIVE LAW

(i) CENTRE STATE RELATIONS AND CONSTITUTIONAL GOVERNANCE

Section A

Federalism and unitary forms of Constitution
Composition and Functions of Union and State Legislature
Creation of new states.
Special status of certain States.
Tribal Areas, Scheduled Areas.

Section B

Legislative, Administrative and Financial Relations
Union and State Executive
Emergency Provisions
Inter-State Trade and Commerce
Inter-State disputes and Jurisdiction of Supreme Court

SUGGESTED READINGS

1. H. M. Seervai, Constitutional Law of India, Universal Law Publisher, 4th Edition in 3 Volumes, 2011
2. L.M. Singhavi (ed.), Union-State Relations in India, Journal of Constitutional and Parliamentary Studies, New Delhi, 124-154, 1969
3. M.P. Jain, Indian Constitutional Law, Lexis Nexis, 7th Edition, 2014
4. K. Subba Rao, The Indian Federation, University of Poona, 1969
5. K.C. Wheare, Federal Government, Oxford University Press, 4th Edition, 1970
6. Report of the Finance Commission
7. Report of Administrative Reforms Commission
8. Report of Commission on Centre-State Relations
9. Constitutional Assembly Debates

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PAPER VI

GROUP V – CONSTITUTIONAL AND ADMINISTRATIVE LAW

(ii) MEDIA LAW

Section A

Concept of media and its evolution; Constitutional framework and media: Pre and Post-censorship; Issues relating to Privacy; Parliamentary Privileges

Media and criminal Law: Sedition; Obscenity; Defamation; Media and Tort Law: Defamation; Media and Contempt of Courts; Media and official Secrets Act, 1923; Media Trials and administration of justice

Section B

Legislation in Broadcasting Sector: Parsar Bharati Act, 1990; Cable Television Network Regulation Act, 1995, Press Council Act, 1978; Cinematograph Act, 1952; Emerging problem of Social Media and Information Technology Act, 2000.

Concept of advertisement: Legal regulation and Self Regulation of advertisement in India; Comparative and Surrogate advertisement; Advertisement and IPRs.

SUGGESTED READINGS

1. M.P. Jain, Constitutional Law of India; Wadhwa, Nagpur;(1994)
2. H.M. Seervai, Constitutional Law of India 2002 Vol. 1; Universal Law Publishing Co Ltd
3. John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for law in Development 1980)
4. Rodney D. Ryder, Brands, trademarks, and advertising, Lexis Nexis Butterworths, (2003).
5. Soli Sorabjee, Law of Press Censorship in India (1976).
6. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
7. D.D. Basu, The Law of Press of India (1980)
8. Venkat Iyerass, Media Laws And Regulations In India; Bahri Sons (India Research Press) (2000).
9. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a global perspective, Oxford University Press, (2000).
10. Kiran Prasad, Media Law in India, Kluwer Law International ;(2011).
11. Daxton Stewart (ed.) Social Media and the Law: A Guidebook for Communication Students and Professionals, Routledge, (2013).
12. B. Manna, Mass Media and Related Laws in India, Academic Publishers, (2006).
13. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a global perspective, Oxford University Press, (2001).

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PAPER VI

GROUP V – CONSTITUTIONAL AND ADMINISTRATIVE LAW

(iii) GLOBAL ADMINISTRATIVE LAW

Section A

Definition, nature and Scope of Administrative Law

Droit Administratif

Separation of Powers and Theory of Checks and Balances. Principle of Judicial Self Restraint

Concept of Fairness:

Rule of Law ó Evolution, meaning and evaluation.

Modern Concept of Rule of Law

Principles of Natural Justice : Rule against Bias

Rule of Hearing including Post-decisional hearing and reasoned decision. Exclusion of Principles of Natural Justice

Section B

Judicial Review of Administrative Action ó Its Nature, Scope and Limitations

Delegated Legislation : Meaning, Constitutionality and Controls

Retrospective Delegated Legislation

Delegated Legislation v. Conditional Legislation

Liability of Administration in Tort and Contract

Privileges and Immunities of the Administration

Promissory Estoppel and Legitimate Expectation

Statutory Public Corporations : their nature, characteristics, liability, constitutionality and controls.

Ombudsman ó Evolution, Position and Development

SUGGESTED READINGS

1. H. W. Wade, -Administrative Law, 1988, Clarendon Press, 1961
2. DeSmith - Judicial Review of Administrative Action, 6th edition, UK Butterworths: London, 2007
3. Garnerø - Administrative Law, B.L.Jones and K Thompson, 1985
4. D. D. Basu - Comparative Administrative Law, Universal Book Traders, Delhi, 2012.
5. Wade and Philips - Constitutional Law and Administrative Law, Bradley London: Longman, 1977.
6. M. P. Jain and S. N. Jain - Principles of Administrative Law, Lexis Nexis Butterworths, Wadhwa, Nagpur, 2010
7. M. P. Jain and S.N. Jain - The Evolving Indian Administrative Law, Lexis Nexis Butterworths, Wadhwa, Nagpur, 2013

8. M. P. Jain - Cases and Materials on Administrative Law, , Lexis Nexis Butterworths, 1994
9. I.P. Massey - Administrative Law, Eastern Book Company, 2011
10. Dr. Devinder Singh, Administrative Law, Allahabad Law Agency, 2007.