

BRANCH – I : LL.M. (JURISPRUDENCE)

SEMESTER-I

SYLLABUS

PAPER-I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW **(Common Paper for All the Branches)**

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism-Analytical positivism of Bentham and Austin -Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism- Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State-modernism and post-modernism

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist-Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engels; Sociological theories of law• Contribution of Ihering-Contribution of Ehrlich-Duguit's theory of Social Solidarity- Roscoe Pound's Social Engineering and Classification of Interests- American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law – Greek origins-Medieval period-View of St.ThomasAquinas-Period of Renaissance/Reformation-Grotius and International Law - Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories-Stammler and Natural Law with variable content-Fuller and the Morality of Law-Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

- G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford,1972.
- R.W.M. Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
- W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, NewYork
- Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
- Julius Stone: The Province and Function of Law; Associated General Publications Pvt.Ltd. Sydney.
- Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
- S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach,2nd Edition, CentralLawAgency, Allahabad, 1997.
- Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi,1996.
- Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
- Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER – II: SOURCES OF LAW

UNIT – I: Meaning of the term ‘source’ – Classification of sources of law – Formal, material and literary sources – Legal and historical sources – Binding and persuasive sources – Legal sources of English and Indian law – Equity and juristic opinion as source of law.

UNIT – II: Definition of custom – Origin of Custom – Early importance of customary law – Theories as to the nature of customary law – Essentials of valid custom – kinds of custom – Customs and usage – Custom and prescription – Place of custom among various sources – Present position of customary law.

UNIT – III: Precedent as a source of law – Theories as to the nature of judicial function – declaratory theory – Judges as law makers – classification of precedents – Hierarchy of courts in England and India – Doctrine of *stare decisis*– circumstances destroying or weakening the binding force of precedent – overruling of precedents – Doctrine of prospective overruling – *Ratio Decidendi* and obiter dictum – Tests to determine *ratio decidendi* of a case – Precedent and judicial reasoning – Relation of precedent to legislation – Precedent in various Legal systems.

UNIT – IV: Nature of Legislation – classification of Legislation –supreme and subordinate legislation - comparison of case law and statutory law – the growing importance of statutory law –Codification.

Suggested Readings:-

- C.K. Allen: Law in the Making, 7th Edition, Universal Law Publishing Co.Pvt.Ltd. Delhi,1997.
- Rupert Cross : Precedent in English Law, 3rd Edition Clarendon Press Oxford,1977
- Benjamin N. Cardozo: The Nature of the Judicial Process, Universal Book Traders, Delhi,1995
- Salmond: Jurisprudence, 12th Edition, Edited by P.J. Fitzgerald, Sweet & Maxwell, London,1966.
- J.C. Gray: The Nature and Sources of the Law, Columbia University Press, New York,1909.
- A.Lakshminath: Precedent in the Indian Legal System, Eastern Book Company, Lucknow,1990.

PAPER –III : LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. Law as the product of Traditions and Culture, Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.): Law and Society in Modern India (1997), Oxford.
2. Robert Lingat: The Classical Law of India (1998), Oxford
3. U. Baxi: The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi, (ed.): Law and Poverty Critical Essays (1988), Tripathy, Bombay
5. Manushi: A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
7. H. M. Seervai : Constitutional Law of India (1996)
8. D. D. Basu : Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshta and: Law and Menace of Child Labour(2000) AnmolKiranDestha Publications, Delhi.
10. SavitriGunasekhare: Children, Law and Justice(1997), Sage
11. Indian Law Institute: Law and Social Change: Indo-American Reflections Tripathi(1988)
12. J. B. Kriplani: Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India
13. M.P. Jain: Outlines of Indian Legal History (1993), Tripathi, Bombay.
14. Agnes, Flavia: Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

PAPER-IV: LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I: Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II: Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III: Research tools and techniques for collection of data-Observation - Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV: Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▮ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▮ C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▮ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- ▮ Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▮ B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- ▮ S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESTER-II

SYLLABUS

PAPER-V: HINDU AND MUSLIM JURISPRUDENCE

UNIT-I

Nature of Hindu Jurisprudence – Hindu Concept of Law – Meaning and sources of Dharma – Dharma and Positive Law – Nature of Dharma Shastra – Sources of Hindu Law – Vedas as Fundamental sources of Hindu Jurisprudence - Importance of Shastra Literature – Dharma Sutras as basis of Hindu Jurisprudence – Importance of Dharma, Sutras of Gautama, Apastambha, Boudhayana and Vasistha

Unit - II

Smritis as sources of Hindu Law: their importance - Manu smriti: its foundations and influence in India and other countries, controversies regarding Manu Dharmasastra - Yajnavalkya smriti: Importance, Record of liberal juridical norms – Comparative study of Manu and Yajnavalkya with regard to political theories - Civil law, law of crimes and position of women – Contribution of Narada, Brihaspati and Katyayana – Arthasastra of Koutilya – Tikas and Nibandhanas as sources of Hindu Law – schools of Hindu Law – Importance of Mitakshara, Dayabhaga, Vyvahara Mayuka, Smriti Chandrika, Dattaka Chardika and Dattaka Mimamsa – Custom, judicial Decisions and Statutes as sources of Hindu Law – Reforms in Hindu Jurisprudence and recent developments

UNIT-III

Nature of Muslim jurisprudence –history and sources of Muslim Law – The Quran – Traditions – Ijma - Qiyas - Istihasan – Istidlal and Istislah – Ijtihad and Taqlid.

UNIT-IV

Formation of various sects in Islam with special reference to Historical and Political background – schools of Muslim Law – Institution of Imamat and Khalifat and their requisites - Reforms in Muslim Jurisprudence and recent developments

Suggested Readings:-

1. P.V. Kane: History of Dharma, Sastra, Bhandarkar Oriental Research Institute, Pune, 1958.
2. P.N. Sen : General principles of Hindu Jurisprudence (Tagore law Lectures) Allahabad Law Agency, Allahabad, 1984
3. M.S. Pandit : Outlines of Ancient Hindu Jurisprudence, N.M Tripathi Pvt. Ltd. Bombay, 1989
4. S.K. Purohit: Ancient Indian Legal Philosophy, Deep and Deep, New Delhi, 1994.
5. N.J. Coulson: A history of Islamic Law, Universal Law Publishing Co. Pvt. Ltd. Delhi, 1997 (First Indian Reprint).
6. Joseph Schacht : An Introduction to Islamic Law, Clarendon Press, Oxford, 1966
7. Joseph Schacht: The origins of Muhammadan Jurisprudence, Clarendon Press, Oxford, 1950.
8. Adbur Rahim: The principles of Muhammadan Jurisprudence, (Tagore law Lectures), Allahabad Law Agency, Allahabad.

PAPER-VI

THEORY OF LEGISLATION AND INTERPRETATION OF STATUTES

UNIT – I:

Bentham's general principles of legislation – Principle of Utility – Individualistic Utilitarianism – pleasures and pains – their knowledge and measurement – The extensity of Pleasures and Pains – Rational and Irrational criteria of Legislation – Morals and Legislation - their separation - Reasons for erecting certain acts into offences-Principles of the Civil code - objects of the Civil Law – Subsistence, Abundance, Equality and Security. Principles of the Penal Code – Classification of offences – Remedies against the evil of offences – punishments, Assessment of Benthamite theory – The period of Benthamism – Revival of Benthamism.

Unit-II:

Relation between public opinion and legislative formulation – the growth of collectivism – twentieth century legislative trends – judicial legislation – effect of Judge-made law on Parliamentary legislation – Relevance of John Rawls and Robert Nozick – Individual interest to community interest. Law making for social change – the interactions of legal and social change. Limitations on Legislative Authority – Doctrine of *Laissez Faire* – Doctrine of Natural Rights – Doctrine of Reasonableness – Doctrine of Basic structure of the Constitution – The views of Positivists and Naturalists.

Unit-III

Meaning of the term 'Statute' – Meaning of interpretation – Need and Purpose of interpretation of statutes – the subject matter of statutory interpretation – commencement, operation, expiry and repeal of statutes – kinds of statutes – internal and external Aids to interpretation – General Rules of construction under the General Clauses Act, 1897. Basic rules of Interpretation – Literal Rule – Golden Rule – Mischief Rule – rule of Harmonious construction – secondary rules – *Noscitur a sociis*-*Ejusdem generis* – *expressio unius* rule.

UNIT – IV

Restrictive and Beneficial construction – Interpretation of Penal Statutes – Interpretation of Welfare Legislations – Interpretation of Taxing Statutes – Interpretation of Statutes conferring powers- Interpretation of codifying and consolidating statutes – Interpretation of directory and mandatory provisions - Interpretation of substantive and procedural statutes. Presumptions in Statutory Interpretations; principles of Constitutional Interpretation – Harmonious Construction – Doctrine of Pith and substance – Colourable legislation – Ancillary powers – occupied field – Residuary power – Doctrine of Repugnancy – Doctrine of Eclipse – Doctrine of Severability – Doctrine of Immunity of Instrumentality – Doctrine of Implied Rights - Doctrine of Prospective Overruling – Doctrine of Basic Structure.

Suggested Readings:-

1. Jeremy Bentham : The Theory of Legislation, N.M. Tripathi Pvt. Ltd., Bombay, 1986.
2. W. Friedmann: Law in a changing Society, 2nd Ed., Universal Book Traders, Delhi, 1996 (First Indian Reprint)
3. A.V. Dicey : Law and Public Opinion I England, 2nd Ed. Universal Book Traders, Delhi, 1996 (First Indian Reprint).
4. W. Jethro Brown : The Underlying Principles of Modern Legislation, Maxwell on the Interpretation of Statutes : 12th Ed. Ed
5. Lagan, N.M. Tripathi Pvt. Ltd., Bombay, 1976
6. Sir Rupert Cross: Statutory Interpretation, 2nd Ed. Edited by John Bell and Sir George Engle, Butterworths, London, 1987 G.P. Singh: Principles of Statutory Interpretation, 4th Ed. Wadhwa and Company, Nagpur, 1988 Vepa P. Sarathi, Interpretation of Statutes (second edition).

PAPER –VII

LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

Unit – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

Unit - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, *"Responsibility of International Organizations"* Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Edition Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chinkin, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benerjee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, *"The Law and Politics of International Organizations"* Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER-VIII

LEGISLATIVE OUGHTS, INTERPRETATION AND JUDICIAL PROCESS

Unit-I

Principles of Legislation: Bentham's Theory of Utility and its Relevance, Relationship of Law and Public Opinion.

Unit-II

Interpretation: Meaning, purpose, Main Rules of Interpretation, Subsidiary Rules of Interpretation, External and Internal Rules of Interpretation, Interpretation of the Constitution and Penal Statutes.

Unit – III

Judicial Process: The nature of Judicial process – judicial process as an instrument of social ordering, judicial process and creativity in law. – The tools and techniques of judicial creativity and precedents – judicial process in India – Indian debate on the role of judges and on the notion of judicial review – Independent Judiciary and the nature of judicial process.

Unit – IV

Judicial Activism and Constitutional obligations of the Court: Evolution of the concept, reasons in defence of judicial Activism. Constitution of India and judicial activism. – Role played by the Supreme Court of India. The tools and techniques of the judicial activism – need for care and caution.

BOOKS RECOMMENDED

Bentham, Theories of Legislation. Cardozo, Nature of Judicial Process Craise W.F. Statute Law

Dicey, A.V. Law and public Opinion Henry J. Abraham, Judicial process. J Swaroop, Interpretation.

Maxwell, Interpretation.

SEMESTER-III

SYLLABUS

PAPER--IX-FUNDAMENTAL LEGAL CONCEPTS

UNIT-I

Justice: Concept, Theories – Access to Justice – Administration of Justice- Concept of Rights and Duties – Rights: Characteristics, Kinds - Legal rights in wider sense of right – Duties: Function, Structure, Enforceability, Sanction – conflicting duties – future duties – Rights Duties correlation - Persons – Nature of Personality – natural and artificial –Legal status of Unborn, Minor, lunatic, drunken, dead persons and lower animals – Theories of Corporate Personality – Corporate Sole and Corporate Aggregate – Purpose of Corporate Personality – Acts and liability of corporation – The State as corporation – Unincorporated Associations.

UNIT-II

Obligation – definition of obligation – chose in action –chose in possession – nature and kinds of obligation – source of obligation - innominate obligations- Liability: Definition, Nature and Kinds – Theories of remedial and penal liability – Vicarious Liability – Absolute or Strict Liability – General and Conditional Liability –acts – classes of wrongful acts – causation – Mens rea, Intention, motives, malice, negligence – theories of Negligence – Mistake of Law and Mistake of Fact – Accident- Measure of criminal and civil liability.

UNIT-III

Possession: Importance and Kinds– possession in fact and possession in Law – Corpus Possessionis – Animus Possidendi – Theories of possession – Savigny, Iherring, Salmond, Holmes, Pollock – Possession in Roman and English law – Possessory remedies.

UNIT-IV

Property: Definition, Kinds – Ownership of material things – movable and immovable property – real and personal property – Rights in re propria- Re-aliena-Leases-servitudes – securities- modes of acquisition – possession – prescription – agreement –inheritance – theories of property – Titles – Definition of titles – Vestitive facts – Acts in the Law – Agreement – Classes of Agreements- Void and voidable agreements.

Suggested Readings:-

1. Dias R.W.M. Jurisprudence, 5th Edn. 1994 Butterworth's & Co and Aditya Books Pvt. Ltd NewDelhi
2. Salmond on Jurisprudence 12th Edn. 1995 Sweet and Maxwell, Ltd. London.
3. Paton G.W. A text book on Jurisprudence, 4th Edn, 1972, oxford universitypress.
4. V.D. Mahajan Jurisprudence and Legal Theory, 1996 – reprint Eastern Book Company,Lucknow.

PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education -Global &India- Traditional Content based Curriculum-Current Challenges- Globalization; Pandemic & Shift from Adversarial to Dispute Resolution Model- Transition to Capability frame work-Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demand for Competitiveness in Information & Communication Technology – New Evaluation &Assessment Models– Role of Online teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals- Electronic Legal databases- E-Library-Power point Presentations

Suggested Readings

BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal, 1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co., 1998).
7. S. Agrawala, Legal Education in India (West Publishing Company, 1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd., Butterworths, London, 1989).

9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi, 1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR (1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India, (1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and what more Has to be done?" 71 U. Det. Mercy L. Rev.(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L.(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I.(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L.REV.1461 (1997- 1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour.(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR (1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review (1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education (2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R.1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

PAPER-XI- JUDICIAL REASONING AND JUDGEMENT DRAFTING

UNIT 1: Judicial Process

The Nature of the Judicial Process and Judicial Decision-Making, Judicial Impartiality - Unconscious Judicial Prejudice - Decision-Making, Public Opinion and Concepts of Rights - Ratio decidendi - Obiter dicta and disparaging remarks

UNIT 2: Method of Reasoning

Theories of Judicial Behaviour - Judge as legislator, Application of doctrines - Judicial constraints – external and internal – Jury Matrix.

UNIT 3: The Theory of Judgment Writing

Judgments: Purpose and audience - Judgment length, style and structure - Dissenting and concurring judgments - Authors and Judges

UNIT 4: The Practice of Judgment Writing

Form and Function - Extempore judgments - Steps to clearer judgment writing

Reference Books

- “How Judges Think”, Richard A. Posner, First Indian Reprint 2010, Universal Law Publishing Co.
- Reflections on judging, Richard A. Posner. Cambridge, Massachusetts: Harvard University Press, 2013.
- Judicial Opinion Writing Handbook, by Joyce J. George. Publication: Buffalo, N.Y. Hein & Co., 2007.
- Making the case: the art of the judicial opinion by Paul W. Kahn. Publication: New Haven: Yale University Press, 2016.
- An introduction to judicial decision-making by Brian P. Block. Publication: Chichester, West Sussex : Barry Rose, c1998.
- Judgment and decision making : an interdisciplinary reader, Edited by Terry Connolly, Hal R. Arkes, Kenneth R. Hammond. Publication: Cambridge, U.K; Cambridge University Press, 2000.
- How judges judge : empirical insights into judicial decision-making by Brian M. Barry. Publication: Abingdon, Oxon ; New York, NY : Informa Law from Routledge, 2021.
- The framework of judicial sentencing : a study in legal decision making by Austin Lovegrove. Publication: Cambridge ; New York : Cambridge University Press, 1997.
- “Blackwell handbook of judgment and decision making” edited by Derek J. Koehler and Nigel Harvey. Publication: Oxford, UK ; Malden, MA : Blackwell Pub., 2004.
- Friends of the Supreme Court: Interest Groups and Judicial Decision Making by Paul M. Collins, Jr. Publication: New York : Oxford University Press, 2008.
- Decisions to Imprison: Court Decision-Making Inside and Outside the law by Rasmus H. Wandall. Publication: Aldershot, England ; Burlington, VT : Ashgate, c2008.
- Judicial decision-making in a globalised world [electronic resource] : a comparative analysis of the changing practices of western highest courts by Elaine Mak. Publication: Oxford ; Portland, Oregon : Hart Publishing, 2013, c2013.

SEMESTER – IV

SYLLABUS

PAPER –XII : INDIAN CONSTITUTION: THE NEW CHALLENGES (Common Paper for All the Branches)

UNIT-I

Federalism : Concept, Theories and Kinds – Cooperative Federalism and Competitive Federalism – Federalism in India: Formation of New States, Allocation of Resources, Inter State Disputes, Union-State Relations – Special status of certain States and UTs – Concept of Secularism and religious fanaticism – Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization – Gender Justice - Rights of Third Gender - Uniform Civil Code - Freedom of Speech and Expression: Right to broadcast and telecast, Right to Strike, Hartal and Bandh, Right to Information

UNIT-III

New Regime of Constitutional Rights - Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence - Right to Education - Right to Wholesome Environment and Sustainable Development - Doctrine of Public Trust

UNIT-IV

Institutional Dynamics - An overview of functioning of three organs of State with special reference to the Indian experience of Post-Independence Era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law – Constitutional Morality and Public Morality – Constitutionalism and Basic Structure

Suggested Readings:

- H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
- Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
- Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
- B. Shiva Rao, Framing of the Indian Constitution (in 5-volumes), Indian Institute of Public Administration, New Delhi.
- M. P. Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Sujit Choudhry et al. (eds.), The Oxford Handbook of the Indian Constitution, OUP.
- Upendra Baxi, The Indian Supreme Court and Politics, EBC.
- Fali S. Nariman, God Save the Hon'ble Supreme Court, Hay House, 2018
- Dieter Grimm, Constitutionalism: Past, Present and Future, OUP, 2019.
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

PAPER- XIII : LEGISLATIVE DRAFTING

UNIT-I

Introduction: Legislative Drafting as a science and an art – The scope of Legislative drafting – Its importance in the law – making process-Forms of Legislative instruments: Bills, Acts, Ordinances, Orders, Rules, Circulars and Formal constitutions-Qualities of good drafting: Simplicity, Preciseness, Consistency, Clarity, Brevity, Certainty, Alignment with existing law, Effectiveness.

UNIT-II

Materials and Preliminaries: Study of analogous legislations that exist in other countries or in other parts of the country – Legislation that already exists on the subject – study of judicial decisions – Constitutional law issues – International treaties-Classification of Statutes : Constitutional statutes – taxing statutes – penal statutes – statutes dealing with local government – statutes dealing with particular corporations- statutes dealing with personal law – statutes in the nature of law reforms – statutes dealing with procedure of the courts – social security statutes – repealing and amending statutesetc.

UNIT-III

The mechanism of an Act – various parts of a statute – long title – preamble – enacting clause – short title – extent and application – commencement clause – exceptions and exemptions – principal provisions – procedural provisions – penal provisions – provisions regarding delegated legislation – enforcement machinery contemplated by the statute – temporary provisions - repeal and saving clauses – punctuations – marginal notes- provisos – illustrations – presumptions – non- obstante clauses – retrospective operation – removal of difficulty clause – fictions – explanations.

UNIT-IV

Some flaws in drafting: looseness – obscurity – shabbiness – unenforceability – vagueness. Exclusion of judicial review – use of protection clauses and finally causes – as if enacted in this Act – conclusive evidence clause. Chronology of the process in Parliament – Rules of composition for legislativedrafting.

Suggested Readings:

1. Indian Law Institute, The Drafting of Laws(1980)
2. Vepa P. Sarathi, Interpretation of Statutes (second Edition)
3. Allen, Law in the making, Sweet & Maxwell,
4. Thomson G.C. Legislative Drafting, Butterworth's,London
5. Zander, M., The Law Making Process, Widenfeld and Nicholson,England
6. Renton C'Hee Report, Preparation of Legislation, Sweet and MaxWell.

PAPER-XIV-DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

*** Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

******* THE END *******

BRANCH-II : LL.M. (CONSTITUTIONAL LAW)

SEMESTER-I

SYLLABUS

PAPER – I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW **(Common Paper for All the Branches)**

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law- Dworkin's criticism-Hart-Fuller controversy-Hart-Devlin's debate- Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist- Contribution of Henry Maine; Economic theory of law- Views of Karl Marx and Friedrich Engle's; Sociological theories of law• Contribution of Ihering-Contribution of Ehrlich-Duguit's theory of Social Solidarity-Roscoe Pound's Social Engineering and Classification of Interests- American and Scandinavian Realism- Critical Legal Studies Movement.

UNIT-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law –Greek origins-Medieval period-View of St.ThomasAquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories-Stammmler and Natural Law with variable content-Fuller and the Morality of Law- Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

1. G.W.Paton: A Text book of Jurisprudence, 4thEdition;Clarendon Press, Oxford,1972.
2. *R.W.M. Dias*, Jurisprudence. 5th Edition; Aditya BooksPrivate Ltd., New Delhi,1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, NewYork
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6thEdition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S.N.Dhyani: Fundamentals of Jurisprudence: The IndianApproach,
8. 2nd Edition, Central Law Agency, Allahabad, 1997.
9. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi,1996.
10. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow,1990.
11. 10 Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER –II : INDIAN CONSTITUTIONAL LAW-I

UNIT-I: Meaning of Constitution and Constitutional Law-Growth of modern Constitutions Classification - Historical background - Constitution in India after 1857 - Government of India Acts, 1919 & 1935 – Indian Independence Act, 1947 -Framing of Indian Constitution.

UNIT-II: Indian Constitution - Nature, Salient features, Preamble - Union and its territories - Citizenship - Fundamental Rights - Enforceability against State- General principles.

UNIT-III: Enumerated Fundamental Rights- Right to Equality-Right to Freedoms- Right to life and Personal Liberty- Right against Exploitation-Right to Freedom of Religion.

UNIT-IV: Cultural and Educational rights-Right to Constitutional remedies-Saving Clauses (Art.31-A, B & C)-Directive Principles of State Policy-Object and Philosophy-Classification-Enforceability-Interrelation of Fundamental Rights and Directive Principles-Fundamental Duties-Importance and enforceability

Suggested Readings:

1. H.M.Seervai, Constitutional Law of India (in 2 Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitution-Cornerstone of a Nation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi, 1999.
4. B.Shiva Rao, Framing of the Indian Constitution (in 5 Volumes), Indian Institute of Public Administration. New Delhi.
5. Mopani, Constitutional Law of India, 2005, Wadhwa and Co., Nagpur,
6. Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute. Indian Bar Review, All India Reporter and Supreme Court Cases & Landmark judgments of Indian Higher Judiciary on the given topics.

PAPER –III : LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. Law as the product of Traditions and Culture, Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.): Law and Society in Modern India (1997), Oxford.
2. Robert Lingat: The Classical Law of India (1998), Oxford
3. U. Baxi: The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi, (ed.): Law and Poverty Critical Essays (1988), Tripathy, Bombay
5. Manushi: A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999),Oxford University Press,New Delhi
7. H. M. Seervai : Constitutional Law of India (1996)
8. D. D. Basu : Shorter Constitution of India(1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshta: Law and Menace of Child Labour(2000) AnmolKiranDesthaPublications,Delhi.
10. SavitriGunasekhare: Children, Law and Justice(1997), Sage
11. Indian Law Institute: Law and Social Change : Indo-American Reflections Tripathi (1988)
12. J. B. Kriplani: Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India c13. M.P. Jain: Outlines of Indian Legal History (1993), Tripathi, Bombay.
13. Agnes, Flavia: Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

PAPER-IV : LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I: Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II: Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III: Research tools and techniques for collection of data – Observation - Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV: Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited New Delhi, 1987.
- S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESER-II

PAPER-V : INDIAN CONSTITUTIONAL LAW -II

UNIT-I

Union Executive: President, Council of Ministers and Parliamentary Form of Government, Powers and Functions – Union Legislature: Composition, Election, Powers, Functions, Privileges and Immunities –State Executive: Governor and Council of Ministers, Powers and Functions – State Legislature: Composition, Election, Powers, Functions, Privileges and Immunities.

UNIT-II

Higher Judiciary: Supreme Court and High Courts, their Composition, Jurisdiction - Appointment, Transfer and Removal of Judges – Independence of Judiciary – Judicial Creativity

UNIT-III

Relations between Union and States - General Principles of Interpretation- Legislative, Administrative and Financial Relations – Cooperative and Competitive Federalism - Liability of State in Contracts and Torts - Right to Property.

UNIT-IV

Freedom of Interstate Trade, Commerce and intercourse in India – Services under the Union and States – Administrative Tribunals – Election Commission - Emergency Provisions and Impact on Fundamental Rights - Amendment of Constitution and Basic Structure Theory

Suggested Readings:

1. H.M.Seervai: Constitutional Law of India (in 2 volumes), Universal Book Traders, New Delhi.
2. Granville Austin: Working of a Democratic Constitution: The Indian Experience, OUP 1999.
3. B.Shiva Rao (ed): Framing of the Indian Constitution (in 5 Volumes) Indian Institute of Public Administration, New Delhi.
4. V.N.Shukla: Constitution of India, Eastern Book Co., Lucknow
5. M.P.Jain: Constitutional Law of India, Wadhwa and Co., Nagpur
6. D.D.Basu: Commentary on the Constitution of India, S.C.Sarkar & Co., Calcutta.
7. V.D.Mahajan: Constitutional Law of India, Eastern Book Company.

PAPER-VI

COMPARATIVE CONSTITUTIONAL LAW - I

(British, French and Swiss Constitutions)

UNIT -I

Modern Constitutions: Idea, Evolution, and Nature – Classification: Unitary, Federal and Confederal – Comparative Analysis - Theory of Separation of Powers: Theory and Practice.

UNIT-II

British Constitution - Salient Features - Rule of Law - Executive, Legislature and Judiciary under the Constitution –Supreme Court of England and House of Lords-Appointment of Judges- Conventions

-Parliamentary Sovereignty - Emergency Powers – Magna Carta and Bill of Rights.

UNIT-III

French Constitution, 1958 - Salient Features – Significance of Liberty, Equality and Fraternity – Executive, Legislature and Judiciary under the Constitution - Constitutional Council – Amending Procedure - Emergency Powers.

UNIT-IV

History of Swiss Constitutions (1848 and 1874) - Swiss Constitution, 1999 - Salient Features – Fundamental Rights, Citizenship and Social Goals – Executive, Legislature and Judiciary under the Constitution - Direct Democracy - Relations between the Confederation and the Cantons – Amending Procedure.

Suggested Readings:

1. D.D.Basu: Comparative Constitutional Law, PrenticeHall of India, New Delhi.
2. K.C.Wheare: Modern Constitutions, Oxford University Press, London.
3. A.C.Kapoor: Select World Constitutions, S.Chand & Company, New Delhi.
4. C.F.Strong: Modern Political Constitutions, ELB Society, London.
5. A. V.Dicey: An Introduction to the study of Law of the Constitution, Macmillan. Delhi.
6. O.Hood Phillips: Constitutional and Administrative Law, Sweet &Maxwell, London.
7. Martin Loughlin: The British Constitution: A Very Short Introduction, OUP 2013.
8. Herman Finer: Theory and Practice of Modern Government (2 Vol), Methuen & Co., London
9. Dorothy Pickles: French Republic, Methuen & Co. London.
10. John Bell: French Constitutional Law, Clarendon Press, 1995.
11. Sophie Boyron: The Constitution of France: A Contextual Analysis, Hart Publishing 2012.
12. M.Y.Pylee: Constitutions of the World. Universal Law Publishing Co .New Delhi.
13. WE.Rappord: The Government of Switzerland.
14. Patricia Egli: Introduction to Swiss Constitutional Law, Dike Verlag 2020
15. Alexander Misic, Nicole Töpperwien: Constitutional Law in Switzerland, 2nd edn, Kluwer Law International 2018.
16. András Sajó, Michel Rosenfeld (eds.), The Oxford Handbook of Comparative Constitutional Law, OUP.
17. J.W.F. Allison (ed.), A.V.Dicey's Comparative Constitutionalism, OUP 2013.

PAPER –VII- LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

UNIT – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

UNIT - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, "*Responsibility of International Organizations*" Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarthy, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chorine, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER-VIII
FEDERAL SYSTEM IN INDIA: CENTRE-STATE RELATIONS

UNIT-I: Nature of the Indian Polity

1. Forms of constitution – Unitary, federal, confederation – merits and demerits
2. Historical evolution of federal features: Government of India Act of 1919, Government of India Act 1935
3. Nature of Indian polity
4. Judicial perspective over the nature of Indian polity

UNIT II: Union –State Legislative Relations

1. Scheme of distribution of legislative powers between Union and States;
2. General principles of interpretation relating to the various lists; Doctrine of pith and Substance; Doctrine of Colourable Legislation and Doctrine of Territorial Nexus.
3. Residuary powers, Doctrine of Occupied Field, Parliament's power to legislate on the State List
4. Legislative powers of the parliament during emergency

UNIT III: Administration and Financial Relations

1. Distribution of Executive and Financial Powers
2. Finance commission
3. All India Services
4. Centre's directive to state.

UNIT IV: Emergency Provisions

1. Emergency provisions; Article 352, 356 and 360
2. Cooperative federalism

Suggested Readings

K.C. Wheare, Federal Government
Jain M.P. Outlines of Indian Legal History.
M.V. Pylee, Constitutional History of India.
Rama Jois M, Legal and Constitutional History of India.
Stetelvad M.C. Constitutional History of India
Keith A.B. Constitutional History of India
H.M. Seervai, Constitutional Law of India –Vol. I and II
G.C..V. Subbarao, Legislative powers in India Constitutional law.
V.D Sebastain, India federalism: the legislative conflict
L.M Singhvi, Union State Relations in India
K. Subba Rao, The Indian Federation.
K.P Krishna Shetty, The Law OF Union State Relations and Indian Federalism.
Ashok Chandra, Federalism in India.
Subba Rao G C V Indian Constitutional Law
Pande G S Constitutional Law of India
Saharay HK Constitution of India
Plyee M.V Our Constitution government & politics
Tope T K Constitutional Law of India

SEMESTER-III

PAPER-IX - COMPARATIVE CONSTITUTIONAL LAW-II (American, Australian and Canadian Constitutions)

UNIT- I :

Federal and Confederal Constitutions- Principles of Federalism - Constitutionalism - Different types of Federalism- Doctrine of Separation of Powers - Theory of Checks and Balances - Judicial Review in U.S.A. : Evolution, Scope and Limits.

UNIT-II:

U.S. Constitution – Evolution and Making - Salient features – Composition, Powers and Functions of Federal Executive, Legislature and Judiciary – Amendment of Constitution - Distribution of Legislative Powers – Bill of Rights.

UNIT-III:

Australian Constitution - Evolution - Salient features – Structure and powers of Commonwealth Legislature, Executive and Judiciary -Amendment of Constitution - Distribution of Legislative powers.

UNIT-IV:

Canadian Constitution (1867 through 1982) - Evolution and Patriation of Constitution –Salient features - Structure and powers of Dominion Legislature, Executive and Judiciary - Distribution of Legislative Powers - Charter of Rights and Freedoms - Amendment of Constitution.

Suggested Readings:

1. D.D.Basu: Comparative Constitutional Law, 2nd edn., Lexis Nexis 2014.
2. M.P.Singh: Comparative Constitutional Law, 2nd edn., EBC 2011.
3. K.C.Wheare: Federal Government, Oxford University Press,London.
4. S.E.Finer, Comparing Constitutions, Clarendon Press,Oxford.
5. Edward S.Corwin: Constitution and What it means today. Princeton UniversityPress;
6. C.Herman Pritchett, The American Constitution, MC.Graw-Hill Book Company, NewYork.
7. Mark Tushnet, Sanford Levinson, Mark A Graber (eds.), The Oxford Handbook of the U.S. Constitution, OUP 2015
8. P.H.Lane: Some Principles and Sources of Australian Constitutional Law, Law Book Company of Australia Ltd.,Sydney.
9. W.Anstey Wynes: Legislature, Executive and Judicial Powers in Australia, The Law Book Company of Australia Ltd.,Sydney.
10. Adrienne Stone, Cheryl Saunders (eds.), The Oxford Handbook of the Australian Constitution, OUP 2018.
11. TM.Cooley: The General Principles of Constitutional Law in the United States of America.
12. Laurence H. Tribe, American Constitutional Law, 3rd revised edn., Foundation Press 1999.
13. Bernard Schwartz, American Constitutional Law, Cambridge University Press, 2013.
14. Laskin: Canadian Constitutional Law, Carswell Co. Ltd.Toronto.
15. Nathalie Des Rosiers, Patrick Macklem, Peter Crawford Oliver (eds.), The Oxford Handbook of the Canadian Constitution, OUP 2017.

PAPER-X-LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education -Global &India-Traditional Content based Curriculum-Current Challenges- Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model- Transition to Capability frame work-Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demand for Competitiveness in Information & Communication Technology – New Evaluation & Assessment Models– Role of Online teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy- Electronic books- E-Books-Electronic Journals- E-Journals- Electronic Legal databases- E-Library- Power point Presentations

Suggested Readings

BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal, 1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co., 1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd., Butterworths, London, 1989).

9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi, 1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India, (1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev. (1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L. (1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I. (1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L. REV. 1461 (1997- 1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour. (1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR (1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR (1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review (1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I. (1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105 (1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345 (1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review (1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No. II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education (2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR, (1995)

PAPER-XI-JUDICIAL PROCESS AND CONSTITUTION

UNIT-1:

Nature and Concept of Judicial Process: Judicial process as an instrument of social ordering- Judicial process and creativity in law : Common Law model, legal reasoning and the growth of law, change and stability – The tools and techniques of judicial review and judicial creativity- Role of judicial Concepts and judicial discretion in judicial reasoning- Judicial Contribution in bringing Social Change.

UNIT- II:

Judicial Process and Application of the Law of Precedent – Doctrine of Precedent-Ratio Decidendi and Obiter Dictum-Methods of determining ratio- Stare decisis and its exceptions-Precedent in Common Law and Civil law Countries - Special Dimensions of Judicial Process in Constitutional Adjudication-Notions of Judicial Review- Judicial Review vis-a-vis Judicial Activism -Judicial Activism and Judicial Self Restraint- Problem of Accountability in judicial law-making.

UNIT-III:

Judicial Process in India-Operation of precedent in India: search for the legislative intention-Judicial process in a statute free zone and judicial process on statutory materials-The Indian Debate on the role of the Judges and on the notion of Judicial review- Prospective overruling-The “Independence” of Judiciary and ‘Political’ nature of Judicial Process-Judicial Activism and Creativity of the Indian Supreme Court ; the new dimensions- Institutional liability of courts and judicial activism :Scope and Limits.

UNIT-IV:

Judicial Process and Constitutional Amendments-Evolution of the Concept of Basic Structure-Philosophy of the Doctrine of Basic Structure – The Recent Developments: The “Essence of Rights” test and “Rights Test” to determine Basic structure- Basic Structure and Constitutionalism-Constitutional Morality versus Public Morality - Comparative Analysis of Judicial Process- Judicial Process in UK, USA, Australia and Other Countries

Suggested Readings:

1. Cordozo ‘The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi
2. Julius Stone. The Province and Function of Law Ch.1, PP 8-16, (2000), Universal Law Publishing Co., New Delhi
3. J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985), Butterworths.
4. J.Stone. Legal System and Lawyer’s Reasoning (1999), Universal Law Publishing Co., New Delhi
5. Upendra Baxi, The Indian Supreme Court and Politics. (1980), Eastern Book Co., Lucknow.
6. Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.
7. Virendra Kumar, Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance, 49 Journal of the Indian Law Institute, PP: 365-395, (2007).
8. A.S.Anand, Judicial Review – Judicial Activism–Need for Caution, 42 Journal of Indian Law Institute P. 149 (2000).
9. Upendra Baxi, On how not to Judge the Judges” 25Journal of the Indian Law Institute,P. 211 (1983).
10. Henry J. Abraham, The Judicial Process (1998), Oxford.
11. S.P.Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2002)
12. G.B.Reddy, Judicial Activism in India, 2 nd Edition (2013), Gogia Law Agency, Hyderabad

SEMESTER – IV

PAPER –XII –INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common Paper for All the Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes Central-State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code-Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation-Compensatory Jurisprudence-Right to Education-Right to Information-Right to wholesome environment- Doctrine of public trust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era -Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members- Judicial Activism and Judicial Accountability-Contempt of Courts- Political Morality and effect of Anti-defection Law

Suggested Readings:

- H.M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

PAPER-XIII-ADMINISTRATIVE LAW

UNIT-I:

Administrative Law-Definition, Scope, Causes for its growth- Difference between Administrative Law and Constitutional Law - Classification of Administrative action - Rule of Law – French Administrative System (Droit Administratif).

UNIT-II:

Theory of Separation of powers - Delegated Legislation: Classification, Constitutionality and Controls - Limits of Delegated Legislation – Principles of Natural Justice, Origin, Evolution - Classification, Principles of Fair Hearing and Rule against Bias - Exception to the application of Principles of Natural Justice.

UNIT-III:

Discretionary Powers of Administration - Doctrine of Legitimate Expectation - Doctrine of Proportionality - Judicial Control and Judicial Review of Administrative Action: Grounds and Means – Constitutional and Statutory remedies.

UNIT-IV:

Public Corporations - Liabilities of State in Contracts and Torts - Promissory Estoppel- Administrative Tribunals - Ombudsman: Lokpal, Lokayukta and Central Vigilance Commission - Right to Information.

Suggested Readings:

1. H.W.R. Wade Administrative Law, Clarendon Press, Oxford.
2. Garner: Administrative Law, Butterworths, London.
3. J.A.G. Griffith and H. Street : Principles of Administrative Law, Pitman Publishing, New York.
4. S.A. De Smith: Judicial Review of Administrative Action, Stevens and Sons, London.
5. M.P. Jain & S.N. Jain: Principles of Administrative Law, Wadhwa and Company, Nagpur.
6. S.P. Sathe: Administrative Law, Butterworths, New Delhi.
7. I.P. Massey: Administrative Law, EBC, Lucknow
8. K.C. Davis: Administrative Law & Government, West Publishing Co., St. Paul Minn.
9. David Foulkes: Administrative Law. Butterworths. London.
10. Dr. Abdul Rayees Khan: Administrative Law, K.K. Publications, Hyderabad.

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

*** Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

******* THE END *******

Branch-III : LL.M. (INTERNATIONAL LAW)

SEMESTER-I

SYLLABUS

PAPER-I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW (Common Paper for All the Branches)

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism- Analytical positivism of Bentham and Austin Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism- Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist- Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engles; Sociological theories of law Contribution of Ihering-Contribution of Ehrlich-Duguit's theory of Social Solidarity- Roscoe Pound's Social Engineering and Classification of Interests- American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law – Greek origins-Medieval period-View of St.ThomasAcquinas-Period of Renaissance/Reformation-Grotius and International Law - Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories-Stammler and Natural Law with variable content-Fuller and the Morality of Law-Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

- G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
- R.W.M. Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
- W.Friedmann: Legal Theory, 5th Edition; ColumbiaUniversity Press, New York
- Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
- Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
- Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
- S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
- Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
- Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, EasternBook Company, Lucknow, 1990.
- Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER –II INTERNATIONAL LAW OF PEACE (Excluding Law of the Sea, Air and Outer Space)

UNIT-1: Definition, Scope and Importance of International law – Development · and Schools of International Law - International Law and Municipal Law - Sources of International Law - Subjects of International Law.

UNIT-II: State Sovereignty - Impact of recent developments on the concept of sovereignty - Recognition of States - State Succession – State Responsibility - State Territory and Jurisdiction (excluding Law of Sea, Air and Outer Space)

UNIT-III : Acquisition of State Territory, Boundaries; International Rivers; Nationality - Extradition - Asylum.

UNIT-IV

Diplomatic and Consular Agents and their immunities and privileges-Treaties: Conclusion, Performance, Interpretation and Termination.

Suggested Readings:

- Brownlie: Principles of Public International Law, Second Edition, (Oxford, 1973).
- Oppenheim: International Law, Vol. I (Peace) Ninth Edition, (U.K.1992).
- Sorensen Ed-: Manual of Public International Law (London,1968).
- Malcolm Shaw: International Law, Fourth Edition (London,1997).
- LC. Green: International Law through Cases, Fourth Edition(1978).
- D.W. Greig: International Law Reprinted (London, 1978).
- D.J. Harris: Cases and Materials on International Law, Third Edition, (London, 1983).

PAPER –III : LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. Law as the product of Traditions and Culture, Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law.

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

- Marc Galanter (ed.) : Law and Society in Modern India (1997), Oxford.
- Robert Lingat : The Classical Law of India (1998), Oxford
- U. Baxi : The Crisis of the Indian Legal System (1982), Vikas, New Delhi
- U. Baxi, (ed.) : Law and Poverty Critical Essays (1988), Tripathy, Bombay
- Manushi : A Journal about Women and Society.
- Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
- H. M. Seervai : Constitutional Law of India (1996)
- D. D. Basu : Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
- Sunil Deshtaand : Law and Menace of Child Labour (2000) AnmolKiranDestha Publications, Delhi.
- SavitriGunasekhare : Children, Law and Justice (1997), Sage
- Indian Law Institute : Law and Social Change : Indo-American Reflections Tripathi (1988)
- J. B. Kriplani : Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India
- c13. M.P. Jain : Outlines of Indian Legal History (1993), Tripathi, Bombay.
- Agnes, Flavia : Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

PAPER-IV
LEGAL RESEARCH METHODOLOGY
(Common Paper for All the Branches)

Unit-I: Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II: Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III: Research tools and techniques for collection of data-Observation. Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV: Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▮ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▮ C.R. Kothari: Research Methodology : Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▮ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- ▮ Pauline V Young : Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▮ B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- ▮ S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESTER-II

PAPER-V

INTERNATIONAL LAW OF WAR, NEUTRALITY AND REFUGEE LAW

UNIT-I

Geneva Convention 1864 - Air Convention 1907 - Development Laws of Land Warfare - Four Geneva Conventions of 1949 - Two Addl. Protocols I and II, 1977 - Belligerent occupation - Geneva Conference on IHL in Armed Conflicts - Conventions on Chemical Weapons - Laws of Maritime Warfare - Prize Courts Laws - Laws of Air warfare - War Crimes - Doctrine of Post-millennium and recapture - Termination of War.

UNIT-II

Mode of Settlement of Disputes - Negotiation, Mediation, Good Offices, Conciliation Arbitration, Judicial Settlement. Compulsive settlement of Disputes - Retorsion, Reprisals, Pacific Blockade - Intervention - Compulsive settlement by the United Nations Organisation- Definition and Characteristics of War, Commencement of War and effects of the outbreak of war - Enemy Character.

UNIT-III

Neutrality : Kinds of Neutrality - Development of the institution of Neutrality - Neutrality under League of Nations and UNO- Characteristics of Neutrality - Rights and Duties of Belligerent States and Neutral States - Commencement of end of neutrality - violation neutrality - Right of Angary - Blockade: Concept of Blockade, Establishment of Blockade; Effectiveness of Blockade - Breach of Blockade, Consequences of Breach of Blockade, Kinds of Blockade - Contraband - Concept of Contraband, Carriage of Contraband and consequences - Doctrine of Continuous Voyage - UN- Neutral Services and consequences - Visitation: Capture and Trial of Neutral Vessels.

UNIT-IV

Refugee - Concept, Definition and Meaning. - Development of Law relating to Refugees - Conventions relating to Status of Refugees, 1951 - Protocol relating to the Status of Refugees, 1967 - Measures adopted by the Asian, African Legal Consultation Committee - 8th Session at Bangkok and Addendum 1966 - Other International Instruments to which India is a State Party - UN High Commissioner for Refugees - Powers and Functions.

Suggested Readings:

1. Oppenheim: International Law, Vol. 1.2, Seventh Edition.
2. Julius Stone: Legal Control of International Conflicts, (1954).
3. Me.Dougal and Feliciano: Law and Minimum World Public Order (Yale, 1961).
4. D.Schindler and J.Toman : The Law of Armed Conflicts (Geneva 1973).
5. Richard Falk(ed) .The International Law of Civil War (1971).
6. Julius Stone: Aggression and World Order, (1958).
7. J.G. Starke: Introduction to International Law, Butterworths, New Delhi, 1994.
8. M.C.Nair and Watts: The legal effects of war, 4th Edn. (London), 1966.

PAPER-VI : INTERNATIONAL INSTITUTIONS

UNIT-I

League of Nations - Origin and Organs - Role of League of Nations in the maintenance of International Peace - Causes for the League's failure- United Nations Organization - Genesis - San Francisco Conference- Adoption and Ratification of the Charter - Purposes and Principles of United Nations Organization.

UNIT-II

Membership of the U.N.O. - Composition - Functions and Procedure of the General Assembly and Security Council, Economic and Social Council - Trusteeship Council and Secretariat.

UNIT-III

International Court of Justice - Composition, Powers and Jurisdiction- Human Rights - Collective security - Regional Arrangements - Disarmament - International Criminal Court - Composition, Powers and Jurisdiction.

UNIT-IV

Specialized Agencies: ILO, UNESCO, WHO, IAEC- the Institutions relating to International Economic Law: IMF. IBRD. GATT, WTO Centre for Settlement of Investment Disputes.

Suggested Readings:

1. Schermers: International Institutional Law. Vols. I & II. 1980.
2. Goodrich & Hambro: Charter of the United Nations, Commentary & Documents 2nd Edition, 1949.
3. D.W. Bowet : the Law of International Institutions, 4th Ed. 2nd Indian Reprint, 1995.
4. Louis B.Sohn : Recent Cases on United Nations Law, Supplement: 1963.Alexandrovicz: World Economic Agencies, 1962.
5. Kelsen: The Law of the United Nations. 1964.
6. Jenks: The Prospects of 'International Adjudication. 1964.
7. J.G. Starke: Introduction to International Law, Butterworths, New Delhi. 1994 (First Indian Reprint).

PAPER-VII

LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

UNIT – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

UNIT - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, *"Responsibility of International Organizations"* Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chornet, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benerjee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, *"The Law and Politics of International Organizations"* Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER-VIII : CONFLICT OF LAWS

Unit-I Nature and Scope of Conflict of Laws - Modern Theories -Classification.

Unit-II

The Doctrine of Renvoi - Domicile - Jurisdiction of English Courts. The Exclusion of Foreign Law that would not be applicable i.e., Foreign Revenue and Penal Laws of foreign nations repugnant to Public Policy.

Unit-III

Meaning and Matrimonial causes - Inter-country adoptions – Legitimacy and Legitimation - International Contracts - Torts with special reference to Multinational Corporations and Commercial activities.

Unit-IV

Law of Movables and Immovables - The recognition and enforcement of foreign Judgments - Procedure.

Suggested Readings:

1. Cheshire and Brack: Private International Law, 1992 Edn. Butterworths, London.
2. Kahn Freund: General Problems of Private International law
3. Craveson: Conflict of Laws.
4. Westlake: Private International Law.
5. Dicey: Conflict of Laws.

SEMESTER-III

PAPER-IX-INTERNATIONAL LAW AND CONTEMPORARY ISSUES

UNIT-I

Expanding scope of International Law and its changing dimensions and nature-influence of third world countries on the growth and nature of international law- absolute sovereignty to limited sovereignty and world Governance -Role of the United Nations organization in shaping international law.

UNIT-II

Sustainable development -The context of U.N commission on Environment and development, our common future the Report of the commission, proposed legal principles for environment protection and sustainable development. State acceptance and practice and critique

UNIT-III

Threats to International Peace, Peace Strategies and -Hijacking-Terrorism-science and technology for peace and violence-jurisdictional problems-organized crimes -nuclear technology- NPT, PTBT, CTBT, International regulations of Biological and chemical weapons, weapons of mass destruction.

UNIT-IV

Disarmament: attempts at arms control and disarmament-bilateral-regional-multilateral -disarmament as peace Strategy-History and outcome of disarmament efforts, UN Disarmament decade,International criminal law-war crimes and problems of prosecution of war Criminals-Nuremberg charter and tribunal-Adhoc tribunals for prosecution of war Criminals-International criminal court -jurisdiction, elements of crime, evidence and procedure.

Suggested Readings

1. H.W.Singer & J.A.Ansari, Rich and Poor countries (1982)
2. R.Falk, The End of the world order
3. L.Hanken, How Nations Behave (1968)
4. R.P.Anand, International courts and contemporary conflict (1979)
5. L Clark, Reform and Resistance in International Order (1980)
6. A.Ball, Modern International negotiations (1969)

PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

Suggested Readings:

BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co.,1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).

8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev Dhavan Ed., Butterworths, London, 1989).
9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi, 1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1 (1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307 (2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR (1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India, (1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev. (1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165 (2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L. (1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I. (1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L. REV. 1461 (1997- 1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour. (1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR (1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR (1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review (1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I. (1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105 (1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345 (1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review (1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No. II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education (2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR, (1995)

PAPER-XI- LAW OF TREATIES AND LAW OF DIPLOMACY

UNIT-I

Sovereignty-Nationalism- its evolution and operation, elements of national power- Geographic element, demographic Element-Historical, sociological, psychological and economic element-organization, administrative element-military element and Diplomacy as an element of power.

UNIT-II

Diplomacy: Definitions, concepts and features, evolution of Diplomacy and its contribution to practice of international relations; Foreign policy- Theory-Different aspects of Foreign Policy-Negotiation-Art of Negotiation-Ailments of modern Diplomacy.

UNIT-III

Law of treaties -formation-different - Aspects-Ratification-Reservation-Interpretation-Termination-Pattern of Power-Unilateralism-Collective Security, Balance of Power-World Conquest-World State-Case Studies in Balance of Power, and UN led efforts Nuclear proliferation and nonproliferation efforts.

UNIT-IV

Emerging trends in UN Diplomacy -Diplomacy and energy security -the European union diplomacy-environmental diplomacy-economic diplomacy-cultural and media diplomacy-diplomacy in the face of unconventional threats-terrorism as diplomacy through other means- religious diplomacy-being a diplomat in the age of post-diplomacy; SEAN, SAARC, NAFTA, AU, SCO- Rise of the rest Asian Resurgence and rise of china and India. Political and Financial Crisis of SAARC Nations.

Suggested Readings

1. L.F.R.Hartman- The Relations of Nations
2. H.J.Morenthau- Politics among nations
3. O.Wright-A study of International Relation
4. Oppenheim- Law of Peace
5. O' Connel- International Law (Vols.1&2)
6. Brownlie- Principles of International Law

SEMESTER-IV

PAPER-XII- INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common to All Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of public trust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

- H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
- Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
- Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
- B. Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.
- M. P. Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

PAPER-XIII - LAW OF SEA, AIR AND OUTER SPACE

UNIT-I

Law of the Sea: Evolution of the Law of the Sea - Concepts of Mare Liberum and Mare Clausum, Development of the concept of territorial sea - Theories relating to Territorial Sea - Freedoms of the High Seas - Continental Shelf - Developments before 1958 - Gulf of Paria Treaty - Truman's Proclamation on Continental Shelf - United Nations Conference on the Law of the Sea (UNCLOS) I - 1958 - Convention on Continental Shelf - 1982 Convention (UNCLOS) III.

UNIT-II

Exclusive Economic Zone - Evolution of the concept – Developments before 1970 - Developments after 1970 - 1982 Convention (UNCLOS) III - Exploration and Exploitation of the resources of the Sea Bed and Ocean Floor - International Straits - The Geneva Conventions of 1958 - Common heritage of Mankind & common concern of mankind- Archipelagic States - International Straits- Bays and Gulfs - International agreements on the law of the sea -law of the SeaTribunal.

UNIT-III

Air Law - Development of Air Law during the 20th Century up to World War-I,World War-I to World War II - Post war developments - Sovereignty in Air and Space - Pre-Chicago Convention position - Post Chicago Convention Developments - Extent of Air Space - Civil Aviation under Chicago Convention - Five Freedoms -Agreement and Two freedoms Agreement - Sabotage.

UNIT-IV

Space Law - Definition, Scope and nature - Legal status of Outer Space- Altitude limits of National Sovereignty -Internationalisation of Outer Space and Celestial Bodies - Peaceful uses of Outer space - Military uses of Outer Space and Celestial Bodies and demilitarization - Liability for damages caused by space objects - Astronauts in Distress – Registration of space objects - Problems of pollution of Outerspace.

Suggested Readings:

1. John C.Colombus: The International Law of the Sea, 6th Edn. 1967, London.
2. Myers Mc.Dougal and William Burke: The Public Order of the .Oceans: A Contemporary International Law of the Sea, 1962, New Heaven, London.
3. Shigen Oda: International Control of Sea Resources, 1963. Laiden.
4. Bowett D. W.: The Law of the Sea, Manchester Dobbs Ferry Oceana, 1967. Shawcross and Beaumont: Air Law, Butterworths, 1978, Kingsway, London.
5. S.Bhat: Studies in Aerospace Law: From Competition to Cooperation, Sterling Publishers, 1974, NewDelhi.
6. Jerome Marchoff World Peace through Space Law, The Michie Company, Charlottesville, 1967, Virginia.
7. Cooper and Vlasic: Explorations in Aerospace Law, McGill University Press, 1968,Montreal.

PAPER-XIV-DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

*** Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

***** **THE END** *****

BRANCH-IV:

LL.M. (CORPORATE AND SECURITIES LAWS)

SEMESTER-I

PAPER-I ; SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW **(Common Paper for All the Branches)**

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism- Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist- Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engles; Sociological theories of law• Contribution of Ihering-Contribution of Ehrlich-Duguit's theory of Social Solidarity- Roscoe Pound's Social Engineering and Classification of Interests- American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV

Theories of Natural Law-Meaning of Natural Law-History of Natural law – Greek origins-Medieval period-View of St.ThomasAquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories-Stammmler and Natural Law with variable content-Fuller and the Morality of Law-Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

1. G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
2. R. W. M. Dias, Jurisprudence, 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W. Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S. N. Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER –II : LAW ON CORPORATE CONTRACTS

Unit –I: Meaning of Intellectual Property Rights - General framework of IPR Laws in India - Copyright Act, Trademarks Act and Designs Act etc. -Contracts relating to transfer of IPRs - Licensing, Assignment, Sale and Mortgage etc. - Application of general Principles of Contract to IPR contracts - Breach of IPR contracts and Remedies therefor.

Unit – II: Alternative Dispute Resolution - Meaning of ADR - Evolution of ADR Mechanism - Advantages of ADR - Arbitration, Conciliation and Mediation - Salient features of Arbitration and Conciliation Act -Appointment and Removal of Arbitrators and Conciliators - Passing of Award - Section 89 of CPC. 1908 and Sections 10 and 11 of Indian Contract Act vis-à-vis ADR.

Unit – III: International Commercial Arbitration - Meaning and Definition -Application of Indian Contract Act 1872 to International Commercial Contracts and Arbitration Agreements - General Principles of Private International Law relating to International Commercial Arbitration -UNCITRAL Model.

Unit – IV: E-Commerce - meaning and nature - Salient features of the Information Technology Act, 2000 - Impact of the IT Act 2000 on Law of Contracts, Law of Evidence, Law of Crimes - Application of Intellectual Property Laws to Cyber Contracts - Cyber Offences - Breach of Cyber Contracts - Remedies - Fora for Redressal of Cyber Disputes-Infrastructural contracts- *the International Federation of Consulting Engineers (FIDIC) approved contracts*

Suggested Readings:

- Anson's Law of Contracts - Clarendon Press, Oxford, UK.
- TS Venkatesh Iyer - Law of Contracts, S Gogia and Company, Hyd.
- Avtar Singh - Law of Contracts, Eastern Book Company, Lucknow.
- P.Narayanan, Intellectual Property Law. Ed, Eastern Law House, Kolkata,
- W.R.Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London.
- Hillary E. Pearson & Miller CG, Commercial Exploitation of Intellectual Property, Universal Book Traders, New Delhi.
- David Bainbridge, Intellectual Property, Pearson Education Limited, London.
- B.L.Wadhera, Law Relating to Patents, Trademarks, Copyright, Designs & Geographical Indications, Universal Law Publishing Co. Ltd., New Delhi.
- Prof. Willem Hoyng & Frank Eijssvogels, Global Patent Litigation, Wolters Kluwer, Bedfordshire, U.K.
- Eric M. Dobrusin, Esq., Katherine E. White. Intellectual Property Litigation: Pretrial Practice, Wolters Kluwer, Bedfordshire, U.K.
- GB.Reddy, Intellectual Property Rights and the Law, Gogia Law Agency, Hyderabad.
- Dr. Avatar Singh - Law of Arbitration and Conciliation including ADR system - Eastern Book Company - Lucknow.
- Venu Gopal K.K - Justice Bachawat's Law of Arbitration and Conciliation Including commercial, international and ADR
- P.C.Rao & William - Alternative dispute resolution, Universal Law Sheffield Publishing Ltd.
- GK.Kwatra - The Arbitration and Conciliation Law of India (with case law on UNCITRAL model law on Arbitration). The Indian Council of Arbitration.

PAPER –III : LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. Law as the product of Traditions and Culture, Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.) : Law and Society in Modern India (1997), Oxford.
2. Robert Lingat : The Classical Law of India (1998), Oxford
3. U. Baxi : The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi, (ed.) : Law and Poverty Critical Essays (1988), Tripathy, Bombay
5. Manushi : A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
7. H. M. Seervai : Constitutional Law of India (1996)
8. D. D. Basu : Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshta: Law and Menace of Child Labour (2000) AnmolKiranDestha Publications, Delhi.
10. SavitriGunasekhare : Children, Law and Justice (1997), Sage
11. Indian Law Institute : Law and Social Change : Indo-American Reflections Tripathi (1988)
12. J. B. Kriplani : Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India
13. M.P. Jain : Outlines of Indian Legal History (1993), Tripathi, Bombay.
14. Agnes, Flavia : Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

PAPER-IV : LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II:

Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III:

Research tools and techniques for collection of data-Observation. Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▮ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▮ C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▮ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- ▮ Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▮ B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- ▮ S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESTER - II

PAPER-V : MODERN COMPANY LAW -I

Unit I:

History of Company law in England and India-Characteristics of Company, advantages and Disadvantages of Company, Definition, Formation, Registration and Incorporation of company: Nature and kinds of company.

Unit II

Promoters: Position, duties and liabilities - Mode and consequences of incorporation, - Uses and abuses of the corporate form, lifting of corporate veil, - Memorandum of Association, alteration and the doctrine of ultra vires, -Articles of association, binding nature, alteration, relation with memorandum of association, doctrine of constructive notice and indoor management exceptions.

Unit III

Capital Formation: Prospectus: Issues, contents, Kinds, liability form is statements, statement in lieu of prospectus- Allotment of Share Capital, Transfer and Transmission of Shares, The nature and classification of company securities- Preference Shares, Equity shares with differential rights, Rights issue, Bonus shares, Reduction of Share Capital, Buy-Back of securities.

Unit IV

Acceptance of Deposits -Debentures, kinds, remedies of debenture holders. Charges creation, Modification and Satisfaction, Various kinds of Meetings, Annual General Meeting and Extra-ordinary General Meeting, Proxies, Postal Ballot etc.

Unit V

Accounts, Auditors of the Company, Directors, Director Identification Number, powers and duties of directors, Corporate Social Responsibility, Appointment and Remuneration of Key Managerial Personnel, Inter-Corporate Loans, Meetings of Boards and its Committees, Virtual Meetings

Suggested Readings :

1. Avtar Singh : Indian Company Law
2. Shah S. M : Lectures on Company Law
3. Palmer - Company Law
4. Ramiya: Guide to Companies Act
5. Gower: Principles of Modern Company Law
6. Indian Law Institute- Current Problems of Corporate Law
7. The Companies Act,2013 and Rules made there under Chandratre, Acharya, Israni, Sethuraman, Compendium onSEBI, Capital Issues and Listing

PAPER -VI : SECURITIES LAWS

Unit I

Securities Contracts (Regulation) Act, 1956 – Interpretation Clause - Meaning and Definition of Stock Exchange -Recognition of Stock Exchange - Contracts in Securities -Listing of securities - Securities Appellate Tribunal (SAT)- Constitution, Powers and Functions - Appeals from orders of SAT – Title to Dividends-Securities and Exchange Board of India Act, 1992 -Interpretation Clause-Establishment of the Securities and Exchange Board of India - Constitution, Powers and Functions -Registration of Stock Brokers , Sub-brokers ,& Share Transfer Agents – Prohibition of Manipulative and Deceptive practices- Inside Trading and Substantial Acquisition of Securities or Control-Adjudication of disputes- Appeals to Securities Appellate Tribunal, HCs & SC- Capital Market regulations.

Unit II

Depositories Act, 1996 - Definition of Depository Board and Beneficial Owner -Certificate of Commencement of Business - Rights and obligations of Depositories, participants, issuers and beneficial Owners, Overview of SEBI (ICDR) Regulations.

Unit III

SEBI (LODR) Regulations- Key Definitions, Applicability, Obligations of Listed entities, Composition of Board of Directors, Meetings of Board, Related Party Transactions, Compliances under Regulations, Case laws on SEBI (LODR) Regulations.

Unit IV

History of Insider Trading, Law on Insider in USA and UK, Insider Trading Regulations in India, Meaning of Insider and Insider Information, SEBI, NCLT, NCLAT and Supreme Court Judgements on Insider Trading Regulations in India.

Unit V

Meaning of Takeover, Kinds of Take overs, Take over regulations in USA and UK, SEBI (Substantial Acquisition of Shares and Takeovers) Regulations, 2011, Judicial Pronouncements on Takeover.

Suggested Readings:

1. Palmer - Company Law.
2. Ramayya: Guide to the Companies Act, in three volumes, Wadhwa and Company, Nagpur.
3. Avtar Singh: Company Law, Eastern Book Company
4. H.K.Saharay: Principles and Practice of Company Law in India, Prentice Hall of India Private Limited, New Delhi.
5. S.M.Shah: Lectures on Company Law, N.M. Tripathi Private Ltd Bombay.
6. Chalesworth& Cain: Company Law, Geoffrey Morse, Stevens and Sons, London.
7. L.C.B. Grover: The Principles of Modem Company Law, Stevens and Sons, London.
8. Pennigton: Company Law, Butterworths, London. Taxmann's Publications Journal on SEBI and Corporate Laws.
9. Pahwa : Law relating to on-Banking financial companies B.K.Pahwa.

PAPER –VII- LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

UNIT– III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

UNIT - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, "*Responsibility of International Organizations*" Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarthy, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chorine, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER VIII : LAW OF INSURANCE AND CARRIAGE

Unit - I

Nature of Insurance and types of insurance - definition of insurance -history -contract of insurance - classification of insurance contracts-Kinds of Insurance Policies - insurable Interest - Premium - Risk - Assignment.

Unit II

Role of insurance in Economic Development - Redressal of Consumer grievance -Role of the "OMBUDSMAN"- IRDA Regulations 2000 - Disclosures – The Insurance Act 1938 as amended by the IRDA Act 1999 - Constitution of IRDA and its powers and functions –IRDA Regulations- Role of IRDA on Insurance Companies- , Redressal of Grievances by IRDAI

Unit III

Special Doctrines relating to Insurance - Doctrine of Reinstatement -Doctrine of Subrogation - Doctrine of Contribution - Difference between contribution and subrogation - Proximity clause. Marine Insurance - Definition and nature of Insurance Contracts - Classification of Marine Insurance Policies - Marine claims - Voyage -Deviation - Perils of Sea - Warranties in Marine Insurance - Losses and abandonment- Relevant provisions of the Motor Vehicles Act.

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Unit IV

Agricultural Insurance: Introduction to Indian Agriculture; Risk in Agriculture; History of Crop Insurance in India; Crop Insurance,

Liability Insurance: Introduction to Liability Insurance; Legal Background; Liability Underwriting; Statutory Liability; General Public Liability (Industrial/Non-industrial Risks); Products Liability Insurance

Unit V

Carriage of goods by road - Multimodal Transportation of Goods Act 1993- Law of Carriage by Sea - The Carriers Act 1865, The Railways Act, 1899, The Air Act 1972, the Carriage by Sea Act, 1925.

Suggested Readings :

1. K.S.N. Murthy and KVS Sarma: Modern Law of Insurance in India, N.M.Tripathipvt. Ltd. Bombay.
2. Ravi Pulirani and Iahesh Pulirani :Manual of Insurance Law, Bharat Law House Pvt. Ltd., New Delhi.
3. Brijnandan Singh: ew Insurance Law, University Book Company. Allahabad.
4. J. Nagar: The Hand Book of Insurance Regulatory and Development Authority,University Book Company, Allahabad.
5. B.C.Mitra: The Law relating to Marine Insurance, University Book Company, Allahabad.
6. E.R.HardyIvamy: General Principles of Insurance Law, Butterworths, London.
7. Michael Parkington: Insurance Law, Sweet and Maxwell, London.
8. Dr. Avtar Singh: Law of Carriage, Air, Land and Sea, EBC, Lucknow.
9. Journal of IRDA monthly since 2002.

SEMESTER-III

PAPER-IX- LAW OF BANKING & NEGOTIABLE INSTRUMENTS

UNIT-I

Historical background of Banking system - Evolution of Banks - Classification - Banks and other Financial institutions - Functions of Banks - Recent trends in Banking system-e-Bankingsystem

UNIT-II

Relationship between Banker and Customer - Definition - Rights and Duties - Special types of customers - Customer accounts – Overdrafts Bankers lien and combining of accounts - Appropriation of payments-Claytons Rule - Pass Book - Forgery, Negligence, Mistake, Wrongful endorsements - Legal protection to paying Banker and collecting Banker Lawful dishonour of Cheques - Effect of Wrongful dishonour of Cheques.

UNIT-III

Kinds of negotiable instruments, Customary / Deemed Negotiable instruments - Essential features. Crossing of Cheques - Holder in due course and Holder for value - Liability of maker of Notes and acceptor of Bills Drawer of Cheques - Liability and discharge of Endorser -Consideration Effect of Endorsement - Accommodation Bills – Discharge from Liability of Notes, Bills and Cheques. Noting and protest - Presumptions as to negotiable instruments-dishonour of cheques

UNIT-IV

Bank Guarantees - Kinds of Guarantees - Rights and Obligations of Bankers - Letters of Credit - Types of Letters of Credit – Advances secured by collateral securities - Advances against Goods and Documents of titles to Goods - Recommendations of committees in improving the Banking system RBI and its promotional role in relation to commercial Banks - Banking Regulation Act 1949 - The Securitisation and Reconstruction of Financial Assets and enforcement of security Interest Act, 2002- Salient features.

Suggested Readings:

1. Sheldon: Practice and Law of Banking , Pitman Publ., Toronto.
2. Tannan: Banking Law and Practice in India , India Law House, New Delhi.
3. Lord Chorley and P.E.Smart: Leading Cases in the Law of Banking
4. Bashyam and Adiga , Bharat Law House, New Delhi.
5. Arora & Kalra: All India Banking Law Judgements in 4 Vols,Punjab Law Agency, Delhi.
6. L.C.Goyle: Law of Banking and Bankers, Eastern Law House, NewDelhi.

PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

Suggested Readings

BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co.,1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd., Butterworths, London,1989).
9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Studyof

Relations between Lawyers and their Clients (Rawat Publications, Jaipur, 1984).

10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi, 1993).

11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.

12. Essential of Educational Technology, Madan Lal, Anmol Publication.

13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).

2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).

3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).

4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR(1995).

5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India, (1973).

6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev. (1994).

7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).

8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L. (1990).

9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I. (1986).

10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).

11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L. REV. 1461 (1997-1998).

12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour. (1995).

13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR (1995).

14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).

15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR (1995).

16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review (1986)

17. Mohammad Ghose, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I. (1977).

18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105 (1981).

19. Place of Skills in Legal Education, 43 Columbia Law Review 345 (1945).

20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review (1973)

21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No. II).

22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education (2013).

23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65

24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.

25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).

26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR, (1995)

PAPER XI-MODERN COMPANY LAW-II

UNIT- I

Majority control and minority protection, Prevention of oppression and Mismanagement, judicial pronouncements on Oppression and Mismanagement, powers of court and central government- legal liability of company - civil, criminal, tortious and environmental.

UNIT-II

Types of Corporate Restructuring, : Key definitions, Compromises, Arrangements, Mergers & Amalgamations; Demergers & Slump Sale, Business Sale; Joint Venture, Strategic Alliance ,Reverse Merger Disinvestment; Financial Restructuring, Takeover of listed and unlisted companies, Fast Track Mergers, cross border mergers, Taxation issues & Stamp Act provisions relating to restructuring.

UNIT- III

Registrar of Companies, Duties and powers of ROC, Appointment, powers and duties of Official Liquidator , Constitution of NCLT and NCLAT, Powers of NCLT and NCLAT, Special Courts under Companies Act.

Unit IV

Historical Background of IBC, Petition for Corporate Insolvency Resolution process, Persons entitled to file petition under IBC, Liquidation on or after failing of resolution plan, Voluntary Liquidation: Procedure for Voluntary Liquidation; Powers and duties of the Liquidator; Completion of Liquidation, Winding-up by Tribunal under the Companies Act, 2013: Procedure of Winding-up by Tribunal; Powers and duties of the Company Liquidator; Fraudulent preferences.

Suggested Readings:

1. Avtar Singh : Indian Company Law
2. Shah S. M : Lectures on Company Law
3. Palmer - Company Law
4. Ramiya: Guide to Companies Act
5. Gower: Principles of Modern Company Law
6. Indian Law Institute- Current Problems of Corporate Law
7. The Companies Act, 2013 and Rules made there under
8. Chandratre, Acharya, Israni, Sethuraman, Compendium on SEBI, Capital Issues and Listing

SEMESTER-IV

PAPER- XII: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

(Common Paper for All the Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, NewDelhi.
2. Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes), Lok Sabha Secretariat, NewDelhi.
4. B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, NewDelhi.
5. M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

PAPER-XIII- PAPER SECURITIES MARKETS AND INVESTMENT LAWS

UNIT- I

Primary Markets- Investment Institutions, Qualified Institutional Buyers, HNI, Venture Capital, Alternative Investment Funds etc. Capital Market Instruments- Equity, Preference, Debt Instruments, FCCB, IDR, GDR etc

UNIT-II

Secondary Markets- History and Development of Stock Markets in India, Trading Mechanism, Suspension and Penalties, Impact of Various Policies on Stock Markets such as Credit Policy of RBI, Fed Policy etc.

UNIT- III

Primary Market and Secondary Market Intermediaries, Role, Functions and Law relating to Merchant Bankers, Registrar and Transfer Agents, Bankers to an issue, underwriters, Portfolio Managers etc.

UNIT-IV

Real Estate (Regulation and Development) Act, 2016 - Concept - Evolution – Registration Procedure – REIT Issues - Advantages – Kinds of REITs – Real Estate Regulatory Authority – Composition – Powers and Functions – Role of NCLT and NCLAT in RERA Cases. Start-ups in India – Definition - Characteristics – Types - Advantages and Disadvantages – Ideation - Exemptions – Provisions for raising Capital and modes – Legal Provisions.

Suggested Readings:

1. Palmer - Company Law.
2. Ramayya: Guide to the Companies Act, in three volumes, Wadhwa and Company, Nagpur.
3. Avtar Singh: Company Law, Eastern Book Company
4. H.K.Saharay: Principles and Practice of Company Law in India, Prentice Hall of India Private Limited, New Delhi.
5. S.M.Shah: Lectures on Company Law, N.M. Tripathi Private Ltd Bombay.
6. Chalesworth & Cain: Company Law, Geoffrey Morse, Stevens and Sons, London.
7. L.C.B. Grover: The Principles of Modern Company Law, Stevens and Sons, London.
8. Pennigton: Company Law, Butterworths, London. Taxmann's Publications Journal on SEBI and Corporate Laws.
9. Pahwa : Law relating to on-Banking financial companies B.K.Pahwa.

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

*** Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

******* THE END *******

BRANCH-V
LL.M. (LABOUR AND EMPLOYMENT LAWS)
SEMESTER - I
SYLLABUS

PAPER-I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW
(Common Paper for All the Branches)

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism-Hart-Fuller controversy – Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist-Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engels; Sociological theories of law• Contribution of Ihering- Contribution of Ehrlich-Duguit's theory of Social Solidarity-Roscoe Pound's Social Engineering and Classification of Interests-American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law–Greek origins-Medieval period-View of St.Thomas Aquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories- Stammler and Natural Law with variable content-Fuller and the Morality of Law-Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

1. G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
2. R.W.M.Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt.Ltd.Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER –II : COLLECTIVE BARGAINING AND TRADE UNION LAW

UNIT-I: Freedom of Organization of labour under Indian Constitution and International Labour Organisation - Collective Bargaining: Concept of Collective Bargaining - Types of Bargaining- Factors affecting on Collective Bargaining.

UNIT-II: The rise and growth of trade union Movement in India, USA and UK - Trade union movement in India before and after independence.

UNIT-III: Trade Union, Structure and Functions - Multiplicity of Trade Unions -Inter-Union and Intra-Union Rivalries - Union Security - Closed Shop, Union Shop and Open Shop Concepts - The Role of outsiders in Trade Unions.

UNIT-IV: The Industrial Relations Code, 2019- Definition of 'Trade Union' – Registration of Trade Unions-Certificate of Registration - Cancellation of registration- Rights and Liabilities of Registered Trade Unions - Recognition of Unions- Penalties for failure to submit returns - Cognizance of offences

Suggested Readings:

1. Y.B.Karnik: The Indian Trade Union, 2nd Rev. Ed. Bombay; P.C.Manaktala & Sons, 1966.
2. Mallik: Trade Union Law, S.C. Sarkar & Sons, 1980, Calcutta.
3. Rideout, B.W.: Trade Unions and the Law, London, Sweet & Masowell, 1979
4. K.D. Srinivastava and R.K. Srivastava: The Law relating to Trade Unions in India; 2nd Edn., Lucknow; Eastern Book Company, 1982.
5. Ludwig Teller: Labour Disputes and Collective Bargaining.
6. Srinivastava K.D.: Trade Unions and Unfair Labour Practices, 3rd Edn., Lucknow, Eastern Book Company, 1999.
7. Sethi S.B.: Law of Trade Unions, Allahabad, Law Book Company, 1966 (Suppl.) 1973.
8. Rao S.B.: Law Relating to Strikes, Lockouts, Lay Off - Retrenchment, Labour Law Agency, Bombay, 1983.
9. Dr. T.N. Bhagoliwala : Economics of Labour and Social Welfare, 4th Edn., Sahitya Bhavan, 1976, Agra.
10. Labour Law and Labour Relations: India Law Institute, New Delhi; N.M. Tripathi Private Ltd., Bombay.
11. Gillian S. Morris and Timothy J. Archer, Collective Labour Law (2000), Oxford Publication, London.
12. International Labour Organisation on Collective Bargaining. Reports of the First and Second National Commissions on Labour.
13. Khan & Khan: Commentary on Labour and Industrial Laws, Asia Law House, Hyd.

PAPER –III : LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. Law as the product of Traditions and Culture, Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.): Law and Society in Modern India (1997), Oxford.
2. Robert Lingat: The Classical Law of India (1998), Oxford
3. U. Baxi: The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi, (ed.): Law and Poverty Critical Essays (1988), Tripathy, Bombay
5. Manushi: A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
7. H. M. Seervai : Constitutional Law of India (1996)
8. D. D. Basu : Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshta : Law and Menace of Child Labour (2000) AnmolKiranDestha Publications, Delhi.
10. SavitriGunasekhare: Children, Law and Justice (1997), Sage
11. Indian Law Institute: Law and Social Change: Indo-American Reflections Tripathi (1988)
12. J. B. Kriplani: Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India
13. M.P. Jain: Outlines of Indian Legal History (1993), Tripathi, Bombay.
14. Agnes, Flavia: Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

PAPER-IV : LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II:

Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III:

Research tools and techniques for collection of data-Observation - Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▯ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▯ C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▯ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- ▯ Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▯ B.N. Ghosh, Scientific Method and Social Research, 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- ▯ S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992.

SEMESTER-II

PAPER-V : RESOLUTION OF INDUSTRIAL DISPUTES

UNIT-I

Constitutional provisions relating to industry and labour - Reference - Direct access to adjudicatory authorities - post-natal control by government over adjudication – Historical development of Industrial Disputes legislation in India – I.D. Act 1947- Objects and reasons - Definition of industry, appropriate government, closure, industrial dispute, individual dispute, lay-off, lock-out, retrenchment - strike. workman and definitions of other important terms.

UNIT-II

Works Committee - Conciliation Officer - Board of Conciliation – Court of inquiry - Labour Court- Tribunals - National Tribunal - Finality of orders - Constituting Boards etc. -Notice of change - Setting up of Grievance Settlement Authorities and reference of certain disputes to such authorities - Reference of disputes to Boards, Courts, Industrial Tribunal, National Tribunal- Voluntary reference of disputes to arbitration.

UNIT-III

Law relating to Strikes and Lockouts - Layoff and retrenchment, special provisions relating to layoff, retrenchment and closure in certain establishments.

UNIT-IV

Unfair Labour Practices - Penalties under the Act - offences by companies, conditions of service, to remain unchanged under certain circumstances - special provisions for adjudication, power to transfer proceedings, recovery of money due from an employer, cognizance of offences, protection of persons.

Suggested Readings:

1. O.P. Malhotra: The Law of Industrial Disputes, 5th Ed., 1998, VoL I & Universal Law Publishing Co., Pvt. Ltd , New Delhi.
2. V.G. Goswamy : Labour and Industrial Laws, Central Law Agency, Allahabad.
3. S.N. Misra: Labour and Industrial Laws, Central Law Publications, Allahabad.
4. ILI.: Labour Law and Labour relations Cases and Materials, (Edited by Anand Prakash. S.C. Srivatsava, P. Kalpakam), N.M.Tripati Pvt. Ltd , Bombay.
5. D.O. Sethi J: Commentaries of Industrial Disputes Act, 1947. Vol., 1& 2, Law Publishing House, Allahabad. 6. K.D. Srivatsava : The Law of Industrial Disputes.
6. Reports of the First (1969) and Second (2002) National Commissions on Labour.
7. Chaturvedi. R.G.: Law and Procedure of Departmental Enquiries and Disciplinary Actions .
8. Khan & Khan: Commentary on Labour and Industrial Laws. ASIA law HOUSE, Hyd

PAPER-VI
LABOUR MANAGEMENT RELATIONS AND LAW
RELATING TO CIVIL SERVANTS

UNIT-I

Industrial Employment (Standing Orders) Act 1946 - Standing Orders - Submission of Draft Standing Orders - Conditions for certification of Standing Orders(SO) - Appeals - Duration and modification of SO – Penalties and procedure - Workers participation in Management.

UNIT - II

Code of Discipline - Disciplinary proceedings - procedure for disciplinary action - Misconduct - Charge sheet - service of charge sheet - power to suspend pending enquiry - procedure to conduct a Domestic Enquiry -Report of the enquiry officer - punishment.

UNIT-III

Wages and Bonus: Concept of Wages - Living Wage, Fair Wage and minimum wage - Fixation machinery - Payment of Wages Act, 1936 -Minimum Wages Act, 1948 - Dearness Allowance - Concept of Bonus -Full Bench Formula - Payment of Bonus Act, 1965.

UNIT-IV

Civil Servants and Fundamental Rights - Doctrine of Pleasure –Opportunity of being heard and its exceptions - Service Regulations - Kinds of leave and conditions of eligibility - Central and State Agencies for recruitment-Constitution of Public Service Commission. Judicial Review of Service matters - Jurisdiction of Supreme Court and High Courts.

Suggested Readings:

1. K.D. Srivastava: Industrial Employment (Standing Orders) Act, 1947. Eastern Book Company, Lucknow.
2. K.D. Srivastava: Payment of Bonus Act, 1965, 8th Ed., 1997, Eastern Book Company, Lucknow.
3. 3.I.L.I. : Labour Law and Labour Relations -Cases and Materials, (Edited by Anand Prakash, S.C.Srivastava P.Kalpakaran), N.M.Tripati Pvt., Ltd., Bombay.
4. 4.K.D. Srivastava: Commentaries on Payment of Wages Act, 1936, Eastern Book Company, Lucknow.
5. 5.S.N. Misra: Labour and Industrial Laws: Central Law Publications, Allahabad.
6. 6.Badruddin : Management, Workers participation and the Law, Deep and Deep. Publication, New Delhi.
7. 7.V..G. Goswamy: Labour and Industrial Laws, Central Law Agency, Allahabad.
8. 8.H.M. Seervai: Constitutional Law of india (in two Volumes)
9. ,Universal Book Traders, New Delhi.
10. 9.M.P. Jain: Constitutional law of India, 4th Edition, Wadhwa and Company, Nagpur.
11. J.N. Pandey: The Constitutional Law of India, Central Law Agency,
12. Allahabad.
13. H.L. Kumar: Labour laws everybody should know, Universal Law Publishing Co., Delhi.
14. Khan & Khan: Commentary on Labour and Industrial Laws,Asia Law House,Hyderabad.
- 15.

PAPER –VII- LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

UNIT – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

UNIT - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, *"Responsibility of International Organizations"* Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chornet, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benerjee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, *"The Law and Politics of International Organizations"* Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER-VIII

LAW RELATING TO LABOUR WELFARE

UNIT-I

Constitution and Labour Welfare - Right to Work – Bonded Labour child Labour – special provision for women and children – Law relating to protection of Women in work place international conventions.

UNIT – II

Minimum Wage –Types of Kinds of wage – wage determination –theories of wage-payment of wages- Bonus Dearness allowance – basic wage (HRA, CCA,MA,LTC, Leave encashment, overtime allowance, cash incentives, conveyance allowance) National wage policy – payment of wages Act – Denial of minimum wage as forced Labour.

UNIT –III

ILO standard for Labour International convention for Labour welfare: UDHR-ICCPR Labour and Human Rights Equality of opportunity in employment equal pay for Equal work equal Remuneration Act, shops and establishment.

UNIT –IV

Unorganised Sector and labour laws: Agricultural Labour (concept, exploitation, tribal labour in forest settlements. Plantation Labour Act, political movement, agrarian reforms)- Migrants – Sale promotions –small –scale industries – Beedi and Cigar – Construction labour – ship breaking – cracker industry – Employment Guarantee scheme.

Suggested readings:-

1. Mishra S N : Labour and Industrial Laws central Law Publication, Allahabad 20th Edition, 2004
2. Shrivastav K.D. : Law relating to Trade Unions and Unfair Trade Practices in India. Eastern Book Company Delhi, 3th Ed, 1993
3. Y B Singh: Industrial Labour in India (Part –I) 1960
4. Report on the National Commission on Labour 1969
5. Shrivastav S.C.: Social security and labour law Eastern Book Company, Lucknow, 1985
6. Pretal joshi – ILO and its impact in India.

SEMESTER-III

SYLLABUS

PAPER-IX- INTERNATIONAL LABOUR ORGANISATION

UNIT-I

Origin and Historical Background of ILO - Factors responsible for establishment of ILO - Aims and Objectives of ILO - Structure and Functions of various agencies of the ILO - India and ILO.

UNIT-II

ILO Legislative Procedure - Conventions and Recommendations -Procedure for Adoption, Ratification and Application - Obligation of Members - Registration of Conventions with UNO – Supervisory Mechanism to ensure observance of ratified conventions Commissions of Enquiry - Role of ICJ

UNIT-III

ILO Conventions and Recommendations relating Basic Human Rights- Freedom of Association - Forced Labour - Abolition of forced labour-Equality of opportunity and Treatment - Empowerment of Women - Social Security - Children and Young Persons - Conditions of Employment-Industrial Relations - Wages, Salary, Health and Welfare - ILO Conventions ratified by India.

UNIT-IV

ILO - India Relationship - Position of India in the Governing Body- International Labour Office - Tripartism -Indian Procedure of ratification of Conventions - Constitutional Framework - Administrative Procedure-Tripartite consultations with Indian Labour Conference - Standing Labour Committee - Indian Response to ILO standards relating to Freedom of Association and Collective Bargaining – Elimination of Discrimination in Employment and Occupation - Indian response to unratified conventions - ILO projects in India.

Suggested Readings:

1. I.L.O. Office, Geneva: International Labour Conventions and Recommendations in 3volumes,Geneva.
2. Vaidyanathan N : I.L.O. Standards for Social Justice and development of labour, Deep and Deep Publications,Delhi.
3. Rawat B.D. : India and I.L.O. RBSA Publishers,Jaipur.
4. S.N.Dhyani : International Labour Organisation and India, Allahabad Law Agency, Allahabad.
5. David A.Morse: The Origin and Evolution of I.L.O. and the Role in the World Community.
6. P.F. Pillai : India and the ILO.
7. United Nations Encyclopedia of International Organisations.
8. Report of National Commission on Labour 1969(India).
9. Ahmedullah Khan: Commentary on ILO and Indian Response.
10. N.M.Swamy, Impact of ILO Standards On Indian Labour Law.

PAPER-X –LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education -Global & India-Traditional Content based Curriculum-Current Challenges- Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model- Transition to Capability frame work-Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demand for Competitiveness in Information & Communication Technology – New Evaluation &Assessment Models– Role of Online teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals- Electronic Legal databases- E-Library-Power point Presentations

Suggested Readings: BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co.,1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd., Butterworths, London,1989).
9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Studyof Relations between Lawyers and their Clients (Rawat Publications, Jaipur,1984).

10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi, 1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India, (1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev. (1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L. (1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I. (1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L. REV. 1461 (1997- 1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour. (1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR (1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR (1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review (1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I. (1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105 (1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345 (1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review (1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No. II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education (2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR, (1995)

PAPER- XI : LAW RELATING TO UNORGANISED SECTOR

UNIT-I: Informal Sector:

Concept – theoretical approaches – definition in different countries – concept of economic unit – meaning of informal economy – its relevance – open employment

UNIT-II: Concerns: Issues of gender equality – formalization of enterprises –

employment policy framework – Areas of major concern – agriculture – domestic work – Dig workers.

UNIT-III: Wages & Other benefits:

Informal wages – skilled - unskilled wage inequality – application of the concept of minimum wages – pension – other social security benefits – impact of economic liberalization

UNIT-IV: Protection through schemes under Central and State Government machinery:

Aam Admi Bima Yojana – Rastriya Swastha Bima Yojana – Indira Gandhi National Old Age Pension Scheme – Pradhan Mantri Shram Yogi Maan-dhan etc. Agricultural workers – tree climbers – artisans and skilled workers – handloom workers – toddy and beedi workers, etc.

References:

1. Sigamani Panneer, Sanghmitra S. Acharya, Nagarajan Sivakami, Health, Safety and Well-Being of Workers in the Informal Sector in India: Lessons for Emerging Economies, Springer, 2019.
2. Susan Marlow, Janine Swail & Colin C. Williams, Entrepreneurship in the Informal Sector: An Institutional Perspective, Routledge, 2018
3. A Handbook on Using The Mixed Survey For Measuring Informal Employment And The Informal Sector, Asian Development Bank, 2011.
4. Sarbajit Chaudhuri, Ujjaini Mukhopadhyay, Revisiting the Informal Sector: A General Equilibrium Approach, Springer, 2010.
5. Naila Kabeer, Gender and Social Protection Strategies in the Informal Sector, Routledge, 2010.
6. Utpal Chowdhury, Informal sector in a developing economy, Anmol Publications, 2006.
7. Madhu Singh, Meeting Basic Learning Needs in the Informal Sector: Integrating Education and Training for Decent Work, Empowerment and Citizenship, Springer, 2005.
8. Amitabh Kundu & Alakh N. Sharma (Eds.), Informal sector in India: Perspectives and policies, Institute for Human Development & Institute of Applied Manpower Research, 2001.

SEMESTER-IV

PAPER-XII- INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common to All Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of public trust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
4. B. Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.
5. M. P. Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

PAPER-XIII - SOCIAL SECURITY LAW

UNIT -I

Concepts of Social Security - The Beveridge Report - Social Security in U.S.A., U.K. and India - Comparative Study - The ILO measures on Social Security.

UNIT-II Constitutional Perspectives-Fundamental Rights and Directive Principles of State Policy relating to Social Security and Labour Welfare- Distinction between Social Insurance and Social Assistance - Development of Social Security Legislation in India - Recommendations of Second National Commission on Labour in India pertaining to Social Security- Unemployment Insurance - Old Age Pension - Social Security to Unorganized sector - Concept of outsourcing vis-a-vis social security.

UNIT-III The Employees Compensation Act, 1923 - The Employees' State Insurance Act, 1948 - The Maternity Benefit Act, 1961 - Health, Safety and Welfare provisions under the Factories Act, 1948 - The Contract Labour (Abolition and Regulation) Act.

UNIT-IV The Child Labour (Prohibition & Regulation) Act, 1986 - The Children (Pledging of Labour) Act, 1933 - The Payment of Gratuity Act, 1972- The Employees' Provident Fund & Miscellaneous Provisions Act, 1952-the Inter-State Migrant Workmen(regulations oif Conditions of Service) Act,1976

Suggested Readings:

1. Srivastava S.C. : Treaties on Social Security and Labour Laws, Eastern Book Company, Lucknow.
2. Jiwitesh Kumar Singh: Labour Economics, Deep and Deep Publications, New Delhi.
3. Y.J. Rao : Factories Laws in A.P.,Asia Law House.,Hyderabad.
4. K.D.Srivastava : Workmen's Compensation Act, EBC,Lucknow.
5. Mishra S.N. : Labour and Industrial Laws, Central Law Publications, Allahabad.
6. Dr. Goswami Y.G. : Labour and Industrial Laws, Central Law Agency, Allahabad.
7. Report of the First (1969) and Second (2002) National Commissions on Labour, Govt. of India. Ministry of Labour, Employment and Rehabilitation, New Delhi.
8. William Beveridge: Report of Social Insurance and Allied Service.
9. Khan & Khan: Commentary on Labour and Industrial Laws,Asia Law House,Hyderabad. Labour and Employe

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

******* THE END *******

BRANCH-VI
LL.M.(CRIMES AND TORTS)
SEMESTER-I
SYLLABUS

PAPER-I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW
(Common Paper for All the Branches)

UNIT-I

Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools-Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II

Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism- Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III

Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist-Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engles; Sociological theories of law• Contribution of Ihering-Contribution of Ehrlich-Duguit's theory of Social Solidarity- Roscoe Pound's Social Engineering and Classification of Interests- American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV

Theories of Natural Law-Meaning of Natural Law-History of Natural law – Greek origins-Medieval period-View of St.ThomasAquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories-Stammmler and Natural Law with variable content-Fuller and the Morality of Law-Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

1. G.W.Paton: A Text book of Jurisprudence, 4thEdition; ClarendonPress, Oxford,1972.
2. *R.W.M.Dias*, Jurisprudence.5thEdition;AdityaBooksPrivateLtd.,New Delhi,1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, NewYork
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London,1994.
5. Julius Stone: The Province and Function of Law; Associated GeneralPublications Pvt.Ltd.Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh,1991.
7. S.N.Dhyani: Fundamentals ofJurisprudence: The IndianApproach, 2nd Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi,1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi,2002.

PAPER-II : GENERAL PRINCIPLES OF CRIMINAL LAW

UNIT-I: Definition and characteristics of Crime - Distinction between moral, civil and criminal wrongs - Origin and Development of the concept of crime-Development and growth of Criminal Law - Sources of Criminal Law.

UNIT-II: Principles of Criminal Liability - Elements of Crime - Actusreus- Mensrea - Mensrea in Indian Law - Exceptions to the doctrine of mensrea-Exemptions from criminal liability under English Law and Indian Law.

UNIT-III: Group Liability and vicarious liability in criminal law – Classification of offences - Classification of offenders - Inchoate crimes - Abatement, Conspiracy and Attempt to commit a crime- Cybercrimes.

UNIT-IV: Investigation of crimes - principles of evidence - devices of investigation - Forensic analysis, narco-analysis. DNA analysis.

Suggested Readings:

1. Kenny's: Outline of Criminal Law, Edited by J. W. Cecil Turner, Cambridge University Press, Reprint, N.M. Tripathi Pvt. Ltd.
2. J.C. Smith and Brian Hogan: Criminal Law, ELBS, Butterworths & Co., London).
3. Glanville Williams: Text Book on Criminal Law, Stevens & Sons. London Eastern Law House, N.M. Tripathi in India).
4. Hari Singh Gour: The Penal Law of India (Vol. I), Law Publishers, Allahabad.
5. Nelsen's: The Indian Penal Code - Revised by S.N. Mulla & G.L. Gupta, Law Book Co., Allahabad.
6. K.D. Gaur: Criminal Law: Cases and Material, N.M. Tripathi Pvt. Ltd., Bombay.
7. Ratanlal & Dhirajlal's: Law of Crimes, Revised by Justice D.A. Desai, Justice. M.L. Jain and Dr. N.R. Madhava Menon, Bharat Law House

PAPER –III : LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. Law as the product of Traditions and Culture, Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.) : Law and Society in Modern India (1997), Oxford.
2. Robert Lingat : The Classical Law of India (1998), Oxford
3. U. Baxi : The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi, (ed.) : Law and Poverty Critical Essays (1988), Tripathy, Bombay
5. Manushi : A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
7. H. M. Seervai : Constitutional Law of India (1996)
8. D. D. Basu : Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshtaand : Law and Menace of Child Labour (2000) AnmolKiranDestha Publications, Delhi.
10. SavitriGunasekhare : Children, Law and Justice (1997), Sage
11. Indian Law Institute : Law and Social Change : Indo-American Reflections Tripathi (1988)
12. J. B. Kriplani : Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India
13. M.P. Jain : Outlines of Indian Legal History (1993), Tripathi, Bombay.
14. Agnes, Flavia : Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

PAPER-IV : LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II:

Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III:

Research tools and techniques for collection of data-Observation - Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▮ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▮ C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▮ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- ▮ Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▮ B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- ▮ S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESTER-II

PAPER-V-CRIMINOLOGY AND PENOLOGY

UNIT-I

The scope and importance of the study of Criminology - Relation between Criminology, Criminal Policy and Criminal Law - Concept of crime -Legal and criminological concept of crime; Schools of Criminology - Causation of crime - Different theories -Classical School of Criminology - Positive School of Criminology- Anthropological theory of criminal behaviour - Heredity and mental retardation as causes of crime.

UNIT - II

Sociological theories - Social disorganization theory - Social vulnerable theory - Differential association theory - Economic theory of crime causation - Environment, home and community influences - Broken home-Urban and rural crimes - The effect of media, motion pictures, television and video, press - Caste and community tensions - communal riots -Emotional disturbance and other psychological factors – Multiple causation approach to crime.

UNIT-III

Concept of punishment - Theories of punishment- Modes of punishment-Fine - Imprisonment - Death sentence - Constitutionality of Capital punishment – The problem of execution of death sentence – Commutation and Remission of Punishment-Imprisonment as a mode of punishment - the prison system – Classification of prisoners - Prison education - Prison labour - Prison offences – Prison reforms - Open air prisons - Correctional treatment – Rehabilitative techniques - Post release assistance – Recidivism-Resocialisation process – Human Rights of prisoners - Constitutional imperatives - Probation, parole and furlough.

UNIT -IV

Juvenile delinquency - Causes and the prevention of juvenile delinquency - Legal protection of children - Law of juvenile justice - The Juvenile Justice (Care & Protection of Children) Act - treatment of juvenile offenders - Juvenile courts - juvenile boards - Borstal schools -Reformatory schools-Victimology-theories of victimology-- Victims of crimes -compensation to victims – emerging trends in victimology-rehabilitation of victims

Suggested Readings:

1. J. Sutherland and Cressey: Principles of Criminology, The Times of India Press, Bombay.
2. W.A. Bonagar : An Introduction to Criminology, Methuen & Co., Ltd., London.
3. H.E. Barnes and N.K. Teeters: New Horizons in Criminology, Prentice Hall of India Pvt., Ltd., New Delhi.
4. Ahmed Siddiqui: Criminology, Problems and Perspectives, Eastern Book Company, Lucknow.
5. N.V. Paranjape : Criminology and Penology, 9th Ed., 1996, Central Law Agency, Allahabad.
6. Katherine S Williams, Text Book On Criminology, Blackstone, London.
7. Manheim, H. Comparative Criminology: A Text Book.
8. J.M. Sethna, Society and the Criminal.
9. W.C.Reckless, The Prevention of Juvenile Delinquency.

PAPER-VI

LAW RELATING TO SOCIO-ECONOMIC OFFENCES

UNIT-I

Socio-economic offences - Concept of white collar crime - Crimes in professions - doctors, lawyers, teachers, engineers, journalists, architects, publishers - Corruption in public life –legislators, judges, bureaucrats- Cyber crimes. Indian approach to socio- economic offences - Regulation and control of socio-economic offences - Special provisions as to arrest, prosecution, proof and punishment.

UNIT-II

Protection of Civil Rights Act, 1955-Violence Against Women and Children-Immoral Traffic (Prevention) Act, 1956-Dowry Prohibition Act, 1961-The protection of Women from Domestic violence Act, 2005.-The Sexual harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2014-The Protection of Children from Sexual Offences,2013

UNIT-III

Bonded Labour System (Abolition) Act, 1976-Prevention of Food Adulteration Act, 1954-Latest law relating to food safety and standards---Essential Commodities Act, 1955-Law Relating to Food Safety and Standards.

UNIT -IV

Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974- Narcotic Drugs and Psychotropic Substances Act, 1986-Prevention of Corruption Act, 1988.

Suggested Readings:

1. Edwin Sutherland: White Collar Crime, Yale University press.
2. Law Commission's Report on Socio-economic Offences (Forty-Seventh Report),
3. J.S.P. Singh: Socio-Economic Offences, Sri Sai Law Publications, Faridabad.
4. Upendra Baxi, Liberty and Corruption: The Antulay Case and Beyond.
5. Surendranath Dwevedi and G.S.Bhargava, Political Corruption in India .
6. A.G. Noorani. Minister's Misconduct .
7. B.B. Pande, 'The Nature and Dimensions of Privileged Class Deviance' in The Other Side of Development 136 (1987; K.S. Sukhla ed.).

PAPER –VII- LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

UNIT – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

UNIT - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, "*Responsibility of International Organizations*" Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chorney, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER –VIII

LAW RELATING TO CYBER CRIMES

UNIT- I

Cyber Crime – Overview: Internal & External attacks – Cyber Crimes against individuals – Email spoofing and online frauds – Phishing and its forms – cyber defamation, cyber stalking, cyber bullying and harassment – Cyber crimes against women & children. Different types of tools used in cyber crimes – Password cracking; Random passwords; virus and its types -Cyber Criminal syndicates.

UNIT- II

Cybercrimes against Organizations: Unauthorized access of computers; Password sniffing, Denial of service attack; Backdoors and Malwares and its types – Email bombing, Industrial espionage and intruder attacks.

UNIT-III

Global Perspectives: Phases of Cyber-attacks – passive and active – Reconnaissance – Scanning, gaining access; maintaining access; latest movement and covering tracks – Types of attack vectors – Overview of network-based attacks.

UNIT-IV

Information Technology (Amendment) Act, 2008: Law relating to cyber crimes, penal provisions for phishing, spam, virus, malware, stalking – International cooperation in investigating cyber crimes

References:

Nina Godbole & Sunit Belapor – Cyber Security; Understanding Cybercrimes; Computer Forensics and Legal Perspectives, Wiley Publications, 2011.
Majid Yar – Cyber Crime and Society; Sage Publications, 2006.
Atul Jain – Cyber Crime, issues, threats and management – McGraw Hill, 2004.
Prashant Mali: Cyber Law & Cyber Crimes, Snow White Publications, Mumbai, 2012.
Rodney D. Ryder: Guide to Cyber Laws, Wadhwa & Co, Nagpur, 2014.
Andrew Murray: The Regulation of Cyber Space, Rutledge Cavendish, 2006.
Eoghan Casey: Digital Evidence and Computer Crime, Academic Press, 2014.
Linda Volonin, Reynoldo Anzaldúa & Jana Godown: Computer Forensics, Principles and Practices, Pearson, Prentice Hall, 2007.

SEMESTER-III

PAPER – IX: GENERAL PRINCIPLES OF LAW OF TORTS

UNIT-I

Origin and Development of Law of Torts and its importance – Definition and nature of tort - Difference between torts and other forms of obligations-- Contracts - Quasi Contracts - Equitable obligations and crimes -Foundation of tortious liability - General Characteristics of tortious liability- Mental element in tort.

UNIT-II

Capacity of the Parties to sue and be sued -Immunities, Trade Unions-Married women, children, companies, insane persons, foreign state ambassadors etc. - Joint Tortfeasors - Nature and scope of liability Rule in *Merry Weather v. Nixon* - Applicability in India -Defences.

UNIT-III

Vicarious liability - State liability - Act of State - Sovereign Immunity -Recent Trends - Strict liability - Absolute liability - Defences.

UNIT-IV

Remedies - Judicial and Extra Judicial Remedies - Modes of discharge of liability in Tort - Death in relation to Tort.

Suggested Readings:

1. W.V.H. Rogers: *Winfield and Jolowica on Tort*, Sweet and Maxwell, London.
2. R.F. Henston and R.A. Buckley: *Salmond and Henston on the Law of Torts*, Sweet and Maxwell, London, Universal Book Traders, Delhi.
3. Tony Weir: *A case book on Tort*, Sweet and Maxwell, London.
4. Clark and Windset: *Law of Torts*, Sweet and Maxwell, London.
5. Friedman: *Law in Changing Society*, Universal Book Traders, Delhi.
6. Harper and James: *Law of Torts*.
7. Fleming: *Introduction to the Law of Torts*.
8. Winfield: *Provinces of the Law of Torts*.
9. Winfield: *On the Law of Torts*.
10. Salmond: *On the Law of Torts*.
11. Harvard Law Review: *Selected Essays on the Law of Torts*.
12. Atiyah : *Vicarious Liability*.

PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from 'Teaching' to 'Learning'-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education - Global & India- Traditional Content based Curriculum-Current Challenges- Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model – Transition to Capability frame work- Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demand for Competitiveness in Information & Communication Technology – New Evaluation & Assessment Models– Role of Online teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals- Electronic Legal databases- E-Library-Power point Presentations

Suggested Readings BOOKS

1. Dasgupta, Lovely. "Reforming Indian Legal Education: Linking Research and Teaching." *Journal of Legal Education* 59, no. 3 (2010): 432–49.
<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. "Legal Education and Pedagogy in Contemporary Era" (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE Research Paper No. 24/09, Available at SSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School of Law, Howard College, University of Natal, 1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of the New Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi 1983).

6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education (Eastern Book Co., 1998).
7. S. Agrawala, Legal Education in India (West Publishing Company, 1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev Dhavan Ed., Butterworths, London, 1989).
9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi, 1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1 (1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307 (2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR (1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India, (1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev. (1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165 (2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L. (1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I. (1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L. REV. 1461 (1997- 1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour. (1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR (1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR (1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review (1986)
17. Mohammad Ghose, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I. (1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105 (1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345 (1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review (1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No. II).

22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education (2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR, (1995)

PAPER-XI- LAW RELATING TO COMPENSATION AND DAMAGES

UNIT-I: Damages-Concept of Damages-Importance & Definition –Types Of damages- When allowed-Apportionment of Damages-Moral Damages-Purpose-when recoverable-Need for Testimony on moral suffering- Illegal Search-Libel, Slander-Malicious Prosecution.

UNIT-II: Actual or Compensatory Damages –Definition& purpose- Pleading and Proof of actual damage- Nature of loss& proof-loss Covered-in general – In contracts & quasi-Contracts-In Crimes and quasi- delicts-earning capacity, business standing-loss or Impairment of earning Capacity- Injury to business standing or commercial credit-Death by Crime or quasi delict-In rape cases.

UNIT-III: Exemplary or Corrective Damages-Purpose-when Imposed- In General – In addition to other types- Renunciation in advance- in Crimes-in quasi delicts- In Contracts& Quasi Contracts.

UNIT-IV: Nominal Damages- purpose & when Recoverable- violation of a Right- no actual loss caused or Proved- under Consideration of Equity- under Considerations of Equity-Nature and Determination of Amount- Small but substantial – Commensurate to Injury suffered.

Suggested Readings:

1. Winfield & Jolowicz : Law of Tort, Sweet and Maxwell, London.
2. Salmond and Heuston : Law of Torts, edition, 2nd Indian reprint, Universal Book traders, New Delhi.
3. Ramaswamy Iyer: The Law of Torts, LexisNexis Butterworths, New Delhi.
4. PSA Pillai's: Law of Tort, Eastern Book Company, Lucknow.
5. Durga Das Basu: The Law of Torts, Prentice Hall of India, New Delhi.
6. Ratanlal & Dhirajlal: The Law of Torts, LexisNexis.
7. R.K.Bangia: Law of Torts, Allahabad Law Agency, Allahabad.
8. Vivienne Harpwood: Law of Torts, Cavendish Publishing Ltd. London.
9. Hepple & Mathews: Tort - Cases and Materials, Butterworth, London.
10. D.N.Saraf: Law of Consumer Protection in India, Tripathi, Bombay.

SEMESTER-IV

PAPER –XII : Indian Constitutional Law: The New Challenges (Common Paper for All the Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment-Doctrine of publictrust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

8. H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, NewDelhi.
9. Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
10. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
11. B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, NewDelhi.
12. M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
13. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
14. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

PAPER-XIII-LAW RELATING TO SPECIFIC TORTS

UNIT-I

Trespass to the person - Nervous Shock - Trespass to land - Trespass to goods - Nuisance - Injury to servitudes.

UNIT-II

Negligence - Liability for animals - Liability for land and structures -Liability for defective products.

UNIT-III

Defamation - Abuse of legal process - Deceit and Negligent Misstatement.

UNIT-IV

Injuries affecting family and service - Relationships - Interference with contract or business relations
- Intimidation - Conspiracy – Unlawful competition.

Suggested Readings:

1. W.V.H: Rogers: Winfield and Jolowich on Tort, Sweet and Maxwell, London.
2. R.F. Henston and R.A. Buckley: Salmond and Henston on the Law of Torts, Sweet and Maxwell, London, Universal Book Traders, Delhi.
3. B.M. Gandhi: Law of Tort, Eastern Book Company, Lucknow.
4. Clark and Windzel: Law of Torts, Sweet and Maxwell, London.
5. Gregory and Kalven: Law of Torts (Cases and Materials).
6. Chapman: Statutes on the Law of Torts.
7. Glanville Williams: Joint Torts and Contributory Negligence

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**
1. Allotment of topic in III semester
 2. Research design in III semester
 3. Progress Seminar in IV semester
 4. Pre-Submission Seminar in IV semester
 5. TA/DA to the examiners to be paid by the respective colleges.

******* THE END *******