

## 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-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 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:**

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- R.W.M. Dias, Jurisprudence. 5<sup>th</sup> 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, 6<sup>th</sup> Edition, Sweet and Maxwell, London, 1994.
- Julius Stone: The Province and Function of Law; Associated General Publications Pvt.Ltd. Sydney.
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- 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, 7<sup>th</sup> Edition, Universal Law Publishing Co.Pvt.Ltd. Delhi,1997.
- Rupert Cross : Precedent in English Law, 3<sup>rd</sup> Edition Clarendon Press Oxford,1977
- Benjamin N. Cardozo: The Nature of the Judicial Process, Universal Book Traders, Delhi,1995
- Salmond: Jurisprudence, 12<sup>th</sup> 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.

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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.

**(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, 2<sup>nd</sup> Edition, Wishwa Prakashan, New Delhi, 1995.
- Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9<sup>th</sup> Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- Pauline V Young: Scientific Social Survey and research, 3<sup>rd</sup> Edition, Prentice Hall, New York, 1960.
- B.N. Ghosh, Scientific Method and Social Research; 4<sup>th</sup> 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; 4<sup>th</sup> Edition, Surjeet Publications, New Delhi, 1992

## **BRANCH-II**

## **CONSTITUTIONAL LAW**

### **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.

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8. 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
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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.

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**PAPER-IV Legal Research Methodology**  
(Common Paper for All the Branches)

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## **Branch-III International Law**

### **SEMESTER-I**

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- 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.

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#### **PAPER-IV**

#### **Legal Research Methodology (Common Paper for All the Branches)**

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- S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4<sup>th</sup> Edition, Surjeet Publications, New Delhi, 1992

**BRANCH-IV CORPORATE AND SECURITIES LAWS  
SEMESTER-I**

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(Common Paper for All the Branches)**

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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.Wadhwa, 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:**

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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
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10. SavitriGunasekhare : Children, Law and Justice (1997), Sage
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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*, 2<sup>nd</sup> 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*, 3<sup>rd</sup> Edition, Prentice Hall, New York, 1960.
- B.N. Ghosh, *Scientific Method and Social Research*; 4<sup>th</sup> 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

**BRANCH-V LABOUR AND EMPLOYMENT LAWS**

**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*, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
2. *R.W.M. Dias*, *Jurisprudence*. 5<sup>th</sup> 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*, 6<sup>th</sup> 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, 2<sup>nd</sup> 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, 3<sup>rd</sup> 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 Labourlaw (2000), Oxford Publication,London.
12. International LabourOrganisation 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.

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#### **PAPER-IV**

#### **Legal Research Methodology (Common Paper for All the Branches)**

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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.

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- Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9<sup>th</sup> Edition, Himalaya

Publishing Housing, Bombay- Delhi-Nagpur1994.

- Pauline V Young: Scientific Social Survey and research, 3<sup>rd</sup> Edition, Prentice Hall, New York, 1960.
- B.N. Ghosh, Scientific Method and Social Research, 4<sup>th</sup> 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; 4<sup>th</sup> Edition, Surjeet Publications, New Delhi, 1992.

## **BRANCH-VICRIMES AND TORTS**

### **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 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:**

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3. W.Friedmann: Legal Theory, 5<sup>th</sup> Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> 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, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
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### **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 - Actus reus- Mens rea - Mens rea in Indian Law - Exceptions to the doctrine of mens rea-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. MadhavaMenon, Bharat LawHouse

**PAPER –III LAW AND SOCIAL TRANSFORMATION**  
(Common Paper for All the Branches)

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**PAPER-IV** **Legal Research Methodology**  
**(Common Paper for All the Branches)**

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

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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.

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- Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9<sup>th</sup> Edition, Himalaya Publishing Housing, Bombay- Delhi-Nagpur 1994.
- Pauline V Young: Scientific Social Survey and research, 3<sup>rd</sup> Edition, Prentice Hall, New York, 1960.
- B.N. Ghosh, Scientific Method and Social Research; 4<sup>th</sup> Edition Sterling Publishers Private Limited, New Delhi, 1987.



- S.K.Verma&Afzalwani, Legal Research and Methodology; ILI Publication, NewDelhi,Hans Raj, Theory and Practice in Social Research;4th Edition, SurjeetPublicatios,NewDelhi,1992

**BRANCH-VII Alternative Dispute Resolution  
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.

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**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:**

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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 ALTERNATIVE DISPUTE RESOLUTION (ADR): CONCEPTS AND METHODS**

### **Unit-I:**

Introduction to ADR-Definition, Meaning and Scope: dispute Resolution through third party settlement; Disputes and kinds of disputes; dispute resolution as a State monopoly Judiciary as the Third estate; Adjudication: Common Law System and Continental System; Adversarial System-Doctrine of Precedent and Judicial Hierarchy; Substantive Law and Procedural Law; Advantages and Disadvantages of Judicial Settlement: Law's Delays-Importance and Advantages of ADR; ADR under different laws in India Emerging Global Trends in Favour of ADR.

### **UNIT-II:**

Procedural Law: Law of Civil Procedure ;Basic Principles: Audi Alteram Partem; Right to Fair Hearing; Nemo Judex in Causa Sua; Cause of Action; Complaint and Written Statement; Framing of Issues: Summons; Discovery, Interrogatories and admissions; Trial-Summary Procedure; Law of Evidence: Kinds of Evidence: Relevancy and Admissibility of Evidence; Affidavits and Examination of Witnesses; Judgment: Appeals: Execution of Decrees. Need for judicial reforms: Access to Justice- Lord Wolffe's Report in England.

### **UNIT-III:**

ADR Kinds; Arbitration, Mediation, Conciliation, Negotiation and Good offices; Types and Skills of Negotiation ;Hybrid Forms-Med-arb and Arb-med; Binding and Non-Binding Arbitration; Need for Professional Arbitrators and Conciliators; Fast-Track Arbitration: Court-Annexed Arbitration: Section 89 of Civil Procedure Code of India: Institutionalized Arbitration: Permanent Court of Arbitration at Hague.-Arbitration Councils and Associations in USA.UK, Singapore

and India.

#### **UNIT-IV:**

ADR and its Application in India; ADR in ancient India-NyayaPanchayatsetc; ADR and Its modern applications: Application of ADR in Different Fields: Family, Industrial and Employment: Motor Vehicle Accidents, Medical Negligence, Commercial. Cyber space Disputes: Online Dispute Resolution (ODR): Lok Pal and LokAyukta: Legal Aid.

#### ***Suggested Readings:***

1. Dr.Avatar Singh-Law of Arbitration and Conciliation including ADR System, Eastern Book Company,Lucknow.
2. VenuGopal KK – Justice Bachawat's Law of Arbitration and Conciliation including commercial, international andADR
3. P.C.Rao&William - Alternative Dispute Resolution, Universal Law Sheffield PublishingLtd.
4. S. K. Chawla, Law of Arbitration and Conciliation Act 1996-A Commentary, Universal Law PublishingLtd.
5. Anthony Walton Russell on Law of Arbitration 18thEd. 1970 Stevens &Sons Ltd.,London.
6. G. K. Kwatra - The Arbitration and Conciliation La\\ of India (with case law on UNCITRAL model law on Arbitration).The Indian Council ofArbitration.
7. N. D. Basu- Arbitration &Conciliation Commentary-Orient Publishing House(1998).
8. John Sutton, Kendall &Judith Gill,- Russell on Arbitration; Sweet & Maxwell, London(1997).
9. H.C.Johri,CommentaryonArbitration&ConciliationAct,1996;KamalLaw House,Calcutta (1997)
10. G.K.Kwatra-TheNewArbitration&ConciliationLawofIndia,ICA,1998.
11. Relevant Reports of the Law Commission of Lydia.

#### **PAPER–IIILAW 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

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**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

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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:***

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- C.R. Kothari: Research Methodology : Methods and Techniques, 2<sup>nd</sup> Edition, Wishwa Prakashan, New Delhi, 1995.
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- S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4<sup>th</sup> Edition, Surjeet Publications, New Delhi, 1992

## **BRANCH-VIII Intellectual Property Rights**

### **SEMESTER – I**

## **PAPER - ISCHOOLS 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.

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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.

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- Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, EasternBook Company, Lucknow.
- Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., NewDelhi.

## **PAPER-II**

### **Intellectual Property Rights: Concepts**

**Unit-I:** Conceptual Framework of Property-Legal concept of Property-Elements of Property-Classification of Property- Theories of Property: Occupation Theory-Locke's Labour Theory of Property - Hegel's Personality Theory of Property -Marxian Theory on Private Property and IP - Economic Theory and Social TrustTheory

**UNIT-II:** Jurisprudential aspects of property-ownership, Possession and title - Constitutional Aspects of Property - Meaning, nature and evolution of Intellectual Property-Position in Ancient India-Analysis of WIPO definition of Intellectual Property-Theoretical justification for protection of IP.

**UNIT-III:** Classification of Intellectual Property-Industrial Property, Literary Property and Emerging Forms-Traditional forms of IP-Patents, Trademarks, Trade Names and Descriptions, Industrial designs, Geographical Indications of Goods, Copyright and Related Rights and Trade Secrets-Their characteristic

**UNIT-IV:** EmergingformsofIP–NewPlantVarieties,IPinLifeformsandMicro-Organisms, Lay-out Designs, Traditional Knowledge and Indigenous Knowledge-Business Methods-Computer Programmes-Traditional Cultural expressions- Bio-piracy, Bio- prospecting and Bio-ethical Issues

relating to IP Protection

### **Suggested Readings:**

1. P.Narayanan, Intellectual Property Law, Eastern Law House, Kolkata.
2. PolaKoteshwara Rao, Supreme Court and Parliament: Right to Property and Economic Justice, LawBook Agency, Hyderabad.
3. PrabhuddhaGanguli, Intellectual Property Rights-Unleashing Knowledge Economy, Tata-McgrawHill, NewDelhi.
4. Shahid Ali khan &RaghunathMashelkar, Intellectual Propertyand Competitive Strategies in the 21stCentury, KluwerLawInternational, London.
5. N.S.Gopalakrishnan, Intellectual Property and Criminal Law, National Law School of Indian University, Bangalore.
6. GB.Reddy: Intellectual Property Rights and Law: Gogia Law Agency, Hyderabad.
7. S.K.Verma: Intellectual PropetyRights, ILI, NewDelhi.
8. David Bainbridge: Intellectual Property, Pearson Education Ltd, NewDelhi.
9. Pearson&Miller: Commercial Exploitationof intellectual Property(2004), Universal Law Publishing Co. Pvt. Ltd, Delhi.
10. www.wipo.int
11. R.S.Bhalla, The Institution of Property-Legally, Historically and Philosophically Regarded, EBC, Delhi.

## **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.

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7. Hans Raj, Theory and Practice in Social Research; 4<sup>th</sup> Edition, Surjeet Publications, New Delhi, 1992

## **BRANCH-IX International Trade and Economic Laws SEMESTER-I**

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

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**PAPER-II                      Development and Origin of International Economic Law**

**Unit-I:** History of Economic Law-Origin and Development- General Principles of International Economic Relations-New International Economic Order (NIEO)- Charter of Economic Rights and Duties of States.

**UNIT-II:** Permanent Sovereignty over Natural Resources-Basic Principles-Expropriation of Property and International Law-Stability of Contractual Relations in the International Investment Process-Transnational Water courses Law.

**Unit-III:** Hard Law and Soft Law-International Regulation of Transnational Corporations- Draft Code of Conduct on Transnational Corporations-National Legal Systems and Transnational corporations-The Set of Multilaterally agreed Equitable Principles and Rules for the Control of Restrictive Business Practices – U .N Commission on Transnational Corporations.

**UNIT-IV:** Transfer of Technology and Developing Countries - Draft Code of Conduct on Transfer of Technology-Other International Conventions and Norms- Kinds of Globalization - Political Globalization - Economic Globalization - Technological Globalization - Cultural

Globalization - Impact of Globalization on Indian Trade and Economy.

**Suggested Readings:**

1. Texts of Programme and Declaration of Action on NIEO and Charter of Economic Rights and Duties of States in R.P.Ananded., International Law Documents(1996).
2. Mohammed Bedjaoui, Towards a New International Economic Order. (Holmes and Meir Publisher, New York, 1979).
3. Nico Schrivjer, Sovereignty over Natural Resources (Cambridge University Press, Cambridge, 1997).
4. Kamal Hossain and S.R.Chowdhury eds. Permanent Sovereignty over Natural Resources in International Law: Principle and Practice (Francis Pinter, London, 1984).
5. Richard Falk et al eds., International Law: A Contemporary Perspective (Westview Press, Boulder, 1985).
6. J.H.Jackson, Legal Problems of international Economic Relations: Cases, Materials and Text on the National and International Regulation of Transnational Economic Relations (St.Paul, Minnesota: West Publishing, 1995).
7. .M.S.Rajan, The Doctrine of Permanent Sovereignty over Natural Resources(1982).
8. B.S.Chimni, International Law and World Order: A Critique of Contemporary Approaches (Sage, New Delhi, 1993).
9. Stephen McCaffery, The Law of International Water courses (Oxford University Press; Oxford, 2001).
10. A.A.Fatourosed., Transnational Corporations: The International Legal Framework (Routledge, London, 1995).
11. Shihata, MIGA and Foreign Investment: Origins, Operations, Policies and Basic Documents of the Multilateral Investment Guarantee Agency (Nijhoff, Dordrecht, 1995)
12. M.Sornorajah, The International Law on Foreign Investment (1994).

**Articles**

1. International Legal Instruments of Intellectual Property Law (in two volumes), (1998), NLSIU, Bangalore.
2. Implications of the TRIPS Agreement on Treaties Administered WIPO (2003), Geneva.
3. Relevant WIPO Publications on Individual International Instruments.

**PAPER –IIILAW AND SOCIAL TRANSFORMATION**

(Common Paper for All the Branches)

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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.

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- S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4<sup>th</sup> Edition, Surjeet Publications, New Delhi, 1992

**BRANCH-XCRIMINOLOGY AND CRIMINAL JUSTICE SYSTEM**  
**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.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, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
2. R.W.M. Dias, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New Delhi, 1994.
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10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

**PAPER-II Comparative Criminal Law**

**UNIT -I**

Principles of Liability - classification of offences kinds of punishments- General defence (Infancy, insanity consent, necessity and private defence)- abetment and attempt, recidivism and euthanasia

**UNIT II**

Culpable homicide and murder -rape and unnatural offences- theft and robbery - defamation- offences relating to marriage

**UNIT- III**

Hierarchy of criminal courts and their jurisdiction - police, power and functions -judicial officer in investigation - prosecuting agencies role of public prosecutor- Law of arrest and procedure - rights of arrested and accused - evidentiary value of statements - bail procedure sentencing process.

## UNIT- IV

Accusatorial and inquisitorial system - presumption of innocence types of trial - speedy justice - role of judge, prosecution and defense attorney during trial - victims role in penal process- plea bargaining appeal procedure legal aid-public participation in criminal justice.

### Bibliography:

1. Kenny's: Outline of Criminal Law, Edited by J.W. Cecil Turner, 19<sup>th</sup> Century (1966), Cambridge University Press, Reprint (1980) N.M. Tripathi Pvt. Ltd.
2. J.C. Smith and Brian Hogan: Criminal Law 5<sup>th</sup> Edn. (1984, ELBS/Butterworths & Co., London)
3. Glanville Williams: Text Book on Criminal Law, 2<sup>nd</sup> Edn. (1983), Stevens & Sons, London (Eastern Law House, N.M. Tripathi in India).
4. Hari Singh Gaur: The Penal Law of India (Vol. 1), 10<sup>th</sup> Edn., (1982), Law Publishers, Allahabad.
5. Nelsen's: The Indian Penal Code- Revised by S.N. Mulla & G.L. Gupta 7<sup>th</sup> Edn. (1981).
6. K.D. Gaur : Criminal Law : Cases and Material, 2<sup>nd</sup> Edn. (1985), N.M. Tripathi Pvt. Ltd. Bombay.
7. Ratanlal & Dhirajlal's: Law of Crimes, Revised by Justice D.A. Desai, Justice.
8. M.L. Jain and Dr. N.R. Madhava Menon, 23<sup>rd</sup> Edition (1995) Bharat Law House (Kautilya's Arthashastra).
9. K.N. Chandrasekharan Pillai (e.d.). E.V. Kelkar's Outlines of Criminal Procedure (2000), Eastern Book Company, Lucknow.

## 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.

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#### **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.

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**BRANCH – XI HUMAN RIGHTS AND SOCIAL JUSTICE****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 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.

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10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

**Paper-II**

**International Human Rights Law**

**UNIT-1**

Human Rights Concept, Nature, Origin and Development, Human Rights and Domestic Jurisdiction- classification of Human Rights-Third World Perspectives of Human Rights.

**UNIT-II**

UN Charter-United Nations Commission on Human Rights (Human Rights Council) Sub commission on Prevention of Discrimination and Protection of Minorities Commission on Status of Women-UN Centre for Human Rights & UN Commissioner for Human Rights- Office of UN High Commissioner for Human Rights -UN High Commissioner for Refugees-Role of UN in Protection and Promotion of Human Rights

### **UNIT-III**

International Convention on Human Rights-Genocide Convention-Convention against Torture-CEDAW-Child Rights Convention-Convention on Stateless-Convention against Slavery-Convention on Refugees- International Conference on Human Rights(1968)-World Conference on Human Rights (1993).International Bill of Human Rights-Universal Declaration of Human Rights, 1948 Influence- Legal Significance -International Covenant on Civil and Political Rights, 1966- ICCPR- International Covenant on Economic, Social and Cultural Rights, 1966.

### **UNIT-IV**

Regional Convention on Human Rights- Asian Human Rights Charter European Convention on Human Rights- American Convention on Human Rights Charter on Human and Peoples Rights (Banjul)- Arab Charter on Human Rights

#### **Suggested Readings:**

1. P.R. Gandhi (ed): Blackstone's International Human Rights Documents, Universal Law Publishing Co. Delhi.
2. Richard B. Lillich and Frank C. Newman: International Human Rights Problems of Law and Policy, Little Brown and Company, Boston and Toronto.
3. Frederick Quinn: Human Rights and you, OSCE/ODIHR, Warsaw, Poland.
4. T.S. Batra: Human Rights-A Critique, Metropolitan Book Company Pvt.Ltd, New Delhi.
5. Dr.U.Chandra: Human Rights, Allahabad Law Agency Publications, Allahabad.
6. Agarwal, H.O., Implementation of Human Rights Covenants with special Reference to India (Allahabad: KitabMahal, 1983).
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- 10.Bansal, V.K., Right to Life and Personal Liberty (New Delhi: Deep and Deep, 1986).

### **PAPER –IIILAW AND SOCIAL TRANSFORMATION**

**(Common Paper for All the Branches)**

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religious minorities and the law

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(Common Paper for All the Branches)

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