

Revised Syllabus

(strictly According to Bar Council of India, Legal Education Rules, 2008,
amended from time to time)

For

LL.M. 2 Years

PROGRAMME

(Applicable w.e.f. 2024-25)



FACULTY OF LAW

**GURU JAMBHESHWAR UNIVERSITY OF
SCIENCE AND TECHNOLOGY,
HISAR- 125001 (HARYANA)**

*Checked and verified
[Signature]*

LL.M. TWO – YEAR PROGRAMME SCHEME SYLLABUS OF EXAMINATIONS

(Applicable w.e.f. 2024-25)

SEMESTER - I

Course Code	Paper	Nomenclature	Internal	External	Total Marks
M.-101	I	Jurisprudence	20	80	100
M.-102	II	Indian Constitutional Law – New Challenges	20	80	100
M.-103	III	Legal Education and Research Methodology	20	80	100
M.-104	IV	Interpretation and General Clauses Act	20	80	100
		Total	80	320	400

SEMESTER - II

Course Code	Paper	Nomenclature	Internal	External	Total Marks
M. 105	V	Law and Social Transformation in India	20	80	100
M. 106	VI	Family Law	20	80	100
Elective Papers 107- Paper – I 108-Paper –II	VII	(The Candidate is required to opt any one group out of the following groups) GROUP-A : CRIMINAL LAW 107-Paper – I : History and principles of criminal Law	20	80	100
	VIII	108 – Paper – II : Comparative Criminal Procedure	20	80	100
	IX	GROUP – B: BUSINESS LAW 107-Paper – I : Corporate Law and Management	20	80	100
	X	108 – Paper – II : Law of Contractual Transactions	20	80	100
	XI	GROUP – C : CONSTITUTION AND LEGAL ORDER 107-Paper – I : Mass Media and Democracy Constitutional	20	80	100
	XII	108 – Paper – II : Public Utilities and Welfare State	20	80	100
		Total	80	320	400

SEMESTER - III

Course Code	Paper	Nomenclature	Internal	External	Total Marks
LL.M.-201	XIII	Human Rights and International Law	20	80	100
LL.M.-202	XIV	Administrative Law and Right to Information Act	20	80	100
Elective Papers 203- Paper - I 204-Paper -II		(The Candidate is required to opt any one group out of the following groups) GROUP-A : CRIMINAL LAW 203-Paper - I : Criminology 204 - Paper - II : Penology GROUP - B: BUSINESS LAW 203-Paper - I : Law of Banking and Negotiable Instruments 204 - Paper - II : Law of Industrial and Intellectual Property GROUP - C : CONSTITUTION AND LEGAL ORDER 203-Paper - I : Constitutionalism : Power of Judicial Review 204 - Paper - II : Federalism : Union State Relations			
	XV		20	80	100
	XVI		20	80	100
	XVII		20	80	100
	XVIII		20	80	100
	XIX		20	80	100
	XX		20	80	100
		Total	80	320	400

SEMESTER - IV

Course Code	Paper	Nomenclature	Internal	External	Total Marks
LL.M.-205	XXI	Environmental Law	20	80	100
Elective Papers 206- Paper - I 207-Paper -II		(The Candidate is required to opt any one group out of the following groups) GROUP-A : CRIMINAL LAW 206-Paper - I : Drug Addiction, Criminal Justice and Human Rights 207 - Paper - II : Juvenile Delinquency GROUP - B: BUSINESS LAW 206-Paper - I : Insurance Law 207 - Paper - II : Legal Regulation of Economic Enterprises GROUP - C : CONSTITUTION AND LEGAL ORDER 206 - Paper - I : Human Rights : Constitution of India 207 - Paper - II : Constitutional Pluralism : Protection of Special National Interests.			
	XXII		20	80	100
	XXIII		20	80	100
	XXIV		20	80	100
	XXV		20	80	100
	XXVI		20	80	100
	XXVII		20	80	100
LL.M.-208	XXVIII	Dissertation		100	100
		Total	60	340	400

SEMSTER – I
JURISPRUDENCE
(Paper –I, Code : LL.M.-101)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. I. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

Nature of Jurisprudence: Meaning of Jurisprudence, Relevance of Jurisprudence Concept of 'Legal Theory' and Jurisprudence'. Concept and Philosophy of Law: The Definition of Law The Evolution of Law: Primitive Law, Middle Law, Classical Law, Post-Classical Law.

Unit-II

Natural Law and its Re-emergence; 'Philosophical Idealism of Ancient Era: Meaning and Origin Greeks and Romans Philosophy Medieval Era: Renaissance, And Reformation, Grotius and International Law, Philosophy of Social Contract. Natural Law in Nineteenth and Twentieth Centuries Modern Value Philosophies and Revival of Natural Law Theories Indian Perspective of Natural Law School Analytical Positivism: Bentham's English Positivism: Utilitarian Approach of Law, Pleasure and Pain Principle in Legislation, Bentham on Codification and Law Reforms. Austin's Theory of Law The Pure Theory of Law Modern Trends in Analytical Jurisprudence: Hart's Concept of Law Indian Perspective of Analytical School

Unit-III

Historical School of Thought: The Romantic Reaction: Herder and Hegel Savigny and Historical School in Germany Law and Anthropology Historical School in England, United States and India Sociological Jurisprudence and Sociology of Law: Comte and Sociology, Laissez Faire and Herbert Spencer, Jhering, Max Weber, Emile Durkheim, Eugen Ehrlich, Roscoe Pound. Sociological Jurisprudence since Pound and Towards Sociology of Law Indian Constitution and Sociological Jurisprudence American and Scandinavian Jurisprudence Concept of Morality and its Relationship with Law: Hart Fuller Controversy

Unit-IV

Theories of Jurisprudence and Postmodernism Critical Legal Studies Movement Feminist Jurisprudence Postmodernist Jurisprudence Critical Race Theory Globalization: Meaning, Significance and Social, Political and Economic Dimensions, Concept and Theories of Global Justice Impact of Globalization and Central Challenges: Impact on Human Rights (Economic, social, cultural, civil & political); Impact on administration of justice (reforms in justice delivery system, concept of plea bargaining, justice to victims of crime, shift from adversarial system to accusatorial & inquisitorial system)

SUGGESTED READINGS:

1. Salmond : Jurisprudence
2. Dias : Jurisprudence
3. Paton : Jurisprudence
4. Llyoyd : Introduction of Jurisprudence
5. Bodenheimer: Jurisprudence
6. Friedman : Legal Theory
7. P.V. Kane : Hindu Jurisprudence

INDIAN CONSTITUTIONAL LAW- NEW CHALLENGES

(Paper -II, Code : LL.M.-102)

Max. Marks: 80

Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. I. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. The Executive- Union & States Parliamentary/Presidential form of Governments Suitability. President/Governor & Council of Ministers-Relationship. Coalition government, Power Politics.
2. Parliament & State Legislatures Composition of Legislature, Elections, Corrupt Practices. Role of the Legislature, Elections, Corrupt Practices
3. Judiciary in India, Independence of Judiciary, Appointment, Removal of the Judges, Code of Conduct for Judges. Power of Judicial Review, Writ Jurisdiction & other powers of the court, Judicial Activism. Separation of Powers, Relationship of Executive, Legislature & Courts.

Unit-II

1. Fundamental Rights, Definitions of State and Law.
2. Right to Equality, Reverse discrimination.
3. Political Freedoms of the citizen reasonableness of restrictions.
4. Right to life & personal liberty, various dimensions of the right to life and personal liberty.

Unit-III

1. Secularism, right of the minorities.
2. Socio-economic rights, Directive principles of state policy-enforcement by the state relationship between directive principles & fundamental rights.
3. Doctrine of eminent domain, right to property
4. Parliamentary Privileges & Fundamental Rights.
5. Fundamental duties of the citizen.

Unit-IV

1. Federalism, Co-operative federalism.
2. Legislative and Administrative relations.
3. Distribution of financial resources, Inter-State trade and commerce.
4. Amendment of the Constitution, Basic structure theory.

Select Bibliography:

- | | | |
|-------------------------|---|---|
| Seervai, E.M. | : | Constitutional Law of India (3 Volumes). |
| Jain, M.P. | : | Indian Constitutional Law |
| Shukla, V.N. | : | Constitution of India |
| Basu, D.D. | : | Constitution of India |
| Bar Council of India | : | Constitution of India |
| (Edited by Hidayatulla) | | |
| Ex. C.J. of India | | |
| Dr. Pal, Chander | : | Centre-State Relation and Co-operative Federalism. |
| Gupta, R.K. | : | Centre State Fiscal Relation under the Indian
Constitutional Law |
| Wheare, K.C. | : | Federal Government (1963) |

LEGAL EDUCATION AND RESEARCH METHODOLOGY

(Paper -III, Code : LL.M.-103)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit -I

1. **Legal Research in India** : its Objectives, Evolution & Contemporary Trends in Legal Research
2. **Legal Research and Law Reform**: Role of Judges and Jurists, Recommendation of different commissions and committees.
3. **Law and Logic** : Use of Induction and Deduction Methods in Research

Unit- II

1. **Different Kinds of Legal Research**
2. Socio-legal research
3. Doctrinal Research (Empirical)
4. Non Doctrinal Research
5. Tools of Legal Research
6. Library: Books, Case Law Reports, Legislative Reports, Encyclopaedia etc.
7. Modern Technology: Computer, Internet, online journals etc.

Unit- III

1. **Techniques of Legal Research**:
2. Identification of Research Problem
3. Preparation of Research Design
4. Collection of Data : Traditional and Modern Methods
5. Classification, tabulation and analysis of data

Unit- IV

1. Legal Education
2. Objectives of Legal Education
3. Methods of Teaching:
 - a) Lecture Method
 - b) Problem Method
 - c) Discussion Method including case studies
 - d) Seminar Method including presentations
4. External and Internal Assessment
5. Clinical Legal Education

SUGGESTED READINGS :

1. Burney, D.H. and Theresa L. White, Research Methods, Akash Press, New Delhi, First Indian Reprint, 2007.
2. Edmonds, W.A. and Tom D. Kennedy., An Applied Reference Guide to Research Designs- Quantitative, Qualitative and Mixed. Methods, SAGE Publications Inc. California, 2013.
3. Fitzgerald, J. and Jerry Fitzgerald, Statistics for Criminal Justice and Criminology in Practice and Research-An Introduction, 2014 Goode, W.J. and Paul, K. Hat, Research Methodology, Prentice Hall of India Pvt. Ltd. New Delhi, Latest Edition.
4. Guest, C. (et. al), Collecting Qualitative Data- A Field Manual for Applied Research. SAGE Publications Inc. California, 2013.
5. Kumar, R., Research Methodology-A Step by Step Guide For Beginners, SAGE Publications India Pvt. Ltd., New Delhi. Latest Edition. The Essential Guide to Doing Research, Vistaar Publications, New Delhi. First Indian Edition, 2005
6. Loseke, D.R., Methodological Thinking-Basic Principles of Social Research Design, SAGE Publications India Pvt. Ltd., New Delhi. 2013.
7. Myneni, S.R., Legal Research Methodology, Allahabad Law Agency, Faridabad, Fifth Edition, 2012.
8. Singh, Rattan, Legal Research Methodology, Lexis Nexis Publications, Gurgaon, Haryana, Edition, 2013.

INTERPREATION AND GENERAL CLAUSES ACT

(Paper –IV, Code : LL.M.-104)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit –I

1. **History and Significance of Interpretation of Statutes**
 - a. Meaning of Interpretation
 - b. Intention of the Legislature -
 - c. Interpretation of statute 'in litigation as a tool to help the litigant
 - d. For academic purposes
2. **Delegated Legislation**

Unit-II

1. **General Principles of Interpretation**
 - a. Literal Construction
 - b. Harmonious Rule
 - c. Mischief Rule
 - d. Strict Rule
 - e. Golden Rule
2. **Role/Relevance of Grammatical Construction in Interpretation of Statute**

Unit- III

1. **Internal and External Aids to Interpretation.**
2. **General Clauses Act 1897**
3. **Applicability and Operation of the Statute**

UNIT- IV

Latin Maxims

1. Nositur a sociis
2. Ejusdem generic
3. Stare decisis
4. Mens rea
5. Generalia specialibus non derogant
6. In pan material
7. Lex non cogit and impossibilia
8. Saus populi suprema lex esto
9. Contemporary trends

SUGGESSTED READINGS

1. G.P.Singh Principles of Statutory Interpretation
2. P.St. Langan Maxwell on the Interpretation of Statutes
3. V.P. Sarathi : Interpretation-of Statutes
4. David R.Miers Sweet & Maxwell (Interpretation of Statute)
5. D.N.Mathur: Interpretation of Statutes
6. R.D. Srivastva Interpretation of Statutes and Legislation
7. Bhattacharya Interpretation of Statutes

SEMSTER – II
LAW AND SOCIAL TRANSFORMATION IN INDIA
(Paper –V, Code : LL.M.-105)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit –I

Law and Social Change

- a) Law as an Instrument of Social Change
- b) Concept of Social Engineering — Its evaluation and critique in the light of common law tradition and the legal institutions in India

UNIT-II

Community and the Law

- a) Caste as a divisive factor
- b) Non-discrimination on the ground of caste
- c) Acceptance of caste as a factor to undo past injustices

UNIT- III

Women and the Law

- a) Crimes against Women
- b) Gender injustice and its various forms
- c) Women's Commission

UNIT- IV

Children and the Law

- a) Child Labour
- b) Sexual exploitation
- c) Children and Education

SUGGESTED READINGS

1. U.Baxi, The Crisis of the Indian legal System (1982), Vikas, New Delhi
2. Manushi, A Journal about Women and Society
3. Savitri Gunasekhare, Children, Law and Justice (1997)
4. Sage. Marc Galanter (ed.), law and Society in Modern India
5. M.P. Singh, construction of India (2008). 11th Ed. Eastern Book Co., Lucknow
6. Sunil Deshta and Kiran Deshta, Law and Menance of Child Labour (2000)
7. Anmol Publications, New Delhi Indian law Institute, Law and Social Change: Indo-American Reflections. Tripathi, (1988)
8. Agnes Flavia, Law and Gender Inequality: The Politics of women's Rights in India (1999) Oxford, new Delhi.
9. Virendre Kumar: Dynamics of Reservation Policy: Towards a More Inclusive Social Order 50, Journal of ICI PP 478-517 (2007)
10. M.P. Jam, Outlines of Indian Legal History (1993), Tripathi, Bombay.

FAMILY LAW
(Paper –VI, Code : LL.M.-106)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. I. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

Marriage among Hindus, Muslims, Parsis and Christians Evolution and nature of marriage and different kinds of marriage Requirements! conditions of a valid marriage under different personal laws Restitution of Conjugal Rights Inter- personal law conflict (effect of conversion) Uniform civil code: need and feasibility

Unit -II

Divorce among Hindus, Muslims, Parsis and Christians Divorce under different personal laws Nullity of marriage under different personal laws Theories of Divorce Fault Theory, Breakdown Theory, Irretrievable Breakdown Theory, Consent Theory

Unit-III

Incidental Issues Concerning Marriage, Marriage of minors: Position under different personal laws and application of The Prohibition of Child Marriage Act, 2006 Registration of Marriages with Expatriate Indian / NRI Marriages and conflict of laws Matrimonial Property: Emerging trends

Unit-IV

Issues of custody, guardianship in matrimonial disputes Maintenance of women : under personal laws, CrPc, The Protection of Women from Domestic Violence Act 2005, The Prohibition of Child Marriage Act 2006 Live in Relations: in light of provisions of The Protection of Women from Domestic Violence Act 2005 and latest Court decisions Same sex marriages

SUGGESTED READINGS

1. Mulla - Principles of Hindu Law
2. Paras Diwan - Modern Hindu Law
3. Mayne's - Hindu Law and Usage
4. U.P.D. Kesari - Modern Hindu Law
5. Basant Kumar Sharma - Modern Hindu Law
6. EL. Bhagirath Rao - Marriage Laws & Family Courts Act
7. Kusum - Lectures on Family Law, Vol. J & H

107- PAPER – I (ELECTIVE PAPER), History and Principles of Criminal Law
(Paper –VII, Code : LL.M.-107)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. Nature and definition of crime, Distinction between Moral, Civil and Criminal Wrongs. Are Crimes and Torts Complementary ? Elements of Crime and Theories of Criminal Liability Human Beings. Mens rea, Actus reus, Injury to human being, causation of crime , subjective and objective of theories of crimes.
2. Mental Element in Crimes — The Maxim Actus Non Facit Reum Nisi Mens Sit Rea, Volition, Intention, Motive, Origin and Development of Mens rea, Mens Rea and Statutory Crimes, Exceptions to Mens rea, Modern Trends of Mens rea, Applicability of Mens rea in Indian Penal Laws, Mens rea under Indian Penal Code.

Unit—II

1. Punishment — Nature, Kinds of Punishment , Theories of Punishment , Measure of Punishment, Modern View on Punishment and Penal Code, Individualization of Punishment, Compensation to the Victims , Executive Clemency, Commutation of Sentence Suspension and Remission, Pardon.
2. Inchoate Crimes- Abetment, Criminal Conspiracy, Attempt.
3. Joint Liability, Vicarious Liability, Strict Liability and Liability of Corporations.

Unit-III

1. General Defenses — Excusable, Ignorance (Mistake) of Fact, Executive and Judicial Acts, Accident, Necessity, Duress or Coercion, Infancy, Unsoundness of Mind, Intoxication, Consent, Triviality.
2. Justifiable — Right of private Defense of persons and property, provocation.

Unit— IV

1. Burden of Proof in relation to General Defences and crimes generally.
2. Law Relating to Culpable Homicide.

Select Bibliography :-

1. William, Glanville : Criminal Law (General Part)
2. Kennys : Outlines of Criminal Law (edited by J.W.C Turner)
3. Stuwart, S.W : A Modern View of the Criminal Law
(Pergamon Press Ltd., Oxford, 1969)
4. Nigam, R.C. : Law of Crimes in India Vol.1 (Principles of Criminal Law)
5. Gour, Hari Singh : Penal Law of India.
6. Bhatt, V.R. : Essays in Criminal Law (Kamataka University,
Dharwar, 1979)
7. Bhattacharya, B.K. : Insanity & Criminal Law (Eastern Law House, Calcutta).
8. Fitzgerald, P.J. : Criminal Law & Punishment.
Strict Responsibility (Sweet & Maxwell Ltd.,
London, 1963)
9. Colin, Howard : Strict Responsibility (Sweet & Maxwell Ltd, London, 1963)
10. Law Commission of India, Reports: 29, 42, 43 and 47
11. Radzinowicz and Turner : Modern Approach to Criminal Law,
12. Edwards : Mens Rea in Statutory Offences
13. Hall : General Principles of Criminal Law
14. Stephen, James F. : History of Criminal Law (Vols, I, II & III)
15. Chaturvedi, A.N. : Rights to the Accused under the Indian Constitution (1984)

108- PAPER – II (ELECTIVE PAPER), Comparative Criminal Procedure
(Paper –VIII, Code : LL.M.-108)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
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Unit -I

Organization of Courts & Prosecuting Agencies : Comparison with U.S.A and U.K.

1. Hierarchy of Criminal courts and their jurisdiction.
2. Nyaya Panchyats in India.
3. Organization of Prosecuting agencies for prosecuting criminals.
4. Prosecutors and Police.
5. Withdrawal of Prosecution.

Unit—II

Pre-trial Procedures : Comparison with U.S.A and U.K.

1. Arrest and questioning of the accused.
2. The rights of the accused.
3. The evidentiary value of statements/article seized/collected by the police.
4. Right to council.
5. Role of the prosecutor and the judicial officer in investigation.

Unit—III

Trial Procedure : Comparison with U.S.A and U.K.

1. The accusatory system of trial and inquisitorial system.
2. Role of the judge, the prosecutor and defence attorney in the trial.
3. (i) Admissibility and inadmissibility of evidence. (ii) Expert evidence
4. Appeal to the court in awarding appropriate punishment
5. Plea bargaining.

Unit—IV

Correction and Aftercare Services : Comparison with U.S.A and U.K.

- i. Institutional Correction of the Offenders.
- ii. Role of the Court in Correctional Programmers in India.
- iii. General Comparisons— Aftercare Services in India & France. Preventive Measures in India.

Preventive Measures in India

- i. Provisions in the criminal procedure code
- ii. Special Enactments.

Public Interest Litigations

- i. Directions for Criminal Prosecution

Select Bibliography:

1. Hamptom, Celia : Criminal Procedure.
 2. Wilkins and Cross : Outlines of the Law of Evidence.
 3. Archbold : Pleading, Evidence & Practice in Criminal Cases.
 4. Sarkar : Law of Evidence.
 5. Pillai, K.N. Chandra- : RV. Kelkar's Outlines
sckharan (ed) : Criminal Procedure (2000) Ed.
 6. Deevlin, Patric : The Criminal Procedure in England.
- American Series of Foreign Penal Codes, Procedural Code of People's Republic of China.
7. Ferdico, John N. : Criminal Procedure (1996), West.
 8. Sanders & young : Criminal Justice (1994).
 9. Criminal Procedure Code, 1973.
 10. The French Code of Criminal Procedure.
 11. 14th & 41 Reports of the Indian Law Commission
 12. Rattanlal & Dhirajlal : The Code of Criminal Procedure.

23 203, 39

107- PAPER – I (ELECTIVE PAPER), Corporate Law and Management
(Paper –IX, Code : LL.M.-107)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit -I

- History of jurisprudential aspects of company Legislation in India.
- Concept of corporate personality and limited liability advantages of Incorporation; Doctrine of Piercing the Corporate Veil, Corporation and Fundamental Right.
- Kinds of companies and other Forms of Business Organization.
- Registration and incorporation, Memorandum of Association, Doctrine of Ultra Vires, Articles of Association, doctrine of constructive notice and indoor management.
- Promoters- position, importance, duties and liabilities.
- National Company Law Tribunal-Constitution, Powers and Functions. Unit-II

Unit -II

- Prospectus; Liability for mis-statements.
- Shares- Meaning and Nature, Kinds, Allotment, Transfer and Transmission, Effects of irregular Allotment, Right issues, Bonus Shares, Purchase of its own shares, Borrowing Powers of Companies- Debentures, Kinds of Debentures, Charges, Classification of Charges, Regulation of Charges.
- Securities and Exchange Board of India Act, 1992- Salient Features;
- Dividend- Meaning and Nature, power to pay dividend, mode of payments, Limitations on payments.
- Charitable and political contributions by companies.

Unit-III

- Meetings- Meaning and kinds of meeting, Procedure and conduct of meeting- Notice; quorum, Voting Resolutions and Minutes.
- Directors- Concepts of Directors and its evolution, Philosophy for the emergence of Board of Directors, Position and status of directors, kinds of directors, Appointment of Directors and their retirement.
- Directors- qualifications, disqualifications, powers and duties including fiduciary obligations, removal of directors.
- Managing Director, Whole-time Directors and Manager appointment, Powers and Functions, Managerial Remuneration; Statutory Limits and Restrictions.
- Investigation and inspection-powers of Central Government and National Company Law Tribunal.

Unit-IV

- Control- Share-holders Control over the management and Government Control over management.
- Majority powers and Minority rights, oppression and mismanagement.
- Winding up and distribution- Meaning and scope, kinds of winding up :
- Effects of Liquidation proceedings on the company and its organs, members, creditors and workers.
- Liquidator and official liquidator- position, power and duties.

Select Bibliography:

Thomson, J.M.	:	Palmer's Company Law.
Gower, L.C.B.	:	Principles of Modern Company Law.
Ramiya	:	Guide to the Companies Act.
Devedasan, B.D. &	:	Company Meetings and Resolution
Devedasan, T.S.V.	:	
Indian Law Institute	:	Current Problems of Corporate Law
Shah, SM.	:	Lectures on Company Law
Topham and Ivamy	:	Company Law
Ghosh, M.K.	:	Indian Company Law
Arya	:	Company Directors.
Sen, S.C.	:	The New Frontier of Company Law
Sahgal, P.S.	:	National and Multi-national Companies, Some Legal Issues.
Palmer's	:	Company Law
Pennigton's	:	Company Law

108- PAPER – II (ELECTIVE PAPER), Law of Contractual Transactions
(Paper –X, Code : LL.M.-108)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. I. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit -I

- Genesis and Philosophy of Contracts and its importance in commercial developing society.
- Freedom of Contract : Nature and basis of contractual obligation.
- Formation of Contract- Agreement and Contract, Intention to create legal obligation; Requirements of valid contract.
- Proposal and Acceptance- Essential elements, communication and revocation, proposal and invitation for proposal standing order, Tenders and Auction sale.
- Standard Forms of Contract- Exclusion clauses and their effects.
- Unilateral and bilateral contracts.
- Capacity to Contract- Meaning and Scope, Contractual Capacity of a Minor, Corporation, Government, Consequences of Minor's Agreement and Stopple, Ratification.
- Contract by a person of unsound mind- Legal effects.
- Other Legal disabilities.
- Free consent- Meaning and Scope: Vitiating elements- Coercion, Fraud, Misrepresentation, Undue influence and Mistake, Distinction between Fraud and innocent misrepresentation, Coercion and Duress, Mistake of Law and Mistake of Fact, Common, Mutual and Unilateral Mistake, Remedies available when agreement is vitiated by mistake.

Unit-II

- Consideration- Nudum pactum- Its need, meaning and essential; Adequacy of consideration, privity of contract and consideration- its exceptions; past; executed and executory consideration, Doctrine of Consideration and Promissory Estoppels; Essentiality of consideration with exceptions.
- Legality of objects and consideration- Unlawful consideration and objects; void, voidable and unlawful agreements and their effects. Concept of immoral and public policy, Heads against public policy.
- Void Agreements, Agreement in restraint of Marriage, Agreement in restraint of Trade Agreement in restraint of legal proceedings, Uncertain Agreement and Wagering Agreement.
- Contingent Contract- Meaning and scope, Reciprocal Promises.
- Discharge of Contract- Meaning and modes of discharge; performance and Tender- place and time of performance, time as essence of contract performance of joint promises.

Discharge by Agreement- Novation Remission of performance, Accord and Satisfaction.
 Discharge by Impossibility of performance and Frustration- Nature and scope of the doctrine of Frustration, Specific ground of frustration.

Unit-III

Restitution;
 Quasi-Contracts or certain relation resembling those created by contract.
 Breach of contract and remedies, Meaning of breach and Anticipatory breach;
 Damages- Meaning and Nature, Kinds, Rule in Hadly v. Baxendale- Remotences of Damage.
 Contract of Indemnity- Definition and Nature, distinction between Indemnity and Guarantee, Rights of the Indemnity Holder.
 Contract of Guarantee- Definition and scope, Specific and Continuing Guarantee;
 Creditors Right against Principal Debtor and Surety, Discharge of Surety;
 Surety's Rights against the principal debtor and Co-surety, Principal of Contribution by co-surety.

Unit-IV

Bailment- Definition and Essential Features, Bailment for Reward and gratuitous Bailment, Right and duties of Bailor and bailee.
 Finder of lost goods- Rights and Duties of finder; Rights and Liabilities of owner.
 Pledge- Definition, Nature and Scope; who can pledge, Rights and duties of pawnor and pawnee.
 Kinds of Agents- Factory, Brokers, Auctioneers, Del-Cordere agents, etc.
 Agency- Nature, Distinction from other transactions; Contractual basis of Agency.
 Modes of Creation of Agency- Express, implied, ratifications by operation of law.
 Scope of Agent's Authority; Rights and Liabilities of the Agent as against principal and third party; Rights and Liabilities of Principal and third party as against each other and as against agent.
 Delegation by Agent- Sub-agent and substituted Agent- Distinction and Legal Effects.
 Termination of Agency, modes of termination, Agency couple with interest.

Select Bibliography:

Chaturvedi, A.N.	:	Lectures on Indian Contract Act.
Cheshire and Fifoot	:	The Law of Contract.
Anson	:	Principles of the English Law of Contract
Chitty	:	On Contracts (General Principles).
Pollock and Mulla	:	Indian Contract and Specific Relief Act.

**107- PAPER -I (ELECTIVE PAPER),
Mass Media and Democracy Constitutional
(Paper -XI, Code : LL.M.-107)**

**Max. Marks: 80
Time: 3 Hours**

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. **Form of Government**
Presidential
Parliamentary form of Government under the Constitution
Executive Power
2. **Parliament/State Legislature**
Composition of Two Houses
Qualifications/disqualifications
Legislative Procedure

Unit-II

3. **Election Commission**
Constitution of Election Commission-Powers and Functions.
Electoral Reforms-Need
4. **Parliamentary Privileges**
Nature and Extent
Courts and Parliamentary Privileges

Unit-III

5. **Relation of Executive and Legislature**
Executive Control of the Legislature
Role of the Legislature
Scrutiny of the Administration

Control over the legislation

Legislative Committees

Unit-IV

6. **Mass Media**

Ownership

Monopoly- Private and Government

7. **Freedom of the Press**

Provisions of the Constitution

Article 19(1)(a)

Reasonable Restrictions- Scope

8. **Role of the Mass Media**

Accountability

Press Council of India

Press and Parliamentary Privileges

Select Bibliography:

- Jain, M.P. : Constitutional Law of India (1994)
- Seervai, H.M. : Constitutional Law of India, Vol. I (1991) Tripathi, Bombay.
- John B. Howard : "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Centre for Law in Development 1980)
- Dhavan, Rajeev : "On the Law of the Press in India", 26 J.I.L.I. 288(1984)
- Dhavan, Rajeev : "Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission", 26 J.I.L.I. 391(1984)
- Sorabjee, Soli : Law of Press Censorship in India(1976).
- Justice Venkataramiah E.S. : Freedom of Press: some Recent Trends(1984).
- Basu, D.D. : The Law of Press of India(1980)

**108- PAPER -II (ELECTIVE PAPER),
Public Utilities and Welfare State
(Paper -XII, Code : LL.M.-108)**

**Max. Marks: 80
Time: 3 Hours**

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. **Concept of a Welfare State**
Preamble
Concept of a Modern State
2. **Directive Principles of State Policy: Economic Democracy**
Nature, non-enforceability
Different Directive Principles- Contents.
Difference with Fundamental Rights.
Implementation-Article 31C
Incorporation in fundamental rights- A judicial Technique.

Unit-II

3. **Fundamental Rights**
Utilitarian Approach of Fundamental Rights.
Restrictions on fundamental rights for General Welfare
4. **Power of Eminent Domain**
Right to Property
Police Power

Unit-III

5. **Public Utilities**
Framework of Public Utilities- Departmental Statutory, Govt. Co's etc.
Status of the Employees.
Control on Public Utilities- Govt. and Judicial.

6. **Privatization of Public Utilities**
Efficiency in Public Utilities
Accountability
7. **Liabilities of Public Utilities**
Contractual, Tortious, Criminal

Unit-IV

8. **Bureaucracy**
Union and State Services.
Doctrine of Pleasure
Constitutional Safeguards

Select Bibliography:

- | | | |
|-------------------|---|---|
| Bakshi, M.P. | : | Television and the Law(1986) |
| Kelkar, Vasani | : | "Business of Postal Service" 33 I.J.P.A., pp. 133-141(1987) |
| Ramesh, G. | : | "Characteristic of Large Service Organization in a Developing Country Like India" I.J.P.A. 77(1986) |
| Paranjpe, Nalini | : | "Planning for Welfare in the Indian Railways" 31 I.J.P.A. 171-180(1985) |
| Sharma, Arvind K. | : | "Semi-Autonomous Enterprise: Conceptual Portrait- Further Evidence on the Theory of Autonomy" 33 I.J.P.A. pp 99-113 |
| Sathe, S.P. | : | Administrative Law(1998) |
| Jain & Jain | : | Principles of Administrative Law 1986) |
| Jagdish, U.I. | : | Handbook of Electricity Laws(1978) |
| Bhaumik | : | The Indian Railway Act,(1981). |

Semester – III
Human Rights and International Law
(Paper –XIII, Code : LL.M.-201)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

UNIT-I

1. International Bill of Human Rights
2. International Conventions on Inhuman Acts, Eg. Genocide
3. Conventions and Convention Against, Inhuman, Cruel, Degrading, Punishment etc.
4. Regional Conventions on Human Rights

UNIT-II

1. International Humanitarian Law
2. Human Rights and Indian Constitution
3. Human Rights Commissions in India

UNIT- III

1. Foundation and Development of International Law
2. Law of Sea
3. Air and Space Law

UNIT- IV

1. United Nations and its Organs
2. Specialized Agencies of United Nations
3. International Criminal Court

SUGGESTED READINGS

1. Agarwal, H.O., Implementation of Human Rights Covenants with, Special Reference of India (Kitab Mahal, Allahabad, 1983).
2. Akehurst, Michael, Modern Introduction to International Law, 5th ed (George Allen and Unwin, London, 1984).
3. Alston, Philip (ed.), The United Nations and Human Rights: A Critical Appraisal Clarendon Press, Oxford, 1992).
4. Alvarez, Jose B, International Organizations as Law-Makers (Oxford University Press, Oxford, UK, 2005).
5. Anand, R. P., Development of Modern International Law and India (Nomos, Germany, 2005). Ariand, R. P., International Law and the Developing Countries (Banyan Publications, New Delhi, 1986).
6. Anand, R. P., Origin and Development of the Law of the Sea (Martinus Nijhoff, The Hague, 1983).
7. Anand, R. P., Salient Documents of International Law (Banyan Publication, New Delhi, 1994). Anand, R. P., Studies in international Law and History: an Asian Perspective (Martinus Nijhoff Publishers, 2004).
8. Bassiouni, M. Cherif, Introduction to International Criminal Law (Transnational, Ardsley, NY, 2003).
9. Basu, Durga Das, Human Rights in Constitutional Law (Prentice Hall, New Delhi, 1994)

ADMINISTRATIVE LAW AND RIGHT TO INFORMATION ACT

(Paper –XIV, Code : LL.M.-202)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

UNIT-I

Meaning, Nature and Scope of Administrative Law Evolution and Development of Administrative Law in India Relationship-between Administrative Law and Constitutional Law Doctrine of Separation of Powers Rule of Law

UNIT-II

Delegated Legislation-Permissible Limits and Controls Classification of Government Functions Administrative Adjudication Administrative Tribunals

UNIT-III

Principles of Natural justice Tortious and Contractual Liability of State Withholding of Documents from Evidence Doctrine of Promissory Estoppel

Unit-IV

Judicial Review of Administrative Action Public Law Review and Private Law Remedies Administrative Discretion Right to information Act, 2005 Public Interest Litigation and its Emerging Dimensions

SUGGESTED READINGS

1. Griffith and Street: Principles of Administrative Law.
2. H.W.R. Wade: Administrative Law, Oxford Publications, London.
3. De Smith: Judicial Review of Administrative Action, Sweet and Maxwell.
4. S.P. Sathe: Administrative Law, Butterworths.
5. I.P. Massey: Administrative Law, Eastern Book Company.
6. Jam and Jam: Principles of Administrative Law, Wadhawa Publication, Naapur.

203- PAPER -I (ELECTIVE PAPER),
Criminology
(Paper -XV, Code : LL.M.-203)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit -I

1. Definition, Nature and Scope of Criminology.
2. Schools of Criminology.
 - (i) Classical School
 - (ii) Cartographic school
 - (iii) Socialistic School
 - (iv) Typological school
 - a. Italian or Positive School
 - b. Mental Testers School
 - c. Psychiatric School
 - (v) Sociological School
 - (vi) Multifactor School

Unit - II

3. Sociological Theories of Criminal Behaviours, Differential Social Organization.
4. Crime and Social Processes.
5. The Home and Family in relation to crime.

Unit - III

6. Collective Violence and Criminal Justice System.
 - a. Violence - Nature and Kinds
 - b. Contributory FACTORS
 - c. 'Constitutional' and 'Criminal' Speech: Speech as Incitement to Violence.
 - d. Terrorism - Location, Growth and Legal Response.
 - e. Communal Violence in India.

- f. Violence against Depressed Classes.
- g. Violence against Women.

Unit – IV

Privileged Class Deviance

- a. Concept of white collar crime.
- b. Indian approaches to socio – economic offences.
- c. Notions of privileged class deviance as providing a wider categorization of understanding Indian development.
- d. Typical terms of deviance i.e., Professional deviance, Police deviance , official deviance.
- e. Response of Indian Legal order to the Deviance of Privileged Classes.

Select Bibliography:

1. Sutherland and Cressey : Principles of Criminology.
2. Siddique. A. : Criminology (1984) Eastern, Lucknow.
3. Baxi, Upendra : The Crisis of the Indian Legal System (1982), Vikas Publishing House, New Delhi.
4. Baxi, Upendra (ed.) : Law and Poverty Essays (1988)
5. Baxi, Upendra : Liberty and Corruption. The Antulay Case and Beyond (1989)
6. Dwivedi, Surendranath : Political corruption in India (1967) and Bhargava, G.S.
7. Desai, A.R. (ed.) : Violation of Democratic Rights in India (1986).
8. Noorani, A.G. : Minister's Misconduct (1974)
9. Panday, B.B. : "The Nature and Dimensions of Privileged Class Deviance" in Shukla , K.S. (ed.) The Other Side of Development 136(1987).
10. Rothermund, Indira : "Patterns of Trade Union Leadership in Dhanbad Coal Fields" 231, I.L.I. 522(1981)
11. Baxi, U. : "Dissent , Development and Violence" in Meagher R. (ed.) Law and Social Change : indo – American Reflections 92 (1988)
12. Desai, A.R. (ed.) : Peasant Struggles in India (1979).
13. Dhangare, D.A. : Peasant Movement in India : 1920 1950(1983)
14. Guha , Ranjit : Elementary Aspect of Peasant Insurgency in Colonial India (1983) Ranjit Guba (ed.), subaltern studies Vol. 1-6 (1983-1988).
15. Honderich, T. : Violence for Equality (1980).
16. Jucrgensmeyer, Mark : "The Logic of Religious Violence : The Case of Punjab" 22 Contributions to Indian Sociology 65 (1988)
17. Kothari , Rajni : State Against Democracy (1987)
18. Shah, G. : Ethnic Minorities and Nation Building: Indian Experience (1984)
19. Shukla, K.S. : "Sociology of Deviant behavior" in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979(1986)

204- PAPER –II (ELECTIVE PAPER),
Penology
(Paper –XVI, Code : LL.M.-204)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. I. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit –I

1. Definition, nature and scope of Penology.
2. Variation in Punitive Policies.
3. Theories of Punishment.

Unit-II

4. Capital Punishment.
 - (a) Constitutionality of Capital Punishment.
 - (b) Judicial Attitudes towards Capital Punishment.
 - (c) Law Reform Proposals.
 - (d) Retention or Abolition of Capital Punishment.
5. Approaches to Sentencing and Alternatives to Sentencing.
6. The Sentencing of offenders.
 - (a) Kinds of Sentences.
 - (b) Judicial Discretion in Sentencing Offenders.
 - (c) Pre-sentence Hearing.
 - (d) Habitual Offenders and Enhanced Punishment.
 - (e) Summary Punishment.
 - (f) Plea – Bargaining

Unit – III

7. Probation
8. Parole
9. Release from Prison.
 - (a) Pardon

- (b) Indeterminate Sentence
- (c) Good time Laws

Unit – IV

10. Prison System

- (a) The State of India's Jails Today .
- (b) The Disciplinary Regime of Indian Prisons.
- (c) Classification of Prisoners.
- (d) Rights of Prisoner and Duties of Custodial Staff.
- (e) Deviance by Custodial Staff.
- (f) Open Prisons.
- (g) Judicial Surveillance –Basis – Development Reforms.

11. Recidivism

12. Prevention of Crime.

Select Bibliography:

- | | | | |
|---|-------------------------|---|---|
| 1 | Chhabbra , S. | : | The Quantum of Punishment in Criminal Law(1970) |
| 2 | Hart, H.L.A | : | Punishment and Responsibility (1968) |
| 3 | Packer, Herbert L. | : | The Limits of Criminal Sanction (1968). |
| 4 | Ross, Alf | : | On Guilt , Responsibility and Punishment (1975) |
| 5 | Siddique, A. | : | Criminology (1984), Eastern, Lucknow |
| 6 | Sutherland and Cressey | : | Principles of Criminology. |
| 7 | Law commission of India | : | Forty , Second Report Ch. 3 (1971) |
| 8 | Shukla, K.S. | : | ‘Sociology of Deviant Behaviour’ in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986). |
| 9 | Banerjee, Tapas Kumar | : | Background to Indian Criminal Law (1990), R. Company & Co., Calcutta. |

203- PAPER –I (ELECTIVE PAPER),
Law of Banking and Negotiable Instruments
(Paper –XVII, Code : LL.M.-203)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

- Nature and Development of banking; Nationalization of Bank, Relationship of Banker and customer; Banking Business; Banker's Lien, Type of Accounts.
- Social control of Banking Institution.
- Banking Regulation Act, 1949- Applicability to Banking Companies and Public Sector Banks; Business of Banking Companies; Control over Management; Prohibition of Certain Activities in Relation to Banking Companies Acquisition of the Undertaking of Banking Companies in certain cases.
- Winding up of Banking Companies; Special provision for speedy disposal of winding up proceedings.
- Banking Regulation Act as applicable to certain co-operative Banks.
- Social Control of Banking Institutions.

Unit-II

- Reserve Bank of India Act, 1934- Purpose and scope, organizational structure of RBI; Powers and Functions of RBI: Incorporation, Capital, Management and Business, Central Banking Business, Provision relating to non-banking institutions receiving deposits and Financial Institutions, Prohibition of Acceptance of deposits by unincorporated bodies.
- State Bank of India Act, 1955- Objectives and purposes, Incorporation and Share Capital of SBI; Establishment of SBI, Authorized Capital, Issued Capital, Management; Business of State Bank of India- State Bank as agent of Reserve Bank, Business which SBI may or may not transact, Power of Acquisition of Business of other Banks.

Unit-III

- The Negotiable Instruments Act- Purpose and object, Historical development of law relating to Negotiable Instruments.
- Definition, kinds of negotiable instruments, promissory note, kinds of crossing and their effect, holder and holder in due course; payment in due course; inland and foreign instruments; Ambiguous instruments, Inland and Foreign instruments, Parties to Negotiable Instrument, Capacity to make; Maker, drawer and acceptor principal; Negotiable Instrument without consideration; position of Minor, agency and Legal representative.

Unit-IV

Negotiation and Liability, Negotiation and assignment; Negotiation by delivery and by Indorsement; Kinds of Indorsement- Indorsement in blank and Indorsement in full, restrictive Indorsement, Indorsement sans recourse, conditional Indorsement, Partial Indorsement, Liability of Parties- Liability of acceptor, maker, drawer, Drawee, Discharge from liability by cancellation, delay in presenting material alteration, negotiation back, allowing more than 48 hours to accept; Presentation for acceptance and payment, presentment to agent etc, Time and place of presentment, when presentment unnecessary, Dishonour and notice of dishonour, noting and protests, Acceptance and payment for honour and reference in case of need.
Special rules of evidence- Presumptions and estoppel, penalties for dishonor of certain cheques for insufficiency of funds in account.

Select Bibliography:

Bhashyam & Adiga	:	The Negotiable Instrument Act
Parthsarthy	:	Cheques in Law and Practice.
Aggarwal, C.L.	:	Law of Hundi and Negotiable Instruments.
Canygton	:	Business Law
Smith and Keenan	:	Essential of Mercantile Law.
Tannan's	:	Banking Law and Practice in India
Sethi	:	Commentary on Banking Regulation Act, 1949.

**204- PAPER –II (ELECTIVE PAPER),
Law of Industrial and Intellectual Property
(Paper –XVIII, Code : LL.M.-204)**

**Max. Marks: 80
Time: 3 Hours**

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

- Meaning and concept of Intellectual property; National and International protection of intellectual property, an overview of TRIPS Agreement, WTO and WIPO.
- Paris Convention for Protection of Industrial Property.
- The Trade Marks Act, 1999- Object and scope of the Act; The concepts of mark, trade mark, registered trade mark; certification trade mark, deceptively similar mark; goods and services. Registration of trade mark- conditions for registration; procedure for registration and Duration of registration; fact of Registration, Assignment and Transmission of registered trade mark and unregistered trade mark; Infringement of trade mark and remedies.

Unit-II

- Object and purpose of Copyright Law, International Conventions on Copyright; Berne Convention, WIPO Copyright Convention and Phonogram Treaty.
- The Copyright Act, 1957 with the latest Amendments, Object and Scope of the Act; The concept of author, work, literary work, artistic work, musical work, Cinematography film, work of sculpture, reprography, computer programmer, copyright ; and adaptation Copyright office. Term of copyright; Registration of copyright, infringement of copyright and remedies.

Unit-III

- Object and purpose of Patent Law; value of patent system; International character of patents, Advantage of Patent to Inventor; Rights and obligations of patent.
- The Patents Act, 1970 with the latest amendments- Object and scope of the Act; Concept of patent, invention, patented article and patented process. Registration of patents; inventions not patentable' infringement of patents and remedies.

Unit-IV

Industrial Design and Geographical Indications- Scope and purpose, subject matter of protection.

The Design Act, 2000- Object and scope of the Act, Concept of design, proprietor of a new or original design; Registration of Design; Copyright in registered design, piracy of Designs and remedies.

Geographical Indications of Goods Act, 2002- object and scope of the Act; concept of Geographical Indications; conditions for registration; procedure and duration of Registration, Effect of Registration.

Select Bibliography:

Special attention should be given to literature of the U.N. System, WIPO and the UNESCO.

- Terence P. Stewart (ed.) : The GATT Uruguay Round: a Negotiating History (1986-1994) the End Game (Part-I) (1999), Kluwer.
- Iver P. Cooper : Biotechnology and Law (1998), clerk Boardman Callaghan, New York.
- David Bainbridge : Software Copyright Law (1999), Butterworths.
- Sookman : Computer Law (1998), Carswell.
- Patent Co-operation Treaty Handbook (1998), Sweet and Maxwell.
- Cornish, W.R. : Intellectual Property Law (1999), Sweet and Maxwell
- Narayanan, P. : Intellectual Property Law
- Vashishth, Vikas : Intellectual Property in India- Law and Practice.
- Wadehra, B.L. : Law Relating to Patents, Trade Mark, Copyright and Designs.
- Bansal, Ashwani K. : Law of Trade Mark

203- PAPER –I (ELECTIVE PAPER),
Constitutionalism : Power of Judicial Review
(Paper –XIX, Code : LL.M.-203)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. Concept of Constitutionalism

Common Law

Indian Concept: Before Independence

Present Constitutionalism

2. Independence of Judiciary

2.1 Doctrine of Separation of Powers

2.2 Rule of Law

2.3 Independence of Judiciary in India

3. Judiciary in India

Appointment of Judges

Jurisdiction and Powers of the Supreme Court and the High Court

Unit-II

4. Power of Judicial Review

Supremacy of the Constitution

Doctrine of Ultra Vires

Judicial Review of Constitutional Amendments. Legislations, Administrative Actions

5. Writ Jurisdiction

Articles 32 and 226

General Conditions

Particular Writs

Unit-III

- 6. **Expanding Dimensions of Fundamental Rights**
 - 6.1 Public Interest Litigation
 - 6.2 Definition of State Action
 - 6.3 Judicial Review of Discretion
 - 6.4 Judicial Activism

Unit-IV

- 7. **Exclusion of judicial Review**
 - 7.1 Political Questions
 - 7.2 Express exclusion by the Constitution
 - 7.3 Judicial Self-restrain
- 8. **Courts and Tribunals**
 - 8.1 Subordinate Judiciary
 - 8.2 Tribunals

Select Bibliography:

- | | | |
|--|---|---|
| Seervai, H.M. | : | Constitutional Law of India (1991), Tripathi, Bombay. |
| Bhatnagar, Sudha | : | Union- State Financial Relations and Finance Commissions (1979) |
| Chandra, Ashok | : | Federalism in India(1965) |
| Sebastian, V.D. | : | Indian Federalism: The Legislative Conflicts, Chs. 6-7 and 8 (1980) |
| Chandrapal | : | Centre-State Relations and Cooperative Federalism, Chs. 5 and 8 (1983) |
| Subba, Rao G.C.V. | : | Legislative Powers in Indian Constitution Law, Chs. 37,38,39(1982) |
| Richard M. Pious | : | The American Presidency, 293-331, Ch. 9 (1979) |
| Deniel J. Elazar | : | American Federalism, Chs. 3 and 4 (1984) |
| Krishna Shetty, K.P. | : | The Law of Union- State Relations and the Indian Federalism Ch. 9(1981) |
| Ludri, Amit | : | Law of Personal Autonomy (2012 ed.) |
| Report of the Eighth Finance Commission. | | |
| Administrative Reforms Commission on Centre-State Relationship, Ch. 3 (1969) | | |
| Constituent Assembly Debates Vol. 9, 203, 204 and 302-349, Vol. 10, 325-342. | | |
| Administraive Reforms Commission, Report of the Study Team on Central-State Relationship (1967) Vol. I, Sections I and II, pp IS-168 | | |
| Singhvi, L.M.(ed) | : | Union-State Relations in India 124-154 (1969) |
| Government of Tamil Nadu | : | Report of the Centre-State Relations Inquiry Committee Ch. 5(1971) |
| Lakadwala, D.T. | : | Union-State Financial Relations (1967) |
| Jain, M.P. | : | Indian Constitutional Law (1994), Wadhwa |
| Subba Rao, K. | : | The Indian Federation (1969) |
| Wheare, K.C. | : | Federal Government (1963) |
| Gupta, R.K. | : | Fiscal Relations Between the Center and the States under the Indian Constitution. |

**204- PAPER –II (ELECTIVE PAPER),
Federalism : Union –State Relations
(Paper –XX, Code : LL.M.-204)**

**Max. Marks: 80
Time: 3 Hours**

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. Federalism

Classical Federalism- USA, Australia, Canada
Co-operative Federalism
Essential Conditions of Federalism

2. States of the Union

Creation New States
No guarantee of territorial integrity
State Autonomy

Unit-II

3. Legislative and Administrative Relations

Distribution of Legislative Powers
Principles of Interpretation, Residuary power, Dominance of the Union Power

Unit-III

4. Financial Relations

Distribution of Taxes.
Tax sharing under the Constitution
Finance Commission
Doctrine of Immunity of Instrumentalities

5. Inter-State Trade and Commerce

Freedom of Trade and Commerce
Restriction on the Freedom
Authority to regulate Trade and Commerce

Unit-IV

6. **National Economy**
 - Need for Regulation and Development of National Economy
 - Planning Commission
7. **Review of Union-State Relations**
 - Need for Review
 - Recommendation of Sarkaria Commission
8. **Special Status of some States**
 - State of J&K (Article 370)
 - Other States

Select Bibliography:

- Baxi, Upendra : "Law, Democracy and Human Rights"- 5 Lokayan Bulletin 4 (1987).
- Dandekar, V.M. : "Unitary Elements in a Federal Constitution" 22 E.P.W. 1865(1988)
- Dhavan, Rajeev : "The Press and the Constitutional Guarantee of Free Speech And Expression" 28 J.I.L.I. 299, (1986)
- Fazal, M.A. : "Drafting A British Bill of Rights" 27 J.I.L.I. 423 (1985)
- Jain, M.P. : Indian Constitutional Law (1994) Wadhwa
- Narain, Jagat : "Judicial Law Making and the Place of the Directive Principles in the Indian Constitution." J.I.L.I. 198(1985)
- Ludwikowski, Rhett : "judicial Review in the Socialist Legal Systems: Current Development" 37 I.C.L.D. 89-108 (1988)
- Sathe, S.P. : Fundamental Rights and Amendment of the Indian Constitution(1968)
- Seervai, H.M. : Constitutional Law of India (1993) Tripathi, Bombay.

Students should consult relevant volumes of the Annual Survey of Indian Law published by the Indian Law Institute.

205 - PAPER
ENVIRONMENTAL LAW
(Paper -XXI, Code : LL.M.-205)

Max. Marks: 80
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. I. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

UNIT-I

Global and National Environmental Issues and Problems: Air Pollution, Water Pollution, Noise Pollution, Ozone Layer Depletion, Environmental Hazards related to Hazardous Chemicals, Batteries, Bio-Medical Waste, Municipal Solid Waste and Hazardous Wastes Disposal. The Water (Prevention and Control) of Pollution Act, 1974 The Air (Prevention and Control) of Pollution Act, 1981

Unit-II

The Environment Protection Act, 1986

The Noise Pollution (Regulation and Control) Rules, 2000 Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016

Unit- III

The Chemical Accidents (Emergency) Planning, Preparedness and Response Rules, 1996.
The Bio-Medical Waste (Management) Rules, 2016. The Plastic Waste Management Rules, 2016
The Solid Wastes (Management) Rules, 2016

Unit -IV

Public Liability Insurance Act, 1991 The National Green Tribunal Act, 2010 Batteries Management and Handling Rules, 2001 including 2010 Amendment The E-Waste (Management) Rules, 2016

SUGGESTED READINGS:

1. P.S.Jaswal and Nishtha Jaswal, Environmental Law, Pioneer Publications, Allahabad Law Agency, Faridabad, 2014.
2. N.M. Swamy, N.Ranjit and N. Chaithanya, Law Relating to environmental Pollution and Protection, Asia Law House, 2013.
3. LAL'S Commentary on Water and Air Pollution and Environment (Protection) Laws, Revised by M.C. Mehta, Delhi Law House, 007.
4. P. Leelakrishnari, Environmental Law in India, Third Edition, Lexis Nexis, Butterworths, Nagpur, 2010 E. John, A. Matthews, J. Patrick, SAGE Handbook of Environmental Change Vol. I and II SAGE Publication, L.A. 2012.
5. P.S. Sahasranaman, Oxford Handbook of Environmental Law, Oxford University Press, 2012 Dr. Vidya Shagat, Environmental Laws Issues and Concerns, Regal Publication, New Delhi, 2011.

206- PAPER -I (ELECTIVE PAPER),
DRUG ADDICTION, CRIMINAL JUSTICE AND HUMAN RIGHTS
(Paper -XXII, Code : LL.M.-206)

Max. Marks: 40
Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit -I

- 1 **Basic Conceptions**
 - (a) Drugs 'narcotics' 'Psychotropic' 'Substance'
 - (b) Dependence, 'Addiction'
 - (c) Crime without Victims.
 - (d) "Trafficking" in Drugs
 - (e) "Primary Drug Abuse".
- 2 **Study of incidence of Drug Addiction and Abuse.**
 - (a) Self- Reporting
 - (b) Victim- Studies
 - (c) Problems of Comparative Studies.

Unit - II

- 3 **Ana graphic and Social Characteristics of Drug Users**
 - (a) Gender.
 - (b) Age
 - (c) Religiousness.
 - (d) Single Individual/ Co-habitation
 - (e) Socio-economic level of Family
 - (f) Educational Levels.
 - (g) Occupation.
 - (h) Age at First Use.
 - (i) Type of Drug Use.

- (j) Reasons given as cause of first use.
- (k) Method of Intake.
- (l) Patterns of the use.
- (m) Average quantity and cost.
- (n) Consequences on addict's health (physical/Psychic)

The International Legal Regime

- (a) Analysis of the background, text and operation of the single convention on Narcotic Drugs, 1961, 1972
- (b) Analysis of the Convention on Psychotropic Substances, 1972.
- (c) International Collaboration in Combating-Drug Addiction.
- (d) Profile of International Market for Psychotropic Substance.

Unit-III

The Indian Regulatory System

- (a) Approaches to narcotic trafficking during colonial India.
- (b) Nationalist thought towards regulation of drug trafficking and usage.
- (c) The Penal provisions (under the IPC and the customs Act)
- (d) India's role in the evolution of the two international conventions.
- (e) Judicial approaches to sentencing in drug trafficking and abuse
- (f) The Narcotic Drugs and Psychotropic Substances, Act 1985.
- (g) Patterns of resources investment in India- policing adjudication, treatment, after-care and rehabilitation.

Unit-IV

Human Rights Aspects

- (a) Deployment of Marginalized people as carrier of narcotics,
- (b) The problem of juvenile drug use and legal approaches.
- (c) Possibilities of misuse and abuse of investigative prosecutory powers.
- (d) Bail.

The Role of Community in Combating Drug Addiction

- (a) Profile of Community initiatives in inhibition of dependence and addiction (e.g. deaddiction and aftercare)
- (b) The role of educational systems.
- (c) The role of medical profession.
- (d) The role of mass media.
- (e) Initiatives for compliance with regulatory systems.
- (f) Law reform initiatives.

Select Bibliography:

1. Becker, H. S. *Outsiders: The Studies in Sociology of Deviance*, (1966)
2. Incard, J.A., Chambers, C.D. (eds.), *Drugs and the Criminal Justice System*. (1974)
3. Cocken, R., *Drug Abuse and Personality in Young Offenders* (1971)
4. Busch, G. Edwards (ed.), *Drug Problems in Britain: A Review of Ten Years*(1981)
5. Kondanram, P. and Murthy , Y.N. *Drug Abuse and Crime : A Preliminary Study*, 7 *Indian Journal of Criminology*, 65-68 (1979)
6. Rajgopat , P.R., *Violence and Response: A Critique of the Indian Criminal System* (1988)
7. United Nations Economic and Social Reports of the Commission on Narcotic Drugs , United Nations.
8. Social Defence, Reseach Institute (UNSDRI) *Combating Drug Abuse and Related Crimes*. (Rome, July 1984, Publication No 21)
9. Lok Sabha and Rajya Sabha Debates on 1986 Bill on Psychotropic Substance.
10. List of usefull journals in this area are:
 - (i) The Law and Society Review (USA)
 - (ii) The Journal of Drug Issues (Tallahassee, Folorida).
 - (iii) International Journal of Addictions (New York)
 - (iv) In British Journal of Criminology.
 - (v) Journal of Criminal Law, Criminology and Police Sciences (Baltimore, Md.)
 - (vi) Journal of Criminal Law and Criminology (Chicago,111)
 - (vii) International Journal of Offender Therapy and Comparative Criminology (London)
 - (viii) Bulletin on Narcotics (United Nations)

**207- PAPER –II (ELECTIVE PAPER),
JUVENILE DELINQUENCY
(Paper –XXIII, Code : LL.M.-207)**

**Max. Marks: 80
Time: 3 Hours**

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit –I

1. The Basic Concepts

- (i) The concept of 'child' in Indian Constitution and Penal Code.
- (ii) Movement for Juvenile Justice.
- (iii) Juvenile Delinquency – meaning.
- (iv) Neglected Juvenile.
- (v) The overall situation of children/young persons in India, also with reference to crime statistics (of crimes by and against children).
- (vi) Problem of Juvenile Justice in India, U.K., USA
- (vii) International concern for Juvenile Justice.

2. Determining Factors of Juvenile Delinquency

- (i) Differential association.
- (ii) Anomie
- (iii) Economic pressure.
- (iv) Peer group influence
- (v) Gang sub-culture
- (vi) Class differentials

Unit- II

3. Legislative Approaches

- (i) Legislative approach during the late colonial era.
- (ii) Children's Act.
- (iii) Legislative position in various States.
- (iv) The Juvenile Justice Act, 2000.

Unit –III

4. Indian Context of Juvenile Delinquency

- (i) The child population percentage to total sex-ratio, urban/rural /rural- urban.
- (ii) Neglected –below poverty line, physically and mentally disabled , orphans, destitute, vagrants.

- (iii) Labourers
 - a. In organized industries like zari, carpet, bidi, glass
 - b. In unorganized sector like domestic servant, shops and establishments, rag-pickers family trade.
- (iv) Delinquent – number, sex- ratio, ratio to adult crime, types of offences committed, recidivism, rate of increase background.
- (v) Drug addicts.
- (vi) Victims
 - a. Of Violence- sexual abuse, battered, killed by parents.
 - b. Of criminal activities like bootlegging, drug pollution as a response of protective approach.

Unit –IV

1. **Judicial Contribution**
 - (i) Social action litigation concerning juvenile justice.
 - (ii) Salient Judicial decisions.
 - (iii) Role of legal profession in Juvenile Justice Systems.
2. **Implementation**
 - (i) Institutions, bodies, personnel
 - (ii) Recruiting and funding agencies.
 - (iii) Recruitment – qualifications and salaries or funds.
 - (iv) Other responsibilities of each agency/person.
 - (v) Coordination among related agencies.
 - (vi) Accountability – annual reports and accessibility of public to juvenile justice institutions.
3. **Preventive Strategies**
 - (i) State Welfare Programmes, health, nutrition, ICWS, grants-in-aid.
 - (ii) Compulsory education
 - (iii) Role of community, family voluntary – bodies, individuals.

Select Bibliography:

1. National Institute of Social Defence, Model Rules under the Juvenile Justice Act, 1986 (1986)
2. Shukla, K.S., Adolescent Offender (1985)
3. Weiner, Myron, The Child and State in India (1990)
4. The United Nations Declaration on the Rights of Children.
5. UNICEF periodic material.
6. Juvenile Justice Act, 2000

**206 - PAPER -I (ELECTIVE PAPER),
INSURANCE LAW
(Paper -XXIV, Code : LL.M.-206)**

**Max. Marks: 80
Time: 3 Hours**

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. Introduction

- Nature of insurance contract, various kinds of insurance, proposal, policy, parties, consideration, need for utmost good faith, insurable interest, indemnity.
- Insurance policy, law of contract and law of torts-future of insurance: need, importance and place of insurance.
- Constitutional perspectives- the Entries 24,25,2930,47 of list I Union List 23, 24 of List III.

2. General Principles of Law of insurance

- Definition, nature and history.
- The risk- commencement, attachment and duration
- Assignment and alteration, Settlement of Claim and Subrogation
- Effect of war upon policies.

3. Indian Insurance Law: General

- History and development
- The Insurance Act 1938 and the Insurance Regulatory Authority Act,2000.
- Mutual Insurance companies and cooperative life insurance societies.
- Double insurance and re-insurance

Unit-II

4. Life Insurance

- Nature and scope
- Event insured against life insurance contract.
- Circumstances affecting the risk

- Amounts recoverable under life policy
- Persons entitled to payment
- Settlement of claim and payment of money
- Miscellaneous Insurance Schemes: New Dimensions- Group Life Insurance.
- Mediclaim, sickness insurance.

Unit-III

5. Insurance Against Accidents

- The Fatal Accidents Act, 1985.
- Objects and reasons
- Assessment of compensation
- Contributory negligence
- Apportionment of compensations and liability.
- The Personal injuries (Compensation Insurance) Act, 1963.
- Compensation payable under the Act
- Compensation insurance scheme under the Act-Compulsory insurance.

6. Insurance Against Third Party Risks

- The Motor Vehicle Act, 1988
- Nature and Scope
- Effect of insolvency or death on claims of insolvency and death of parties, certificate of insurance.
- Claims tribunal: constitution, functions, application for compensation, procedure, powers and award.
- Liability insurance
- Nature and kinds of such insurance
- Public Liability insurance
- Professional negligence insurance

Unit-IV

7. Marine Insurance

- Nature and scope
- Classification of marine policies
- The Marine insurance Act, 1963
- Marine Insurance

- Insurable interest, insurable value
- Marine insurance policy- condition- express warranties construction of terms of policy
- Voyage-deviation
- Perils of the sea
- Assignment of policy
- Partial laws of ship and of freight salvage, general average, particular charges.
- Return of Premium

8. Property Insurance

- Fire insurance
- The Emergency Risks (Factories) Insurance
- The Emergency Risks (Goods) Insurance
- Policies covering risk of explosion
- Policies covering accidental loss, damage to property
- Policies covering risk of storm and tempest
- Glass-plate policies
- Burglary and theft policies
- Live-stock policies
- Goods in transit insurance
- Agriculture Insurance

Select Bibliography:

John Hanson and Christopals Henly	:	All Risks Property Insurance (1999)
Peter MacDonald Eggers and Patne Poss	:	Good Faith and Insurance Contracts (1998)
Banerjee	:	Law of insurance (1994)
Mitra, B.C.	:	Law Relating to Marine Insurance (1997)
JCB Gilmar and Mustill	:	Arnold on the Law of Marine insurance (1981)
Birds	:	Modern Insurance Law (197)
O'Mary	:	Marine Insurance (1993)
International Labour Office	:	Administration Practice of Social Insurance (1985)
Hardy Ivamy	:	E.R. General Principles of insurance Law (1979)
Edwin W. Patterson	:	Cases and Materials on Law of insurance (1955)
Sreenivasan, M.N.	:	Law and the Life insurance Contract (1914)
Murthy and Sarma	:	Modern Law of Insurance in India

**207- PAPER -II (ELECTIVE PAPER),
LEGAL REGULATION OF ECONOMIC ENTERPRISES
(Paper -XXV, Code : L.L.M.-207)**

**Max. Marks: 80
Time: 3 Hours**

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

- Constitutional Provisions to Regulate Economic Enterprises in India.
Industrial policy resolutions of 1948, 1956 and 1991.
- Development and Regulation of Industries- Industrial (Development and Regulation) Act, 1951; Regulation, control and Development of Industries, Agencies under the Act
- Development and Prospects of Consumerism in India.

Unit-II

- Securities Contracts (Regulation) Act, 1956; Object, basic features, Recognition of Stock Exchanges, Contracts and options in Securities, Listing of Securities, Penalties and Procedure.
- Securities and Exchange Board of India Act, 1992; Basic Features, Establishment of SEBI, Powers and Functions of SEBI, Registration of Capital Market Intermediaries, Offences and Penalties, powers and jurisdiction of securities Appellate Tribunal, Capital Markets Regulation (2009) of SEBI.
- Depositories Act, 1996.

Unit-III

Essential Commodities Act, 1955; Object, Salient Features, Essential Commodities, Powers of the Central Government, Confiscation of Essential Commodities, offences and Penalties.

Competition Act, 2002; Object, Prohibition of Certain Agreements, Abuse of Dominant Position, Regulation of Combinations, Competition Commission of India, Duties, Powers and Functions of Commission, Penalties, Appeal to Competition Appellate Tribunal.

Unit-IV

Foreign Trade (Development and Regulations) Act, 1992; Object, Regulations of Import and Export, Import-Export License, Penalties.

Foreign Exchange Management Act, 1999; Object, Regulation and Management of Foreign Exchange, Authorized Persons, Penalties.

Insurance Regulatory and Development Authority Act, 1999.

Select Bibliography:

Aggarwal, V.K.	:	Consumer Protection- Law and Practice.
Myeni, S.R.	:	Corporate Law-II
Sharma, Gokulesh	:	Financial and Economic Laws
Cherunilam, Francis	:	Business Environment

SEBI Act, 1992.

Industrial (Development and Regulation) Act, 1951.

Essential Commodities Act, 1955

Competition Act, 2002

Securities Contracts (Regulation) Act, 1956

Insurance Regulatory and Development Authority Act, 1999.

Foreign Trade (Development and Regulation) Act, 1992.

Depositories Act, 1996.

**206- PAPER –I (ELECTIVE PAPER),
HUMAN RIGHTS : CONSTITUTION OF INDIA
(Paper –XXVI, Code : LL.M.-206)**

**Max. Marks: 80
Time: 3 Hours**

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. **Human Rights**
Freedom Movement and Human Rights
Universal Declaration of Human Rights
Framing of the Fundamental Rights in the Constituent Assembly.
2. **Fundamental Rights under the Constitution**
 - 2.1 General
 - 2.2 Enforcement of the Fundamental Rights

Unit-II

3. **Right to Equality**
Formal Equality
Material Equality
Reservation and Equality –Socio-Economic Equality
4. **Citizenship and Political Freedoms**
Citizenship
Political Freedoms under Article 19
Restrictions on Freedom

Unit-III

5. **Right to Life and Personal Liberty**
Right to life-Meaning
Human Dignity- Right not be subjected to torture, inhuman and cruel treatment.
Personal Liberty- meaning and scope

6. Due Process

- 6.1 Procedural due process
- Substantive due process

Unit-IV

7. International Perspectives

- 7.1 UN Conventions
- 7.2 Impact of International Law
- 7.3 European Convention
- 7.4 Amnesty International

8. Human Rights Commission

International Human Rights Commission

Human Rights Commission in India

Select Bibliography:

- | | | |
|-----------------------|---|---|
| Akbar, M.J. | : | Riots After Riots (1988) |
| Baxi, U. (ed.) | : | The Right to be Human (1986) |
| Baxi, U. | : | The Crisis of the Indian Legal System(1982) Vikas Publishing House, New Delhi |
| Kazmi, F. | : | Human Rights (1987) |
| Levin, L. | : | Human Rights (1982) |
| Madhavtirtha | : | Human Rights (1953) |
| Gromley, W.P. | : | Human Rights and Environment (1976) |
| Beddard, H. | : | Human Rights and Europe (1980) |
| Singh, Nagendra | : | Human Rights and International Co-operation (1969) |
| Kashyap, S.C. | : | Human Rights and Parliament (1978) |
| Khare, S.C. | : | Human Rights and United Nations (1977). |
| Moskowitz | : | Human Rights and World Order (1958) |
| Andrews, J.A. | : | Human Rights in International Law (1986) |
| Menon, I. (ed.) | : | Human Rights in International Law (1985) |
| Roberston, A.B. (ed.) | : | Human Rights in National and International Law (1970) |
| Baxi, U. | : | “ Human Rights, Accountability and Development” Indian Journal International Law 279 (1978) |

**207- PAPER -II (ELECTIVE PAPER),
CONSTITUTIONAL PLURALISM : PROTECTION OF SPECIAL
NATIONAL INTERESTS
(Paper -XXVII, Code : LL.M.-207)**

Max. Marks: 80

Time: 3 Hours

Note:

1. The list of cases and specific references including recent articles will be announced in the class at the time of launching of the course.
2. The examiner is required to set nine questions in all. The first question will be compulsory consisting of ten short questions covering the entire syllabus. In addition, eight more questions will be set comprising two questions from each unit. The students shall be required to attempt five questions in all selecting one question from each unit in addition to compulsory Question No. 1. The compulsory question will carry 20 marks and all questions shall carry 15 marks each.

Unit-I

1. Secularism & Pluralism

Concept of Secularism

Freedom of Religion

Rights of the Minorities

Protection of Linguistic Cultural & Educational Rights

Unit-II

2. Gender Equality

Rights of the Women

Rights of the Children

3. Weaker Sections of the Society

Protection of SC's and ST's Interests

Backward Classes of citizens

Unit-III

4. National Security

Legislation to Protect National Security

Preventive Detention and Safeguards

5. National Emergency

Emergency under Article 352

Effects of Emergency on Rights

Effects on Union State Relations

Protection of the States

Unit-IV

6. State Emergency
Failure of Constitutional Machinery in the State
7. Financial Emergency
8. Martial Law

Select Bibliography:

- Koppell G.O. : "The Emergency, The Courts and Indian Democracy" 2 J.L.L. 287(1966)
- Seervai, H.M. : The Emergency, Future Safeguards and the Habeas Corpus: A Criticism (1978)
- International Commission of Jurists, Status of Emergency and Human Rights (1984)
- Chatterji, N.C. and : Emergency and the Law (196)
- Rao Parameshwar
- Seervai, H.M. : Constitutional Law of India, Tripathi, Bombay
- Jain, M.P. : Indian Constitutional Law, Wadhwa, Nagpur

208- PAPER –XXVIII
DISSERTATION
(Paper –XXVIII, Code : LL.M.-208)

Max. Marks: 100

Important to Note :-

1. The dissertation shall carry 100 marks out of which 80 marks will consist of dissertation's evaluation and 20 marks for viva-voce examination.
2. The Chairperson/Principal shall constitute a committee consisting of two-three senior teachers of the Department/College who will screen the topic, synopsis and detailed methodology.
3. The dissertation so prepared will be submitted for external evaluation by the university and on satisfactory report from the examiner, the viva-voce examination will be Conducted in the Department/College.