

**PUNYASHLOK AHILYADEVI HOLKAR SOLAPUR
UNIVERSITY, SOLAPUR**



**SYLLABUS
LL.M.(2YEAR)
APPLICABLE TO THE AFFILIATED LAW COLLEGES

CHOICE BASED CREDIT SYSTEM (CBCS) PATTERN

FROM ACADEMIC YEAR 2026-2027**

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RULES FOR TWO YEAR LL.M. PROGRAMME
(FROM ACADEMIC YEAR 2026-2027)

LL.M. DEGREE PROGRAMME
PART – I
GENERAL

1. Title of the Course:

Master of Laws Programme

2. Preamble of the Syllabus:

The Master of Laws (LL.M.) is a postgraduate programme offered by its affiliated Law Colleges under the Choice Based Credit System (CBCS). The Programme is governed by Rules and Regulations for Credit and Semester System in Post-Graduate Departments of the affiliated College. It helps students build strong fundamentals and specialize in areas of their interest, gaining an in-depth understanding of the subject.

3. Rules of LL.M. programme from Academic Year 2026-2027

The Rules for two-year LL.M programme from the Academic year 2026-2027 will be introduced as shown below –

S No.	Year/ Class of Course	Academic Year of Application
1	First Year of LL. M.	2026-27
2	Second Year of LL. M.	2027-28

4. Eligibility:

Every Candidate seeking admission to the Master of Laws (LL.M.) Programme must have passed the LL.B. Degree after completing three or all the five years LL.B. Course of this University or its equivalent degree of another statutory University recognized as equivalent to said degree of this University.

5. Admission:

The affiliated colleges for admission purposes will follow the selection procedure / policies adopted by Punyashlok Ahilyadevi Holkar University, Solapur. Reservation and relaxation will be as per the rules prescribed by the Government of Maharashtra and Punyashlok Ahilyadevi Holkar University, Solapur from time to time.

6. Instructions for the Students: The students seeking admission to LL. M. Programme are hereby informed that they are supposed to adhere to the following rules:

- A minimum of 70 % attendance for grant of term.
- The students are supposed to attend all the Internal Assessment Activities, Workshops / Seminars / Training Programmes / Symposia / Study Tour organized by the P. G. Department of the affiliated Law Colleges.

7. General Objectives of LL.M. Course

- To make the students aware of the conceptual basis, nature of the law and its formulation

- To familiarize them with the basic principles underlying each course of study.
- To acquaint them with the evolutionary processes of each law in the context of social, political, economic and other factors.
- To expose to the students about the subject matter in detail with the help of legislative, judicial and other materials
- To introduce them to research methodology and its practical applications
- To familiarize the students with the use of the library and to develop the capacity to search and collect reading and reference materials on a given topic
- To train the students in skills for collection of empirical data and applying the law to practical situation to study role of law in social change (practical ramification)
- To develop the capacity for coherent and reasoned expressions
- To encourage students to enhance their capacity to:
 - a) Interpret and evaluate law, legal processes and legal institutions.
 - b) Analyze fact situations and suggest probable legal solutions.
 - c) Evaluate societal needs and suggest viable solutions through modification in the existing laws, processes and institutions.
- To train them in the writing of research papers / dissertations.

8. Expectations of Students' Attainment:

The students are expected to exhibit the general objective of the LL.M. Programme by–

- Understanding of the basic principles in each course.
- Acquaintance with up-to-date statutory, judicial and other materials.
- Appreciation of leading juristic writing.
- Coherent and reasoned expression.
- Solution of given problems in the context of laws and principles.
- Anticipation of legal solutions to evolve societal needs.
- Capacity for critical appreciation of the materials studied, and ability for independent thinking.
- Familiarity with the elementary rules of research methodology and practice in legal research and writing.
- Understand practical implications and ramification of theoretical law with interdisciplinary approach.

9. Affiliated Colleges offers LL.M Degree in Three Specialized Branches of Law.

Branch I	Business Law
Branch II	Constitutional Law
Branch III	Criminal Law

Note:

The principal of affiliated Law Colleges in consultation with Punyashlok Ahildevi Holkar University, Solapur may offer students any specialization branch that is feasible for the college to provide.

10. Course Duration

- The duration of LL.M. Programme is two years. Each academic year is divided into 2 semesters (Odd and Even). The semester pattern is designed with continuous assessment system.
- A student shall be granted the term for the course concerned if he/she has put in an attendance not less than 70 % of the lectures and practicals (internal activities).

11. LL.M. Programme Structure

- The Two – year LL.M. Programme shall consist of 70 credits spread over two years and the same shall be divided into four semesters.
- The First year will be divided into 2 semesters which will carry 38 credits *into to* (Semester - I is of 18 Credits and Semester - II is 20 Credits)
- The Second Year will also be divided into 2 semesters and will carry 32 credits *into to* (Semester – III is of 16 Credits and Semester – IV is of 16 Credits).
- The Specialization shall be allotted at the time of commencement of the First Semester.

12. The LL.M Programme structure is as follows:

SEMESTER	SUBJECTS	CREDITS		NATURE	TOTAL CREDITS
		Theory	Practical		
Semester I	Core Paper I	3	1	Compulsory	18
	Core Paper II	3	1	Compulsory	
	Specialization Paper	3	1	Elective	
	Specialization Paper	3	1	Elective	
	Research Project	1	1	Compulsory	
Semester II	Core Paper III	3	1	Compulsory	20
	Core Paper IV	3	1	Compulsory	
	Specialization Paper	3	1	Elective	
	Specialization Paper	3	1	Elective	
	Research Project	1	1	Compulsory	
	Seminar Course	1	1	Compulsory	
Semester III	Specialization Paper	3	1	Elective	16
	Specialization Paper	3	1	Elective	
	Specialization Paper	3	1	Elective	
	Soft Paper	1	1	Soft Paper	
	Seminar Course	1	1	Compulsory	
Semester IV	Soft Paper	1	1	Soft Paper	16
	Soft Paper	1	1	Soft Paper	
	Specialization Paper	3	1	Elective	
	Dissertation*	6	2	Compulsory	
TOTAL CREDITS					70

- **Note:** The Dissertation work shall commence at the beginning of the Semester - III. However, it shall be concluded and evaluated at the end of Semester - IV.

Explanation

- 1) **Theory:** Classroom lectures.
- 2) **Practical:** Internal assessment.
- 3) **Compulsory:** Includes core, Research Project and Seminar Course as mentioned above.
- 4) **Soft Paper:** This is a paper of two credits and the students should opt the soft paper of the concerned specialization.
- 5) **Seminar Course:** In order to introduce the students to the recent advances in research and the recent developments in the subject concerned, the seminar course is conducted through discussion and presentation by the students. This is done under the personal guidance of the teacher concerned.

Part – II

STRUCTURE OF PROGRAMME

The Basic Framework of the postgraduate syllabus for the two-year LL.M. Programme under the Choice Base Credit System applicable to the PG Department of Law Colleges affiliated to Punyashlok Ahilyadevi Holkar Solapur University, Solapur as mentioned in above Part I at para. 11 and 12.

The subjects are as given below–

1. List of papers to be offered shall be as under:

1. List of Core Subjects

1. Constitutional Law
2. Research Methodology
3. Introduction to Legal Theory
4. Law and Social Transformation in India

2. List of Papers of Specialization and its soft papers

1. Business Law

1. A. General Principles of Corporate Law **OR**
B. Investment Law
2. A. Company and Securities Law **OR**
B. Law of Industrial Designs, Geographical Indications, Layout Designs, Data Protection and Trade Secrets
3. A. Cyber Law **OR**
B. Banking Law
4. A. Law of Industrial & Intellectual Property **OR**
B. Legal Regulation and Economic Enterprises
5. A. Fundamentals of Commercial Laws **OR**
B. Law relating to Customs & Foreign Exchange
6. A. Emerging Principles of Commercial Laws **OR**
B. Corporate Insolvency and Bankruptcy Law
7. A. Corporate Social Responsibility **OR**
B. International Trade Law
8. Law of Economic Offences (Soft)
9. Sports Law and Practice (Soft)
10. Mergers and Acquisitions – Law and Practice (Soft)
11. A. Consumer Law **OR**
B. Law Regulation of Capital Market and Foreign Investment

2. **Constitutional Law**

1. A. Judicial Process **OR**
B. Human Rights
2. A. Public Utilities Law **OR**
B. Health Law
3. A. Centre- State Relations and Constitutional Governance **OR**
B. Policy and Security Administration
4. A. Comparative Constitutional Law and Governance **OR**
B. Globalisation, Law and Justice
5. A. Judicial Review and Judicial Activism **OR**
B. Public Authorities: Liability
6. A. Constitutionalism, Pluralism and Federalism **OR**
B. Human Right and Environmental Development Policy
7. A. Public Policy and Development **OR**
B. Law Science and Technology
8. Media Law (Soft)
9. Tribal Development - Law, Policy and Practice (Soft)
10. Transparency Law (Soft)
11. A. Law Making in India Polity and Statutory Interpretation **OR**
B. Minorities Law

3. **Criminal Law**

1. A. Principles of Criminal Law **OR**
B. Transnational Organised Crimes
2. A. Criminal Procedure: Rights, Procedures and Remedies **OR**
B. Criminal Justice and Human Rights – International Perspective
3. A. Corporate Criminal Liability and White- Collar Crimes **OR**
B. Forensic Science and Scientific Investigation of Crime
4. A. Comparative Criminal Law **OR**
B. Privileged Class Deviance
5. A. Victimology and Victim Rights in Criminal Justice **OR**
B. Criminology and Penology
6. A. Collective Violence and Criminal Justice System **OR**
B. Criminal Law and Technology
7. A. Organised and Unorganised Crime – Law and Policy **OR**
B. International Criminal Law and Human Rights

8. Juvenile Justice and Delinquency Prevention (Soft)
9. Psychology and Criminal Law (Soft)
10. Sentencing and Penology (Soft)
11. A. Principles of Evidence Law **OR**
B. Digital Crime and Digital Forensic in Cyber Space

3. Research Project, Seminar and Dissertation

1. Two Research Projects
2. Two SeminarCourse
3. One Dissertation

4. Medium of instruction: English.

PART-III
EXAMINATION PATTERN
(INTERNAL AND EXTERNAL EXAMINATIONS)

A. Evaluation of Students:

1. General

- 1) A student cannot appear for semester end examination unless he / she have maintained 70% attendance in the term.
- 2) Each credit will be evaluated for 25 Marks.
- 3) Each credit will be equivalent to 15clock hours of teaching.
- 4) Credit is a unit by which the course work is measured. In this Direction one Credit means one hour of teaching work or two hours of practical work & one credit are equivalent 15 lectures in a semester.
- 5) The P. G. Department of affiliated Law College shall announce Seminar Courses to introduce students to recent advances in research. Seminar Course credits is to be conducted through discussion and presentation by the student and personal guidance by the teacher.

2. Score of Credits

- 1) A minimum 08 marks in internal examination and 32 marks in external (University) examination in each of the subject in semester examination. However, a candidate shall be declared 'Pass' in the examination of a Semester if he has secured at least aggregate of 50 Percent in each semester examination.
- 2) The student has to secure minimum of 5-grade points (Grade E) in examination prescribed for a Particular semester.
- 3) A student who failed in University semester examination (Theory) and passed internal examination of paper (subject) shall be given FU [Failed in University Exam] Grade. Such student will have to appear for term end examination only. A student who failed in internal examination and passed in University Examination (Theory) shall be given FI [Fail in InternalAssesment] Grade. Such student will have to appear for term end examination as well as internal examination.
- 4) To pass in a course of 2credits, a student must secure minimum 25marks.
- 5) To pass in dissertation activity, a student must secure minimum100 marks.
- 6) While marks are given for all internal and external examinations, they will be converted into grades by the University Exam Section.Semester end grade sheets will have only grades and final grade sheets and transcripts shall have grade points average and total percentage of marks.

3. Award of Grade

Grades will be awarded from Grade Point Average (GPA) of the credits.

4. External Examination

- 1) External Examination for the 80% marks will be conducted by the Punyashlok Ahilyadevi Holkar Solapur University, Solapur
- 2) The External examination programme will be scheduled by the Punyashlok Ahilyadevi Holkar Solapur University, Solapur

5. Internal Examination

Internal assessment for each course would be continuous and dates for each tutorials / test etc. will be pre-notified in the time table for teaching or placed separately as apart of time table. The affiliated Law College will coordinate this activity as per their separate schedule. Internal Assessment:

- 1) It is a continuous evaluation process.
- 2) Assessment of internal work will be conducted before conducting External Examination.
- 3) Assessment of internal work will be evaluated by the concerned subject teacher.
- 4) The dissertation will be evaluated by one internal and one external examiner.

6. Criterion of Internal assessment for each paper

It shall be based on the following criteria–

The students have to appear external evaluation (University Exam) for 80 Marks and internal evaluation of 20 marks for each paper except Dissertation, Research Project, Seminar, and Soft Papers. The internal evaluation is a process of continues assessment. The nature of internal evaluation is decided by the principal of the college and concerned subject teacher at the beginning of semester. The distribution of 20 marks (any two components) internal evaluation shall be as follows.

- 1) Seminar & Presentation – 10Marks.
- 2) Project Work (Doctrinal/Non-Doctrinal) – 10Marks
- 3) Participation & Assistance in Lok-Adalat – 10Marks.
- 4) Writing Case Comment (Two Cases) – 10Marks.
- 5) Anyother Activity Prescribed by the Affiliated Law Colleges - 10 Marks
- 6) Internal written test – 10 Marks
- 7) Viva voce – 10 Marks
- 8) Open Book Test – 10 Marks

7. Assessment Structure

7.1 Division of Four credits

Each paper of four credits is divided as under–

S No.	Activity	Marks
1	External Assessment	80
2	Internal Assessment	20
Total		100

7.2 Two credits Course

Two-credit courses will not have a written examination and will be evaluated as per the Pattern given below –

7.2.1 Division of two credits of Research Project and Seminar Course

Each paper of two credits is divided as under–

S No.	Activity	Marks
1	Submission of Research Project	40
2	Viva-Voce	10
Total		50

A. Research Project and its assessment as mentioned below -

The Method of Assessment of Research Project for 50 marks for the–

- One Research Project on any one of the Core or Specialization Subject (Sem.-I), and
- One Research Project on any one of the Core or Specialization Subject (Sem.-II)

S No.	Activity	Marks
1	Submission of Research Project Report	40
2	Viva Voce on the Research Project	10
Total		50

Note: The teacher concerned will assign the research project to the students.

B. Seminar Course and its assessment as mentioned below-

The Method of Assessment of Seminar Course for 50 marks for the–

- 1Seminar Course on Specialization Subject (Sem.–II), and
- 1Seminar Course on Specialization Subject (Sem.–III)

S No.	Activity	Marks
1	Submission of Seminar Paper	40
2	Presentation on the Seminar Paper	10
Total		50

Note: The subject teacher will assign seminar topics to the students.

7.2.2 Division of two credits of Soft Papers undergroup of specialization and its assessment as Mentioned below -

Each paper of two credits is divided as under—

Sr.No.	Activity	Marks
1	Open Book Test	40
2	Viva voce on the syllabus	10
Total		50

A. Dissertation Activity

The dissertation will carry 6 credits for written work and 2 credits for viva voce, making a total of 8 credits. The viva voce will be conducted by a panel including the Guide, and an External Examiner appointed by the Principal of the Affiliated Law College.

Phase-I Synopsis Submission:

At the beginning of the 3rd Semester students are expected to carry out intensive literature survey for a period of one month in the field of interest and to select topic for dissertation in consultation with assigned teacher. After one month. The student shall then submit report and deliver a seminar on the problem chosen by him / her to the panel of faculty members.

Phase-II Term Work and Progress of the Research Work and Presentation:

It is based on the efforts put by the student to carry out his / her work and submit a progress report and presentation of progress seminar before panel of faculty members at the beginning of fourth semester

Phase III Final Evaluation:

After completing the dissertation work to the satisfaction, the student shall submit three copies of dissertation in prescribed format along with softcopy to the college. Open defence viva-of the student shall be arranged by the College in front of Internal and External examiners nominated by college.

Note: However, the remuneration and TA, DA of Internal and External Examiner will be paid by the University as per norms.

B. Evaluation System on the basis of Credit based Award Pattern:

The academic performance of a student during a semester shall be graded on a Seven- point scale. The grade awarded to a student shall depend on his/her performance in external and internal examinations. The academic performance of a student during a semester and at the end of the programme shall be evaluated on the basis of: (i) Grade Point (GP) obtained in each subject (ii) Semester Grade Point Average (SGPA), (iii) Cumulative Grade

Point Average (CGPA) At the end of each semester examination, a student shall be awarded a Semester Grade Point Average (SGPA). A Cumulative Grade Point Average (CGPA) shall be awarded to each student at the end of Final Semester of the Programme. The details regarding method of calculating SGPA & CGPA is explained below.

C. Award of Grade Letter, Grade Points, Credit Points, SGPA, CGPA:

(a) Award of Grade Letter and Grade Points: Each course/paper shall be valued in Seven Grades. The letter grades and their equivalent grade points are listed below

Conversion of Marks into Grades

S No	Range of Marks	Grade	Grade Points	Description of performance
1	80 onwards	O	10	Excellent/Outstanding
2	70 – 79	A+	9	Very Good
3	60 – 69	A	8	Good
4	55 – 59	B+	7	Fair
5	50 – 54	B	6	Above Average
6	45 – 49	C+	5	Average
7	40 – 44	C	4	Below Average
8	< 40	F	0	Fail
9		XX	0	Detained
10		DR	-	Dropped Out

(b) Calculation of Credit Points: -

Credit Points for the course = (No. of Credits assigned for the course x Grade Point secured for that course.)

(c) Semester Grade Point Average (SGPA): -

SGPA indicates the performance of a student in a given Semester. SGPA is based on the total credit points earned by the student in all the courses and the total Number of credits assigned to the courses / papers in a Semester.

$$SGPA = \frac{\text{Total Credit Points Obtained in the Semester}}{\text{Total Number of Credits for the Semester}}$$

Provided that SGPA is computed only if the candidate passes in all the courses (gets a Minimum 'E' Grade in all Courses).

(d) Cumulative Grade Point Average (CGPA): CGPA refers to the Cumulative Grade Point Average weighted across all the semesters.

$$\text{CGPA} = \frac{\text{Total Credit Points Obtained in all semesters}}{\text{Total Credits of All Semesters}}$$

Total Credits of All Semesters

The CGPA is calculated only when the candidate passes in all papers of all semesters. The final Grade Sheet shall show the Grade and Grade Points only

8. Mode of University Examination Question Paper

1. Maximum Marks–80
2. Time– Three Hours

9. Award of the Degree:

A student will be eligible for the award of the Degree of Master of Laws (LL.M) with his chosen specialization/s, after he has successfully completed all the four semesters. The degree shall specify the division and CGPA of successful candidates as per the following criterion:

Conversion of Average grade points into grades

SGPA/CGPA	LETTER GRADE
9.5 – 10	O
8.5 – 9.49	A+
7.5 – 8.49	A
6.5 – 7.49	B+
5.5 – 6.49	B
4.5 – 5.49	C+
4.0 - 4.49	C
< 3.99	F/FC

PG COURSE STRUCTURE FOR SPECIALIASATION IN BUSINESS LAW

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
I	ML 101	Constitutional Law	Compulsory	4	80	20	100	3 Hrs.	18
	ML 102	Research Methodology	Compulsory	4	80	20	100	3 Hrs.	
	MLB103	A. General Principles of Corporate Law OR B. Investment Law	Elective	4	80	20	100	3 Hrs.	
	MLB104	A. Company and Securities Law OR B. Law of Industrial Designs, Geographical Indications, Layout Designs, Data Protection and Trade Secrets	Elective	4	80	20	100	3 Hrs.	
	MLB105	Research Project	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
II	ML 106	Introduction to Legal Theory	Compulsory	4	80	20	100	3 Hrs.	20
	ML 107	Law and Social Transformation in India	Compulsory	4	80	20	100	3 Hrs.	
	MLB108	A. Cyber Law OR B. Banking Law	Elective	4	80	20	100	3 Hrs.	
	MLB109	A. Law of Industrial & Intellectual Property OR B. Legal Regulation and Economic Enterprises	Elective	4	80	20	100	3 Hrs.	
	MLB110	Research Project	Compulsory	2	40	10	50	-	
	MLB111	Seminar Course	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
III	MLB112	A. Fundamentals of Commercial Laws OR B. Law relating to Customs & Foreign Exchange	Elective	4	80	20	100	3 Hrs.	16
	MLB113	A. Emerging Principles of Commercial Laws OR B. Corporate Insolvency and Bankruptcy Law	Elective	4	80	20	100		
	MLB114	A. Corporate Social Responsibility OR B. International Trade Law	Elective	4	80	20	100	3 Hrs.	
	MLB115	Law of Economic Offences	Soft Paper	2	40	10	50	-	
	ML B116	Seminar Course	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U.A	Total credits
					U.A.	C.A.	Total		
IV	MLB117	Sports Law and Practice	Soft Paper	2	40	10	50	-	16
	MLB118	Mergers and Acquisitions – Law and Practice	Soft Paper	2	40	10	50	-	
	MLB119	A. Consumer Law OR B. Law Regulation of Capital Market and Foreign Investment	Elective	4	80	20	100	3 Hrs.	
	MLB120	Dissertation	Compulsory	8	150	50	200	-	

PG COURSE STRUCTURE FOR SPECIALIASATION IN CONSTITUTIONAL LAW

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
I	ML101	Constitutional Law	Compulsory	4	80	20	100	3 Hrs.	18
	ML102	Research Methodology	Compulsory	4	80	20	100	3 Hrs.	
	MLC103	A. Judicial Process OR B. Human Rights	Elective	4	80	20	100	3 Hrs.	
	MLC104	A. Public Utilities Law OR B. Health Law	Elective	4	80	20	100	3 Hrs.	
	MLC105	Research Project	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
II	MLC106	Introduction to Laegal Theory	Compulsory	4	80	20	100	3 Hrs.	20
	MLC107	Law and Social Transformation in India	Compulsory	4	80	20	100	3 Hrs.	
	MLC108	A. Centre- State Relations and Constitutional Governance OR B. Policy and Security Administration	Elective	4	80	20	100	3 Hrs.	
	MLC109	A. Comparative Constitutional Law and Governance OR B. Globlisation, Law and Justice	Elective	4	80	20	100	3 Hrs.	
	MLC110	Research Project	Compulsory	2	40	10	50	-	
	MLC111	Seminar Course	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
III	MLC112	A. Judicial Review and Judicial Activism OR B. Public Authorities: Laibility	Elective	4	80	20	100	3 Hrs.	16
	MLC113	A. Constitutionalism, Pluralism and Federalism OR B. Human Right and Environmental Development Policy	Elective	4	80	20	100	3 Hrs.	
	MLC114	A. Public Policy and Developmen OR B. Law Science and Tecnology	Elective	4	80	20	100	3 Hrs.	
	MLC115	Media Law	Soft Paper	2	40	10	50	-	
	MLC116	Seminar Course	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
IV	MLC117	Tribal Development - Law, Policy and Practice	Soft Paper	2	40	10	50	-	16
	MLC118	Transparency Law	Soft Paper	2	40	10	50	-	
	MLC119	A. Law Making in India Polity and Statutory Interpretation OR B. Minorities Law	Elective	4	80	20	100	3 Hrs.	
	MLC120	Dissertation	Compulsory	8	150	50	200	-	

PG COURSE STRUCTURE FOR SPECIALIASATION IN CRIMINAL LAW

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
I	ML101	Constitutional Law	Compulsory	4	80	20	100	3 Hrs.	18
	ML102	Research Methodology	Compulsory	4	80	20	100	3 Hrs.	
	MLCr103	A. Principles of Criminal Law OR B. Transnational Organised Crimes	Elective	4	80	20	100	3 Hrs.	
	MLCr104	A. Criminal Procedure: Rights, Procedures and Remedies OR B. Criminal Justice and Human Rights – International Perspective	Elective	4	80	20	100	3 Hrs.	
	MLCr105	Research Project	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U.A.	Total credits
					U.A.	C.A.	Total		
II	MLCr106	Introduction to Legal Theory	Compulsory	4	80	20	100	3 Hrs.	20
	MLCr107	Law and Social Transformation in India	Compulsory	4	80	20	100	3 Hrs.	
	MLCr108	A. Corporate Criminal Liability and White-Collar Crimes OR B. Forensic Science and Scientific Investigation of Crime	Elective	4	80	20	100	3 Hrs.	
	MLCr109	A. Comparative Criminal Law OR B. Privileged Class Deviance	Elective	4	80	20	100	3 Hrs.	
	ML Cr110	Research Project	Compulsory	2	40	10	50	-	
	ML Cr111	Seminar Course	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
III	MLCr112	A. Victimology and Victim Rights in Criminal Justice OR B. Criminology and Penology	Elective	4	80	20	100	3 Hrs.	16
	MLCr113	A. Collective Violence and Criminal Justice System OR B. Criminal Law and Technology	Elective	4	80	20	100	3 Hrs.	
	MLCr114	A. Organised and Unorganised Crime – Law and Policy OR B. International Criminal Law and Human Rights	Elective	4	80	20	100	3 Hrs.	
	MLCr115	Juvenile Justice and Delinquency Prevention	Soft Paper	2	40	10	50	-	
	MLCr116	Seminar Course	Compulsory	2	40	10	50	-	

Sem	Code	subjects	Nature	Credits	Semester exam			Duration of exam for U. A	Total credits
					U.A.	C.A.	Total		
IV	MLCr117	Psychology and Criminal Law	Soft Paper	2	40	10	50	-	16
	MLCr118	Sentencing and Penology	Soft Paper	2	40	10	50	-	
	MLCr119	A. Principles of Evidence OR B. Digital Crime and Digital Forensic in Cyber Space	Elective	4	80	20	100	3 Hrs.	
	MLCr120	Dissertation	Compulsory	8	150	50	200	-	

Part – IV

DETAIL SYLLABUS

I. CORE SUBJECTS

SEM	SUBJECT CODE	SUBJECT	NATURE	CREDITS
1	ML101	Constitutional Law	Core & Compulsory	4
	ML102	Research Methodology	Core & Compulsory	4
2	ML106	Introduction To Legal Theory	Core & Compulsory	4
	ML107	Law And Social Transformation in India	Core & Compulsory	4

Note:-

Above Core and Compulsory papers will be common for all three specialization courses.

PAPER - I
CONSTITUTIONAL LAW
(ML 101)
CREDITS – 4 (COMPULSORY)

COURSE OBJECTIVES:

This advanced Constitutional Law course aims to provide LL.M. students with a comprehensive understanding of the Indian Constitution, its historical development, fundamental principles, and contemporary interpretations. The course objectives include fostering critical analysis of constitutional provisions and landmark judicial decisions, examining governmental structures and functions, evaluating fundamental rights, and exploring key constitutional doctrines.

1. Fundamental Rights and Constitutional Remedies

Right to Equality (Article 14-18)

Right to Freedoms (Article 19-22)

Right against Exploitation (Article 23-24)

Right to Freedom of Religion

Cultural and Educational Rights (Article 25-28 and Article 29-30)

Right to Constitutional Remedies (Article 32) and Public Interest Litigation

Basic Structure Doctrine

2. Directive Principles and Fundamental Duties

Nature and scope of Directive Principles

Concept and classification of directive principles

Relationship between fundamental rights and directive principles

Judicial interpretation and Enforceability

Significance and list of fundamental duties

Judicial interpretation and enforcement

3. Federalism, Distribution of Powers and Decentralization

Federalism in India-Concept and significance

Legislative relations between Union and State (Article 245-255)

Administrative relations between Union and State (Article 256-263)

Financial relations between Union and States (Article 264– 290A)

Finance Commission and its role

4. Structure and Functioning of Government

Union Government –President and Vice President: Powers and functions

Council of Ministers and Prime Minister

Attorney General of India

State Government -Governor: Powers and functions

Chief Minister and Council of Ministers

Advocate General of the State

5. Legislature and Legislative Process

Parliament: Bicameralism and functioning of Rajya Sabha and Lok Sabha, Structure, powers, and functions, Legislative process and privileges

State Legislatures-State Legislature: Structure, powers, and functions, role and significance of Legislative Councils

Legislative procedures and procedures of passing of legislative bills

6. Judiciary and Judicial Review

Supreme Court of India-Composition and jurisdiction, Powers and functions

Appointment of judges and judicial independence

High Courts- Composition and jurisdiction, Powers and functions

Subordinate judiciary and its functioning

BIBLIOGRAPHY

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2. D. D. Basu, Constitutional Law of India, Lexis Nexis
3. H. M. Seervai, Constitutional Law of India, N M Tripathi
4. Granville Austin, The Indian Constitution: Cornerstone of a Nation, Oxford University Press
5. Arvind Datar, Commentary on Constitution of India, Lexis Nexis
6. Sujit Chaudhry, et al, The Oxford Handbook of the Indian Constitution, Oxford University Press
7. Upendra Baxi, "The Indian Supreme Court and Politics"
8. S. P. Sathe, "Judicial Activism in India"
9. Pratap Bhanu Mehta, "The Burden of Democracy"
10. Recent articles from reputed law journals

PAPER - II
RESEARCH METHODOLOGY
(ML 102)
CREDITS -4 (COMPULSORY)

COURSE OBJECTIVES

The main objective of this course is to acquaint the students of law with the scientific methods of Social Science research. The course is expected to provide the knowledge, technique of selection, collection and interpretation of primary and secondary data in Socio-Legal research. Emphasis is given on equipping students to gain the theoretical knowledge which will be the foundation for practical implementation of conducting research in the legal field.

1. Scientific Research-Characteristics, Types and Methods

The Science of Research and Scientific Methodology

Characteristics of Scientific Methodology-Theory, Concepts, Facts, Definition, Variables

Application of Scientific Method to the Study of Socio-legal Phenomena

Empiricism (Positivism) v.Philosophical Approach

Aims of Social Research

Steps in Scientific Research

Difference between Scientific and Normative Research

Types of Scientific Research

Methods of Scientific Research

2. Research Design

Meaning of Research Design

Need of Research Design

Features of a Good Research Design

Variables and Types of Variables –Dependent and Independent Variables, Extraneous Variables, Confounded Relationship etc.

3. Doctrinal and Non-Doctrinal Legal Research

Concept of Doctrinal and Non-Doctrinal Legal Research

Advantages and Disadvantages of Doctrinal and Non-Doctrinal Legal Research

Relevance and Significance of Doctrinal and Non-Doctrinal Legal Research

4. Problem Identification and Developing Research Questions and Hypothesis

Definition, Identification and Selection of Research Problem

Sources of Selecting Research Problem

Formulation of Research Questions

Hypothesis- Meaning, Importance and Types

Formulation of Hypothesis

5. Tools and Techniques of Research

Observation -Meaning, Characteristics, Purpose and Types

Factors Affecting Choice of Observation

Recording of Observation

Observation Schedule

Merits and Limitations of Observation

Interview Method- Meaning, Functions, Characteristics and Types

Conditions for a Successful Interview

Relationship between the Interviewer and the Respondent

Process of Interview

Merits and Limitations of Interview

Questionnaire Method- Meaning and Types

Arranging Sequence of the Questions

Pitfalls in Question Construction

Steps in Questionnaire Construction

Merits and Limitations of Questionnaire

Case Study Method-Meaning, Characteristics, Purpose and Types

Sources of Data Collection for Case Studies

Planning the Case Study

Uses and Limitations of Case Study Method

Content Analysis

Inductive and Deductive Methods

6. Sampling Techniques

Sampling Technique- Concept, Purpose and Principles

Advantages and Utility of Sampling Techniques in Legal Research

Types of Sampling Techniques

Non- Probability Sampling- Concept,Types and Examples

Probability Sampling- Concept, Types and Examples

Sampling Errors

7. Use of Information Communication Technology in Legal Research

Database Use- Google Scholar, Jstor, Research Gate etc

Microsoft Word

Microsoft Excel

Zotero Software

LaTex- Document Preparation Software

8. Report Writing

Legislative Review and Case Comment

Book Review and Judgement Analysis

Research Report and Techniques of Writing Research Work

Research Ethics and its Importance in Legal Research

Plagiarism and Types of Plagiarism

Citation Methodology and Various Citation Styles in Legal Research

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8. Pauline Young, *Scientific Social Surveys and Research*
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PAPER - VI
INTRODUCTION TO LEGAL THEORY
(ML 106)
CREDITS -4 (COMPULSORY)

COURSE OBJECTIVES

This paper will help students to understand fundamental questions of Law and Justice. This course will enable the students to understand the basic foundations of Law, the manner in which Law is justified; the relationship between Law and Morality and Law and Justice. Various theories of Law and Justice are explored in this syllabus. This course will also introduce students with Western and Ancient Indian jurisprudential theories of Law and Justice. It will also construct a sound theoretical foundation of various legal systems which will develop a pragmatic approach of the students towards the understanding of various dimensions of Law and Justice.

1. Natural Law Tradition in Jurisprudence

Natural Law Tradition in Greek Philosophy
Reception of Natural Law in Rome
Pre-Renaissance Medieval Conception of Natural Law
Natural Rights and Social Contract: Rise of Secular Natural Law
John Finnis Restatement of Classical Natural Law
Understanding Lon Fuller's Natural Law Theory

2. Legal Positivism

Positivism and Legal Positivism
Jeremy Bentham: Law and Principle of Utility
John Austin's Command Theory of Law
H. L. A. Hart: Law as Primary and Secondary Rules
Hans Kelsen's Pure Theory of Law

3. Sociological Jurisprudence and Sociology of Law

Society and Class Struggle: The Sociology of Karl Marx
Max Weber and the Rationalisation of Law
Emile Durkheim's Legal Sociology
Roscoe Pound's Idea of Social Engineering

4. Realism in Legal Theory

American Legal Realism

Oliver Wendell Holmes Jr.

Karl Llewellyn

Jerome Frank

Scandinavian Legal Realism

Alex Hagerstrom

Alf Ross

Indian Legal Realism

5. Modern Critical Perspectives

Critical Legal Studies

Post modernism: Deconstruction of Law

Feminist Legal Theory

6. Concept of Justice

Justice according to Law and Justice of the Law

Concept of *Dharma* in Indian Thought

Dharma as a Foundation of Legal Ordering

Justice as a Virtue

Legal Justice and Remedial Justice

Distributive Justice

Justice as Fairness: John Rawls' Theory of Justice

Entitlement Theory of Justice: Robert Nozick's Response to Rawls

Amartya Sen's Idea of Justice

Martha Nussbaum's Theory of Justice

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2. Michael Sandel, *Justice: What's The Right Thing To Do?*, 2008
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4. Raymond Wacks, *Understanding Jurisprudence: An Introduction to Legal Theory*
5. W. Friedman, *Legal Theory*, Universal Law Publication co, 2013 (Indian Reprint)
6. Julius Stone, *Social Dimension of Law and justice*
7. C. K. Allen- *Law in the making*
8. Lloyd- *Introduction to Jurisprudence*
9. Dias- *Text on Jurisprudence*
10. Prof. Julius Stone- *Human Law and Human Justice*

11. Prof. Roscoe Pound- *Jurisprudence* Vol. I to IV
12. Rawls, John. *A theory of justice*. Harvard University Press, 2020
13. Nussbaum, Martha Craven. *Frontiers of justice: Disability, nationality, species membership*. Cambridge, MA: Belknap Press, 2006
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<http://www.jstor.org/stable/10.7722/j.ctt9qdmtn.5>.

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CASES

1. A. K. Gopalan v. State of Madras, AIR 1950 SC 27
2. Maneka Gandhi v. Union of India, AIR 1978 SC 597
3. The case of the Speluncean Explorers

PAPER - VII
LAW AND SOCIAL TRANSFORMATION IN INDIA
(ML 107)
CREDITS -4 (COMPULSORY)

COURSE OBJECTIVES

This course is designed with an objective to acquaint the students with the understanding of Law as a tool for Social Transformation. This course will also enhance the students understanding of Indian models of social order as envisaged by various Indian Social thinkers from legal perspective. Further, this course will facilitate the students to examine various legal frameworks as well as the functional aspects of the other valuable measures such as public opinion, development and contributions of legal scholars, eminent social activists and Non-Governmental organisations that brought about social transformation in India.

1. Law and Social Change

Law as an Instrument of Social Change- Definitions of Law, the Binding Force of Law and Sanctions

Law as the Product of Traditions and Culture

Evaluation of Law in the Light of Colonization and the Introduction of Common Law System and Institutions in India

2. Law and Public Opinion

Meaning of Public Opinion

Manifestation of Public Opinion: Religion, Language, Regionalism and Nationalism

Relationship between Law and Public Opinion

Rule of Law and Public Opinion: A. V. Dicey's Views

Public Opinion and International Law

3. Development of Law for Protection of Vulnerable and Disadvantaged Groups

Protective Discrimination: Scheduled Castes, Scheduled Tribes and Backward Classes
Reservation

Status of Persons with Disability, Status of Senior Citizens, Statutory Commissions and
Statutory Provisions

Crimes against Women, Gender Justice and Empowerment of Women:
Constitutional and Other Legal Provisions

4. Social Transformation and Democratic Process

Political Parties: Constitutional and Legal Position

Problems in the Functioning of Political Parties –Corruption

Nexus with Anti-social Elements and Inner Party Democracy

Role of the Election Commission and Electoral Reforms

Democratic Decentralization and Role of Local Self- Government

5. Law and Development

Law and Development: Conceptual Evolution

Rule of Law and Development

Right to Development as a Human Right

Modernisation as a Value: Constitutional Perspectives Reflected in the Fundamental Duties

Modernisation of Social Institutions through Legal Reforms

Agrarian Reforms: Industrialisation of Agricultural Sector

Industrial Reforms: Free Enterprise and State Regulation, Industrialisation and

Environmental Protection

Sustainable Development and Law

6. Additional Valuable Contributions towards Social Transformation

Socio- Economic Justice: Views of Dr. B. R. Ambedkar

The Role of Law Commission in Transforming the Law in India

Role of Media in Social Transformation

Role of Non- Governmental Organizations and Social Activists in Social Transformation

Role of Legal Scholars in Social Transformation

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4. U. Baxi (ed.), *Law and Poverty Critical Essays* (1988) Tripathi, Bombay
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13. Abhinav Chandrachud “*Republic of Religion: The Rise and fall of Colonial Secularism in India*” Penguin Wiking, 2020
14. Rohit De “*A People's Constitution the Everyday Life of Law in the Indian Republic*” Princeton University Press, 2018
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BUSINESS LAW

Business Law refers to as to laws that govern the laws that deal with a business from its stage of incorporation as a business entity and further guides the business in how to run it, manage it, expand or reduce its activities and even close it. It further guides as to how to deal with various stakeholders, competitors and the regulators as well. While pursuing such business activities a lawyer well versed in Business Law plays a vital role.

A lawyer aspiring to work in this field needs to acquire knowledge in the areas relating to various commercial contracts, laws of corporations, other business organizations, commercial papers, income tax, secured transactions, intellectual properties, and other transactions and dealings related to the business. Corporate Law in its ever-changing contours requires one to be constantly updated with the latest developments in the field.

The legal environment in which business is conducted has undergone a massive transformation over the recent decades, with the revolution of corporate legal practice. Corporate transactions have grown remarkably in scope, value and complexity resulting into an intense demand for highly trained and skilled corporate lawyers. Hence, those who have already embarked upon legal career can exploit their potential and sharpen their skills as business lawyers by continuing their legal education with this specialization at Masters Level.

The specialization provides students with ample opportunity to engage with the key theoretical debates of corporate law and related areas of law, like Banking and Finance, E-commerce, Corporate Finance, International Commercial Arbitration, Sports law, Mergers acquisitions, Competition Law and so on. The students will also be able to flexibly acquire some related skills by opting for some soft papers in other specializations available simultaneously. The projects undertaken by the students and seminars given in the university and outside will help the students to get a reality check and connect with the practical issues related to their studies.

BUSINESS LAW**LL.M SYLLABUS**

SEM	SUBJEC CODE	PAPER NUMBER	SUBJECT	NATURE	CREDITS
I	MLB101	I	Constitutional Law	Core & Compulsory	4
	MLB102	II	Research Methodology	Core & Compulsory	4
	MLB103	III	A. General Principles of Corporate Law Or B. Investment Law	Elective	4
	MLB104	IV	A. Company and Securities Law Or B. Law of Industrial Designs, Geographical Indications, Layout Designs, Data Protection and Trade Secrets	Elective	4
	MLB105	V	Research Project	Compulsory	2
II	MLB106	VI	Introduction To Legal Theory	Core & Compulsory	4
	MLB107	VII	Law and Social Transformation In India	Core & Compulsory	4
	MLB108	VIII	A. Cyber Law Or B. Banking Law	Elective	4
	MLB109	IX	A. Law of Industrial and Intellectual Property Or B. Legal Regulation and Economic Enterprises	Elective	4
	MLB110	X	Research Project	Compulsory	2
	MLB111	XI	Seminar Course	Compulsory	2

III	MLB112	XII	A. Fundamentals of Commercial Laws Or B. Law relating to Customs & Foreign Exchange	Elective	4
	MLB113	XIII	A. Emerging Principles of Commercial Laws Or B. Corporate Insolvency and Bankruptcy Law	Elective	4
	MLB114	XIV	A. Corporate Social Responsibility Or B. International Trade Law	Elective	4
	MLB115	XV	Law of Economic Offences	Soft	2
	MLB116	XVI	Seminar Course	Compulsory	2
IV	MLB117	XVII	Sports Law and Practice	Soft	2
	MLB118	XVIII	Mergers and Acquisitions- Law & Practice	Soft	2
	MLB119	XIX	A. Consumer Law Or B. Law Regulation of Capital Market and Foreign Investment	Elective	4
	MLB120	XX	Dissertation	Compulsory	8
Total Credits of Specialization					70

PAPER - III

A. GENERAL PRINCIPLES OF CORPORATE LAW

(MLB103)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

The subject aims to acquire knowledge and develop understanding of the regulatory framework of companies with reference to various provisions of Companies Act and its schedules, rules, notifications, circulars, clarifications there under including case laws and secretarial standards.

1. Company Form and Structure

Corporate Personality, Personification – Concept

Theories of Corporate Personality –Jurisprudential aspects

Company– Definition, Nature, Characteristics

Classification of companies

Doctrine of piercing the corporate veil – Statutory exceptions and judicial interpretations

Promotion of companies – Legal position of Promoters, Duties and Liabilities

Pre-incorporation Contracts

2. Company - Registration and Incorporation

Memorandum of Association – Importance and Contents

Articles of Association – Significance and interrelationship

Doctrine of Ultra Vires – Applicability, consequences

Doctrine of Constructive Notice – Rule of presumption

Doctrine of Indoor Management – Concept & exceptions

Prospectus (meaning, issue and kinds)

3. Corporate Fund Raising

Share/Equity Capital – Meaning and Nature of Shares, Kinds of Shares

Rights issue, Bonus Issue - Rationale, mechanism

Allotment –Principles & procedure

Debenture/Debt Capital –Concept, Meaning and Kinds

Debenture Trustee, Debenture Trust Deed

Shareholder vis-à-vis Debenture holder

4. Corporate Management

Directors – Meaning, Types, Qualifications, Disqualifications

Legal Position of Directors

Shadow, De-facto and De-jure Director

Powers and Duties of Directors

Meetings – Kinds and Requisites of valid meeting

5. Corporate Abuse and Remedies

Shareholders Democracy

Majority Powers and Minority Rights

Principle of Non-Interference (Rule established in Foss v Harbottle)

Protection against Oppression

Protection against Mismanagement

6. Corporate Governance and Corporate Social Responsibility

Meaning and evolution

Principal of Corporate Governance

CSR and its importance including statutory provisions

Interrelationship between CG & CSR

BIBLIOGRAPHY

1. Ramaiyya, Guide to Companies Act, 2013
2. Charlesworth & Morse, Company Law
3. Gower & Davies, Principles of Modern Company Law
4. K. Majumdar, Dr. G. K. Kapoor Company Law & Practice, Taxman
5. Sekhar K., SEBI Capital Issues, Debentures and Listing, Wadhwa and Company, Nagpur
6. C.R. Dutta on the Company Law, 6th Edn. 2008 by Kamal Gupta
7. Pennington, Company Law
8. Agrawal & Babyon SEBI Act, Taxman Publications
9. Palmer, Company Law
10. K. Majumdar, Dr. G. K. Kapoor Company Law & Practice, Taxman
11. Nicholas Bourne, Principles of Company Law
12. H.L.J. Ford and A.P. Austen, Ford's Principles of Corporations Law, (1999) Butterworth's
13. Jonathan Charkham, Fair Share: The Future of Shareholders Power and Responsibility, Oxford.

14. Corporate Governance OECD Principles

Statutes & SEBI Regulations to be referred:

1. The Companies Act, 2013
2. Securities and Exchange Board of India Act, 1992
3. (Issue of Capital and Disclosure Requirements) Regulations, 2018
4. Depositories Act, 1996
5. Securities Contract Regulation Act, 1956

B. INVESTMENT LAW

COURSE OBJECTIVES

This course seeks to provide the investment mechanism in India and the regulatory framework for the protection of investor and other stake holders of the market. The purpose of this subject is not only to build basic understanding of the fundamentals of investment law but also develop student's cognitive skills in practical application of various components of the law through problem solving method. It aims to understand various investment opportunities and how it is regulated. It is designed in such a way that it covers all important layers of regulation surrounding investment in India. It also makes accomplished legal professionals in the field of investment law with a thrust towards understanding needs of investment and the law involved.

1. Introduction

- Meaning of investment and market
- Nature and risk associated with investment
- Evolution of Investment and bargaining norms

2. Shares

- Definition and nature, Shares and Shareholders
- Stock and Shares, Issue and allotment of shares, Transfer and Transmission of shares
- Certificate of shares, Call on shares, Lien on shares
- Minimum Subscription, Share capital, Debentures, Charges and Deposits
- Inter-Corporate loans and investments

3. Securities Contracts

- Basic Features of the Securities Contracts, Recognition of Stock Exchange
- Derivatives, Options and futures
- Debt and Money Market Instruments
- Mutual Funds, Venture Capital, Collective Investment Schemes
- Methods of Resource Mobilization in International Capital Markets
- Listing of securities
- Penalties and procedure for adjudication

4. Securities and Exchange Board

- SEBI constitution, Powers and Functions of SEBI
- Securities Appellate Tribunal
- SEBI (Disclosure & Investor Protection) Guidelines

5. Depositories Act

- Salient features

Agreement between depository and participant
Registration of transfer of securities with depository
Stamp duty on transfer
Non-Banking Financial Institution

6. Principles of International Investment Law

International treaties
Types of Investment contracts
Applicable law
Stabilization clauses
Renegotiation and adaptation

BIBLIOGRAPHY

1. Chandratre, K.R, et, al. Bharat's SEBI Compendium. 2 Vol, 4th Ed. New Delhi: Bharat Law House, 2010
2. Ferran, Eilis. Principles of Corporate Finance Law, Oxford: Oxford University Press, 2008
3. Khilnani, D. T. FEMA Ready Reckoner, 2 Vol, 12th Ed. New Delhi: Snow White Publications Pvt., 2007
4. Myneni, S.R. Law of Investment and Securities. Hyderabad: Asia Law House, 2006
5. Puliani, Ravi, et,al,eds. Bharat's Manual of SEBI Act, Rules, Regulations, Guidelines, Circulars, ETC. 2 Vol, New Delhi : Bharat Law House Pvt, 2007
6. Saxena, Ashok. Bharat's Foreign Exchange Management Manual. 3 Vol, 5th Ed. New Delhi: Bharat Law House, 2008
7. Singh,Avtar, Company Law. 14th ed. Lucknow: Eastern Book Company, 2004
8. Taxman. Taxman's Foreign Exchange Management Manual: With Foreign Exchange Laws Ready Reckoner. 2 Vol, 18th Ed. New Delhi: Taxman Publications, 2011
9. Taxman. Taxman's SEBI Manual. 2 Vol, 15th Ed. New Delhi: Taxman Publications, 2010.
10. A. Ramaiya Guide to Companies Act, 17th Edition, 2010
11. Khan M.Y. Indian Financial System
12. M. Sonarajah, The International Law on Foreign Investment

PAPER - IV

A. COMPANY AND SECURITIES LAW

(MLB104)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

An introduction of this subject is aimed to acquire knowledge about corporate governance in India which includes managing director, regulation of companies by disclosure of information. Also provides understanding regarding the concept of amalgamation, corporate collapses along with the international dimensions of company law. The syllabus is designed to increase the understanding the securities laws in India.

1. Concept of Corporate Governance

Directors and other Managerial Personnel

Qualification, Disqualification, Appointment and Removal

Powers, Position, Duties, Liabilities and Remuneration of Directors

2. Managing Director

Manager and sole selling agents.

Meetings of company Oppression

and Mismanagement

Meaning of and Relief against Oppression and Mismanagement

3. Regulation of Companies by Disclosure of Information

Themes underlying disclosure of information

Auditors - Appointment, Qualification, Disqualification and Removal Audit committee.

Investigation of affairs of companies - inspectors and their powers, inspectors' report

4. Amalgamation

Definition Meaning

Take over Mergers

6 Corporate collapses - Winding up of Company

Meaning and kinds

Grounds for compulsory winding up Appointment,

Powers and Duties of Liquidator Contributory

7 International Dimensions of Company Law

Multinational and Transnational Companies

Meaning, Growth and Regulation

Cross- frontier mergers

International Competition and International Co-operation

8. Securities Laws in India

Security Contract (Regulation) Act, Control of Capital Market

National Stock Exchange /Recognized Stock Exchange / OTC Exchange

Contracts and Options in Securities, Derives, Listing of Securities

SEBI ACT and Guidelines

Depositories Act - Demitting of Shares

BIBLIOGRAPHY

1. Prof. I.C.B. Gover's Modern Principles of Company law 5th ed. 1992, Sweet and Maxwell
2. Boyle and Birds- Company Law
3. V.H. Farrar and B. M. Hanniyan, Farrar's Company Law (1998) Butter worth
4. Ramaiya: Guide to the companies Act, (1998)
5. Thayil Philip and Iyengar, T.R. Srinivasa - companies Director (their Rights, Duties, Power, Obligations, Appointments, Classifications, Removal, Resignation etc.) 2nd ed. - Law Book Co.(p) Ltd
6. Iyengar, T.R. Srinivasa : Company Promotion, Management and incorporation, 2nd edn. The Law Book co (p) Ltd
7. Dr. K.R. Chandratre, Bipin S. Acharya, Dr. S.D. Israni , K. Sethuraman: compendium on SEBI- Capital issues and Listing – 3rd Edn. 1996 Bharat law House publication
8. Bharat's Manual of SEBI, 2000, Bharat Law Journals

B. LAW OF INDUSTRIAL DESIGNS, GEOGRAPHICAL INDICATIONS, LAYOUT DESIGNS, DATA PROTECTION AND TRADE SECRETS

COURSE OBJECTIVES

This course seeks deliberations among the students on the need and importance of Industrial Designs, Geographical Indications, Layout Designs, Data Protection and Trade Secrets. Acquainting students with the concept of various Trade related treaties for effective trade negotiations and deliberations between member nations. Also to teach the students the relevance of various laws for protecting the interests of intellectual property right holders. Acquainting students with provisions regarding to Dispute Settlement Mechanisms, counterfeiting, piracy infringements and remedies available to aggrieved parties

1. Laws Relating to Industrial Designs

Introduction
Novelty and Originality
Publication
Registration of Designs
Rights conferred by registration
Infringement of Copyright in Design and Remedies

2. Law Relating to Geographical Indication

Definition, Need and Scope of Geographical Indications
Register and Conditions for registration of Geographical Indications.
Procedure for and Duration of Registration, Effect of Registration
Special Provisions related to Trademark and Prior Use
Rectification and Correction of Register
Offences & Penalties
Appeals & Remedies

3. Layout- Designs (Topographies) of Integrated circuits

Meaning of Integrated Circuit Layout Design
Need and Mechanisms for Protection of Integrated Circuit & Layout Designs
International conventions and National Legislations
Procedure for Registration of Integrated Circuits, Duration of Registration

Change in the Identity of Proprietor; Assignment; Surrender, Amendment; Corrections and other Changes, Cancellation

Compulsory Licensing

Infringement and Appeals

4. Law relating to Data Protection and Trade Secrets

Protection of trade secrets – Confidential Information, How to protect trade secrets

The relationship between patents and confidential information

The relationship between copyright and confidential information

The Data Protection Act (DPA) 2018 (United Kingdom)

Protection of Undisclosed Information

Introduction: terminology, definition and scope

International and National Legislation for protection of Undisclosed Information

BIBLIOGRAPHY

1. Intellectual Property (1999 edition) by W.R. Cornish (Sweet & Maxwell)
2. Intellectual Property (fifth ed.) by Daoul Bainbridge First Indian Reprint 2003
3. Pearson Education (Singapore) Pvt. Ltd., Indian Branch, Delhi
4. Design – The Modern Law and Practice by Lan Morris and Barry Quest (1987 edition) (Butterworths)
5. Patent for Inventions and the Protection of Industrial Designs by Thomas A. Balanco White, 1974 Edition (Stevens & Sons)
6. Russell – Clarke on Industrial Designs (6th Edition) 1998 by Martin Howe (Sweet & Maxwell)
7. Taxmann's Trade Marks, Passing Off & Geographical Indications of Goods –
8. Law & Procedure by D.P. Mittal (Taxmann Allied Services)
9. Copyright Act, 1957
10. The Designs Act, 2000

PAPER – V
RESEARCH PROJECT
(Clinical Course)
(MLB105)
CREDITS -2 (COMPULSORY)

Research Project: 50 marks are divided as follows: -

Student has to select a topic on any one of the Core or Specialization Subjects, in consultation with subject teacher at the beginning of the semester. By using research methodology, students have to submit research project (Doctrinal or Non-Doctrinal Research) at the end of the said semester.

The completed research work should have to be submitted in spiral binding form and same will carry 40 marks. Viva Voce will be conducted by Internal Examiners relating to project work will carry 10 Marks.

PAPER – VIII
A. CYBER LAW
(MLB108)
CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

The main objective of this subject is to make students familiar with the developments that are being taking place in the different areas with the help of Computer Science and Information Technology. To acquaint the students with the national and international legal orders relative to these.

1. Fundamentals of Cyber Law

Conceptual and theoretical perspective of cyber law

Computer and Web Technology

Development of Cyber Law – National and International Perspective

2. Cyber Law: Legal Issues and Challenges in India, USA and EU

Data Protection, Cyber Security,

Legal recognition of Digital Evidence

Recognition of liability in the digital world

Jurisdiction Issues in Transnational Crimes

3. Cyber Law: International Perspectives

Budapest Convention on Cybercrime

ICANN's core principles and the domain names disputes

Net neutrality and the EU electronic communications regulatory framework

Web Content Accessibility Guidelines (WCAG) 2.0

4. Cyber Law – Contemporary Trends

Impact of cyber warfare on privacy, identity theft

International law governing Censorship, online privacy, copyright regulations

Online Intermediaries in the governance of Internet

Social Networking Sites vis-à-vis Human Rights

5. Computer Security

Definition and Meaning

Network Security:

Email security

Web Security

Database Security
Operating System Security
E-commerce Security

6. Establishment of Authorities under IT Act

Controller
Certifying Authorities
Cyber Regulations Appellate Tribunal
Adjudicating officer
Functions and Powers of Authorities

7. Cyber and Computer Crimes

Introduction
Reasons for Cyber Crime
Modes operandi of Cyber Crime
Preventive measures of Cyber Crimes
Classification of Conventional and Cyber Crime
Distinction between Conventional and Cyber Crime

8. Information Technology Act, 2005 - Issues and Provisions

Evolution of I.T. Act - Genesis and Necessity
Digital/ Electronic Signature - Analysis in the background of Indian Laws
E-Commerce
E-Governance
E-Taxation

BIBLIOGRAPHY

1. Yatindra Singh: Cyber Laws.
2. Ajit Narayanan and Bennum (ed.): Law, Computer Science and Artificial Intelligence.
3. Linda Brennan and Victoria Johnson: Social, ethical and policy implication of Information Technology.
4. Kamath Nandan: Law relating to Computer, Internet and E-Commerce.
5. Arvind Singhal and Everett Rogers: India's Communication Revolution: From Bullock Carts to Cyber Marts.
6. Lawrence Lessing: Code and other Laws of cyberspace.
7. Mike Godwin: Cyber Rights defending free speech in the Digital Age.
8. Cyber Law in India by Farooq Ahmad- Pioneer Books

9. Information Technology Law and Practice by Vakul Sharma- Universal Law Publishing Co. Pvt. Ltd.
10. The Indian Cyber Law by Suresh T. Vishwanathan- Bharat Law House New Delhi
11. Guide to Cyber and E- Commerce Laws by P.M. Bukshi and R.K. Suri- Bharat Law House, New Delhi
12. Guide to Cyber Laws by Rodney D. Ryder- Wadhwa and Company, Nagpur
13. Digital Evidence and Computer Crime, 2nd ed. By Eoghan Casey- Academic Press, 2004
14. Scene of the Cybercrime: Computer Forensics Handbook by Syngress
15. Introduction to Forensic Science in Crime Investigation by Dr. Smt. Rukmani Krishnamurthy

B. BANKING LAW

COURSE OBJECTIVES

A vitally important economic institution the banking system is deeply influenced by socio-political and economic changes. The emerging changes in India, particularly after the initiation of the planning process as an instrument of rapid economic development had molded and affected the banking structure, policies, patterns and practices. A significant development in the banking system is diversification in banks financing. The commercial banks entered into the field of wide ranging financial assistance to industry, both large and small scale, requiring the need for social control of the banking system eventually leading to the nationalization of banks. The conventional banking system, found to be deficient for planned developmental purposes, paved the way for developmental banking. The fag end of the last millennium witnesses influx of foreign banking companies into India and a shift in the banking policy as part of the global phenomenon of liberalization. The legal system is adopting itself into the new mores. This course is designed to acquaint the students with the conceptual and operational parameters of banking law, the judicial interpretation and the new and emerging dimensions of the banking system.

1. Nature and Development of Banking

History of banking in India-indigenous banking-evolution of Banking in India- Different kinds of Banks and their functions

Multi-functional Banks - Growth and Legal issues.

2. Law Relating to Banking Companies in India

Controls by government and its agencies

On management, on accounts and audit

Lending

Credit policy

Reconstruction and reorganization

Suspension and winding up

Contract between banker and customer: their rights and duties

3. Social Control over Banking

Nationalization

Evaluation: private ownership, nationalization and disinvestment

Protection of depositors

Priority lending

Promotion of under privileged classes

4. Deposit Insurance

The Deposit Insurance Corporation Act 1961: objects and reasons

Establishment of Capital of DIC

Registration of banking companies insured banks, liability of DIC to depositors

Relations between insured banks, DIC and Reserve Bank of India

5. The Central Bank

Evolution of Central Bank

Characteristics and functions

Economic and social objectives

The Central Bank and the State - as Bankers' bank

The Reserve Bank of India as the Central Bank

Organizational structure

Functions of the RBI

Regulation of monetary mechanism of the economy

Credit control

Exchange control

Monopoly of currency issue

Bank rate policy formulation

Control of RBI over non-banking companies

Financial companies

Non-financial companies

6. Relationship of Banker and Customer

Legal character

Contract between banker and customer

Banker's lien

Protection of bankers

Customers

Nature and type of accounts

Special classes of customers - lunatics, minor, partnership, corporations, local authorities

Banking duty to customers

Consumer protection: banking as service

7. Negotiable Instruments

Meaning and kinds

Transfer and negotiations

Holder and holder in due course

Presentment and payment

Liabilities of parties

8. Lending by Banks

Good lending principles

Lending to poor masses

Securities for advances

Kinds and their merits and demerits

Repayment of loans: rate of interest, protection against penalty

Default and recovery

Debt Recovery Tribunal

9. Recent Trends of Banking System in India

New technology

Information technology

Automation and legal aspects

Automatic teller machine and use of internet

Smart card

Use of expert system

Credit cards

10. Reforms in Indian Banking Law

Recommendations of committees: a review

BIBLIOGRAPHY

1. Basu, A. Review of Current Banking Theory and Practice (1998) Macmillan M. Hapgood (ed.)
2. Pagets' Law of Banking (1989) Butterworths, London
3. R. Goode, Commercial Law, (1995) Penguin, London
4. Ross Cranston, Principles of Banking Law (1997) Oxford
5. L.C. Goyle, The Law of Banking and Bankers (1995)
6. M.L. Tannan, Tannan's Banking Law and Practice in India (1997) India Law House, New Delhi, 2 Volume

7. K.C. Shekhar, Banking Theory and Practice (1998) UBS Publisher, Distributors Ltd. New Delhi
8. M. Dasse, S. Isaacs and G. Pen, E.C. Banking Law, (1994) Lloyds of London Press, London
9. V. Conti and Hamaui (eds.), Financial Markets' Liberalization and the Role of Banks', Cambridge University Press, Cambridge, (1993)
10. J. Dermine (ed.), European Banking in the 1990s' (1993) Blackwell, Oxford
11. C. Goodhart, The Central Bank and the Financial System (1995), Macmillan, London
12. S. Chapman, The Rise of Merchant Banking (1984) Allen Unwin, London
13. K. Subrahmanyam, Banking Reforms in India (1997) Tata McGraw Hill, New Delhi
14. Subodh Markandeya and Chitra Markandeya, Law Relating to Foreign Trade in India: Being a Commentary on the Foreign Trade, (Development and Regulation) Act 1992, Universal Law Publishing Co. Pvt. Ltd. Delhi
15. R.S. Narayana, The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993), Asia Law House, Hyderabad
16. M.A. Mir, the Law Relating to Bank Guarantee in India (1992), Metropolitan Book, New Delhi. Anthony Pierce, Demand Guarantees in International Trade (1993) Sweet & Maxwell
17. Ross Cranston (ed.) European Banking Law: The Banker-Customer Relationship (1999) LLP, London
18. Mitra, the Law Relating to Bankers' Letters of Credit and Allied Laws, (1998) University Book Agency, Allahabad
19. R.K. Talwar, Report of Working Group on Customer Service in Banks
20. Janakiraman Committee Report on Securities Operation of Banks and Financial Institution (1993)
21. Narasimham Committee report on the Financial System (1991)- Second Report (1999)

PAPER – IX
A. LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY
(MLB109)
CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

The concept of intellectual property rights as developed in India cannot be divorced from the developments in the international arena as well as in the nation-to-nation relations. The impact of IPR regime on the economic front is emphasized in this paper. In particular, greater attention would be given here to the law relating to unfair and restrictive trade practices as affecting the regime of Intellectual Property Rights. New areas of development, especially plant patenting and patenting of new forms of life (biotechnology) should receive special attention. Evidentiary aspects of infringement, and human right dimensions of the regime of intellectual property law will also be addressed. The following syllabus prepared with this perspective will be spread over a period of one semester.

- 1. IPR and International Perspectives**
- 2. Trademarks and Consumer Protection (Study of UNCTAD report on the subject)**
- 3. The Legal Regime of Unfair Trade Practices and of Intellectual Industrial Property**
 - United Nations approaches (UNCTAD, UNCITRAL)
 - EEC approaches
 - Position in U.S
 - The Indian situation
- 4. Special Problems of the Status of Computer Software in Copyright and Patent Law: A Comparative Study**
- 5. Biotechnology Patents**
 - Nature and types of biotechnology patents
 - Patent over new forms of life: TRIPS obligations
 - Plant patenting
 - Sui generis protection for plant varieties
 - Multinational ownership
 - Regulation of environment and health hazards in biotechnology patents
 - Indian policy and position

6. Patent Search, Examination and Records

International and global patent information retrieval systems (European Patent Treaty)

Patent Co-operation Treaty (PCT)

Differences in resources for patent examination between developed and developing societies

The Indian situation

7. Special Problems of Proof of Infringement

Status of intellectual property in transit - TRIPS obligation - Indian position

The evidentiary problems in action of passing off

The proof of non-anticipation, novelty of inventions protected by patent law

Evidentiary problems in piracy: TRIPS obligation - reversal of burden of proof in process patent

Need and Scope of Law Reforms

8. Intellectual Property and Human Right

Freedom of speech and expression as the basis of the regime of intellectual property right –

Copyright protection on internet - WCT (WIPO Copyright Treaty, 1996)

Legal status of hazardous research protected by the regime of intellectual property Law

Human right of the impoverished masses intellectual property protection of new products for

Health care and food security

Traditional knowledge - protection- biodiversity convention- right of indigenous people

BIBLIOGRAPHY

1. Special attention should be given to literature of the U.N. System, WIPO and the UNESCO.
2. Terence P. Stewart (ed.), The GATT Uruguay Round: A Negotiating History (1986-1994) the End Game (Part - 1) (1999), Kluwer
3. Iver P. Cooper, Biotechnology and Law (1998), Clerk Boardman Callaghan, New York
4. David Bainbridge, Software Copyright Law (1999), Butterworths
5. Sookman, Computer Law (1998), Carswell
6. Carlos M. Correa (ed.), Intellectual Property and International Trade (1998), Kluwer
7. Patent Co-operation Treaty Hand Book (1998), Sweet and Maxwell
8. Christopher Wadlow, The Law of Passing-Off (1998), Sweet and Maxwell
9. W. R. Cornish, Intellectual Property Law (1999), Sweet and Maxwell

B. LEGAL REGULATION OF ECONOMIC ENTERPRISES

COURSE OBJECTIVES

After independence we have placed greater emphasis on the growth of our economy. The focus is on growth, both in public and private sectors, so as to cope up with the problems of population explosion. We have found that there is now almost a circle from laissez faire to welfare state and again back to laissez faire. Adoption of the concept of global economy in the presence of the socialistic perspectives in the Constitution presents a dilemma. The trends of liberalization starting in the early nineties and continuing to this day bring a shift in focus of regulation in diverse fields of economic activities. This course is designed to acquaint the students of the eco- legal perspectives and implications of such developments. It will comprise of about 42 units of one-hour duration each spread over a period of one semester.

1. The Rationale of Government Regulation

Constitutional perspectives

The new economic policy - Industrial policy resolutions, declarations and statements

The place of public, small scale, co-operative, corporate, private and joint sectors -in the

Changing context

Regulation of economic activities

Disclosure of information

Fairness in competition

Emphasis on consumerism

2. Development and Regulation of Industries

3. Take-over of Management and Control of Industrial Units

4. Sick Undertakings: Nationalization or Winding Up?

5. Licensing Policy and Legal Process - Growing Trends of Liberalization

6. Deregulation of essential commodities: developmental sign or a social mishap?

7. Financial Services: Changing Techniques of Regulation

8. Critical Issues Regarding the Capital Issues

Equity and debt

Finance Global

Depositories

De-materialized securities

9. Problems of Control and Accountability: Regulation of Hazardous Activity

Mass disaster and environmental degradation: legal liability and legal remedies

Public Liability Insurance: adequacy

Issues in zoning and location of industrial units

10. Special Aspects of Legal Regulation of Select Public Enterprises

(Universities may select some such representative public enterprises for transport, mining and energy)

Telecom Regulatory Authority

Insurance Regulatory Authority

Broadcasting Regulatory Authority

11. Legal Regulation of Multi-Nationals

Collaboration agreements for technology transfer

Development and regulation of foreign investments

Investment in India: FDIs and NRIs

Investment abroad

BIBLIOGRAPHY

1. S. Aswani Kumar, the Law of Indian Trade Mark (2001), Commercial Law House, Delhi
2. Industrial Policy Resolutions of 1948, 1956, 1991
3. Industrial Licensing Policy 1970, 1975
4. Industrial Policy Statements 1973, 1977, 1980
5. Reports of Committees on Public Undertakings of Parliament
6. Industries (Development and Regulation) Act, 1951
7. U. Baxi (Ed.) Inconvenient Forum and Convenient Catastrophe the Bhopal Case, (1986) U. Baxi & T. Paul (Ed)
8. Mass Disasters and Multinational Liability (1986)
9. U. Baxi & A. Dhandba, Valiant Victims and Lethal Litigation: The Bhopal Case (1989)
10. Indian Law Institute, Law of international Trade Transactions, (1973)

PAPER – X
RESEARCH PROJECT
(Clinical Course)
(MLB110)
CREDITS -2 (COMPULSORY)

Research Project: 50 marks are divided as follows: -

Student has to select a topic on any one of the Core or Specialization Subjects, in consultation with subject teacher at the beginning of the semester. By using research methodology, students have to submit research project (Doctrinal or Non-Doctrinal Research) at the end of the said semester.

The completed research work should have to be submitted in spiral binding form and same will carry 40 marks. Viva Voce will be conducted by Internal Examiners relating to project work will carry 10 Marks.

PAPER – XI
SEMINAR COURSE
(Clinical Course)
(MLB111)
CREDITS -2 (COMPULSORY)

Seminar Course and Assessment Guidelines

The Seminar Course shall be assessed for a total of 50 marks on the Specialization Subject at the Semester II.

The assessment shall be carried out as follows:

S. NO.	ACTIVITY	MARKS
1	Submission of Seminar	40
2	Presentation of the Seminar Paper	10
TOTAL		50

Note:

The concerned subject teacher shall assign seminar topics to the students. Students are required to prepare and submit their seminar papers on the allotted topics and make a presentation before the concerned faculty as part of the assessment process.

PAPER – XII

A. FUNDAMENTALS OF COMMERCIAL LAWS

(MLB112)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

This subject is designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contracts is an important aspect of the Law of Contracts. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study. This course also should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

1. Laws of Contracts

Essential elements of a contract, offer and acceptance Void
and voidable agreements

Consideration, legality of object and consideration

Capacity of Parties, free consent

Quasi-contracts, contingent contracts

Performance of Contracts

Discharge of Contracts

Breach of Contract and Remedies for Breach of Contract

2. Sale of Goods Act, 1930

Definition

Transfer of ownership

Conditions and Warranties

Performance of the Contract of Sale

Rights of Unpaid Vendor

Auction Sales

3. Negotiable Instruments Act, 1881

Negotiable Instruments –Characteristics of Negotiable Instruments

Definitions of Promissory Note, Bill of Exchange and Cheque Differences

between Promissory Note, Bill of exchange and Cheque Crossing –

Meaning, Definition and Type of Crossing

4. Ethics and Business

Ethics – Meaning, Importance

The “Seven Principles of Public Life” – Selflessness, Integrity, Objectivity, Accountability,
Openness, Honesty and Leadership
The relationship between Ethics and Law
Ethics in Business

BIBLIOGRAPHY

1. P C Tulsian, Business Law, 2nd edition, Tata McGraw-Hill Education, 2000
2. Vivek Katdare, Text Book of Business Law, Vision Publications
3. MS. Pandit, Shobha Pandit, Business Law, Himalaya Publishing House
4. Dr S N Maheshwari & Dr S K Maheshwari, Business Law, Himalaya Publishing House
5. Business Law, Garg K.C., Saareen, Sharma, Kalyani Publishers
6. Kumar, R. Legal Aspects of Business, Cengage Learning
7. Arora Sushma – Business Law – Taxmann Publication
8. A Book of Business Laws-Jena B and Mohapatra-Himalaya Publishing House
9. Business Law, Ashok Sharma, V.K. Global Publication.
10. Business Laws: Das & Roy, Oxford University Press
11. Business Law- S K Matta, Geetika Matta, Vrinda Publications (P) Ltd
12. Business Law - Tejpal Singh, Pearson Publication
13. Kuchhal, M.C. and Vivek Kuchhal, Business Law, Vikas Publishing House, New Delhi

B. LAW RELATING TO CUSTOMS AND FOREIGN EXCHANGE

COURSE OBJECTIVES

This course seeks to ensure and enable students to understand the laws relating to custom and foreign exchange, to expand knowledge with regard to tariffs, custom duties, Foreign Exchange and Currency. New Concepts under (FEMA), Foreign Exchange Management Act. Also it seeks to understand the Function of Customs Officers and to get well versed with Specific Provisions relating to Foreign Direct Investment in India. Issues and Challenges with regard to Foreign Trade, Development and Foreign Exchange Regulation Act.

1. Law Relating to Customs:

Custom of charging customs duties
Rules relating to interpretation of customs law Prohibition
on Importation and Exportation of Goods Chargeability
and Levy of Customs duty
Exemption from Customs Duties
Refund of Customs duty
Clearance of Imported Goods and Export Goods
Warehousing of Goods\
Powers of Custom Officers
Adjudicatory Proceedings
Appeals
Criminal Prosecution

2. Law Relating to Foreign Exchange:

Historical background to Foreign Exchange Regulation Act (FERA) and Foreign Exchange
Management Act (FEMA)
Foreign exchange and currency
Foreign exchange management and noteworthy features of
Foreign Exchange Management Act (FEMA)

3. New Concepts under Foreign Exchange Management Act (FEMA)

Resident
Capital Account Transactions
Current Account Transactions
Export
Person
Service
Transfer

Export of Goods and Services

Adjudication, Appeals and Penalties

Foreign Direct Investment in India

Foreign Trade, Development & Regulation Act, 1992

BIBLIOGRAPHY

1. A Guide to Customs Act - Nilima Chandiramani
2. Customs Law, Practice and Procedure - T.P. Mukerjee
3. Foreign Exchange Management Act - Dilip Sheth
4. Foreign Exchange Management Manual -Taxmann

PAPER – XIII

A. EMERGING PRINCIPLES OF COMMERCIAL LAWS (MLB113)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

This course is to be taught after the students have been made familiar with the general principles of contract in which the emphases is on understanding and appreciating the basic essentials of valid contract and on the existence of contractual relationship in various instances. The subject provides an insight into the justification for special statutory provisions for certain kinds of contracts. In the society wherein all major ventures are getting corporatized, a law student should acquaint himself with the knowledge of special contracts apart from equipping himself with general principles of contract. The subject is designed with an aim to study overview of Limited Liability Partnership Act, Indian Partnership Act, Specific Relief Act and Government as a Contracting Party. It also analyzes a range of subject specific, cognitive and transferable skills within the purview of Limited Liability Partnership Act, Indian Partnership Act and Specific Relief Act.

1. Limited Liability Partnership Act, 2008

Limited Liability Partnership - Meaning and Concept

Incorporations of Limited Liability Partnership

Partners and their relations

Financial Disclosures

Assignment and Transfer of Partnership Rights

Conversion into Limited Liability Partnership

Compromise, Arrangement or Reconstruction of Limited Liability Partnership

Winding up and Dissolution

2. The Partnership Act, 1932

Definition – Partner, Partnership

Nature and Characteristics of Partnership

Types of Partners

Registration of a Partnership Firms and consequences of non-registration

Rights and Duties of Partners

Dissolution of firms – meaning and grounds

3. Specific Relief Act, 1963

Specific reliefs and defense

Specific performance and defense

Unenforceable contracts

Rescission of Contracts, Cancellation of Instruments

Declaratory Decrees

Preventive Reliefs

4. Government as a Contracting Party

Constitutional Provisions

Government powers to contract, Procedural requirements

Kinds of Government Contracts, their usual clauses and performance

Settlement of disputes and Remedies

5. Contemporary Issues in Business Law

Right to Information Act, 2005

Meaning of Information, Right to Information

Need for Right to Information.

Public Information

Request for obtaining information

Grounds for rejection of information

Central Information Commission

Constitution, Powers and Functions

BIBLIOGRAPHY

1. Beasten (Ed), Anson's Law of Contract
2. Pollock and Mulla on the Indian Contract and the Specific Relief Act, Lexis Nexis India, Gurgaon (1999)
3. Dr. Avtar Singh: Law of Contract & Specific Relief, Eastern Book Company, Lucknow
4. Dr. R.K. Bangia: Contract, Allahabad Law Agency, Allahabad
5. R.K. Abichandani (ed), Pollock and Mulla on the Indian contract and the Specific Relief Act, Butterworths Publication
6. Anand and Aiyer, Law of Specific Relief, Universal
7. Benerjee S.C. Law of Specific Relief, Universal
8. LMP's Limited Liability Partnership – A Comprehensive Resource Book by Pramod Jain
9. Bharat's Law & Procedure of Limited Liability Partnership by D K Jain – 9th Edition 2022
10. Commentary on the Right to Information Act by Dr. J N Barowalia & Abhishek Barowalia, 6th Edition, 2024

B. CORPORATE INSOLVENCY AND BANKRUPTCY LAW

COURSE OBJECTIVES

Students will be able to apply the provisions of relevant laws to corporate debt restructuring; counsel on bankruptcy procedure in cases of corporate insolvency; and to take up cases relating to corporate insolvency in the court of law.

1. The fundamentals of debt contracting

Insolvency – Concepts and Evolution Introduction

to Insolvency and Bankruptcy Code Corporate

Insolvency Resolution Process Insolvency

Resolution of Corporate Persons

2. The Bankruptcy Process

Resolution Strategies

Fast Track Corporation Insolvency Resolution Process Liquidation
of Corporate Person

Voluntary Liquidation of Companies

3. Corporate Debt Restructuring and other options

Adjudication and Appeals for Corporate Persons Debt

Recovery and Securitization

Winding-Up by Tribunal Cross

Border Insolvency

4. Cross-border bankruptcies

Insolvency Resolution of Individual and Partnership Firms

Bankruptcy Order for Individuals and Partnership firms Bankruptcy
for Individuals and Partnership Firms

Fresh Start Process

Professional and Ethical Practices for Insolvency Practitioners

BIBLIOGRAPHY

1. Bare Act – Insolvency and Bankruptcy Act 2017
2. Brian A. Blum, Bankruptcy and Debtor/Creditor: Examples and Explanations (Examples & Explanations) 2006
3. Bruce G. Carruthers and Terence C. Halliday, Rescuing Business: The Making of Corporate Bankruptcy Law in England and the United States 1998
4. Grant W. Newton and Robert Liqueurman, Bankruptcy and Insolvency Taxation, 2008
5. Grant W. Newton, Corporate Bankruptcy: Tools, Strategies, and Alternatives 2003
6. Ian Ratner, Grant T. Stein, and John C. Weitnauer, Business Valuation and Bankruptcy

(Wiley Finance) 2009

7. Irene Lynch- Fannon, Corporate Insolvency and Rescue 2010
8. John R. Cornell, Employee Benefits and Executive Compensation in Corporate Bankruptcy: A Collier Monograph, 2008
9. Lynn M. LoPucki and Joseph W. Doherty, Professional Fees in Corporate Bankruptcies: Data, Analysis, and Evaluation 2011
10. Mark J. Roe, Bankruptcy and Corporate Reorganization: Legal and Financial Materials 2007
11. Mark S. Scarberry, Business Reorganization in Bankruptcy: Cases and Materials 2006
12. Mike Wheeler and Roger Oldfield, International Corporate Recovery Procedures 2002
13. Professor Sir Roy Goode and Robert Stevens, Goode on Principles of Corporate Insolvency Law 2011
14. Rizwaan Jameel Mokal, Corporate Insolvency Law: Theory and Application 2005
15. Thomas J. Salerno, Executive Guide to Corporate Bankruptcy 2010

PAPER – XIV

A. CORPORATE SOCIAL RESPONSIBILITY (MLB114)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

The Concept of CSR is practical and theoretical in nature. It will allow students to analyze businesses, taking into account ethics as a key element in the decision-making process. It focuses on creating value to all stakeholders, the environment and companies at the same time. This subject examines new CSR trends. It combines a descriptive and a practical approach to the implementation of sustainable practices in companies. This subject will include the discussion of business cases, as well as the creation of CSR strategies, metrics, and tracking. It also reviews the development of CSR governance initiatives, and evaluates their limits and potential benefits.

1. Introduction

Corporate Social Responsibility: meaning and definitions

History of CSR

Potential business benefits of CSR

2. Concept of Corporate Social Responsibilities

CSR nature, types, principles and strategies,

Models of CSR, Best practices of CSR, Need of CSR

Arguments for and against CSR, CSR

Indian perspective, Indian examples

3. Government initiatives and CSR

Government policies for CSR

Voluntary guidelines for CSR by Ministry of Corporate Affairs

Corporate social challenges-corporate accountability

Business and ecology-case corporate social responsibility

Corporate crimes-company and society relations analysis

4. Business Ethics

Concept and importance of Business ethics

Fundamental principles of ethics

Ethics in international business

5. Corporate Governance

Issues, need of corporate governance code

Code of Corporate Practices, Social Responsibility of Corporate, Corporate Social Reporting, Corporate Governance and the Role of Board (BOD)

6. Corporate Governance

Corporate Governance System Worldwide,

Corporate Disclosure and Investor Protection in India

Legal compliances- home and host country's regulations and

Compulsions of international agencies

Corporate governance beyond legal compliance

BIBLIOGRAPHY

1. Business and Society-Lawrence and Weber, 12 ed, Tata McGraw- Hill 2010.
2. Business Ethics, Crane & Matten Oxford University Press(OUP)
3. Chrstensen, A.B. Business Policy (Company and its Requirements).
4. Corporate Social Responsibility – Philip Kotler and Nancy Lee
5. Corporate Social Responsibility Concepts and Cases – The Indian Experience - C.V Baxi, Ajit Prasad
6. Corporate Social Responsibility in India – Sanjay K Agarwal
7. Corporate Social Responsibility: A Study of CSR Practices in Indian Industry, Baxi C. V & Rupamanjari Sinha Ray, Vikas Publishing House, 2012.
8. Its only Business, Mitra, OUP
9. Keith Davis and Robert Blostrom, Business and its Environment
10. Mathur and Agrawal, Responsibilities of Business Community to Indian Society and Social Institution.
11. Mathur UC – Corporate Governance & Business Ethics (McMillan).
12. Perspectives in Business Ethics, Hartman, Chatterjee
13. Perspectives on Corporate Social Responsibility – David Crowther, Lez Rayman – Bacchus
14. Reed Darryl – Corporate Governance, Economic Reforms & Development (Oxford).
15. S.K. Bhatia - Business Ethics and Managerial Values (Deep & Deep Publications Pvt.Ltd,
16. The business case for supply chain sustainability- A brief for Business leaders, BSR.org. February 8, 2011.
17. The Management and ethics omnibus- Chakraborty, OUP
18. Values and Ethics for Organizations, Chakraborty, OUP

19. Velasquez – Business Ethics – Concepts and Cases (Prentice Hall)

B. INTERNATIONAL TRADE LAW

COURSE OBJECTIVES

The subject is a foundational course on International Trade Law. It will familiarize the students with the normative framework of the General Agreement on Trade and Tariffs (GATT) 1994 and the World Trade Organization. It will also discuss the relevant case laws and engage with the academic commentary which has developed in the implementation and interpretation of these documents. The students will also get introduced to the Dispute Settlement Mechanism and its current challenges. Students will also study the issues relating to trade. Further there will be a brief introduction to some of the Special agreements which came into force when the World Trade Organization (WTO) was formed.

1. Introduction

Trade history, Nature of International Trade (Origin, Evolution and Characteristics)
From GATT, ITO to WTO
Inter-Relation between Multilateral Rules, Regional Agreements and Domestic legislation
Economics of International Trade
Institutional overview of WTO
Free Trade Theory and Protection

2. Trade Policies and Regulation of International Trade

Pillars of Multilateral Trading System (MFN, National Treatment, Tariff Bindings, Customs Law, Non-Tariff Barriers)
Quantitative Restrictions

3. Subsidies

4. Safeguards

Nature of Safeguard Measures
Preconditions and Procedures for Taking Safeguard Measures
Developing Countries and Safeguards
Limitations and General Disciplines
Grey Area Measures

5. Anti-dumping and Countervailing Duty Measures

6. Sectoral Problems and their Resolutions

Trade in Agriculture
Trade in Services
TRIPS
Trade in Investment

7. Trade Relations and Dispute Resolution

Competing Interests of Trading Partners

Problems of Market Access

Institutions and Principles of Dispute Settlement

The First World – Third World Divide

8. Issues related to Trade

Trade and Labour

Trade and Environment

Trade and Human Rights issues

Trade in Genetic Material

TRIMS – Agreement on Trade Related Investment Measures

BIBLIOGRAPHY

1. Bagchi Jayanta, World Trade Organisation: An Indian Perspective, Eastern Law House (2000)
2. Bhagwati Jagdish, In Defence of Globalisation, Oxford (2004)
3. Bosssche Peter Van Dan, The Law and Policy of the World Trade Organisation, Cambridge (2005)
4. Chandiramani Nilima, World Trade Organisation and Globalisation: An Indian, Overview, Shroff Publishers and Distributors (1999)
5. Gervais Daniel, The TRIPS Agreement: Drafting, History and Analysis, Sweet and Maxwell (1998)
6. Jackson John H., The Jurisprudence of GATT and WTO, Cambridge (2000)
7. Jackson John H., The World Trading System: Law and Policy of International Economic Relations, 2nd Edition, Cambridge: MIT Press (1997)
8. Kaul A K., The General Agreement on Tariffs and Trade/World Trade Organisation- Law Economics and Politics, Satyam Books (2005)
9. Mathur Vibha, WTO and India: Development Agenda for the 21st Century, New Century (2005)
10. Rao Narasimha C., Globalisation, Justice and Development, Serial Publications (2007)
11. Trebilcock Michael J and Howse Robert, The Regulation of International Trade, New York: Routledge (2005)

PAPER – XV
LAW OF ECONOMIC OFFENCES
(MLB115)
CREDITS – 2 (SOFT)

COURSE OBJECTIVES

Economic Offences have a wide sweep and can severely affect the economic spine of a country. With time, the quantum of these offences is increasing and with the emergence of Information Technology they have become complicated more than ever. The Enforcement Agencies today are facing serious challenge in dealing with Cyber Fraudsters, Human Traffickers, Corrupt Officials and Tax Evaders. The Financial Crime Professionals are also facing a wider and more complex landscape of risks and threats than ever before. This course will apprise and equip the students with an understanding of the legal parameters involved in issues dealing with Financial Frauds, Economic Offences, Scams and White-Collar Crimes.

1. Introduction

Concept & Evolution of Economic Offences, Nature and Extent

Economic Offences in Ancient India

Distinction between Traditional Crimes, White-Collar Offences and Economic Offences

Santhanam Committee Report, 47th Law Commission Report

2. Economic Offences

Money Laundering

Fraud

Bribery and Corruption

Cyber Security

Tax Evasion

Insurance Fraud

Banking Fraud

Drug Rackets

Wildlife Trafficking

3. Law Regime covering Economic Offences

Companies Act, 2013

Income Tax Act, 1961

Bhartiya Nyaya Sanhita, 2023

Information Technology Act, 2005

Prevention of Corruption Act, 1988

Negotiable Instruments Act, 1881

Prevention of Money Laundering Act, 2002

Essential Commodities Act, 1955

Imports and Exports Control Act, 1947

The Industrial (Development and Regulation) Act, 1951

Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974

The Special Court (Trial of Offences Relation to Transactions in Securities) Act, 1992

4. Investigative Agencies

Enforcement Directorate (ED)

Economic Offences Wing (Police)

Central Bureau of Investigation (CBI)

Serious Fraud Investigation Office (SFIO)

Securities and Exchange Board of India (SEBI)

Anti-Corruption Bureau

Central Vigilance Commission (CVC)

Comptroller and Auditor General of India (CAG)

Measures to Safeguard the Conduct of Investigations

5. Case Studies under the Economic Offences in India

Hiten Dalal Case

Harshad Mehta Case

Ketan Parekh Case

Saradha Chit Fund Case

Kingfisher Airlines Scam

Nirav Modi Case

BIBLIOGRAPHY

1. John Minkers & Leonard Minker, Corporate & White- Collar Crimes
2. Hazel Croall, Corporate Crime

3. Jayant Umranikar, Avinash Mokashi, Chintan Mokashi, A Practical Guide to Prevention, Detection & Investigation of Corporate Frauds
4. M. A. Shewan Udai Veer, Corruption Money Laundering & Law
5. Michael Goodwin, Black Markets
6. Susanah Naushad, White- Collar Crimes in India–Contemporary Issues and Complexities
7. Dr. Manju Koolwal, White Collar Crimes (Indian and Abroad)
8. Armaan Patkar, Insider Trading- Law & Practice
9. C. Vaidya, Insider trading- Regulatory perspective
10. Prof. Nuzhat Parveen Khan, Law Relating to Socio-Economic Offences
11. B. K. Sharma, Vijay Nagpal, A Treatise on Economic & Social Offences
12. K. D. Gaur, Textbook on Socio Economic Offences

JOURNALS/ ARTICLES

1. Money Laundering: New Moves to Combat Terrorism by C. Satapathy, Economic and Political Weekly, Vol. 38, No. 7 (Feb. 15-21, 2003), pp. 599-602
2. Corruption and economic crime by Jorum Duri, available at <https://www.jstor.org/stable/resrep30836>
3. The Prevention and Control of economic crime by Peter Grabosky, pp.146-158, available at <https://www.jstor.org/stable/j.ctt2tt19f.12>
4. Fraud, Bribery, Extortion and Other Crimes against Business, pp.111-132, available at <https://www.jstor.org/stable/j.ctt24h93t.12>
5. 47th Law Commission Report on ‘The trial and punishment of social and economic offences’ available at <https://lawcommissionofindia.nic.in/1-50/report47.pdf>
6. Study of Economic Crimes in India with Special Emphasis on Financial Market Crimes and Control Measures, Salman Agha, NLUJ Law Review, available at Agha, Salman, available at SSRN: <https://ssrn.com/abstract=2340506> or <http://dx.doi.org/10.2139/ssrn.2340506>
7. Drug Trafficking in India, Nandita Das, IDSA, available at https://idsa.in/system/files/OP_DrugTraffickinginIndia.pdf
8. Economic Offences, available at https://ncrb.gov.in/sites/default/files/crime_in_india_table_additional_table_chapter_reports/Chapter%209-15.11.16_2015.pdf
9. Audit of Fraud in economic crimes, available at https://nja.gov.in/P-948_Reading_Material/P948_Audit_of_Fraud_in_economic_crimes/Audit%20of%20Fraud%20in%20economic%20crimes.pdf

10. Economic crime: people, culture & controls - PwC India, available at <https://www.pwc.in/assets/pdfs/global-economic-crime-survey.pdf>

PAPER – XVI
SEMINAR COURSE
(Clinical Course)
(MLB116)
CREDITS -2 (COMPULSORY)

Seminar Course and Assessment Guidelines

The Seminar Course shall be assessed for a total of 50 marks on the Specialization Subject at the Semester IV.

The assessment shall be carried out as follows:

S. NO.	ACTIVITY	MARKS
1	Submission of Seminar	40
2	Presentation of the Seminar Paper	10
TOTAL		50

Note:

The concerned subject teacher shall assign seminar topics to the students. Students are required to prepare and submit their seminar papers on the allotted topics and make a presentation before the concerned faculty as part of the assessment process.

PAPER – XVII
SPORTS LAW AND PRACTICE
(MLB117)
CREDITS – 2 (SOFT)

COURSE OBJECTIVES

The concept of Sports is age old and with time many sports have evolved, flourished and disappeared. But in the modern era Sports are not just about recreational use of time but a Billion-Dollar industry, with worldwide Spectators and Consumers and National assets built on the very foundation of Sports. With the steady growth and expansion of the Sports Industry, the capability of traditional models of governance of sports activities to deal with contemporary issues is under scrutiny and law is the only weapon to regularize it as well as expand it keeping in mind the interests of stakeholders.

1. Introduction

Meaning and Need of Sports law
Historical Development
Traditional Sports & Legal Status in India
Civil and Criminal Liability in Sports

2. Doping and Sports

Doping
World Anti-Doping Code
Code of Conduct of Sports persons
Violations of Anti-Doping Code
Recreational use of Drugs-Exemptions

3. Commercialization of Sports & Legal Regulation

Development of Sports Industry & Legal Regulation (IPL, Kabaddi League)
Endorsement & Advertisement Contract
Broadcasting
Gambling
Anti-Competitive Practices in Sports Industry

4. Legal Regulation of Sports in India

PIL and Landmark Judgments
Sports Dispute Resolution and Enforcement of Award

Court of Arbitration for Sports
Ministry of Youth Affairs and Sports
National Sports Policy, 2011
Sport Federations in India
International Sports Federation
Sports Authority of India

BIBLIOGRAPHY

1. Lovely Dasgupta, Shameek Sen, Sports law in India-Policy, Regulation and Commercialization
2. Mukul Mudgal, Law and Sports in India: Development Issues and Challenges
3. Professor Ulrich Haas and Dr Deborah Healey, Doping in Sport and the Law
4. Anujaya Krishna, Sport Law
5. Mohammad Naseem, Sports Law in India
6. GNLU, Ahmedabad, Sports and Legislature
7. Subhrajit Chanda, Handbook: Developing Sports Law in India: A Challenge Ahead
8. John J. Miller & Kristi L. Schoepfer, Legal Aspects of Sports
9. Rodney D. Ryder, Sports Law

JOURNALS/ ARTICLES

1. The Vernacular in Sports History Boria Majumdar
2. The Legal Status of BCCI: Unwarranted Ad- Hocism, Constitutional Hurdles and the Pressing Need for a Cricket-Legislation
3. See you in court: The Legal Challenge Against India's Sports Bosses by Sharda Ugra
4. Legalizing Betting in Sports: Some Reflections on Law-making by Radhika Gupta
5. Sports Commerce and Peace: The Special Case of the Special Olympics By Ginger Smith, Andrea Cahn and Sybil Ford

PAPER – XVIII

MERGERS & ACQUISITIONS– LAW & PRACTICE

(MLB118)

CREDITS – 2 (SOFT)

COURSE OBJECTIVES

Mergers and Acquisitions are a highly specialized area in corporates as well as under the corporate law. It involves a lengthy procedure from its inception till its implementation. The effect of M & A's can have lasting effects on the economy. This course offers the students and professionals a perception and awareness into the practical aspects of the procedures involved in Mergers and Acquisitions.

1. Introduction of M & A structures & Transactions

Structures- Court Approved Mergers, Demergers and Hive Offs, Asset Acquisitions, Share Acquisitions, Business Transfer and Slump Sale
Transactions-Lever aged Acquisitions, Acqui-hire Arrangement, Joint Venture Structures, and PIPE's Transactions
Stages to an M & A Transaction

2. Court- Approved M & A's And Demergers

Scheme of Arrangement
Shareholder and Lender Consents and Objections
Role of NCLT

3. Public Company M & A: SEBI's Take Over code

Takeover Code and Open Offer Requirements
Voluntary, Conditional and Competing Open Offers
Open Offer Requirements upon Acquisition of Shares or Control
Mechanisms for Acquisition of Control (Without Share Acquisition)
Indirect and Creeping Acquisition
Preparation and Publication of Open Offer
Offer Size
Computation of Price
Escrow Requirements
Situation-based Exemptions
Time Period of the Open Offer
Cash and Stock Consideration

4. Case Studies

Google's Acquisition of Motorola Mobility

Ola's Acquisition of Taxi for Sure

Flipkart- Myntra Merger

Myntra's Acquisition of Jabong

NOTE: The concerned teacher can add the relevant case studies for assignments.

BIBLIOGRAPHY

1. Seth Dua & Associates, Joint Venture and Mergers and Acquisitions in India
2. H. R. Marchiraju, Mergers and Acquisitions Takeovers
3. Kelvin K. Boeh, Paul W. Beamish, Mergers and Acquisitions
4. Prasad G. Godbole, Mergers Acquisitions Corporate Governance
5. S. Ramanujan, Mergers etal
6. ICSI, Handbook on Mergers, Amalgamation Takeover's law and practice
7. Meredith M. Brown, International Mergers & Acquisitions: An Introduction
8. David Faulkher, Richard J. Joseph, The handbook of Mergers and Acquisition
9. Tarun Mathur, Merger Control in India: Law and Practice
10. K. R. Chandratre, Corporate Restructuring
11. Dr. J. C. Verma, Corporate Merger, Amalgamation & Takeovers
12. P. L. Jayanthi Reddy, Corporate Takeovers- Emerging global trends

JOURNALS / ARTICLES

1. Trends and Perspectives on Corporate Mergers in Contemporary India by P. L. Beena, Economic and Political Weekly, Vol. 43, No. 39 (Sep. 27 - Oct. 3, 2008), pp. 48-56
2. Merger and Acquisition Valuation by Samuel C. Weaver, Robert S. Harris, Daniel W. Bielinski and Kenneth F. MacKenzie
3. Mergers in India: A Response to Regulatory Shocks BY Manish Agarwal and Aditya Bhattacharjea, Emerging Markets Finance & Trade, Vol. 42, No. 3 (May -Jun., 2006), pp. 46-65
4. Mergers and Acquisitions by MNEs: Patterns and Implications BY Nagesh Kumar, Economic and Political Weekly, Vol. 35, No. 32 (Aug. 5-11, 2000), pp. 2851-2858
5. Type of Merger and Impact on Operating Performance: The Indian Experience by Pramod

Mantravadi and A. Vidyadhar Reddy, *Economic and Political Weekly*, Vol. 43, No. 39 (Sep.27-Oct. 3, 2008), pp. 66-74

6. Global mergers and acquisitions: emerging trends, Badar Alam Iqbal, *India Quarterly*, Vol. 57, No. 3 (July -Sept., 2001), pp. 23-36
7. The 5th NLSIR Symposium on "Corporate Mergers and Acquisitions in India"—A Transcription
National Law School of India Review, Vol. 24, No. 2 (2013), pp. 89-109

CASES

1. Ion Exchange (India) Ltd. Inre, (2001) 105 Comp Cases 115 (Bom)
2. Miheer H. Mafatlal vs. Mafatlal Industries Ltd. Supreme Court on 11.09.1996 JT 1996 (8) 205
3. Bank of Baroda Ltd.v. Mahindra Ugin Steel Co. Ltd. (1976) 46 Com Cases 227 (Guj)
4. Marshall Sons & Co. India Ltd v. ITO 223 ITR 809
5. LiTaka Pharmaceutical Ltd. v. State of Maharashtra AIR 1997 Bom 7
6. Hindustan Lever Limited v. State of Maharashtra, 2003, 117 Com Cases 758
7. Chief Controlling Revenue Authority v. Reliance Industries Limited, AIR 2016 Bom 108
8. Shrikant Bhujaballi Bahirshetand others vs ShamraoVithal Co-Operative Bank Limited, Mumbai 2017 Ind law MUM 1495
9. Aruna Dixit D/o Late Y. D. Dixit v State of Chhattisgarh, Through Chief Secretary, Chhattisgarh and others, AIR 2015 CHH 170
10. Hindustan Commercial Bank Limited and another v British Motor Car Company (1934) Limited, 2012 Ind law DEL 528

PAPER – XIX
A. CONSUMER LAW
(MLB119)
CREDITS -4 ((ELECTIVE))

COURSE OBJECTIVES

To obtain an insight into the provisions and working of the Consumer Protection law, this subject seeks to familiarize the students with of their rights as a consumer, the social framework of consumer rights and legal framework of protecting consumer rights. It also provides an understanding of the procedure of redress of consumer complaints, and the role of different agencies in establishing product and service standards. The student should be able to comprehend the business firms' interface with consumers and the consumer related regulatory and business environment.

1. Introduction

Historical perspective of consumer protection in India
United Nations & consumer Protection
Laws dealing with consumer complaints
Caveat Emptor

2. Consumer Protection Act

Aims & Objects of the Act
Consumers
Consumer Dispute
Defect in Goods and Services
Unfair Trade Practices

3. Deficiency in Services

Meaning & Instances
Negligence
Deficiency in service in various professions: Insurance services, Banking and Financial services, Housing etc.

4. Procedural Provisions

District Commission
State Commission
National Commission
Supreme Court

5. Consumer Protection Councils

Central Consumer Protection council

Composition

Procedure

Objectives of Centre Consumer Protection Council

State Consumer Protection Council

6. Mediation Sections

Establishment of consumer mediation cell

Empanelment of mediators

Nomination of mediators from panel

Duty of mediator to disclose certain facts

Replacement of mediator in certain cases

Procedure for mediation

Settlement through mediation

Recording settlement and passing of order

7. Product Liability

Application of Chapter

Product liability action

Liability of product manufacturer

Liability of product service provider

Liability of product sellers

Exceptions to product liability action

8. Offences and Penalties

Penalty for non-compliance of direction of Central Authority

Punishment for false or misleading advertisement

Punishment for manufacturing for sale or storing, selling or distributing or importing products containing adulterant

Punishment for manufacturing for sale or for storing or selling or distributing or importing spurious goods

Cognizance of offence by court

Vexatious search

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1. Saraf, D.N., Law of Consumer Protection in India.
2. Avtar Singh, the Law of Consumer Protection: Principles and Practice.

3. P. K. Majundar, The Law of Consumer Protection In India
4. D.P. Wadhwa & W.L.Rajah, The Law of Consumer Protection
5. R.N.P.Choudhary, Consumer Protection Law
6. V.Balakrishna Eradi, Consumer Protection Jurisprudence
7. Gupta S.N., Banks & Consumer Protection Law
8. Kaushal Anoop, Medical Negligence & Legal remedies
9. S.K. Verma & M. Afzal Wani, A Treatise on Consumer Protection Law
10. Landmark Judgment on Insurance & Consumer Protection t, NCDRC
11. Landmark Judgment on Consumer Protection, NCDRC.
12. Consumer Protection Acts and Rules, <https://consumeraffairs.nic.in/acts-and-rules/consumer-protection>
13. Consumer Protection Act:
https://www.indiacode.nic.in/handle/123456789/15256?sam_handle=123456789/1362

B. LAW REGULATION OF CAPITAL MARKET AND FOREIGN INVESTMENT

COURSE OBJECTIVES

The subject of Law Regulation of Capital Market and Foreign Investment is inherently complicated and is subject to constant refinement through emerging rules and regulations made thereunder. It therefore becomes necessary for every student to constantly update himself with these various legislative changes made from time to time. Also, students should have general understanding of the trends in regulation of capital markets and foreign investments. They should appreciate the broader economic objectives and purposefulness of the nature, forms and extent of regulation of the capital markets.

1. Overview of Capital Market

Role, Relevance and significance of Capital Market in national development

Capital Market and Economic Reforms: Challenges and prospects

Introduction to various components of capital market – primary and secondary market, stock exchanges

2. Trends in Regulation of Capital Markets

Securities Contract Regulation Act 1956

SEBI Act 1992 with particular emphasis on role of SEBI

Depositories Act 1996

3. Policy Framework for Regulation of FDI

Meaning and forms of FDI

Foreign Exchange Management Act

FDI Policy and role of RBI

4. Bilateral and Multilateral Investment Agreements

Introduction to the trends of bilateral and multilateral investments agreements

Nature and scope of substantive rights of foreign investors under BIPAs

Dispute Settlement Mechanisms under BITs – Investment Arbitrations under ICSID and UNCITRAL

BIBLIOGRAPHY

1. Guruswamy, Capital Market, Tata McGraw Education, 2009
2. E Gordon & H Nataraj, Capital Market in India, Himalaya Publishing House, 2013

3. Deepening India's Capital Market: The Way Forward, USAID, November 2007
4. The Consolidated FDI Policy Circular of 2014, Ministry of Commerce & Industry
Department of Industrial Policy & Promotion, Government of India
5. ICSID Convention – A Commentary, C. Schreuer, 2nd Edition 2009
6. Sanjeev Agarwal, Guide to Indian Capital Market, Bharat Law House, 2009
7. Imaad A Moosa, Foreign Direct Investment: Theory Evidence and Practice,
Palgrave MacMillan, 2010
8. Niti Bhasin, FDI in India, New Century Publication, 2008

PAPER – XX
DISSERTATION
(Clinical Course)
(MLB120)
CREDITS -8 (COMPULSORY)

A. WRITTEN WORK- DESSERTATION ON THE GIVEN TOPIC – 150 MARKS

B. VIVA-VOCE – 50 MARKS

Dissertation Rules and Regulations: -

1. Research Guide/Supervisor will be allotted by the Head of Concerned College.
2. Students should submit 03 copies of dissertation along with 01 soft copy to the College.
3. Fees and Remuneration for evaluation of the Dissertation may be fixed by the Punyashlok Ahildevi Holkar Solapur University, Solapur from time to time.

Regarding evaluation of LL.M – II Semester IV (CBCS Pattern)

Dissertation – 200 Marks

This Paper is as follows:-

A. Written Work – Dissertation on the given topic -150 Marks

Two copies of Dissertation are to be submitted by the student for evaluation. Dissertation is to be evaluated by external examiner outside or within Punyashlok Ahilyadevi Holkar Solapur University, Solapur recommended by the Principal of Concerned College.

B. Viva – Voce- 50 Marks

Viva –Voce is to be conducted by panel of experts consisting of

- i) Research guide/ Dissertation Supervisor
- ii) Director/Principal of LL.M- P.G. Department or The Centre of Higher Education
- iii) External examiner i.e. faculty from outside or within Punyashlok Ahilyadevi Holkar Solapur University, Solapur

Viva-Voce examination will be conducted by the University immediately after completion of theory examination or as per the directions of Punyashlok Ahilyadevi Holkar Solapur University, Solapur.

CONSTITUTIONAL LAW

Constitutional Law involves the deep study of the Constitution and the understanding its different meanings and interpretations. Students in this course are taught about every aspect of the Constitution of India, Judicial process, different rulings of the Supreme Court and High Courts and their interpretation etc. It also includes the study and scope of individual rights against the state and study of the federal relationship of the country.

The Constitutional Law course incorporates a comprehensive curriculum for building legal skills in line with the requirements of the judicial system. It will engage students in research and other activities relating to constitutionality of provisions and ancillary issues. It will address the complexities of the legal system and help aspiring lawyers to acquire the necessary ethical legal excellence. The rigorous and innovative pedagogy will help students understand the intricacies of Constitutional Law at different stages and expose them to the practical side of the legal profession. The syllabus is prepared and constantly updated under the guidance of academicians, law firm representatives and industry representatives as per the evolving industry demand. In addition to theoretical knowledge, the program will also provide a platform for better understanding of the practicalities of justice system to further aid students in putting legal theory into practice.

The LL.M. in Constitutional Law is structured to prepare students for these facets of successful legal practice and thus provides an excellent academic platform for those who have embarked upon a legal career or will do so shortly and intend to specialize in the area of Constitutional Law.

CONSTITUTIONAL LAW

LL.M SYLLABUS

SEM	SUBJECT CODE	PAPER NUMBER	SUBJECT	NATURE	CREDITS
I	MLC101	I	Constitutional Law	Core & Compulsory	4
	MLC102	II	Research Methodology	Core & Compulsory	4
	MLC103	III	A. Judicial Process Or B. Human Rights	Elective	4
	MLC104	IV	A. Public Utilities Law Or B. Health Law	Elective	4
	MLC105	V	Research Project	Compulsory	2
II	MLC106	VI	Introduction To Legal Theory	Core & Compulsory	4
	MLC107	VII	Law and Social Transformation In India	Core & Compulsory	4
	MLC108	VIII	A. Centre- State Relations and Constitutional Governance Or B. Police and Security Administration	Elective	4
	MLC109	IX	A. Comparative Constitutional Law and Governance Or B. Globalization, Law and Justice	Elective	4
	MLC110	X	Research Project	Compulsory	2
	MLC111	XI	Seminar Course	Compulsory	2

III	MLC112	XII	A. Judicial Review and Judicial Activism Or B. Public Authorities: Liability	Elective	4
	MLC113	XIII	A. Constitutionalism, Pluralism and Federalism Or B. Human Right & Environmental Development Policy	Elective	4
	MLC114	XIV	A. Public Policy and Development Or B. Law, Science and Technology	Elective	4
	MLC115	XV	Media Law	Soft	2
	MLC116	XVI	Seminar Course	Compulsory	2
IV	MLC117	XVII	Tribal Development– Law, Policy and Practice	Soft	2
	MLC118	XVIII	Transparency Law	Soft	2
	MLC119	XIX	A. Law Making in India Polity and Statutory Interpretation Or B. Minorities Law	Elective	4
	MLC120	XX	Dissertation	Compulsory	8
Total Credits of Specialization					70

PAPER - III

A. JUDICIAL PROCESS (MLC103) CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

A lawyer, whether academic or professional, is expected to be competent to analyze and evaluate the legal process from a broader juristic perspective. The objective of this paper is to study the nature of judicial process as an instrument of social ordering. It is intended to highlight the role of court as policy maker, participant in the power process and as an instrument of social change. This paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques employed in the process. Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of the concept of justice and its various theoretical foundations is required. This paper, therefore, intends to familiarize the students with various theories, different aspects and alternative ways, of attaining justice.

1. Nature of Judicial Process

Judicial process as an instrument of social ordering

Judicial process and creativity in law – common law model – Legal Reasoning and growth of law – Change and stability

The tools and techniques of judicial creativity and precedent

Legal development and creativity through legal reasoning under statutory and codified systems

2. Special Dimensions of Judicial Process in Constitutional Adjudications

Notions of judicial review

‘Role’ in constitutional adjudication – various theories of judicial role

Tools and techniques in policy-making and creativity in constitutional adjudication

Varieties of judicial and juristic activism

Problems of accountability and judicial law-making

3. Judicial Process in India

Indian debate on the role of judges and on the notion of judicial review

The “independence” of judiciary and the “political” nature of judicial process

Judicial activism and creativity of the Supreme Court-the tools and techniques of creativity

Judicial process in pursuit of constitutional goals and values – new dimensions of judicial activism and structural challenges

Institutional liability of courts and judicial activism – Scope and limits

4. The Concepts of Justice

The concept of justice or Dharma in Indian thought

Dharma as the foundation of legal ordering in Indian thought

The concept and various theories of justice in the western thought

Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

5. Relation between Law and Justice

Equivalence Theories – Justice as nothing more than the positive law of the stronger class

Dependency theories – For its realization justice depends on law, but justice is not the same as law

The independence of justice – means to end relationship of law and justice – The relationship in the context of the Indian constitutional ordering

Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice

BIBLIOGRAPHY

1. Julius Stone, the Province and Function of Law, Part II, 1.8-16 (2000), New Delhi
2. Cardozo, the Nature of Judicial Process (1995) Universal, New Delhi
3. Henry J. Abraham, the Judicial Process (1998), Oxford.
4. W. Friedmann, Legal Theory (1960), Stevens, London
5. Bodenheimer, Jurisprudence – the Philosophy and Method of the Law (1997), Universal, Delhi
6. J. Stone, Legal System and Lawyers' Reasonings (1999), Universal, Delhi
7. U.Baxi, the Indian Supreme Court and Politics (1980), Eastern, Lucknow
8. Rajeev Dhavan, the Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi, Bombay
9. John Rawls, A Theory of Justice (2000), Universal, Delhi
10. Edward H. Levi, An introduction to Legal Reasoning (1970), University of Chicago

B. HUMAN RIGHTS

COURSE OBJECTIVES

The Course on Human Rights aims at to create awareness among all categories of persons & to make aware the basic human rights value so as to strengthening Human Rights culture in society. It is designed for give basic information about Human Rights its implementation problems of implementation & measures for its implementation etc. as well as National & International perspective of the rights & different categories of Human Rights. It focuses on basic issues of Human Rights & deals with evaluation of Human Rights, classification of Human Rights its implementation & special issues of violation of Human Rights at National & International level.

1. Panoramic View of Human Rights

Human Rights in Non-Western Thought, Awareness of Human Rights during the nationalist Movement, Universal Declaration of Human Rights, Constituent Assembly and Part III, drafting process, Subsequent developments in International Law and the Position in India (e.g., Convention of Social Discrimination, Torture, Gender discrimination, Environment and the two human right covenants)

Fundamental Rights Jurisprudence as Incorporating Directive Principles

The dichotomy of Fundamental Rights and Directive Principles, The interaction between Fundamental Right and Directive Principles, Resultant expansion of basic needs oriented human rights in India

2. Right not be Subject to Torture, Inhuman or Cruel Treatment

Conceptions of torture, third-degree methods, 'Justification' for it, Outlay of torture at international and constitutional law level, Incidence of torture in India, Judicial attitudes, Law Reform-proposed and pending.

Minority Rights: Conception of minorities, Scope of protection, the position of minority 'Woman' and their basic rights, Communal Riots as involving violation of rights.

Rights to Development of Individuals and Nations: The U. N. Declaration on right to Development, 1987, the need for constitutional and legal changes in India from human rights standpoint.

People's Participation in Protection and Promotion of Human Rights: Role of International NGOS, Amnesty International, Minority Rights Groups, International Bars Association, Law Asia and Contribution of these groups to protection and promotion of human rights in India.

3. Development Agencies and Human Rights:

Major International funding agencies and their operations in India, World Bank lending and resultant violation/promotion of human rights, Should development assistance be tied to observance of human rights (as embodied in various UN Declarations?)

Comparative Sources of Learning: EEC Jurisprudence, The Green Movement in Germany, The International Peace Movement, Models of Protection of the rights of indigenous peoples : New Zealand (Maoris), Australia, Aborigines and Canada (Indians)

Freedom: Free Press-its role in protecting human rights, Right of association, Right to due process of law, Access and Distributive justice

4. Independence of Judiciary:

Role of the Legal Profession, Judicial appointments-tenure of judges, Qualifications of judges, Separation of judiciary from executive

5. European Convention of Human Rights:

European Commission/Court of Human Rights, Amnesty International, PUCL, PUDR, Citizens for Democracy, Minorities Commission, Human Rights Commission, Remedies Against Violation of Human Rights

BIBLIOGRAPHY

1. M.J. Akbar, Riots after Riots, 1988
2. U. Baxi (ed.) The right to be Human, 1986
3. U. Baxi, The Crisis of the Indian Legal System, 1982
4. F. Kazmi, Human Rights, 1987
5. L. Levin, Human Rights, 1982
6. H. Beddard, Human Rights and Europe, 1980
7. Nagendra Singh, Human Rights and International Co-operation, 1969
8. S. C. Kashyap, Human Rights and Parliament, 1978
9. Moskowitz, Human Rights and World Order, 1958
10. J. A. Andrews, Human Rights in International Law, 1986

PAPER - IV
A. PUBLIC UTILITIES LAW
(MLC104)
CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

Public utilities are government monopolies, which are services rather than commercial enterprises. The law of public utilities is contained in the statutes of incorporation judicial decisions given by courts while resolving disputes between the utilities and their consumers or employees or traders or others entering into business relations with them. In this paper a student will study - a) government policy in regard to such utilities in general and to each utility in particular; b) the growth and evolution of the public utilities; c) patterns of the laws of incorporation and d) powers, functions and liabilities of the public utilities vis-a-vis their employees consumers and others.

1. Public Utilities and Its Impact

Government machineries and functioning - Impact of failure of Public Utility Service

Railways, Electricity, Gas, Road Transport, telephone, post and telegraph services, Police, Fire Brigade, Hospital etc.

Growth and evolution of public utilities and their legislation- Concept Essential services

2. Public Utilities - Why Government Monopoly?

Government and Parliamentary Control - Strategies to deal with dispute in Public Utility Services

Constitutional Division of power to legislate

3. Utilities Legislation

Administrative Authorities - Structure of the Administrative Authorities

Subordinate legislation

4. Public Utilities and Fair Rearing

Quasi-Judicial Decision - Administrative Discretion

Judicial approach

5. Public Utilities and Consumer Protection

Exclusion from M.R.T.P. Act

Rights of consumers protected by the Consumer Protection Act, 1986

Rights Arising from law of Contract and law of Torts

6. Public Utilities and their Employees

Application of Article 16, 19 and 311

Application of Industrial law

Public Interest vis-a-vis Right to Strike - Emerging trends

7. Public Utilities and Fundamental Rights

The right to equality: the Airhostess case

Public utilities "State" for the purpose of Article 12 of the Constitution?

Extension of concept of State

Public Utilities under changing market strategies-Liberalization & Privatization

8. Liabilities and Special Privileges of Public Utilities

In contract

In tort

In Criminal law

BIBLIOGRAPHY

1. P.M. Bakshi, Television and the Law, (1986)
2. Vasant Kelkar, "Business of Postal Service" 33 I. J. P A. pp. 133-141 (1987)
3. G. Ramesh, "Characteristic of Large Service Organization in a Developing Country like India"
4. Nalini Paranjpe, "Planning for Welfare in the Indian Railways" 31 I. J. PA. 171- 180 (1985)
5. Arvind K. Sharma, "Semi- Qutonomous Enterprise: Conceptual Portrait - Further Evidence on the Theory of Autonomy" 33 I.J.PA. 99-113
6. S.P. Sathe, Administrative Law, (1998)
7. Jain & Jain, Principles of Administrative Law, (1986)
8. Jagdish UI, Handbook of Electricity Laws, (1978)
9. Bhaumik, The Indian Railways Act, (1981)
10. Law Commission of India, (38th Report) : Indian Post Office Act, 1898, (1968)

B. HEALTH LAW

COURSE OBJECTIVES

The matters relating to medicine and health are as ancient as human civilization itself, giving rise to many legal and moral issues of varying degree at different stages of advancement in the sphere of medical science. The advancement in the field of medical technology, though a boon to the mankind, has its own flip side. The invention of pre-natal diagnostic techniques, transplantation of human organs, assisted reproduction techniques and other medical procedures have forced new legal challenges. Medicine and health are inter-related aspects. Administration of treatment is a joint endeavour of doctors, para-medical staff, state and private agencies, which calls for effective legal control to protect the interest of medical and para-medical professionals as well as the patients. In the light of the above the course is designed and divided into eight units and the description of each unit in brief is as follows:

1. Introduction to law and medicine

Concept of right to health and its enforcement, WHO & international conventions on health laws
Health care administration in India, Globalization and the changing dimensions of health laws,
Climate change and health, The relation between law and medicine, Medical ethics, Bio-ethics

2. Legal regime for health and medicine

Policy framework for the right to health, NRHM, Universal health insurance scheme,
The National Medical Commission Act, 2019
Dentists Act, 1948
Medical Degrees Act, 1916,
Clinical Establishments (Registration & Regulation) Act, 2010
The Indian Medicine Central Council Act, 1970

3. Drugs and Cosmetics

Legal control of drugs and cosmetics – Drugs and Cosmetics Act and Rules, Product liability for
Defective medicine – contractual liability, tortious liability, liabilities under the English and
Indian Consumer Protection Acts, English Medicines Act

4. Reproductive Health

Reproductive health- Termination of Pregnancy – Legal issues

The Medical Termination of Pregnancy Act, 1971

Medical Termination of Pregnancy Rules, 2003

Medical Termination of Pregnancy Regulations 2003

Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994

Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Rules 1990

5. Insanity

Medical insanity – Types, medical and legal insanity, the watershed of medical and legal insanity- McNaughton's case – Legal protection of mentally ill persons with special reference to Mental Health Act, Liability of professional doctors for negligence and ethics

6. Health of special categories of people

Disabled people: Locomotor disability, hearing impaired, visually impaired, aged people, People suffering from infectious diseases e.g. HIV/ AIDS; Swine flu etc

People suffering from occupational diseases, People subjected to Clinical trial

7. Forensic Medicine

Medico-legal concept of death, asphyxia death, legal consequences of death, injuries under medicine (abrasion, bruise (contused wound), laceration, incised wound and stab wound) and their medico-legal significance – Post mortem report – inquest – Aids and medico-legal issues. Forensic medicine – the significance of forensic medicine and forensic evidence – Hippocrat's oath

8. Legal effects to modern development

Therapeutic and non-therapeutic research, Stem cell research; Transplantation of Human Organs and Tissues Act, 1994; Transplantation of Human Organs Rules, 1995

BIBLIOGRAPHY

1. Cameron, Cecily, and Elizabeth- Anne Gumbel, Clinical Negligence: A Practitioner's Handbook. Oxford: Oxford University Press, 2007, Print
2. Chaudhri, V. K. Medical Jurisprudence and Toxicology. Allahabad: Dwivedi Law Agency,

2007

3. Dogra, T. D., and Rudra, Abhijit Lyon's Medical Jurisprudence and Toxicology. New Delhi: Delhi Law House, 2005
4. Herring, Jonathan. Medical Law and Ethics. Oxford; New York: Oxford University Press, 2006
5. Jackson, Emily. Medical Law. 2nd ed. London: Oxford University, Press, 2010
6. Kannan, Justice; Mathiharan. Dr. K. A. Textbook of Medical Jurisprudence and Toxicology. Nagpur: LexisNexis Butterworth Wadhwa, (1920)
7. Lewis, Charles. Clinical Negligence: A Practical Guide. 6th ed. Haywards Heath: Tottel, 2006
8. Mason, J. K., et al. Mason & Mccall Smith's Law and Medical Ethics. 7th ed. Oxford: Oxford University Press, 2006
9. McLean, Sheila. Contemporary Issues in Law, Medicine and Ethics. Aldershot: Dartmouth, 1996
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12. Patnaik, Amrit K., and Mathiharan, K. (Eds). Modi's Textbook of Medical Jurisprudence and Toxicology. Nagpur: LexisNexis Butterworths., 2005
13. Pattinson, Shaun D. Medical Law and Ethics. 2nd Ed. London: Sweet &Maxwell; Thomson Reuters, 2009
14. Plomer, Aurora. The Law and Ethics of Medical Research: International Bioethics and Human Rights. London: Cavendish, 2004
15. Powers, Michael J., and Nigel H. Harris. Clinical Negligence. 3rd ed. London: Edinburgh; Dublin: Butterworths, 2000
16. Thomson. Medical Law and Ethics (Law Library). Sweet & Maxwel, 2006
17. Veitch, Kenneth. The Jurisdiction of Medical Law. Aldershot: Ashgate, 2007

PAPER – V
RESEARCH PROJECT
(Clinical Course)
(MLC105)
CREDITS -2 (COMPULSORY)

Research Project: 50 marks are divided as follows: -

Student has to select a topic on any one of the Core or Specialization Subjects, in consultation with subject teacher at the beginning of the semester. By using research methodology, students have to submit research project (Doctrinal or Non-Doctrinal Research) at the end of the said semester.

The completed research work should have to be submitted in spiral binding form and same will carry 40 marks. Viva Voce will be conducted by Internal Examiners relating to project work will carry 10 Marks.

PAPER – VIII

A. CENTRE – STATE RELATIONS AND CONSTITUTIONAL GOVERNANCE

(MLC108)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

The course aims at giving the students an insight into the federal structure as envisaged in the Constitution of India and focuses upon educating them about the Legislative, Administrative and Financial relations between the Centre and the States.

1. Nature of Indian Polity

Introduction to the Constitution of India

Constitutional law---Constitutionalism

Introduction to the concept of Federalism

Historical evolution of federal features in India

Different forms of Governments-Unitary, Federal and Confederation, their features, merits, de-merits and distinction between them

Different forms of Governments-Unitary, Federal and Confederation, their features, merits, de-merits and distinction between them

Judicial Perspective over the Indian federalism

2. Legislative Relations between the Center and the States

Doctrine of Territorial Nexus

Scheme of distribution of legislative powers between Union and States

Principles of interpretation of lists- Doctrine of Pith and Substance; Doctrine of Colorable Legislation; Doctrine of harmonious construction; Ancillary legislation

Residuary Powers

Parliament's power to legislate on the State List

Inconsistency between laws passed by Parliament and State legislature

3. Administrative Relations between the Union and States

Distribution of executive powers

Inter-governmental delegation of powers

Centre's directive to State & other Constitutional provisions

All India services

Co-operative federalism; disputes relating to waters, Inter-State Council

4. Financial Relations between the Union and the States

Introduction to Allocation of taxing powers-Central taxes, State Taxes, Concurrent Taxes,

No tax outside the tax entries

Funds-Consolidated and Contingency funds

Public Accounts

Tax and Fees

Restrictions on taxing powers

Inter-Government Tax immunities

Tax-sharing

Grants-Grants-in-lieu; Grants-in-aids; Specific Purpose Grants

Finance Commissions

Borrowing Powers

5. Freedom of Trade, Commerce and Intercourse

Introduction to Freedom of Trade, Commerce and Intercourse

Regulatory and Compensatory Tax

Restrictions on Freedom of Trade and Commerce – Parliament's Power to regulate trade and commerce in public interest; States power to regulate trade and commerce; Savings of existing laws

6. Services under the Union and the States

Recruitment and Regulations of Conditions of Services

Doctrine of Pleasure-Restrictions on Doctrine of Pleasure

Constitutional Safeguards to Civil Servants

Public Service commission-Appointment of Member of Public service commission

Functions of Public Service Commission

7. Emergency Provisions

National Emergency

State Emergency

Financial Emergency

BIBLIOGRAPHY

1. A.G. Noorani, (ed.), Centre State Relations in India, Bombay: Lesley

- Saehney Programme for Training, 1972.
2. Ashok Chandra, Federalism in India
 3. De Jatindra Ranjan, Development of Federalism in India, Gauhati : Bani Prakashani, 1974
 4. Desai, Justice D.A. Prasad Anirudh, Centre And State Powers Under Indian Federalism
 5. Dr. Subhash C. Kashyap, The Framing of India's Constitution- A study & Constitution making since 1950- An Overview
 6. Dr. Subhash C. Kashyap, Constitution of India: Review and Reassessment
 7. Dr. Subhash C. Kashyap, Indian Constitution-Conflicts and Controversies
 8. Dr. Subhash C. Kashyap, Commentary on Constitution of India
 9. Dr. Subhash C. Kashyap, Our Constitution-An Introduction to India's Constitution and Constitutional Law, 5th edition reprint 2014.
 10. G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
 11. Glanville Austin, The Indian Constitution: Cornerstone of a nation, Delhi; Oxford University Press.
 12. H.M. Seervai, Constitutional Law of India – Vol. I & II
 13. K. C. Wheare, Federal Government.
 14. K.P. Krishna Shetty, the Law of Union-State Relations and Indian Federalism.
 15. K. Subba Rao, the Indian Federation.
 16. Kabbur, A.S. Centre-State Relations in India, New Delhi: Trust Books, 2004
 17. Keith A.B. , Constitutional History of India
 18. L.M Singhvi, Union-State Relations in India
 19. M.P Jain, Outlines of Indian Legal History.
 20. M. P. Jain, Indian Constitutional Law.
 21. M.V Pylee, Constitutional History of India
 22. Monica David, Indian Legal and Constitutional History, 1600-1949, Vimala Publications, 1968. New Delhi: Deep & Deep Publications, 1981
 23. O. P. Sharma, Financial Relations Between Centre & States and Local-Self Governments in India
 24. Pal, Chandra Centre-State Relations and Cooperative Federalism, New Delhi: Deep & Deep Publication, 1983
 25. Pande G S, Constitutional law of India
 26. Prasad, Anirudh Centre-State Relations in India, New Delhi: Deep & Deep Publications, 1985.

27. Pylee M.V Our Constitution government & politics
28. Rama Jois M, Legal and Constitutional History of India.
29. Rama Jois, Services under the States, Indian law Institute, New Delhi
30. Saharay H K, Constitution of Indi
31. Samaraditya Pal, India's Constitution –origins and evolution (Constituent Assembly debates, Lok Sabha debates on constitutional amendments and Supreme Court judgments,2014
32. Seetalvad's Lectures on Constitutional law
33. Setalvad M.C, Constitutional History of India.
34. Shubh Narayan Singh, Centre state relations in India: major irritants & post-Sarkaria review
35. Subba Rao G C V Indian Constitutional law
36. Subbarao's Lectures on Constitutional law
37. Telang's Lectures on Constitutional Law
38. Tope T K ,Constitutional law of India by Justice Sujata Manohar, Eastern book company
39. V.D. Sebastian, Indian Federalism: the Legislative Conflict.

ESSENTIAL READING / RECOMMENDED READING

Federalism in India, Benjamin N. Schoenfeld, [Http://Www.Jstor.Org/Stable/42743497](http://www.jstor.org/stable/42743497)

B. POLICE AND SECURITY ADMINISTRATION

COURSE OBJECTIVES

In every written constitution, provision is required to be made to equip the state to face grave threats to its existence arising from extra-ordinary circumstances created by war or external aggression or armed Rebellion. Although "amidst the clash of arms, the laws are not silent" they do not speak the same language in war as in peace. Extra-ordinary circumstances warrant the invocation of extra-ordinary laws and such laws are known as emergency laws. They put greater fetters on individual liberty and also eclipse certain aspects of the due process. But in such circumstances, the democratic forces must assert that for survival of the State, the least possible liberty should be available. This course aims to familiarize the students with different aspects of such emergency powers and scrutinizing intellectual attitude towards such powers.

1. National Security, Public orders and Rule of law

1.1 Emergency Detention in England - Civil Liberties.

1.2 Subjective satisfaction or objective assessment?

1.3 Pre-Independence law.

2. Exceptional Legislations

2.1 COFEPOSA and other legislation to curb economic offenders.

2.2 TADA: "the draconian law"-comments of NHRC

2.3 Special courts and tribunals

2.4 Due process and special legislation

3. Martial Law

3.1 Provisions in English Law

3.2 Provisions in the Indian Constitution

4. Access to Courts and Emergency

4.1 Article 359: ups and downs of judicial review

4.2 Constitution (Forty-fourth), Amendment Act, 1978.

4.3 Constitution (Fifty-ninth) Amendment Act, 1988.

BIBLIOGRAPHY

1. G.O. Koppell "The Emergency, The Courts and Indian Democracy" 8 J.I.L.I. 287 (1966)
2. H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus: A Criticism (1978)
3. International Commission of Jurists, Status of Emergency and Human Rights (1984)
4. N.C. Chatterji and Parameshwar Rao, Emergency and the Law (1966)

PAPER – IX

A. COMPARATIVE CONSTITUTIONAL LAW AND GOVERNANCE (COMPARATIVE STUDY LIMITED TO U.S., U. K AND INDIA)

(MLC109)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

A Constitution is being the Supreme Law of the Land; it derives its directives from various aspects. The paper is designed to give an overall picture of Constitution and constitutionalism and to examine the different types of governments in U.S., U.K., and India. The three functions of the state are also given importance so that the students will be able to appreciate the Constitutional functions of the state in a comparative environment.

Since the Constitution is a dynamic document, timely modification is a necessity, but often results in challenges raised before the superior courts. It is important to understand how the judiciary strikes a balance between the political efforts and stability of the Constitution while ensuring the dynamic character of the Constitution. The various issues of governance affecting the people and the remedies available to them are also part of this paper. The aim of the paper, it introduces to the student the differences that exist in the basic structural patterns in the Constitutional perspective in the world.

1. The Concept of Constitution & Constitutionalism

Meaning and Idea of Constitution

Constitution as a Dynamic and Supreme Law

Concept of Constitutionalism

Distinction between Constitution and Constitutionalism

2. Study of Comparative Constitutional Law

Relevance

Problems and Concerns in Using Comparison

3. Some Constitutional Principles

Rule of law

Modern Concept of Rule of Law

Social and economic rights as part of rule of law

Separation of powers

The doctrine of Checks and Balances

Position of Rule of Law and Separation of Powers in the Indian Constitution

4 . Constitutional Foundations of Powers

Legislative Power

The Executive Power

The Judicial Power

Appointment of Judges and Judicial Accountability

Role of Courts and Fundamental Rights

Role of the Courts in ensuring Good Governance

5 .The State and Governance

The concept of Good Governance

The methods to ensure Good Governance

State and Civil Liberties

6 .Forms of Governments

Federal and Unitary Forms

Features, Advantages and Disadvantages

Models of Federalism Quasi–federalism

Parliamentary and Presidential Forms of Government

7 . Amendment of the Constitution

Methods of Amendment

Limitations on the Amending Power: Comparative Perspective

Theory of Basic Structure: Origin and Development

8 . Constitutional Review

Concept and Origin of Judicial Review

Methods of Constitutional Review

Judicial and Political Review

Concentrated and Diffused Review

Anticipatory and Successive Review

Limitations on Judicial Review

BIBLIOGRAPHY

1. Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A Cornerstone of Good Governance (Oxford University Press, 2010)

2. D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur)
3. David Strauss, The Living Constitution (Oup,2010)
4. Dr. Subash Kashyap, Framing of Indian Constitution (Universal Law, 2004)
5. Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008)
6. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006)
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8. Mahendra P. Singhy, Comparative Constitutional Law (Eastern Book Company,1989)
9. Neraldevins and Louis Fisher, The Democratic Constitution (Oup, 2010)
10. S. N. Ray, Judicial Review And Fundamental Rights (Eastern Law House,1974)
11. Sudhir Krishna Swamy, Democracy and Constitutionalism In India – A Study of the Basic Structure Doctrine (Poup,2009)
12. Sunil Khilnani, Vikramraghavan, Arunthiruvengadam, Comparative Constitutionalism in South Asia (Poup, 2013)
13. Vikram David Amar, Mark Tushnet, Global Perspectives on Constitutional Law (Oup, 2009)
14. Zachery Elkins, Tom Ginsburg, James Melton, The Endurance of National Constitutions (Cambridge University Press, 2009)
15. D. D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur, 2008)
16. D. D. Basu, Comparative Federalism (Lexis Nexis, 2007)
17. D. D. Basu, Introduction to the Constitution of India (Lexis-Nexis –Butterworth- Wadhwa,2008)
18. Granville Austin, The Indian Constitution: Cornerstone of A Nation (Oup, 2008)
19. M. P. Singh, Comparative Constitutional Law (Eastern Book Company, 2011)
20. M. P. Jain, Indian Constitutional Law (6thed., Wadhwa, Nagaur)
21. Pier Giuseppe Monateri, Methods of Comparative Law (Edward Elgar Publishing, 2012)
22. Vickic. Jackson, Mark V. Tushnet, Comparative Constitutional Law (2nd ed. Foundation Press, 2006)

B. GLOBALIZATION, LAW AND JUSTICE

COURSE OBJECTIVES

It is said that we are now living in a global neighborhood, which is not yet global village. This is the result of the so called “globalization” which refers to those processes that tend to create and consolidate a unified economy, a single ecological system, and a complex network of communications that covers the whole globe, even if it does not penetrate into every part of it. We find in every discipline studies under the titles global, globalism and globalization but not much in the discipline of law and now it is entering it also. The process of globalization has its own impact on every discipline and this paper or course intends to study its influence on the discipline of law. The purpose is to sensitize students of law about implications of the process of globalization on basic principles, concepts and ideas underlying the discipline of law such as concept of law itself, justice, human rights and legal process. The thrust is to analyze and evaluate them from a global perspective.

1. GLOBALIZATION: PROCESS AND ITS EFFECTS

Concept of Liberalization, Privatization, Globalization, Meaning and definition of globalization, nature, scope and limits of globalization, Different kinds

History and evolution of globalization

Causes and consequence of globalization, effect of globalization on economic, social, cultural and political aspects of life in twenty-first century

Effect of globalization on law and justice - An introduction

2. GLOBALIZATION AND LEGAL THEORY

Jurisprudence, globalization and the discipline of law

Globalization and legal theory, the need for the study of concept of law from a global perspective

Basic concepts of law in western legal thought. A brief analysis of positivist, normative and realist theories of law in western tradition

The concept of justice and its relation to law in Western and Indian Legal thought and concept of Dharma as a legal tradition, the relation between law and justice

Normative Jurisprudence, the western heritage, classical utilitarianism, Benthamite and modified Benthamite utilitarianism

Theories of Justice Rawls and Pogge

3. POLICY ISSUES

Globalization and Democracy

Rule of Law-economic development-political development

Globalization and Justice

Globalization and Security

4. HUMAN RIGHTS IN THE CONTEXT OF GLOBALIZATION

Human rights Theory and Perspectives

Human Rights law as universal-criticism and rhetoric or Rights

Human Rights and the challenges-pluralist theories and Sen's challenge

Human Rights and Southern voice - Upendra Baxi

5. HARMONIZATION OF LAW

Public and Private International Law governance

Regulation of International banks and money laundering

Harmonization of private commercial law-lex mercatoria

Harmonization of Intellectual Property law

Jurisdictional Issues in the era of globalization

BIBLIOGRAPHY

1. Jan Aart Scholte, Globalization – A critical introduction
2. Jarrod Wiener – Globalization and the harmonization of law
3. Michael Goodhart – Democracy as Human Rights – Freedom and Equality in the age of Globalization
4. James H Mitelman, The Globalization Syndrome
5. Manfred B. Steger, Globalization –A very Short introduction-Oxford introductory series
6. Thomas Fleiner & Lidija R. Basta Fleiner, Constitutional democracy in a multicultural and globalised world, Springer
7. William Twining, General Jurisprudence; Understanding Law from a Legal perspective, Cambridge, Cambridge University, 2009
8. William Twining, Globalization and Legal Theory, New York: Butterworths, 2006
9. Boaventura d Sousa Santos, Towards a New Legal Common Sense: Law, Globalization and Emancipation, London: Butterworths, 2002
10. Otto A Bird, The Idea of Justice, New York: Frederick A Praeger, 1968
11. M.D.A. Freeman, Lloyd's Introduction to Jurisprudence, London: Sweet and Maxwell, 2010

12. Amartya Sen, The idea of Justice, New Delhi: Allen Lane, 2009
13. Upendra Baxi, The Future of Human Rights, New Delhi: Oxford University Press, 2006
14. Thomas Pogge, Global Justice, Oxford: Blackwell, 2001
15. B.S. Santos and Cesar A. Rodriguez-Gravito (ed.,) Law and Globalization from below: Towards a Cosmopolitan Legality, New York Cambridge University Press, 2005

Essential Reading / Recommended Reading

1. William Twining, General Jurisprudence; Understanding Law from a Legal perspective, Cambridge, Cambridge University, 2009
2. William Twining, Globalization and Legal Theory, New York: Butterworths, 2006
3. Boaventura d Sousa Santos, Towards a New Legal Common Sense: Law, Globalization and Emanicipation, London: Butterworths, 2002
4. Thomas Pogge, Global Justice, Oxford: Blackwell

PAPER – X
RESEARCH PROJECT
(Clinical Course)
(MLC110)
CREDITS -2 (COMPULSORY)

Research Project: 50 marks are divided as follows: -

Student has to select a topic on any one of the Core or Specialization Subjects, in consultation with subject teacher at the beginning of the semester. By using research methodology, students have to submit research project (Doctrinal or Non-Doctrinal Research) at the end of the said semester.

The completed research work should have to be submitted in spiral binding form and same will carry 40 marks. Viva Voce will be conducted by Internal Examiners relating to project work will carry 10 Marks.

PAPER – XI
SEMINAR COURSE
(Clinical Course)
(MLC111)
CREDITS -2 (COMPULSORY)

Seminar Course and Assessment Guidelines

The Seminar Course shall be assessed for a total of 50 marks on the Specialization Subject at the Semester II.

The assessment shall be carried out as follows:

S. NO.	ACTIVITY	MARKS
1	Submission of Seminar	40
2	Presentation of the Seminar Paper	10
TOTAL		50

Note:

The concerned subject teacher shall assign seminar topics to the students. Students are required to prepare and submit their seminar papers on the allotted topics and make a presentation before the concerned faculty as part of the assessment process.

PAPER – XII

A. JUDICIAL REVIEW AND JUDICIAL ACTIVISM (MLC112)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

The Indian Constitution establishes the values of democracy, freedom, and equality and offers a framework for the defense of basic rights. In India, the court has been instrumental in safeguarding these ideals and defending the rights of the population. The Indian court has a reputation for being aggressive in its interpretation and application of the Indian Constitution. In order to enhance social justice and human rights, the judiciary plays a proactive role in guiding public policy and providing constitutional interpretation.

1. Meaning, Nature and Development of Judicial Review

Fundamental Concept of Judicial Review

Meaning, Nature and Development of Judicial Review

Constructing Judicial Review

Litigation and Impact

Theories of Judicial Review

Judicial Review in Contemporary World

Judicial Review in the Indian Constitution

Judicial Review in New Democracies

A revisionist Analysis of Marbury v. Madison

2. Scope of Judicial Review

Scope of Judicial Review

Judicial Review of Government organs and Actions

Judicial Review of Legislative Action

Judicial Review of Administrative Action

Judicial Review over Judicial Decisions

Power of Judicial Review

Conflict between Legislature, Executive and Judiciary

3. Judicial Independence and Accountability

Judicial Independence and Accountability

Appointment and Removal of Judges Doctrine of Stare Decisis

Ratio Decidendi and Obiter Dicta of a case

Judicial Supremacy v. Popular Constitutionalism

4. Interpretation of Statutes and Constitution

Interpretation of Statutes and Constitution

Value Judgments in Law

Judicial Reasoning

Public Interest Litigation Judicial Activism and Judicial Overreach

Entrenchment and Judicialization

BIBLIOGRAPHY

1. Lakshminath: Precedent in Indian Law: Judicial Process (2009)
2. Aharon Barak: Purposive Interpretation in Law (2005)
3. Aharon Barak: The Judge in a Democracy (Princeton University Press, 2008)
4. B.N. Cardozo: The Nature of the Judicial Process (1964)
5. Bernard C. Gavit, Ralph F. Fuchs: Cases and Materials on an Introduction to Law and the Judicial Process (1952)
6. Bodenheimer: Jurisprudence: The Philosophy and Method of the Law (2006)
7. Craig R. Ducat: Constitutional Interpretation (2004)
8. Duncan Kennedy: A Critique of Adjudication (Harvard University Press, 1998)
9. Duncan Kenney: Legal Reasoning: Collected Essays (2008)
10. Edward H. Levi: Introduction to Legal Reasoning (1972)
11. F.A.R. Bennion,: Statutory Interpretation (1992)
12. F.S. Nariman: Before Memory Fades: An Autobiography (2010)
13. George H. Gadbois, Jr.: Judges of the Supreme Court of India: 1950–1989 (OUP, 2011)
14. Jeffrey Goldsworthy: Interpreting Constitutions: A Comparative Study (OUP, 2006)
15. Lloyd L. Weinreb: Legal Reason: The Use of Analogy in Legal Argument (Cambridge University Press, 2005)
16. Martin Philip Golding: Legal Reasoning (2001)
17. Mauro Cappellletti: The Judicial Process in Comparative Perspective (Clarendon Press: Oxford, 1989)

18. Helen Fenwick : Judicial Review, LexisNexis, 2010
19. Clive Lewis : Judicial Remedies in Public Law, Sweet and Maxwell, 2009
20. H.W.R. Wade and C.F. Forsyth: Administrative Law, 10th Edition 2009
21. Publication Oxford University Press, Newyork
22. Richard J Pierce & Kenneth Culp Davis: Administrative Law Treatise
23. Garner's : Administrative Law, 8th Edition 1996, Oxford University Press
24. Seervai, H.M.: Constitutional Law of India
25. Basu, D.D.: Commentary on Constitution of India
26. Kashyap, Subhash : Constitutional Law of India
27. Singhvi, : Constitutional Law of India
28. M. P. Jain & S. N. Jain: Principles of Administrative Law, 6th Edition 2001, Publication Lexis
Nexis Butterworth's Wadawa Nagpur
29. P. Massey: Administrative Law 7th Edition 2008. Publication-Eastern Book Company, Lucknow
30. S. P. Sathe : Administrative Law, 7th Edition 2006. Lexis Nexis, Butterworth's Publication
31. D D Basu : Administrative Law, Kamal Law House, 6th Edition, 2005
32. Bhagawati Prasad Banerjee & Bhasker Prasad Banerjee : Judicial Control of Administrative
Action, Wadhwa & Co., Nagpur, 2001
33. Mamata Rao: Public Interest Litigation, EBC, 3rd Edition, 2010
34. Dr. CD Jha: Judicial Review of Legislative Acts 2nd Edition, 2009

B. PUBLIC AUTHORITIES: LIABILITY

COURSE OBJECTIVES

Judicial decisions in the common law world have formulated several duties and liabilities on the administrative hierarchy towards the citizens. Is the state in exercise of sovereign functions liable to compensate the affected persons? To what extent is the state in exercise of sovereign functions immune from liability? The state enters into contracts in more ways than one. Should there be standards of conduct laid down on the state when it does so? How can accountability be determined in all these areas? Open government is one of the significant attributes of good government in democracy. In what way these norms can be meticulously followed by the state in meting out administrative justice. There are problems a country like India does confront in her march towards goods governance.

1. Tortious Liability

Sovereign immunity

Commercial and non-commercial function

2. Contractual liability

Processual justice (Procedural justice): Privilege – right dichotomy

Blacklisting of contractors

Terms in government contract as instruments of social justice

3. Emerging Liability

Personal accountability

Compensatory jurisprudence and right to life

Accountability under consumer law

4. Privilege against disclosure

Right to information

Official secrecy

Executive privilege

Security of state and control on information

Judicial review

5. Promissory Estoppel

Legitimate expectation

Constitutional dimensions

BIBLIOGRAPHY

1. Jain & Jain, Principle of Administrative Law, (1986), Tripathi
2. De Smith, Judicial Review of Administrative Action (1995)
3. B. Schwartz, An Introduction to American Administrative Law

PAPER – XIII

A. CONSTITUTIONALISM: PLURALISM AND FEDERALISM (MLC113)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

Constitutionalism essentially means a limited government, where government functions according to certain principles. It is said to be abiding by constitutionalism. Must it be democracy or can it be an autocracy also. In ancient India, the king was supposed to act according to dharma. He was not absolute in the sense in which John Austin defined sovereign Constitutionalism may therefore be determined by a written constitution or by religion or tradition or by mere practice or convention as in England. In a plural society, where different religious as well as linguistic groups have to live together, various rules of accommodation and mutual recognition are incorporated in the Constitution. Usually these are contained in the bills of rights which contain guarantees of individual liberty and equality against majoritarian rule, Constitutionalism does not merely imply majoritarian rule, it has to be a consensual rule. However, where there is not only such vertical pluralism but also horizontal pluralism reflected by sub-nations/regional loyalties, power is not only required to be restrained but it has to be shared. This calls for a federal government. The purpose of this paper is to provide exposure to the students to various models of pluralism and forms of constitutional governments and federal structures.

1. Constitutionalism

Authoritarianism – Dictatorship

Democracy – Communism

Limited Government - concept - Limitations on government power

What is a constitution?

Development of a democratic government in England

Historical evolution of Constitutional Government

Conventions of constitutionalism - law and conventions

Written Constitutions: U.S.A. Canada, Australia, Sweden, South Africa and India

Separation of powers: Montesquieu

Rule of Law: Concept and new horizons

Marxist concept of Constitutionalism

Dictatorship of the proletariat

Communist State from Stalin to Gorbachov and Post Gorbachov era

Fundamental rights: Human Rights

Judicial Review: European Court of Human Rights

Human Rights: International Conventions

Limits & doctrine of domestic jurisdiction in International Law

2. Federalism

What is a federal government?

Difference, between confederation and federation

Conditions requisite for federalism

Patterns of federal government - U.S.A., Australia, Canada, India

Judicial review - for federal umpiring

New trends in federalism: Co-operative federalism

India - Central Control V. State Autonomy

Political factors influencing federalism

Plural aspects of Indian federalism: Jammu & Kashmir, Punjab, Assam

Dynamic of federalism

3. Pluralism

What is a pluralistic society?

Ethnic, linguistic, cultural, political pluralism

Individual rights - right to dissent

Freedom of speech and expression

Freedom of the Press

Freedom of Association

Rights to Separateness

Freedom of Religion

Rights of the religious and linguistic minorities

Compensatory discrimination for backward classes

Women - rights to equality and right to special protection

Scheduled tribes, distinct identity - protection against exploitation Exclusion from Hindu Law

4. Uniform Civil Code

Non-State Law (NSLS) and State Law System

Problem of a Uniform Code v. Personal Laws-vertical federalism

5. Equality in Plural Society

The concept of "Equality" in heterogeneous society

Effect of concept like Multiculturalism, ethnicity and its consideration pluralistic society

Right to equality and reasonable classification

Prohibition of discrimination on ground of religion, caste, sex, language

Abolition of untouchability

Secularism - Constitutional principles

Tribal groups and Equality

6. Pluralism and International Concerns

International Declaration of Human Rights

Conventions against genocide

Protection of religious, ethnic and linguistic minorities

State Intervention for protection of human rights

Right of self-determination

BIBLIOGRAPHY

1. Upendra Baxi, "Law, Democracy and Human Rights" - 5 Lokayan Bulletin 4 (1987)
2. V.M. Dandekar, "Unitary Elements in a Federal Constitution"
3. Rajeev Dhavan, "The Press and the Constitutional Guarantee of Free Speech and Expression"
4. M.A. Fazal, "Drafting A British Bill of Rights"
5. M.P. Jain, Indian Constitutional Law 2004
6. JagatNarain, "Judicial Law making and the place of the Directive Principles in the Indian Constitution," J.I.L.I. 198 (1985)
7. Rhett Ludwikowski, "Judicial Review in the socialist Legal Systems: Current Development"
8. S.P. Sathe, Fundamental Rights and Amendment of the Indian Constitution, (1968)
9. H.M. Seervai, Constitutional Law of India 2002, Universal Publicatio

B. HUMAN RIGHT & ENVIRONMENTAL DEVELOPMENT POLICY

COURSE OBJECTIVES

The importance of the environment to the fulfillment of human rights is widely accepted at international law. Human rights and the environment are intrinsically intertwined: a safe, clean, healthy and sustainable environment is essential in the enjoyment of our human rights; whilst polluted, hazardous and otherwise unhealthy environments potentially violate our human rights. A human rights approach allows the quality of life of people, in particular the most vulnerable, to be integrated into environmental decision making.

1. Constitution and Human Rights:

Fundamental Rights, Directive Principles & Fundamental Duties, international Human Rights and the Indian Constitution Judicial process in India and Administrative Actions with reference to Human Rights, State of Human Rights during Emergency (v) Judicial Activism- protection of human rights, Liberty, Equality and Fraternity in Human Rights Perspective

2. Special Laws for Protection of Specific Categories/ Vulnerable Sections of the People:

Reservation and the Right to Equality, Protection of Minorities Cultural and Educational Rights, Contract and Unorganized Workers, Bonded Labour, Tribal People

3. Enforcement of Human Rights:

Judiciary: Article 32, Article 226 Public Interest Litigation, National Specialized Agencies: Law Commission, SC/ST Commission, Minorities Commission, Women's Commission, Human Right Commissions, Criminal Justice Delivery System, Legal Aid, NGO's, Social movements and pressure groups working through democratic institutions such as lobbying MPS Media, International Redressal Mechanism

4. The Concept of Environment:

Meaning and Historical Perspective, Traditions, Natural and Biological Sciences: Perspectives, Modern concept: Conflicting dimensions

International Perspectives and Development: Stockholm Declaration, 1972, Right to development versus right to clean environment, Rio Declaration: Sustainable development

Environmental Protection in India: Constitutional rights and duties, Precautionary principle, trust doctrine Polluter pay principle

5. Environmental Protection in Developing Countries:

Poverty, Indigenous people and Tribal Developing Economies, Depletion of forest and natural resources

International concern World environment movement Natural and cultural heritage: Common Heritage Principle, Role of international and regional organization International financing policy and world environment fund, Global Environmental Facilities ((GEF)

BIBLIOGRAPHY

1. J.K. Starke - An Introduction to the International law
2. J.L. Brierley- The Law of Nations (Oxford)
3. A.K. Pillai - National Human Rights Commission
4. S.K. Verma- An Introduction to Public International Law (Prentice- Hall India)
5. All the Covenants and Conventions
6. Shaw M.N, - International law (CUP)
7. M.C. Nair- The Law of Treaties (Oxford)
8. Paras Diwan & Piyushi Diwan - Human Rights & The Law Universal & Indian Law
9. S. K. Kappor- Human Rights under International Law and ndian Law Central Law Agency Allahabad
10. D.D. Basu - Human Rights in Constitutional Law (Pentice Hall)

PAPER – XIV

A. PUBLIC POLICY AND DEVELOPMENT (MLC114)

CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

This course orients students with mechanisms of public administration that are fundamental to effective policy making. It is focused to Define key concepts in public administration and to understand the role of public institutions in the policy process.

1. Introduction to Public Administration

Good Governance: concept and application; New Public Management.

Weber's bureaucratic model its critique and post-Weberian Developments

Human Relations School (Elton Mayo and others); Simon's decision-making theory

Participative Management (R. Likert, C. Argyris, D. McGregor)

2. Structural Framework of Administration

Ministries and Departments, Boards and Commissions

Dicey on Administrative law

Delegated Legislation

Anti-development thesis

Bureaucracy and Development

Administrative ethics

3. Issues with Accountability and Control

Values in public service

Regulatory Commissions; National Human Rights Commission

Problems of administration in coalition regimes

Citizen administration interface

Corruption and administration

Disaster management

Impact of liberalization on administration in developing countries

PM Cares Fund: Debates and issues

4. Policy Formulation in Public Administration

Administration and politics in different countries

The machinery of planning; Role, composition, and functions of the Planning Commission and the National Development Council

‘Indicative’ planning, Process of plan formulation at Union and State levels

Constitutional Amendments (1992) and decentralized planning for economic development and social justice

5. Policy Implementation by Administrators

Changing role of the Collector

Union-State-local relations

Imperatives of development management and law and order administration

74th Constitutional Amendment

Important Committees and Commissions

6. Global Trends in Public Administration

Global-local debate; new localism

Development dynamics, politics and administration with special reference to city management

Women and development - the self-help group movement

Reforms in financial Management and human resource development

Problems of implementation

BIBLIOGRAPHY

1. Bhattacharya, M. (2018). New Horizons of Public Administration. Jawahar Publishers & Distributors.
2. Prasad, D. and Prasad, V. (1980). Administrative Thinkers. Sterling Publishers Pvt Limited.
3. Sharma, M. and Sadana, B. (2019). Public Administration In Theory And Practice. 48th ed. KitabMahal.
4. Arora, R. (1996). Comparative Public Administration. 2nd ed. New Delhi: Associated Publishing Ho.
5. Baker R J S. (1972). Administrative Theory and Public Administration. Huthinson, London
6. Barnard, Chester. (1969). The Functions of Executive, Cambridge, Harvard University Pres
7. Donald Menzel and Harvey White (eds) (2011). The State of Public Administration: Issues, Challenges and Opportunity. New York: M. E. Sharpe.

8. Jay M. Shafritz (ed) (1998), International Encyclopedia of Public Policy and Administration, Westview Press
9. Luther Gulick& Lyndall Urwick (eds.) (1937), Papers on Science of Administration, New York Institution of Public Administration, New York

B. LAW, SCIENCE AND TECHNOLOGY

COURSE OBJECTIVES

The aim of the course is to introduce in brief to the student about the developments in the field of Science and Technology and the relationship between Law and Science and Technology. Further seeks to explore some specific aspects to test the possible interactions, controversies and their interrelationships between both the aspects. Further, it focuses on the relationship between Human Rights and Science and Technology and the need to regulate science and technology in order to preserve the basic concept of sustainable development.

1. Introduction

Developments in Science and Technology

Science & Technology Vis-a- Vis Sustainable and equitable develop .

Impact of Human Rights on Science & Technology

Human Rights and preservation of human health

2. Science - Technology and Relationship with La w

Nexus between science technology and law

Problems and Perspectives between Law and Science

The need for legal control of Science and Technology

3 Clinical Trials and the Need Professional Responsibilities and Ethical Principles

Privacy, La w and technology:

Origin and Development of Law of Privacy

Concept and Nature and Law of Privacy

Law of Privacy Vis-a Vis Science and Technology

4 Use of Science and Technology in Judicial Investigations:

The Significance of Science and Technology in the Legal Proceedings

The Significance of Forensic science in the Criminal Matters

The Indian Judiciary on the Use of Science and Technology

5 Biotechnology & Law

Origin and Development of Bio Technology

Debatable issues in biotechnological innovations

Ethical and Moral implications on the use of Genetic Engineering

6 Nuclear Technology and Law

Uses & misuses

Legal control- national and international scenario

Human Rights Vis-a- Vis Nuclear Technology

BIBLIOGRAPHY

The material for the course shall be traces on relevant websites of the universities and research institutes at the national and international levels.

1. Markandey Katju, Law in scientific Era (2000) Universal, New Delhi
2. Cees J. Hamelink, the Ethics of Cyber Space(2001) Sage
3. Jonh Zinian et.al (ed) World of Science and Rule of Law (1986) Oxford
4. U. Baxi, Biotechnology and Legal Order: Dilemmas of the future of Law and Human nature (1993)
5. Journal of national and international reput on the subject (Print and electronic)

PAPER – XV
MEDIA LAW
(MLC115)
CREDITS -2 (SOFT)

COURSE OBJECTIVES

The course aims to provide basic understating of the evolution and existence of various facets of media and the legal regime in place to regulate its content and matters incidental to it. It also aims to familiarize students with the various aspects of Media Law and media regulatory bodies. The course also aims to sensitize students about the importance of ethics in media profession.

1. Introduction

Introduction to Media and Communication

Importance of Media in Democracy

Kinds of Media

Functions of Media – Information, Surveillance, Service the Economic System, Hold Society Together, Entertain, Act as a Community Forum, Service the political system, etc.

2. History of Press and Theories of Press

Historical Foundations of Media Laws in UK, USA and India (Pre and Post- Independence)

International Law and Freedom of Media (UDHR, ICCPR, ECOSOC etc)

Theories of Press

Authoritarian Theory

Libertarian Theory

Communist Theory

Theory of Social Responsibility

Development Media Theory

Democratic Participant Media Theory

3. Constitutional Framework of Freedom of Media in India

Free Speech and Constituent Assembly Debates in India

Freedom of Speech and Expression in Indian Constitution

Facets of Freedom of Speech and Expression

Freedom of Speech and Expression includes Freedom of Press

Right to Circulation

Right to Receive Information

Right to Advertise

Right to Telecast /Broadcast

Censorship

Law Commission of India: 101st Report on Freedom of Speech and Expression under Article 19 of the Constitution - An Overview

Reasonable Restrictions

Legislative Privileges and Media

Right to Privacy and Media

Freedom of Media during Emergency

4. Legal Dimensions of Media

Media and Criminal Law (Sedition, Obscenity and Defamation)

Media and Law of Torts (Civil Law of Defamation and Negligence)

Media and Judiciary (Contempt of Court)

Media and Executive- An Overview (The Official Secrets Act, 1923; The Right to Information Act, 2005)

Media and Journalists- An Overview (The Working Journalists (Conditions of Service) Act, 1955)

5. Regulatory Framework of Media

Methods of Regulation (Self- Regulation and Statutory Regulation)

The Cinematograph Act, 1952

The Cable Television Networks (Regulation) Act, 1955

The Prasar Bharti Act, 1990

The Press Council of India Act, 1978

The Telecom Regulatory Authority of India Act, 1997

Advertising Standards Council of India and its codes

The Indecent Representation of Women Act, 1986

6. Issues in Media Law

Trial by Media (Law Commission of India: 200th Report on Trial by Media, Free Speech and Fair Trial under Criminal Procedure Code, 1973 - An Overview)

String Operation and Media

Broadcasting Rights

Taxation and Media

Media and Convergence

Infringement of Intellectual Property Rights

Internet and Freedom of Media

Violence against Media Persons and Law

Role of Media in Electoral Process (Press Council of India, Report on Paid News, 2010, Ministry of Law and Justice, Report of the Committee on Electoral Reforms, 2010 - An Overview)

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PAPER – XVI
SEMINAR COURSE
(Clinical Course)
(MLC116)
CREDITS -2 (COMPULSORY)

Seminar Course and Assessment Guidelines

The Seminar Course shall be assessed for a total of 50 marks on the Specialization Subject at the Semester IV.

The assessment shall be carried out as follows:

S. NO.	ACTIVITY	MARKS
1	Submission of Seminar	40
2	Presentation of the Seminar Paper	10
TOTAL		50

Note:

The concerned subject teacher shall assign seminar topics to the students. Students are required to prepare and submit their seminar papers on the allotted topics and make a presentation before the concerned faculty as part of the assessment process.

PAPER – XVII

TRIBAL DEVELOPMENT–LAW, POLICY AND PRACTICE

(MLC117)

CREDITS -2 (SOFT)

COURSE OBJECTIVES

This course aims to develop adequate skills to prepare and implement integrated development plans & projects for Tribal Communities. It will also engage the students to develop an understanding of good governance in the field of Tribal Development.

1. Tribal Meaning and Identity

Tribal Meaning & Identity Meaning, Definition and Characteristics of Tribe

Concept of Tribe from Various Perspectives–British Perspectives, Indian Perspective, Tribal Own Perspective

Constitutional Meaning of Tribe- Traditional Wisdom

2. Humanitarian Issues of Tribal: Socio- Political Issues

Political Participation, Tribal Self-Rule, Educational Issues- Accessibility, Marginalization, Migration, Drop-Out

Health Issues- Accessibility, Malnutrition, Mortality & Morbidity, Reproductive Health, Anemia and Sickle Cell Anemia, Superstitions, Addiction, Isolation

Scheduled Tribes and Scheduled Areas under the Constitution of India

3. Impediments in Tribal Transformation

Tribe- Caste Continuum

Detribalization, Sanskritization and Religious Conversions, Detribalization

Assertion of Tribal Identity, Revitalization

Cultural Invitation and Culture of Silence

Cultural Synthesis

Cultural Action for Tribal Freedom

Cultural Hegemony

4. Contemporary Issues Associated with Tribal People

Land Alienation, Displacement, Rehabilitation, Resettlement and Poverty

Indebtedness, Literacy, Education, Un/Under Employment, Health and Nutrition, and Addiction

Housing and Trafficking

Significant Tribal Movements in India

5. Customary Laws of Tribal and its Relevance

Constitutional Perspectives of Customary Laws

Gender Perspective in Tribal Customary Law and Uniform Civil Code

Customary Law in the era of Modernization and changing Tribal Scenario

Primitive Tribal Groups (PTGs)

Concept and types of Crime and Tort among the tribal

Tribal Customary practices about Crime and Punishment

Mode and types of punishment in tribal societies- Social Punishment, Divine Punishment, Punitive Acts, Taboo

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PAPER – XVIII

TRANSPARENCY LAW

(MLC118)

CREDITS – 2 (SOFT)

COURSE OBJECTIVES

Transparency has become one of the fundamental distinctive traits of contemporary Democratic societies. Information makes a person wise and it is competent enough to cope up with the modern world. So it is the duty of government to inform citizens about day to day happening whatever within the government. The transformation from governance to good governance is possible if there is possibility of increasing participation of people in governance and free access of information. By realizing this fact, Indian parliament has passed Right to Information Act, 2005 to make government accountable, responsible, efficient and transparent.

In this course students will be studying the notion of Transparency on the backdrop of functioning of Right to Information Act, 2005. Students will also study the interface of transparency with the notion of Privacy. This course highlights the basic guidelines of RTI Act, the relationship between Right to Information Act and good governance and the issues relating to RTI Act.

1. Transparency- Concept, Rationale and Significance

Concept of Transparency

Transparency as Power

Differing Justifications for Transparency

Transparency and Effective Administration

Transparency and Open Government

Transparency and Human Rights

Right to Information Movement in India and World Over

2. Law on Transparency and International Instruments

The United Nations and Right to Information

The UNDP and Right to Information

The Commonwealth and the Right to Information

The Rio Declaration on Environment and Development, 1992 and Access to Information

3. Official Secrets Act and Other Laws

The Official Secrets Act

Government Privileges in Evidence

The Oath of Secrecy

Exempted Organizations

4. Transparency, Good Governance and Accountability

Administrative Transparency and Accountability through Right to Information

Effectiveness of RTI Act in Eradicating Corruption

Right to Information and Good Governance

Role of Judiciary in Promoting Good Governance and Accountability

Whistle- blowers

5. Right to Information and Transparency

Constitution of India and Right to Information

Negative Right, Positive Right and Right to Know

Salient Features of Right to Information Act, 2005

Powers and Functions of Information Commission

RTI and Obligations of Public Authorities

Exempted Information

Application of RTI Act to Legislature and Judiciary

6. Issues of Transparency

Transparency and Privacy

Fallacies of Transparency in the age of Fake News, Artificial Intelligence and Hyper Information Society

Transparency and Political Parties

The Future of Transparency in the age of Big Data

Right to Information and of Patent Specification during Patent Pending

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PAPER – XIX

A. LAW MAKING IN INDIA POLITY & STATUTORY INTERPRETATION

(MLC119)
CREDITS -4 (ELECTIVE)

COURSE OBJECTIVES

The students shall learn the skills and techniques of understanding the intention and objective of law and the factors that contribute towards making of the law. Statutory interpretation is intended to imbibe in the students the ability to understand the philosophy behind the law for proper application of the law in the given society.

1. Introduction

Significance, utility, scope

Its theoretical and practical relevance

2. Law Making Processes

Constitutional Law making

Statutory Law making & general scheme of legislative drafting

Objectives of civil, criminal, commercial and international law

Sub-ordinate Law making

Judicial Law making

(Its interrelation and significance in delivery of justice and social mobilization)

3. Anticipated Goals and Obstacles in Implementation of law

Law and morals

Law and Public Opinion

Law and Politico-Economic structure

Law and administrative machineries

4. General Principles of Statutory Interpretation

Primary rules, literal rule Golden rule, Mischief rule, rule of harmonious construction

Secondary Rules - Noscitur a sociis. Eiusdem generis, Reddeno singular singulis

5. External Sources and Internal Aids

Dictionaries, statutes in para materia, contemporanea e position, debates, inquiry commission reports and law commission reports

Title, Preamble, Headings, Marginal notes, section and subsections, punctuation marks, illustrations exceptions, provisos, savings clauses, schedules and non obstante clause

6. Classification of Statutes and Subject wise Interpretation

7. Other Rules of Interpretation

Presumption in statutory interpretation, Maxims and statutory interpretation

Leading cases relating to interpretation of Statute

BIBLIOGRAPHY

1. W. Friedmann. Law in a changing Society
2. C. K. Allen: Law in Making
3. J. Bentham, Principles of Legislation Upendra Baxi (ed)
4. Law Liberty, and Morality by Basil Mitchell
5. Law and Public opinion in England: A. V. Dicey
6. Interpretation of Statutes: Bindra N.S

B. MINORITIES LAW

COURSE OBJECTIVES

To make the students aware of the importance of rights of minorities, to familiarize them with the constitutional provisions related to minorities, to acquaint them with the rights of minority educational institutions and exposition of the subject matter in detail with the help of legislative, judicial and other materials.

1. Introduction

Minorities in Indian Society: Concept of Minorities Linguistic Minorities Religious Minorities Secularism

2. International Norms for Protection of Minorities

Human Rights of Minorities Minority Rights under the International Covenant on Civil and Political Rights Non-discrimination provisions of the United Nations Charter 1945 Declaration on Rights of Minorities

3. Minority Rights

Right to religion Linguistic rights Right to culture and traditions National Commission for Minority

4. Rights of Minority in Educational Institutions

Educational rights of Minorities Right to administer Minority educational institution Aided and Unaided Minority Educational Institutions and Governmental Controls National Commission for Minority Educational Institutions

5. Societal Status of Minorities

Victimization- Muslim victims over past ten decades, Caste based violence over minorities, linguistic minorities, Minorities in rural areas over the country

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PAPER – XX
DISSERTATION
(Clinical Course)
(MLC120)
CREDITS -8 (COMPULSORY)

- A. WRITTEN WORK- DESSERTATION ON THE GIVEN TOPIC – 150 MARKS
B. VIVA-VOCE – 50 MARKS

Dissertation Rules and Regulations: -

1. Research Guide/Supervisor will be allotted by the Head of Concerned College.
2. Students should submit 03 copies of dissertation along with 01 soft copy to the College.
3. Fees and Remuneration for evaluation of the Dissertation may be fixed by the Punyashlok Ahildevi Holkar Solapur University, Solapur from time to time.

Regarding evaluation of LL.M – II Semester IV (CBCS Pattern)

Dissertation – 200 Marks

This Paper is as follows:-

A. Written Work – Dissertation on the given topic -150 Marks

Two copies of Dissertation are to be submitted by the student for evaluation. Dissertation is to be evaluated by external examiner outside or within Punyashlok Ahilyadevi Holkar Solapur University, Solapur recommended by the Principal of Concerned College.

B. Viva – Voce- 50 Marks

Viva –Voce is to be conducted by panel of experts consisting of

- i) Research guide/ Dissertation Supervisor.
- ii) Director/Principal of LL.M- P.G. Department or The Centre of Higher Education
- iii) External examiner i.e. faculty from outside or within Punyashlok Ahilyadevi Holkar Solapur University, Solapur

Viva-Voce examination will be conducted by the University immediately after completion of theory examination or as per the directions of Punyashlok Ahilyadevi Holkar Solapur University, Solapur.

CRIMINAL LAW

The study of criminal law has long been central to understanding the relationship between the State and its citizens, as well as the mechanisms used to control and regulate behaviour within society. Besides this, in the wake of increasing complexities of crime—ranging from violent crimes to sophisticated corporate fraud, cyber-crimes, crimes against vulnerable populations, and transnational offences—it has become imperative to equip future legal professionals, academics, and policymakers with a nuanced and multidisciplinary understanding of criminal law.

This specialization offers an integrated approach to substantive and procedural aspects of criminal law, contemporary trends, victim-centric jurisprudence, evidentiary theories, technological developments, and reformatory justice mechanisms.

The Criminal Law specialization in the LL.M. programme provides a robust and interdisciplinary legal education, equipping students with the knowledge, skills, and analytical capacity to engage with complex criminal justice issues. It blends substantive and procedural law within sights from comparative systems, technology, psychology, and human rights. Graduates of this specialization will be well-positioned for careers in academia, judiciary, public prosecution, policy making, international law, law enforcement, and advocacy.

The broader vision of legal education, this specialization aims to produce not only legal experts but socially conscious professionals committed to the cause of justice, equity, and reform in the criminal justice system of India and beyond. So, this specialization in Criminal Law is a rigorous and dynamic post graduate programme designed to provide students with an advanced and in-depth understanding of the principles, procedures, philosophies, and contemporary challenges surrounding the criminal justice system—both within India and in comparative and international contexts. The following are the outlines the key objectives, scope, and thematic progression of the eleven carefully curated papers that comprise the Criminal Law specialization.

CRIMINAL LAW

LL.M SYLLABUS

SEM	SUBJECT CODE	PAPER NUMBER	SUBJECT	NATURE	CREDITS
I	ML101	I	Constitutional Law	Core & Compulsory	4
	ML102	II	Research Methodology	Core & Compulsory	4
	MLCr103	III	A. Principles of Criminal Law OR B. Transnational Organized Crimes	Elective	4
	MLCr104	IV	A. Criminal Procedure: Rights, Procedures and Remedies OR B. Criminal Justice and Human Rights - International Perspective	Elective	4
	MLCr105	V	Research Project	Compulsory	2
II	ML106	VI	Introduction To Legal Theory	Core & Compulsory	4
	ML107	VII	Law and Social Transformation In India	Core & Compulsory	4
	MLCr108	VIII	A. Corporate Criminal Liability and White- Collar Crimes		4

			OR B. Forensic Science and Scientific Investigation of Crime	Elective	
	MLCr109	IX	A. Comparative Criminal Law OR B. Privileged Class Deviance	Elective	4
	MLCr110	X	Research Project	Compulsory	2
	MLCr111	XI	Seminar Course	Compulsory	2
III	MLCr112	XII	A. Victimology and Victim Rights in Criminal Justice OR B. Criminology and Penology	Elective	4
	MLCr113	XIII	A. Collective Violence and Criminal Justice System OR B. Criminal Law and Technology	Elective	4
	MLCr114	XIV	A. Organized and Unorganized Crime- Law and Policy OR B. International Criminal Law and Human Rights	Elective	4
	MLCr115	XV	Juvenile Justice and Delinquency Prevention	Soft	2
	MLCr116	XVI	Seminar Course	Compulsory	2
IV	MLCr117	XVII	Psychology and Criminal Law	Soft	2
	MLCr118	XVIII	Sentencing and Penology	Soft	2
	MLCr119	XIX	A. Principles of Evidence Law OR B. Digital Crime and Digital Forensic in Cyber Space	Elective	4
	MLCr120	XX	Dissertation	Compulsory	8
Total Credits of Specialization					70

PAPER- III

A. PRINCIPLES OF CRIMINAL LAW (MLCr103)

CREDITS – 4 (ELECTIVE)

COURSE OBJECTIVES:

This course offers an in-depth exploration of the foundational principles and theoretical underpinning's of criminal law. It critically examines the evolution, scope, and functions of criminal law as a system of social control. Key concepts such as criminal liability, culpability, and responsibility are studied in relation to the elements of criminal offences—actus reus and mens rea—along with causation, inchoate crimes, and modes of participation. Special emphasis is placed on general defences, the philosophy of punishment, and contemporary debates surrounding strict liability and corporate criminal responsibility. The course integrates classical and modern perspectives from both common law and Indian legal traditions to provide a comprehensive understanding of substantive criminal law.

1. Foundations and Philosophy of Criminal Law

Definitions, Evolution, Nature and Scope of Criminal Law

Historical Development of Criminal Law

Harm Principle and Limits of Criminalization

2. Elements of Criminal Liability

Actus Reus: Voluntary Acts, Omissions, and Status Offenses

Mens Rea: Intent, Knowledge, Recklessness and Negligence

Causation and Resulting Harm

Strict Liability in Criminal Law

3. Inchoate Offenses and Participation

Attempt: Preparation vs. Perpetration

Conspiracy and Solicitation

Complicity and Accomplice Liability

Vicarious and Corporate Criminal Responsibility

4. Defenses and Contemporary Issues

Justification Defences

Excuse Defences

Proportionality and Culpability in Modern Criminal Law

Burden of Proof with relation to General Defences

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B. TRANSNATIONAL ORGANIZED CRIMES

COURSE OBJECTIVES

This course is designed to provide a comprehensive understanding of the human rights of individuals involved in the criminal justice system, particularly those facing criminal trials and persons deprived of their liberty. It aims to examine the legal and constitutional safeguards available to accused persons, undertrial prisoners, convicts, and victims of crime within national and international human rights frameworks. The course critically explores the perceived conflict between the rights of offenders and the rights of victims, encouraging students to analyse the need for a balanced and fair criminal justice system. Further, it seeks to develop an understanding of prisoners' rights, prison administration, custodial justice, rehabilitation, and the role of courts and human rights institutions in protecting human dignity and ensuring access to justice. Through the study of relevant laws, judicial decisions, and international standards, students will gain a critical appreciation of human rights issues arising at various stages of the criminal process.

1. Introduction

Transnational Organized Crime – Meaning– Nature - International Criminal Law – International Crimes – Traditional Crimes and Transnational Crimes - Distinguish with other kinds of crime – Distinguish with International Crimes – Cybercrimes as Transnational Crimes - Punishment – Difficulty in the application of the basic safeguards

2. Different Types of Transnational Crimes

Human Trafficking – Drug Abuse - Arms - Meaning – Definition – concepts of Transnational Crimes – Criminalization – Causes – Enslavement – Servitude – Forced Labor – Sale of Children – Child Prostitution – Child Pornography – Child Recruitment in to Armed Forces –Sex Trade– Definition – International Law – Causes – Execution of Sex Trade – Drugs Trafficking – Arms Trafficking– Organ trafficking – Identity theft - Money Laundering – Corruption as Transnational Crime – meaning– Elements of the crime – Financial fraud – Counterfeit currency – Mafia – Environmental crimes – International Crimes – Genocide – Crimes Against Humanity – War Crimes – Crime of

Aggression – Statutes of International Criminal Law - Terrorism - Concepts – Elements of the crime – International Instruments Combating Terrorism – Pornography – Financial fraud – Counterfeit currency – Mafia – Environmental crimes

3. United Nations Against Transnational Organized Crimes

United Nations Convention against Transnational Organized Crime, 2000 – Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children – Protocol against the Smuggling of Migrants by Land, Sea and Air – Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their parts and Components and Ammunition – signatories – Rome statute of the International Criminal Court – Geneva Conventions

4. Issues In Combating Transnational Crimes

Jurisdictional issues – Cross Border Jurisdiction – Basic Principles – Territoriality of jurisdiction – Nationality jurisdiction – Personality jurisdiction - Passive personality jurisdiction – Protective jurisdiction – Universal jurisdiction – Jurisdiction as a limitation to jurisdiction – Conflicts of jurisdiction - Extradition issues – International Jurisdictional question under UN Convention – Interpol and its function in combating transnational crimes – International Criminal Court

BIBLIOGRAPHY

1. Neil Boister, An Introduction to Transnational Criminal Law, OUP
2. David McClean, Transnational Organized Crime, OUP
3. Letizia Paoli, The Oxford Handbook of Organized Crime, OUP
4. Roger S. Clark, Law and Transnational Organized Crime, OUP
5. Marinella Marmo et al., Transnational Crime and Criminal Justice, SAGE Publishing
6. Jay Albanese et al., Transnational Organized Crime, SAGE Publishing
7. Brain Payne, Transnational Organized Crime: A Comparative Analysis, Routledge
8. Pierre Hauck et al., Organized Crime and Gang Violence in National and International Law, Cambridge University Press, Online Publication
9. Sean D. Murphy, International Criminal Law, Cambridge University Press, Online Publication
10. Cassese, A., 2013. Cassese's international criminal law. Oxford university press

PAPER- IV

A. CRIMINAL PROCEDURE: RIGHTS, PROCEDURES, AND REMEDIES

(MLCr104)

CREDITS – 4 (ELECTIVE)

COURSE OBJECTIVES

This specialized course examines the procedural framework governing criminal investigations and prosecutions in India, with emphasis on constitutional protections, statutory provisions, and procedural fairness. The course explores the evolution of criminal procedure in India through legislative reforms, constitutional interpretations, and landmark judicial decisions, providing students with a comprehensive understanding of rights-based approaches to criminal justice administration in India.

1. Foundations and Philosophy of Criminal Law

Constitutional Foundations

Fundamental Rights under the Indian Constitution relevant to criminal procedure

Article 20: Protection against self-incrimination, Double jeopardy, and Ex-post facto laws

Article 21: Right to life and personal liberty, and Procedural due process

Article 22: Rights upon arrest and detention Evolution of criminal procedure through constitutional interpretation

Police Powers and Investigation

First Information Report (FIR) and its legal significance

Police powers under the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023

Arrest procedures and safeguards: D. K. Basu guidelines Search and Seizure: Constitutional and Statutory limitations

Remand and the Distinction between Police custody and Judicial custody

Recent reforms under the Criminal Procedure (Identification) Act, 2022

Rights of the Accused

Right to know the grounds for arrest

Right to legal representation: Constitutional and statutory provisions on Legal Aid

Right against self-incrimination and rules relating to confession

Right to Bail: Regular, Anticipatory and Default bail provisions

Preventive detention laws and Constitutional safeguards

2. Prosecutorial Process and Trial Systems

Courts and Jurisdiction

Hierarchy of criminal courts in India

Metropolitan Magistrates and Judicial Magistrates

Sessions Courts and their criminal jurisdiction

High Courts and their criminal jurisdiction

Special courts and tribunals (under the NDPS, POCSO, SC/ST Acts)

Prosecutorial Framework

Hierarchy of prosecution agencies in India

Powers and functions of prosecutors under the BNSS

Prosecutorial discretion and accountability

Role of complainants in criminal proceedings

Distinctions between Private prosecution and public prosecution

Committal and Trial Procedures

Classification of offenses: Cognizable and Non-cognizable, Bailable and Non-bailable Procedure in Summons cases and Warrant cases

Committal proceedings for Sessions trials

Framing of charges and discharge applications

Trial procedures and Stages under the BNSS

Fast-track courts and Recent procedural reforms

Fair Trial Guarantees

Right to speedy trial: Hussainara Khatoon case and Subsequent developments

Right to legal aid: Implementation of the Legal Services Authorities Act, 1987

Right to receive police report and other documents

Right to cross-examine witnesses

Right to present defense evidence

Remedies for procedural violations during trial of the accused

3. Judgment, Sentencing and Remedial Mechanisms

Judgment and Sentencing Framework

Judgment writing requirements under BNSS

Probation and other alternative sentencing options

Sentencing guidelines and judicial discretion

Pre-sentence reports and their significance

Recent trends for maximum sentence indication sentencing practices

Appellate and Revisional Jurisdiction

Appeals: Statutory framework under BNSS

Revisional powers of Superior Courts

Reference and Reservation of questions

Inherent powers of the High Court

Review and Curative petition mechanisms

Post-Conviction Remedies

Execution of sentences

Post-conviction bail and suspension of sentence pending appeal

Parole and Furlough systems

Mercy petitions and Executive clemency: Suspension, remission and commutation

Public Interest Litigation in criminal justice

Habeas Corpus and other constitutional remedies

BIBLIOGRAPHY

1. Pillai, K.N. Chandrasekharan, Kelkar's Criminal Procedure, 7th ed., Eastern Book Company, 2020
2. Singhal, M. L, Ratanlal & Dhirajlal: The Bharatiya Nagarik Suraksha Sanhita, 2023. 23rd ed., LexisNexis, 2024
3. Vibhute, K.I.P.S.A. Pillai's Criminal Law, 15th ed., LexisNexis, 2022
4. Law Commission of India, 154th Report on the Code of Criminal Procedure, 1973, Government of India, 1996
5. Law Commission of India, 177th Report on Law Relating to Arrest, Government of India, 2001
6. Law Commission of India 180th Report on Article 20 (3) of the Constitution of India and the Right to Silence, Government of India, 2002
7. Law Commission of India 268th Report on Amendments to Criminal Procedure Code, 1973—Provisions Relating to Bail, Government of India, 2017

B. CRIMINAL JUSTICE AND HUMAN RIGHTS - INTERNATIONAL PERSPECTIVE

COURSE OBJECTIVES

This course aims to provide students with a comprehensive understanding of the relationship between criminal justice systems and human rights from an international perspective. It seeks to examine international human rights standards, principles, conventions, and legal frameworks governing the treatment of accused persons, victims, prisoners, and other stakeholders within the criminal justice process. The course enables students to critically analyse issues relating to fair trial rights, arrest and detention, torture, prison conditions, victim protection, access to justice, and accountability of law enforcement agencies. It also promotes an understanding of the role of international organizations, courts, and human rights mechanisms in safeguarding human dignity and ensuring justice. The course develops the ability to evaluate contemporary challenges in criminal justice administration and encourages a rights-based approach to law, policy, and practice at both national and international levels.

1. Synergy of Human Rights and Criminal Justice

Human rights, Indian Constitution and criminal justice-Human Rights and the United Nations - Charter of the UN -International Bill of Right – Understanding Criminal Justice and Human Rights - History Evolution and Growth - Regional Human Rights Organisation – European Commission of Human Rights - American Commission of Human Rights – African Charter on Human Rights – Other Regional Human Rights Institutions

2. Human Rights of Offender Vis-S-Vis Criminal Justice Administration

Human rights of the offender -Pre-Trial Stage - Investigation - Arrest - Search and Seizure - Police Accountability and Custodial Violence - Police Reforms and Implementation–Trial Stage –Judicial Findings - Human Rights of Death Penalty convicts- Human rights issues in sentencing process

3. Recognizing Human Rights of The Victims of Crime

Victimological approaches to human rights jurisprudence- Protection from double jeopardy - Self- Incrimination -Fair and Speedy trial – Constitutional Safe Guards - Representation- Protection from Ex Post Facto Laws - Legal aid –Compensation -

Rehabilitation - Administration of Criminal Justice- Role of various Protection Agencies/Institutions

4. Human Rights and Criminal Jurisprudence

Judicial trends –Jurisprudence on Protection of Rights - Rights of Accused Rights of arrested persons- Rights of Fair and Speedy Trial- Rights of Free Legal Aid- Rights of disadvantage sections (Children born to Women convict persons, etc.)-Parole and Probation- Suspended sentence- Community service

5. Role Of Human Rights Institutions in Criminal Justice

National Human Rights Commission- State Human Rights Commission and Criminal justice- Human Rights Courts -Ad hoc Criminal Tribunals – Establishment - International Criminal Tribunal for the Former Yugoslavia (ICTY) – International Criminal for Rwanda (ICTR) – Statutes and RPE of ICTY & ICTR - International Criminal Court (ICC) –Rome Statute 2000 –Jurisdiction of ICC –ICC Jurisdiction over the Nationals of Non-States parties – ICC & ICJ - International Norms on Administration of Criminal justice

BIBLIOGRAPHY

1. Vibhuti, K. I.; Criminal Justice: A Human Rights Perspective of the Criminal Justice Process in India, Eastern Book Company
2. Singh, M. P.; V.N Shukla's Constitution of India; Eastern Book Company
3. Forest Martin et.al. (ed.) International Human Rights Law and Practice-Part I. and II of Cases, treaties and materials
4. Vijay Chitinis, et.al (ed.), Human Rights and the Law -National and Global Perspective
5. Basu D.D. Human Rights in Constitutional Law
6. Singh Sehgal B.P-Human Rights in India - Problems and Perspectives
7. Protection of Human Rights in Criminal Justice administration-- A study by Prof. Upendra Baxi and Manjula Batra
8. L.H. Leigh-Protection of Human Rights in Criminal Procedure. The British Experience
9. Cryer, R., Robinson, D. and Vasiliev, S., 2019. An introduction to international criminal law and procedure. Cambridge University Press
10. Bassiouni, M.C., 2013. Introduction to international criminal law. Brill Nijhoff

11. Bantekas, I. and Nash, S., 2009. International criminal law. Routledge
12. Paust, J. and Bassiouni, M., 2000. International Criminal Law: Cases and Materials

PAPER- V
RESEARCH PROJECT
(Clinical Course)
(MLCr105)
CREDITS – 2 (COMPULSORY)

Research Projects: 50 marks are divided as follows: -

Students have to select a topic on any one of the Core or Specialization Subject, in consultation with subject teacher at the beginning of the semester. By using research methodology, students have to submit research projects (Doctrinal or Non-Doctrinal Research) at the end of the said semester.

The completed research work should have to be submitted in spiral binding form and some will carry 40 marks. Viva voce will be conducted by Internal Examiners relating to project work will carry 10 Marks.

PAPER- VIII

A. CORPORATE CRIMINAL LIABILITY AND WHITE-COLLAR CRIME (MLCr108)

CREDITS – 4 (ELECTIVE)

COURSE OBJECTIVES

Develop advanced theoretical and practical understanding of corporate criminal liability and white-collar crimes. Build specialized expertise in investigating, prosecuting, and defending corporate entities and individuals. Foster critical analysis skills regarding regulatory frameworks and enforcement mechanisms. Prepare legal professionals to navigate complex issues in corporate criminal law and compliance.

1.Theoretical Foundations of Corporate Criminal Liability

Theoretical models of corporate criminal liability: Vicarious liability, Identification theory and corporate culture

Historical evolution of corporate criminal liability: From Individual to Collective responsibility

Artificial Entity vs. Natural Person: Philosophical and Legal debates

Corporate criminal intent: Attribution principles and Aggregation theory

Constitutional perspectives on corporate criminal liability in India

Landmark judicial decisions shaping corporate criminal liability in India

Corporate Defences and Due Diligence mechanisms

2. White-Collar Crime: Concepts, Categories and Legal Framework

Sutherland's concept of white-collar crime and Contemporary perspectives Categories of white-collar crimes: Fraud, Corruption, Securities violations, Tax evasion

Bhartiya Nyaya Sanhita,2023: Provisions relevant to white-collar crimes

Prevention of Corruption Act, 1988: Corporate bribery and public sector interface SEBI

Act,1992: Securities fraud, Insider trading, Market manipulation, Disclosure violations

Prevention of Money Laundering Act, 2002: Corporate implications and Compliance requirements

Companies Act, 2013: Criminal provisions and Directors' liability

Information Technology Act ,2000: Cyber-crimes and corporate liability

3. Investigation, Prosecution and Défense Strategies

Investigative agencies and their Jurisdiction incorporate crimes: CBI, ED, SFIO, EOW

Investigation techniques: Document analysis, Forensic accounting, Digital evidence

Search and Seizure operations incorporate settings Prosecutorial discretion and charging decisions incorporate crimes

Corporate Sentencing Guidelines: India and abroad Plea bargaining and Settlement mechanisms incorporate crimes.

Deferred prosecution and non-prosecution agreements: Global practices and Indian potential

Corporate Defence Strategies and Corporate Compliance Programmes as mitigating factors

Corporate Internal Investigations and Self-reporting

4. Contemporary Issues and Emerging Trends

Corporate criminal liability for Environmental crimes

Corporate manslaughter and Workplace safety violations Liability of Parent corporations for Subsidiary actions

Corporate liability for Human-rights violations Cross-border corporate crimes and Jurisdictional challenges

International anti-corruption frameworks: FCPA, UK Bribery Act and Indian Compliance Reform proposals for corporate criminal liability in India

BIBLIOGRAPHY

1. Pinto, A., and M. Evans. Corporate Criminal Liability Sweet and Maxwell, 2021
2. Ghosh, P, Criminal Liability of Corporate Entities with Special Reference to the Law in India, Universal Law Publishing, 2017
3. Meiselles, M., N. Ryder, and A. Visconti, Corporate Criminal Liability and Sanctions: Current Trends and Policy Changes, Routledge, 2025
4. Parekh, Sandeep. Fraud, Manipulation and Insider Trading in the Indian Securities Markets, LexisNexis, 2025
5. Kumar, Neeru. Key to Investigation and Prosecution of Serious Frauds Relating to Companies: Practice and Procedures, Universal Law Publishing, 2016

6. Pieth, Mark, and Radha Ivory, *Corporate Criminal Liability: Emergence, Convergence, and Risk*, Springer International, 2011

B. FORENSIC SCIENCE AND SCIENTIFIC INVESTIGATION OF CRIME

COURSE OBJECTIVES

To gain an in-depth analysis of forensic science and criminal justice system and study the modern scientific methods of crime control and problems related to international crime. This course enables students to understand the role of forensic science in the criminal justice system. To carry out research in field of forensic science and law. gain exposure to forensic science and criminal law from across the globe.

1. Forensic Science – An Integral component of Criminal Justice system – Scope

2. Development Of Forensic Science

3. An Introduction to:

Forensic Laboratories
Forensic Biology
Forensic Toxicology
Forensic Anthropology
Forensic Ballistics
Forensic Documents
Forensic Medicine

4. Modern Scientific Methods of Crime Control and Prevention:

Electrical Traps to catch thieves, burglars
Truth Telling Drugs
Lie Detector
Atomat Breatha
lyser Traffipax
Camera
Magnetic Gun
Night Vision Binoculars Portable Bomb Sniffer
Detection of Note Forgery by use of ultra-violet rays

5. Inter-state crimes and Criminals:

The problem of International Crime

International Co-operation

International Criminal Police Organisation (Interpol)

BIBLIOGRAPHY

1. R Deb.- Criminology, Criminal and Investigation
2. Soderman And O 'Connell-Modern Criminal Investigation
3. Dr. J. P. Modi -A Text Book of Medical Jurisprudence and Toxicology. Nigel Morland -Science in Crime Detection
4. The Indian Police Journal
5. International Criminal Police Review Journal

PAPER- IX
A. COMPARATIVE CRIMINAL LAW
(MLCr109)
CREDITS – 4 (ELECTIVE)

COURSE OBJECTIVES

This course provides a systematic and critical exploration of criminal law across diverse legal systems. It examines the philosophical, procedural, and substantive dimensions of criminal law through a comparative lens, engaging with major legal traditions including Common Law, Civil Law, Islamic Law, Socialist Law, and hybrid systems. Students will study the structural models of criminal procedure (adversarial vs. inquisitorial), prosecutorial discretion, general principles of criminal liability, and various defenses. The course also covers sentencing frameworks, punishment practices, and emerging global trends such as plea bargaining and restorative justice. Emphasizes placed on understanding law in its cultural and institutional context, promoting cross-jurisdictional insight and critical reflection on domestic legal practices.

1. Comparative Methodology and Theoretical Foundations

Introduction to Comparative Criminal Law

Purposes and benefits of comparative study in criminal law

Historical development of comparative criminal law scholarship

Functional vs. Contextual approaches to comparative analysis

Challenges in comparison: Language barriers, Conceptual equivalence, Information access

Avoiding Ethnocentrism and Recognizing Cultural Relativism in comparison

Historical Evolution of Major Legal Traditions

Common Law tradition: Development and Core characteristics

Civil Law tradition: Codification movements and Systematization

Islamic legal tradition: Sources and Criminal law categories

Socialist legal tradition: Historical development and Contemporary relevance

Mixed systems and Legal pluralism: Hybrid approaches to criminal law

Philosophical Foundations of Criminal Justice

Retribution and Just Deserts Theory across cultures

Utilitarian approaches: Deterrence, Incapacitation, Rehabilitation
Communitarian values in criminal justice

Restorative justice philosophies in comparative perspective

Religious influences on punishment theories

2. Comparative Criminal Process

Structural Models of Criminal Process

Adversarial and Inquisitorial procedural paradigms

Truth-seeking vs. Dispute resolution orientations

Pre-trial Investigation: Police-led vs. Judicial investigation

Role allocation: Judges, Prosecutors and Defense in different systems

Mixed and Hybrid procedural models

Prosecutorial Systems and Discretion

Organization of prosecution services across legal families

Mandatory vs. Discretionary prosecution principles

Prosecutorial independence and Accountability mechanisms

Charging standards and Oversight mechanisms

Case Disposition powers: Diversion, Negotiation, Dismissal

Trial Processes and Evidence Rules

Trial structures: Unitary vs. Bifurcated proceedings

Rules of evidence and Exclusionary approaches

Hearsay and Confrontation rights across systems

Expert evidence and Scientific proof standards

Fact-finder roles: Professional judges, Lay judges, Juries

3. Comparative Substantive Criminal Law

General Principles of Criminal Liability

Actus reus and Conduct requirements across legal systems

Mental states and Mens rea equivalent indifferent traditions

Causation theories and approaches

Strict and Absolute liability: Comparative perspectives

Complicity and Participation models in criminal liability

Justification and Excuse Defence

Self-defence and Defense of others: Threshold variations

Necessity and Duress across legal traditions

Mental disorder defences: Insanity, Diminished capacity, Automatism

Mistake defences: Mistakes of Fact and Mistake of Law across jurisdictions

Cultural defences and their recognition

4. Punishment System and Global Trends

Sentencing Frame works

Determinate and Indeterminate sentencing models

Sentencing Guideline systems: American and English

Variations in Judicial discretion across legal families

Role of victims in sentencing: Comparative perspectives

Specialized sentencing procedures and courts

Punishment Practices and Prison System

Comparative Incarceration rates and patterns

Prison conditions and standards across jurisdictions

Alternative sanctions: Community service, electronic monitoring, Fines

Conditional release mechanisms and supervision

Death penalty in comparative perspective

Plea Bargaining and Alternative Dispositions

American Plea-bargaining model and its features

European Abbreviated procedures and penal orders

Indian Plea-bargaining model and its features

Restorative justice alternatives to Adjudication

Victims' roles in Negotiated settlements.

BIBLIOGRAPHY

1. Nelken, David *Comparative Criminal Justice: Making Sense of Difference* SAGE Publications, 2010
2. Dubber, Markus D., and Tatjana Hörnle, *Criminal Law: A Comparative Approach*. Oxford University Press, 2016
3. Reichel, Philip L. *Comparative Criminal Justice Systems: A Topical Approach*, Pearson, 2017
4. Eser, Albin, *Comparative Criminal Law*, Bloomsbury Publishing, 2017
5. Terrill, Richard J. *World Criminal Justice Systems: A Comparative Survey*, Routledge, 2023
6. Ross, Jacqueline E., and Stephen C. Thaman, editors. *Comparative Criminal Procedure*. Edward Elgar Publishing, 2016
7. Glenn, H. Patrick, "Criminal Law in the Common Law" and "Criminal Law in the Civil Law." *Legal Traditions of the World*, 5th ed., Oxford University Press, 2014
8. Heller, Kevin Jon, and Markus D. Dubber, editors, "Principles of Liability." *The Handbook of Comparative Criminal Law*, pp. 14-55, Stanford University Press, 2011
9. Church, Jeffrey. "Comparative Perspectives on Criminal Defenses " *Criminal Law Quarterly*, vol.57, 2011, pp. 134-162
10. Langer, Máximo "The Long Shadow of the Adversarial and Inquisitorial Categories " *The Oxford Handbook of Criminal Law*, 2014, pp. 887-926
11. Tonry, Michael "Sentencing Policies and Practices in Western Countries " *Crime and Justice*, vol. 45, no. 1, 2016, pp. 1-52
12. Cavadino, Michael, and James Dignan "Explaining Penal Differences " *Penal Systems: A Comparative Approach*, SAGE Publications, 2006, pp. 3-49
13. Whitman, James Q "Degradation, Harshness, and Mercy " *Harsh Justice: Criminal Punishment and the Widening Divide between America and Europe*, Oxford University Press, 2003, pp. 1-49
14. Turner, Jennifer "Judicial Participation in Plea Negotiations: A Comparative View" *American Journal of Comparative Law*, vol. 54, 2009, pp. 199-267
15. Thaman, Stephen C "A Typology of Consensual Criminal Procedures " *World Plea*

Bargaining, edited by Stephen C. Thaman, Carolina Academic Press, 2010, pp.
331-396

B. PRIVILEGED CLASS DEVIANCE

COURSE OBJECTIVE

This course aims to provide students with a comprehensive understanding of the concept, nature, and dimensions of privileged class deviance, including white-collar crime, corporate crime, political corruption, and professional misconduct. It seeks to examine the relationship between power, privilege, and criminal behaviour among influential individuals and institutions. The course enables students to critically analyze the causes, consequences, and societal impact of crimes committed by privileged groups, while evaluating the effectiveness of legal, judicial, and regulatory mechanisms designed to prevent and control such deviance. Further, it promotes an understanding of issues relating to accountability, transparency, good governance, and the rule of law, thereby fostering critical thinking and research skills necessary for addressing contemporary challenges posed by elite and institutional misconduct.

1. Introduction

Conceptions of white-collar crimes

Indian approaches to socio-economic offences

Notions of privileged class deviance as providing a wider categorization of understanding Indian development

Typical forms of such deviance Official deviance (deviance by legislators, judges, bureaucrats)

Professional deviance: journalists, teachers, doctors, lawyers, engineers, architects and publishers

Trade union deviance (including teachers, lawyers/urban property owners)

Landlord deviance (class/caste-based deviance) Police deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)

Gender-based aggression by socially, economically and politically powerful

2. Official Deviance

Conception of official deviance - permissible limit of discretionary powers

The Chambal valley dacoit

Vinoba Mission and Jai Prakash Narain Mission in 1959 and 1971

The Chagla Commission Report on LIC-Mundhra Affair

The Das Commission Report on Pratap Singh Kairon

The Grover Commission Report on Dev Raj

The Maruti Commission Report

The Ibakkar-Natarajan Commission Report on Fairfax

3. Police Deviance

Structures of legal restraint on police powers in India

Unconstitutionality of "third-degree" methods and use of fatal force by police

"Encounter" killings

Police atrocities

The plea of superior orders

Rape and related forms of gender-based aggression by police and Paramilitary forces

Reform suggestions especially by the National Police Commissions

4. Professional Deviance

Unethical practices at the Indian bar

The Lentin Commission Report

The Press Council on unprofessional and unethical journalism

Medical malpractice

5. Response of Indian Legal Order to the Deviance of Privileged Classes

Vigilance Commission

Public Accounts Committee

Ombudsman

Commissions of Enquiry

Prevention of Corruption Act, 1947

The Antulay Case

BIBLIOGRAPHY

1. Upendra Baxi -The Crisis of the Indian Legal System (1982) Vikas Publishing House, New Delhi
2. Surendranath Dwevedi and G.S. Bbargava -Political Corruption in India (1967)
3. A.R. Desai (ed.) -Violation of democratic Rights in India (1986)
4. A.G. Noorani -Minister's Misconduct (1974)
5. B. B. Pande, "The Nature and Dimensions of Privileged Class Deviance" in the other side of development 136 (1987, K S Shukla ed.)

6. Upendra Baxi (ed.), Law and Poverty: Essays (1988)
7. Upendra Baxi, Liberty and Corruption: The Antulay Case and Beyond (1989)
8. A. R. Desai (ed.), Violence of Democratic Rights in India (1986)
9. Indira Rotherm et al "Patterns of Trade Union Leadership in Dhanbad Coal Fields" 23 J.I.L.I. 522 (1981)

PAPER- X
RESEARCH PROJECT
(Clinical Course)
(MLCr110)
CREDITS – 2 (COMPULSORY)

Research Projects: 50 marks are divided as follows: -

Students have to select a topic on any one of the Core or Specialization Subject, in consultation with subject teacher at the beginning of the semester. By using research methodology, students have to submit research projects (Doctrinal or Non-Doctrinal Research) at the end of the said semester.

The completed research work should have to be submitted in spiral binding form and some will carry 40 marks. Viva voce will be conducted by Internal Examiners relating to project work will carry 10 Marks.

PAPER- XI
SEMINAR COURSE
(Clinical Course)
(MLCr111)
CREDITS – 2 (COMPULSORY)

Seminar Course and Assessment Guidelines

The seminar course shall be assessed for a total of 50 marks on the Specialization Subject at the Seminar II.

Subject at the Seminar shall be carried out as follows:

S. No.	Activity	Marks
1	Submission of Seminar	40
2	Presentation of the Seminar Paper	10
Total		50

Note:

The concerned subject teacher shall be assign seminar topics to the students. Students are required to prepare and submit seminar papers on the allotted topics and make a presentation before the concerned faculty as part of the assessment process.

PAPER- XII

A. VICTIMOLOGY AND VICTIM RIGHTS IN CRIMINAL JUSTICE

(MLCr112)

CREDITS – 4 (ELECTIVE)

COURSE OBJECTIVES

This course aims to develop an advanced theoretical and practical understanding of victimology and the rights of victims within the criminal justice framework. It seeks to build specialized expertise in the legal mechanisms available for victim protection, support, and participation. The course also fosters critical analytical skills to examine the gaps between victim rights legislation and its real-world implementation. Ultimately, it prepares legal professionals to promote and advance victim-centred approaches in policy-making, advocacy, and legal practice.

1. Theoretical Foundations of Victimology

Introduction to Victimology: Historical development as a distinct discipline

Theoretical Perspectives: Positivist, Radical, and Critical victimology

Victim Precipitation, Victim facilitation, and Victim-offender overlap

Patterns of Victimization: Primary, Secondary, and Repeat victimization

Victim Typologies and Classification Models: Von Hentig, Mendelsohn, Sellin & Wolfgang

Victimization surveys and their role in understanding crime patterns

Psychological impact of Victimization: Trauma theory and post-victimization responses

2. Indian Legal Framework for Victim Justice

Constitutional framework of Victim rights in India: Articles 14,21, and 39A

Evolution of Victim rights in Indian criminal jurisprudence

Victim participation under the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023

Victim Compensation Schemes: Sections 395 and 396 of BNSS

Victim Impact Statements and Victim Participation in Sentencing

Restorative justice models and their Application in Indian context

3. Special Categories of Victims and Response Mechanisms

Sexual violence victims: Legal protections and Institutional responses

Child victims and witnesses: Special procedures and safeguards, including with reference to POCSO Act, 2012

Victims of Human trafficking: Legal frame work and Rehabilitation

Victims of Domestic violence: Civil and Criminal remedies

Victims of Communal or Caste-based violence, Mass atrocities and Terrorism

Victims of Custodial violence and State crimes

Victims of Cyber-crimes: Emerging challenges and Legal responses

Victims of Economic offenses and White-Collar Crimes

4. Victims Support Systems and Future Directions

Trauma-in formed approaches in Victim support

Victim Assistance Programmes: Models and Effectiveness

Role of National and State Legal Services Authorities in victim support

One-Stop Crisis Centres: Implementation and Challenges

Role of NGOs and Civil society in Victim advocacy

International standards on victim rights: UN Declaration of Basic Principles of Justice for Victims, 1985

Future of victim rights in India: Reform proposals and Policy directions

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1. Sharma, Vakul Information Technology: Law and Practice 8th ed., Universal Law Publishing, 2021
2. Kamath, Nandan. Law Relating to Computers, Internet & E-Commerce. 5th ed., Universal Law Publishing, 2017
3. Fatima, Talat. Cyber Crimes, 3rd ed., Eastern Book Company, 2017
4. Singh, Yatindra. Cyber Laws, 6th ed., Universal Law Publishing, 2016
5. Expert Committee Report on Proposed Amendments to the Information Technology Act, 2000
6. Ministry of Communications and Information Technology, Government of India, 2005

B. CRIMINOLOGY AND PENOLOGY

COURSE OBJECTIVES

To ensure that the students will exhibit essential qualifications for employment in criminology, criminal justice, administration and related occupations that comprise the mastery of core criminology and penology and the ability to think critically and to speak and write effectively within the field. Penology is a multi-disciplinary subject that aims for the study and evaluation of the application of penal laws onto the wrongdoers. It broadly explains the justification, characteristics, and effectiveness of punishment in its various forms. It also focuses on how crimes are defined and punished, as well as how prisons are managed.

1.Criminology

Criminology: Definition Nature, Scope and importance of Criminology

Relation between Criminology and other disciplines

Crime: Concept, types and trend

Psychology of Crime

Understanding the causes of crime: Major Schools of Criminology

2.Criminal Justice System

Meaning, Purpose and Social Relevance

Accusatorial and Inquisitorial Systems of Criminal Justice System

Legislative Process and CJS

Functionaries of CJS: Police, Prosecution, Judiciary, Prison, Reforms in CJS
(Malimath Committee Report)

Contemporary Challenges to the CJS in India: Law Enforcement, Judiciary and Correctional Systems

3.Administration of CJS-Police

Fundamentals of Police Administration

Organization and Structure of Police

Police Act of 1861 – Recent State enactment (The Rajasthan Police Act, 2007)

Police Reforms in Independent India and Judicial Intervention

Policing in Modern Society- Different approaches including Community Policing etc.

4. Penology

Nature, concept and types of Punishment

Theories of punishment

Corporal and Capital Punishment; Attitude on Pros and Cons of Capital Punishment

Rights of Prisoners, UN's Standard Minimum Rules for the Treatment of Prisoners;

Alternative approaches to Imprisonment & Community Based Correction v.

Sentencing-Process and Policies, Alternative Sentencing system

BIBLIOGRAPHY

1. Sutherland: principles of criminology (latest Edition)
2. Garofolo: Criminology Parts I, II and III (Latest Edition)
3. Taft: Criminology (Latest Edition) Part-I-Ch 1,3 for study
4. Pillai: Principles of Criminology lectures 2, 3, 4, 5, 6, 9, 11 and 12
5. Cavan : Criminology Part-I Omitting Chapter 2. Part II - full
6. Lombroso, Casare: Crime, its cause and remedies
7. Different Reports published by government of India from time to time
8. New Horizons in Criminology by Barnes and Tetters
9. Criminology: Ahmad Siddique
10. Criminology and Penology: Prof N. V. Paranjape
11. Hart, Punishment and Responsibility (1968)
12. A. Siddique, Criminology (1984), Easter, Lucknow
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PAPER – XIII

A. COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM (MLCr113) -

CREDITS – 4 (ELECTIVE)

COURSE OBJECTIVES

This is a crucial area of Indian development with which traditional, western, criminology is not overly preoccupied. Collective political violence (CPV) is the order of the day, whether it is agrarian (feudal) violence, or it is atrocities against untouchables, communal riots, electoral violence, police violence (encounters), political violence by militant and extremist groups, gender-based violence or violence involved in mercenary terrorism and its containment.

It is not very helpful in such contexts, to mouth the generalities such as "criminalization" or "lumpenization" of Indian politics. Closer scientific investigation of these phenomena is crucial, which should help us understand both the etiology and the prognosis of CPV. Instead of political analysis, the course should focus on a broader social understanding of the political economy of law in India. Each specific form of violence will be examined with a view to identifying the course of its evolution, the state law response policies of management of sanctions, compensation and rehabilitation of victims of violence, social and political costs. The growth of police and paramilitary forces will also, in this context, be an object of study. Primary materials here will be governmental and citizen investigative reports. The emphasis of the course will be on fashioning overall democratic understanding and responses to meet this problem.

1. Introduction

Notions of "force", "coercion", "Violence"

Distinctions: "Symbolic" violence, "institutionalized" violence, "Structural violence"

Legal order as a coercive normative order

Force-monopoly of modern law

"Constitutional" and "Criminal" Speech: Speech as incitement to violence

"Collective political violence" and legal order

Nation of legal and extra-legal 'repression'

2.Approaches to Violence in India

Religiously sanctioned structural violence: Caste and gender based

Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India

Gandhiji's approach to non-violence

Discourse on political violence and terrorism during colonial struggle

Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period

3.Agrarian Violence and Repression

The nature and Scope of Agrarian Violence in the 18-19 Century in India

Colonial Legal Order as a Causative Factor of Collective Political (agrarian Violence)

The Telangana Struggle and the Legal Order

The Report of the Indian Human Rights Commission on Arwel Massacre

4.Violence against the Scheduled Castes

Notion of atrocities

Incidence of Atrocities

Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities

Violence Against Women

5.Communal Violence

Incidence and courses of "Communal" Violence

Finding of various Commission of Enquiry

The Role of Police and Para- Military Systems in Dealing with Communal Violence

Operation of Criminal Justice system during, and in relation to, communal violence

NOTE-:

Choice of further areas will have to be made by the teacher and the taught. The areas may be chosen from: electoral, campus, industrial, police violence).

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9. Rajni Kothari, State against Democracy Latest Edn.
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11. Survey of Sociology and Social Anthropology 1969-1979 Latest Edn.

Note:

Latest Case Laws and Journal Articles should be updated regularly and included in the curriculum. The above list of books is not an exhaustive one.

B. CRIMINAL LAW AND TECHNOLOGY

COURSE OBJECTIVES

This specialized course examines the intersection of criminal law with emerging technologies in the Indian legal landscape. Students will explore how technological advances have created new forms of criminal behaviour, transformed investigative techniques, and presented novel challenges for the Indian criminal justice system. The course analyses statutory frameworks, judicial interpretations, and policy developments addressing technology-facilitated crimes in India, while considering constitutional protections, privacy concerns, and international best practices.

1. Cyber Crime Framework and Digital Offences in India

A. Legislative Framework

Evolution of cyber-crime legislation in India

Information Technology Act, 2000 and IT (Amendment) Act, 2008

Offences under the IT Act: Unauthorized access, Data theft, Identity theft

Bharatiya Nyaya Sanhita, 2023: New provisions on digital offenses

B. Core Digital Offences

Computer-related offenses under Section 65-67 of IT Act, 2000

Data theft and Privacy violations: Indian legal perspective

Online fraud and Cheating

Digital forgery and Tampering with source code

Publication of obscene and sexually explicit content

Cyber-terrorist under Section 66F and related provisions

C. Jurisdictional Challenges

Territorial and Extra-territorial jurisdiction under IT Act

Multi-state cybercrime investigations in India

International co-operation: Processes and challenges of Mutual Legal Assistance

Treaties

Role of INTERPOL and Indian coordination mechanisms

2. Digital Evidence and Investigation in Indian Legal System

A. Digital Evidence Collection

Legal framework for digital evidence collection in India
Search and seizure of electronic devices: Section 69 of the IT Act, 2000
Production orders for digital data
Handling of digital evidence
Role of CERT-In in cyber-investigations
Standard operating procedures for digital device seizure in India

B. Digital Evidence Admissibility

Evolution of jurisprudence :P. V. Anvar, Shafi Mohammed and Arjun Khotkar cases
Admissibility of Electronic Records: Sections 62 and 63 of the Bharatiya Sakshya Adhiniyam (BSA), 2023
Distinction between Primary and Secondary evidence in the digital context
Authentication challenges and judicial approaches
Chain of Custody requirements in Indian courts
Expert Testimony requirements for digital evidence

C. Forensic Investigation Techniques

Digital forensic capacity in India: Central and State Forensic Laboratories
Mobile forensics and Network forensics: Legal and technical challenges
Cloud Storage investigations: Indian legal framework
Social Media evidence gathering: Procedural requirements
Encryption challenges in Indian investigations
Recent technological advancements in Indian forensic capabilities

3. Specialized Technology: Facilitated Crimes in Indian Context

A. Financial Technology Crimes

Digital payment frauds: UPI, Mobile banking, and E-wallet systems
Cryptocurrency regulation and criminal activities in India
Banking frauds and Securities market manipulation using technology: Indian case studies
Application of the Prevention of Money Laundering Act, 2002

B. Online Content Related Offences

Hate speech and Fake News: Constitutional dimensions and BNS provisions
Digital piracy and Infringement of intellectual property rights
Online harassment and Bullying: Legal remedies
Child sexual abuse material, Non-consensual intimate imagery and Revenge pornography:
Provisions in the POCSO and IT Acts

Intermediary liability framework in India
Implementation of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

C. Emerging Technology Crimes

Dark Web market places: Investigation challenges
IoT device exploitation and security breaches
Deep Fakes and Synthetic media: Legal challenges
AI-facilitated crimes: Indian legal responses

4. Rights, Surveillance and Governance in Digital India

A. Surveillance and Privacy

Electronic Surveillance legal framework in India
Interception, Monitoring, and Decryption: IT Act provisions
Social media monitoring: Legal and ethical dimensions
Right to privacy vis-à-vis Crime control imperatives: Implications of the Puttaswamy case
Data protection and Criminal investigations: Implications of the Digital Personal Data Protection Act, 2023
Oversight mechanisms for surveillance activities

B. Technology in Law Enforcement

CCTV surveillance and Facial recognition systems: Legal framework
Digital Policing initiatives across Indian states
Biometric Evidence and the UIDAI/ Aadhaar Interface
Predictive Policing initiatives in Indian states: Legal and Ethical dimensions
Data Analytics in crime detection: Legal framework
NATGRID and Criminal intelligence data bases

C. Future Directions and Reforms

Specialized cyber-crime courts: Models and proposals
Criminal justice system Digitization initiatives
Artificial Intelligence in Judicial decision-making

BIBLIOGRAPHY

1. Sharma, Vakul Information Technology: Law and Practice 8th ed., Universal Law Publishing, 2021
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3. Fatima, Talat. Cyber Crimes. 3rd ed., Eastern Book Company, 2017. Singh, Yatindra. Cyber Laws. 6th ed., Universal Law Publishing, 2016

4. Expert Committee. Report on Proposed Amendments to the Information Technology Act,2000
5. Ministry of Communications and Information Technology, Government of India, 2005

PAPER – XIV

A. ORGANIZED AND UNORGANIZED CRIMES – LAW AND POLICY

(MLCr114)

CREDITS – 4 (ELECTIVE)

COURSE OBJECTIVES

The term "organised crime" brings to mind Drug Cartels, Mafias, Black Societies and Biker gangs. What do these groups have in common? What are their differences? What do they actually do? Organized and Unorganized Crimes Law and Policy aim to unpack and understand the dynamics of organized crime, its actors, groups, activities and organization as well as their geographical aspects. The subject explores from a theoretical and practical perspective the different approaches that have been used in order to explain and understand organized crime, as well as the policy responses to it. Case – based approaches will be used to illustrate throughout the course. This course analyses major ‘organized crime’ groups across the globe and the various forms of transnational crime encountered in the contemporary setting.

1. Introduction to Organized Crime

Definition & scope of organized crime

Types & characteristics of organized crime

Causes of organized crime – Comparison between white – collar crime, corporate crime, and organized crime

2. Categories of Organized Crime

Predatory crime – Crime syndicate

Criminal rackets – Business labour rackets – Gambling rackets

Criminal rackets in commercial world – Political grafts

3. Scope of Organized Crime in India

Drug Addiction, trafficking – national & international legal perspective

Illicit trafficking of women & children, prostitution – Terrorism & Narco – Terrorism

Economic crime, money laundering, scams, Hawala & Counterfeiting of Currency
– Nexus of Organized crime and politics

4. Legal Analysis, Investigation & Prosecution of Organized Crime

Mens rea, modus operandi & criminal conspiracy in organized crime

Role of Police in Investigation of organized crime

Role of Judiciary, Trial and Sentencing in organized crime – Legal issues under IPC and Indian Evidence Act.

5. Organized Crime, Threat to National Security & Preventive Action

Close linkage between organized crime and terrorism

Maharashtra Control of Organized Crime Act, 1999 & Gujarat Control of Terrorism and Organized Crime Bill 2015.

Issues & law related to Internal Security – The National Security Act, 1980. – Armed Forces (Special Powers) Act (AFSPA) 1958

6. Profiles of Organised Criminal Gangs

Vardharaja Mudaliar Gang – Dawood Ibrahim Gang – Chota Rajan Gang – Veerappan Gang of Karnataka

Babloo Srivatsava and Irfan Goga Gangs – Arun Gawli and Amar Naik Gang

Latif Gang – Rashid Gangs

7. Organized Crime in Transnational Jurisdiction

Features of transnational organized crime

Indian's perspective on transnational organized crime

Naples Declaration and Global Action Plan 24 Dec. 1994 – Role of United Nations in preventing international crime

8. Notorious Organized Crime in Global Parameter

Organized crime in united states – Colombian drug trafficking gangs

Jamaican possess – Chinese Organized crime – Triads in Hong Kong – Japanese Organized crime

Vietnamese Organized crime – South African crime syndicate – Russian crime syndicate

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FURTHER READING:

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3. Crime as enterprise? The case of "transnational organised crime", Edwards A Gill P, Crime, Law and Social Change
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JOURNALS / ARTICLES

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4. Ranjitsing Brahmajeetsing vs The State of Maharashtra, through on 16 July, 2004
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7. Altaf Ismail Sheikh vs The State of Maharashtra and Ors on 5 April, 2005
8. Sherbahadur Akram Khan And 6 Ors. vs The State of Maharashtra on 8 December, 2006
9. Om Prakash Shrivastava @ Babloo vs State of NCT of Delhi & Ors. on 15 October, 2009
10. Appa @ Prakash Haribhau Londhe vs State of Maharashtra and on 24 July, 2006
11. Ashok Gyanchand Vohra vs The State of Maharashtra and Anr on 22 December, 2005
12. Mohd. Farooq A.G. Chipa Rangari vs State of Maharashtra on 6 August, 2009
13. John D'Souza vs Assistant Commissioner of on 30 April, 2007
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15. Chenna Boyanna Krishna Yadav vs State of Maharashtra & Anr on 8 December, 2006
16. The State of Maharashtra vs Jagan Gagansingh Nepali on 5 August, 2011
17. State Govt of Nct Of Delhi vs Khalil Ahmed on 23 April, 2012
18. State vs Satya Parkash on 3 November, 2011
19. Lalit Somdatta Nagpal vs Shri K.K. Pathak, Spl. Inspector on 11 March, 2005
20. Shabbir Mohammed Hussain Shaikh @ vs The State of Maharashtra on 25 August, 2006

B. INTERNATIONAL CRIMINAL LAW AND HUMAN RIGHTS

COURSE OBJECTIVES

This course aims to provide an advanced understanding of international criminal law and its relationship with human rights. It explores key international justice mechanisms and accountability frameworks, while fostering critical analysis of legal issues in the prosecution of international crimes. The course also prepares students to engage effectively with international tribunals and human rights institutions in both legal and policy contexts.

1. Foundations of International Criminal Law

Historical evolution of international criminal law: From the Nuremberg and Tokyo Military Tribunals to the International Criminal Court

Theoretical foundations: International criminal law at the intersection of Criminal law and of Public international law

Sources of international criminal law: Treaties, Custom, and General principles

Core principles: Legality, Individual criminal responsibility and Complementarity

State sovereignty and International criminal jurisdiction

Immunities and International criminal law

Role of the United Nations Security Council in International criminal justice

2. Core International Crimes and Modes of Liability

Genocide: Legal definition, Elements and Jurisprudential development

Crimes Against Humanity: Contextual elements and Prohibited acts

War Crimes: International and non-international armed conflicts

Crime of Aggression: Definition, Jurisdiction, and Contemporary challenges

Modes of liability: Direct Perpetration, Joint Criminal Enterprise, and Command Responsibility

Complicity, and Aiding and Abetting in International criminal law

Defences in international criminal law: Superior Orders, Duress and Self-Defence

Evidentiary challenges in International criminal prosecutions

3. International Criminal Justice Mechanisms and Human Rights

International Criminal Court: Structure, Jurisdiction and Functioning

Ad Hoc International Criminal Tribunals: ICTY, ICTR and their legacy

Hybrid and Internationalized Criminal Tribunals: Extraordinary Chambers in the Courts of Cambodia, Special Court for Sierra Leone, and the Special Tribunal for Lebanon

Right of Fair Trial in international criminal proceedings

Victims' Rights and Participation in international criminal justice

Reparations for victims of international crimes

Role of Human rights bodies in addressing international crimes

Transitional justice mechanisms: Truth commissions, Amnesties and Reconciliation

4. Contemporary Issues and Indian Perspective

Terrorism and international criminal law: Definitional challenges and prosecutorial approaches

Corporate liability of Defense contractors for international crimes

Sexual violence and Gender-based violence as international crimes

Environmental crimes and International criminal law

India's perspective on International criminal law and the ICC

Implementation of International criminal law in Indian Legal System

Universal jurisdiction for Certain international crimes and India's approach

Future directions in international criminal justice: Challenges and Opportunities

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8. RELEVANT JUDGMENTS:

- i. International Criminal Tribunal for the Former Yugoslavia (ICTY): *Prosecutorv. Tadić*, Case No. IT-94-1-T, Decision of 7 May 1997
- ii. International Criminal Tribunal for Rwanda (ICTR): *Prosecutorv. Akayesu*, Case No. I CTR-96-4-T, Judgment of 2 September 1998
- iii. International Criminal Court (ICC): *Prosecutorv. Lubanga*, ICC-01/04-01/06, Judgment of 14 March 2012
- iv. International Court of Justice (ICJ): *Bosnian Genocide Case (Bosnia and Herzegovinav. Serbia and Montenegro)*, ICJ Reports 2007
- v. European Court of Human Rights (ECHR): *Ireland v. United Kingdom*, App.No.5310/71, Judgment of 18 January

PAPER- XV

A. JUVENILE JUSTICE AND DELINQUENCY PREVENTION

(MILCr115)

CREDITS – 2 (SOFT)

COURSE OBJECTIVE

This course is designed to develop an advanced understanding of the theoretical foundations and legal frameworks that govern juvenile justice systems. It aims to build specialized expertise in strategies for preventing juvenile delinquency, as well as in rehabilitation and reintegration approaches. The course encourages critical analysis of the intersection between child rights, criminal justice, and social welfare systems. It also prepares students to engage effectively with juvenile justice administration and to contribute to policy development and reform.

1. Theoretical Foundation of Juvenile Justice

Historical development of juvenile justice: From Parens Patriae to Rights-based approaches

Theoretical perspectives on juvenile delinquency: Sociological, Psychological and Biological Theories

Risk and protective factors in child and adolescent development

Philosophical approaches: Welfare and Justice Model, Restorative justice and Therapeutic jurisprudence

Balancing Rehabilitation, Punishment and Public safety

Age and Criminal responsibility: Developmental perspectives and Legal implications

Contemporary challenges: Serious juvenile offenders, Transfer to Adult courts and Proportionality

2. Legal Framework of Juvenile Justice in India

Constitutional framework and Juvenile rights in India

Evolution of Juvenile justice legislation: Historical context and Reforms

Juvenile Justice (Care and Protection of Children) Act, 2015: Key provisions and Critiques

Juvenile Justice Boards: Structure, Powers and Functions Child Welfare Committees and District Child Protection Units

Special Juvenile Police Units and Child-friendly procedures

POCSO Act, 2012 and Interface with Juvenile justice system

Role of National and State Commissions for Protection of Child Rights

3. Delinquency Prevention and Rehabilitation

Primary, Secondary and Tertiary Prevention models

School-based prevention programmes and educational interventions

Family-focused interventions and Parental responsibility

Community-based prevention strategies and Diversion programmes

Mental-health interventions and Substance-abuse treatment

Individual care plans and Needs assessment

Institutional and Non-institutional Rehabilitation approaches

After care services and social reintegration strategies

4. International Standards and Comparative Perspectives

UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), 1985

UN Convention on the Rights of the Child, 1989

UN Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), 1990

UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules), 1990

Comparative analysis of Juvenile justice systems: Common Law vs. Civil Law approaches

Nordic models of Juvenile justice: Welfare-oriented approaches

Reform trends and Future directions in juvenile justice

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PAPER- XVI
SEMINAR COURSE
(Clinical Course)
(MLCr116)
CREDITS – 2 (COMPULSORY)

Seminar Course and Assessment Guidelines

The seminar course shall be assessed for a total of 50 marks on the Specialization Subject at the Seminar II.

Subject at the Seminar shall be carried out as follows:

S. No.	Activity	Marks
1	Submission of Seminar	40
2	Presentation of the Seminar Paper	10
Total		50

Note:

The concerned subject teacher shall be assign seminar topics to the students. Students are required to prepare and submit seminar papers on the allotted topics and make a presentation before the concerned faculty as part of the assessment process.

PAPER- XVII

PSYCHOLOGY AND CRIMINAL LAW

(MLCr117)
CREDITS – 2 (SOFT)

COURSE OBJECTIVES

This course explores the dynamic interface between psychology and criminal law in the Indian legal context. The program examines how psychological principles inform criminal justice processes, from understanding criminal behavior to evaluating witness testimony and designing rehabilitation program. Through an interdisciplinary approach, students will analyze the psychological dimensions of criminal responsibility, sentencing considerations, and therapeutic jurisprudence. The course addresses unique challenges in the Indian criminal justice system while incorporating comparative perspectives. Students will develop critical skills in applying psychological research to legal questions, preparing them for careers in criminal law practice, policy formulation, or forensic consultation.

1. Psychological Theories and Criminal Behaviour

Introduction to psychology and criminal law: Historical Development and Interdisciplinary Approaches

Psychological theories of Criminal behaviour: Psychodynamic, Behavioural, Cognitive and Social Learning

Developmental psychology and Criminal trajectories: Risk and Protective factors

Personality disorders and Criminal behaviour: Antisocial Personality Disorder and Psychopathy

Cognitive Biases and Criminal Decision-making

Social Psychology of Crime: Group dynamics, Conformity and Deviance

Neuro psychological Perspectives: Brain development, Executive function Criminal behaviour

Indian Research on Criminal psychology: Cultural contexts and applications

2. Mental Health and Criminal Responsibility

Legal standards of Mental illness and Insanity: Evolution in Indian criminal law

Section 22 of BNS and the M'Naughten Rules: Psychological and Legal perspectives

Psychological assessment of Criminal responsibility: Methods and Challenges

Competency to Stand trial: Psychological evaluation and Legal standards

Substance use disorders and Criminal responsibility

Suicide and Attempted suicide: Psychological and Legal perspectives

3. Psychology in Criminal Proceedings

Eye witness testimony: Memory processes, Reliability and Best practices

False confessions: Psychological vulnerabilities and Interrogation techniques

Psychology of Victim behaviour and Trauma responses

Psychological assessment of Dangerousness and Risk

Sentencing psychology: Retribution, Rehabilitation and Recidivism

Expert Psychological testimony: Admissibility and Evaluation

Psychological Impact of Criminal proceedings on Victims, Witnesses and Defendants

4. Therapeutic Jurisprudence and Criminal Justice Reform

Therapeutic jurisprudence: Principles and Applications in criminal law

Prison psychology: Impact of Incarceration on Mental health

Psychological Approaches to Rehabilitation and Reintegration

Special populations: Juveniles, Women, and Mentally-ill offenders

Restorative justice: Psychological foundations and applications

Forensic Psychology Services in the Indian criminal justice system: Current status and Needs

Ethical issues in psychology and Criminal law practice

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PAPER- XVIII

SENTENCING AND PENOLOGY

(MLCr118)
CREDITS – 2 (SOFT)

COURSE OBJECTIVES

This course provides a comprehensive examination of sentencing principles and penal theories in the Indian legal context. The program explores the historical evolution, theoretical foundations, and practical applications of punishment and corrections. Students will critically analyze sentencing frameworks, judicial discretion, alternatives to incarceration, and correctional administration while addressing unique challenges within the Indian criminal justice system. The course integrates constitutional perspectives, human rights considerations, and contemporary reform movements, preparing legal professionals to engage meaningfully with sentencing policy and practice in India.

1. Theoretical Foundations of Punishment

Classical Theories of punishment: Retribution, Deterrence, Incapacitation and Rehabilitation

Historical Evolution of punishment: From Corporal to Correctional approaches

Utilitarian vs. Retributivist perspectives on Punishment

Proportionality and Just Deserts in Sentencing

Social Defense theory and public protection

Restorative justice and Victim- centered approaches

Modern Hybrid theories of punishment

Indian penal philosophy: Historical context and Contemporary applications

2. Sentencing Law and Practice in India

Constitutional framework and Sentencing: Articles 14, 20, and 21 implications

Statutory provisions on sentencing: BNS, BNSS and Special laws

Judicial discretion in sentencing: Scope, Limitations and Disparities

Sentencing guidelines: Comparative models and Indian developments

Aggravating and Mitigating factors in sentencing determinations

Sentencing in Special categories of offenses: Terrorism, Corruption and Sexual Offenses

Landmark Supreme Court judgments on sentencing principles

Plea bargaining and Negotiated sentences in Indian context

3. Custodial and Non-Custodial Sanctions

Imprisonment: Legal framework, Types and Administration

Indian prison system: Structure, Governance and Challenges

Rights of prisoners: Constitutional protections and Judicial interventions

Death Penalty: Constitutional validity, “Rarest of Rare” doctrine and Contemporary debates

Probation and parole: Legal framework and Implementation

Community corrections and Alternatives to Incarceration

Fines, Forfeiture and Monetary sanctions

Innovative approaches: Community service, Treatment orders and electronic monitoring

4. Contemporary Issues and Reform Perspectives

Overcrowding and Prison conditions: Legal responses and Reform initiatives

Vulnerable populations in Correctional settings: Women, juveniles, and Mentally-ill offenders

Recidivism and Rehabilitation: Evidence-based approaches

Sentencing and Human rights: International standards and Indian compliance

Technology in Corrections: Surveillance, Monitoring and Privacy concerns

Malimath Committee and Law Commission Reports on Sentencing reforms

Comparative perspectives: Sentencing reforms in other jurisdictions

Future of sentencing in India: Reform proposals and Policy directions

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2. Chakrabarti, N.K. (2012). Institutional Corrections in the Administration of Criminal Justice. Deep & Deep Publications
3. Raghavan, R.K. (2016). Prison Reforms in India: Issues and Perspectives. Manak Publications
4. Ashworth, A. & Roberts, J.V. (2013). Sentencing Guidelines: Exploring the English Model. Oxford University Press
5. Garland, D. (2001). The Culture of Control: Crime and Social Order in Contemporary Society. Oxford University Press
6. Morris, N. & Tonry, M. (1990). Between Prison and Probation: Intermediate Punishments in a Rational Sentencing System. Oxford University Press

PAPER- XIX
A. PRINCIPLES OF EVIDENCE LAW
(MLCr119)
CREDITS– 4 (ELECTIVE)

COURSE OBJECTIVES

This course provides a comprehensive examination of the principles and practice of evidence law in the Indian legal system. The program explores the theoretical foundations, procedural frameworks, and practical applications of evidentiary rules in civil and criminal proceedings. Students will critically analyze the Indian Evidence Act/ Bharatiya Sakshya Adhiniyam (BSA), judicial interpretations, and emerging trends in evidence law while developing advanced skills in evidentiary analysis and argumentation. The course addresses unique challenges within the Indian judicial context while incorporating comparative perspectives and technological developments, preparing legal professionals to navigate complex evidentiary issues in litigation, academia, and policy formulation.

1.Theoritical Foundations and General Principles of Evidence Law

Historical development of Evidence law in India: Colonial legacy and post-independence era

Conceptual foundations: Facts in issue, Relevance, and Admissibility

Classification of Evidence: Direct/Circumstantial, Oral/ Documentary, Primary/Secondary

Burden of proof and Standard of proof in Civil and Criminal proceedings

Presumptions and Judicial notice under the Bharatiya Sakshya Adhiniyam (BSA), 2023

Constitutional dimensions of Evidence law: Fair trial and Due process

Comparative perspectives: Common law and Civil law approaches to evidence

2.Types of Evidence and Rules of Admissibility

Oral or Testimonial Evidence: Competence, Compellability and Examination of witnesses

Hostile Witnesses: Legal framework and Judicial approaches

Documentary Evidence: Authentication, Best Evidence rule and Secondary Evidence

Real Evidence: Production, Preservation, and Presentation

Expert Evidence: Qualification, Reliability and Judicial assessment

Character Evidence: Admissibility in Civil and Criminal proceedings

Hearsay Evidence: Rule, Exceptions and Rationale

Privileged Communications: Attorney-client, Spousal and Other privileges

3. Evidence in Specialized Courts

Evidence in criminal trials: Investigation, Prosecution and Defense perspectives

Forensic Evidence: Scientific methods, Standards and Judicial reception

Identification Evidence: Eye witness testimony, Parades and Reliability concerns

Confessions and Police Statements: Voluntariness, Admissibility and Evidentiary value

Evidence in Civil Proceedings: Commercial disputes, Property litigation, and Family matters

Evidence in Sexual offense cases: Special provisions and Judicial approaches

4. Contemporary Issues and Reform Perspectives

Privacy concerns and Evidence gathering: Constitutional limitations and Exclusionary rules

Psychological research on Witness memory and testimony: Implications for Evidence law

Scientific Evidence Evaluation: Frye, Daubert and Indian Approaches

Technological advances and Evidentiary challenges: Artificial Intelligence and Deep Fakes

Evidence in International and Transnational proceedings

Reforms to the Indian Evidence law proposed by the Law Commission

Comparative approaches: Reforms in other Common Law jurisdictions

Future directions in Indian evidence law: Challenges and Opportunities

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1. Sarkar, M.C.& Manohar, V.R. (2020). Sarkar's Law of Evidence. Lexis Nexis
2. Monir, M. (2018). Principles and Digest of the Law of Evidence, Universal Law Publishing
3. Murphy, P. & Glover, R. (2017). Murphyon Evidence, Oxford University Press
4. Dennis, I. (2020). The Law of Evidence, Sweet & Maxwell
5. Thayer, J.B. (1898). A Preliminary Treatise on Evidence at the Common Law. Little, Brown

B. DIGITAL CRIME AND DIGITAL FORENSIC IN CYBER SPACE

COURSE OBJECTIVES

Cyber Forensics is a branch of digital forensic science pertaining to evidence found in computers and digital storage media. The goal of cyber forensics is to examine digital media in a forensically sound and constructive manner with the aim of identifying, preserving, recovering, analyzing and presenting facts and evidence in a court of law. The courses are designed with a focus on strengthening students' knowledge in all areas of cyber security and digital forensics. This course provides hands – on experience in different computer forensics situations that are applicable to the real world. Students will learn different aspects of digital evidence: ways to uncover illegal or illicit activities left on disk and recovering files from intentionally damaged media with computer forensics tools and techniques.

1 Networks and Network Security

Networking Architecture – Networking Technologies – Networking Topologies
Network Protocols –Data Link Layer– Network Layer Protocols – Transport Layer
Security Mechanisms in Networking Layers

2.Cyber Space, Cyberlaws and Digital Crime

Cyber Space–Cyber Laws–Digital Crime–cybersecurity
Electronic Communication Devices – Communication Technologies in Cybercrime
Classification of cybercrime – Classification of Cyber criminals – Challenges to cybercrimes

3. Cybercrime–The present and the future

Cyberwar–The present and the future
Cryptocurrency – Bitcoins – Ethereum – Blockchain – Ransomware
Deep Web and Dark Web –Counter measures to overcome challenges

4. Cyber Forensic Investigation

Forensic Examination Process – Methods in Forensic Analysis
Benefits of Cyber Forensics–Classification of Cyber Forensics
Challenges of Digital Forensics in Cyber security

5. Digital Evidence

Duplication and Preservation of Digital Evidence
Acquisition and Handling of Digital Evidence
Analysis and Admissibility of Digital Evidence – Challenges with Digital Evidence

6. Legal Issues, Information and Human Security

Law Enforcement / Criminal Prosecutions –Evidentiary Issues, Organizations and Standardizations
Information security–Information processing– Secure program administration.
Organizational and Human Security– Information security professionals –
International Human Rights – Cybercrime a comparative analysis.

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1. Cyber forensics: A field manual for collecting, examining, and preserving evidence of computer crimes, Marcella A Greenfield R, CRC Press, 2002
2. Cyber Forensics in India: A Legal Perspective, Nishesh Sharma, LexisNexis,2017
3. Christof Paar, Jan Pelzl, Understanding Cryptography: A Textbook for Students and Practitioners,2nd Edition, Springer's, 2010
4. Ali Jahangiri, Live Hacking: The Ultimate Guide to Hacking Techniques & Countermeasures for Ethical Hackers & IT Security Experts, Ali Jahangiri, 2009
5. Computer Forensics: Investigating Network Intrusions and Cyber Crime (Ec – Council Press Series: Computer Forensics), 2010

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1. Review of: Investigating Computer – Related Crime, Nalla M, Journal of Forensic Sciences (2001) 46(6) 15191J
2. Computer Forensics in Today's World, Wiles J Reyes A, Elsevier, (2007), 1-51, Book Chapter
3. Cyber Crimes and Its Jurisdiction, Tiwari B, Indian Streams Research Journal (2013)3(5) 1-5

4. A cyber forensics ontology: Creating a new approach to studying cyber forensics, Brinson A Robinson A Rogers M, Digital Investigation (2006) 3(SUPPL.) 37-43
5. Digital Forensics and Cyber Crime Datamining, K. Sindhu KB. Meshram B, Journal of Information Security (2012) 03(03) 196-201

FURTHER READING BOOKS

1. Marjie Britz T. Computer forensic and cybercrime – an introduction, 3rd edition Pearson Educational India, (2013)
2. Robert Newman C Computer forensic – Evidence collection and management, Auerbach publication, Taylor and Francis Group, (2007)
3. Computer Crimes and Digital Investigations, Ian Walden, Oxford University Press; 1 edition (April 9, 2007)
4. Cyber Forensics: From Data to Digital Evidence, by Albert J. Marcella Jr., Frederic Guillossou, Wiley; 1 edition (May 1, 2012)
5. Investigating Internet Crimes: An Introduction to Solving Crimes in Cyberspace, Todd Shipley, Art Bowker, Nick Selby, Syngress; 1 edition (December 3, 2013)
6. Cyber Crime Investigator's Field Guide, Bruce Middleton, Auerbach Publications (November 28, 2001)
7. Cybercrime Investigative Case Management: An Excerpt from Placing the Suspect, Brett Shavers, Syngress; 1 edition (15 January 2013)
8. CyberForensics: A Field Manual for Collecting, Examining, and Preserving Evidence of Computer Crimes, Albert Marcella Jr. (Editor), Robert S. Greenfield (Editor), Auerbach Publications; 1 edition (January 23, 2002)
9. Cyber Crime and Digital Evidence: Materials and Cases is designed to be an accessible introduction to Cyber Crime and Digital Evidence, Thomas K. Clancy, 3rd Edition, Carolina Academic Press
10. Understanding Laws – Cyber Laws and Cyber Crimes, Garima Tiwari, Lexis Nexis; First edition, 2014

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1. Cyber Forensics in the Cloud, Zimmerman S Glavach D Programs, IA newsletter (2011) 14(1) 4-7
2. A triage framework for digital forensics, Bashir M Khan M, Computer Fraud and Security (2015) 2015(3) 8-18
3. Measures of retaining digital evidence to prosecute computer- based

- cybercrimes, Wang S, Computer Standards and Interfaces (2007) 29 (2) 216-223
4. Investigating and prosecuting cybercrime: Forensic dependencies and barriers to justice, Brown C, International Journal of Cyber Criminology (2015) 9(1) 55-119
 5. Embedded device forensics and security, Choo K Fei Y Xiang, CM Transactions on Embedded Computing Systems (2016) 16(2)
 6. A rational jurisdiction for cyber terrorism, Moslemzadeh Tehrani P Abdul Manap N, Computer Law and Security Review (2013) 29(6) 689-701
 7. Jurisdictional and definitional concerns with computer – mediated interpersonal crimes: An Analysis on Cyber Stalking, Roberts L, International Journal of Cyber Criminology (2008) 2(1) 271-285
 8. Internet Jurisdiction for E – commerce, Ward B Sipior J Volonino L, Journal of Internet Commerce (2016) 15(1) 1-17
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PAPER- XX
DISSERTATION
(Clinical Course)
(MLCr120)
CREDIT– 8 (COMPULSORY)

A. WRITTEN WORK-

DISSERTATION ON THE GIVEN TOPIC – 150 MARKS

B. VIVA-VOCE – 50 MARKS

Dissertation Rules and Regulations: -

1. Research Guide/Supervisor will be allotted by the Head of Concerned College.
2. Students should submit 03 copies of dissertation along with 01 soft copy to the College.
3. Fees and Remuneration for evaluation of the Dissertation may be fixed by the Punyashlok Ahildevi Holkar Solapur University, Solapur from time to time.

Regarding evaluation of LL.M – II Semester IV (CBCS Pattern)

Dissertation – 200 Marks

This Paper is as follows: -

A. **Written Work** – Dissertation on the given topic -150 Marks

Two copies of Dissertation are to be submitted by the student for evaluation. Dissertation is to be evaluated by external examiner outside or within Punyashlok Ahilyadevi Holkar Solapur University, Solapur recommended by the Principal of Concerned College.

B. **Viva – Voce**- 50 Marks

Viva –Voce is to be conducted by panel of experts consisting of

- i) Research guide/ Dissertation Supervisor
- ii) Director/Principal of LL.M- P.G. Department or The Centre of Higher Education
- iii) External examiner i.e. faculty from outside or within Punyashlok Ahilyadevi Holkar Solapur University, Solapur
- iv) Viva-Voce examination will be conducted by the University immediately after completion of theory examination or as per the directions of Punyashlok Ahilyadevi Holkar Solapur University, Solapur.