DETAILED SYLLABUS OF
2 YEAR LL.M COURSE
w.e.f. 2014-2016 Session
SEMESTER I

PAPER LM 1.1 (COMPULSORY)  MARKS 100

JURISPRUDENCE

1. Definition, Nature, Scope and Importance of study of Jurisprudence

2. Positivism and Analytical Theories of Law
   a. Jeremy Bentham’s Utilitarianism and Analytical Positivism
   b. Austin’s Theory of Law
   c. Analytical Positivism and Indian Legal System
   d. Kelson’s Pure theory of Law

3. Natural Law Theories
   a. Historical development in Ancient, Medieval and Renaissance Period
   b. Twentieth Century Natural Law Revival
   c. Hart on Natural Law
   d. Fuller and Morality of Law

4. Sociological Jurisprudence
   a. Roscoe Pound’s Theory of Social Engineering and Theory of Interest
   b. Theories of Duguit and Ihering

5. Historical and Anthropological Theories
   a. The German Historical School- Savigny’s Volksgeist Theory
   b. The English Historical School- Sir Henry Maine

6. American Realism

7. Law and Morality- Relationship and Enforcement of Morality by Law- Hart- Devlin Debate

8. Feminist Jurisprudence – Liberal, Socialist and Radical Feminism

9. The critical Legal Studies Movement – Post- Modernist Jurisprudence

10. The Concept of Justice, Basis of Justice and relation between Law and Justice, Problem of Power

Books Recommended:
1. Friedman – Legal Theory
2. Dias – Jurisprudence
4. Salmond – Jurisprudence
5. G.W.Paton – Jurisprudence
7. V.D.Mahajan – Jurisprudence
8. Dr S K Tiwari – Jurisprudence : Legal Theory and elements of Law
I. Corporate Incorporation and Management
   1. (i) Certificate of Incorporation
      (ii) Memorandum and Articles of Association
      (iii) Doctrine of Ultra Vires
      (iv) Doctrine of Indoor Management
      (ii) Audit Committee: Its Role.
      (iii) Company Secretary: Qualification, Appointment and Duties
      (iv) Officer who is in default: Definition of Officer who is in default
      (v) Liability of independent directors.
   3. (i) Types of Meetings
      (ii) Procedure of calling meeting
      (iii) Company’s resolutions and its kinds

II: Oppression & Mismanagement and Investigation
   1. (i) Rule in Foss v. Harbottle
      (ii) Prevention of Oppression
      (iii) Prevention of Mismanagement
      (iv) Role & Powers of the Company Law Board
      (v) Role & Powers of Central Government
   2. (i) Company Investigation

III: Corporate Liquidation
   1. (i) Winding up of Companies
      (ii) Mode of winding up of the companies
      (iii) Compulsory Winding up under the Order of the Tribunal
      (iv) Voluntary winding up
      (v) Contributories
      (vi) Payment of liabilities

IV: Corporate Governance and Social Responsibility
   1. (i) Importance of Corporate Governance
      (ii) Different system of Corporate Governance
      (iii) Impact of Legal Traditions and the Rule of Law on Corporate Governance
      (iv) Legal Reforms of Corporate Governance in India
      (v) Reports of the various Committees on Corporate Governance
      (vi) Emerging Trend based on the recommendation of the Committees in the Companies Act 1956 and the Listing Agreement with Special reference to Clause 49.
   2. (i) Corporate Social and Environmental Responsibility
Books Recommended:

8. Companies Act, 1956
COMPETITION AND CONSUMER PROTECTION LAWS

UNIT - I
1. **Competition: An Introduction**
   - Definition of Competition
   - Definition of Competition Law
   - Objectives of Competition Law

2. **History of Competition Law**
   - (USA, UK, Europe) Relevant provisions of Sherman’s Act
   - Indian scenario with an overview of MRTP Act, 1969
   - Raghavan Committee Report

3. **International co-operation for competition**
   - WTO agreements and the Act

UNIT - II
1. **Anti-competitive Agreement**
   - Appreciable adverse effect
   - Horizontal and Vertical agreements
   - Effects doctrine

2. **Prohibition of anti-competitive agreements**
   - Concerted practices and parallel behaviour
   - Cartel and Cartelisation
   - Bid rigging and collusive bidding
   - Tie-in-arrangements
   - Exclusive supply agreement
   - Resale price maintenance agreement

3. **Abuse of Dominant Position**
   - Relevant market
   - Predatory behaviour
   - Predatory pricing
   - Discriminatory practices
   - Relevant market

UNIT - III
1. **Combination**
   - Value of Assets
   - Turnover
   - Acquisition
   - Conglomeration
   - Joint Venture
   - Merger and Amalgamation
   - Notification
2. **Competition Commission of India**
   - Establishment and composition
   - Duties
   - Procedure for inquiry
   - Powers
   - Competition fund

3. **Competition Advocacy**
   - Competition Policy

**UNIT - IV**

*Consumer Protection Act, 1986 and its applicability to Competition Law*

- Definition of Consumer
- Definition of Service
- Deficiency in Service
- Unfair Trade Practices
- Overlapping areas

**Books Recommended:**

GROUP – B (INTERNATIONAL LAW)

PAPER LM 1.2                                                                                                            MARKS 100

PUBLIC INTERNATIONAL LAW

1) Historical Background and Theoretical Foundation of International Law
2) Codification and Progressive Development of International Law
3) Relationship between International Law and Municipal Law – Indian Practice
4) Nature and Functions of State under International Law, State Responsibility, State Succession
5) Diplomatic and Consular Relations – The Vienna Convention on Diplomatic Relations, 1961
6) Law Relating to Outer Space
7) Law of Seas
8) War Crimes, Crimes against Peace and Humanity, Role of the ICC
9) Law of Neutrality
10) India and International Law – A Review

Books Recommended:

1) O. Connel, D.P. – International Law, Vol. I & II
3) Roselyn Higgins – The Development of International Law through the Political Organs of the UN (1963)
4) D.J. Harris – Cases and Materials on International Law (Third Ed. 1983)
5) Francis M. Sekandi (Ed.) – New Horizons in International Law (Second Revised Edition)
6) George Schwarzenberger – International Law
7) Brownlie – Principles of Public International Law, 4th Edn. 1990
8) Rebecca, M. Wallace : International Law
9) Melcolm N. Shaw : International Law
10) Martin Dixon and Robert : Cases and Material on International Law Mc. Corquodale
11) Shabled Rosemat – Developments in the Law of Treaties
14) J.G. Starke – Introduction to International Law
PRIVATE INTERNATIONAL LAW

1) Scope and Nature of Private International Law
2) Theories of Private International Law
3) Jurisdiction
4) Exclusion of Foreign Law and Sovereign Immunity
5) Family Law
6) Law of Property
7) Law of Obligations
8) India And Private International Law – The Practices

Books Recommended:

1) Dicey – Conflict of Laws
2) Cheshire – Private International Law
3) Paras Diwan – Private International Law, Indian and English
IPR : JURISPRUDENTIAL DEVELOPMENT

1. Origin and Genesis of IPR
2. Theories of IPR- Locke’s, Hegal and Marxian
3. IPR in Ethical, Moral and Human Rights perspective,
5. Importance of IPR in knowledge based Market Economy
6. Different forms of IPRs; Comparative study with physical property.
1. Internationalisation & Protection of Intellectual Property
2. Paris Convention, Berne Convention, WIPO, GATTs, WTO, TRIPS & TRIMS
3. Benefit Sharing- International treaty on Plant, Genetic resources for food and Agriculture
4. Development of WIPO on traditional knowledge and cultural expression
5. Intellectual Property, Competition Issues and FDI
6. Patentability of Biotechnology – Global Development
7. Protection of Geographical Indication – Global Perspective
8. On-line Copyright Infringement and Liability of ISP

Books Recommendend:

1) Melville B. Nimmer - Copyright and other Aspects of literary, musical and Artistic Works, 2nd Edn.
UNIT – 1: Reasons for growth of environmental law internationally.

I) International Environmental Campaigns

UNIT – 2: World Summit in 20th century

   a) Framework of the Conference
   b) Aims and Objectives
   c) United Nations Declaration on the Human Environment, 1972

   a) Framework of the Conference
   b) Aims and Objectives
   c) Earth Charter or Rio Declaration
   d) Agenda 21 : Blue Print for action in 21st century
   e) Earth Summit Plus Five
UNIT – 1: SUSTAINABLE DEVELOPMENT AND INTERNATIONAL LEGAL ORDER IN 21ST CENTURY
   a) Johannesburg Declaration (2001)
   b) Rio + 20 (2012)

UNIT – 2: MAJOR INTERNATIONAL ENVIRONMENTAL AGREEMENTS ON –
   a) Global warming
   b) Radioactive pollution
   c) Wetland conservation
   d) Climate change
   e) Conservation of Biosphere

UNIT – 3: WORLD CHARTER FOR NATURE 1982; OUR COMMON FUTURE (REPORT OF WCED)

UNIT – 4: UNEP; CHARACTERISTICS; ROLE; FUNCTIONS, IPCC

UNIT – 5: ENVIRONMENTAL OBLIGATIONS
   a) International Financing Policy
      i. Global Environment Facility
      ii. World Environment Fund
      iii. Global Environmental Monitoring System (GEMS)
   b) Millennium Development Goals 2000
   c) The Future We Want

UNIT – 6: GLOBAL ENVIRONMENTAL ISSUES AND THEIR LEGAL ORDER
   a) Climate Change
   b) Oil Pollution
   c) Ozone Layer Depletion
   d) Transboundary Pollution
   e) Pollution of Sea and Marine Resources
   f) Food Pollution
GROUP E (CRIMINAL LAW)

CRIMINAL JUSTICE SYSTEM

I. A) Crime
   b) Development of Criminal Law and Criminal Justice System during British period and post independent period.
   c) Theories of Crime
   d) Sociology of Crimes.

B) Criminology
   a) Definition of Criminology - Social, Psychological and Legal approaches
   b) Nature and scope of Criminology

C) Principles of Criminal Jurisprudence
   a) Adversarial (Accusitorial) and Inquisitorial System
   b) Recommendations of Malimath Committee Report- Shift from Co-ordination in Criminal Justice system, from ‘justice model’ to crime control model’.
   c) How the burden of proof shifts as per the nature of crime?

II. Crime trends and Crime Prevention

Social Change, Deviance and Disorganization
   a) Who is a Criminal
   b) Crimes against person
   c) Crimes against property
   d) Crime, Social Control and Crime Prevention
   e) Community and Crime Prevention

III. Criminal Liability: Precepts and Principles

   a) Evolution of civil and criminal Liability from common liability for ‘Wrongs’
   b) Elements of Criminal Liability of the crime, contemplation, preparations, attempt and commission.
   c) Mensrea - (intention) recklessness, malice, negligence, inchoate offences.
   d) Mensrea under the IPC
   e) Exemptions from criminal liability
   f) Strict Liability.
   g) Principles of Group or Joint Liability:
   h) Vicarious and Corporate Liability
IV Victimology

a) The concept of victimology  
b) Rights of Victims. Protection to Victims under Criminal Law  
c) Victim- offender Relationship  
d) Victim Perception  
e) Withdrawal of Prosecution Role of Victim  

Compensation under various Laws: 
   i. Section 357. CRPC  
   ii. Motor Vehicles Act  
   iii. sexual harassment and assaults.  
   iv. medical negligence  
   v. State liability to pay compensation for police Atrocities  

f) Compensation and Restitution to the victim- Justice To Victims, (Principle of compensatory jurisprudence)  

V. Procedural Mechanism in the Criminal Justice Syste  
   ( viz. Police, Prosecutor and Judicial system)  

a) Role of police in modern societies  
b) Police Reforms and role played by Supreme Court  
c) Meaning, purpose and need of independent prosecution system  
d) Relationship of Police and Prosecution  
e) Effective Judicial Control on Criminal Justice system  

Books Recommended:

5) Parvesh K Atri, Readings in Criminal and Criminology, 1st edition 1998,  
6) Anmol Publication Pvt. Limited, New Delhi -2  
CRIME AND SOCIAL LEGISLATIONS

I Meaning and Purpose of Social Legislation

a) Concept of Social Justice
b) Historical Evolution of the concept of Social Justice from British Rule onwards
c) Social Legislations interpreted by Courts in India
d) Impact of social legislation on the Criminal Law in India
e) Need for Reform in Social Legislations in the Indian context.

II Protection of Rights in Criminal Justice System

c) Need for reforms in the existing Civil Right Act,
d) Nature of Offences.

III Dowry Prohibitions Act 1961

a) Meaning and Purpose
b) Merits and Demerits
c) Negative Impact of the Act in certain exceptional cases
d) Need for modification in the existing provisions
e) Complementary provisions Sec 498A, Sec 304A & B of IPC
f) Powers of Police Officers
g) Nature of Offences.

IV A) The Immoral Traffic (Prevention) Act, 1956

a) Definition and objectives of Act
b) Regulatory Framework
c) Scope of the Act and its applicability

B) Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1995

a) Purpose and Object of the act
b) Merits and Demerits
V Prevention of Corruption Act, 1988: Its impact on Society

a) Nature, Meaning and Scope
b) Social reasons for the increase in the crimes of Corruptions
c) Prosecution - Sanctions and Regulations under the Act
d) Investigation Procedure and Powers under the Act.

VI Prevention of Atrocities Act 1989

a) Meaning, Nature and Scope of the Act
b) Relevance of the Act in the present day scenario
c) Merits and Demerits

Books Recommended:

1) Krishnamurthy S. 1987, Impact of Social Legislations, on the Criminal Law in India, R.R. Publishers, Bangalore

2) Bare Acts
   * I.T. Act, 2003
   * Evidence Act, 2003 and 2005
   * Dowry Prohibition Act (1961), Dowry Prohibition (Amendment) Act (1961)
   * The Immoral Traffic (Prevention) Act, 1956


INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

1. Federalism
   a) Creation of new states.
   b) Allocation and share of resources - distribution of grants-in-aid.
   c) Centre's responsibility and internal disturbance within States.
   d) Directions of the Centre to the State under Article 356 and 365.
   e) Special status of certain States.

2. "State": Need for widening the definition in the wake of liberalization, globalization and privatization.

3. Right to Equality
   Privatization and its impact on affirmative action.

4. Freedom of Press and challenges of new scientific development
   a) Freedom of speech and expression
      i) Right to broadcast and telecast.
      ii) Convergent Media: Prasar Bharti
      iii) Impact of Information Technology Act, 2000
   b) Right to strikes, hartal and bandh

5. Emerging regime of new rights and remedies.
   Reading Directive Principles and Fundamental Duties into Fundamental rights.
      i) Compensation jurisprudence.
      ii) Right to education.
      iii) Commercialisation of Education and its impact.

6. Right of minorities to establish and administer educational institutions and state control:
   Critical Analysis of Pai Foundation & its aftermath.

7. Separation of powers: stresses and strains.
   a) Judicial activism and judicial restraint.
   b) PIL : implementation.
   c) Judicial independence.
      i) Appointment, transfer and removal of judges.
   d) Accountability: Executive and judiciary.
8. Democratic process.
   a) Nexus of politics with criminals and the business.
   b) Election: Jurisprudence of Representation; Role of Election Commission.
   c) Electoral Reforms: Contribution of Judiciary.
   d) Coalition government, 'stability, durability, corrupt practice'

**Books Recommended:**

No specific bibliography is suggested for this course since the course materials obviously depends upon the latest developments. These developments in the areas specified in the course can be gathered from the recent materials such as case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values.
Regulation of Capital Market and Foreign Investment

I. Trends in regulation of capital markets
II. (1) Corporatization of stock exchanges
    (2) Role of SEBI and RBI
III. Policy framework for regulation of FDI
IV. Bilateral and multilateral investment agreements
The Evaluation of Banking Services and its History in India
1. History of Banking in India.
2. Bank nationalization and social control over banking.
3. Various types of Banks and their functions.
5. Role and functions of Banking Institutions

Lending by Banks and Recent Trends of Banking System in India
1. Advances, Loans and Securities.
2. Direct, collateral and miscellaneous Securities.
3. Default and recovery.

General Principles of Law of Insurance
1. Definition, nature and history.
2. Contract of insurance and principles.
3. The Risk – commencement, attachment, assignment.
4. Types of insurances.
5. Policy and its Legal Status.

Recent Trends in Insurance
1. Insurance against third party risks (relevant provisions from Motor Vehicles Act, 1988.)
2. Liability Insurance.

Books Recommended:
1) Evolution and Growth of International Organisations
2) Nature and Scope of International Organization
   b. Types of International Organisations: Private International Organisations
3) Universal International Organisation
   a. League of Nations
   b. United Nations
      i. Principles and Purposes of United Nations
      ii. Structure, Composition and Functions of the Organs of United Nations
      iii. Law Making Process in the United Nations Resolutions
      iv. UN Peace Keeping Function
      v. Need for Structural Changes in United Nations Organisation
4) Executive Powers and Functions of the Secretary General of the UN
5) Specialised Agencies of the United Nations and their functions
6) Regional International Organisations: Council of Europe, OAS, OAU, NATO, SAARC, Arab League
7) Judicial Institutions
   a. Historical Evolution
   b. Permanent Court of Arbitration
   c. Permanent Court of International Justice
   d. International Court of Justice – Composition, Jurisdiction and Functions
8) India and the United Nations

Books Recommended:
2) Edward Yewin – Legislative Powers in the UN and Specialized Agencies (1969)
3) Ingrid Detter – Law Making by International Organization
4) Higgins – The Development of International Law through the Political Organs of the United Nations (1963)
5) D.W. Rowett – The Law International Institution
6) Buth Russell – A History of UN Charter
11) Dr. Rahmatullah Khan – Implied Powers of the United Nations
12) Sir Gerald Fitz Maurice – The Law and Procedure of the International Court of Justice, 1986
13) Sabltai Rosenne – The World Court, What it is and how it works? 1995
INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW

PART – A: INTERNATIONAL HUMAN RIGHTS LAW

2) International Bill of Human Rights – UDHR, ICCPR and ICESCR
3) Regional Instruments
   a. European Convention on Human Rights
   b. American Convention on Human Rights
   c. African Convention on Human Rights
   d. Asia and Human Rights
4) Human Rights of Vulnerable Groups: Women, Children, Minorities, Refugees, Tribal etc.

PART – B: INTERNATIONAL HUMANITARIAN LAW

1) Origin and Development and IHL
2) Source of IHL
3) ICRC – its Role and Function
4) International Measures for Implementation of IHL – the Mechanism

Books Recommended:
1) Y.S.R. Murty – Human Rights Hand Book
2) Ian Brownlie – Basic Documents on International Law, Oxford, 2012
4) Balchandran-Vearghese – Introduction to International Humanitarian Law
5) B.S. Chimni – International Refugee Law
7) Manik Chakraborty – Human Rights and Refugees
9) Upendra Baxi – Human Rights in the Administration of Criminal Justice
10) E. Lanterpacht – International Law and Human Rights
11) Upendra Baxi (Ed.) – The Right to be Human
12) Indian Society of International Law – Year Book on IHL and Refugee Law
GROUP C (INTELLECTUAL PROPERTY LAWS )

IPR : PATENT LAW

2) Procedure for Registration of Patent, Patent Agent
3) Rights and obligation of Patentee; Assignment and surrender of Patent; Licensing
5) Infringement of Patent, Remedies for infringement, Threat of infringement
6) Software and Patent; Micro-organism and Patent
7) Patent in International Scenario – A Comparative study

Books Recommended:

6) Gopalkrishnan, N.S.- Intellectual Property and Criminal Law , 1st Edn.,1994, National Law School of India University, Bangalore.
8) P. Ganguli - Clearing up for Patents - Indian Scenario, Universal Press.
IPR : COPYRIGHT LAW

I. Meaning, Nature and Development of Copyright

II. Subject matter of Copyright

III. Ownership, Assignment, Registration and Licensing of Copyright

IV. Rights of Copyright owner and Licensee

V. Infringement of Copyright and Remedies

VI. Neighbouring Rights; Performers Rights and Broadcasting Rights including Satellite and Cable distribution

VII. Software Piracy and Copyright Protection

VIII. On Line Piracy and Copyright Protection

Books Recommended:
6) Gopalkrishnan, N.S.- Intellectual Property and Criminal Law, 1st Edn, 1994, National Law School of India University, Bangalore.
8) P. Ganguli - Clearing up for Patents - Indian Scenario, Universal Press.
ENVIRONMENTALISM AND INDIAN SOCIETY

Unit – 1: Concept of “Environment”
1) Definition, Meaning and Scope of the term ‘Environment’ and ‘Pollution’.
3) Concept of Ecology and Ecosystem; Types, Biomes and Classification, Food Chains.
4) Natural and Biological Sciences Interactions: Biogeochemical Cycles
5) Ecological Pyramids

Unit – 2: Relationship between Population, Environment and Development
1) Population vs. Development
2) Development vs. Environment
3) Corporate Environmental Responsibility
4) Concept of ‘Common Property’ and ‘State Property’.
5) Notion of Doctrine of Public Trust

Unit – 3: Environment and Social Issues
1) Water Conservation, Rain Water Harvesting, Wetland Conservation, Forest Conservation
2) Environmental Disaster; Environmentally Displaced Persons
3) Environmental Social Movements
4) Religious Texts and Environment

Unit – 4: Early Legislations Dealing with Environment before 1947 (Relevant Sections only)
1) Shore Nuisance (Bombay and Colaba) Act, 1853
2) Indian Penal Code, 1860
3) The Police Act, 1861
4) The Sarais Act, 1867
5) Northern India Canal and Drainage Act, 1873
6) Obstruction in Fairways Act, 1881
7) Indian Easement Act, 1882
8) Orient Gas Company Act, 1887
9) The Indian Fisheries Act, 1897
10) Indian Ports Act, 1908
11) Indian Forest Act, 1927
12) Motor Vehicles Act, 1958
13) Merchant Shipping Act, 1958
14) Bengal Smoke Nuisance Act, 1905
ENVIRONMENTAL POLLUTION AND LEGAL CONTROL IN INDIA

Unit – 1 : Environmental Pollution,
Sources, Causes, Effects of Water, Air, Land and Noise Pollution

Unit – 2 :
1) Constitutional Mandate and Environmental Protection
2) Role of Judiciary for Environmental Protection and Sustainable Development
3) Principles Evolved
   a. Absolute Liability
   b. Precautionary Principle
   c. Polluter Pays Principle
   d. Intra and Inter Generational Equity
   e. Public Trust Doctrine

Unit – 3 : Statutory Control of Environmental Pollution
1) Water (Prevention and Control of Pollution) Act, 1974
2) Air (Prevention and Control of Pollution) Act, 1981
3) Environment (Protection) Act, 1986 and Rules to Control Various Pollutions
4) National Green Tribunal Act, 2010
5) Wastes Management
   a. Solid Waste
   b. Hazardous Waste
   c. Bio Medical Waste
   d. e-Waste

Unit – 4 : Remedies under Traditional Laws (Relevant Portion only)
1) Criminal Procedure Code, 1973
2) Code of Civil Procedure, 1908
3) Indian Penal Code, 1860
4) Law of Torts : Vicarious Liability
5) Protection of Human Rights Act, 1993
6) Class Action : Order 1 Rule 8 of C.P.C. 1908
7) West Bengal Land Reforms Act, 1955
8) Public Liability Insurance Act, 1991
9) Remedies under Local Laws
CRIMINAL JUSTICE : CONCEPTS AND PROCEDURE

I Classification of Offences

a) Cognizable and Non-cognizable offences.
b) Bailable and Non-Bailable offences.
c) Compoundable and Non-Compoundable offences
d) Investigation, Prosecution and Trial
e) Warrant cases and Summons cases
f) Summary Trials

II Constitutional Provisions

a) Art. 20 Protection against Ex-Post Facto Laws, Protection against Double Jeopardy and Protection against Self Incrimination
b) Art. 21 Impact of expansive interpretation on criminal jurisprudence
   Meaning of terms:
   Life and Personal liberty
   Fair Procedure
   Due Process of Law
c) Right of Accused
   Arrest, Hand Cuffing Bail, Speedy Trial
   Torture Custodial Violence
   Compensation
   Public Interest Litigation: Direct access to Courts in case of violation of Fundamental
   Right and other implicit rights
d) Death Penalty in Light of Art. 21
e) Art. 22 Protection to Accused in case of punitive detention
   Protection ageist Preventive Detention

III (A) Procedural Criminal Law – Initiation of Proceeding

1) FIR – rights of complainant,
2) Duties of Police Officers under Sec 154
3) Delay is lodging FIR.
4) Complaint Proceedings
5) Jurisdiction of Courts.
6) Quashing of Proceedings Sec. 482 CrPC & Article 227 of Constitution
7) Extent and Nature of interference by Superior Courts

(B) Procedural Criminal Law (Trial Procedures).

1) Arrest and questioning of accused (Sec. 41,42,46, 65, 57 . CRPC
2) Guidelines of Supreme Court in
   i) D.K Basu v Union of India
3) Rights of the Accused
i) Pre arrest and Post arrest Bail, Remand
ii) Right to Legal Aid
iii) Search and Seizure, Surveillance (Sec- 91,94, 97, 103, 165. CRPC )
iv) Charge Sheet- powers and duties of Police at the time of investigation
v) Extent of interference by court in investigation

IV Admissibility of Evidence.
1) Relevancy and admissibility, of facts
2) Relevancy of confessions and dying declarations
3) Appreciating expert evidence in court
4) Relevancy and Admissibility of evidence collected through Forensic and other modern tools and techniques
5) Admissibility of evidence in Cyber Crime
6) Role of the Court in drawing inference from evidence
7) Protection of Witnesses
8) Hostile witnesses

Books Recommended:
6) Handbook of Criminal Procedure Code
CRIMINOLOGY AND PENOLOGY

1) Criminology- Definition, Nature, Scope and utility
2) Methods of Criminological Studies
3) Schools of Criminology: Classical, Biological Cartographic, Sociological and Socialist.
4) Theorising Criminal aetiology : Lombroro and Neo- Lombrosian, Psycho-analysis, Differential Association, Anomie Tradition; Critical Criminology with reference to Labeling, Interactionism and Conflict Theory
5) A brief discussion on Modern Trends in Criminology: Phenomenology, Postmodernism and Feminism Crime and Feminism.
6) Punishment: Concept and Theories
7) Death Sentence
8) Treatment of offenders: Prison, Probation and Parole
9) Victimology.

Books Recommended:


I: Law and Social Change
1. Law as an instrument of social change
2. Law as a product of traditions and culture
3. Introduction of common law system and institutions in India and the impact of received law on the Indian Social and Legal Order.
4. Limits of Law in bringing out social change.

II: Religion, Community and the Law
1. Indian Secularism: Constitutional Provisions and Judicial Responses
3. Affirmative Action (Reservation)

III: Women and the Law
1. Gender Injustice and its various forms

IV: Children and the Law
1. Child Labour
2. Sexual Exploitation of Children
3. Adoption and Related Problems
4. Children and Education.

V: Language and the Law
1. Language as a divisive factor.
3. Constitutional guarantees to linguistic minorities.
4. Language policy and the Constitution: Official languages (Arts 343-351)
5. Non-discrimination on the ground of language.

VI. Community and the Law
1. Caste as a divisive factor.
2. Non-discrimination on the ground of caste.
3. Acceptance of caste as a factor to undo past injustices.
4. Protective discrimination: Scheduled castes, tribes and backward classes.
5. Affirmative Action: Reservation; Statutory Commission, Statutory provisions.

VII. Modernisation and the Law
1. Modernisation as a value: Constitutional perspectives reflected in the fundamental duties.
2. Modernisation of social institutions through law.
   • Agrarian reform: Industrialization of agriculture.
• Industrial reform: Free enterprise v. State regulation
• Industrialization v. environmental protection.
3. Criminal law: Inquisitorial System; Plea bargaining; Compounding and Payment of Compensation to victims: Witness Protection schemes: Prison Reforms:
   ADRS - Mediation and Conciliation; Lok adalats.
5. Democratic decentralization and local self-government.

Books Recommended:
THE LAW OF CORPORATE FINANCE AND SECURITIES REGULATIONS

I: (1) Public Issue of Shares
   (i) Prospectus
   (ii) Remedies for misrepresentation
   (iii) SEBI and Stock Exchange guidelines

(2) Share Capital
   (i) Nature and Kind of Shares
   (ii) Transfer, Transmission, Surrender and forfeature of Shares
   (iii) Purchase by Company of its own shares
   (iv) Issue of shares at premium and discount
   (v) SEBI Guidelines

II: (1) Shareholders’ Rights (Various rights of shareholders and variation of shareholders rights.

(2) Debentures; Difference between Share and Debentures; Kinds of Debenture; Remedies of Debenture Holder; Company Charges.

III: (1) Insider Trading; SEBI’s Guidelines on Insider Trading

(2) Securities and Exchange Board of India (SEBI): Constitution, Powers and Functions

IV: (1) Reconstruction, Amalgamation and Take Over: Provisions in Company Law and SEBI Guidelines

(2) Auditors :
   (i) Appointment, powers, duties and removal of auditors
   (ii) Special Audit
   (iii) Director Responsibility statement in Board Report
   (iv) National Advisory Committee on Accounting Standards

Books Recommended:
2. Smith and Keenon’s Company Law, Pearson Education Ltd., 2009
3. Suman Gupta: Shareholder’s Democracy: Fact or Fiction, Publication Division, University of Delhi, 1992
4. Companies Act, 2013
5. Verma J.C., Corporate Mergers, Amalgamations & Takeovers, Bharat Law House, 2008
6. Journals - Journal of Indian Law Institute,
7. Corporate Law Cases, Chartered Secretary, Law and Contemporary Problems.
8. Statutory Materials - Companies Act
I. Project on Specialisation Paper : 50 Marks
II. Seminar presentation on Specialisation Paper : 50 Marks
1) Introduction, Objects and Importance of International Trade Law
2) Unification of International Law Relating to Trade
3) Sources of International Trade Law
4) International Financial Institutions – its Functions, Role and Achievements – A Critical Study
5) Legal Regime in International Trade – (GATT, WTO, UNCTAD, UNCITRAL)
6) International Law on Sale of Goods
7) International Law on Carriage of Goods by Sea, Air and Land
8) International Insurance Contracts – Laws and Practices
9) Dispute Settlement Mechanisms in International Trade

Books Recommended:

5) Simone Schnitzer – Understanding International Trade Law (Universal Publishing, Delhi, 2007)
6) Leo D’Arcy, Carole Murray and Barbara Cleane – The Law and Practice of International Trade (Sweet & Maxwell, 2000)
GROUP C (INTELLECTUAL PROPERTY LAWS)

PAPER LM 3.2

MARKS 100

IPR : TRADEMARK, DESIGN, G.I AND FARMERS’RIGHTS

I. Trade Mark :
   a) Meaning and nature, Registration of Trade Mark, Procedure of registration, limitation, Foreign trade mark
   b) Assignment of Trade Mark; rights of owner, rights of license, Passing off & infringement; remedies for infringement.

II. Designs Act :
   a) Meaning and Nature, concept, functional designs; inventor of designs and the rights
   b) Registration: procedure and benefits, registration authorities, their power and functions.
   c) Design of Copyright: term of design, Licensing; Assignment.
   d) Infringement of design, remedies against infringement.

III. Geographical Indication :
   a) Meaning and concept of G.I goods;
   b) Protection under G.I of Goods Act, 1999

IV. Sui Generis and Protection of Plant Varieties :
   a) Meaning, Concept, Sui Generis Protection,
   b) Plant Varieties and Farmers Rights; Rights of Farmers

Books Recommended:
1) Melville B. Nimmer - Copyright and other Aspects of literary, musical and Artistic Works, 2nd Edn.
LAWS FOR CONSERVATION OF BIOSPHERE AND POLICIES IN INDIA

Unit – 1: Biodiversity and Law
1) Definitions
2) Meaning and Importance
3) Role of Flora and Fauna in Maintaining Biodiversity
4) Threats to Biodiversity
5) Need for Protection of Biodiversity
6) Biodiversity and Economic Valuation
7) Convention on Biological Diversity, 1992
8) The Biological Diversity Act, 2002
9) Protection of Plant Varieties and Farmers Right Act, 2001 (relevant portion only)
10) The Geographical Indications (Regulation and Protection) Act, 1999 (relevant portion only)

Unit – 2: Wild and Law
1) The Wild Life (Protection) Act, 1972
2) The Forest Conservation Act, 1980
3) Concept of Reserve Forest

Unit – 3: Planning and Environment
1) Pre Independence Period
2) Post Independence Period
3) Five Year Plans

Unit – 4: Policies
1) National Environmental Policy
2) National Forest Policy
3) National Water Policy
4) Environmental Impact Assessment act CRZ Notifications.

Books Recommended:
ORGANISED CRIME, TERRORISM AND INTERNATIONAL CRIME: NEW CHALLENGES

I Organized Crime
   1) Definition and Scope
   2) Characteristics of organized crime
   3) Types of organized crime
   4) Causes of organized crime

II Classification of Organized Crimes
   A) International Perspective
      1) Transnational organized crime
      2) Illicit Firearms trafficking
      3) Drug trafficking
      4) Money laundering scams and frauds
   B) Indian Perspective
      1) Smuggling, Money Laundering and Hawala
      2) Terrorism
      3) Counterfeiting of Currency
      4) Drug trafficking: NDPS Act penal provisions
      5) Cyber Crimes and penal provisions in IT Act, 2000 (Sec.65, 66 & 67)
      6) Trafficking of women and children
      7) Trafficking of Human Organs (penal provisions)

III Profiles of Criminal Gang / Investigation and Prosecution
   1) Criminal Intent and mensrea in such crimes
   2) Modus operandi of organized crime
   3) Role of Police in Investigation of organized crime
   4) Role of Judiciary, Trial and Sentencing in organized crime

IV Legislative Provisions in India
   1) Maharashtra Control of Organized Crime Act, 1999
   2) Relevant Provisions under IPC and Indian Evidence Act
   3) Prevention, control and correctional strategies

V Laws relating to Transnational Organised Crime
   1) Organised crime and United Nations
VI International Crimes
1) Emerging Crimes of International Nature
2) Objectives of International Criminal Law
3) Salient features of International Criminal Court.

Books Recommended:

Bare Acts:
1. Narcotic Drugs and Psychotropic Substances Amendment (Act) 2001
2. Immoral Traffic (Prevention) Act, 1956
3. Maharashtra Control of Organised Crimes Act 1999

Books:
2. Nadan Kamat, Computer and Information Technology Law
LEGAL EDUCATION & RESEARCH METHODOLOGY

PART A : LEGAL EDUCATION : MARKS 20

I. Objective of Legal Education

II. Method of Teaching
   • Lecture Method
   • The Problem Method
   • Discussion Method
   • The Seminar Method

III. Examination System and problems in evaluation – external and internal assessment.

IV. Clinical Legal Education – legal aid, legal literacy, legal survey and law reform.

PART B : RESEARCH METHODOLOGY : MARKS 80

I: Precepts
   1. Nature
   2. Objectives
   3. Types: Doctrinal and Non-Doctrinal

II: Necessary Steps
   1. Identification and Formulation of Research Problem
   2. Hypothesis and Research Design (Characteristics and contents)
   3. Processing the Plan of Research: Data Collection, Analysis and use of Internet, Legislative material, Indian & foreign court decision and juristic writings.

III: Techniques
   1. Methodology: Tool and Techniques for collection of data, collection of case materials and juristic literature, use of historical and comparative research material and use of questionnaire and interview.
   2. Census and Survey
   3. Sampling: Types, Merits and Demerits
   4. Report Writing

IV: Conduct of Research
   1. Supervision
   2. Guidelines for researchers
Books Recommended:


2) Baxi, Upendra, ‘*Socio-Legal Research in India – A Program Schriff*, ICSSR, Occasional Monograph, 1975.


PAPER LM 4.2 (Compulsory)                                                                 MARKS 100

DISSERTATION

PAPER LM 4.3 (Compulsory)                                                                 MARKS 100

SEMINAR, VIVA-VOCE AND TEACHING ASSIGNMENT

I. Seminar on Dissertation Topic : 50 Marks

II. Viva-Voce                         : 40 Marks

III. Teaching Assignment        : 10 Marks