

## **SEMESTER I**

**PAPER:** LMCT 101; TOTAL MARKS: 100 (ESE-70; IA-20; CLASS TEACHING-10)

### **JURISPRUDENCE**

#### **MODULE 1**

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

#### **MODULE II**

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

#### **MODULE III**

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

#### **MODULE IV**

7. Law and Morality- Relationship and Enforcement of Morality by Law- Hart- Devlin Debate
8. Feminist Jurisprudence-Liberal, Socialist and Radical Feminism

#### **MODULE V**

9. The Critical Legal Studies Movement- Post-Modernist Jurisprudence.

#### **Books Recommended**

1. Friedman- Legal Theory
2. Dias- Jurisprudence
3. Bodenheimer- Jurisprudence: The Philosophy and Method of Law
4. Salmond- Jurisprudence
5. G. W Paton- Jurisprudence
6. S.N. Dhyani- Fundamentals of Jurisprudence
7. V.D. Mahajan- Jurisprudence
8. Dr. S.K. Tiwari- Jurisprudence: Legal Theory and elements of Law
9. B. N Mani Tripathi- Jurisprudence and Legal Theory

## **SEMESTER I**

**PAPER:** LMCT 102; TOTAL MARKS: 100 (ESE-70; IA-20; CLASS TEACHING-10)

### **INDIAN CONSTITUTIONAL LAW: NEW CHALLENGES**

#### **MODULE 1**

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.

#### **MODULE II**

2. "State": Need for widening the definition in the wake of liberalisation, globalisation and privatisation.

### **MODULE III**

#### 3. Right to equality

Privatization and its impact on affirmative action.

#### 4. Right of minorities to establish and administer educational institutions and state control: Critical Analysis of Paid Foundation & its aftermath

### **MODULE IV**

#### 5. Emerging regime of new rights and remedies.

Reading Directive Principles and Fundamental Duties into Fundamental Rights

- a. Compensation Jurisprudence
- b. Right to education
- c. Commercialization of Education and its impact

### **MODULE V**

#### 6. Separation of powers: Stresses and strains.

- a. Judicial Activism and judicial restraint.
- b. PIL: Implementation
- c. Judicial Independence.
- d. Accountability: Executive and Judiciary.

#### 7. 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 depend 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.

**SEMESTER I**

**PAPER:** LMCT 103; TOTAL MARKS: 100 (ESE-70; IA-20; CLASS TEACHING-10)

**LAW AND SOCIAL TRANSFORMATION**

**MODULE I**

## **Law and Social Change**

Law as an instrument of social change, Law as the product of traditions and Culture, Criticism and evaluation in the light of colonizxation and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.

### **MODULE II**

#### **Community , Regionalism, Religion and the Law**

Caste as a divisive factor, Non-discrimination on the ground of caste, Acceptance of Caste as a factor to undo past injustices, Protective discrimination: Scheduled castes, tribes and backward classes, reservation; satutory Commission, Statuory provisions, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law, Regionalism and constitutional mandate.

### **MODULE III**

#### **Women, Children and the Law**

Crimes against women, Gender injustice and its various forms, Women's Commission, Empowerment of women: Constitutional and other statutory provisiosn, child labour, Adoption and related problems, Children and education, Juvenile Delinquency and Juvenile Justice and relevant statutory provisions.

### **MODULE IV**

Language, Modernization and the law

Modernization as a value: Constitutional perspectives reflected in the fundamental duties, Democratic decentralisation and local self government, modernization of social institutions through law, multi-culturalism, constitution, and language

### **MODULE V**

#### **Alterative approaches to Law**

The jurisprudence of Sarvodaya-Gandhiji, VInoba Bhave; Jayaprakash Narayan, restorative justice.

### **Suggested Readings**

1. Marc Galanter (ed), Law and Society in Modern India (1997) Oxford
2. Robert Lingat, The Classical Law of India (1998), Oxford

3. U. Baxi, The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi (ed), Law and Poverty Critical Essays (1988), Tripathi, Bombay
5. Manushi, A Journal about women and society
6. Duncan Derret, The State, Religion and Law in India (1999), Oxford University Press, New Delhi
7. H. M seervai, Constitutional Law of India (1996), Tripathi

## **SEMESTER I**

**PAPER:** LMMJ (A) 104; TOTAL MARKS: 100 (ESE-70; IA-20; CLASS TEACHING-10)

### **PRINCIPLES OF CORPORATE LAW**

#### **MODULE I**

1. Philosophy of Incorporation; Trends in Incorporation
2. Types of Companies
3. **Essential ingredient for the formation of company**
  - a. Promotion of Company & Role of Promoters
  - b. Certificate of Incorporation
  - c. MOA, AOA and other allied documents necessary for incorporation
  - d. Doctrine of Ultra Vires
  - e. Doctrine of Indoor Management
4. **Membership in a Company**
  - a. Who are the members?
  - b. Modes of acquiring membership
  - c. Restriction, Cessation and Expulsion of membership
  - d. Rights and duties of members
5. **Key Managerial Persons**
  - a. Who are Key Managerial Persons?
  - b. Their Roles and duties under the Company Act, 2013
  - c. Directors- (Dis)/Qualification; Types; appointment and Removal; Duties and powers
6. **Management/Running of a Company**
  - a. Types of Meetings (AGM, EGM, BM)
  - b. The rules for constituting, conducting and convening a meeting
  - c. Resolutions and its Types

## **MODULE II**

7. **Share Capital**
  - a. Concept of Share Capital, Share and Stock
  - b. Types of Shares
  - c. Process of raising capital
    - i. Private Placement



- ii. Through Issue House
  - iii. Prospectus
- d. Allotment of shares
- e. Buyback of securities & Reduction of Share Capital
- f. Forfeiture of Shares
- g. Transfer and Transmission of Shares

## **8. Debenture and Charge**

- a. Types of Borrowings
- b. Distinction between Debenture and Shares
- c. Meaning of Charge & its kinds
- d. Creation of charge on Company's Assets- Requirements under Company Act, 2013

## **MODULE III**

### **9. Accounts and Audit**

- a. Accounts of Company and its need under the Company Act 2013 a
  - b. Auditing Standards and NRFA
  - c. Role of ICAI
10. Inspection and Investigation under Company Act, 2013
11. Oppression and Mismanagement
- a. Majority Rule and relevant case laws
  - b. Protection of minority Rights
  - c. Prevention of Oppression & Mismanagement

## **MODULE IV**

12. Reconstruction, Amalgamation and Takeover
- a. Concepts
  - b. Relevant Provisions in Company Law & SEBI guidelines
  - c. Role of Tribunal and ROC

d. Consequences of Amalgamation

13. Winding up of Company

- a. The need for Insolvency and Bankruptcy Code, 2016 in Winding up of companies; (to be studied in relation to the relevant provisions of the Company Act, 2013)
- b. Procedure for Initiation of and conduct of Insolvency Process by Operation/Financial Creditor and Corporate Debtor.
- c. Role of Insolvency and Resolution Professional
- d. Conclusion of Insolvency Process

MODULE V

14. Corporate Governance

- a. What is it & its needs
- b. Global and Domestic scams that necessitated emergence of Corporate Governance as a concept
- c. Relevant provisions of CG under the Company Act, 2013

15. Corporate Social Responsibility

- a. Evolution of CSR as a concept
- b. Dimensions of CSR required under Company Act, 2013

16. Introduction to E-governance

- a. Introduction
- b. Organisation of ROC office under MCA-21
- c. Back Office
- d. E-form
- e. Digital Signature Certificate (DSC)
- f. CIN based search of Companies

17. 2015 Amendment to Company Act, 2013

Books Recommended

- 1. G. K Kapoor et al on Company Law
- 2. P.K Agarwal on Company Law

**SEMESTER I**

**PAPER:** LMMJ(B) 104; TOTAL MARKS: 100 (ESE-70; IA-20; CLASS TEACHING-10)

**JURISPRUDENTIAL BASIS OF IP RIGHT**

**MODULE I**

1. Origin, Introduction and Genesis of IPR, Forms of IPR
2. Theories of IPR-Locke's, Hegal and Marxian
3. IPR in Ethical, Moral and Human Rights perspective
4. Nature and Concept of IPR (Individual & Collective)

## **MODULE II**

5. Importance of IPR in knowledge based Market Economy
6. Comparative study with physical property

## **MODULE III**

7. Benefit Sharing- International treaty on Plant, Genetic resources for food Agriculture
8. Patentability of Biotechnology- Global Development

## **MODULE IV**

9. Internationalisation & Protection of Intellectual Property
10. Paris Convention, Berne Convention, WIPO, GATTTS, WTO, TRIPS & TRIMS
11. Development of WIPO on traditional knowledge and cultural expression
12. Intellectual Property, Competition Issues and FDI

## **MODULE V**

13. Protection of Geographical Indication-Global Perspective
14. On-line Copyright Infringement and Liability of ISP
15. Convention on Biological Diversity, Protection of Traditional Knowledge, Rights of Indigenous people, Transfer of Technology, Multinational Owership.

## **Books Recommended**

1. Melville B. Nimmer- Copyright and other Aspects of Literary, Musidcal and Artistic Works, 2<sup>nd</sup> Edition
2. Baxi, U. The Law of Intellectual Property: Copyright Law in India (1989)
3. P. Narayanan- Copyright and Industrial Design, 2<sup>nd</sup> Edition, 1995

## SEMESTER I

PAPER: LMMJ(C) 104; TOTAL MARKS: 100 (ESE-70; IA-20; CLASS TEACHING-10)

### INTERNATIONAL ENVIRONMENTAL LAW

#### MODULE I

1. Reasons for growth of environmental law internationally  
International Environmental Campaigns
2. World Summit in 20<sup>th</sup> Century
  - a. The United Nations Conference on Human Environment, 1972 (Stockholm Conference)
  - b. Framework of the Conference
  - c. Aims and Objectives
  - d. United Nations Declaration on the Human Environment, 1972
3. The United Nations Conference on Environment and Development, (UNCED) ( Earth Summit, 1992)
  - a. Framework of the Conference
  - b. Aims and Objectives
  - c. Earth Charter or Rio Declaration
  - d. Agenda 21: Blue Print for action in 21<sup>st</sup> Century
  - e. Earth Summit Plus Five.

#### MODULE II

4. Sustainable Development and International Legal Order in 21<sup>st</sup> Century
  - a. Johannesburg Declaration (2001)
  - b. Rio + 20 (2012)
5. **Major International Environmental Agreements on**
  - a. Global warming
  - b. Radioactive pollution
  - c. Wetland conservation

- d. Climate change
- e. Conservation of Biosphere

### **MODULE III**

- 6. World Charter for Nature 1982; Our Common Future (Report of WCED)
- 7. UNEP; Characteristics; Role; Functions, IPCC

### **MODULE IV**

#### **8. Environmental Obligations**

- a. International Financing Policy
  - Global Environment Facility
  - World Environment Fund
  - Global Environment Monitoring System (GEMS)
- b. Millennium Development Goals 2000
- c. The Future We Want

### **MODULE V**

#### **9. 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.

### **Books Recommended**

## **SEMESTER I**

**PAPER:** LMMJ(D) 104; TOTAL MARKS: 100 (ESE-70; IA-20; CLASS TEACHING-10)

### **INTRODUCTION TO PUBLIC INTERNATIONAL LAW**

#### **MODULE I**

1. Historical Background and Theoretical Foundation of International Law
2. Codification and Progressive Development of International Law

#### **MODULE II**

3. Relationship between International Law and Municipal Law- Indian Perspective
4. Nature and Functions of State under International Law, State Responsibility, State Succession.

#### **MODULE III**

5. Diplomatic and Consular Relations- The Vienna Convention on Diplomatic Relations,

1961

6. Law Relating to Outer Space

#### **MODULE IV**

7. Law of Seas
8. War Crimes, Crimes against Peace and Humanity, Role of the ICC

#### **MODULE V**

9. Law of Neutrality
10. India and International Law- A Review

#### **Books Recommended**

1. O. Connel, D.P. – International Law, Vol I & II
2. S. K. Agarwal (Ed.)- Essays on the Law of Treaties (1972)
3. Roselyn Higgins- The Development of International Law through the Political Organs of the UN (1963)

### **SEMESTER I**

**PAPER:** LMMJ(E) 105; TOTAL MARKS: 100 (ESE-70; IA-20; CLASS TEACHING-10)

#### **Concept of Crime, Criminal Law and Criminology**

##### **Module I**

##### **Introduction to crime and criminology**

- i) Concept of criminology
- ii) Characteristics of criminal law
- iii) Characteristics of Crime



- iv) Possibility of a science of criminology
- v) Models of Criminal Justice System
- vi) Types of Criminal Justice System

## **Module II**

### **Theories of Criminology**

- i) Classical
- ii) Neo Classical
- iii) Bio Anthropological
- iv) Psychological
- v) Sociological and Social Control Theory
- vi) Economic
- vii) Critical

## **Module III**

### **Agencies of criminal justice administration**

- i) Police
- ii) Prosecution
- iii) Court
- iv) Correctional administration

## **Module IV**

### **Typologies of criminal behavior**

- i) Violent Crime
- ii) Domestic Violence
- iii) Property Crime
- iv) Public Order Crime

## **Module V**

### **Emerging Trends of Crime and Criminology**

- i) Transnational Organised Crime (Drug Trafficking, Human Trafficking, Arms Trafficking)
- ii) Terrorism
- iii) Cyber Crime
- iv) Environmental Crime

### **Books Recommended**

1. Glanville Williams, Text Book of Criminal Law, Universal Law Publishing Company
  2. Andrew Ashworth, Principles of Criminal Law, Clarendon Law Series
  3. J W Cecil Tuner, Kenny's Outlines of Criminal Law, Universal Law Publishing Company
  4. K I Vibhute, PSA Pillai's Criminal Law, Lexis Nexis, Butterworths Wadhwa, Nagpur
  5. Don C. Gibbons: Crime, Society and Criminal Career
  6. Lily: Theories of Criminology
  7. Cathrines and Williams: Text Book of Criminology
  8. Ahmad Siddique: Criminology-Problems and Penology, Eastern Book Company
  9. Paranjape: Criminology and Penology, Central Law Publications.
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**LL.M (CBCS) syllabus**  
**Judicial process**  
**LMCT-201**

Module 1 --- Meaning, concept and Nature of judicial process

1. Meaning, Nature and role of judicial process
2. Judicial process as an instrument of social ordering
3. Ratio decidendi and Obiter dicta—Merits and demerits of precedents
4. Do judges make law—law making theory and Declaratory theory—problems of accountability
5. Advisory jurisdiction of Supreme court and supreme court's authority to rule on its own decisions.

Module II– Dimensions of judicial process

1. Rule of law: Doctrine of independence of judiciary as an aspect of separation of power.
2. Appointment, removal and transfer of judges.
3. Political nature of judicial process
4. New dimensions of Judicial activism, judicial creativity and judicial review—writs as means of enforcing the rights of people
5. Concept of locus standi- Public interest litigation- Merits and demerits of PIL

Module III— Judicial process and Constitutional Amendments

1. Evolution of the concept of basic structure
2. Philosophy of the doctrine of Basic structure
3. Basic structure and limitations to constitutional amendments
4. The recent developments: the “essence of rights” test and “right test” to determine Basic structure

Module IV--- Judicial process and legal theory

1. American realism philosophy: origin and development
2. Views of Gray and Holmes
3. Views of Jerome frank: law is uncertain and certainty of law is a legal myth
4. Criticisms and drawbacks of the American realist thought

Module V -- The concepts of justice

1. Meaning of justice--Relation between law and justice—justice not the same thing as law
2. The concept of Dharma in the Indian legal thought
  1. Various theories relating to administration of criminal justice
  2. Trends in the criminal administration of justice—Reformative punishment.

**LLM (CBCS) 2<sup>nd</sup> Sem**  
**Human Rights and Contemporary Challenges**  
**LMCT 202**

Module- 1

Human Rights, Development and Role of International Agencies

- Historical development of Human Rights
- UDHR, International Covenants, Protocols related to Civil, Political, Economic, Social and Cultural Rights
- Organs of United Nations
- Refugee Rights

Module 2

Environment, Population and Development

- Population v. Development
- Development v. Environment
- Corporate Environmental Responsibility
- Concept of Common Property and State Property
- Doctrine of Public Trust

Module 3

Human Rights and Media

- Role of Media
- Role of NGOs
- Media and Indian Constitution
- Media and Judiciary

Module 4

Vulnerable Group and Human Rights

- LGBT
- Protection of minorities (National and International perspectives)
- Tribal rights
- Women and children

Module 5

Human Rights Challenges

- Role of Human Right Commission
- Role of Judiciary
- Role of NGOs
- Enforcement mechanism, Human Rights defenders and whistle blowers

**Group A: Corporate Law  
Competition and Consumer Laws  
LMMJ (A) 203**

**Module I**

- 1. understanding competition law and its objectives**
- 2. International development of competition law( USA,EUROPE)**
- 3. Genesis of competition law in India**

**Module II**

- 1. Anti competitive agreements**
  - \* HA & VA**
  - \* AACC**
  - \* Effects doctrine**
- 2. Prohibition of anticompetitive agreements**
  - \* S.3 (3) ; S,3 (4)**
  - \* Connected practices & parallel behaviour**

**Module III**

- 1. Understanding dominance**
  - \* S.19 (4) Establishing dominance (study with relevant case laws)**
  - \* understanding relevant market ( S.19 (5), (6), (7))**
  - \* Abuse of dominance .S.4**

**Module IV**

- 1. understanding combination (S.5,6)- AACC of combination**

**Module V**

- 1. CCI'S role/ power/duty**
- 2. DG role/ power/duty**
- 3. Competition advocacy**
- 4. Consumer's protection act 1986**

**Capital Markets and Foreign Investments**  
**LMMJ (A) 204**

**Module I ( capital markets)**

1. **Understanding capital markets (primary ,secondary, foreign market)**
2. **Difference b/w money market and capital market ( Debt Financing and Enquiry Financing)**
3. **Laws relating to capital market**
  - a. **Securities contract ( regulation) Act 1956**
  - b. **Securities contract ( regulation) Rules 1957**
  - c. **The companies act 2013**
  - d. **The depositaries act 1996**
4. **Reforms and regulatory measures in primary and secondary market**
5. **Depository system in India**
6. **Instruments of capital market**
  - a. **Concepts:- (direct ,Derivative, Hybrid)**
  - b. **Detail:- Direct Instrument -> Equity shares preference shares debit instruments**

**Module II**

**Stock Exchange**

- **What is stock exchange**
- **Denutrialisation and corponitisation of stock exchange**
- **Understanding functioning of SE**
- **NSE and BSE**

**Module III (SEBI AND RBI)**

- **SEBI Act R/W Relevent rules**
- **RBI act**

**Regulations**

- **SEBI (discloser and investor protection)2000**
- **ACBI (issue of capital and discloser requirements) ,2009**
- **Role of RBI in money market**

**Module IV FDI**

- **Understanding the nature and need of FDI in India**
- **Home country , Host country, (relevance)**
- **Ways to do FDI ( automic and route and prior approval route)**

**Module V**

- **Permutated sectors in India for FDI**
- **Dipp guidelines**
- **Countries investing in India, cities in India Receiving the bulk FDI**
- **Bylateral, Multilateral, investment agreement that India has with**

**Group B: International law**  
**Law of International organisations**  
**LMMJ (B) 203**

**Module 1**

- Evolution and growth of International Organisations**

**Module 2**

- Nature and scope of International Organisations**
- Types of International Organisations**
- Universal International Organisations**

**Module3**

- Legue of nations**
- United nations**
  - i. Principles and purpose of United Nations**
  - ii. Structure , composition and functions of the organs of United Nations**
  - iii. Law making process in the Unite Nations Resolutions**
  - iv. UN peace keeping functions**
  - v. Need for structural changes in United Nations Organistions**
- Executive powers and functions of the secretary General of the UN**

**Module 4**

- Specialise agencies of the United Nations and their functions**
- Regional International Organisations: Council of Europe ,OAS, OAU, NATO, SAARC, Arab League**

**Module 5**

**Judicial Institutions**

- b. Historical Evolutions**
- c. Permanent court of arbitration**
- d. Permanent court of International Justice**
- e. International court of Justice-composition, Jurisdiction, and functions**
- f. India and the United Nations**

**INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW  
LMMJ(B)204**

**PART-A : INTERNATIONAL HUMAN RIGHTS LAW**

**Module 1**

**Human Rights and The United Nations Charter : Role of the United Nations**

**Module 2**

**International Bill of Human Rights- UDHR, ICCPR and ICESCR**

**Module 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**

**Module 4**

**Human Rights of Vulnerable Groups :Women, children, Minorities, Refugees, Tribal etc**

**Module 5**

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**
  1. **Upendra Baxi- Human Rights in the Administration of Criminal Justice**
  2. **E.Lanterpacht- International Law and Human Rights**
  3. **Upendra Baxi (Ed) The Right to be Human**
  4. **Indian Society of International Law – Year Book on IHL and Refugee Law**



**GROUP C: INTELLECTUAL PROPERTY LAWS**

**IPR : PATENT LAW**

**LMMJ (c) 203**

**Module 1**

- Basic concepts of patent, Meaning , Nature and kind of patent , Patent specification**

**Module 2**

- Procedure for Registration of patent , patent Agent**
- Rights and obligation of Patentee; Assignment and surrender of Patent Licencing.**

**Module 3**

- Enforcement of Patent , Government use of invention Grounds of granting Patents on revocation for non working Revocation of Patent.**
- Infringement of Patent Remedies for infringement threat of infringements**

**Module 4**

- Software Patent ; Micro organism and patent**

**Module 5**

- Patent in international Scenario Acomparative study.**

**IPR : COPYRIGHT LAW**  
**LMMJ(c) 204**

**Module 1**

- Meaning Nature and Development of copyrights**
- Subject matter of Copyright**

**Module 2**

- Ownership ,Assignment , Registration and Licensing of Copyright**
- Rights of Copyright owner and Licensee**

**Module 3**

- Infringment of Copyright and Remedies**

**Module 4**

- Neighbouring Rights ; Performers Rights and Broadcastng Rights including satellite and cable distribution.**

**Module 5**

- Software Piracy and Copyright Protection**
- On Line Piracy and Copyright Protection.**

## **GROUP-D: ENVIRONMENTAL LAW**

### **ENVIRONMENTALISM AND INDIAN SOCIETY**

**LMMJ(D) 203**

#### **Module – 1 : Concept of “Environment”**

- Definition, Meaning and Scope of the term “ Environment “ and “ Pollution”**
- Human Populations and Environment – Population Growth Human Health , Environmental Education**

#### **Module 2**

- Concept of Ecology and ecosystem; Types Biomes and Classification Food Chains**
- Natural and Biological Sciences Interactions ; Biogeochemical Cycles, Ecological Pyramids**

#### **Module– 3 : Environment and Social Issues**

- Water conservation Rain water harvesting wetland conservation forest Conservation**
- Environmental Disaster; environmentally Displaced Persons**
- Environmental Social Movement**
- Religious Texts and Environment**

#### **Module-4 : Early Legislations Dealing with Environment before 1947 ( Relevant Sections only)**

- Shore Nuisance (Bombay and colba) Act , 1853**
- Indian Penal Code , 1860**
- The Police Act , 1861**
- The Sarais Act , 1867**
- Northern Indian Canal and Drainage Act , 1873**
- Obstruction in Fairways Act , 1881**
- Indian Easement Act, 1882**
- Orient Gas company Act, 1887**
- The Indian Fisheries Act, 1897**
- Indian Ports Act , 1908**
- Indian Forest Act , 1927**
- Motor Vehicles Act , 1958**
- Merchant Shipping Act , 1958**
- Bengal Smoke Nuisance Act , 1905**

**ENVIRONMENTAL POLLUTION AND LEGAL CONTROL IN INDIA**  
**LMMJ (D) 204**

**Module-1 : Environmental Pollution , Sources , Causes , Effects of Water, Air , Land and Noise Pollution**

**Module -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**

**Module-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**

**Module-4: Remedies under Traditional laws ( Relevant Proportion 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**

## **GROUP E (CRIMINAL LAW)**

### **CRIMINAL JUSTICE : CONCEPTS AND PROCEDURE**

#### **LMMJ (E) 203**

#### **Module 1 Classification of Offences**

- a) **Cognizable and Non-cognizable offences.**
- b) **Bailable and Non- Bailable offences**
- c) **Compundable and Non- Compoundable offences**
- d) **Investigaiton , Prosecution and trial**
- e) **Warrant cases and Summons cases**
- f) **Summary Trails**

#### **Module 2 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 Curring 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 of Accused in case of punitive detention Protection ageist Preventive Detention**

#### **Module 3**

**(A) Procedural Criminal Law – Initiation of Proceeding**

- 1) **FIR- rights of complainant,**
- 2) **Duties of Police Officers under Sec 154**
- 3) **Dealy 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**

## **Module 4**

### **Admissibility of Evidence.**

- 1) **Relevancy and admissibility, of facts**
- 2) **Relevancy of confessions and dying declaration**
- 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**

# **Sentencing and Prison Administration**

## **LMMJ(E)204**

### **Module 1**

- Introduction to penology
- Theories of Punishment
- Types of Punishment/Sentencing (Custodial/ Non Custodial Sentencing)

### **Module 2**

- Jurisprudential Contribution in Sentencing  
(example: Bentham, Beccaria, Ashworth etc)

### **Module 3**

- Rationales of Sentencing
- Elements of Proportionality of sentencing
- Sentencing Process
  - Pre sentencing enquiry
  - Primary and secondary decisions
  - Disparity in sentencing

### **Module 4**

- Probation
- Parole
- Plea Bargaining
- Compounding of Sentences

### **Module 5**

- Various Prison Systems of the World
- History of Indian Prison System
- Classification of Prisoners
- Rights of Prisoners
- Problems of Indian Prison System
- Open System
- Welfare and Rehabilitative initiative in the Indian Prison System