



**DEPARTMENT OF LAW**  
**THE UNIVERSITY OF BURDWAN**

**LL.M. (CBCS) SYLLABUS**  
**SESSION: 2024 onwards**

## SYLLABUS STRUCTURE

## SEMESTER-I

Course Code	Course Title	Credit			Marks			
		L	P	T	ESE	IA	Class Teaching	Total
LMCT 101	Jurisprudence	3	1	1	80	10	10	100
LMCT 102	Indian Constitutional Law: New Challenges	3	1	1	80	10	10	100
LMCT 103	Law and Social Transformation	3	1	1	80	10	10	100
LMMJ (A) 104	Principles of Corporate Law	3	1	1	80	10	10	100
LMMJ (E) 104	Criminology and Society	3	1	1	80	10	10	100

## SEMESTER-II

Course Code	Course Title	Credit			Marks			
		L	P	T	ESE	IA	Class Teaching	Total
LMCT 201	Judicial Process	3	1	1	80	10	10	100
LMCT 202	Human Rights and Contemporary Challenges	3	1	1	80	10	10	100
LMMJ (A) 203	Competition and Consumer Law	3	1	1	80	10	10	100
LMMJ(E) 203	Human Rights and Criminal Justice Administration	3	1	1	80	10	10	100
LMMJ (A)204	Capital Market and foreign investment	3	1	1	80	10	10	100

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LMMJ(E) 204	Feminist Jurisprudence and Criminology	3	1	1	80	10	10	100
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## SEMESTER III

Course Code	Course Title	Credit			Marks			
		L	P	T	ESE	IA(1)	Class teaching	Total
LMCT 301 (Core)	Environment And Legal Order	3	1	1	80	10	10	100
LMCT 302 (Core)	Constitutionalism, Administration and Access to Information	3	1	1	80	10	10	100
LMMJ (A) 303(Major)	Economic Enterprise and Legal Regulation	3	1	1	80	10	10	100
LMMJ(E) 303(Major)	Socio Economic Offences and White Collar Crime	3	1	1	80	10	10	100
LMMJ (A) 304 (Major)	Law and Credit	3	1	1	80	10	10	100
LMMJ (E) 304 (Major)	Emerging Criminology	3	1	1	80	10	10	100
LMCT 305 (Minor)	Basics of Law*	2	0	2	40	10	0	50

\*However, students may opt for a 4 credit course from SWAYAM Platform and can avail the option of credit transfer

## SEMESTER IV

Course Code	Course Title	Credit			Marks			total
		L	P	T	ESE/ viva	IA	Class teaching	

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LMCT 401 (Core)	Research Methodology	3	1	1	80	10	10	100
LMCT 402	<p>Community Engagement Course</p> <p>➤ The Supervisor of the dissertation shall be the final authority in every matter (including assessment and awarding of marks) concerning the course 'Community Engagement Course' of the students undertaking dissertation under the respective supervisors.</p>	0	2	0	40	10	-	50
LMCT 403	<p>Dissertation and Presentation (along with Viva Voce)</p> <p>Note:</p> <p>➤ Evaluation of Dissertation by Respective Supervisor (internal) and external expert.</p> <p>➤ Presentation (along with Viva voce) to be evaluated by a panel comprising of the external expert and all the supervisors. Each panel member should evaluate the candidate independently and an average of all should be considered for final calculation.</p> <p>➤ Marks should be submitted in the 80%- 20% format (i.e.160 and 40)</p>	0	5	5	160	40	-	160+ 40
LMCT 404	Research Methodology II (Practical)		2		40	10		50

**SEMESTER I**  
**PAPER: LMCT 101**  
**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**

1. 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
2. Sociological Jurisprudence
  - a. Roscoe Pound's Theory of Social Engineering and Theory of Interest
  - b. Theories of Duguit and Ihering

**MODULE III**

1. Historical and Anthropological Theories
  - a. The German Historical School-Savigny's Volksgeist Theory
  - b. The English Historical School-Sir Henry Maine
2. American Realism

**MODULE IV**

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

**MODULE V**

1. 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**

#### **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**

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

#### **MODULE III**

1. Right to equality
 

Privatization and its impact on affirmative action.
2. Right of minorities to establish and administer educational institutions and state control: Critical Analysis of Paid Foundation & its aftermath

#### **MODULE IV**

1. 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**

1. Separation of powers: Stresses and strains.
  - a. Judicial Activism and judicial restraint.
  - b. PIL: Implementation
  - c. Judicial Independence.
  - d. Accountability: Executive and Judiciary.
2. 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'.

## **SEMESTER I**

**Paper: LMCT 103**

### **LAW AND SOCIAL TRANSFORMATION**

**Total Marks: 100**

#### **Module I**

##### **Law and Social Change**

- Law as an instrument of social change,
- Law as the product of traditions and Culture,
- Development of law and legal institutions in India.
- Law and Globalization

#### **Module II**

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

- Non-discrimination on the ground of caste, Protective discrimination: Scheduled castes, tribes, backward classes, economically weaker section, reservation

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- Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law
- Regionalism and constitutional mandate.

### **Module III**

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

- Crimes against women, Gender injustice and its various forms, Women's Commission,
- Empowerment of women: Constitutional provisions and other Legislations viz, Right to work, Right against exploitation, Right to marry, Right to reproduce, Right against abuse.
- child labour,
- Adoption
- Children and education,
- Child Sexual Abuse
- Juvenile Delinquency and Juvenile Justice
- Rights of LGBTQ+

### **Module IV**

#### **Language, Modernization and the law**

- Law, Society, Modernization and multi culturalism
- Democratic decentralization and local self government, modernization of social institutions through law,
- Language Policy in India

### **Module V**

#### **Approaches to Legal System**

- The jurisprudence of Sarvodaya-Gandhiji, Vinoba Bhave; Jayaprakash Narayan,
- Types of Criminal Justice System: Inquisitorial and Adversarial
- Restorative justice.

#### **Suggested Books/ 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**

#### **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**

1. 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
2. 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**

1. 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
2. Inspection and Investigation under Company Act, 2013
3. Oppression and Mismanagement
  - a. Majority Rule and relevant case laws
  - b. Protection of minority Rights
  - c. Prevention of Oppression &

Mismanagement

## **MODULE IV**

1. Reconstruction, Amalgamation and Takeover
  - a. Concepts
  - b. Relevant Provisions in Company Law & SEBI guidelines
  - c. Role of Tribunal and ROC
  - d. Consequences of Amalgamation
2. 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**

1. 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
2. Corporate Social Responsibility
  - a. Evolution of CSR as a concept
  - b. Dimensions of CSR required under Company Act, 2013
3. 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
4. 2015 Amendment to Company Act, 2013

## **Books Recommended**

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

## **SEMESTER I**

**Paper: LMMJ (E) 104**

### **Criminology and Society**

#### **Unit I**

##### **Introduction to Criminology**

- Definition, Nature and Scope of Criminology
- Criminology and its relation with other social sciences
- Crime and Criminology, Victimology and Penology
- Norms, Mores, Folkways
- Social change & Social deviance
- Groups, Community, Social organization and disorganization,
- Individual disorganization
- Group disorganization
- Community disorganization

#### **Unit II**

##### **Classical theories**

- Pre -classical ideas – Demonology
- Classical theories – Ideas of Bentham and Beccaria.
- Neo-classical theory.

#### **Unit III**

##### **Positive Theories**

- Morphological theories
- Biological theories
- Anthropological theories.
- Study of twins and family tree.

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## Unit IV

### Sociological Theories

- Anomie and Strain Theory
- Subculture Theory
- Routine Activity Theory
- Critical or Radical Criminology (Conflict Perspective)
- Sutherland's Differential Association Theory
- Control Theory
- Social Learning Theory
- Labeling Theory
- Integrated Theory
- New Criminology

## Unit V

### Basic Concepts of Victimology and Penology

- Meaning and Concept of Victim, Victimology and Victimization
- Relation between Criminology, Victimology and Penology
- Theories of Victimology
- Role of UNO and Victim Justice
- Evolving Scope of victim justice in Indian Criminal Justice system (Laws, Policies and Judicial Pronouncements)

### Suggested readings:

1. Introduction to Criminology :Theories, Methods, and Criminal Behavior by Frank E. Hagan.
2. Criminology and Penology with Victimology by Paranjape N.V.
3. Crime & criminology by Reid, Titus S.
4. Principles of criminology by Sutherland, Edwin H., &Cressey, D.
5. Ahmad Siddique's Criminology, Penology and Victimology by S.M.Afzal Qadri

## **SEMESTER II**

### **Judicial process**

#### **LMCT-201**

#### **MODULE I –**

##### **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.

**SEMESTER II****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



**SEMESTER II****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 behavior

**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, Dermative, Hybrid)
  - b. Detail: - Direct Instrument -> Equity shares preference shares debit instruments

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## **MODULE II**

### Stock Exchange

- What is stock exchange
- Denutralisation 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 (automatic and route and prior approval route)

## **MODULE V**

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

**GROUP E (Criminology and Human Rights)****Paper Code: LMMJ(E ) 203****Human Rights and Criminal Justice Administration****Total Marks: 100****Unit 1: Introduction to Human Rights**

- Human rights in Indian tradition: ancient, medieval and modern
- Human rights in western tradition
- Development of natural rights.
- Role of National Human Rights Commission

**Unit 2: Classification of Human Rights: History and Evolution**

- First Generation
- Second Generation
- Third Generation
- Fourth Generation
- Types of Rights

**Unit 3: Police and the criminal justice Administration**

- The police system
- Structural organisation of police at the centre and the states.
- Mode of recruitment and training.
- Powers and duties of police under the police acts, Criminal Procedure Code and other laws.
- Arrest, search and seizure and constitutional imperatives.
- Methods of police investigation
- Corruption in police

- Relationship between police and prosecution.
- Police public relations

#### **Unit 4: Collective violence and criminal justice system**

- Notions of "force", "coercion", "violence"
- Distinctions: "symbolic" violence, "institutionalised" violence, "structural violence"
- "Collective political violence" and legal order
- Notion of legal and extra-legal "repression"
- Religiously sanctioned structural violence: Caste and gender based
- The nature and scope of agrarian violence
- Incidence and courses of "communal" violence
- The role of police and para-military systems in dealing with communal violence

#### **Unit 5: Police Deviance**

- 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 para-military forces

#### **Suggested readings:**

1. International Human Rights: Law, Policy, and Process by David Weissbrodt and Connie de la Vega
2. The International Human Rights Movement: A History by Aryeh Neier
3. Human Rights in India by S.K. Awasthi and R.P. Kataria
4. Human Rights and the National Human Rights Commission of India: Law, Policy and Practice by Arun Ray
5. Police Reforms in India: Problems, Prospects, and Alternatives by Prakash Singh
6. Custodial Torture in India: A Radical Assessment" by Amarendra Mohanty

7. Forms of Collective Violence: Riots, Pogroms and Genocide in Modern India by [Paul R. Brass](#)
8. Reconciling Difference: Beyond Collective Violence in India by Rudolf C. Heredia
9. Role of Police in Criminal Justice System by [S. K. Chaturvedi](#)
10. Torture Behind Bars: Role of the Police Force in India by [Joshua N. Aston](#)

### **Feminist Jurisprudence and Criminology**

**Paper Code: LMMJ (E) 204**

**Total Marks: 100**

#### **UNIT I: Functional Concepts**

- Meaning of Feminism
- History of Feminist movements
- Theories of Feminist Jurisprudence—Liberal feminism, Radical Feminism and Socialist feminist approaches
- Post modern feminism
- Patriarchy and feminist jurisprudence

#### **UNIT II: Feminist Criminology**

- Meaning of Feminist Criminology
- History of Feminist Criminology
- Women in Criminal justice system
- Female delinquency- meaning and causes
- CEDAW (Convention on the Elimination of all forms of Discrimination against Women)

#### **UNIT III: Feminist Perspectives in Criminology**

- Feminist Perspectives in Criminology

- Need for Feminist Perspective in criminology
- Feminist theories of crime
- Causes of female criminality in India—Biological causes, Psychological causes, Economic causes and Sociological causes
- Measures for preventing female criminality in India
- Criticisms against Feminist criminology

#### **UNIT IV: Indian Perspectives**

- Women as victims of crime
- Gender justice in light of Feminist jurisprudence
- Female infanticide and foeticide
- Special Provisions relating to women under Bharatiya Sakshya Adhiniyam 2023
- Reproductive rights of women under medical Termination of Pregnancy Act 1971

#### **UNIT V: Implementation**

- Role of National Commission for women
- Constitutional Protection to women in India
- Protection of women and Role of NGOs
- Protection of Women and the role of Judiciary by illustrating some leading cases

## SEMESTER III

### LMCT 301

#### Environment and Legal Order

#### MODULE 1

##### Environmental Pollution

- Concept of environment, sources and causes of environmental pollution in Water, Air, Land, the changing nature of environmental pollution in a rapidly urbanizing world,
- Principles of Protecting the environment
  - Absolute liability, precautionary principle, polluter pays principle, Intra and Inter-Generational Equity, Public Trust Doctrine
- International Environmental Agreements on Environment (Emphasis on the key objectives)
  - United Nations Framework Convention on Climate Change 1992
    - Kyoto Protocol to UNFCCC 1997
    - Doha Amendment to the Kyoto Protocol (commitment period 2013-2020)
    - Paris Agreement (2015) (Intended Nationally Determined contribution (INDC) declared by India)
  - Millennium Development Goals 2015
  - 2030 Agenda for Sustainable Development
  - 2018 United Nations Climate Change Conference (COP 24) (Key outcomes in Katowice, Poland Talk)
- The Indian Constitution and the Environment
  - (including Article 21, 48A, Article 253); 42<sup>nd</sup> Amendment to the Constitution
- Specific Legislations: (objective, offences, penalties)
  - Water (Prevention and Control of Pollution) Act, 1974
  - The Air (Prevention and Control of Pollution) Act, 1981,
  - The Environment (Protection) Act, 1986,

#### MODULE-2

##### Climate Change



- Introduction to climate change; studying the effect of climate change on urban and rural areas in India (specifically understanding India's vulnerabilities to climate change, on its monsoon, forest cover, livelihood of farmers/fishermen)
- Understanding the inequities between Developed and Developing countries in terms of use of global atmospheric space and global carbon budget
- Green GDP (adjusted for environmental costs)- why it is important to take environmental considerations on board while devising a growth strategy; green national accounting (TEEB-The Economics of Ecosystems and Biodiversity; quantifying natural capital and understanding the economics of biodiversity loss)
- Managing environment in the conditions of poverty;
- Health expenditures resulting from ill-effects of air and water pollution
- Managing India's energy needs (going beyond mandatory fuel efficiency standards and model of renewable energy), assessing the limits of energy options in India (use of coal based power, nuclear power, natural gas, hydroelectric power etc)
- Environmental Impact Assessments (whether environment and forest approval system have acted against the interests of faster economic growth?) ( vis-à-vis Environment Protection Act, 1986, Forest Conservation Act, 1980, Wildlife Protection Act, 1972)
- Check List of Actions (Individual, Institution, Government)
- Reports
  - Thirteenth Finance Commission Report (recommendations related to environment and forests);
  - Human Development Report 2015
  - National Action Plan on Climate Change, State Action Plan on Climate Change (West Bengal)
- Role of Ministry of Environment and Forest and Climate Change- Its role, duties and power
- Ministry of Home Affairs and its role in Disaster Management in India under the Disaster Management Act, 2005

### **MODULE 3**

#### **Air Pollution**

- Nature of Air Pollution (urban and rural locale), intergenerational externalities,
- Sources and impact of Air pollution in urbanizing world

- Study of relevant case laws
- Cleantech Startups/innovations to help tackle Air Pollution (instead of completely relying on legal regulation)

#### **MODULE-4**

##### Water Pollution

- Nature of Water Pollution (urban and rural locale), wastage of water and its conservation
- Sources and impact of Water pollution in urbanizing world
- Study of relevant case laws
- Cleantech Startups/innovations to help manage Water Pollution and wastage of water (instead of completely relying on legal regulation)

#### **MODULE-5**

##### Waste Management

- Types of Waste: solid, hazardous, bio-medical waste, plastic waste, e-waste, construction and demolition waste
- Challenges in segregation, storage, transportation
- Relevant provisions of the following laws (with the latest amendments):  
(emphasis is on offences and penalties)
  - The Solid Waste Management and Handling Rules, 2016
  - The Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016
  - The Biomedical Waste Management Rules, 2016.
  - The Plastic Waste Management Rules, 2016
  - The Batteries (Management and Handling) Rules, 2001,
  - The E-waste (Management) Rules, 2016.
- Study of relevant Case Laws (NGT orders, SC judgements)
- Best Practices in Waste Management
  - Waste Management in West Bengal, inter alia the C40 Mayor's Summit award winning project Kolkata Solid Waste Management Improvement Project, 2016

Resources Recommended:

1. Green Signals. Ecology, Growth and Democracy in India, Jairam Ramesh, Oxford University Press, 2015
2. The Climate Solution, Mridula Ramesh, 2019, Hachet India
3. Air (Pollution, Climate Change and India's Choice Between Policy and Pretence), Dean Spears, HarperCollins Publishers India, 2019
4. Environmental Law and Policy in India. (Cases, Materials and Statutes), Shyam Divan, Armin Rosencranz, Oxford University Press, 2012
5. Environmental & Pollution Laws in India; Justice T.S. Doabia, I.P.S Doabia, M.S Doabia; 2<sup>nd</sup> Edition 2015, Volume 1& 2, LexisnexisButterworthsWadhwa Nagpur
6. SCCONLINE for relevant statutes, case commentaries (login to [www.sconline.com](http://www.sconline.com))

**SEMESTER III****Constitutionalism, Administration and access to information****LMCT 302****MODULE I**

1. Definition, meaning, nature and scope of Constitutionalism
2. History of Constitutionalism and changing paradigm of Constitutionalism.
3. Salient features and Nature of Indian Constitution.
4. Preamble as a test to determine the presence of Constitutionalism
5. Rule of law as basis of Constitutionalism
6. Features and elements of Constitutionalism--Separation of powers, independent judiciary, checks and balances

**MODULE II**

1. Rules of Interpretation of the Constitution.
2. Fundamental rights, How fundamental rights promote constitutionalism.
3. Procedure established by law and Due process of law
4. Sovereignty and democracy
5. Constitutionalism in the jurisprudential context of Grundnorm theory

6. Constitutional remedies and Constitutional review

### **MODULE III**

1. Definition, meaning, nature and scope of Administrative law
2. Reasons for growth of Administrative Law
3. Constitutional law and Administrative law
4. Natural justice—meaning and Principles of natural justice
5. Rule against bias, types of bias, Audi Alteram Partem, Reasoned decisions.
6. Judicial review of Administrative actions.

### **MODULE IV**

1. Delegated Legislations--meaning nature, scope and reasons for growth of delegated legislation
2. Functions which may be delegated and which cannot be delegated
3. Judicial and legislative control of delegated legislations
4. Administrative tribunals, reasons for their growth—Administrative tribunal and court distinction- whether Administrative tribunals bound by the decisions of Supreme Court and High Courts.
5. Tortious liability of Government.

### **MODULE V**

1. Right to Information Act 2005

## **SEMESTER III**

### **PAPER LMMJ (A) 303**

#### **ECONOMIC ENTERPRISE AND LEGAL REGULATION**

### **MODULE 1**

- Understanding Economic Enterprises
- Types and spread of Economic Enterprises in India
- Understanding the role of the following in the Economic Development of the Country: Multinational Companies, Medium and Small Scale Industries, Government

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.

Enterprises, Charitable entities, Startups, E-commerce companies, household unincorporated businesses, unremunerated domestic work

## MODULE 2

- Growth of E-commerce companies and its regulation (Google, Facebook, Uber, Ola, Zomato, Amazon, Flipkart, etc)
- Multinational Companies and its regulation
- Special Economic Zones (its relevance and regulation in India)

## MODULE 3

- Startups
  - Understanding the new nature of business models
  - Angel Funders/Venture Capitalists (inter alia, investment in cleantech startups)
  - Legal Compliance Requirements
  - FCRA and the FEMA vis-à-vis startups
- Make in India
  - 25 sectors involved; role of the Ministry of Finance
  - Foreign Trade Policy 2015-2020 (Make in India: Salient Features, promotion of foreign trade, joint venture etc)

## MODULE 4

### CORPORATE SCAMS and CORRUPTION: PINNING RESPONSIBILITIES

Changing Techniques of Regulation of Economic Enterprises in India (encouraging disclosure requirements and pinning responsibilities onto Key managerial persons of Economic Enterprises including Charitable Trusts, politicians)

2G Spectrum Scam

Adarsh Housing Society Scam

Ketan Parekh Securities Scam

Speak Asia Scam

Home Trade Scam, 2002

Saradha Chit Fund Scam

Commonwealth Games Scam  
 Abhishek Verma Arms deals scandal  
 Karnataka Wakf Board Land Scam  
 Telgi Scam  
 Rotomac Bank Fraud  
 Punjab National Bank Scam

## **MODULE 5**

Problems of Control and Accountability to the Environment in the face of Rapid development/industrialisation

- Mass disaster and environmental degradation: legal liability and legal remedies of national and multi-national industries,
- Issues in zoning and location of industrial units
- Compliance with environmental regulations by economic enterprises in India

## **SEMESTER III**

### **Socio Economic Offences and While Collar Crime**

**Code: LMMJ(E) 303**

#### **Unit I : Socio Economic Offences**

- The concept of Social and Economic Offences.
- Emergence of ‘Socio-Economic Offences.
- Nature and Extent of Socio-Economic Offences.
- Mens Rea, Nature of Liability, Burden of Proof and Sentencing Policy
- The Distinction between Traditional Offences, White Collar Crimes and the Socio-Economic Offences; Principles of Traditional Criminal Jurisprudence; Special features of Socio-Economic Offences; Socio Economic offences and white collar crimes.

#### **Unit II: Prevention of Socio-Economic Offences**

- Socio Economic Crimes and Major constraints in the Implementation of Law Relating to Socio Economic Offences.

- Socio-Economic Offences in India: The Santhanam Committee Report, 1964 and the 47th Report of the Law Commission of India, 1972.

### **UNIT-III: Money Laundering, Corruption and Human Trafficking**

#### **Money Laundering:**

- Nature and Reasons for Growth
- Need for combating Money-Laundering
- Magnitude of Money Laundering
- Various steps and methods of Prevention of Money-Laundering under Money Laundering Act, 2002.
- Enforcement: Attachment Survey, Search, & Seizure
- Adjudication under the Act: Adjudication by Adjudicating Authorities & Special courts.

#### **Corruption:**

- The Prevention of Corruption Act, 1988 (As amended in 2018)
- Offences committed by public servant and bribe giver and their Penalties
- Punishment for attempts of Corruption.

#### **Human Trafficking:**

- History, Development and Magnitude the Immoral Traffic (Prevention) Act, 1956.
- Constitutional Provisions
- The 64th report of the Law Commission of India, 1975

### **Unit IV: White Collar Crime**

- Concept of White collar crimes and difference with other traditional crimes
- Causes of white collar crime
- Types of white collar crime
- Causes and growth of white collar in India
- Explanation of white collar criminality: Social Learning theory; Sutherland's Differential Association theory; Differential reinforcement theory; Neutralization theory

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.

- Blue Collar crime
- Corporate Crime,
- Organised transnational crime,
- Occupational crime.
- Rationalisation of white Collar crime

### **Unit V: Prevention & Punishment of White Collar Crime**

- White collar crime in various profession and prevention
- Prevention of tax evasion, cyber crime, bribery
- Frauds in buying securities
- frauds over call
- Racketeering
- Act of Embezzlement
- Credit Card Frauds
- Blackmailing
- Adjudication of while collar crime in Indian Courts
- Punishment & Penalties of while collar crime under the following legislation in India:  
The Companies Act, 2013, The Income Tax Act, 1961, Bhartiya Nyay Sanhita 2023,  
The Prevention of Corruption Act, 1988, The Prevention of Money Laundering Act,  
2002, The Information Technology Act, 2000, The Imports and Exports (Control) Act,  
1950, The Special Court (Trial of Offences Relation to Transactions in Securities) Act,  
1992, The Central Vigilance Commission Act, 2003.

### **Reference:**

1. B.K. Prasad, Pillai White Collar, Whitesman Publishing Company, 2023
2. Mahesh Chandra, Socio-Economic offences, 1979.
3. Manju Koolwal, White Collar Crimes [Indian And Aboard], Kamal Publishers, 2021
4. Nuzhat Parveen Khan, Law relating to socio- Economic Offences, 2018.
5. Nuzhat Parveen Khan, Law Relating to Socio-Economic Offences, Central Law Publications, 2018.
6. P.S. Narayan, Commentary on Immoral Traffic and Prevention Act, 1956 ,2nd Ed.2013
7. Rattan Singh, Socio Economic offences (Law and Principles), 1St Edition 2021, Allahabad Law Agency, 2021

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.



**SEMESTER III**  
**PAPER LMMJ (A) 304**  
**LAW AND CREDIT**

**Module 1: Rural Credit**

- Major classification of rural credit
- Crop loans, long term loans, medium term loans
- Non institutional credits and institutional credits, regulation of non institutional credit
- Cooperative Credit Cooperative Banks: laws relating to Cooperative credit societies, NABARD
- Debt recovery Tribunal

**Module 2: institutional finance for industrial development**

- Industrial Finance Corporation of India (IFCI): role and function
- Industrial credit and Investment Corporation of India (ICICI)
- Industrial Development Bank of India (IDBI)
- Industrial reconstruction Bank of India
- State Finance Corporation: role, function and problems faced

**Module 3: Credit Management**

- Principles of lending
- Managing risks in lending, types of risks, process of credit risks management
- RBI's guidelines on credit risk management
- Credit rating: objectives, methodology, benefits, credit scoring
- Credit monitoring: goals, methods, warning signals

**Module 4: Consumer Credit**

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.

- Definition, meaning and nature of consumer credit
- Different types of consumer credit, installment sale, hire purchase
- Advantages of consumer credits
- Credit Bureaus in India, purpose of credit bureaus
- Consumer credit control

### **Module 5: chit funds and unregulated deposits**

The Banning of unregulated deposit Schemes Act, 2019.

## **SEMESTER III**

### **LMMJ(E)304**

#### **Emerging Criminology**

**Total Marks: 100**

### **Unit I: Transnational Organised Crime**

- Definition and significance of transnational organized crime (TOC)
- Historical context and development of TOC
- Key characteristics and activities of organized crime groups
- Globalization and its impact on the proliferation of TOC
- Understanding the structure and dynamics of criminal networks
- Transnational Organised Crime and Terrorism
- Major Types of Transnational Organised Crime
  - Drug Trafficking
  - Human Trafficking and Smuggling
  - Arms Trafficking

### **Unit II: Substance Abuse and Crime: Drug and Alcohol Abuse**

- Relationship between substance abuse and criminal behavior
- Public health interventions for substance abuse prevention and treatment

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.

- Crimes without victims
- "Primary drug abuse"
- Analysis of drug policies and their impact on crime and public health
- Indian Laws: Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985
- International Laws: United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988

### **Unit III: Cyber Criminology**

- Definition and scope of cyber criminology
- Importance of studying cyber criminology in the digital age
- Historical development and evolution of cyber crimes
- Understanding AI-driven cybercrimes (e.g., AI-generated deepfakes, automated hacking tools)
- Use of AI in predictive policing and crime forecasting
- AI tools for cybersecurity and threat detection
- Legal frameworks and International guidelines governing the use of AI in law enforcement
- Role of CERT-In (Indian Computer Emergency Response Team) and other agencies

### **Unit IV: Green Criminology**

- Definition and scope of green criminology
- Importance of studying environmental crime and harm
- Historical development and evolution of green criminology
- Types of Environmental Crimes: Wildlife Trafficking, Illegal Logging and Deforestation, Pollution Crimes, Waste Trafficking, Corporate Environmental Crime etc

### **Unit V: Criminology and Gerontology**

- Concept of Gerontology
- Crime and Elderly: Accused and Victim Perspective
- Rights of the Elderly
- The Maintenance and Welfare of Parents and Senior Citizens Act, 2007

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.

- Government policy and Schemes for the protection and security of the elderly

### **Suggested readings:**

1. Mafia Brotherhoods: Organized Crime, Italian Style by Letizia Paoli
2. McMafia: A Journey Through the Global Criminal Underworld" by Misha Glenny
3. Global Organized Crime: A Reference Handbook by Mitchel P. Roth and James D. Tomaselli
4. Cybercrime: Investigating High-Technology Computer Crime by Robert Moore
5. Cyber Criminology: Exploring Internet Crimes and Criminal Behavior by K. Jaishankar
6. Green Criminology: Crime, Justice, and the Environment edited by Ragnhild Sollund
7. Environmental Crime and Its Victims: Perspectives Within Green Criminology by Toine Spapens, Rob White, and Marieke Kluin
8. Elder Law in India by Sudhir R. Naib
9. Crime and Elder Abuse: An Integrated Perspective by Brian K. Payne
10. Crime and Gerontology by A A Malinchak

### **SEMESTER III**

#### **BASICS OF LAW**

#### **LMCT 305 (Minor)**

### **MODULE 1**

- Introduction of Law

Meaning of Law, Objects of Law, Definition of Law, Sources of Law

- Constitutional Law

Meaning, Background, Nature, Fundamental Rights, Directive Principles

### **MODULE 2**

- Law of Contract

Meaning, Formation, Free Consent, Types of Contract, Performance

- Consumer Law

Meaning, Rights of Consumer, Redressal Commissions

**MODULE 3**

- Criminal Law

Meaning, Elements & Stages of Crime

**MODULE 4**

- Intellectual Property Law

Meaning of IPR, Types, Rights, Infringements, Remedies

**MODULE 5**

- Right to Information Act 2005 (Meaning, Authorities, Appeal)
- IT Act 2000 (Cyber Offences, Regulations, Authorities and Penalties)

**SEMESTER IV**

**Paper Code: LMCT 401**

**Research Methodology**

**Total Marks: 100**

**UNIT I****Research: Introduction**

- What is Research?
- Meaning and Objectives of Research methods vis a vis Research Methodology
- Legal Research - Meaning, scope and purpose
- Types/kinds of Research: Doctrinal or Traditional Research.
  - Non-doctrinal or Empirical Research.
  - Descriptive and Analytical Research.
  - Applied and Fundamental Research.
  - Qualitative and Quantitative Research.
  - Law Reform Research.
  - Historical Research.
  - Sociological Research
  - Pilot Research

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.

## **UNIT II**

### **Research Processes**

- Identification of Research Problems.
- Review of Literature.
- Objective
- Hypothesis.
- Research Question
- Research Design.

## **UNIT III**

### **Tools and Techniques for Collection of Data**

- Primary and Secondary
- Observation Method
- Questionnaire
- Interview
- Case study
- Sampling
- Jurimetrics

## **UNIT IV**

### **Analysis, Interpretation of Data and Writing of Research**

- Use of Deductive and Inductive Methods in Research
- Content Analysis in Legal Research
- Preparation of Research Report and Writing of Research report
- Budgeting of Research
- Ethical and Legal Issues: Plagiarism and Copyright Violation
- Use of SPSS and other packages in Legal research.
- Citation, Reference and Footnoting

## **UNIT V**

### **Basics of Statistics in Research**

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.

- Frequency Table
- Mean, Median, Mode
- Standard Deviation
- Study of Graphs & Charts

### **Suggested Books/ Readings**

1. Tiwari H.N., Legal Research Methodology, Allahabad Law Agency, Haryana, 1997, 2003
2. Kothari C.R., Research Methodology: Methods and Techniques, 2nd Edition, New Age International Publishers
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, Himalaya Publishing House
4. Verma S.K., Wani Afzal M (Ed)., Legal Research and Methodology, 2nd Edition Indian Law Institute, New Delhi, 2001
5. Myneni S.R., Legal Research Methodology, Pioneer Books, Allahabad Law Agency, Haryana, 3rd Edition, 2006
6. Agrawal S.K., Legal Education in India, Tripathi Publishers, Bombay (1973)
7. Anderson J Durstan; B. H. Pooli, Thesis and Assignment Writing, Eastern Books Limited, New Delhi, (1977)
8. Brayne H., N. Duncan, R. Grimes, Clinical Legal Education Active Learning in Your Law School, Oxford, (1998)
9. Goode W. J., Hatt P.K., Methods of Social Research, McGraw Hill, New York, (1962)
10. Jain S.N., Legal Research & Methodology, Indian Law Institute Publication, (Ed) Tripathi Pvt. Ltd., Bombay (1983)
11. Prof. Tushar Kanti Saha, Textbook on Legal Methods, Legal Systems and Research, Universal Law Publishing Co., New Delhi (2010).
12. Bruce L. Berg, Qualitative Research Methods For The Social Sciences (London, Allyn and Bacon, 2001)
13. Dennis P. Force and Stephen Richer (ed.), Stages of Social Research – Contemporary Perspectives (New Jersey : Prentice Hall Inc., Englewood Cliffs, 1970).
14. Frederic Charles Hicks, Materials and Methods in Legal Research (Lawyers Cooperative Publishing, New York).
15. Goode and Hall, Methods in Social Research (Singapore : MacGraw Hill Book Co., 1985).

16. Harvard Law Review Association, The Bluebook: Uniform system of Citation (Harvard Law Review, Harvard).
17. Janathan Anderson, Thesis and Assignment Writing (Wiley Eastern Ltd., New Delhi).
18. Johan Galtung, Theory And Methods of Social Research (London: George Allen & Unwin Ltd., 1970). 19. Leon Festinger (ed.), Research Methods in Behavioral Sciences (Holt, Rinehart and Winston, New York, 1953).
20. Pauline V. Young, Scientific Social Surveys and Research (New Delhi : Prentice Hall of India Pvt. Ltd., 1984)

**SEMESTER IV**

LMCT 402

Community Engagement Course

**SEMESTER IV**

LMCT 403

Dissertation and Presentation (along with Viva Voce)

**SEMESTER IV**

LMCT 404

Research Methodology II (Practical)

Course detail:

This Course shall be completely a Practical paper where the students will be required to undertake minimum 4 assignments (each not exceeding 3000 words) on practical application of various aspects of research methodology like formulation of hypothesis, writing review of literature, data collection tools, analysis and interpretation of data, writing of research projects etc. Workshops and seminars on various aspects of practical application of research methodology by well acknowledged scholars may be organized.

Evaluation:

The assignments will be evaluated i.e.40 marks, by the faculty assigned to teach Research Methodology (LMCT 401) in the Department or college as the case may be. However if the concerned faculty officially refuses or is unable to take the responsibility, in such case only, the load may be shared with other faculty members of the respective department or college as the case may be.

\*The amendments or changes in the relevant statutes contained in the detailed syllabus content of each paper of LL.M.(CBCS) Programme shall be incorporated in due course.



The remaining 10 marks may be awarded based on a viva voce on the assignments submitted by the students.

