

# **CURRICULUM**

**2-Year Post Graduate Degree in Law  
(LL.M.)**

**Semester-based Curriculum Structure under CBCS**

**Norms, Regulations and Course Content**



**Approved in the Meeting of the Faculty Council for Post Graduate Studies held on 6<sup>th</sup> March, 2024.**

**Department of Lifelong Learning and Extension  
University of Kalyani**

**2024 – 2025 Session onwards**

## 2-Year Post Graduate Degree in Law Master of Laws (Latin Legum Magister or LL.M.)

### Semester-based Curriculum Structure under CBCS (with effect from 2023 -2024)

Legal education occupies an imperative place in every country. LL.M. or Legum Magister is a Masters' degree in Law which is a specialized postgraduate level qualification in law worldwide. Kalyani University provides an LL.M. program that helps in facilitating in-depth knowledge of the specific area of law. To pursue LL.M., a law degree approved by Bar Council of India from a recognized university with minimum aggregate marks as per university norms is the basic eligibility. Nowadays, students pursue LL.M. not because it is a mandatory course, but because they love the philosophical, academic side of the law.

#### General Information

1. The Post graduate LL.M. programme shall be of two years Self-financing Course consisting of four semesters with field work and practical work
2. Candidates seeking admission into the course shall be required:
  - a. To have passed Bar Council of India's approved 3-year LL.B./LL.B. (Hons) or 5-year integrated B.A.LL.B. or B.A.LL.B. (Hons) or equivalent from any University recognized by University Grants Commission.
  - b. To have passed the entrance test conducted by Kalyani University subsequently to become eligible for the purpose of admission. The question paper shall include the subjects of LL.B. course of this university.
3. **Admission Procedure:** Admission into the programme shall be made according to the rules as prescribed by the University of Kalyani from time to time.
4. **Academic Activity:**
  - a) The two-year study consists of four (4) semesters, covering Theory papers, Practical, Rural or Outreach activity, Field Work and Dissertation (See Annexure)
  - b) Every student shall be required to attend a minimum of 75% of theory classes and filed work in all the four semesters.
    - i) Ten days camp or
    - ii) One month filed work in any development organization and submit dissertation.
  - c) No student shall be allowed to appeal for the examination unless he/she completes camp and fieldwork.
  - d) Students are allowed to take one subject at Semester II out of Choice Based Credit System (CBCS) from other departments.
  - e) An academic year is divided into two semesters.
  - f) Courses involving lectures relating to a field or discipline by an expert or qualified personnel in a field of learning, work/vocation or professional practice.
  - g) UGC Guidelines will strictly be adhering to in regard to theoretical and practical course.
5. **Scheme of Examinations:**
  - a) All the theory papers in the four semesters shall be evaluated as per University guidelines.
  - b) One theoretical paper consisting of 50 marks is divided into two parts: 40 marks for term-end examination and 10 marks for Mid-term examination (Seminar/Unit Test/Group Discussion). Practical paper and Dissertation paper would be divided into two parts: 60% weightage for external examination and 40% weightage for internal examination.
  - c) Camp Report shall be valued by internal and dissertation shall be evaluated by both the internal and one external examiner.
  - d) Assignment, Seminar papers, Reports on Law activities be valued by the concerned internal examiner(s).
  - e) Viva-Voce examination be conducted at the end of IV semester both the internal and external examiners.
  - f) The medium of instruction and the examination shall be in English.
  - g) A Candidate shall be declared to have passed the examination if he/she obtained not less than 40% of the total marks in all the semesters put together. A candidate shall be declared to have passed the examination if s/he obtains as paper minimum of 40% in theory, in dissertation and in viva – voce.
  - h) Candidates who have completed the course in each semester with required attendance as per the University norms after fulfilling other academic requirements shall be permitted to proceed to the next semester course irrespective of whether they have appeared or not at the previous semester examinations(s). Such candidates may be permitted to appear for the examination of earlier semesters with the examination of later semesters simultaneously.
  - i) If he/she fails in theory papers he/she may be allowed to appear for theory examination which includes all theory papers in the respective semesters. Similarly, if he/she fails dissertation and viva-voce works he may be allowed dissertation and viva-voce only.
6. Students appearing for improvement and also pass the examination in subsequent years shall not be awarded ranks.
7. **Fees :** Since LL.M. is a self-financed course of the university, hence the course fee per semester would be Rupees Thirty Thousand. The admission, examination and other fees will be at par with other regular courses of the university.

## Index

Paper Code	Name of the Paper	Page No.
<b>First Semester</b>		
COR 101	Advanced Jurisprudence	6
COR 102	Indian Constitutional Law : The New Challenges - I	7
COR 103	Judicial Process	8
COR 104	Law and Social Transformation in India – I	9
AECC	Project Work based on knowledge enhancement	10
<b>Second Semester</b>		
COR 205	Law and Social Transformation in India – II	11
COR 206	Indian Constitutional Law : The New Challenges - II	12
COR 207	Administration of Justice	13
COR 208	Research Methodology	14
GEC (Open Choice)	Introduction to Law ( For 2nd Semester PG Students of other Departments)	15
<b>Third Semester for Corporate Law Specialization</b>		
COR 309	Corporate Finance	16
COR 310	Capital Markets and Foreign Investment	17
COR 311	Banking Law	18
COR 312	Law of Intellectual Property-I	19
DSE 301	Practical (Law teaching and Clinical work)	20
SEC	Taxation based on skill enhancement	21
<b>Third Semester for Criminal Law Specialization</b>		
COR 309	Fundamental Principles of Criminal Law	22
COR 310	Criminal Justice System	23
COR 311	Cyber Law	24
COR 312	Penology and Victimology	25
DSE 301	Practical : Law teaching and Clinical work	26
SEC	Project Work based on skill enhancement	27
<b>Third Semester for Constitutional Law Specialization</b>		
COR 309	Comparative Constitution India, U.K. and U.S.A.	28
COR 310	Human Rights and Constitution	29
COR 311	Modern Trends of Administrative Law	30
COR 312	Comparative Federal Governance	31
DSE 301	Practical (Law teaching and Clinical work)	32
SEC	Skill Enhancement Programme	33
<b>Third Semester for Public International Law Specialization</b>		
COR 309	Principles of International Law	34
COR 310	Environment and International Legal Order	35
COR 311	International Court of Justice	36
COR 312	Law Relating to Outer Space	37
DSE 301	Practical (Law teaching and Clinical work)	38
SEC	Skill Enhancement Program	39
<b>Fourth Semester for Corporate Law Specialization</b>		
DSE 402	Law of Export-Import Regulation	40
DSE 403	Insurance Law	41
DSE 404	Legal Regulation of Economic Enterprises	42
DSE 405	Law of Intellectual Property-II	43
Dissertation	Dissertation and viva-voce	44
<b>Fourth Semester for Criminal Law Specialization</b>		
DSE 402	Collective Violence and Law	45
DSE 403	Money Laundering and White Collar Crimes	46
DSE 404	Law of Organized Crime	47
DSE 405	Juvenile Justice System	48
Dissertation	Dissertation and viva-voce	49
<b>Fourth Semester for Constitutional Law Specialization</b>		
DSE 402	Mass Media Law	50
DSE 403	Election Law	51
DSE 404	Laws relating to Indigenous People	52
DSE 405	Laws relating to Minorities	53
Dissertation	Dissertation and viva-voce	54
<b>Fourth Semester for Public International Law Specialization</b>		
DSE 402	Law of International Trade	55
DSE 403	International Arbitration	56
DSE 404	Private International Law	57
DSE 405	Law of Seas	58
Dissertation	Dissertation and viva-voce	59

# University of Kalyani

## Master of Laws (Latin Legum Magister or LL.M.) Structure of the Curriculum

### SEMESTER I

Paper Code	Paper	Th / Prac	Credit	Hours / Week	Marks
COR 101	Advanced Jurisprudence	Theory	4	4	50
COR 102	Indian Constitutional Law : The New Challenges - I	Theory	4	4	50
COR 103	Judicial Process	Theory	4	4	50
COR 104	Law and Social Transformation in India – I	Theory	4	4	50
AECC	Project Work based on knowledge enhancement	Practical	2	2	25
<b>Total</b>			<b>18</b>		<b>225</b>

### SEMESTER II

Paper Code	Paper	Th / Prac	Credit	Hours / Week	Marks
COR 205	Law and Social Transformation in India – II	Theory	4	4	50
COR 206	Indian Constitutional Law : The New Challenges - II	Theory	4	4	50
COR 207	Administration of Justice	Theory	4	4	50
COR 208	Research Methodology	Th+Pra	2+2=4	4	50
GEC (Open Choice)	Introduction to Law ( For 2 <sup>nd</sup> Sem. PG Students of other Departments)	Theory	4	4	50
<b>Total</b>			<b>20</b>		<b>250</b>

### SEMESTER III

Paper Code	<u>Corporate Law Specialization</u>	<u>Criminal Law Specialization</u>	Th / Prac	Credit	Hours / Week	Marks
COR 309	Corporate Finance	Fundamental Principles of Criminal Law	Theory	4	4	50
COR 310	Capital Markets and Foreign Investment	Criminal Justice System	Theory	4	4	50
COR 311	Banking Law	Cyber Law	Theory	4	4	50
COR 312	Law of Intellectual Property-I	Penology and Victimology	Theory	4	4	50
DSE 301	Practical (Law teaching and Clinical work)	Practical (Law teaching and Clinical work)	Practical	4	4	50
SEC	Taxation based on skill enhancement	Project Work based on skill enhancement	Practical	2	2	25
<b>Total</b>				<b>22</b>		<b>275</b>

### SEMESTER III

Paper Code	<u>Constitutional Law Specialization</u>	<u>Public International Law Specialization</u>	Th / Prac	Credit	Hours / Week	Marks
COR 309	Comparative Constitution India, U.K. and U.S.A.	Principles of International Law	Theory	4	4	50
COR 310	Human Rights and Constitution	Environment and International Legal Order	Theory	4	4	50
COR 311	Modern Trends of Administrative Law	International Court of Justice	Theory	4	4	50
COR 312	Comparative Federal Governance	Law Relating to Outer Space	Theory	4	4	50
DSE 301	Practical (Law teaching and Clinical work)	Practical (Law teaching and Clinical work)	Practical	4	4	50
SEC	Skill Enhancement Programme	Skill Enhancement Program	Practical	2	2	25
<b>Total</b>				<b>22</b>		<b>275</b>

### SEMESTER IV

Paper Code	<u>Corporate Law Specialization</u>	<u>Criminal Law Specialization</u>	Th / Prac	Credit	Hours / Week	Marks
DSE 402	Law of Export-Import Regulation	Collective Violence and Law	Theory	4	4	50
DSE 403	Insurance Law	Money Laundering and White Collar Crimes	Theory	4	4	50
DSE 404	Legal Regulation of Economic Enterprises	Law of Organized Crime	Theory	4	4	50
DSE 405	Law of Intellectual Property-II	Juvenile Justice System	Theory	4	4	50
Dissertation	Dissertation and viva-voce	Dissertation and viva-voce	Practical	8	8	100
<b>Total</b>				<b>24</b>		<b>300</b>

### SEMESTER IV

Paper Code	<u>Constitutional Law Specialization</u>	<u>Public International Law Specialization</u>	Th / Prac	Credit	Hours / Week	Marks
DSE 402	Mass Media Law	Law of International Trade	Theory	4	4	50
DSE 403	Election Law	International Arbitration	Theory	4	4	50
DSE 404	Laws Relating to Indigenous People	Private International Law	Theory	4	4	50
DSE 405	Laws Relating to Minorities	Law of Seas	Theory	4	4	50
Dissertation	Dissertation and viva-voce	Dissertation and viva-voce	Practical	8	8	100
<b>Total</b>				<b>24</b>		<b>300</b>

<b>Grand Total</b>				<b>84</b>		<b>1050</b>
--------------------	--	--	--	-----------	--	-------------

COR: Core Courses, AECC: Ability Enhancement Compulsory Courses, SEC: Skill Enhancement Courses, GEC: Generic Elective Courses, DSE: Discipline Specific Elective.

**Theoretical Paper : 40 marks for Term End Examination+10 marks for Internal Assessment/Seminar Presentation  
Practical / Dissertation : 60% weightage for External Examination + 40% weightage for Internal Examination**

### **Programme Outcomes of Post Graduate LL.M. Programme**

- I. Legal Knowledge: To acquire & apply legal knowledge to the complex Socio-legal problems in order to develop the critical thinking.
- II. Professional Practice: to make students eligible to practice in Courts, Industries, Companies as legal practitioner.
- III. Professional Skills: To possess professional skills required for legal practice such as Argument, Pleading, drafting, conveyancing etc.
- IV. Professional Ethics: To understand and apply principles of professional ethics of legal profession.
- V. Legal Research & Legal Reasoning: to develop legal research skills & legal reasoning and apply it during programme & in Legal practice. Level of Interpretation will definitely be enhanced.
- VI. Self Reflection & Lifelong Learning : To develop an attitude of self-reflection while learning & Recognize the need for, and have the preparation and ability to engage in independent and life-long learning in the broadest context of changing legal contexts.
- VII. Self Employability: To provide a platform of self-employability by developing professional skills in legal industry.
- VIII. Leadership skills: To develop leadership qualities amongst students.
- IX. Lifelong Learning: To make awareness about Constitutional legislative & societal transformation in society & to develop clinical abilities.
- X. Lawyering skills: Every graduate will become skilled in legal research, written and oral communication, teamwork, advocacy, and problem-solving.

### **Programme Specific Outcomes of Post Graduate LL.M. Programme**

- I. Enabling a learner to effectively understand the various laws in the context of which they are made including specific exhaustive understanding of variety of substantive as well as procedural laws including various legislations along with the rules in the specialized area of their interest.
- II. Encouraging the analysis of legal problems from an objective point of view and work towards finding solutions to the problems by application of laws and regulations.
- III. Enabling the art of undertaking doctrinal and empirical research covering a wide area of socio-legal knowledge and implementation of various tools and techniques of research.
- IV. Developing skills necessary for facilitating legal research and to effectively hone their advocacy skills in the specialized areas.
- V. On completion of Degree, the post graduates will possess the core competence essential to practice law, can join Judicial / Civil services / as officers in the Armed forces (JAG Branch) and Corporate sector in a better way.
- VI. The Master's degree course in Law (LL.M.) further opens avenues for research and teaching. The student can opt for Doctoral studies in India and abroad.

## First Semester

**Paper Code - COR 101 : Advanced Jurisprudence**

**Full marks - 50**  
**Credit : 4**

### Course Outcomes

- The students get to know about the nature and sources of law.
- The students get acquainted with how the different schools of jurisprudence elaborated different ideas of jurisprudence.
- The students will study various aspects of jurisprudence.

### Note for Examiner/Paper Setter

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

### Note for Students

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

### Course Content

**Unit I : Nature and Sources of Law**

**Unit II : Positivism, Natural Law Theory, Rights and Duties**

**Unit III : Natural Law Theories**

**Unit IV : Legal Personality**

**Unit V : Law of Property**

**Unit VI : Post Modern Jurisprudence and Critical Legal Studies**

**Unit VII : Feminist Jurisprudence**

### Reading List

1. Austin, Province of Jurisprudence Determined
2. Avtar Singh and Harpreet Kaur, Introduction to Jurisprudence, Lexis Nexis, 5<sup>th</sup> Edition
3. B. N. Mani Tripathi, Jurisprudence and Legal theory
4. Bodenheimer, Jurisprudence : The Philosophy and Method of Law
5. C. K. Allen, Law in the making
6. Denis Lloyd, Introduction to Jurisprudence
7. Friedman, Legal Theory
8. Fuller, The Morality of Law
9. G. W. Poton, A Text Book of Jurisprudence
10. G.S. Sharma, Essays on Indian Jurisprudence
11. G.W.Paton, Jurisprudence
12. H. L. A. Hart, The Concept of Law
13. J.C. Grey, The Nature & Sources of Law
14. Julius Stone, Legal System and Lawyers Reasonings
15. Julius Stone, Social Dimensions of Law & Justice
16. Maine, Ancient Law
17. P.J. Fitzgerald, Salmond on Jurisprudence, Sweet and Maxwell, 12<sup>th</sup> Edition
18. P.S. Atchuthen Pillai, Jurisprudence and Legal Theory, Eastern Book Company, 3<sup>rd</sup> Edition
19. Pound, Law and Morals
20. R. W. M. Dias, Jurisprudence
21. R.W.M. Dias, Jurisprudence
22. S. K. Tiwari, Jurisprudence : Legal Theory and elements of Law
23. S.N. Dhyani, Fundamentals of Jurisprudence
24. Salmond, Jurisprudence
25. Upendra Baxi, Marx and Justice
26. V.D.Mahajan, Jurisprudence
27. W. Friedmann, Legal Theory

**Course Outcomes**

- Provide a strong foundation to the students about various activities of Indian Constitution.
- Will be able to analyze and compare the basic concepts of Fundamental Rights of the Constitution of various countries.
- The students will be aware of the different dimensions of the constitution of different countries in general and Constitution of India in particular.
- The students get mastery over the concerns and meaning of federal governance.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Foundation of Indian Constitution**

- a. Government of India Act, 1935
- b. Constituent Assembly Debates
- c. Constitutionalism
- d. Federalism

**Unit II : Concept of "State" and its dimensions****Unit III : Right to Equality and Protective Discrimination.****Unit IV :**

- a. Equality and Freedom and their interrelations with Reasonable Restrictions
- b. Facets of Life and Personal Liberty

**Unit V : Freedom of Press and challenges of New Scientific Development**

- a. Freedom of speech and right to broadcast and telecast.
- b. Right to strikes, hartal and bandh.

**Unit VI : Emerging Regime of New Rights and Remedies**

- a. Compensation jurisprudence
- b. Right to education
  - i. Commercialization of education and its impact.
  - ii. Brain drain by foreign education market.

**Unit VII : Rights and Duties Relations****Unit VIII : Secularism and Religious Denomination.****Reading List**

1. A.V. Dicey, Constitutional Law
2. AIR (Publication), Constitutional Law of India Volume I and II
3. B. Shiva Rao, The Union and the State National, Delhi, 1972
4. Constituent Assembly Debates - Official Report (12 Vols.)
5. Constitutional Development since Independence (ILL)
6. D.D. Basu, Commentaries on the Constitution of India (16 Vols), Lexis Nexis, 9<sup>th</sup> Edition
7. D.D. Basu, Introduction to the Constitution of India, Lexis Nexis, 27<sup>th</sup> Edition
8. G.N. Joshi, Framing of the Indian Constitution: A Study
9. H.M. Seervai, Constitutional Law of India (3 Vol), Universal Law Publishing, 4<sup>th</sup> Edition
10. M.K.C.J. Kagzi, The Constitution of India
11. M.P. Jain, Indian Constitutional Law, Lexis Nexis; 8<sup>th</sup> Edition
12. M.P. Singh, Constitutional Law
13. R. Patnaik, Legislative and Ordinance Making Power of the President and the Governor (s).
14. V.N. Shukle, Constitution of India (13<sup>th</sup> Edition) Edited by Mahendra Pal Singh
15. Wade and Phillips, Constitutional Law

**Paper Code - COR 103 : Judicial Process****Full marks - 50****Credit : 4****Course Outcomes**

- The students develop a clear understanding about the tools and techniques of judicial creativity.
- The students can enrich their knowledge about the concepts like judicial activism. They can also understand the problems faced in fixing accountability.
- The Judicial Process is an instrument of social ordering. The students will be made aware of the tools and techniques of judicial creativity.
- The students will also learn about the role of Constitutional adjudication, Judicial activism and various other aspects like problems faced in fixing accountability and law making by various organs of the Government.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Nature of Judicial Process**

- a. Judicial process as an instrument of social ordering
- b. Judicial process and creativity in law – common law model – Legal Reasoning and growth of law – change and stability.
- c. The tools and techniques of judicial creativity and precedent.
- d. Legal development and creativity through legal reasoning under statutory and codified systems.

**Unit II : Special Dimensions of Judicial Process in Constitutional Adjudications.**

- a. Notions of judicial review
- b. 'Role' in constitutional adjudication – various theories of judicial role.
- c. Tools and techniques in policy-making and creativity in constitutional adjudication.
- d. Varieties of judicial and juristic activism
- e. Problems of accountability and judicial law-making.

**Unit III : Judicial Process in India**

- a. Indian debate on the role of judges and on the notion of judicial review.
- b. The “independence” of judiciary and the “political” nature of judicial process.
- c. Judicial activism and creativity of the Supreme Court-the tools and techniques of creativity.
- d. Judicial process in pursuit of constitutional goals and values – new dimensions of judicial activism and structural challenges
- e. Institutional liability of courts and judicial activism – scope and limits.

**Unit IV : The Concepts of Justice**

- a. The concept of justice or Dharma in Indian thought
- b. Dharma as the foundation of legal ordering in Indian thought.
- c. The concept and various theories of justice in the western thought.
- b. Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

**Unit V : Relation between Law and Justice**

- a. Equivalence Theories – Justice as nothing more than the positive law of the stronger class.
- b. Dependency theories – For its realization justice depends on law, but justice is not the same as law.
- c. The independence of justice – means to end relationship of law and justice – The relationship in the context of the Indian constitutional ordering.
- d. Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

**Reading List**

1. A. Lakshminath, Judicial Process and Precedent, Eastern Book Company
2. Benjamin N.Cardozo, The Nature of The Judicial Process, MPP House
3. Bodenheimer, Jurisprudence – the Philosophy and Method of the Law (1997), Universal, Delhi
4. Cardozo, The Nature of Judicial Process (1995) Universal, New Delhi.
5. Christopher P. Banks and David M. O' Brien, The Judicial Process: Law, Courts, & Judicial Politics, CQ Press.
6. Dr. S. K. Chaturvedi, Judicial Process, Thomson Reuters
7. Dr. Sheetal Kanwal, Judicial Process, Amar Law Publications
8. E. W. Thomas, The Judicial Process: Realism, Pragmatism, Practical Reasoning & Principles, Cambridge University Press
9. Edward H.Levi, An introduction to Legal Reasoning (1970), University of Chicago.
10. G P Tripathi, Judicial Process, Central Law Publication
11. Henry J.Abraham, The Judicial Process (1998) , Oxford.
12. J.Stone, Legal System and Lawyers' Reasonings (1999), Universal, Delhi
13. John Rawls, A Theory of Justice (2000), Universal, Delhi
14. Julius Stone, The Province and Function of Law, Part II, 1.8-16 (2000), New Delhi.
15. Kush Kalra & Pankaj Kumar, Judicial Process, University Book House Pvt Ltd.
16. Rajeev Dhavan, The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi, Bombay.
17. U.Baxi, The Indian Supreme Court and Politics (1980), Eastern, Lucknow.
18. W.Friedmann, Legal Theory (1960), Stevens, London.



**Course Outcomes**

- The students get to know about the evolution of law and its subsequent effects on social transformation.
- The students get acquainted with how social change and social reforms were brought about by the Constitution of India.
- The students will study various aspects like the meaning of Social change and Social Reforms relating to women, children and other vulnerable sections of the society.
- Main emphasis will be on the impact of Sociological School and Constitution of India as a tool of Social Engineering.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Law and Social Change : An Overview**

- a. Law as an instrument of social change.
- b. Law as the product of traditions and culture.
- c. Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law.
- d. Legal institutions in India.

**Unit II : Religion and the Law**

- a. Religion as a divisive factor.
- b. Secularism as a solution to the problem.
- c. Reform of the law on secular lines: Problems.
- d. Freedom of religion and non-discrimination on the basis of religion. Religious minorities and the law.

**Unit III : Language and the Law**

- a. Language as a divisive factor: formation of linguistic states.
- b. Constitutional guarantees to linguistic minorities.
- c. Language policy and the Constitution: Official language; multi-language system
- d. Non-discrimination on the ground of language

**Unit IV : Community and the Law**

- a. Caste as a divisive factor and Non-discrimination on the grounds of caste.
- b. Acceptance of caste as a factor to undo past injustices.
- c. Protective discrimination: Scheduled castes, tribes and backward classes.
- d. Reservation; Statutory Commissions, Statutory provisions.

**Unit V : Regionalism and the Law**

- a. Regionalism as a divisive factor; and Concept of India as one unit.
- b. Right of movement, residence and business; impermissibility of state or regional barriers.
- c. Equality in matters of employment: the slogan "Sons of the soil" and its practice.
- d. Admission to educational institutions: preference to residents of a state.

**Unit VI : Alternative approaches to Law**

- a. The jurisprudence of Sarvodaya---Gandhiji, Vinoba Bhave; Jayaprakash Narayan--- Surrender of dacoits; concept of Grama Nyayalayas
- b. Socialist thought on law and justice: An enquiry through constitutional debates on the right to property
- c. Indian Marxist critique of law and justice
- d. Naxalite movement: cause and cure

**Unit VII : Modernization and the Law**

- a. Modernization as a value : Constitutional perspective reflected in the Fundamental Duties
- b. Modernization of Social Institutions through Law
- c. Reform of Family Law
- d. Agrarian Reform : Industrialization in Agriculture
- e. Industrial Reform: Free Enterprise Vs. State Regulation; Industrialization Vs. Environmental Protection
- f. Reforms of Court Processes
- g. Criminal Law : Plea Bargaining, Compounding, Payment of Compensation to Victims
- h. Civil Law : (ADR) Confrontation Vs. Consensus; Mediation and Conciliation
- i. Prison Reforms
- j. Democratic decentralization and Local Self Government

**Unit VIII : Children an the Law**

- a. Child Labour
- b. Sexual Exploitation
- c. Adoption and related problems
- d. Children and Education

**Unit IX : Women and the Law**

- a. Crime against Women
- b. Gender Injustice and its various forms
- c. Women's Commission
- d. Empowerment of Women : Constitutional and other legal provisions

**Reading List**

1. Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford.
2. D.D. Basu, Shorter Constitution of India (1996), Prentice – Hall of India(P) Ltd., New Delhi.
3. Duncan Derret, The State, Religion and Law in India (1999). Oxford University Press, New Delhi.
4. G. P. Tripathi, Law and Social Transformation, Central Law Publication, 1<sup>st</sup> Edition
5. India Law Institute, Law and Social Change: Indo-American Reflections, Tripathi (1988)
6. M.P. Jain, Outlines of Indian Legal & Constitutional History, (1993), Tripalini, Bombay
7. Marc Galanter (Ed.), Law and Society in Modern India (1997) Oxford.
8. P. Ishwara Bhat, Law and Social Transformation, Eastern Book Company, 2nd Edition.
9. Robert F. Meagher, Law and Social Change: Indo American Reflections, N.M. Tripathi, 1988.
10. Robert Lingat, The Classical Law of India (1988), Oxford.
11. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (1997),Sage.
12. U.Baxi (Ed.), Law and Poverty Critical Essays (1988), Tripathi, Bombay.
13. U.Baxi, The Crisis of the Indian Legal System (1982). Vikas,New Delhi.

**Paper Code - AECC : Project Work based on knowledge enhancement**

**Full marks - 25  
Credit : 2**

### **Course Outcomes**

- The students will get an idea about the different techniques of knowledge enhancement;
- The students will get a clear picture about how to enhance knowledge in the field of law;
- The students will learn how to apply skilled knowledge in their professional career;
- The Paper will give the students a brief idea about the knowledge in Legal Research and Law Teaching;

### **Course Content**

Unit-I : An Assignment which must be based on Legal Language and its application.

Unit-II : Field Work in any Law College/University to know about different applied teaching techniques in the Classroom.

Unit-III : A Project Work on any legal issue by applying different Research Methods.

Unit-IV : Paper Presentation in a Law Seminar/Symposium/Workshop during the First Semester.

**N.B. The Project Supervisor may change/alter the topic.**

### **Reading List**

1. Anirudha Prasad: Outlines of Legal Language in India
2. Madabhushi Sridhar: Legal Language
3. Natasha Costello and Louise Kulbicki : Practical English Language Skills for Lawyers
4. P. Ishwar Bhat: Idea and Methods of Legal Research
5. C. R. Kothari: Research Methodology
6. Tushar Kanti Saha: Text Book on Legal Methods, Legal Systems & Research

## Second Semester

**Paper Code - COR 205 : Law and Social Transformation in India – II**

**Full marks - 50**  
**Credit : 4**

### Course Outcomes

- The students get to know about the evolution of law and its subsequent effects on social Engineering.
- The students get acquainted with how Social Transformation and Social Engineering were brought about by Constitution of India.
- The students will study various aspects like meaning of Social Transformation and Social Engineering relating to women, children and other vulnerable sections of the society.
- Emphasis will be on impact of Modernization and Constitution of India as a tool of Social Engineering.

### Note for Examiner/Paper Setter

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

### Note for Students

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

### Course Content

#### Unit I : Law and Social Change in Jurisprudential Perspective

- a. Function of law in Contemporary Society
- b. The Changing Role of Law in Interdependent Society
- c. The Interplay of State Action and Public Opinion
- d. Democracy and Legal Change

#### Unit II : Social Change and Interpretation of Constitution

- a. Right to Property
- b. Right to Development
- c. Right to Privacy
- d. Rights of Subordinated People
- e. Right to Information
- f. Public Interest Litigation

#### Unit III : Social Change and Family Law

- a. The Role of Family in Changing Society
- b. The Changing Concept of Family Ideology
- c. The Changing Concept of Family Property
- d. Equality of Sexes and Control of Infanticide and Foeticide

#### Unit V : Social Change and Crime

- a. Social Values and Change of Criminal Law in Post Independent India with Special reference to i) Women and ii) Children
- b. Social Conflicts and Indian Legislation on Socio-economic Offences
- c. Economic Crimes and Legal Reform
- d. Human Rights and Administration of Criminal Justice

#### Unit VI : Tort, Insurance and Social Responsibility

- a. Judicial Widening of Tort Responsibility
- b. The Shift of Liability from Tort to Insurance
- c. Some Reform Proposals

#### Unit VII : The Changing Function of Contract

- a. Social Causes of Transformation of Contract with Special Reference to Standardization, Collective Bargaining Consumerism

#### Unit VIII : The Growth of Administrative Function and Law Reform in India

- a. Administrative Remedies in Democratic Countries
- b. Public Power and Individual
- c. Ombudsman Remedy

### Reading List

1. D.D. Basu, Administrative Law, 5 Ed., Kamal Law House, 1998
2. D.R. Saxena, Law, Justice and Social Change, N. delhi : Deep and Deep, 1996
3. D.R. saxena, Ombudsman (Lokpal) : Redress of Citizen's Grievances in India, N. Delhi : Deep & Deep
4. Gokulesh Sharma, Human Rights and Social Justice, N. Delhi : Deep & Deep, 1997
5. Julius Stone, Social Dimensions of Law & Justice, Delhi : Universal Law Publishing House
6. Manju Saxena (Ed.), Law and Changing Society, N. Delhi : Deep & Deep, 1999
7. Marc Galanter, Law and Society in Modern India, Delhi
8. P.M. Bakshi, Public Interst Litigation, Ashoka Law House, 1999
9. Paras Diwan, Children and Legal Protection, N. Delhi : Deep & Deep
10. R.S. Verma, Law Relating to Custodial Death and Human Rights, Delhi Verma Publications, 1998
11. Raymond Wacks, Privacy and Press Freedom, London : Blacstone
12. S.K Sharma, Distributive Justice under Indian Constitution with reference to Right to Property and Equality
13. Shamsuddin Shams, Women Law and Social Change, N. Delhi
14. Shobha Saxena, Crime against Women and Protective Laws, N. Delhi : Deep & Deep, 1997
15. T.D. Mudliar, Right to Property- A Constitutional Right
16. V.R. Krishna Iyer, Law Society and Collective Conciousness, Cacutta : Allied Publishers, 1982
17. V.R.Krishna Iyer, Freedom of Information, Lucknow : Eastern Book
18. W. Friedmann, Law in a Changing Society, 32<sup>nd</sup> Ed., Delhi : Universal Book Traders
19. Winfield - Tort

**Paper Code - COR 206 : Indian Constitutional Law : The New Challenges - II****Full marks - 50****Credit : 4****Course Outcomes**

- Provide a strong foundation to the students about various activities of Indian Constitution.
- Will be able to analyze and compare the basic concepts of Fundamental Rights of the Constitution of various countries.
- The students will be aware of the different dimensions of the constitution of different countries in general and Constitution of India in particular.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Preamble – Its Importance****Unit II : Reading Directive Principles into Fundamental Rights****Unit III : Distribution of Legislative Powers****Unit IV : Freedom of Trade, Commerce and Intercourse****Unit V : Basic Structure of Doctrine****Unit VI : Emergency Provisions****Unit VII : Amendment to the Constitution****Unit VIII : Indian Judiciary****Unit IX : Separation of Powers – Stresses and Strain**

- a. Judicial Activities and Judicial Restraint
- b. PIL implementation
- c. Judicial Independence
- d. Appointment, Transfer and Removal of Judges
- e. Accountability : Executive and Judiciary
- f. Tribunals

**Unit X : Democratic Process**

- a. Nexus of Politics with Criminals and the Business
- b. Election
- c. Election Commission : Status
- d. Electoral Reforms
- e. Coalition Government, Stability, Durability
- f. Corrupt Practices
- g. Grass root Democracy

**Reading List**

1. A.V. Dicey, Constitutional Law
2. AIR (Publication), Constitutional Law of India Volume I and II
3. B. Shiva Rao, The Union and the State National, Delhi, 1972
4. Constitutional Development since Independence (ILL)
5. D.D. Basu, Commentaries on the Constitution of India : Constitution of India
6. G.N. Joshi, Framing of the Indian Constitution: A Study
7. H.M. Sheerval, Constitutional Law in Two Volumes
8. M.K.C.J. Kagzi, The Constitution of India
9. M.P. Jain, Indian Constitutional Law, Wadhwa and Co. Nagpur, 2004
10. M.P. Singh, Constitutional Law
11. R. Patnaik, Legislative and Ordinance Making Power of the President and the Governor (s).
12. V.N. Shukle, Constitution of India (13<sup>th</sup> Edition) Edited by Mahendra Pal Singh
13. Wade and Phillips, Constitutional Law

**Course Outcomes**

- Provide a strong foundation to the students about administration of Justice.
- Will be able to analyze and compare the basic concepts of Judicial Process and Judicial Techniques.
- The students will be aware of the Judicial Creativity and Supreme Court, and Criminal Justice and Judicial Process.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Administration of Justice**

- a. Administration of Justice and Judicial Process
- b. Superior Courts in India and Judicial Process
- c. Subordinate judiciary in India and Judicial Process
- d. Role of Natural Justice in Judicial Process

**Unit II : Judicial Techniques and Judicial Process**

- a. Inductive and Deductive method
- b. Judicial precedent
- c. Interpretations of statute
- d. Writ Jurisdictions

**Unit III : Judicial Creativity and Supreme Court**

- a. Doctrine of Locus standi and public interest litigation
- b. Judicial creativity and protection human Rights
- c. Due process and procedure established by law
- d. Green jurisprudence

**Unit IV : Trends in the criminal administration of justice—Reformative punishment****Unit V : Impact of Globalization on Judicial Process and Administration of Justice****Unit VI : Judicial Approach**

- a. Judicial Approach towards Death Sentence
- b. Speedy trial
- c. Detention in State Custody and Personal Liberty
- d. Judicial Approach towards Violence against women

**Reading List**

1. Edgar Bodenheimer, Jurisprudence: The Philosophy and Method of the Law, 2018, LexisNexis
2. Henry J. Abraham, The Judicial Process : An Introductory Analysis of the Courts of the United States, England, and France, 1998, Oxford University Press.
3. John Rawls, A Theory of Justice (2000), Universal, Delhi
4. Julius Stone, Legal System and Lawyers' Reasoning, 2023, MPP House
5. Julius Stone, Precedent and Law: Dynamics of Common Law Growth, 1985, Butterworths Law
6. Julius Stone, The Province and Function of Law: A Study in Jurisprudence, 2006, Universal Law Pub. Co Ltd
7. Rajeev Dhavan, The Supreme Court of India – A Socio Legal Critique of its Juristic Techniques, Bombay, N. M. Tripathi Ltd., 1977
8. Upendra Baxi, The Indian Supreme Court and Politics, 1980, Lucknow, India: Eastern Book Company
9. Wolfgang Friedmann, Legal Theory, London: Stevens and Sons, Ltd, 1960.

**Course Outcomes:**

- The students can know about various concepts like research problems, hypothesis etc.
- The students learn about various techniques used in data collection.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of two Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of four questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any two questions from this section. 5 marks are allotted for Mid-term (internal) assessment. 25 marks will be allotted for practical part.

**Note for Students**

Attempt all questions of Section A and two Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content (Theoretical Part)****Unit I : Introduction to Legal Research and Methodology**

- a. The purpose and focus of research, Finding the facts and finding the truth, experimenting and establishing.
- b. Research methodology; Established and proven norms of conducting a research or study. Research Qualities and traits.
- c. Types of Research: Empirical or non-doctrinal research, doctrinal research, analytical research, Descriptive study, critical study, Historical and comparative research.
- d. Observation studies, field study, sample study, case study and comparative study, pure and applied research, Questionnaire and interview techniques.

**Unit II : Categories of Research**

- a. Research in social Sciences, scientific research, legal research, socio legal research, techno legal research and legal and scientific research.
- b. Reflective thinking and value neutrality in research. Essentials of legal research, nature and objectives of legal research.
- c. Peculiarities of legal research, law reforms and legal research, Society interaction as an input for legal research.
- d. Social reforms and legal research, Socio- legal research in India and law reforms, Problems and perspectives of legal research.

**Unit III : Unraveling Research Methodology**

- a. Choosing a topic for legal research, Basic structure of research: Introducing the subject of research, Identification of Issues.
- b. Framing of objectives, drawing and testing hypothesis, developing research theme, conducting enquiry into the back ground of issue.
- c. Techniques and tools for collection of data: Analysis of legal materials, statues, survey of juristic writing, observation methods, questionnaire and interview, case study for data collection.
- d. Evaluation of previous research and Literature survey, addressing the issues at hand, citation and references.

**Unit IV : Documentation of Research**

- a. Research documenting and reporting, classification and tabulation of data, Bibliography, citation and references.
- b. Publication of research and copyrights in research. Research funding and rights of funding agency of research.
- c. Use of computer in research. Internet in legal research. Use of legal databases: Westlaw, LexisNexis, and SCC online, role of Internet search engines in legal research.
- d. Copyright issues in research, Plagiarism and copying: research and study exemption use of copyrighted literature.

**Course Content (Practical Part)**

**Unit I : Doctrinal Research (12½ Marks)** – Each student is assigned in advance a separate topic and asked to collect materials . The materials collected during the assignment shall be evaluated by a group of Faculty Members.

**Unit II : Non-doctrinal Research (12½ Marks)** – Students are asked to go out of the classroom and Library to make an empirical study of a problem; social, economic, moral, or political dimension. Field data can be collected through any mode of data collection. Results are to be assessed by a group of Faculty Members.

**Reading List**

1. Erwin C Surrency, A guide to legal research, 1959, Oceana Publications, USA
2. H.M. Hyman, interviewing in social research (1965).
3. High Brayal, Nigel Dunean and Richard Crimes, Clinical Legal Education Active Learning in Your Law School (1998), Blackstone Press Limited, London.
4. M.O. Price, H. Bitner and Bysiewiez, Effective Legal Research, (1978).
5. Morris I. Cohan, legal research in nutshell, (1996), West Publishing, Harvard Law Review Association, uniform system of citations. Ili Publication, Legal Research and Methodology.
6. Mr. Madhavan Menon (Ed), A Hand Book of Clinical Legal Education (1988). Eastern Book Agency, Lucknow.
7. Pauline v. Young, scientific social survey and research (1962).
8. Payne, The Art of Asking Questions (1965).
9. S.K. Agarwal (Ed), Legal Education in India (1973), Tripathy, Bombay.
10. William J. Grade and Paul K. Hatt, methods in social research, Mc Grow-Hill Book Company, London.

Paper Code – GEC (CBCS)

**Introduction to Law**  
(For 2nd Semester PG Students of other Departments)

Full marks - 50

Credit : 4

**Objectives**

- To create understanding of concepts of Law.
- To aware PG students of other Departments about the different aspects of Law.
- To provide the Knowledge and experience of the application of Law.

**Unit I : Concept of Law**

- a. Meaning of Law
- b. Classification of Legal System
- c. Personal Law (Hindu, Muslim, Christian, Parsi and Jewish Law, etc.)

**Unit II : Function and Techniques of Law**

- a. Normative Functions of Law and Social Control
- b. Principles of Natural Justice
- c. Techniques of Law and Remedies

**Unit III : Classification of Law**

- a. Territorial Law
- b. Civil Law and Criminal Law
- c. Substantive Law and Procedural or Adjective Law
- d. Public Law and Private Law

**Unit IV : Indian Court System and Methods of Resolution of Disputes**

- a. Indian Judicial System
- b. Justice Delivery System
- c. Alternative Dispute Resolution Mechanisms
- d. Legal Services and Lok Adalat

**Unit V : The Constitution of India**

- a. Constitution and Its Nature
- b. Constitutionalism and Preamble
- c. Fundamental Rights and Duties
- d. Directive Principles of State Policy

**Unit VI : State Organs in India**

- a. The Executive
- b. The Legislature
- c. The Judiciary

**Unit VII : Environmental Law and Sustainable Development**

- a. Environmental Law
- b. Sustainable Development
- c. General Principles of Environmental Law
- d. Contemporary Developments

**Unit VIII : Consumer Protection and Right to Information**

- a. Consumer Protection
- b. Unfair Trade Practices
- c. Consumer Redressal Agencies
- d. Consumer Activism

**Reading List**

1. A. T. H. Smith, Glanville Williams: Learning the Law, Sweet & Maxwell
2. Jaap Hage et al, Introduction to Law, Springer, 2017
3. Lara Bryan et al (2021), Law for Beginners, Usborne Publishing Ltd
4. NIOS Introduction to Law, Neeraj Publications
5. NIOS Introduction to Law, The Open Publication, 2020
6. Phil Harris, An Introduction to Law, Cambridge University Press, 2015
7. Prasenjit Deb, Legal Studies, DPS Publications, New Delhi, 2021.
8. Vijay Kumar Singh, Learn the Law, EBC, 2022

**Third Semester**  
**(For Corporate Law Specialization)**

**Paper Code – COR 309 : Corporate Finance**

**Full marks - 50**  
**Credit : 4**

**Course Outcomes**

- The students enrich their knowledge about the Corporate Finance and Role of SEBI in this regard
- The students understood the concept like equity finance and debt finance.
- The students will get the knowledge about the conservation of Corporate Finance and its regulation etc.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content**

**Unit I : Introduction**

- a. Meaning, importance and scope of corporation finance
- b. Capital needs-Capitalization-Working capital- securities – borrowings-deposits Debentures.
- c. Objectives of corporation finance-Profit Maximization and Wealth Maximization
- d. Constitutional Perspectives – the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85, and 86 of List one-Union list; entry 24 of List 11- state List.

**Unit II : Equity Finance**

- a. Share capital –Meaning, Nature and Types
- b. Prospectus-Information disclosure
- b. Issue and allotment, Rights of the Share Holder, Transfer and Transmission of Securities.
- a. Shares without monetary consideration, Sweet Equity Share, Non-opting equity shares.

**Unit III : Debt Finance**

- a. Debentures, Nature, Issue and class
- b. Deposits and acceptance
- c. Creation of charges, Fixed and floating charges, Mortgages, Convertible debentures.
- d. Creditors Protection- preference in payments, Right in making company decisions affecting creditor interest, Creditor's Protection.

**Unit IV : Conservation of Corporate Finance and its Regulation**

- a. Control on payment of dividends
- b. Managerial remuneration, payment of commissions and brokerage, Pay-back of shares
- c. Regulation by SEBI, Central Government, Register of companies.
- d. RBI Control 4510, 49 (11), 234 (A), 560, 234 (A)

**Reading List**

1. Austen R.P. , The Law of Public Company (1986) LBC.
2. Austen R.P. The Law of Public Company Finance (1986) LBC.
3. Ell's Ferran, Company Law and Corporate Finance (1999) Oxford
4. Ells'sFerran, Company Law and Corporate Finance (1999) Oxford
5. Gilbert Harold, Corporation Finance (1956).
6. Gilbet Harold, Corporation Finance (1956)
7. H.A.J Ford and A.P Austen, Fords principle of Corporation Law (1999) Butterworths.
8. H.A.J Ford and A.P. Austen, Fords principle of Corporations Law (1999) Butterworths.
9. R.C Osborn, Corporation Finance (1959)
10. R.C Osborn, Corporation finance (1959)
11. Ramaiya A, Guide to the Companies Act (1998), Vol, I, II and III.
12. Ramalya a, Gulde to the Companies Act (1998), vol, I, II and III.
13. S.C Kuchhal Corporation Finance, Principles and Problems (6<sup>th</sup> Ed.1966)
14. S.C. Kuchhal Corporation Finance, Principles and problems (6<sup>th</sup> Ed.1956)
15. Statutory Materials- Companies Act and laws relating SEBI, depositories, Industrial financing and Information technology
16. Statutory Materials-Companies Act and laws relating SEBI, Depositories, Industrial financing and Information technology.
17. V.G. Kulkaml, Corporate Finance (1961)



**Course Outcomes**

- The students will demonstrate a basic understanding of the Indian legal regime.
- Students will demonstrate an understanding of the core doctrines of Intellectual Property Law.
- Students will demonstrate an ability to use legal authority and perform legal analysis.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Capital Markets**

- a. Understanding capital markets (primary, secondary, foreign market)
- b. Difference between money market and capital market ( Debt Financing and Enquiry Financing)
- c. Laws relating to capital market
  - i. Securities contract ( regulation) Act 1956
  - ii. Securities contract ( regulation) Rules 1957
  - iii. The companies act 2013
  - iv. The depositaries act 1996
- d. Reforms and regulatory measures in primary and secondary market
- e. Depository system in India
- f. Instruments of capital market
  - i. Concepts (direct, Derivative, Hybrid)
  - ii. Detail : Direct Instrument → Equity shares / preference shares / debit instruments

**Unit II : Stock Exchange**

- a. Stock Exchange : Types, Definition and Explanation
- b. Denaturalization and corporatization of stock exchange
- c. Understanding functioning of Stock Exchange
- d. National Stock Exchange and Bombay Stock Exchange

**Unit III : Securities and Exchange Board of India and Reserve Bank of India**

- a. SEBI Act Read With Relevant rules
  - b. RBI Act
- Regulations
- a. SEBI (discloser and investor protection)2000
  - b. ACBI (issue of capital and discloser requirements), 2009
  - c. Role of RBI in money market

**Unit IV : Foreign Direct Investment**

- a. Understanding the nature and need of FDI in India
- b. Home country , Host country, (relevance)
- c. Ways to do FDI ( automatic and route and prior approval route)

**Unit V : Aspects of Foreign Direct Investment**

- a. Permitted sectors in India for FDI
- b. Department of Industrial Policy and Promotion (DIPP) guidelines
- c. Countries investing in India, Cities in India Receiving the bulk FDI
- d. Bilateral, Multilateral, investment agreement that India has with

**Reading List**

1. A. K. Sharma and G. S. Batra, Indian Stock Market, Deep and Deep Publications, 2008.
2. Andrew M. Chisholm, An Introduction to International Capital Markets: Products, Strategies, Participants, Wiley, 2009.
3. B. Mark Smith, A History of the Global Stock Market - From Ancient Rome to Silicon Valley, University of Chicago Press, 2004.
4. Bishnupriya Mishra and Sathya Swaroop Debasish, Indian Stock Market, Excel Books, 2008.
5. Capital Markets and Securities Laws, [icsi.edu/media/webmodules/publications/CapitalMarketandSecuritiesLaw.pdf](https://www.icsi.edu/media/webmodules/publications/CapitalMarketandSecuritiesLaw.pdf)
6. Frank J. Fabozzi and Franco Modigliani, Capital Markets: Institutions and Instruments, Prentice Hall, 2003.
7. Frank J. Fabozzi, Capital Markets, Fifth Edition: Institutions, Instruments, and Risk Management, MIT Press, 2015.
8. Kulwant Singh Phull, Foreign Institutional Investors (FIIs) and Capital Market in India, New Century Publications, 2014.
9. Ladis Konecny, Stock and Exchange, Norderstedt, 2021.
10. Lodewijk Petram, The World's First Stock Exchange, Columbia Business School, 2014.
11. Niti Bhasin, Foreign Direct Investment in India: Policies, Conditions and Procedures, New Century Publications, 2012.
12. Raghuram Rajan, Fault Lines, Princeton University Press, 2011.
13. Ross K. McGill, Cross-Border Investment Withholding Tax, Palgrave Macmillan, 2023
14. Siddhartha G. Dastidar, Capital Markets and Investments: Essential Insights and Concepts for Professionals, Reading Light Publication, 2017.

**Course Outcomes**

- The students become aware to understand various provisions of law related to banking.
- The students will get command over the role and function of RBI.
- In this subject the students will study the deposit insurance, landing by Bank's, SRFAESIA and negotiable instruments.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Law Relating Banking Companies in India**

- a. History of Banking in India and elsewhere evolution.
- b. Multi – functional banks- growth and legal issues.
- c. Controls by government and its agencies a) On management b) On accounts and audit c) Lending d) credit policy e) Reconstruction and reorganization f) Suspension and winding up.
- d. Banker and CUSTOMER Relationship- contract between banker and customer, their rights and duties; banker's lien; Special classes of Customers- Lunatic, minor, Partnership, Corporation, Local authorities; Consumer Protection ; Banking ns service.

**Unit II : Social Control/RBI/Recent Trends in Banking System in India**

- a. Social control over banks in India.
- b. RBI as Central Bank ; Organizational structure, functions of the RBI, Credit control, Exchange control, monopoly of currency issue, Bank rate policy formulation, control of RBI over non-banking companies, financial companies, Non – financial companies.
- c. Recent Trends of banking System in India; New technology, Information Technology, Automation and legal aspects of Automatic Teller Machine and use of internet, Smart card, use of expert system, Credit cards.
- d. Recommendations of committees for Reforms in India Banking Law- A Review.

**Unit III : Deposit Insurance, Landing by Bank's and SRFAESIA**

- a. The Deposit Insurance Corporation Act. 1961- Objects and reasons, establishment of capital of DIC.
- b. Liability of DIC to depositor, Relation between insured Banks, DIC and Reserved Bank of India.
- c. Lending by banks- default and Recovery, Debt Recovery Tribunal- constitution, powers and function.
- d. The securitization and Reconstruction of Financial Assets and Enforcement of security Interest Act. 2022- regulation of securitization and reconstructions of financial assets of banks and financial institution. Enforcement of security interest; Offences and penalties.

**Unit IV : Negotiable Instruments**

- a. Introduction. Meaning of negotiable instruments. Characteristics of a negotiable instruments. Types of negotiable instruments Holder and holder in due course, parties to negotiable instruments.
- b. Liability of drawer and drawee, liability of endorser, presumptions as to Negotiable instruments Transfer and negotiation, instrument without consideration.
- c. Presentment. Liability of parties, Dishonor of negotiable instruments. Notice of dishonor, Discharge from Liability.
- d. Noting and Protest. Rule of evidence, Estoppels, crossed cheque, Ingredients of offence under section – 138 of the Act. Defense which may not be allowed in any prosecution under section -133 offences by Companies, Cognizance of offences.

**Reading List**

1. A.C. Shekhar, Banking Theory and Practice (1998), UBS Publisher Distributors Ltd, New Delhi.
2. Basu, A review of Current Banking Theory and Practice.
3. Janakiraman Committee Report on Securities Operation Banks and Financial Institution (1993).
4. M. Hapgood, Paget's Law of Banking (1989) Butterworths, London.
5. M.L. Tannan, Tannan's Banking Law and Practice in India (1997), India Law House, New Delhi, 02 volumes.
6. Narasimham Committee report on the Financial System (1991)- Second Report (1999).
7. R. Goode, Commercial Law, (1995) Penguin, London.
8. R.K. Talwar, Report of Working Group on Customer Service in Banks.
9. R.S. Narayana, The Recovery of Debts due to Banks and Financial Institutions Act. (1993)

**Paper Code – COR 312 : Law of Intellectual Property-1****Full marks - 50  
Credit : 4****Course Outcomes**

- The students will demonstrate a basic understanding of the Indian legal regime.
- Students will demonstrate an understanding of the core doctrines of Intellectual Property Law.
- Students will demonstrate an ability to use legal authority and perform legal analysis.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Fundamentals of Intellectual Property**

- a. Historical development of Intellectual property Right.
- b. Legal Rationality behind Include property Right.
- c. Nature, Legal Characteristic sand Classification of Intellectual property Right.
- d. Major multi- Lateral Intellectual property Treaties.

**Unit II : Law of Copyright**

- a. Theories, General Principles, Meaning, and Nature
- b. Works in which Copyright subsists
- c. Reorganized Rights Terms
- d. Enforcement

**Unit III : Protection of Intellectual property Rights; Legal Regime in India**

- a. Copy Right; Classification, Essential elements, Limitation, Registration, Infringement and Legal Remedy Literary, Artistic, Dramatic, Musical.
- b. Patent; Classification, Essential elements, Patent Search, Examination, Infringement, and Legal Remedy.
- c. Trademark; Classification, Essential Elements, Limitation, Registration, Infringement, and Legal Remedy service mark and Trade mark.
- d. Latest selective Case analysis.

**Unit IV : Special Problems of the status of Computer software in Copyright and Patent Law.**

- a. Protection of computer Software under International Regime-WCT, WPPT
- b. Software Patents under TRIPS Agreement
- c. Patenting Software –Trade secret Protection, Copyright Protection, Patent Protection, Trademark Protection under National Law.
- d. Proposed directives on the Patentability of computer-Implemented Inventions

**Reading List**

1. Carlos M. Correa, Intellectual Property and International Trade.
2. Carlos M. Correa, Intellectual Property and International Trade.
3. Christopher Wadlow, The Law of Passing off.
4. Christopher Wadlow, The Law of Passing off.
5. David Bainbridge, Software Copyright Law.
6. David Bainbridge, Software Copyright Law.
7. Iver P. Cooper, Biotechnology and Law
8. Jatindra Kumar Das, Intellectual Property Rights, Kamal Law House, Kolkata, 2008
9. Jatindra Kumar Das, Law of Copyright, PHI Learning; 2nd edition, 2021
10. Patent Co-operation Treaty Hand Book.
11. Sookman, Computer law.
12. Sookman, Computer Law.
13. W.R. Cornish, Intellectual Property and International Trade.
14. W.R. Cornish, Intellectual Property Law.

**Course Description :** The practical course requires the students to take up teaching assignments in their chosen area of specialization. The students will be allotted to teachers in the respective subject areas under whose supervision the student will have to prepare the lesson plan and conduct classes. The students will be evaluated on the basis of their preparation and performance in the respective classes.

**Course Objectives :** To equip the students to teach UG law students and make them understand art of preparing for the classes.

#### Course Outcome

On completion of the course students will be able to:

- i. Develop and apply better skills in presentation and teaching
- i. Improve their preparation skills
- ii. Learn to collect data to keep up with the latest developments in the area of the topic chosen by them
- iii. The student will be able to prepare a report and comment on the areas of the subject taught by them during teaching. It develops their critical approach to the subject and enhances their capabilities while teaching and in research.

#### Unit - I

##### Law Teaching

25 Marks

Students will be assigned a topic from UG courses of this university and they have to prepare and teach the UG students in the classroom either in the Department or in the nearby UG law colleges. Students are required to research on a single area of interest and prepare teaching report to teach UG students and notes for the class. Students have to make their presentations before the panel constituted for the purpose before engaging a UG class. Students are required to prepare for the UG class under the guidance of a Teacher. Students have to engage 10 sessions to satisfy the requirement of this course.

##### Text Books and Reference Books :

Reading will be according to the topics assigned for teaching.

##### Essential Reading / Recommended Reading

Reading will be according to the topics assigned for teaching.

##### Evaluation Pattern

**ASSESSMENT:** Fifty percent of the evaluation will be done on the basis of student ability in preparing the teaching notes and preparing a report. The remaining fifty percent is allotted to his performance in the classroom as a teacher.

#### Unit - II

##### Clinical Work

25 Marks

The Modalities can be evolved by the Law Centre. The Legal Aid Clinic of the Law Centre can involve itself with other Legal Aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with the Court Proceedings, working of a business organization, teaching of labour disputes, drafting of business or other deeds and with Public Interest Litigation. The initiative and potential of the student and actual work turned out by him/her shall be assessed by the Faculty.

**Paper Code – SEC : Skill Enhancement Programme**

**Full marks - 25  
Credit: 2**

**Course Outcomes**

- The skills of students in Constitutional Law will enhance through practical work.
- The students will get a clear picture about the practical application of Constitutional Law by different techniques.
- The Paper will give the students a brief idea about the interface between classroom teaching and application of law in reality.

**Course Content**

**Unit I :** Case Studies

**Unit II :** Field Work in different bodies like:

- a. University
- b. Municipal Bodies
- c. Law Firm, etc.

**Unit III :** Research Proposal based on Constitutional Law

**Unit IV :** Court Visit (those Courts have jurisdiction in constitutional matters and Writ)

**N.B. The Project Supervisor may change/alter the topic.**

**Reading List**

1. P. Ishwar Bhat: Idea and Methods of Legal Research
2. C. R. Kothari: Research Methodology
3. Tushar Kanti Saha: Text Book on Legal Methods, Legal Systems & Research
4. H.M. Seervai, Constitutional Law of India (3 Vol), Universal Law Publishing, 4<sup>th</sup> Ed.
5. T. K. Tope: Constitution of India
6. D. D. Basu: Constitution of India

**Third Semester**  
**(For Criminal Law Specialization)**

**Paper Code – COR 309 : Fundamental Principles of Criminal Law**

**Full Marks - 50**  
**Credit : 4**

**Course Outcomes**

- The students will get knowledge about various legal systems to deal with crimes in India.
- The students will also be able to analyze and interpret about the basic procedure of trial and appreciation of evidence in India.
- The students will know the different preventive measures under the constitution of India.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content**

**Unit I : Origin and Development of Criminal Law**

- a) History of Indian Penal Code, b) Nature and Scope of Criminal Law, c) Definitions (From Penal Code) – Difference between Crime and Other Wrongs, d) Extent and Operation of the Code, e) Definition of Crime, f) Essentials and Stages of crime, g) Distinction between Crime and Tort, and h) Criminal Law & Morality.

**Unit II : Fundamental Elements of Crime**

- a) Human Being, b) Mensrea, c) Mensrea and statutory crimes, d) Mensrea and Indian Law, e) Words denoting Mens Rea in IPC, f) Fraudulently, g) Dishonestly, h) Difference between Fraudulently, i) Dishonestly, j) Voluntarily, k) Actusreus (Act or Omission), l) Injury, and m) Good faith.

**Unit III : Stages in Commission of a Crime**

- a) Intention or Contemplation, b) Preparation, c) Attempt, d) Essentials of the Attempt, e) Impossible Attempt, f) Illustrative cases, g) Attempt and preparation distinguished, h) Sections 511 and 307, IPC, and i) Accomplishment.

**Unit IV : Constructive Joint Criminality**

- a) Common Intention, b) Common Object, c) Conviction of less than five persons, d) Charge under Section 149 and conviction under Section 34, and e) Distinction between Sections 34 and 149.

**Unit V : Abetment and Criminal Conspiracy**

- a. English Law  
i. A principle in the first degree  
ii. A principle in the second degree  
iii. Accessory before the fact  
iv. Accessory after the fact Indian Law  
b. Indian Law  
i. Abetment by instigation  
ii. Abetment by conspiracy  
iii. Abetment by intentional aiding  
a) Abetment in General  
b) Punishment for Abetment  
c) Sections 34 and 114  
c. Criminal Conspiracy Ingredients of criminal conspiracy  
i. Two or more persons  
ii. Agreement  
iii. Illegal act or legal act by illegal means  
a) Single general conspiracy and separate conspiracies Punishment  
b) Sections 34, 109 and 120-A  
c) Proof of Conspiracy  
d) Abetment and Conspiracy

**Unit VI : General Exemptions from Criminal Liability**

- a) Mistake-Accident-Necessity-Infancy-Unsoundness of Mind, b) Intoxication as Defence, c) Right of Private Defence- of Body –Self Defence, d) Of Property- Extent of Such Right under different Circumstances, and e) Commencement and Continuance of Such Right.

**Unit VIII : Punishment in Indian Penal Code and its application by the Supreme Court of India**

**Unit VIII : Offences against the State; Offences against Decency, Morals and Religion,**

- a. Offences against state (s. 121-130)  
i. War and Sedition  
ii. Public Mischief (s. 505)  
b. Offences affecting decency, Morals and Religion  
i. Obscene (s. 292 – 294A)  
ii. Offences relating to religion (s. 295-298)

**Unit IX : Constructive Liability and criminal Conspiracy**

**Unit X : Administration of Criminal Justice – Principles behind Penal Reform**

**Unit XI : Offences against the Property and Human Body**

**Unit XII : Offences against Women**

**Reading List**

1. G. Williams, Criminal Law
2. H. S. Gour, Penal law in India
3. Harris, Principles and Practice of Criminal Law
4. Indian Law Institute Publication, Essays on Indian Penal Code
5. K. D. Gour, Criminal Law : Cases and Materials
6. New Criminal Laws, 2023. Available at : <https://www.mha.gov.in/en/commoncontent/new-criminal-laws>
7. R. Pillai, Indian Penal Code
8. Ratanlal and Dhirajlal, Law of Crimes
9. Rattan Lal, The Code of Criminal Procedure
10. Rohinton Mehta, Crime and Criminology
11. Sandars and Young, Criminal Justice (1994)
12. Sohony, Criminal Procedure in 4 Vols. AIR Publication
13. Stephen, History of Criminal Law
14. The French Code of Criminal Procedure,
15. Thomas and Hepburn, Crime, Criminal Law and Criminology

**Paper Code – COR 310 : Criminal Justice System****Full marks - 50****Credit : 4****Course Outcomes**

The objective of the present course is to enable and equip the students not only to effectively evaluate the contemporary criminal justice system-their policies and practices but also research and critically analyze the lacunae in criminal justice services.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. Crime : Concepts, principles-actus reus, mens rea, strict liability, absolute liability, exclusion of mens rea classification, trends and prevention
- b. Relationship between Crime and society
- c. Schools of Criminology-Neo classical, Biological, Sociological, Psychological theories and concepts related to crime and criminals, Contemporary thoughts of criminology.

**Unit II : Criminal Proceedings in India**

- a. Police Investigation: FIR, arrest, bail, confessions of the accused and statements of the witnesses, witness protection, search, seizures.
- b. Prosecutors –role in the criminal proceedings, meaning purpose and need of independent prosecution system.
- c. Attitude of the law towards the police : police dilemma
- d. Criminal justice reform- Malimath Committee Recommendations

**Unit III : Introduction to Criminal Justice Administration**

- a. Constitutional Foundations of Criminal Justice System
- b. Functionaries of Criminal Justice Administration including hierarchy of courts.
- c. Decoding the 'Justice' in Criminal Justice Administration.
- d. Comparative analysis of two models of criminal process- Adversarial and Inquisitorial systems.

**Unit IV : Criminal Judicial System and Social Defence**

- a. Public Interest Litigation
- b. Bail Justice System
- c. Prison Justice
- d. Compensation to victims of crime
- e. Legal aid and legal services.

**Unit V : Human rights under Criminal Justice System**

- a. Communal and caste violence
- b. Rule of law and due process of law in criminal jurisprudence
- c. Punitive and preventive detention –procedure and safeguards
- d. UDHR, ICCPR, ICESCR –legal significance in Indian context

**Unit VI : Procedural Mechanism in the Criminal Justice System (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

**Reading List**

1. Agarwal, H.O. Implementation of Human Rights Covenants with Special Reference to India(New Delhi: D.K. Publishers, 1993)
2. Aroras, Nirman, "Custodial torture in Police Stations in India: A Radical Assessment", Journal of Indian Law Institute, vol.41, nos.3, and 4, 1999, pp. 513-29
3. Bharat B Das, Victims in the Criminal Justice System, 1st Edition 1997, APH Publication Corporation, New Delhi 2
- ?? Jatinra Kumar Das, Code of Civil Procedure, PHI Learning, 2013
5. K N Chandrasekharan Pillai [Ed.] R V Kelkar's Outline of Criminal Procedure [2000] Eastern Book House
6. Law of Commission of India, forty-second Report Ch. 3 [1971]
7. Malimath Committee Report 2004
8. Manjula Batra, Protection of Human Rights in Criminal Justice Administration, Deep and Deep Publication, New Delhi.
9. Mrinmaya Chaudhari, Languishing for Justice, A Critical Survey of the Criminal Justice System, DATTSONS, J. Nehru Marg, Sadar, Nagpur.
10. New Criminal Laws, 2023. Available at : <https://www.mha.gov.in/en/commoncontent/new-criminal-laws>
11. P D Sharam Police and Criminal Justice System in India
12. Patric Devlin The Criminal Prosecution in England
13. Ratan Lal Law of Criminal Procedure
14. Sanders and Young Criminal Justice [1994]
15. Sarkar, Law of Evidence
16. Tapas Kumar Banerjee Background to Indian Criminal Law [1990]

**Paper Code – COR 311 : Cyber Law****Full marks - 50****Credit : 4****Course Outcomes**

- The students enrich their knowledge about the Cyber Crimes, its evolution and nature.
- The students will have conceptual understanding about Cyberspace and Virtual world; Civil liberties and Crimes; Contractual and Consumer Protection Issues; Intellectual Property Rights and related issues; etc.
- Further, the students will be able to compare the Cyber Crimes Laws of USA, U.K. and Canada.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Cyber Crimes**

- a. Meaning, Definition, Nature of Cyber crimes
- b. Historical Genesis and Evolution of Cyber Crimes
- c. Specific Cyber crimes
  - i. Cyber Stalking
  - ii. Cyber Terrorism
  - iii. Child Pornography
  - iv. Computer viruses

**Unit II : Cyberspace and Virtual world**

- a. Introduction
- b. Evolution of Internet
- c. Features of internet and WWW
- d. Cyberspace and Law

**Unit III : Civil liberties and Crimes**

- a. Free speech issues
- b. Defamation
- c. Privacy
- d. Social networking

**Unit IV : Contractual and Consumer Protection Issues**

- a. Contractual Issues
  - i. E-contracts – concept :
  - ii. offer and acceptance
  - iii. Acceptance of contract: applicability of postal rule
  - iv. E-commerce directives and Regulations
  - v. Incorporation of terms
  - vi. Identity of contracting parties
  - vii. E-contracts : extent of details : Overview of UNCITRAL Model Law on e-commerce : Information Technology Act,2000
- b. Consumer Protection Issues
  - i. Consumer Protection Act
  - ii. EC Directive on distance selling
  - iii. E-commerce Directive
  - iv. Payment Issues
  - v. Fraud Risk and Protection
  - vi. Breach of contract
  - vii. Credit cards, debit cards and Digital Cash
  - viii. Charge back agreements

**Unit V : Electronic signatures**

- a. Provisions under IT Act
- b. Certifying authorities
- c. Issuing authorities
- d. PKI
- e. Electronic Signature Certificate
- f. EDI and Electronic fund transfer
- g. Grant, Revocation and withdrawal of ESC

**Unit VI : Intellectual Property Rights and related issues**

- a. Digital copyright, linking, caching,
- b. Digital rights management, DMCA
- c. Patents
- d. Trademarks and domain names
- e. Brand identities , search engines and secondary market
- f. ICANN
- g. Database Right
- h. Jurisdiction
- i. Addressing multiple jurisdiction
- j. Application of International law
- k. Zippo Test
- l. Current trends

**Unit VII : Cyber Crimes Laws of USA, U.K. and Canada : A Comparative Study****Reading List**

1. Kamika Seth, Cyber Laws in the information technology age. New Delhi : LexisNexis Butterworths , 2009.
2. M.H.M. Schellekens, Electronic signatures: Authentication technology from a legal perspective, T.M.C. Asser Press, 2004.
3. New Criminal Laws, 2023. Available at : <https://www.mha.gov.in/en/commoncontent/new-criminal-laws>
4. Phillips Jeremy, Butterworths E-commerce and IT law handbook. 4th Ed. London: LexisNexis Butterworths, 2007.
5. Rodney Ryder, Guide to cyber laws. 3<sup>rd</sup> Ed. Wadhwaand Co., 2007.
6. T. Ramappa, Legal issues in Electronic commerce, Macmillan, 2003.
7. Tabrez Ahmad, Cyberlaw, e-commerce and m-commerce, APH Publishing Corporation, 2009.
8. Todd Paul, Law of E-commerce, Cavendish, 2005
9. Vakul Sharma, Information technology: Law and Practice. 2nd Ed., Universal Law Publishing Co.; 2007.



**Course Outcomes**

- The students will get knowledge about various Theories of Punishment.
- The students will also be able to analyze and interpret about the basic procedure of Sentencing and Capital Punishment.
- The students will know the different sentencing approaches.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. Definition, Nature and Scope of Penology
- b. Historical and Contemporary Approach to Penology
- c. Theories of Punishment – Retributive, Reformatory, Preventive & Deterrent
- d. Forms of Punishment
- e. Constitutionality of Capital Punishment

**Unit II : Prison System & Correction Devices**

- a. Prison Administration – The Prison system, Prison Reforms, Judicial Trend towards Prison Reforms in India
- b. Open Prisons – Origin, Development and Advantages of Open Prisons
- c. Executive Clemency, Good Time Laws and Indeterminate Sentence
- d. Probation – Meaning, Scope & Salient features of Probation of Offenders Act, 1958
- e. Parole – Concept and Structural Set of Parole Boards and their Functions

**Unit III : Victimology**

- a. Historical Development, Meaning, Nature and Scope;
- b. Victims of Crime – Victims and Abuse of Power, Victim Offender relationship;
- c. Theories of Victimology – Victim Precipitation Theory, Lifestyle Theory, Deviant Place Theory, Routine Activity Theory
- d. Victimization Process – Primary, Secondary, and Tertiary Victimization
- e. Impact of Victimization – Physical Impact, Financial Impact, Psychological Impact in particular reference to Vulnerable Groups, Women, Children

**Unit IV Restorative Justice & Compensatory Reliefs to Victims**

- a. Restorative Justice for Victims
- b. Victim Assistance Program
- c. Compensatory Provision in Cr.P.C., Compensation under Probation of Offender Act, 1958, Motor Vehicle Act 1988
- d. Compensatory Relief to Victims – Judicial Trend
- e. De-Victimization & Victim Welfare Fund

**Reading List**

1. E. Leah. Daigle, Victimology, Sage Publication, 1stEd. 2013.
2. Gurpreet Singh Randhawa, Victimology & Compensatory Jurisprudence, 1<sup>st</sup> Edition, 2019
3. K. K. Dutta, Some Aspects of Criminal Law, Law Research Institute, 1997.
4. K.D. Gaur, Criminal Law and Criminology, Deep & Deep Publications, India,2003.
5. K.N. Pillai, Chandrasekharan, General Principles of Criminal Law, Eastern Book Co., 2005.
6. N.V. Paranjape, Criminology and Penology, Central Law Publications, 2005.
7. New Criminal Laws, 2023. Available at : <https://www.mha.gov.in/en/commoncontent/new-criminal-laws>
8. Paranjape, Criminology, Penology with Victimology, Central Law Publication,16th Ed. 2014.
9. S Williams Katherine, Textbook of Criminology, Universal Publication, (2001-Indian reprint)
10. S.M.A. Qadri, and Ahmed Siddique, Criminology - Problems and Perspectives, Eastern Book Co., 6th Ed.,2009, Reprinted 2014.
11. Souvik Chatterji, Law of Crimes with an Introduction to Criminology, Penology and Victimology, 1<sup>st</sup> Edition, 2016

**Course Description :** The practical course requires the students to take up teaching assignments in their chosen area of specialization. The students will be allotted to teachers in the respective subject areas under whose supervision the student will have to prepare the lesson plan and conduct classes. The students will be evaluated on the basis of their preparation and performance in the respective classes.

**Course Objectives :** To equip the students to teach UG law students and make them understand art of preparing for the classes.

#### Course Outcome

On completion of the course students will be able to:

- ii. Develop and apply better skills in presentation and teaching
- iv. Improve their preparation skills
- v. Learn to collect data to keep up with the latest developments in the area of the topic chosen by them
- vi. The student will be able to prepare a report and comment on the areas of the subject taught by them during teaching. It develops their critical approach to the subject and enhances their capabilities while teaching and in research.

#### Unit - I

##### Law Teaching

25 Marks

Students will be assigned a topic from UG courses of this university and they have to prepare and teach the UG students in the classroom either in the Department or in the nearby UG law colleges. Students are required to research on a single area of interest and prepare teaching report to teach UG students and notes for the class. Students have to make their presentations before the panel constituted for the purpose before engaging a UG class. Students are required to prepare for the UG class under the guidance of a Teacher. Students have to engage 10 sessions to satisfy the requirement of this course.

##### Text Books and Reference Books :

Reading will be according to the topics assigned for teaching.

##### Essential Reading / Recommended Reading

Reading will be according to the topics assigned for teaching.

##### Evaluation Pattern

**ASSESSMENT:** Fifty percent of the evaluation will be done on the basis of student ability in preparing the teaching notes and preparing a report. The remaining fifty percent is allotted to his performance in the classroom as a teacher.

#### Unit - II

##### Clinical Work

25 Marks

The Modalities can be evolved by the Law Centre. The Legal Aid Clinic of the Law Centre can involve itself with other Legal Aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with the Court Proceedings, working of a business organization, teaching of labour disputes, drafting of business or other deeds and with Public Interest Litigation. The initiative and potential of the student and actual work turned out by him/her shall be assessed by the Faculty.

**Course Outcomes**

- The skills of students in Constitutional Law will enhance through practical work.
- The students will get a clear picture about the practical application of Constitutional Law by different techniques.
- The Paper will give the students a brief idea about the interface between classroom teaching and application of law in reality.

**Course Content**

**Unit I :** Case Studies

**Unit II :** Field Work in different bodies like:

- a. University
- b. Municipal Bodies
- c. Law Firm, etc.

**Unit III :** Research Proposal based on Constitutional Law

**Unit IV :** Court Visit (those Courts have jurisdiction in constitutional matters and Writ)

**N.B. The Project Supervisor may change/alter the topic.**

**Reading List**

1. P. Ishwar Bhat: Idea and Methods of Legal Research
2. C. R. Kothari: Research Methodology
3. Tushar Kanti Saha: Text Book on Legal Methods, Legal Systems & Research
4. H.M. Seervai, Constitutional Law of India (3 Vol), Universal Law Publishing, 4<sup>th</sup> Ed.
5. T. K. Tope: Constitution of India
6. D. D. Basu: Constitution of India

## Third Semester (For Constitutional Law Specialization)

**Paper Code – COR 309 : Comparative Constitution : India, U.K., and U.S.A.**

**Full marks-50  
Credit : 4**

### Course Outcomes

- The students will be able to understand the constitution of India, U.K., and U.S.A..
- The students can get an idea of how the rule of law be exercised in India, U.K., and U.S.A..
- The students will study the sovereignty of British Parliament, power and function of the King, and the judicial system of England as well as U.S.A.

### Note for Examiner/Paper Setter

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

### Note for Students

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

### Course Content

- Unit I : Need and Scope for Study of Comparative Constitutional Law (United Kingdom, United States of America, and India)**
- a. Meaning and Definition of Comparative Constitutional Law
  - b. Origin and Development of Comparative Constitutional Law
  - c. Nature of Comparative Constitutional Law
  - d. Importance of Comparative Constitutional Law
  - e. Types of Comparison
  - f. Problems of Comparative Constitutional Law
  - g. Various Constitutions
- Unit II : Comparative Study of the Concepts (United Kingdom, United States of America, and India)**
- a. Rule of Law
  - b. Independence of Judiciary
  - c. Separation of Powers
  - d. Judicial Review
- Unit III : Fundamental Rights and Writs (United Kingdom, United States of America, and India)**
- a. Civil Liberties: Meaning and Concept
  - b. Fundamental Rights
  - c. Origin of the Write System
  - d. Scope and Write Jurisdiction Under Articles 32 and 226 of Indian Constitution
  - e. Types of Writs
- Unit IV : Federalism (United Kingdom, United States of America, and India)**
- a. Concept and Origin of Federalism
  - b. Importance and Essential Characteristics of a Federal Constitution
  - c. Types of federalism
  - d. Central Control Vs. State Autonomy
  - e. Federalism
  - f. New Trends in federalism: Patterns of federalism
- Unit V : Amending and Emergency Powers and Procedures (United Kingdom, United States of America, and India)**
- a. Amending Powers and Procedures
    - i. Amendment Functions
    - ii. Amending Powers
  - b. Emergency Powers and Procedures
    - i. Situation in the Present-day world
    - ii. Emergency Powers
- Unit VI : Governance Structure in Comparative Perspective**
- a. Separation of powers in UK, India and USA.
  - b. Parliamentary democracy in UK and Britain, Parliamentary privileges in UK and India, parliamentary supremacy in UK, Role of Queen and Indian President in comparative perspective.
  - c. Powers of the two houses in comparative perspective in India, UK and USA;
  - d. Role of Judiciary and Judicial review in USA and India.

### Reading List

1. Alexander M. Bickel: *The Least Dangerous Branch: The SC at the Bar of Politics*, Yale University Press, New Haven.
2. Anata Kumar Giri: 'The Rule of Law and Indian Society: From Colonialism to Post Colonialism', in P. Costa and D. Zolo (Ed.), *The Rule of Law: History, Theory and Criticism*, Springer, The Netherlands.
3. Archibald Cox: *Court and the Constitution*, Houghton Mifflin, Boston.
4. B. Z. Tamanaha: 'Rule of Law in United States', in Randall Peerenboom (Ed.), *Asian Discourses of Rule of Law*, Routledge, London.
5. Barendt. E.M. *An introduction to Constitutional Law*; Oxford University Press
6. Cane, Peter; *Administrative Law*; Oxford University Press
7. Charles Fried: *Saying What the Law Is: The Constitution in the Supreme Court*, Universal Publishing Co. Pvt. Ltd., New Delhi.
8. Charles L. Black: *The People and the Court: Judicial Review in a Democracy*, The Macmillan Company, New York.
9. D. D. Basu: *Comparative Constitution Law*, LexisNexis India, Gurgaon.
10. Donald Kommers: 'The Value of Comparative Constitutional Law', 9 J. Marshall J. Prac. & Pro. 685 (1976).
11. Ernest A. Young: 'Foreign Law and the Denominator Problem', 119 Harv. L. Rev. 148 (2005).
12. Finer, S.E. *Comparative Government*; Penguin Books.
13. Granville Austin: *The Indian Constitution: Cornerstone of a Nation*, OUP, Oxford.
14. Jan M. Smits (Ed.): *Elgar Encyclopedia of Comparative Law*, Edward Elgar, Cheltenham, UK.
15. Jeffrey Jowell: *The Rule of Law Today*, in Jeffrey Jowell and Dawn Oliver (Ed.), *The Changing Constitution*, OUP, Oxford.
16. K.C. Wheare – *Federal Government*; Oxford University Press II<sup>nd</sup> Edition (1966)
17. Loughlin, Martin; *The Idea of Public Law*; Oxford University Press
18. M. P. Jain: *Indian Constitutional Law*, LexisNexis India, Gurgaon.
19. M.V. Pylee – *Constitutions of the world I,II*. Universal law Publication Co.
20. Mark Tushnet, *The Possibilities of Comparative Constitutional Law* (1999) 108 Yale.L.J. 1225.
21. Mark Tushnet: *The Constitution of the United States of America: A Contextual Analysis*, Hart Publishing Ltd, UK.
22. Mathuas Reimann and Reinard Zimmermann: *The Oxford Handbook of Comparative Law*, OUP, Oxford.
23. Michael Burgess, *Comparative Federalism, Theory and Practice*, Routledge, NewYork, 2006.
24. Nuzhat Parveen Khan: *Comparative Constitutional Law*, Satyam Law International, New Delhi.
25. Reimann, Mathuas and Zimmermann, Reinard, *The Oxford Handbook of comparative Law*, OUP, Oxford, 2006
26. Roger P. Alford: 'In Search of a Theory for Constitutional Comparativism,' 52 UCLA L. Rev. 639 (2005).
27. S. P. Sathe: *Judicial Activism in India: Transgressing Borders and Enforcing Limits*, OUP, Oxford.
28. Sujit Choudhry: 'Globalisation in Search of Justification: Toward a Theory of Comparative Constitutional Interpretation,' 74 Ind. L. J. 819 (1999).
29. Tom Ginsburg: *Judicial Review in New Democracies: Constitutional Courts in Asian Cases*, Cambridge University Press, Cambridge.
30. U. Baxi: 'Rule of Law in India: Theory and Practice', in Randall Peerenboom (Ed.), *Asian Discourses of Rule of Law*, Routledge, London.
31. V.N Shukla's *Constitutional Law*, (11th Ed.) Eastern Book Company.
32. Vicki C. Jackson and Mark V. Tushnet: *Comparative Constitutional Law*, Foundation Press, New York
33. Vishanu Bhagwan Vidiya Bhushan Worlds Constitutions a comparative study IX edition Sterling Publisher PVT. Ltd.

**Paper Code – COR 310 : Human Rights and Constitution****Full marks-50  
Credit : 4****Course Outcomes**

- The students will be able to understand the meaning and concept of individual rights and liberties, right to equality, and freedom of speech and expression in India and United States of America.
- The students can get an idea of Right to life and Personal Liberty and Freedom of Religion applicable in two countries.
- The students will study the Amendment of rights and elections and the franchise exercised by India and United States of America.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Concept and Development of Human Rights and the Constitution of India****Unit II : Theories of Human Rights****Unit III : Civil and Political Rights under the Indian Constitution****Unit IV : Realisation of Human Rights under the Constitution of India****Unit V : Human Right to Development****Unit VI : Implementation of Human Rights in India and Role of Judiciary****Unit VII : National and State Human Rights Commissions in India****Reading List**

1. A.B. Roberston, (Ed.) Human Rights in National and International Law (1970)
2. F. Kazmi, Human Rights (1987)
3. H. Beddard, Human Rights and Europe (1980)
4. I. Menon, (Ed.) Human Rights in International Law (1985)
5. J.A. Andrews, Human Rights in International Law (1986)
- ?? Jatindra Kumar Das, Human Rights Law and Practice, PHI Learning, 2022
7. Journal International Law 279 (1978)
8. L.Levin, Human Rights (1982)
9. M.J. Akbar, Riots After Riots (1988)
10. Madhavtirtha, Human Rights (1953)
11. Moskowitz, Human Rights and World Order (1958)
12. Nagendra Singh, Human Rights and International Co-operation (1969)
13. S.C. Kashyap, Human Rights and Parliament (1978)
14. S.C. Khare, Human Rights and United Nations (1977).
15. U. Baxi, (Ed.) : The Right to be Human (1986)
16. U. Baxi, “ Human Rights, Accountability and Development” Indian
17. U. Baxi, The Crisis of the Indian Legal System(1982) Vikas Publishing House, New Delhi
18. W.P. Gromley, Human Rights and Environment (1976)

**Paper Code – COR 311 : Modern Trends of Administrative Law****Full marks-50  
Credit : 4****Course Outcomes**

- As quint the students about control of government for ensuring the exercise of public power according to the constitution and rule of law.
- To understand the various remedies under Administrative Law.
- The students will demonstrate understanding and relevancy of Administrative Law in present time as administrative law deals with important organs of the government of the Remedies available to the common man.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. Growth and Development of Administrative law,
- b. Concept, Scope and Definitions of Administrative law,
- c. Sources of Administrative Law
- d. Rule of Law-Development in UK, USA, Frances and India, Meaning and present position of Rule of Law.
- e. Separation of Powers – Development, Meaning and present Position of Separation of Powers in UK, USA, France and India Droit Administration.

**Unit II : Classification of Function**

- a. Tripartite Functions of Administration
- b. Delegated Legislation-Meaning. Nature and purpose of Delegated Legislation,
- c. Forms and Type of Delegated legislation,
- d. Factors leading to the growth of Delegated legislation,
- e. Constitutionality of Delegated Legislation in UK, USA, France and India, Limits of Delegated Legislation, Control over Delegated Legislation in UK, USA, France and India, Sub-delegation and Administrative Directions.

**Unit III : Administrative Adjudication and Administrative Tribunals**

- a. Growth of Administrative Tribunals in UK, USA, France and India,
- b. Working of Administrative Tribunals,
- c. Administrative Tribunals and Judicial process in India Natural Justice –Concept and Definition, Principles of Natural Justice,
- d. Application of Natural Justice in UK,USA, France and India, Exceptions of the Principles of Natural Justice, Effect of Failure of Natural Justice.

**Unit IV : Judicial Control of Administrative Actions through Writs**

- a. Need for Judicial Control, Position of Judicial Control of Administrative Action in UK,USA, France and India,
- b. Grounds of Judicial Reviews, Limits of Judicial Reviews, Exclusion of Judicial Reviews,
- c. Public Interest Litigation
- d. Judicial Control of Administrative Actions (Remedies through ordinary Law) in UK, USA, France and India,
- e. Declaratory Action, Injunction and Action for Damages Judicial Revision, Administrative Discretion.

**Unit V : Public Grievance System**

- a. The Ombudsman- History, Development and Recent position in different Countries,
- b. The Lokpak/Lokayukta, and Commissions of Inquiry, Government Privileges and Immunities in Legal Proceedings,
- c. Doctrine of Estoppels and Waiver Liability of the State in UK,USA, France and India, Act of State, Public Corporations and Regulatory Bodies

**Unit VI : Related Acts**

- a. Federal Administrative Procedure Act, 1946
- b. Federal Tort Claim Act, 1945
- c. Freedom of Information Act, 1966
- d. Tribunals & Inquires Act, 1992
- e. The Crown Proceedings Act, 1947
- f. Parliamentary Commissioners Act, 1967
- g. Administrative Tribunals Act, 1985
- h. The Lokpal & Lokayuka Bill 2011

**Reading List**

1. B. Schwartz, American Administrative Law
2. Basu, Comparative Administrative Law
3. C.K. Allen, Law and order
4. Flaukes, Introduction of administrative law
5. Griffith and Street, Principles of Administrative law
6. I.L.I., Cases and material on Administrative law in India
7. Jain & Jain, Principles of Administrative Law
8. K.G. Davis, Administrative law Cases.
9. K.G. Davis, Administrative law text
10. Nair, Parliamentary control of Administrative Action
11. Prasd, Administrative Tribunal in Action
12. Rebson, Justice and Administrative Law
13. S.A. De Smith, Judicial Reviews and Administrative Action
14. Schwrtz, Legal control of Government administration in Britain and the United States
15. W.R.H. Wade, Administrative Law
16. Wyner, Executive Ombudsman in U.S.A.
17. Brown and Garner, French Administrative law
18. Bowatt, Ombudsman
19. Street, Justice in Welfare States
20. V. Ramchandra, Administrative law
21. M.A. Fazal, Comparative Administrative law of UK, USA, India and France
22. Laffe, Administrative law cases and Materials
23. A.T. Markose, Judicial Control of Legislative action in India
24. Sathe, Administrative law in India
25. Jain, Administrative law in India
26. Indian law Institute, Delegated Legislation in India.

**Paper Code – COR 312 : Comparative Federal Governance  
(India, US, Canada, and Australia)**

**Full marks-50  
Credit : 4**

**Course Outcomes**

- The students get mastery over the concerns and meaning of federal governance.
- The students get theoretical and practical understanding about the functions of the executive and legislature along with emerging regime of new rights and remedies.
- The students will study about Federalism, Separation of Power, Democratic Process and the Rule of Law.
- Further, the subject will deal in the Powers and functions of the executive and legislature along with emerging regime of new rights and remedies.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content**

**Unit I : Concept and Objectives of Federalism**

- a. Historical background – Trends of development
- b. Development – From traditional approach to co-operative federalism
- c. Concept and operation of Co-operative Federalism – Unity and Integration of Nation
- d. Immunity against Secession – Centripetal and centrifugal forces – equality of federating units.

**Unit II : Methods and Criteria of Distribution of Legislative Power**

- a. Supremacy of Federal Power,
- b. Necessary and Proper Clause – Residuary Powers
- c. Doctrine of Immunity of Instrumentalities
- d. Role and Composition of Second Chamber.

**Unit III : Administrative Relations**

- a. Resolution of Federal Conflicts,
- b. Settlement of Inter – State Water – Boundary Disputes
- c. Full faith and credit clause
- d. Impact of War Power and Treaty Power on Federalism.

**Unit IV : Financial Relations**

- a. Distribution of Financial Resources – Grants – in –aid
- b. Types of Transfer funds – Borrowing powers of Central Government – Distribution of Taxing Powers
- c. Role of Judiciary in Federal System. Trade, Commerce and Intercourse throughout the Federation
- d. Powers of Federal and State Governments to regulate the Trade activities.

The study is with reference to the Constitutions of India, US, Canada, and Australia

**Reading List**

1. A.V. Dicey : Law of the Constitution
2. Aiyer and Mehta : Essays on Indian Federalism
3. Anil Chandra Banerjee : The Constitutional History of India
4. Care S. Friederic : Constitutional Government and Democracy
5. Colin Howard – Australian Federal Constitutional Law
6. D.D.Basu – Comparative federalism
7. E.S. Corwin – Constitution of US: What it means.
8. E.S.Venkataramaiah – Federalism Comparative Study.
9. H.M. Seervai – Constitutional Law of India.
10. Jennings : Some characteristics of Indian Constitution
11. K.C. Wheare- Federal Government.
12. Kauper & Beytaugh- Constitution of US.
13. Lane, Commentary to the Australian Constitution.
14. Leon & Atkey- Canadian Constitution in Modern perspectives.
15. Mason & Beany – Constitution of US.
16. Nowak, Rotunda & Young- Constitution of US
17. P.W. Hogg- Canadian Constitutional Law
18. Sarkaria Commission Report on Centre-State Relations (1988)
19. The National Commission to Review the working of the Constitution -2002, Chairman - M.H. Venkatachaliah.
20. W.A. Wynes – Legislature, Executive and Judicial Powers.

**Course Description :** The practical course requires the students to take up teaching assignments in their chosen area of specialization. The students will be allotted to teachers in the respective subject areas under whose supervision the student will have to prepare the lesson plan and conduct classes. The students will be evaluated on the basis of their preparation and performance in the respective classes.

**Course Objectives :** To equip the students to teach UG law students and make them understand art of preparing for the classes.

#### Course Outcome

On completion of the course students will be able to:

- iii. Develop and apply better skills in presentation and teaching
- vii. Improve their preparation skills
- viii. Learn to collect data to keep up with the latest developments in the area of the topic chosen by them
- ix. The student will be able to prepare a report and comment on the areas of the subject taught by them during teaching. It develops their critical approach to the subject and enhances their capabilities while teaching and in research.

#### Unit - I

##### Law Teaching

25 Marks

Students will be assigned a topic from UG courses of this university and they have to prepare and teach the UG students in the classroom either in the Department or in the nearby UG law colleges. Students are required to research on a single area of interest and prepare teaching report to teach UG students and notes for the class. Students have to make their presentations before the panel constituted for the purpose before engaging a UG class. Students are required to prepare for the UG class under the guidance of a Teacher. Students have to engage 10 sessions to satisfy the requirement of this course.

##### Text Books and Reference Books :

Reading will be according to the topics assigned for teaching.

##### Essential Reading / Recommended Reading

Reading will be according to the topics assigned for teaching.

##### Evaluation Pattern

**ASSESSMENT:** Fifty percent of the evaluation will be done on the basis of student ability in preparing the teaching notes and preparing a report. The remaining fifty percent is allotted to his performance in the classroom as a teacher.

#### Unit - II

##### Clinical Work

25 Marks

The Modalities can be evolved by the Law Centre. The Legal Aid Clinic of the Law Centre can involve itself with other Legal Aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with the Court Proceedings, working of a business organization, teaching of labour disputes, drafting of business or other deeds and with Public Interest Litigation. The initiative and potential of the student and actual work turned out by him/her shall be assessed by the Faculty.



**Course Outcomes**

- The skills of students in Constitutional Law will enhance through practical work.
- The students will get a clear picture about the practical application of Constitutional Law by different techniques.
- The Paper will give the students a brief idea about the interface between classroom teaching and application of law in reality.

**Course Content**

**Unit I :** Case Studies

**Unit II :** Field Work in different bodies like:

- a. University
- b. Municipal Bodies
- c. Law Firm, etc.

**Unit III :** Research Proposal based on Constitutional Law

**Unit IV :** Court Visit (those Courts have jurisdiction in constitutional matters and Writ)

**N.B. The Project Supervisor may change/alter the topic.**

**Reading List**

1. P. Ishwar Bhat: Idea and Methods of Legal Research
2. C. R. Kothari: Research Methodology
3. Tushar Kanti Saha: Text Book on Legal Methods, Legal Systems & Research
4. H.M. Seervai, Constitutional Law of India (3 Vol), Universal Law Publishing, 4<sup>th</sup> Ed.
5. T. K. Tope: Constitution of India
6. D. D. Basu: Constitution of India

**Third Semester**  
**(For Public International Law Specialization)**

**Paper Code – COR 309 : Principles of International Law**

**Full marks-50**  
**Credit : 4**

**Course Outcomes**

- To equip the students with the ability to understand the working of International organizations.
- To examine the judicial institutes for International disputes.
- To understand the UN System and the Changing Context of Global Politics.
- To evaluate the development and growth of specialized institutions like WHO, WTO, ILO etc.
- To study various issues related international organizations.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content**

**Unit I : Introduction**

- a. Evolution of International Law – Sources - Treaties, Customs, General Principles of Law,
- b. Judicial decision and opinion of publicists – other sources of law
- c. Law making through International Organization - Codification and Progressive Development
- d. Role of International Law Commission - Nature of International law

**Unit II : International Law and Municipal Law**

- a. Relationship between International law and Municipal law
- b. Practice of UK, USA & India - Application of International Law in the municipal sphere
- c. Application of customary laws and treaties with special reference to India
- d. Recognition - Theories - Kind – Recognition of State and Government State Territory - Mode of acquiring and losing territory.

**Unit III : Jurisdiction**

- a. Jurisdiction of State - Nationality, its acquisitions, loss and proof
- b. Double nationality and statelessness
- c. Criminal jurisdiction – Bases of Criminal Jurisdiction - Lotus cases
- d. International Criminal Tribunals - Aliens - Acquired right of aliens – Asylum – Extraditions

**Unit IV : Sovereignty**

- a. Sovereignty Immunity – Immunity of States – Immunity of State organ and property
- b. State Responsibility - General Principle
- c. Responsibility for injuries to alien's
- d. Procedural enforcement of claims, espousal and nationality of claims, and exhaustion of local remedies - Remedies.

**Unit V : Airspace Law and State Succession**

- a. Sovereignty over Airspace - Historical Development
- b. Paris Convention - Freedom of Air - International Civil Aviation Organization
- c. Chicago Conference - Peaceful exploration and use of Outer Space - Moon Treaty - Relevant G.A. Resolutions.
- d. Law of Succession - Theories - Clean Slate Doctrine - Succession of Government and State - Partial and Total Succession - Indian cases - State Succession and membership to UN.

**Unit VI : Law of Treaties**

- a. Introduction to the law of treaties
- b. The concept of a treaty in international law
- c. History of treaty-making
- d. Sources of international law with a particular focus on treaties
- e. Vienna Convention on the Law of Treaties, State Practice — India,
- f. Interpretation of Treaties by Indian Courts
- g. The Legality of War and Use of Force: Outlawry of War- Historical Evolution;
- h. Position within the UN Charter; Definition of Aggression; and the Legality of Use of Nuclear Weapons
- i. Use of Force in International Law: States, Individual and United Nations

**Reading List**

1. Ian Brownlie, Principles of Public International Law, Oxford University Press.
2. Oppenheim's International Law, 9th Edn, Pearson Education Ltd.
3. Malcolm N. Shaw, International Law, 5th Cambridge University Press.
4. Starke's International Law, I. A. Shearer, Oxford University Press.
5. S. K. Kapoor, International Law and Human Rights, Central Law Agency publication.
6. David Harris, Cases and Materials on International Law, Sweet 8: Maxwell, London.
7. Aust, Modern Treaty Law and Practice, 2nd edition (Cambridge University Press, 2007)
8. Bjørge, E. (2014). The Evolutionary Interpretation of Treaties. Oxford: OUP Oxford.
9. Buga, I. (2018). Modification of Treaties by Subsequent Practice (Vol. First edition). Oxford, United Kingdom: OUP Oxford.

**Paper Code – COR 310 : Environment and International Legal Order****Full marks-50  
Credit : 4****Course Outcomes**

- The students will be able to understand the international concern for environment protection.
- The students can get an idea of the international law and policy of environment.
- The students will study the all the related issues of environmental problems and their solutions.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : International Concern for Environment Protection**

- a. World environment movement
- b. Natural and cultural heritage
- c. Role of international and regional organizations

**Unit II : International Laws and Policy of Environment**

- a. State sovereignty versus environmental obligations.
- b. International Conference on Environment
- c. Customary International Environmental Law
- d. Treaties relating to protection of environment

**Unit III : Marine Environment**

- a. Marine resources: conservation and exploitation
- b. Scientific research and exploration
- c. Antarctic environment
- d. International Seabed Authority
- e. Pollution from ships
- f. Dumping of oil and other wastes into the sea

**Unit IV : Trans-boundary Pollution Hazards**

- a. Oil pollution
- b. Nuclear fall outs and accidents
- c. Acid rain
- d. Chemical pollution
- e. Green house effect
- f. Depletion of ozone layer
- g. Space pollution

**Unit V : State responsibility for environmental pollution****Unit VI : Control of Multinational Corporations and Containment of Environmental Hazards**

- a. Problems of liability and control mechanisms
- b. Disaster management at international level
- c. Monopoly of biotechnology by MNCs

**Unit VII : Disposal and Dumping of Hazardous Wastes: Transnational Problem and Control****Reading List**

1. Aynsley Kellor, International Toxic Risk Management (1999), Cambridge.
2. British Institute of International and Comparative Law, Selected Documents on International Environmental Law (1975), London
3. Claus Bossehmman and Benjamin J.Richardson, Environmental Justice and Market Mechanism (1999)
4. Dovor Vidas, Protecting the Polar Marine Environmentt (2000) Cambridge.
5. Henric Ringborn (Ed.), Competing Norms in the Law of Marine Environmental Protection (1997), Kluwer.
6. Indian Law Institute, Legal Control of Environmental Pollution (1980)
7. J.M.Spector, "Eleplhants, Donkeys and other Creatures? Presidential Election Cycles and International Law of the Global Commons" 15 AM.U. INT'L L.Rev.5, pp 976-1038 (1999)
8. Jean-Pierre Beurier, New Technologies and Law of Marine Environment (2000), Kluwer.
9. Nathali L.T.J. Horbach, Contemporary Developments in Nuclear Energy Law (1999), Kluwer.
10. Priya Kanjan Trivedi, International Environmental Laws (1996), A.P.H.Publishing Corporation, New Delhi
11. Richard L.Reversz et.al.(eds.) Environmental Law, the Economy and Sustainable Development (2000), Cambridge.
12. Sir Elworthy and Jane Holder, Environmental Protection: Text and Materials (1997), Butterworths
13. Standing Committee on Environmental Law American Bar Association, Common Boundary/Common Problems: The Environmental Consequences of Energy Production (1982)
14. Varshney, C.K. (Ed.), Water Pollution and Management (1983), Wiley Eastern, New Delhi
15. World Commission on Environment and development, Our Common Future (1987), Oxford
16. Zhiguo Gao, Environmental Regulation of Oil and Gas (1998), Kluwer.

**Course Outcomes**

- The students will be able to understand the international court of justice.
- The students can get an idea of how ICJ works.
- The students will study the jurisdiction, functioning, and role of ICJ.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. History of International Court of Justice
- b. Members of the Court
- c. Presidency of the Court
- d. Chambers and Committees of the Court
- e. Judges of the Court
- f. How the Court Works

**Unit II : Organization and Structure of the ICJ****Unit III : Jurisdiction of the Court**

- a. Contentious Jurisdiction
- b. voluntary of Jurisdiction
- c. Compulsory Jurisdiction
- d. Reservation and Reciprocity
- e. Transferred Jurisdiction
- f. Forum Prorogatum.

**Unit IV : Basic Documents, Contentious and Advisory Jurisdiction**

- a. Charter of the United Nations
- b. Statute of the Court
- c. Rules of Court
- d. Practice Directions
- e. Contentious Jurisdiction
  - i. States entitled to appear before the Court
  - ii. States not members of the United Nations parties to the Statute
  - iii. States not parties to the Statute to which the Court may be open
  - iv. Basis of the Court's jurisdiction
  - v. Declarations recognizing the jurisdiction of the Court as compulsory
  - vi. Treaties
- f. Advisory Jurisdiction
  - i. Organs and agencies authorized to request advisory opinions

**Unit V : International adjudication in a historical perspective****Unit VI : International Court of Justice - a principal organ and principal judicial organ of the United Nations****Unit VII : Sources of law, propriety and legal interest****Unit VIII : Provisional measures, non-appearance, and third party intervention****Unit IX : The advisory jurisdiction of the ICJ****Unit X : Enforcement of the judgments and advisory opinions****Unit XI : The Role of the Court****Reading List**

1. Acts and Documents No. 7. Available at : <https://www.icj-cij.org/sites/default/files/documents/acts-and-documents-en.pdf>
2. Bertrand Ramcharan, Modernizing the Role of the International Court of Justice, Springer, 2022
3. Carlos Espósito, (Ed), International Court of Justice, Cambridge University Press, 2023
4. Chandan Bala, International Court of Justice: Its Functioning and Settlement of International Disputes, (1997).
5. Hugh Thirlway, The International Court of Justice, Oxford, 2016
6. I.C.J. Bibliography No. 61. Available at : <https://www.icj-cij.org/sites/default/files/documents/bibliography-en.pdf>
7. ICJ Publication : Acts and Documents – Charter, etc. (2nd Ed.)
8. International Court of Justice, The International Court of Justice: 75 Years in the Service of Peace and Justice, 2022
9. Mohamed Sameh M. Amr, The Role of the International Court of Justice as the Principal Judicial Organ of the United Nations, Brill, 2003
10. Robert Kolb, The International Court of Justice, Hart Publishing, 2013
11. Serena Forlati, The International Court of Justice, Springer, 2014.
12. Visit : <https://www.icj-cij.org/index.php/court>
13. William A. Schabas (Ed), The International Court of Justice, Edward Elgar 2020

**Paper Code – COR 312 : Law Relating to Outer Space****Full marks-50  
Credit : 4****Course Outcomes**

- The students will be able to understand the concept, substance and subject matter of international space law.
- The students can get an idea of the different aspects related with outer space.
- The students will study the history, development, and the regulations involved with outer space.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. The concept of International Space Law
- b. Substance of International Space Law
- c. Subject matter of International Space Law

**Unit II : The History and Development of Space Law****Unit III : Sources of International Space Law****Unit IV : Fundamental principles of International space law****Unit V : Legal Statue of Space Objects****Unit VI : Liability Convention****Unit VII : The Moon Treaty****Unit VIII : Regulation**

- a. The regulation of various aspects of space activities include remote sensing
- b. Space Communication
- c. Dire of Television Broadcasting Satellites

**Unit IX : Protection of the Outer Space Environment****Unit X : Outer Space Law and India****Reading List**

1. B. Sandeepa Bhat, Space Law - The Emerging Trends, Eastern Law House, 2018
2. Christian Br nner and Alexander Soucek, Outer Space in Society, Politics and Law, Springer Vienna, 2011
3. Doo Hwan Kim, Global Issues Surrounding Outer Space Law and Policy, IGI Global Publishing, 2021
4. R. K. Singh, Military Application of Space: The Indian Perspectives, VIJ Books, 2014
5. R. Venkata Rao, V. Gopalakrishnan, and Kumar Abhijeet, Recent Developments in Space Law: Opportunities and Challenges, Springer, 2018.
6. Ram Jakhu and Paul Stephen Dempsey, Routledge Handbook of Space Law, 2017
7. Sandeepa B. Bhat, Space Law: In the Era of Commercialization, Eastern Book Company, 2010
8. Siddhartha Shankar Sharma, Space Laws, Lawman's, 2022
9. Tanja L. Masson-Zwaan and Stephan Hobe, The Law of Outer Space, Brill, 2010
10. Yanal Abul Failat and An l Ferreira-Snyman, Outer Space Law: Legal Policy and Practice, Globe Law and Business Ltd, 2017

**Course Description :** The practical course requires the students to take up teaching assignments in their chosen area of specialization. The students will be allotted to teachers in the respective subject areas under whose supervision the student will have to prepare the lesson plan and conduct classes. The students will be evaluated on the basis of their preparation and performance in the respective classes.

**Course Objectives :** To equip the students to teach UG law students and make them understand art of preparing for the classes.

#### Course Outcome

On completion of the course students will be able to:

- iv. Develop and apply better skills in presentation and teaching
- x. Improve their preparation skills
- xi. Learn to collect data to keep up with the latest developments in the area of the topic chosen by them
- xii. The student will be able to prepare a report and comment on the areas of the subject taught by them during teaching. It develops their critical approach to the subject and enhances their capabilities while teaching and in research.

#### Unit - I

##### Law Teaching

25 Marks

Students will be assigned a topic from UG courses of this university and they have to prepare and teach the UG students in the classroom either in the Department or in the nearby UG law colleges. Students are required to research on a single area of interest and prepare teaching report to teach UG students and notes for the class. Students have to make their presentations before the panel constituted for the purpose before engaging a UG class. Students are required to prepare for the UG class under the guidance of a Teacher. Students have to engage 10 sessions to satisfy the requirement of this course.

##### Text Books and Reference Books :

Reading will be according to the topics assigned for teaching.

##### Essential Reading / Recommended Reading

Reading will be according to the topics assigned for teaching.

##### Evaluation Pattern

**ASSESSMENT:** Fifty percent of the evaluation will be done on the basis of student ability in preparing the teaching notes and preparing a report. The remaining fifty percent is allotted to his performance in the classroom as a teacher.

#### Unit - II

##### Clinical Work

25 Marks

The Modalities can be evolved by the Law Centre. The Legal Aid Clinic of the Law Centre can involve itself with other Legal Aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with the Court Proceedings, working of a business organization, teaching of labour disputes, drafting of business or other deeds and with Public Interest Litigation. The initiative and potential of the student and actual work turned out by him/her shall be assessed by the Faculty.

**Course Outcomes**

- The skills of students in Constitutional Law will enhance through practical work.
- The students will get a clear picture about the practical application of Constitutional Law by different techniques.
- The Paper will give the students a brief idea about the interface between classroom teaching and application of law in reality.

**Course Content**

**Unit I :** Case Studies

**Unit II :** Field Work in different bodies like:

- a. University
- b. Municipal Bodies
- c. Law Firm, etc.

**Unit III :** Research Proposal based on Constitutional Law

**Unit IV :** Court Visit (those Courts have jurisdiction in constitutional matters and Writ)

**N.B. The Project Supervisor may change/alter the topic.**

**Reading List**

1. P. Ishwar Bhat: Idea and Methods of Legal Research
2. C. R. Kothari: Research Methodology
3. Tushar Kanti Saha: Text Book on Legal Methods, Legal Systems & Research
4. H.M. Seervai, Constitutional Law of India (3 Vol), Universal Law Publishing, 4<sup>th</sup> Ed.
5. T. K. Tope: Constitution of India
6. D. D. Basu: Constitution of India

**Fourth Semester**  
**(For Corporate Law Specialization)**

**Paper Code – DSE 402 : Law of Export-Import Regulation**

**Full marks - 50**  
**Credit : 4**

**Course Outcomes**

- The students will be able to understand the Law of Export and Import along with its regulatory part.
- The students can get expertise on the International Regime like WTO agreements, General Law on Control of Imports and Exports and EXIM Policy.
- The students will study the International Regime like WTO agreements, General Law on Control of Imports and Exports and EXIM Policy.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content**

**Unit I : Introduction of Export-Import Legal Environment**

- a. Concept of Export and Import
- b. State control over Import and of goods – from rigidity of liberalization
- c. Impact of regulation of economy
- d. The basic needs of Export and Import trade, (a) Goods (b) Services (c) Transportation

**Unit II : Export- Import International Regime**

- a. WTO agreement, WTO and Tariff restriction, WTO and non-tariff restrictions
- b. Investment and transfer of technology
- c. Quota restriction and anti-dumping, dumping of discarded technology and goods in international market.
- d. Permissible regulation, Quarantine regulation

**Unit III : Export-Import; Indian Trade Law**

- a. Exim policy; Changing Dimensions
- b. Prohibition of on importation and exportation of goods, Restrictive terms in technology
- c. Control of smuggling activities in export –import trade
- d. Levy and exemption from, customs duties, clearance of imported goods and export goods.

**Unit IV : Control of Export-Import; Indian Legal Framework**

- a. Foreign Trade Development and Regulation Act 1992
- b. Control under Foreign Exchange Management Act. 1999 (FEMA)
- c. Power of control; Central Government and RBI, Export inspection Council (EIC) Export promotion councils
- d. promotion councils
- e. Restrictions under Customs Law.

**Reading List**

1. Final Treaty of GATT, 1994
2. Foreign Exchange Management Act, 1999
3. Foreign Trade Development and regulation Act, 1992 and Rules.
4. Government of India, Handbook of Import Procedures.
5. Government of India, Import and Export Policy.
6. Marine Products Export Development Authority Act, 1972



**Paper Code – DSE 403 : Insurance Law****Full marks - 50****Credit : 4****Course Outcomes**

- This subject enables the students to understand the meaning and concepts of Insurance.
- The students will acquaint with different laws on Insurance.
- Furthermore, the course also provides for Principle of Insurance and its various types along with the statutory remedies.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. Nature of insurance contract, various kinds of insurance, proposal, policy, parties, consideration, need for utmost good faith, insurable interest, indemnity
- b. Insurance policy, law of contract and law of torts-future of insurance : need, importance and place of insurance
- c. Constitutional perspectives- the Entries 24,25,29,30,47 of List I Union List; 23, 24, of List III

**Unit II : General Principles of Law of Insurance**

- a. Definition, nature and history
- b. The risk - commencement, attachment and duration
- c. Assignment and alteration
- d. Settlement of claim and subrogation
- e. Effect of war upon policies

**Unit III : Indian Insurance Law: General**

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

**Unit IV : Life Insurance**

- a. Nature and scope
- b. Event insured against life insurance contract
- c. Circumstances affecting the risk
- d. Amounts recoverable under life policy
- e. Persons entitled to payment
- f. Settlement of claim and payment of money

**Unit V : Marine Insurance**

- a. Nature and Scope
- b. Classification of marine policies
  - i) The Marine Insurance Act, 1963
  - ii) Marine insurance
  - iii) Insurable interest, insurable value
  - iv) Marine insurance policy - condition. - express warranties construction of terms of policy
  - v) Voyage-deviation
  - vi) Perils of the sea
  - vii) Assignment of policy
  - viii) Partial laws of ship and of freight, salvage, general average, particular charges
  - ix) Return of premium

**Unit VI : Insurance against Accidents**

- a. The Fatal Accidents Act, 1855
  - i) Objects and reasons
  - ii) Assessment of compensation
  - iii) Contributory negligence,
  - iv) Apportionment of compensation and liability
- b. The Personal Injuries (Compensation insurance) Act 1963
  - i) Compensation payable under the Act
  - ii) Compensation insurance scheme under the Act-Compulsory insurance

**Unit VIII : Property Insurance**

- a. Fire insurance
- b. The Emergency Risks (Factories) Insurance
- c. The Emergency Risks (Goods) Insurance
- d. Policies covering risk of explosion
- e. Policies covering accidental loss, damage to property
- f. Policies covering risk of storm and tempest
- g. Glass-plate policies
- h. Burglary and theft policies
- i. Live stock policies
- j. Goods in transit insurance
- k. Agricultural insurance

**Unit IX : Insurance against Third Party Risks**

- a. The Motor Vehicles Act, 1988
  - i) Nature and scope
  - ii) Effect of insolvency or death on claims of insolvency and death of parties, certificate of insurance
  - iii) Claims tribunal: constitution, functions, application for compensation, procedure, powers and award
- b. Liability Insurance
  - i) Nature and kinds of such insurance
  - ii) Public liability insurance
  - iii) Professional negligence insurance

**Unit X : Miscellaneous Insurance Schemes: New Dimensions**

- a. Group life insurance
- b. Medclaim, sickness insurance

**Reading List**

1. Banerjee, Law of Insurance (1994), Asia Law House, Hyderabad.
2. Birds, Modern Insurance Law (1997) Sweet and Maxwell
3. Colinvaux's Law of Insurance (1997), Sweet and Maxwell
4. E.R. Hardy Ivamy, General Principles of insurance Law (1979)
5. Edwin W. Patterson, Cases and Materials on Law of insurance (1955)
6. International Labour Office, Administration Practice of social Insurance (1985)
7. J.V.N.Jaiswal, Law of Insurance, EBC, 2008
8. JCB Gilmar and Mustill, Arnold on the Law of Marine Insurance, (1981), Sweet and Maxwell
9. John Hanson and Christophals Henly, All Risks Property Insurance (1999), LLP Asia, Hongkong.
10. John Lowry, Philip Rawlings, Robert Merkin, Insurance Law, Doctrines and Principles, Hart Publishing, 2011
11. Law of Insurance (1955)
12. M. N. Sreenivasan, Law and the Life Insurance Contract (1914)
13. Mitra B.C, Law Relating to Marine Insurance (1997) Asia Law House, Hyderabad
14. O'Mary on Marine Insurance (1993), Sweet and Maxwell.
15. Peter Mac Donald Eggers and Patric Foss, Good Faith and Insurance Contracts (1998) LLP Asia, Hongkong

**Course Outcomes**

- The students learn about the Economic Enterprises and its related issues.
- Students will acquire the ideas of E-commerce, startup business, Make-in India project, etc.
- The students will know about the Corporate Scams and Corruption etc.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Understanding Economic Enterprises**

- a. Types and spread of Economic Enterprises in India
- b. Understanding the role of the following in the Economic Development of the Country: Multinational Companies, Medium and Small Scale Industries, Government Enterprises, Charitable entities, Startups, E-commerce companies, household unincorporated businesses, unremunerated domestic work

**Unit II : E-commerce**

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

**Unit III : Startups Business**

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

**Unit IV : Corporate Scams and Corruption : Pinning Responsibilities**

- a. 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)
  - i. 2G Spectrum Scam
  - ii. Adarsh Housing Society Scam
  - iii. Ketan Parekh Securities Scam
  - iv. Speak Asia Scam
  - v. Home Trade Scam, 2002
  - vi. Saradha Chit Fund Scam
  - vii. Commonwealth Games Scam
  - viii. Abhishek Verma Arms deals scandal
  - ix. Karnataka Wakf Board Land Scam
  - x. Telgi Scam
  - xi. Rotomac Bank Fraud
  - xii. Punjab National Bank Scam

**Unit V : Legal Regulation**

- a. Collaboration agreement for technology transfer
- b. Investment in India: FDIs and NRIs Investment abroad
- c. Legal regulation of selected public enterprises - Telecom regulatory Authority and Insurance regulatory Authority.

**Unit VI : Problems of Control and Accountability to the Environment in the face of Rapid development/industrialization**

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

**Reading List**

1. Aprajita Bhargav and Adv. Pritesh Kumar Pal, Legal Regulations of Economic Enterprises, Amar Law Publication.
2. Bright LLM Law Series, Legal Regulation of Economic Enterprises,
3. Hemisha Pithadiya, Legal Regulation of Economic Enterprises, Puja Law House, Indore, 2017

**Paper Code – DSE 405 : Law of Intellectual Property-II****Full marks – 50**  
**Credit : 4****Course Outcomes**

- The students will understand the different aspects of Biotechnology Patent.
- Students will know the different International Conventions and treaties.
- Students will understand the Intellectual Property and Human Rights.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Biotechnology Patent-1**

- a. Nature and Types of Biotechnology Patent
- b. Patent over new form Life of life –TRIPS Obligation
- c. Indian Patent in Biotechnology
- d. Plant Patenting

**Unit II : Biotechnology Patent-II**

- a. Plant Variety Protection-UPOV Convention and TRIPS Obligation.
- b. Plant Variety and Farmers Right- Indian Policy and position.
- c. Sui generic protection for plant Varieties.
- d. Regulation of environment and Health Hazards in Biotechnology patents

**Unit III : Special Problems of proof of Infringement**

- a. Status of intellectual property in Transit – TRIPS Obligation and Indian position.
- b. Action of passing off – Evidentiary Problems.
- c. The Proof of non-anticipation, Novelty of invention protected by patent Law.
- d. Evidentiary problems In piracy-Reversal of Buren of Proof in process patent.

**Unit IV : Intellectual Property and Human Rights**

- a. Intellectual property and Generic Resources, Traditional Knowledge and Folklore.
- b. Geographical indications and appellation of origin.
- c. Rights of the indigenous people and protection of Traditional Knowledge.
- d. Human Rights of the improvised masses, Intellectual property protection of new products for health care and food security.

**Reading List**

1. Carlos M. Correa, Intellectual Property and International Trade.
2. Carlos M. Correa, Intellectual Property and International Trade.
3. Christopher Wadlow, The Law of Passing-Off.
4. Christopher Wadlow, The Law of Passing-Off.
5. David Bainbridge, Software Copyright Law.
6. David Bainbridge, Software Copyright Law.
7. Iver P.Cooper, Biotechnology and Law.
8. IverP.Cooper, Biotechnology and Law.
- ?? Jatintra Kumar Das, Intellectual Property Rights, Kamal Law House, Kolkata, 2008
10. Patent Co-operation Treaty Hand Book.
11. Patent Co-operation Treaty Hand Book.
12. Sookman, Computer Law.
13. Sookman, Computer Law.
14. W.R. Cornshb, Intellectual Property Law.
15. W.R. Cornshb, Intellectual Property Law.

**Dissertation and Viva Voce****Project Work****Full marks - 100  
Credit : 8****Course Objectives/Course Description**

This course is designed to test the research process of the students and their analytical skills. It is aimed at enabling the students to hone their skills as a researcher that would be of immense help to them in their career.

This subject will help the students to enhance their research, analytical and writing skills.

**Learning Outcome**

Students will be able to-

- Formulate legal research problem.
- Identify proper research methodology to deal with the legal issue.
- Apply objective, logical legal reasoning to make arguments and arrive at conclusions
- Draft a research report on a particular topic.
- Attracting students to new legal doctoral programs.

**Unit-1****DISSERTATION**

Students are required to identify a researchable area and prepare a dissertation on the same using legal research methodology.

**Reading List**

1. Carol M Bast, Foundations of Legal Research and Writing
2. Harvard Law Review Association, Uniform System of Citations
3. ILI Publication, Legal Research and Methodology
4. S.K. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, Indian Law Institute (2001) 2nd Edition.

**Evaluation Pattern****EVALUATION**

1. Research Proposal -	15%
2. Submission of Progress Report –	15 %
3. Research Report –	50 %
4. Viva -	10 %

TOTAL 100%

**Fourth Semester**  
**(For Criminal Law Specialization)**

**Paper Code – DSE 402 : Collective Violence and Law**

**Full marks - 50**  
**Credit : 4**

**Course Outcomes**

- The students will demonstrate their understanding about various kinds of violence such as religious violence, political violence and communal violence and will learn various preventive measures in this regard.
- The students will be able to analyze the impact of violence on society.
- The students will demonstrate the knowledge about the issues like violence against the Scheduled Castes and Scheduled Tribes, and effects of violence.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content**

**Unit I : Introduction**

- a. Notions of “Force”, “Coercion” and “Violence”.
- b. Distinction between Symbolic Violence, Institutionalized Violence and Structural Violence
- c. “Collective Political Violence” and legal order.
- d. Constitutional and criminal speech, Speech as Incitement to violence.

**Unit II : Communal Violence**

- a. Incidence and Course of “Communal” Violence.
- b. Findings of various commission of enquiry.
- c. The Role of Police and Para-military system in dealing with communal violence.
- d. Operation of criminal Justice system tiring, and in relation to communal violence.

**Unit III : Violence against the Scheduled Castes and Scheduled Tribes**

- a. Notions and Incidence of atrocities
- b. Uses of Criminal Law to combat Atrocities.
- c. Violence against women.
- d. Uses of Criminal Law to combat violation.

**Unit IV : Approaches of Violence in India**

- a. Religiously sanctioned structural violence: Caste and gender based.
- b. Ahimsa in Hindu, Jain, Buddhist, Christian and Islamic tradition in India.
- c. Gandhiji’s approach to non-violence.
- d. Discourse on political violence and terrorism during colonial struggle and post in Dependent period.

**Reading List**

1. A.R. Desai – Agrarian Struggles in India – After Independence, 1986.
2. A.R. Desai – Violence Democratic Rights in India, 1986.
3. A.R. Desai(ed) – Present Struggles in India, 1979.
4. D.A. Dhange – Peasant Movement in India, 1920-1950, 1983.
5. K.S. Shukla – Sociology of Deviant Behaviour, in 3 ICSSR survey of Sociology and Social Anthropology, 1969 - 1979, 1986.
6. New Criminal Laws, 2023. Available at : <https://www.mha.gov.in/en/commoncontent/new-criminal-laws>
7. Ranjita Guha, Elementary Aspects of peasant in surgency in colonial India, 1983.
8. T. Honderich – State Against Democracy, 1987.
9. U. Baxi – Dissent, Development and Violence in R. Meaghar (Ed.), Law and Social Change: Indo – American Reflection 92 (1988).
10. U. Baxi(ed) – Law and Poverty : Critical Essays, 1998.

**Paper Code – DSE 403 : Money Laundering and White Collar Crimes****Full marks - 50  
Credit : 4****Course Outcomes**

- The students will demonstrate their knowledge of bankers' role in controlling money laundering, framework of various International and National bodies.
- The students will be able to analyze the concepts like White Collar Crimes and measures for their prevention and control.
- The course also includes the contents like various types of white collar crimes and preventive measures for their prevention and control.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Money Laundering**

- a. Origin, Definition, Techniques Impact on Banks – Structuring
- b. Integration, Preventive Legislations - International Co-operation - UK; USA; India
- c. Basel Committee, PMLA Objectives, RBI Guidelines, System Adequacy to Combat Money Laundering
- d. Antiterrorism finance, Financial Intelligence Unit (FIU), The Financial Action Task Force (FATF), IBA Working Group
- e. Software for AML Screening : Money Laundering and Correspondent Banking - Exchange Companies - Foreign Branches.

**Unit II : White Collar Crime**

- a. Emergence of White-Collar Crime
- b. Concept and Nature of White Collar Crimes
- c. Sutherlands, view on white-collar crimes and it's analysis.

**Unit III : Perspectives Behind**

- a. Causes of White-Collar Crimes
- b. Distinguish between White-Collar Crimes and Blue-Collar Crimes
- c. Implications of white collar crimes
- d. Courts and white collars crime in India.

**Unit IV : Indian Perspectives**

- a. White Collar Crimes in India
- b. Hoarding, Black Marketing and Adulteration
- c. White Collar Crimes in certain Professions - Medical Profession, Legal profession, Educational Institutions, Engineering
- d. White Collar Crimes in business deals; Fake Employment Placement Rockets; Remedial Measures.

**Reading List**

1. 47<sup>th</sup> Report of Law Commission of India
2. Annual Report Criminal Law Review
3. Mahesh Chandra : Socio- Economic Crimes
4. Marshal B. Clinard : Crime in Developing Countries
5. N.V. Pranjape : Criminology and Penology
6. New Criminal Laws, 2023. Available at : <https://www.mha.gov.in/en/commoncontent/new-criminal-laws>
7. Prevention of Corruption Act, 1988
8. Trial and Punishment of Socio-Economic Offences.

**Paper Code – DSE 404 : Law of Organized Crime****Full marks - 50  
Credit : 4****Course Outcomes**

- The students will understand the basic concepts about organized crime.
- The students enrich their knowledge about the different forms of organized crimes such as drug addiction, prostitution, and collective violence.
- Violence against women, communal violence in India, and politically organized crimes are the major concerns of this paper.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Basic Conception**

- a. Reasons for Organized Crimes
- b. Crime Cartels, Mumbai Underworld Cartels, International Cartels
- c. State sponsored Crimes
- d. International Crime syndicate

**Unit II : Drug Addiction**

- a. Trafficking, narcotics substances
- b. National and International Approaches to Drug Abuse
- c. IPC provisions - Narcotic Substances Act 1985

**Unit III : Prostitution**

- a. Causes and concerns
- b. International responses Prevention of Immoral Activities Act
- c. IPC and Cyber prostitution
- d. Internationalization of flesh trade

**Unit IV : Collective Violence**

- a. Naxal problems - causes and concerns
- b. Tribal rebellion
- c. Dalit struggle
- d. Atrocities
- e. Telangana struggle

**Unit V : Violence against Women**

- a. Domestic violence
- b. Workplace violence
- c. Male dominated atrocities

**Unit VI : Communal Violence in India**

- a. Background, reasons, solutions
- b. Problems in the Legal system
- c. Role of police and operation of criminal justice system
- d. Godhra - finding of various commission reports

**Unit VII : Politically Organized Crimes**

- a. During the Cold War Period
- b. LTTE raise to political outfit
- c. Terrorism
- d. Challenges

**Unit VIII : Terrorism and Organized Crime**

- a. Definition and Scope
- b. Characteristics of organized crime
- c. Types of organized crime
- d. Causes of organized crime

**Reading List**

1. Attra Chand, Terrorism Political Violence Security of Nation, Gian Publishing House, New Delhi-02
2. Law and Social Change: Indo American Reflection 92 [1988]
3. New Criminal Laws, 2023. Available at : <https://www.mha.gov.in/en/commoncontent/new-criminal-laws>
4. R Desai [Ed.] Peasant Struggles in India, [ 1979]
5. R Desai Agrarian Struggles in India : After Independence [ 1986]
6. R Desai Violation of Democratic Rights in India [ 1986]
7. U Baxi Dissent, Development and Violence' in R Meagher [Ed.]
8. U. Baxi [Ed.] Law and Poverty: Critical Essays [ 1988 ]

**Paper Code – DSE 405 : Juvenile Justice System****Full marks - 50  
Credit : 4****Course Outcomes**

- The students will acquire knowledge about crime, its origin, types of crime, provisions of Juvenile Justice Act, 2015.
- The students get ability to analyze and interpret various reasons of Juvenile Justice Act, 2015.
- In this subject, the students will be taught about crime, its origin, various theories, types of crimes, provisions of Juvenile Justice Act, 2015.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. Concept of Juvenile Justice
- b. Concept of Juvenile Delinquency
- c. Nature and Causes of Juvenile Delinquency
- d. International Efforts for Juvenile Justice

**Unit II : Rationale for Separate and Distinct System of Justicing in Cases Relating to Children**

- a. Historical Development of Juvenile Justice in India
- b. Juvenile Justice Board - Procedure and powers etc.
- c. Child Welfare Committee – Procedure and powers etc.
- d. Juvenile Courts - it's working and distinctive characteristics.

**Unit III : Juvenile Delinquency**

- a. Legal Measures to Control Juvenile Delinquency
- b. Delimitation of the Scope of Juvenile Delinquency
- c. Discriminatory application of Juvenile Justice
- d. Special Homes
- e. Juvenile Homes

**Unit IV : Treatment of Juvenile Delinquents**

- a. Special Juvenile Police Units
- b. Treatment of Juvenile Delinquents & Children in need of care and protection
- c. Rehabilitation and After-care of Juvenile Delinquents and Children in need of care and protection
- d. Offences against Juveniles
- e. Uncontrollable Juveniles
- f. An Evaluation of Juvenile Justice System in India

**Unit V : Apprehension (instead of arrest) Bail, adjudication (instead of trial) and disposition (Instead of Sentence)**

- a. Limited authority to apprehend Rule 11(7)
- b. Extensive Bail right both in Bailable and Non-bailable Offences- S.12 JJ Act.
- c. Informal, Summary Inquiry (instead of a formal adversarial trial) that requires only satisfaction of the Board (S.15)
- d. Expeditious proceedings under Ss. 7A and 14 (four months time)

**Unit VI : Role of the Family Police, Role of the NGOs and Role of the Media in Juvenile Justice**

- a. Role of the family in delinquency prevention
- b. Dual role of police- as an agency of Criminal Judicial Administration and as protector of Juvenile interest
- c. NGO's role in custodial institutions and as a friend of every child in need of care
- d. Media to expose instances of child exploitation and abuse in public domain as well as remain sensitive to privacy of children and their families

**Reading List**

1. Howard B Kaplan, "Patterns of juvenile delinquency" Sage Pub., Beverly Hills, 1984
2. Juvenile Justice (Care & Protection of Children) Act, 2000.
3. Manish Dwivedi, "Juvenile Justice System in India", Adhyayan Publishers & Distributors, 1st edition, 2011
4. Myron Weiner, The Child and State in India (1990)
5. Savitri Gunasakhare, Children, Law and Justice, Sage Publication, India
6. Sophia M. Robinson, "The Juvenile Delinquency: Its Nature and Control", Henry Holt & Co., 1960
7. Ved Kumari, "The Juvenile Justice System in India: From Welfare to Rights", Oxford University Press, 2004

**Web links**

1. <https://blog.ipleaders.in/juvenile-justice-systemindia/#:~:text=Juvenile%20Justice%20is%20a%20legal,the%20age%20of%2018%20years>
2. <http://www.legalserviceindia.com/legal/article-1724-juvenile-delinquency-in-indiacauses-and-prevention.html>
3. <http://www.legalserviceindia.com/legal/article-3089-juvenile-justice.html>
4. <http://medcraveonline.com/FRCIJ/institutional-treatment-for-juveniles-in-india---a-critical-analysis.html>
5. <https://blog.ipleaders.in/rehabilitation-of-juveniles/>
6. New Criminal Laws, 2023. Available at : <https://www.mha.gov.in/en/commoncontent/new-criminal-laws>



**Dissertation****Project Work is to be given in the Class later on.****Full marks - 100  
Credit : 8****Course Objectives/Course Description**

This course is designed to test the research process of the students and their analytical skills. It is aimed at enabling the students to hone their skills as a researcher that would be of immense help to them in their career.

This subject will help the students to enhance their research, analytical and writing skills.

**Course Outcome**

Students will be able to-

1. Formulate legal research problem.
2. Identify proper research methodology to deal with the legal issue.
3. Apply objective, logical legal reasoning to make arguments and arrive at conclusions
4. Draft a research report on a particular topic.

**DISSERTATION**

Students are required to identify a researchable area and prepare a dissertation on the same using legal research methodology.

Text Books and Reference Books:

5. ILI Publication, Legal Research and Methodology
6. Harvard Law Review Association, Uniform System of Citations
7. S.K. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, Indian Law Institute (2001) 2nd Edition.
8. Carol M Bast, Foundations of Legal Research and Writing

EVALUATION	<b>Evaluation Pattern</b>
1. Research Proposal -	15%
2. Seminar Presentation –	15 %
3. Research Report –	50 %
4. Viva -	20 %

TOTAL 100%

**Fourth Semester**  
**(For Constitutional Law Specialization)**

**Paper Code – DSE 402 : Mass Media Law**

**Full marks - 50**  
**Credit : 4**

**Course Outcomes**

- Students will understand the meaning of constitutional freedom as well restriction imposed on Media by law.
- The students enrich their knowledge about various concepts of Mass Media, defamation, role of censorship and its challenges in the current scenario.
- Moreover, the students will be apprised about various types of Mass Media, defamation, role of censorship and its challenges in the current scenario.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content**

**Unit I : Types of Mass Media : Press, Films, Radio Television.**

- a. Ownership patterns- Press-Private-Public
- b. Ownership patterns- Films- Private
- c. Ownership patterns- Radio and Television. Public
- d. Difference between visual and non-visual media- impact on People's minds.

**Unit II : Press : Freedom of Speech and Expression- Article 19(1)(a)**

- a. Freedom of the Press.
- b. Laws of defamation, obscenity, blasphemy and sedition
- c. The Laws relating to employees wages and service conditions.
- d. Price and Page Schedule Regulation.
- e. Newsprint Control Order
- f. Advertisement- is it included within freedom of speech and expression?
- g. Press and the Monopolies are Restrictive Trade Practices Act.
- h. Position of freedom of press in the USA, UK India

**Unit III : Films : How far included in freedom in of speech and expression?**

- a. Censorship of films- constitutionality
- b. The Abbas Case
- c. Difference between films and Press- why pre- censorship valid for films but not for the press?
- d. Censorship under the Cinematograph Act.

**Unit IV : Radio and Television : Government monopoly**

- a. Why Government department?
- b. Should there be an autonomous corporation?
- c. Effect of television on people
- d. Report of Chanda Committee
- e. Government policy
- f. Commercial Advertisement
- g. Internal Scrutiny of serials, etc
- h. Judicial Review of Doordarshan decisions: Freedom to telecast

**Unit V : Constitutional Restrictions**

- a. Radio and television subject to law of defamation and obscenity
- b. Power to legislate – Article 246 read with the Seventh Schedule
- c. Power to impose tax
- d. licensing and license fee

**Unit VI : Social Media**

- a. Internet: A platform for free speech
- b. Content regulation on internet
- c. Intermediary Liability
- d. Treatment of cross border issues

**Reading List**

1. Bruce Michael Boyd. "Film Censorship in India: A Reasonable Restriction on
2. D.D.Basu, The Law of Press in India (1980)
3. Freedom of Speech and Expression " 14 J.I.L.I. 501 ( 1972)
4. H.M. Seerva , Constitutional Law of India Vol I (1991), Wadhwa
5. John B Howard, " The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for Law in Development 1980), Tripathi Bombay
6. Justice E.S. Venkaramaih, Freedom of Press : some Recent Trends (1984)
7. M.P.Jain, Constitutional Law of India ( 1994)
8. Rajeev Dhavan " On the press in India" 26 J.I.L.I. 288 (1984)
9. Rajeev Dhavan. " Legitimizing Government Rhetoric : Reflections on some Aspect of the Second Press Commission" 26 J.I.L.I. 391 ( 1984)
10. Soli Sorabjee, Law of Press Censorship in India (1976)
11. Zoetanya Sujon, The Social Media Age, Sage Publishing Ltd, 2021.

**Course Outcomes**

- The students will get the knowledge about meaning and Concept of Election and election dispute, Qualification and Disqualification of candidates.
- The students will also be able to have conceptual understanding of various corrupt practices used by the candidates during election as well as process of election.
- Further, the students will be made aware of various corrupt practices used by the candidates during election as well as process of election.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Meaning and Concept of Election and Election Dispute**

- a. Challenge to Election: Whom and How to Made
- b. Forum for filing Election Petition
- c. Parties to Election Petition
- d. Contents of Election Petition
- e. Grounds of Challenge to Election
- f. Trial of Election Petition
- g. Recriminatory Petition
- h. Withdrawal, Abatement and Appeal
- i. Election to President and Vice President
- j. Composition and Powers of Election Commission (Part XV-Article 324-329 of the Constitution of India)

**Unit II : Qualification and Disqualification of Candidates**

- a. Meaning and Distinction between Qualification and Disqualification
- b. Qualifications and Disqualifications Provisions under Indian Constitution and the Representation of Peoples' Act, 1951
- c. Office of Profit
- d. Government Contract
- e. Disqualifications on Convictions under the Representation of Peoples' Act, 1951
- f. Anti-Defection Law

**Unit III : Nomination (Sections 30-39, s100(1)(c), s100(1)(d) of the Representation of Peoples' Act, 1951**

- a. Meaning of Valid Nomination; Procedure for Filing of Nomination Security Deposits etc.
- b. Grounds of Rejection of and Withdrawal of Nominations
- c. Voter's Right to Know
- d. Antecedent of the Candidates
- e. Recognition of Political Parties and Election Symbols

**Unit IV : Corrupt Practices**

- a. Meaning and Distinction between Corrupt Practices and Electoral Offences
- b. Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc.
- c. Needs of Educational Qualification for Candidates
- d. Criminalization of Politics
- e. Election Expenses
- f. Model Code of Conduct
- g. Use of Government/Private Electronic Media and Social Media by Political Parties
- h. Opinion and Exit Polls
- i. Defacement of Public and Private Properties
- j. Reservation for Women in Parliament and State Legislatures

**Reading List**

1. P.C. Jain and Kiran Jain, Election Law and Practice, Chawla Publishers, 2012
2. P.M. Bakshi, The Constitution of India, Universal Publishing Company Ltd., 2014
3. The Conduct of Election Rules, 1961(Bare Act), Universal Publishing Company Ltd., 2014
4. The Presidential and Vice-Presidential (Election) Act, 1952(Bare Act), Universal Publishing Company Ltd., 2014
5. The Registration of Elector Rules, 1960(Bare Act), Universal Publishing Company Ltd., 2014
6. The Representation of Peoples' Act, 1950 (Bare Act), Universal Publishing Company Ltd., 2014
7. V.S. Rama Devi and S.K. Mehendiratta, Election Law, Practice and Procedure, Butterworths Publishers, 2013

**Paper Code – DSE 404 : Law Relating to Indigenous People****Full marks - 50  
Credit : 4****Course Outcomes**

- The students are able to understand the law relating to indigenous people.
- Critically analyze the nature and discourse of international law in its engagement with indigenous peoples.
- Manifest specialized knowledge of international norms pertaining indigenous peoples.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. Definition, Indigenous People : Nomenclature, Identity Empowerment, Population
- b. Issues related to Indigenous People : Cultural, Social, Political, Economic, Health, etc.
- c. Commemorate Indigenous Peoples' Day
- d. Practices of Indigenous Communities
- e. Constitutional Safeguards

**Unit II : Rights and Values of Indigenous People**

- a. Right to Land, Territories and Natural Resources
- b. Right to protect the Cultural, Spiritual and Social identity
- c. Right to protect their Traditional Knowledge
- d. Values of Indigenous People : Love, Respect, Courage, Honesty, Wisdom, Humility, Truth, etc.

**Unit III : Legal Frameworks for Protecting the Rights of Indigenous Communities**

- a. Legal Frameworks for Protecting the Rights of Indigenous Communities
- b. Role of customary law in resolving disputes
- c. Organizations working in the field of indigenous rights
- d. Social Institutions in Indigenous Society
- e. Indigenous Customary Law and Justice
- f. Indigenous Peoples and Intellectual Property Rights
- g. Comparative Indigenous Peoples Law (Japan, USA, and India)

**Unit IV : Evolution of Indigenous rights in International Law**

- a. Evolution of indigenous rights under natural law framework
- b. Indigenous peoples and positivist international law
- c. Indigenous rights in human rights era.

**Unit V : Definitional Debate**

- a. Meaning and scope of indigenous people
- b. Tribes as indigenous people
- c. Asian-African problematique

**Unit VI : International Normative Structure for the protection of Indigenous Rights**

- a. International Norms Relating to Tribal and Other Indigenous Groups
- b. UN Declaration on the Indigenous Peoples 1995,
- c. UN Voluntary Fund for Indigenous Populations 1985
- d. UN Declaration on the Rights of Indigenous People 2007
- e. The ILO Convention No. 107 and the ILO Convention No. 169

**Unit VII : Central issues of Indigenous People in International Law**

- a. Sovereignty, self- determination and self-governance
- b. Land rights
- c. Cultural rights.

**Unit VIII : Implementation Mechanism in International Law**

- a. Implementation mechanism within the UN framework
- b. The World Bank Inspection Panel

**Readings List**

1. B.D. Sharma, Rights of Tribals, Journal of the NHRC, Vol. 1, 2002, 79-132
2. Bilder, R.B. (1992). An overview of international human rights law. In Guide to international human rights practice (Ed. H. Hannum) (2<sup>nd</sup> Edn), pp. 3–18. University of Pennsylvania Press, Philadelphia, PA.
3. Chandrima Chatterjee and Gunjan Sheoran: Vulnerable Groups in India, Centre for Enquiry into Health and Allied Themes, 2007, Mumbai
4. G. S Bhargava and R.M.Pal, Human Rights of Dalit Societal Violation, (1999)
5. General Assembly Resolution 2200A (XXI), A/6316 (1966)
6. H. Ukurai, & Krooth, R. (2021). Original Nation Approaches to Inter-national Law: The Quest for the Rights of Indigenous Peoples and Nature in the Age of Anthropocene. Palgrave Macmillan.
7. Hiroshi Fukurai, (2018), "Fourth World Approaches to International Law (FWAIL) and Asia's Indigenous Struggles and Quests for Recognition under International Law", vol. 5(1), pp.221-231
8. Information on Legal Instruments dealing with HIV Infections and AIDs (Geneva: WHO, 1994).
9. International Covenant on Economic, Social and Cultural Rights, UN
10. Jatindra Kumar Das, Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi, 2011
11. J. Gilbert, (2016). Indigenous peoples' land rights under international law: from victims to actors. Brill Nijhoff
12. J. Sinus, Women, Health and the Environment: An Anthology: Tabular
13. Mary Chatterjee, Sharma Ursula edited (2003), Contextualising Caste; Post-Dumontian Approaches, Rawat Publications, New Delhi
14. P.K. Pandey (Ed) Human Rights, APH Publishing Corporation, 2012
15. Ram Kishore Chppudhury and Tapash Ghan Choudhury: Judicial Reflections of Justice Bhagwati, Eastern Law House, 2008
16. S. James Anaya, (2009), International Human Rights and Indigenous Peoples, New York: Aspen Publisher.
17. S. James Anaya, , Indigenous Peoples in International Law (2004), New York: Oxford University Press.
18. Stephen Allen, & Alexandra Xanthaki (eds.) (2011), Reflections on the UN Declaration on Rights of Indigenous Peoples, Oxford: Hart Publishing.
19. Susan Timberlake: UNAIDS: Human Rights, Ethics, and Law; Health and Human Rights, Vol.3. No.1 1996 available at <http://www.hhrjournal.org/archivespdf/4065286.pdf.bannered.pdf>
20. TSN Sastry, Sex Workers and Human Rights: Indian Scenario in the Proceeding the ISIL of the International Conference 2001, Vol. II pp 526-538)
21. Turner Bryan S.: Vulnerability and Human Rights: 2006, The Pennsylvania University Press
22. United Nations. (2011). The United Nations Speaks Out: Tackling Discrimination on Grounds of Sexual Orientation and Gender Identity.
23. Upendra Baxi : Dignity In and With Naz, Law Like Love
24. [www.ohchr.org/EN/Issues/Discrimination/Pages/LGBTBrochure.aspx](http://www.ohchr.org/EN/Issues/Discrimination/Pages/LGBTBrochure.aspx)

**Paper Code – DSE 405 : Law Relating to Minorities****Full marks – 50  
Credit : 4****Course Outcomes**

- The students will acquire knowledge about meaning of Minorities in Indian Society and about various safeguards/norms provided for their protection.
- The students are able to analyze and interpret concepts like Rights to administer Minority Educational Institutions and other related issues in this behalf.
- The course also includes the Rights to administer Minority Educational Institutions and other related issues in this behalf..

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Definition of Minority**

- a. Indian Constitutional Law's Definition
- b. International Human Rights Law's Definition
  - i. The Article 27
  - ii. The Objective Criteria
  - iii. The Subjective Criteria

**Unit II : Protection of Minorities under International Human Rights Law**

- a. Historical Developments
- b. Protection of Minorities under Articles 27 and 30
- c. Rights of the Minorities under Minority Declaration

**Unit III : Implementation of International Human Rights of Minorities**

- a. ICCPR Methods of Implementation
- b. Role of Human Rights Council
- c. Forum of Minority Issues

**Unit IV : Protection of Minorities under Indian Constitutional Law**

- a. General Scheme
- b. Right to Protection of Interests of Minorities
- c. Right to Establish Minority Educational Institutions
- d. Right to Administer Minority Educational Institutions
  - i. Constitution of Managing Committee
  - ii. Selection and Appointment of Teachers and Head of the Institution
  - iii. Disciplinary Proceedings and Service Conditions
  - iv. The Medium of Instructions and Admission of Students

**Unit V : Realization of Rights and Safeguards of Minorities in India and Minority Commissions**

- a. National Commission for Minorities
- b. National Commission for Minority Educational Institutions

**Reading List**

1. M.P.Jain, Indian Constitutional Law
2. D.D.Basu, Commentary on the Constitution of India
3. A.P.Datar, Commentary on the Constitution of India
4. H.M. Seervai, Constitutional Law of India
5. Jatindra Kumar Das, Human Rights Law and Practice, 2022
6. M.P. Singh, Constitution of India
7. Brolmann, C. and others, eds., Peoples and Minorities in International Law
8. Phillips, A. and A. Rosas, eds., The UN Minority Rights Declaration
9. Reddy, Jagmohan, Minorities and the Constitution
10. Sheth, D.L. and Gurpreet Mahajan, Ed., Minority Identities and the Nation State
11. Thomberry, Patrick, International Law and the Rights of the Minorities

**Dissertation****Project Work is to be given in the Class later on.****Full marks - 100  
Credit : 8****Course Objectives/Course Description**

This course is designed to test the research process of the students and their analytical skills. It is aimed at enabling the students to hone their skills as a researcher that would be of immense help to them in their career.

This subject will help the students to enhance their research, analytical and writing skills.

**Course Outcome**

Students will be able to-

1. Formulate legal research problem.
2. Identify proper research methodology to deal with the legal issue.
3. Apply objective, logical legal reasoning to make arguments and arrive at conclusions
4. Draft a research report on a particular topic.

**DISSERTATION**

Students are required to identify a researchable area and prepare a dissertation on the same using legal research methodology.

Text Books and Reference Books:

1. ILI Publication, Legal Research and Methodology
2. Harvard Law Review Association, Uniform System of Citations
3. S.K. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, Indian Law Institute (2001) 2nd Edition.
4. Carol M Bast, Foundations of Legal Research and Writing

EVALUATION	Evaluation Pattern
1. Research Proposal -	15%
2. Seminar Presentation –	15 %
3. Research Report –	50 %
4. Viva -	20 %

TOTAL 100%

**Fourth Semester**  
**(For Public International Law Specialization)**

**Paper Code – DSE 402 : Law of International Trade**

**Full marks - 50**  
**Credit : 4**

**Course Outcomes**

- Students will understand the meaning of international trade.
- The students enrich their knowledge about various regional and international trade organisation.
- Moreover, the students will be apprised about United Nations trade bodies.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content**

**Unit I : International Trade**

- a. Introduction to the terminology
- b. Relation between International Trade and economic relation

**Unit II : Introduction to GATT and the WTO**

- a. Founding Documents
- b. GATI Resources
- c. Uruguay Round Resources
- d. WTO Resources
- e. GATT/ WTO Electronic Resources

**Unit III : Dispute Resolution in GATT/WTO**

- a. Introductory Resources
- b. Legal Texts
- c. Dispute Resolution Decisions

**Unit IV : Regional Trade Organization**

- a. Introductory Resources
- b. North American Free Trade Agreement
  - i. NAFTA Dispute Resolution
  - ii. NAFTA Founding Documents
  - iii. NAFTA Resources
- c. Mercado Comun del Cono Sur (Common Market of the Southern Cone)
- d. Common Market for Eastern and Southern Africa
- e. Trade Law Centre for Southern Africa
- f. Association of Southeast Asian Nations
- g. Asia-pacific Economic Cooperation

**Unit V : United Nations Trade Bodies**

- a. United Nations Commission on International Trade Law
  - i. UNCITRAL introductory Resources
  - ii. UNCITRAL Model Rules
  - iii. Case Law Resources
- b. United Nations Conference on Trade and Development
  - i. UNCTAD Founding Documents
  - ii. Introductory and Historical Resources

**Reading List**

1. Daniel Bethlehem et al (eds), The Oxford Handbook of International Trade Law, Oxford University Press, 2022
2. Hemant Goel, International Trade Law , Allahabad Law Agency, 2015
3. Ishita Chatterjee, International Trade Law, Central Law Publication, 2023
4. Michael J. Trebilcock, Understanding Trade Law, Edward Elgar Publishing Ltd, 2011
5. Nicholas Kouladis, Principles of Law Relating to International Trade, Springer, 2006
6. Raj Bhala, Dictionary of International Trade Law, LexisNexis, 2012
7. Raj Bhala, International Trade Law (4 Sets), Carolina Academic Press, 2019. Available at : <https://cap-press.com/pdf/9781531014711.pdf>
8. Rega Surya Rao, Lectures on International Trade Law, Gogia Law Agency, 2019
9. Robert Howse and Antonia Eliason, The Regulation of International Trade, Routledge, 2012
10. S.R Myneni, International Trade Law, Allahabad Law Agency, 2022
11. Simon Lester, Bryan Mercurio, Andreas R. Ziegler, Arwel Davies and Kara Leitner, World Trade Law, Hart Publishing, 2008

**Paper Code – DSE 403 : International Arbitration****Full marks - 50****Credit : 4****Course Outcomes**

- Students will understand the meaning and concept of international arbitration.
- The students enrich their knowledge about various concepts of tribunals and diverse field of arbitration awards.
- Moreover, the students will be apprised about various aspects related with international arbitration.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. Meaning and Concept of International Arbitration
- b. Growth of the idea of international arbitration and justice
- c. Difficulties of its realization

**Unit II : History of the institution of international arbitration (since 1875)****Unit III : Tribunals**

- a. Composition of arbitral Tribunals
- b. Types of disputes submitted to arbitral tribunals
- c. Procedure and rules applied by arbitral tribunals
- d. Admissibility or in admissibility of appeal

**Unit IV : Diverse fields of Arbitral Awards**

- a. State Territory
- b. The Individual
- c. International Delinquencies
- d. Treaties

**Unit V : The Efficacy of Arbitral Awards****Unit VI : The Immunities of International Organizations****Unit VII : Internationally Protected Persons****Unit VIII : Diplomatic Law and Indian State practice****Reading List**

1. Gary B. Born, International Arbitration: Cases and Materials, Wolters Kluwer Law and Business, 2015
2. Gary B. Born, International Arbitration: Law and Practice, Kluwer Law International, 2021
3. Ilias Bantekas, Introduction To International Arbitration, Cambridge University Press, 2015
4. Julian D.M. Lew and Loukas A. Mistelis, Arbitration Insights : Twenty Years Of The Annual Lecture of The School Of International Arbitration, Wolters Kluwer, 2021
5. Margaret L. Moses, The Principles and Practice of International Commercial Arbitration, Cambridge University Press, 2017
6. Moore and John Norton, International arbitration contemporary issues and innovations 1937-2013, Leiden : Martinus Nijhoff Publishers, 2013
7. Robert Finlay, International Arbitration, Routledge, 2019
8. Wöss, Herfried, et al., Damages in international arbitration under complex long-term contracts, Oxford University Press, 2014
9. Yashraj Samant, Specialized Arbitration Emerging International Trends and Practices, Thomson Reuters, 2022
10. Yves Derains and Eric A. Schwartz, A Guide to the ICC Rules of Arbitration, Kluwer Law International, 2015

:



**Paper Code – DSE 404 : Private International Law****Full marks - 50****Credit : 4****Course Outcomes**

- To study the meaning, sources and consequences of Environment pollution.
- To understand the dimensions of environmental problems.
- To examine protective laws relating to environment protection and preservation.
- To evaluate the role played by judiciary in the protection of environment.
- To explain the Common Law & Criminal Law Remedies for Environmental Problems.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction**

- a. Scope and Nature - Definition - Theories
- b. Historical Development of Private International Law
- c. Relationship between Private International Law and Public International Law - Classification.

**Unit II : Domicile**

- a. Domicile, Nationality, Residence - Concept of Renvoi and Double Renvoi
- b. Jurisdiction of Courts - English and Indian Practice
- c. Actions in personam - Partnership - Companies - Jurisdiction immunities under Indian Law and English Practice
- d. Waiver of immunities under Indian Law and English Practice.

**Unit III : Family Law**

- a. Family Law - Marriage
- b. Matrimonial Causes
- c. Legitimacy and Legitimation

**Unit IV : Succession**

- a. Adoption
- b. Administration of estates
- c. Succession
- d. Guardianship and Custody.

**Unit V : Jurisdiction**

- a. Recognition and Enforcement of Foreign Judgment and Arbitral Awards
- b. Limitation on Jurisdiction.

**Reading List**

1. Atul M Setalvad, Conflict of Laws, Lexis Nexis Butterworth
2. A Lawyer's Handbook for Enforcing Judgments in the United States and Abroad, Robert E. Lutz, Cambridge.
3. Morris, The Conflict of Laws, Sixth Edition, Sweet & Maxwell Ltd.
4. Sir Peter North and J.J. Fawcett, Cheshire and North's Private International Law, Indian Edition, Oxford.

**Course Outcomes**

- Students will understand the meaning of genesis and historical development of the law of the sea.
- The students enrich their knowledge about different maritime zones under this law.
- Moreover, the students will be apprised about various types of terminologies involved with it.

**Note for Examiner/Paper Setter**

The question paper of each course will be divided into two sections A and B, Section A consists of four Small answer type questions (without internal choice) carrying 3 marks each covering all units. This section as such will be compulsory. Section-B shall again consist of eight questions carrying 7 marks each covering all units. However, the candidate shall be required to attempt any four questions from this section. 10 marks are allotted for Mid-term (internal) assessment.

**Note for Students**

Attempt all questions of Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 7 marks.

**Course Content****Unit I : Introduction to the International Law of the Sea**

- a. Genesis of the Law
- b. Historical development of the international law of the sea
- c. Sources of the international law of the sea
- d. The present legal regime and international institutions
- e. New challenges in the law of the sea

**Unit II : Evolution and Recent Developments****Unit III : Continental Shelf****Unit IV : High Seas**

- a. The legal status of the high seas
- b. Freedom of the high seas
- c. Jurisdiction on the high seas
- d. The exceptions to flag state jurisdiction

**Unit V : Different Maritime Zones under this Law**

- a. Baselines
- b. Internal waters
- c. Territorial sea
- d. Contiguous zone
- e. Exclusive Economic Zone (EEZ)

**Unit VI : Archipelagic waters****Unit VII : Deep Seabed****Unit VIII : International Straits****Unit IX : Landlocked States****Unit X : Exploration, Exploitation and Management of the Resources of the International Sea-bed Area****Unit XI : Protection and Preservation of Marine Environment****Reading List**

1. 1982: A Commentary, multiple vols. (Dordrecht; Boston; London: Martinus Nijhoff,1985-)
2. A Boyle, Further Development of the Law of the Sea Convention: Mechanisms for Change 54 ICLQ 563 (2005).
3. Alex G Oude Elferink (Ed.), Stability and Change in the Law of the Sea: The Role of the LOS Convention, Martinus Nijhoff Publishers, 2005.
4. Brown, E.D., The International Law of the Sea, 2 vols, Brookfield, Ut:Dartmouth, 1994
5. Canada's Oceans Act, available for download at: <http://laws-lois.justice.gc.ca/eng/acts/O-2.4/>
6. Centre for Ocean Law and Policy, United Nations Convention on the Law of the Sea
7. Churchill, R.R. and Lowe, A.V., The Law of the Sea, 3d (Manchester: Juris Publishing,Manchester University Press, 1999).
8. D. R. Rothwell and T. R. Stephens, The International Law of the Sea, Hart Publishing, 2016
9. Donald R. Rothwell and Tim Stephens, The International Law of the Sea, Hart Publishing, 2010 (Chapter 1).
10. McDougal, M. and Burke, W.,The Public Order of the Oceans: A Contemporary Law of the Sea (New Haven: Yale University Press, 1962)
11. O'Connell, D.P., The International Law of the Sea, 2 vols., Ed. By I.A. Shearer (Oxford:Clarendon Press, 1984)
12. R.R. Churchill and A.V. Lowe, The Law of the Sea (3rd edn), Juris Publishing, 1999 (Chapters 2-9, 11-12).
13. R.R. Churchill and A.V. Lowe, The Law of the Sea (3rd edn), Juris Publishing, 1999 (Chapter 1).
14. Seabed Dispute Chamber of the International Tribunal for the Law of the Sea, Responsibilities and Obligations of States Sponsoring Persons and Entities with respect to Activities in the Area, Advisory Opinion, 1 Feb. 2011.
15. Sohn, L.B. et al., Cases and Materials on the Law of the Sea , 2d (Leiden: Brill Nijhoff,2014)
16. UN Office for Ocean Affairs and the Law of the Sea, Baselines: An Examination of the Relevant Provisions of the United Nations Convention on the Law of the Sea, 1989.

**Dissertation****Project Work is to be given in the Class later on.****Full marks - 100  
Credit : 8****Course Objectives/Course Description**

This course is designed to test the research process of the students and their analytical skills. It is aimed at enabling the students to hone their skills as a researcher that would be of immense help to them in their career.

This subject will help the students to enhance their research, analytical and writing skills.

**Course Outcome**

Students will be able to-

1. Formulate legal research problem.
2. Identify proper research methodology to deal with the legal issue.
3. Apply objective, logical legal reasoning to make arguments and arrive at conclusions
4. Draft a research report on a particular topic.

**DISSERTATION**

Students are required to identify a researchable area and prepare a dissertation on the same using legal research methodology.

Text Books and Reference Books:

1. ILI Publication, Legal Research and Methodology
2. Harvard Law Review Association, Uniform System of Citations
3. S.K. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, Indian Law Institute (2001) 2nd Edition.
4. Carol M Bast, Foundations of Legal Research and Writing

EVALUATION	Evaluation Pattern
1. Research Proposal -	15%
2. Seminar Presentation –	15 %
3. Research Report –	50 %
4. Viva -	20 %

TOTAL 100%