

PONDICHERRY UNIVERSITY



MASTER OF LAWS (LL.M.)

TWO YEARS REGULAR COURSE SEMESTER PATTERN WITH CBCS

REGULATIONS AND SYLLABUS (For Affiliated Colleges)

2020-2021 ONWARDS

**REGULATIONS FOR
TWO YEARS LL.M. POST-GRADUATE DEGREE COURSE
REGULAR STREAM - SEMESTER PATTERN
CHOICE BASED CREDIT SYSTEM
REVISED REGULATIONS
WITH EFFECT FROM 2020 – 2021**

REGULATIONS FOR 2 YEARS LL.M. POST-GRADUATE DEGREE COURSE
REGULAR STREAM
SEMESTER PATTERN WITH CHOICE BASED CREDIT SYSTEM
WITH EFFECT FROM 2020 - 2021

I. Eligibility for Admission:

1. In order to be eligible for admission into the two years LL.M. an applicant should have successfully completed LL.B./B.A.LL.B. or equivalent recognised by the Pondicherry University and the Bar Council of India.
2. Further, the candidates applying for admission to this course should have secured 45% of marks in the qualifying examination.
3. The upper age limit- As decided by the Government of Puducherry in consultation with Pondicherry University from time to time.

II. Admission procedure:

The admission to the above courses shall be made following such procedure as may be prescribed by the Government of Puducherry from time to time.

III. Reservation:

The rule of the reservation set in force by the Government of Puducherry shall be followed.

IV. Examination:

- (1) The course of LL.M. Post-Graduate Degree shall be of two years duration comprising of four semesters. No student admitted to this course will be eligible for award of LL.M. post-graduate degree unless he or she successfully completes all the four semester examinations.
- (2) The Pondicherry University to which the college is affiliated holds examination at the end of each semester and a student will be permitted to appear for the said examinations only if he/ she satisfies the following:
 - (i) He/she secures not less than 75% of overall attendance arrived at by taking into account the total number of periods engaged in all subjects put together offered by the institution.
 - (ii) He/she earns a progress certificate from the Head of the Institution for having satisfactorily completed the course of study in all subjects of the semester concerned.
 - (iii) His/ her conduct is found to be satisfactory as certified by the head of the institution, and
 - (iv) Wherever applicable, internal marks awarded by the respective Institutions shall be sent to the University before the commencement of the scheduled examination.
- (3) A student appearing for the semester examination will be declared successful only if he or she obtains not less than 50% of the marks in each of the subjects appeared. All other students shall be deemed to have failed in the examination. However, where a student who is not declared successful in the whole examination of a semester but obtains not less than 50 % in any paper of the concerned semester examination, will be exempted from re-examination in the said paper.

Note: Internal assessment marks awarded by the institution under the regulations will be forwarded to the University before the commencement of the semester examinations.

(4) Candidates who join this Course should pass all the papers prescribed for the course within the time frame prescribed by the Pondicherry University.

(5) **Scheme of the Examination in all Theory Papers:**

The break-up of the scheme of examination in Theory Papers shall be:

Internal Assessment	:	40 marks
University Examination	:	60 marks

Internal Assessment: Minimum pass marks for internal assessment is 20 out of 40. The minimum pass marks for University Examination is 30 out of 60; putting together the minimum pass marks for a theory paper is 50 out of 100.

The details of the segment of internal assessment in Theory Papers shall be as follows:

a.	Internal written exam:	20 marks
b.	Written assignment/ Project Submission:	10 marks
c.	Seminar Presentation and Viva Voce:	5 marks
d.	Attendance:	5 marks

The evaluation of the answer script of written test held in internal assessment shall be done by the respective college. The passing minimum in internal assessment components taken together is 20 marks. If a student fails to achieve minimum pass marks in internal assessment, he/she may reappear in the Internal Assessment only when the concerned paper is offered in the current semester. In case of reappearance in Internal Assessment, students must compulsorily undergo with written test, written assignment/ project submission, seminar presentation and viva-voce. The marks for attendance would be carried forward from the previous session only.

Note: (i) **Maximum duration of the course and number of attempts:** Candidates who join the regular stream of two years LL.M. Post –Graduate Degree course should pass all the papers prescribed for the course within the following time frame prescribed by the Pondicherry University. The duration of the course is 2 years and thereafter two years time period is available to successfully complete the course, making it maximum of four years only.

(ii) At the end of two years, Master of Laws (LL.M.) degree will be awarded, provided the student has passed all the papers prescribed from the First semester to Fourth Semester.

VI. Course Structure

Areas of Specialisation: LL.M. post-graduate degree programme is offered in the following subjects of specialisation and the intake of the students shall be 10 in each of these subjects.

Branch – I Labour and Administrative Law

Branch – II Criminal Law

Branch – III International Law and Human Rights

Branch – IV Business Law

VII. Subjects and Credits Breakup

The course will be split-up into Audit and Non- Audit Courses.

A.The Audit Courses would bear 72 credits. There would be four common and eight subject-specific papers that will be compulsory and will be hard core papers bearing 4 credits each. Also, four soft core papers; that will be elective across the branches; bearing 3 credits each. There would be two term papers one each in the second and the third semester bearing 2 credits each. Dissertation in the fourth semester will bear 8 credits. Thus, totalling up to 72 credits.

Hard core Papers will be compulsory. These may be common for all branches or be a part of a specialised branch.

Soft core Papers will be elective in nature. From amongst the four specialised branches two subjects from each branch are available; one in the odd semester and the other in the even semester. Students are allowed to choose any four papers out of this entire pool considering the availability of that paper in the concerned semester. The election of such paper should be made in the end of the preceding semester. For the first year students this option must be made within one week of the beginning of classes.

Term Papers: There shall be two term papers bearing 2 credits each. One each in the second and third semester respectively. They will be evaluated out of a maximum of 50 marks only. 40 marks for the evaluation of the document by the appointed faculty-mentor and 10 marks for viva-voce which will be conducted by a panel of two members consisting of one External Examiner and the appointed faculty-mentor. Passing minimum for evaluation of Term Paper Document is 20 marks out of 40. The overall Passing minimum of a Term Paper is 25 marks out of 50. Viva voce is mandatory but there are no passing minimum marks for the viva. If any student fails to attend the said viva-voce, he shall be treated as absent for the said paper (Term Paper) and he should be required to undergo the same as and when it becomes due subsequently.

Dissertation carries 200marks of which 50 marks is earmarked for the viva-voce. The passing minimum for the evaluation of the dissertation is 75 out of 150 marks and the overall passing minimum (both evaluation of the dissertation and viva-voce) is 100 out of 200 marks. Viva voce is mandatory but there are no passing minimum marks for the viva. If any student fails to attend the said viva-voce, he shall be treated as absent for the said paper (dissertation) and he should be required to undergo the same as and when it becomes due subsequently.

B. The Non-Audit Courses are prerequisite to be qualified to take up the end-semester University Examination. There are 6 components of the Non-Audit courses, out of which a student should undergo any 5 components. These would bear 10 credits in total. All these activities should be completed successfully only after the authorisation of the appointed faculty-mentor. Certificate of Completion by The Head of the Institute would be required to be submitted. The students can acquire these in accordance with the following provisions:

Sl. NO.	NON-AUDIT COURSES	CREDITS
1.	Skill Development/ Soft skills workshops (15 Days)	2 credits
2.	Internship	2 credits
3.	Teaching Practice	2 credits
4.	Participation in Seminars/ Conferences (15 Days)	2 credits
5.	Completion of MOOCs/ SWAYAM Courses (Min. 30 hours)	2 credits
6.	Observation/ Training of Legal Aid/ Mediation/ Conciliation Proceedings (15 Days)	2 credits
		Any 10 credits.

INTERNSHIP: This will be required to be carried out in the intervening break between the second and third semester. It should be for a period of fifteen working days. A day to day report composed in the internship diary must be produced and a viva for the same would be conducted by an external examiner in the third semester.

TEACHING PRACTICE: This would be carried out in the fourth semester. Each student would be required to deliver six lectures under the guidance of the appointed faculty-mentor.

MOOCs: Either one or two MOOCs have to be completed. The minimum duration of each course would be 30 hours and its completion would have to be proved by the production of a completion certificate.

Note: Students are advised to attend seminars/conferences/workshop and Observation/ Training of Legal Aid/ Mediation/ Conciliation Proceedings during semester break/ vacations/ holidays.

VIII. Letter Grades and CGPA:

After consolidating Internal Assessment marks and marks secured in the End-semester examinations, the University shall declare Results both in letter grades and in Figures. The letter grades refer to the following distribution of marks:

Range of Marks	Letter Grades	Weightage in calculating CGPA
91-100	O	10
81-90	A+	9
71-80	A	8
61-70	B+	7
56-60	B	6
50-55	C	5
Below 50	F	0
Failed due to shortage of attendance	FA	0

CGPA: Cumulative Grade Point Average (CGPA) will be calculated as a weighted average of number of credits that a course carries and the value of Grade Point, averaged for all the subjects.

Conversion formula from CGPA to percentage: $CGPA \times 10$

IX. Declaration of Results: Pondicherry University shall declare the results of this course on the basis of the following Pass classes:

Pass Class

CGPA	RESULT
9.0 and above (in the first attempt)	Distinction
7.0 and above	First Class
5.00 to 6.99	Second Class

MASTER OF LAWS (LL.M.)
2 YEARS REGULAR POST GRADUATE DEGREE COURSE
SEMESTER PATTERN WITH CBCS

COURSE OF STUDY AND SCHEME OF EXAMINATION
BRANCH-I: LABOUR AND ADMINISTRATIVE LAW
FIRST YEAR

I Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Law and Social Transformation in India	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Indian Constitutional Law: New Challenges	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Labour and Industrial Relations	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Administrative Law -I	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Elective Paper-I	Soft core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Total 19 Credits					500 Marks			

I I Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Legal Education and Research Methodology	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Judicial Process	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Trade Union and Collective Bargaining	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Social Security Law	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Elective Paper-II	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Term Paper-I	Soft Core, 2 Credits	-	-	-	50	-	25
Total 21 Credits					550 Marks			

SECOND YEAR**III Semester**

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Law Relating to Wages	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Administrative Law- II	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Labour Welfare Management	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Elective Paper-III	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Term Paper-II	Soft Core, 2 Credits	-	-	-	50	-	25
Total 17 credits					450 Marks			

IV Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Industrial Adjudication	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Elective Paper-IV	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Dissertation	Hard Core, 8 Credits	-	-	200		100	
Total 15 Credits					400 Marks			

BRANCH-II: CRIMINAL LAW

FIRST YEAR

I Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Law and Social Transformation in India	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Indian Constitutional Law: New Challenges	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Criminology, Penology and Treatment of Offenders	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Juvenile Justice: Law and Policy	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Elective Paper-I	Soft Core, 3 Credits	2 hours 30 minutes		60	40	30	20
Total 19 Credits					500 Marks			

I I Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Legal Education and Research Methodology	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Judicial Process	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Drug Addiction and Criminal Justice	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Privileged Class Deviance	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Elective Paper-II	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Term Paper-I	Soft Core, 2 Credits	-	-	-	50	-	25
Total 21 Credits					550 Marks			

SECOND YEAR

III Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Cyber Crimes	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Crimes of Violence against Society	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	International Criminal Law	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Elective Paper-III	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Term Paper-II	Soft Core, 2 Credits	-	-	-	50		25
Total 17 credits					450 Marks			

IV Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks 100		Min Marks 50	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Comparative Criminal Procedure	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Elective Paper-IV	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Dissertation	Hard Core, 8 Credits	-	-	200		100	
Total 15 Credits					400 Marks			

BRANCH-III: INTERNATIONAL LAW AND HUMAN RIGHTS

FIRST YEAR

I Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Law and Social Transformation in India	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Indian Constitutional Law: New Challenges	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Public International Law	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Human Rights Law: International Perspective	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Elective Paper-I	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Total 19 Credits					500 Marks			

I I Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Legal Education and Research Methodology	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Judicial Process	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Law of the Sea and Law of Air and Outer Space	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Human Rights Law and Indian Legal System	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Elective Paper-II	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Term Paper-I	Soft Core, 2 Credits	-	-	-	50	-	25
Total 21 Credits					550 Marks			

SECOND YEAR

III Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks		Min Marks	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Law of International Institutions	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	International Humanitarian Law	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	International Refugee Law	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Elective Paper-III	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Term Paper-II	Soft Core, 2 Credits	-	-		50		25
Total 17 credits					450 Marks			

IV Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks 100		Min Marks 50	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Law of Treaties and Law of Diplomacy	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Elective Paper-IV	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Dissertation	Hard Core, 8 Credits	-	-	200		100	
Total 15 Credits					400 Marks			

BRANCH-III: BUSINESS LAW

FIRST YEAR

I Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks 100		Min Marks 50	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Law and Social Transformation in India	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Indian Constitutional Law: New Challenges	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	International Economic Institutions and Settlement of Disputes in International Trade	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Private Law of International Trade	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Elective Paper-I	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Total 19 Credits					500 Marks			

I I Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks 100		Min Marks 50	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Legal Education and Research Methodology	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Judicial Process	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Law Relating to Foreign Trade	Hard ore, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Regulation of Corporates in India	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Elective Paper-II	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Term Paper-I	Soft Core, 2 Credits	-	-	-	50	-	25
Total 21 Credits					550 Marks			

SECOND YEAR

III Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks 100		Min Marks 50	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Banking Law	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Insurance Law	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Competition Law	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – IV	Elective Paper-III	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper - V	Term Paper-II	Soft Core, 2 Credits	-	-		50		25
Total 17 credits					450 Marks			

IV Semester

Paper	Name of the Paper	Nature and Credit	Hours		Max. Marks 100		Min Marks 50	
			For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam	For Univ. Exam	For Internal Exam
Paper – I	Trade, Environment, Development and Human Rights	Hard Core, 4 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – II	Elective Paper-IV	Soft Core, 3 Credits	2 hours 30 minutes	-	60	40	30	20
Paper – III	Dissertation	Hard Core, 8 Credits	-	-	200		100	
Total 15 Credits					400 Marks			

ELECTIVE PAPERS

Elective Stream	Semester	Name of the Paper	Nature	Credit
Labour and Administrative Law	ODD	Law and Justice in a Globalising World	Soft Core	3
Criminal Law	ODD	Victimology	Soft Core	3
International Law and Human Rights	ODD	Human Rights of Vulnerable Groups: Problems and Issues qua Protection and Enforcement	Soft Core	3
Business Law	ODD	Intellectual Property Law	Soft Core	3
Labour and Administrative Law	EVEN	Law Relating to Civil Servants	Soft Core	3
Criminal Law	EVEN	Medical Jurisprudence and Forensic Science	Soft Core	3
International Law and Human Rights	EVEN	Private International Law	Soft Core	3
Business Law	EVEN	Cyber Law	Soft Core	3

Note: For any elective course to be available, minimum 5 students must opt for the same.

COMMON THEORY PAPERS FOR ALL BRANCHES

First Semester Paper-I

LAW AND SOCIAL TRANSFORMATION IN INDIA

(Hard Core , 4 Credits)

1. **Law and social change** – Law as the traditions and culture – 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 and legal institutions in India - Need for social transformation – Non-legal strategies for social transformation (Gandhism, Sarvodaya, Marxist etc.)
2. **Community and the law**- Caste as a ‘divisive factor’ – Non-discrimination on The ground of caste – Caste as a factor to undo past injustices – Protective discrimination – Reservation – Constitutional provision. Regionalism and the law – Regionalism as a ‘divisive factor’ – Concept of India As one unit – Right of movement, residence and business – Equality in matters of employment – Admission to educational institutions and preference to residents of a State.
3. **Women, child and the law** – Crimes against women – Gender injustice and its forms – Empowerment of women – Constitutional and legal provisions – Child labour – Protection against exploitation – Right to education.
4. **Modernization and the law** – Modernization as a value – Constitutional perspectives reflected in the fundamental duties – Reform of family law – industrial reform – Free enterprise vs. state regulation – Industrialization vs. Environmental protection–Judicial and institutional (NHRC, NCW etc.) approaches to social transformation – Reform of court processes – Criminal law – Plea bargaining, compounding and payment of compensation to victims – Civil law – Concept of ADR – Mediation, conciliation and LokAdalats.
5. **Issues of social transformation in contemporary India** – Economic reforms and social change. Political changes and social change – Globalisation and social transformation in India – Status of the tribals - Social transformation in rural and urban societies of India – Local self governments (Panchayats and Municipalities) and their contribution to social change - Impact of MGNREGA, BharathNirman, NRHM, JNNURM, Infrastructure project, Educational programmes.

Suggested Readings:

1. Marc Galanter (ed.) - Law and Society in Modern India (1957), Oxford.
2. Robert Lingat - The Classical Law of India (1998),Oxford.
3. U. Baxi - The Crisis of the Indian Legal System (1982), Vikas, New Delhi.
4. U. Baxi (ed.) - Law and Poverty: Critical Essays (1988), Tripathi,Bombay.
5. H.M. Seervai - Constitutional Law of India (1996)
6. D.D. Basu - Shorter Constitution of India (1996), Prentice Hall of India (p)Ltd,.

7. Indian Law Institute - Law and Social Change: Indo – American Reflections,
8. Ishwara Bhatt- Law and socialTransformation.
9. Gandhi,J S, Ed.,Law and Social Change, Rawat Publications, Jaipur,1989.
10. Singh, S N, Law and social change: Essays on labour laws and welfare,Research methodology and environmental protection, P G Krishnan Memorial Foundation, Delhi,1990.
11. Roach Anleu, Sharyn L, Law and Social Change, Sage Publications, London,2000.

First Semester Paper-II

INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

(Hard Core , 4 Credits)

- 1. State:** Need for widening the definition in the wake of liberalization- Privatisation and its impact on affirmative Action- Empowerment of women.
Press: Freedom of press and challenges of new scientific development - freedom of speech and right to broadcast and telecast- right to strike - hartal and bundh.
Reading Directive Principles and Fundamental Rights into Fundamental Duties- Compensation jurisprudence - Right to Education - commercialization of Education and its impact - Right of Minorities to establish and administer Educational institutions and state control.
- 2. The Executive:** Constitutional Status, powers and functions of the President vis-a-vis form of Government. **The Legislature:** Parliamentary / Legislative Privileges: Nature, extent, scope and limitations on the privileges. **The Judiciary:** Status, powers, functions and contemporary developments.
- 3. Centre State Relations:** Doctrines of ‘Separation of Powers’ and ‘checks and balances’ - Constitutional framework- Judicial interpretations and practices.
Distribution of Powers: Distribution of Legislative Powers - Constitutional Scheme and practice - Administrative Relations - Constitutional Scheme and practice – Financial Relations- Distribution of Revenue - Constitutional Scheme and practice - Directions of the Union to States - Centre-State relations and the impact of globalization - Inter-State River Water Disputes - Boundary disputes - Deployment of Security forces - Special status of certain States - Access and Control over Natural Resources.
Implementation of laws: Non-implementation of Union of Law by the Union - Non-implementation of Union of Law by the States - Non-implementation of State laws by the States .
Implementation of International Obligations: - Human Rights - Environmental Protection - International Trade.
- 4. Good Governance:** Principles of good governance - Administrative responsibility and Accountability of State - Liability of the State in torts - Governor - Article 356 - Ordinance making power - Pardoning Power - Discretionary Powers / functions - Regulating Instruction. **Democratic Process:** Elections and Electoral Reforms - Election Commission of India - State Election Commission - Coalition Government - Party System.
- 5. Decentralized Governance:** - Part VIII - Union Territories - Part IX - Panchayats - Part IX-A - Municipalities.

Suggested Readings:

1. Jain, M.P., Indian Constitutional Law
2. Seervai, H.M., Constitutional Law of India
3. Shukla, V N, Constitution of India
4. Jain Kagzi, Mangal Chandra, The constitution of India
5. Gajendragadkar, P. B, Secularism and the constitution of India
6. Durga Das Basu, Shorter Constitution of India

7. Durga Das Basu, Introduction to the constitution of India
8. Bhattacharjee, A M, Equality, liberty and property under the constitution of India
9. Subash C Jain, The constitution of India: A commemorative edition on 50 year of Indian Constitution
10. Saharay, H K, The constitution of India: An analytical approach
11. Arvind P Datar, Constitution of India
12. Sarbani Sen, The constitution of India: Popular sovereignty and democratic transformations
13. O Chinnappa Reddy, The court and the constitution of India: Summits and shallows

In addition to the above mentioned books, reading materials for this paper may be gathered from the recent materials such as case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impaction on constitutional values

Second Semester Paper-I

LEGAL EDUCATION AND RESEARCH METHODOLOGY

(Hard Core , 4 Credits)

- 1. Legal Education and Teaching Methods:** Evolution of Legal Education - Objective of Legal Education- Extension Activities (Clinical, Legal Aid, Legal Literacy and Law Reform); **Methods of Teaching:** Problem Method -Discussion Method -Seminar Method -Socratic method - Case Method - Examination and Evaluation.
- 2. Research Methods and Types of Research:**Concept of Research - Objectives -Types of Research - Social Science Research - Legal Research - Global Trends in Legal Research- Approaches to Legal Research- Socio- Legal research- Importance of Socio-Legal Research- Need for Legal Research and Importance of Inter- Disciplinary Research.Doctrinal or Traditional Research- Non-Doctrinal or Empirical Research- Descriptive and Analytical Research- Applied and Fundamental Research- Qualitative and Quantitative Research- Law Reform Research- Historical Research- Sociological Research.
- 3. Research Processes:** Features of Legal Research Problem- Steps to Identify and Formulate a Legal Research Problem: Identification of Research Problems- Review of Literature- Selection of a Research Problem- Formulation of Hypothesis- Research Design- Delimitation Plan and Proposed Methodology.
- 4. Methods of Investigation and Tools for collection of Data:** Primary Data Method- Secondary Data Method- Tabulation and Evaluation of Data- Sampling and Census- Limitations- Merits and Demerits- Analysis and Interpretation of Data.
- 5. Analysis of Data and Report Writing:**Statistical and Legal analysis of data - Interpretation and implication of data - Hypothesis testing - Report Writing - Structure of the dissertation

Suggested Readings:

1. High Brayal, Nigel Duncan and Richard Crimes – Clinical Legal Education:Active Learning in Your Law School (1998) Blackstone Press Limited,London.
2. N.R. MadhavaMenon (ed.) – a Handbook of Clinical Legal Education (1998) Eastern Book Company,Lucknow.
3. S.K. Vermaand M. AfzalWani, Edition 1: Legal Research Methodology, ILI Publication, 2015Reprint.
4. Kothari C.K., Research Methodology: Methods and Techniques, WillseyEastern Limited, New Delhi,2009
5. John W. Creswell, Research Design: Qualitative, Quantitative and Mixed Methods Approaches, Sage Publications,2002.
6. Ghosh B.N. Scientific Methods and Social Research, Sterling, New Delhi,2003.
7. William Goode and Paul K. Hatt, Methods in Social Research, Surjeet Publications, 2010.

Second Semester Paper-II

JUDICIAL PROCESS

(Hard Core , 4 Credits)

1. Nature of judicial process – Judicial process as an instrument of social ordering – Introduction Constitutional scheme and practice – Rule of law and its importance – Independence of judiciary – separation of powers and checks and balances – role and status of judiciary (Constitutional courts) in a democracy – jurisdiction and powers of the court – structure of judicial system in India – Alternative adjudication – Nyaya Panchayats – Gram Nyayalayas Act, 2008.
2. Nature of judicial process Methods of judicial interpretation – Legislative intent – rule making powers of the court – judges as legislators versus ‘law declared’ the Supreme Court of India – Constitutional provisions for judicial review – power to review – extra constitutional means and powers.
3. Management Selection and appointment of judges – transfer of judges – manpower planning – Judicial impact Assignment- Mounting arrears and the reasons – work load – patterns of court management – Major recommendations by the Law Commission of India – Use of Information and Communication Technology by courts, its problems and solutions – training of judges – role of national and state judicial academies.
4. Process Interpretative techniques – judicial doctrines as tools of interpretation – Due process of law – procedure established by law – judicial discretion in judicial reasoning – judicial review – Judicial activism – self restraint – public interest litigation – *ratio decidendi* – *obiter dicta* – precedent – *stare decisis* – prospective overruling – basic structure – colourable legislation – harmonious construction – jurimetrics – territorial nexus and the like – compensatory jurisprudence – Judicial creativity *vis-a-vis* the Constitution.
5. Judicial accountability – constitutional scheme – subordinate judges – removal – disclosure of assets and liabilities – contemporary challenges to check judicial power of the courts and judges – transparency – Contempt power and issues relating to the exercise of contempt power – The judge as legislator – conscious and sub conscious elements in the judicial process social philosophy of the judges and its impact on judicial divisions – committed judiciary.

Suggested Readings:

1. Benjamin N. Cardozo, The Nature of Judicial Process, Universal Law Publishing.
2. Henry J. Abraham – the Judicial Process (1998), Oxford.
3. Julius Stone – The Province and Function of Law (2000), Universal Law Publishing.
4. Upendra Baxi – the Indian Supreme Court and Politics (1980), Eastern Book Co.
5. Rupert Cross and J. W. Harris – Precedent in English Law, Clarendon Press.
6. Abhinav Chandrachud, Due Process of Law, Eastern Book Co.
7. G. P. Tripathy, Judicial Process: Legal Aid and Lok Adalats, Central Law Publications.
8. S. P. Sathe, Judicial Activism in India, Oxford India Paperback.
9. A. Lakshminath, Precedent in Indian Law, Eastern Book Co., Lucknow.

SPECIALISED PAPERS

BRANCH-I: LABOUR AND ADMINISTRATIVE LAW

First Semester Paper-III

LABOUR AND INDUSTRIAL RELATIONS

(Hard Core , 4 Credits)

- 1. Introduction:** Industrial Relations: Principles, Perspectives and Foundations - Concept of Master And Servant Relationship – State Regulation of Employer - Employee Relationship – Constitutional Perspectives and Foundation- Constitutional Goals Protecting Capital and Labour – Concept of Model Employer & State as Model Employer, Meaning and Concept of Industry - Industrial Disputes.
- 2. Worker's Participation:** Industrial Democracy: Concept - Workers' Participation in Management – Constitutional Perspective - concept and its utility in the establishment of stable and harmonious relationship between employer and his employees – Discrimination in employment and conditions of service – Bi-Partite Forums - Works Committees – Grievance Redressal Committee.
- 3. Industrial employment:** Terms and Conditions of Labour - Standing Orders: Significance, Nature and Certification of Standing Orders - Misconducts in Industrial Employment - Disciplinary Action- Domestic Enquiry Procedure – Punishment – Judicial interventions.
- 4. Industrial stake holders rights and liabilities:** Object and scope – Industrial disputes - Prevention and settlement of industrial disputes- Strike- Lock-outs, Layoff - retrenchment – closure in industry - compulsory retirement - Voluntary retirement – superannuation – Transfer – prerogative right of the employer – changing trends.
- 5. International Developments and Comparative Studies:** ILO on Industrial Relations – International Labour Code - Comparative overview of industrial relations in France, UK and USA. World's best practices on industrial relations – Impact of International Organizations on Industrial Relations.

Suggested Readings:

1. Indian Law Institute “Labour Law and Labour Relations” (1969), (1987) Parts II to VII, IX&XI
2. Malhotra, “The Law of Industrial Disputes”, Vol. 1,(1988)
3. ILI, “ Labour Law and Labour Relations”, Parts 11, IV, VI, VII, IX, and XI.
4. Rideout, “Principles of labour Law” (1983), Ch. 4, 5 &6.
5. ILO on “Conciliation in Industrial Disputes”(1978)
6. Roger Benedictus, “Labour Law : Cases and Materials” (1987) , Chapters 7 and10.
7. Indian Law Institute – Labour Law and Labour Relations(1987)
8. Mary Sur – Collective Bargaining(1986)

9. Otto Khan – Freund, Labour and the Law(1977) 10.Mzlhotra – The Law of IndustrialDisputes
- 10.National Commission on Labour (1969), Chapters 22 & 23. 12.Blackstone, London John Bowers and Simon Hentyball, Text Book onLabour Law (1988)
- 11.The Industrial Relations Code,2020.
- 12.Global Industrial Relations / edited by Michael J. Morley, Patrick Gunnigle and David G. Collings ISBN 0-415-32946-9 (HBK) – ISBN 0- 415-32947-7 (PBK).
13. Industrial Relations :*A marxist introduction* by Richard Hyman ISBN 978-0-333-18667-1.
14. Industrial Relations AndLabour Laws by S C Srivastava ISBN 10: 9325955407 ISBN 13:9789325955400.
15. Industrial relations : Theory and practice by Trevor Colling and Michael Terry ISBN978-1-444-30885-3

First Semester Paper-IV
ADMINISTRATIVE LAW -I
(Hard Core , 4 Credits)

1. **Administrative Process:** Concept, Nature and Meaning – Changing dimensions of Rule of Law – Separation of Powers – From Rigidity to Flexibility – Delegated legislation problems, process and control – Administrative Discretion.
2. **Liability of State:** State - Expanding corridors of State - Tortious liability – Commercial and non- commercial functions – Contractual liability – Sovereign immunity – Personal accountability and compensatory jurisprudence *vis-a-vis* right to life.
3. **Privilege against disclosure:** Concept of Privilege against disclosure- Right to information – Official secrecy- Executive privilege – Security of state and control on information – Judicial Review.
4. **Promissory Estoppel:** Promissory Estoppel concept- Legitimate expectation- Constitutional dimensions of promissory estoppels.
5. **Ombudsman:** The Concept – Evolving Indian Models – Lokpal and Lokayukta Institutions – Commission of Inquiry – Vigilance Commission – Inquiries by legislative Committees – Judicial inquiries.

Suggested Readings:

1. Davis - Discretionary Justice
2. I.P.Massey, Administrative Law
3. C.K.Takwani, Lectures on Administrative Law
4. S.P.Sathe, Administrative Law
5. Jain & Jain - Principles of Administrative Law
6. De Smith - Judicial review of Administrative Action
7. Donald C.Rowal-The Ombudsman
8. Neville L. Brown and J.F. Garner, French Administrative Law
9. H.W.R. Wade, Administrative Law, Schwartz & Wade Legal
10. Markose A.T. - Judicial control of Administrative action in India
11. M.P. Jain, Cases and Materials on Administrative Law
12. Donald C. Rowat - The Ombudsman
13. Schwartz - Introduction to American Administrative Law

Second Semester Paper-III

TRADE UNION AND COLLECTIVE BARGAINING

(Hard Core , 4 Credits)

- 1. Concept of Collective Bargaining:** Collective Bargaining: Concept & prerequisites - Bargaining Process- Types of Bargaining – Methodology – Levels of Collective Bargaining - Collective Bargaining Agreements and Enforcements of Agreements – Factors Affecting Collective Bargaining- Merits And Demerits of Collective Bargaining.
- 2. Freedom of Organization:** Right To Association - Developments in India- The Constitutional and Legal Aspects; Trade Union Law – Registration of Trade Unions – Rights, Privileges and Immunities of Registered Trade Unions ; Trade Union Problems in India- Trade Union Recognition, Registration and Non-registration, Negotiating Councils –Multi-Unionism and Trade Unions Rivalry, Trade Union and Politics, Outsiders in Trade Unions, Trade Union Finance.
- 3. Economic Implications on Collective Bargaining:** Relationship between income and wages with Collective Bargaining – Influence on Wage Policy – Ethical codes on trade union and Collective Bargaining – Impact of recognition of Trade Union – Unfair Trade Practices and Collective Bargaining .
- 4. Globalisation and Collective Bargaining:** Changing dimensions of Collective Bargaining – WTO - Impact of LPG on Collective Bargaining trends – Role of Trade Union - Collective bargaining in Global era.
- 5. International Developments and comparative studies:** ILO on right to association and collective bargaining – International labour standard setting – Collective bargaining – Ratification and accountability of member-states – recommendations – Comparison of International standards vis-à-vis Indian Standards - Comparative Study on Trade unionism and collective bargaining in France, UK, US.

Suggested Readings:

1. Indian Law Institute “Labour Law and Labour Relations” (1969), (1987) Parts II to VII, IX & XI.
2. ILI, “Labour Law and Labour Relations”, Parts 11, IV, VI, VII, IX, and XI.
3. Rideout, “Principles of labour Law” (1983), Ch. 4, 5 & 6.
4. ILO on “Conciliation in Industrial Disputes”(1978).
5. Roger Benedictus, “Labour Law: Cases and Materials” (1987) , Chapters 7 and 10.
6. Indian Law Institute – Labour Law and Labour Relations(1987).
7. Mary Sur – Collective Bargaining(1986).
8. Otto Khan – Freund, Labour and the Law(1977).
9. Gillian S. Morris and Trimothy J. Archer, collective Labour Law (2000) 10.Oxford. Nick Humphrey, Trade Union Law(1997).
10. Blackstone, London John Bowers and Simon Hentyball, Text Book on Labour Law(1988).

11. Blackstone, London Stephen Dery and Richard Mitchell, Employment Relations Individualization and Union Exclusion(1999).
12. Kluwer Indian Law Institute, LabourLaw and Labour Relations, (1987) 14.ILO, CollectiveBargaining.
13. ILO, Collective Bargaining in Industrialized Market Economics Mary Sur, Collective Bargaining(1965).
14. The Industrial Relations Code,2020.
15. Collective Bargaining in Labour Law Regimes : A Global Perspective by Ulla Liukkunen, ISSN2214-6881.
16. Collective Bargaining: A policy guide by ILO ISBN: 978-92-2-129231-9 (Print); 978-92-2-129232-6 (WebPDF).
17. Labor Relations and Collective Bargaining : Private and Public sectors / by Michael R. Carrell, Christina Heavrin ISBN-13: 978-0-13-273001-3 20.The New Collective Bargaining by Gary Chaison ISBN978-1-4614-4023-9 ISBN 978-1-4614-4024-6 (eBook),

Second Semester Paper-IV

SOCIAL SECURITY LAW

(Hard Core , 4 Credits)

- 1. Conceptual Framework of Social Security:** Meaning and Significance of Social security – Social security in Welfare State – Evolution of Social security laws in India – Strategies and approaches – Doctrines on Social security - Constitutional Perspectives - Modality: social prescription, social assistance and social insurance.
- 2. Social Security & Related Aspects –I:** Social security organizations: Constitution of Board of Trustees – National Social security Boards, Welfare Boards, EPF, Funds, Contribution, ESI Corporation, Officers, Law on Employees compensation, Employees State Insurance.
- 3. Social Security & Related Aspects –II:** Maternity Benefit, Payment of Gratuity, Continuous service, Determination of amount, Compulsory insurance, Dependents Benefit, Medical Benefit, Medical treatment, Beneficiaries.
- 4. Social Security and ILO:** International norms on social security for labour: the ILO Conventions and Recommendations on Social Security - Comparison of minimum standards of ILO and standards envisaged in Indian Legislation.
- 5. Comparative Studies:** ILO on labour welfare –conventions and recommendations - Comparative overview of social security of labour in France, UK and USA. World's best practices on – Impact of International Organizations.

Suggested Readings:

1. Blackstone, London John Bowers and Simon Hentyball, Text Book on Labour Law(1988)
2. Blackstone, London Stephen Dery and Richard Mitchell, Employment Relations Individualization and Union Exclusion(1999)
3. R.N. Choudhary, Commentary on the Workmen's Compensation Act 1923 (2000)
4. Orient S.C.Srivastava, Social Security and Labour Laws(1985)
5. R.W. Rideout, Principles of LabourLaw (1988) Chs, 12,13
6. H.K.Saharay, Industrial and Labour Laws of India (1987) Chs. 7 and8
7. Munkun, Employer's Liability (1985), Chs. 1, 2, 3, 22 and23
8. Harry Calvert, Social Security Laws(1978)
9. V.R.Bhattacharya, Some Aspects of Social Security Measures in India (1970)
- 10.D'souza, LabourLaw
- 11.Joshi. "LabourLaw"
- 12.Kumar "Understanding Labour Welfare Administration" 13.Deakin "Labour Law"
- 14.Occupational safety, Health and Working conditions code, 2020 15.Code on Social Security, 2020

Third Semester Paper-I

LAW RELATING TO WAGES

(Hard Core , 4 Credits)

- 1. Constitutional Perspectives on Wages:** Concept of Wage - Theories of wages – Kinds of Wage: Minimum Wage, Fair Wage and Living Wage - The Constitutional ideals: protection against exploitation - Right to equal pay for equal work, Right to work, Right to living wage and Pay parity.
- 2. Legislations on Wages:** Minimum wage law in India : Minimum wage protection and responsibility of State – State as legal sovereign and as employer – Fixation and revision of Minimum wage and its enforcement- Payment of wages: Delay and deduction – Statutory regulation – Concept of bonus -Theories of bonus – Computation of Surplus - Computation of bonus – Disqualification – Set off and set on.
- 3. Wage Differentials:** Concept-Problems and Perspectives - Diminishing the differentia - Inter- industry, intra-industry and regional factors - Private sector - public sector difference in wages - Government Servants - Capacity of industry and Wage fixation – Fixing of floor wages – Inspector-cum-Facilitator.
- 4. National Wage Policy:** National wage policy -Need for integrated approach: income, price and wage - Recommendations of the National Labour Commission relating to Wages – Central and State Advisory Boards - Problems of mixed economy - Problems of mixed economy - Capital intensive sector - Labour intensive sector Wages in Multi - National Corporations: impact of Globalization - Study of wages in the organized and unorganized sectors.
- 5. International Standardization:** Role of ILO: conventions and recommendations relating to wages- Comparative overview of position in France, USA, UK.

Suggested Readings:

1. J.N.Malik, “The Payment of Wages Act
2. D.S.Chopra, “Payment of Bonus Act”
3. Menon, “Foundation of Wage Policy”
4. R.R. Singh, Labour Economics Chs. 6, 7, 8 and 9(1971)
5. G.L- Kothari, Wages, Dearness Allowances and Bonus(1968)
6. Y.B. Singh, Industrial Labour in India Part I,(1960)
7. V.V. Giri, Labour Problem in Indian Industry Ch. 6(1972)
8. ILO on Wages(1968)
9. ILO on Poverty and Minimum living standards(1970)
10. Roger W. Rideout, “Rideout’s Principles of Labour Law”,(1983) Chapters 12 and 13
11. G.L. Kothari, “Wages, Dearness Allowance and Bonus” (1968). 12. Deepak Bhatnagar, “State and Labour Welfare in India” (1985) 13. The Code on Wages, 2019.

Third Semester Paper-II

ADMINISTRATIVE LAW –II (Hard Core , 4 Credits)

- 1. Concept of Judicial Review:** Concept of judicial review in Common law countries and French system – Judicial review in India – Jurisdiction of Supreme Court, Administrative Tribunal and High Court.
- 2. Grounds of review:** Doctrine of *ultra vires* – Unreviewable discretionary powers – Discretion and justifiability – Violation of fundamental rights- Extraneous consideration – Delegation – Acting under dictation – Malafides and bias – Lack of rationality and proportionality.
- 3. Procedural fairness:** Procedural fairness – legitimate expectation – Natural justice and duty to act fairly – Bias and personal interest – Fair hearing.
- 4. Remedies:** Writs – Injunction and Declaration.
- 5. Limits of judicial review:** Locus standi and public interest litigation – Latches- *Resjudicata* and alternative remedies.

Suggested Readings:

1. Davis - Discretionary Justice
2. I.P.Massey, Administrative Law
3. C.K.Takwani, Lectures on Administrative Law
4. S.P.Sathe, Administrative Law
5. Jain & Jain - Principles of Administrative Law
6. De Smith - Judicial review of Administrative Action
7. Donald C.Rowal-The Ombudsman
8. Neville L. Brown and J.F. Garner, French Administrative Law
9. H.W.R. Wade, Administrative Law, Schwartz & Wade Legal
10. Markose A.T. - Judicial control of Administrative action in India
11. M.P. Jain, Cases and Materials on Administrative Law
12. Donald C. Rowat - The Ombudsman
13. Schwartz - Introduction to American Administrative Law

Third Semester Paper-III

LABOUR WELFARE MANAGEMENT

(Hard Core , 4 Credits)

- 1. Introduction:** Need and Objective of Labour Legislations, Indian Constitution on Labour Legislations and Labour Welfare: Fundamental Rights, Directive Principles of State Policy - Un-organised Labour Force, Contract Labour, Child Labour, Female Labour, Migrant workers, Differently-abled Labour, Social Assistance & Social Security, Implications.
- 2. Labour Welfare:** Concept, Objectives, Scope and Need of Labour Welfare Measures, Voluntary and Statutory Labour Welfare Measures, Welfare Funds, Education and Training Schemes.
- 3. Statutory Welfare:** Labour Welfare Funds for Coal mines, Labour Welfare Funds for Mica mines, Audio-Visual Workers, Beedi & Cigar workers, Plantation workers, Authority Powers & Duties.
- 4. Safety and Health:** Introduction, Definitions - Health, Safety and Welfare provisions, Working conditions, Machineries and Authorities under the Act, Registers, records and returns.
- 5. International Developments and Comparative Studies :** ILO on labour welfare – conventions and recommendations - Comparative overview of labour welfare in France, UK and USA. World's best practices on – Impact of International Organizations.

Suggested Readings:

1. S.C Srivastava, Industrial Relations and Labour Laws, 2008
2. A.M.Sharma, Industrial Jurisprudence and Labour Legislation, 2011
3. N.D.Kapoor, Industrial Relations and Labour Laws, 2011
4. Y.B. Singh, Industrial Labour in India Part I, (1960)
5. V.V. Giri, Labour Problem in Indian Industry Ch. 6 (1972)
6. Indian Law Institute – Labour Law and Labour Relations (1987)
7. Mary Sur – Collective Bargaining (1986)
8. Otto Khan – Freund, Labour and the Law (1977)
9. Occupational safety, Health and Working conditions code, 2020.

Fourth Semester Paper-III

INDUSTRIAL ADJUDICATION

(Hard Core , 4 Credits)

- 1. Constitutional Foundations:** Constitutional authorization for institutional framework - Constitutional goals protecting capital and labour enshrined in the fundamental rights and duties and the Directive Principles of State Policy.
- 2. Industrial Dispute Resolution:** Industrial Dispute Resolution Methods - Conciliation - Voluntary Arbitration - Compulsory Adjudication - Power of reference by Government – Industrial Tribunals – National Tribunals – Status, powers, awards – Judicial review. Threshold control by government - Extent of government discretion: time expediency and matters for adjudication o Limitations on discretion - Political overtones and pressures judicial restraint or liberalism, the ideal juristic approach - Direct access to adjudicatory authority by employer and employee: problems and perspectives – penal provisions and prosecutions .
- 3. Social Security Dispute resolutions:** Disputes for claims of social security – claims by employees and dependants – settlement – appeal – penalties – prosecutions – Disputes by employer – statutory authorities’ claims – quasi judicial powers of administrative and enforcement authorities.
- 4. Judicial Review of the Adjudicatory Process:** Finality of decision making in adjudicatory process - Jurisprudence of industrial adjudication authority - Reference Power of Government- quasi judicial adjudication Authorities - Jurisdiction of the adjudicatory authority - Juridical formulation of the various concepts – Judicial review of award and orders passed – rights and liabilities of the stakeholders on appeal.
- 5. International Developments and Comparative Perspectives:** ILO conventions and recommendations relating to Labour Dispute Settlements - Comparative overview of access to adjudicatory process in labour dispute settlement in France, UK, USA.

Suggested Readings:

1. Indian Law Institute “Labour Law and Labour Relations” (1969), (1987) Parts II to VII, IX & XI
2. Malhotra, “The Law of Industrial Disputes”, Vol. 1, (1988).
3. ILI, “ Labour Law and Labour Relations”, Parts 11, IV, VI, VII, IX, and XI.
4. Rideout, “Principles of labour Law” (1983), Ch. 4, 5 & 6.
5. ILO on “Conciliation in Industrial Disputes” (1978)
6. Roger Benedictus, “LabourLaw : Cases and Materials” (1987) , Chapters 7 and 10.
7. Indian Law Institute – Labour Law and Labour Relations (1987)
8. O.P.Malhotra, The Law of Industrial Disputes, Vol. I (1988)
9. ILI, Labour Law and Labour Relations, Parts 11, IV, VI, VII, IX and XI.
10. Rideout, Principles fLabour Law (1983), Ch. 4, 5 & 6
11. Russel A. Smith, et al. Collective Bargaining and Labour Arbitrations, (1970) Part II
12. Robert A. Gorman, Basic Text on Labour Law, Ch 23, 24 and 25 (1976)
13. Relevant portions of the Report of the National Commission on Labour
14. Chaturvedi.R.G. Law and Procedure of Departmental Enquiries and Disciplinary.

SPECIALISED PAPERS

BRANCH-II: CRIMINAL LAW

First Semester Paper-III

CRIMINOLOGY, PENOLOGY AND TREATMENT OF OFFENDERS

(Hard Core , 4 Credits)

1. Nature and scope of Criminology – Crime, Criminal and Victim – Role of Criminal Law - Schools of Criminology
2. Causation of Crime – Evolution of the Theories of Crime Causation – Individual Approach – Social Approach.
3. Penology – Theories of Punishment – Classical Hindu and Islamic approaches to punishment – Capital Punishment – Judicial Attitude towards Capital Punishment in India.
4. Sentencing – Theory and Practice – Pre- sentence hearing – Sentencing in white collar crime and sentencing for habitual offenders – Alternative to imprisonment – Probation, corrective labour, fine, reparation by the offender/the court – Principle types of sentence in the penal Code and special laws –plea bargaining.
5. Prison – State of India’s jails today – Disciplinary regime of Indian prisons-Classification of prisoners – Rights of prisoners and duties of custodial staff – Open prisons - judicial surveillance.

Suggested Readings:

1. Edwin H. Sutherland – Principles of Criminology
2. Sethna – Society and Criminal
3. Barnes & Teeters – New Horizons in Criminology
4. Vold’s Theoretical Criminology, Thomas J. Bernard , Jeffrey B. Snipes, Alexander L. Gerould
5. Gillin – Criminology and Penology
6. Hans Von Henting – Criminal and his Victim
7. H.L.A. Hart – Punishment and Responsibility.
8. Alf Ross – On Guilt, Responsibility and Punishment

First Semester Paper-IV
JUVENILE JUSTICE: LAW AND POLICY
(Hard Core , 4 Credits)

1. **Introduction:** Definition of a “Child” -Concept of Children in Conflict with Law (CCIL)– Doctrine of parens patriae and Protection of Children-Evolution of the Concept of Juvenile Justice & Law relating to Juveniles in India-Rights of Children in India: Constitutional Law and Human Rights Law Perspectives-Convention on the Rights of the Child (CRC),1990.
2. **Factors Influencing Juvenile Delinquency:** Deprivation of Resources and Poverty as important factors-Role of Differential Association Theory (DAT)- Peer Pressure and Juvenile Delinquency-Sub-Culture, Gang Involvement and Juvenile Delinquency. Child labour and its effect upon juvenile delinquency.
3. **Legislative framework of Juvenile Justice in India:** -Juvenile Justice (Care and protection of children) Act, 2015 - Juvenile in conflict with law - Juvenile in need of care and protection - Competent Authorities - Procedural safeguards- Community participation in juvenile care.
4. **Children in Need of Care and Protection:** Integrated Child Protection Scheme (ICPS)- Adoption of Children in Need of Care and Protection-Protection of Children from Sexual Offences (POCSO) Act, 2012: Types of offences-Juvenile delinquency and POCSO provisions-Reporting Mechanisms, Recording of Evidence, Investigation and Speedy Trial of Offences and the functioning of Special Courts.
5. **Role of Civil Society and family in controlling Juvenile Delinquency and Protection of Children in need of Care and Protection:** Preventive strategies- Social and -welfare programs - compulsory education – Social Action Litigation (SAL) for influencing judicial decisions and Policy formulations.

Suggested Readings:

1. VedKumari, The Juvenile Justice System in India: From Welfare to Rights, Oxford University Press (2010).
2. AshaBajpai, Child Rights in India: Law, Policy and Practice, Oxford University Press (2003).
3. Joan Mcord, Cathy Spatz& Nancy A. Crowell (Eds.) Juvenile Crime, Juvenile Justice, National Academy Press (2001).
4. Geeta Chopra, Child Rights in India: Challenges and Social Action, Springer (2015).
5. Larry J. Siegal , Brandon C. Welsh, Encyclopaedia of Juvenile Justice
6. Encyclopedia of Juvenile Justice –M.C. Shane Williams
7. Juvenile Delinquency, Theory, Practice and Law – Bhargava’s Child Laws
8. Juvenile delinquency: A Comparative Study-Attar, A.D
9. Children in India and their rights-Bhakhry, Savita
10. Juvenile Delinquency in India- A Psychological analysis –Desai, Arvindrai N
11. Juvenile Courts: Its Philosophy and Procedure-Kochavara, T.L.
12. Juvenile Delinquency-Kusum.K
13. Juvenile Court in a changing society- Reifen, David
14. A report on Juvenile Delinquency in India- Sabris M.S.
15. Law Commission of India 165th Report, 146th Report, 205th Report

Second Semester Paper-III

DRUG ADDICTION AND CRIMINAL JUSTICE

(Hard Core , 4 Credits)

1. Basic conceptions – Drugs, narcotics, psychotropic substance – Dependence, addition - Crimes without victims - Trafficking in drugs – Primary drug abuse.
2. Anagraphic and Social Characteristics of Drug Users – Gender – Age – Religiousness – Single Individuals/Cohabitation – Socio-Economic Level of Family – Residence Patterns – Educational Levels – Occupation – Age at first use – Type of Drug use – Reasons given as cause of first use – Method of intake – Pattern of the use.
3. International Legal Regime- Analysis of the Single Convention on Narcotic Drug 1961 and 1972 – Analysis of the Convention on Psychotropic Substance 1972 – International collaboration in combating drug addiction – Role of SAARC.
4. Indian Regulatory system - Approaches to narcotic trafficking during colonial India – penal provisions IPC and Customs Act – India’s role in the evolution of the International Conventions – Judicial approach to sentencing in drug trafficking and abuse – The Narcotic and Psychotropic Substance Act, 1985.
5. Treatment, after care and rehabilitation of drug addicts – Problem of juvenile drug use and legal approaches – Role of educational system, medical profession and mass media – Initiatives for compliance with regulatory system – Law reform initiatives.

Suggested Readings:

1. J.A. Incard – Drugs and Criminal Justice System.
2. P. R. Rajnat – Violence and Response: A Critical Study of Indian Criminal justice System.
3. United Nations – Economic & Social Reports of the Commission on Narcotic Drugs.
4. United Nations Social Defense Research Institute (UNSRDI) – Combating Drug Abuse and Related Crimes.

Second Semester Paper-IV

PRIVILEGED CLASS DEVIANCE

(Hard Core , 4 Credits)

1. **Introduction:** Meaning and concepts -Theories of Deviance (Explaining Deviant Behaviour: Individualistic Vs. Sociological Theories , Functionalism & Anomie Theories , Conflict and Threat Theories, Labelling Theory)Concept of White Collar Crimes-Sutherland’s Conception- White Collar and Corporate Crimes-Indian approaches to Socio-Economic Offences-Doctrine of strict liability in Criminal Law-Notions of Privileged Class Deviance and its formulations in the Indian Context: Official Deviance: Deviance by Legislators, Judges and Bureaucrats)-Professional deviance : Lawyers, Doctors, journalists, teachers , engineers, architects and publishers ,Trade union deviance, Landlord deviance (class/caste based deviance)-Police deviance -Deviance on electoral process(rigging, booth capturing, impersonation, corrupt practices)- Sexual Deviance and aggressive behaviour by socially, economically and politically powerful.
2. **Official Deviance:** Conception of official deviance - permissible limit of discretionary powers Commissions on official deviance(The Chambal valley dacoit - Vinoba Mission and Jai PrakashNarain Mission – in 1959 and 1971,The Chagla Commission Report in LIC- Mundhra Affair, The Das Commission Report on Pratap Singh Kairon, The Grover Commission Report on Dev Raj Urs, The Maruti Commission Report, The Ibakkar - Natarajan Commission Report on Fairfax)
3. **Police Deviance:** Indian Police Act, 1861; Structures of legal restraint on police power in India-Unconstitutionality of “third-degree” methods and use of fatal force by Police- Judicial decisions on “Encounter” killings, Custodial Violence and Custodial Deaths, Torture in Prison; Attributing Responsibility Police Violence- Defences including “Superior Orders”, etc.- Rape and related forms of gender-based aggression by police and para- Military forces.
4. **Professional Deviance by Doctors and Lawyers and Journalists:** Medical Negligence and the law in India- The Lentin Commission Report-Malpractices and other Unethical practices at the Indian bar- Media Ethics-The Press Council on unprofessional and unethical journalism.
5. **Privileged Class Deviance:** Crime and Control: Indian Penal Code, 1860 (Selective Provisions); Prevention of Corruption Act, 1947-The Antulay Case-Vigilance Commission- Public Accounts Committee-Ombudsman-Commissions of Enquiry-Representation of Peoples Act, 1951; Advocates Act, 1961; Sexual Harassment at Workplace Act, 2013.

Suggested Readings:

1. UpendraBaxi. The Crisis of the Indian Legal System (1982), Vikas Publishing House, New Delhi
2. UpendraBaxi (ed.), Law and Poverty : Essays (1988)
3. UpendraBaxi, Liberty and Corruption : The Antulay Case and Beyond (1989) 4. SurendranathDwevedi and G.S.Bhargava, Political Corruption in India (1967)
4. A.R.Desai (ed.), Violence of Democratic Rights in India (1986)
5. A.G.Noorani, Minister's Miscounduct (1974)
6. B.B.Pande, "The Nature and Dimensions of Privileged Class Deviance" in the other side of development 136 (1987, K.S.Shuklaed.)
7. Indira Rotherm und. "Patterns of Trade Union Leadership in Dhanbad Coal Fields" 23 J.I.L.I. 522 (1981)

Reports :

1. The Chagla Commission Report in LIC-Mundhra Affair
2. The Das Commission Report on Pratap Singh Kairon
3. The Grover Commission Report on Dev Raj Urs
4. The Maruti Commission Report
5. The Ibakkar - Natarajan Commission Report on Fairfax

Third Semester Paper-I

CYBER CRIMES

(Hard Core , 4 Credits)

1. Theoretical Construction and Evaluation of Legal Regulations of Technological Process and Innovations - Regulations of Cyber Space - Criminal Regulation or Cyber-Space: Issues relating to Criminalization.
2. Typology of Cyber Crimes: - Cyber Fraud – Cyber Forgery – Damage to Computer Date – Computer Sabotage – Unauthorised Access – Unauthorised Reproduction – Pornography – Money Laundering – IP infringements – Other Crimes perpetrated in Cyber Context or committed with the help of Computer.
3. Jurisdiction and Criminal Regulations of Cyber Space in the Fundamental Context of Nation State Sovereignty Principle.
4. Issues and Procedures relating to Cyber Criminal Investigation and Evidence. Adjudication of Cyber Crimes - Competence, Understanding and Appreciation about Technology Insight on the part of the Stakeholder.
5. IT Act – Critical Appreciation on Criminal Aspects - Means and Methods to prevent Cyber Loss/Injury/Damage Technological Options.

Suggested Readings:

1. Information technology Law –Diane Rowland (1997)
2. Information technology – Venkat Sharma (2006)
3. Cyber Law Vol 1 & 2 Brian Fitzgerald (2006)
4. Information technology Act
5. Combating Cyber Crime - Richard Stiennon
6. Dimensions of Cyber Crime- S. R. Sharma
7. Cyber Safety: An Introduction- Leukfeldt
8. Cyber Criminals on Trial- Peter Grabosky, Russell G. Smith, GregorUrbas
9. Cyber Crime - S. K. Bansal

Third Semester Paper-II

CRIMES OF VIOLENCE AGAINST SOCIETY

(Hard Core , 4 Credits)

1. Notion of “Force”, Coercion”, “Violence” – Distinction: “Symbolic”, Institutionalized Violence”, “Structural Violence”. – Force-Monopoly of Modern Law – Speech as incitement of violence – Collective Political Violence and Legal order – Notion of Legal and extra-legal “Repression”
2. Approaches to Violence in India – Religiously Sanctioned Structural Violence – Caste and Gender based – Ahimsa in Hindu, Jain, Buddhist, Christian and Islamic Tradition in India – Gandhiji’s approach to Non-Violence – Discourse on Political Violence and Terrorism during Colonial Struggle – Attitudes towards Legal Order as possessed of Legitimate Monopoly over violence during the Colonial Period.
3. Agrarian Violence and Repression – The nature and scope of Agrarian Violence in the 18th and 19th Centuries in India – Colonial Legal Order as a causative factor of Collective Political (Agrarian) Violence – Infrastructural Development vs Rights of Farmers.
4. Violence against the Scheduled Castes – Notion of Atrocities – Incidence of Atrocities – Uses of Criminal Law to combat Atrocities or Contain aftermath of Atrocities – Violence against Women.
5. Communal Violence – Incidence and Courses of “Communal” Violence – Findings of various Commissions of Enquiry – The Role of Police and Paramilitary Systems in dealing with Communal Violence – Operation of Criminal Justice System training and in relation to Communal Violence.

Suggested Readings:

1. A .R .Deesai; (ed.) Peasant Struggles in India (1979)
2. A. R. Deesai, Agrarian Struggles in India: After Independence (1986)
3. A. R. Deesai, Violation of democratic Rights in India (1986)
4. D.A. Dhangare, Peasant Movement in India 1920-1950 (1983)
5. RanjitGuha, Element any Aspects of Peasant Insurgency in Colonial India (1983)
6. RanjitGuha (ed.) Subaltern Studies Vol. 1-6 (1983-1988)
7. T. Hondorich, Violence for Equality (1980)
8. Mark Juergensmeyer, "The Logic of Religious Violence: The Case of Punjab: 22 Contributions to Indian Sociology 65 (1988)
9. Raiijnilkothari, State Against Democracy (1987)
10. G. Shah, Ethnic Minorities and Nation Building: Indian Experience (1984)
11. K.S. Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986)
12. Siddique Ahmed Criminology
13. Tripathy Crime against Working Women
14. Braverman Mark Preventing Work Place Violence Choudhry R.N Judgement on Crimes Against women
15. Dewan V.K Law Relating to Offence Against women

Third Semester Paper-III

INTERNATIONAL CRIMINAL LAW

(Hard Core , 4 Credits)

1. International Criminal Law: Introduction- Individual Criminal Responsibility-Historical Developments: (a) Treaty of Versailles, (b) Nuremberg & Tokyo Trials (c) Genocide Convention, 1948, (d) Geneva Convention, 1949, ILC Draft Code of Crimes against the Peace and Security of Mankind .
2. Relationship between International Humanitarian Law, International Human Rights Law and International Criminal Law- State Sovereignty and International Criminal Law-General Principles of International Criminal Law-
3. International Crimes: Genocide, Crimes Against Humanity and War Crimes-Elements of International Crimes-Basis of Criminal Responsibility-Doctrine of Command Responsibility- Defences under International Criminal Law.
4. International Criminal Tribunals: Ad-hoc Tribunals-International Criminal Tribunal for Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR); International Criminal Court; Hybrid Courts: Special Panels and Serious Crimes Unit in East-Timor, Extraordinary Court for Cambodia, Special Court for Sierra Leone, Special Tribunal for Lebanon, etc.
5. Universal Jurisdiction- Sovereign Immunity-Future of International Criminal Law-Response of South Asian Countries to the ICC-Indian perspectives on International Criminal Law

Suggested Readings:

1. Antonio Cassese, International Criminal Law, (2008), Second Edition, (Oxford University Press: New York)
2. Antonio Cassese, International Criminal Law: Cases and Commentary
3. William A. Schabas, An Introduction to International Criminal Court, Cambridge University Press, 2007
4. William A. Schabas, The International Criminal Court – A Commentary on the Rome Statute, Oxford university Press, 2010
5. M. Cherif Bassiouni, Introduction to International Criminal Law: Second Revised Edition, MartinusNijhoff Publishers, 2012
6. Claire de Than and Edwin Shorts, International Criminal Law and Human Rights, Sweet & Maxwell, 2002

Fourth Semester Paper-I

COMPARATIVE CRIMINAL PROCEDURE

(Hard Core , 4 Credits)

1. Organization of Courts and Prosecuting Agencies -General Observations on Adversarial and Inquisitorial Systems of Criminal Justice Administration- Constitutional Aspects of Criminal Law-Impact of Human Rights upon the Criminal Justice System-Hierarchy of criminal courts and their jurisdiction -NyayaPanchayats in India -Panchayats in tribal areas-Organization of prosecuting agencies for prosecuting criminals -Prosecutors and the police Withdrawal of prosecution and compounding- Pardoning powers.
2. Arrest and questioning of the accused-The rights of the accused -The evidentiary value of statements/articles seized/collected by the police -Rights to counsel-Roles of judge and prosecutor.
3. Role of the judges, the prosecutor and defence attorney in the trial -Jury System- Admissibility and inadmissibility of evidence -Expert Evidence-Appeal of the court in awarding appropriate punishment-Plea bargaining- Judgement and Appeal.
4. Institutional correction of the offenders-General comparison- After- care services in India and France-The role of the court in correction programs in India
5. Provisions in the Criminal Procedure Code and special enactments- comparison with other countries Role of Police – Prevention Action of the police –Security Proceedings- Dispersal of Unlawful Assemblies Role of Executives-Removable of Public Nuisance and apprehensible danger- Disputes as to immovable property.

Suggested Readings:

1. Christina Van Den Wyngart, Criminal Procedure Systems in European Community (1997).
2. Marvin Zalman& Larry Siegel, Key Cases on Criminal Procedure (1994).
3. Gunnm M. & Bailey, S.H. (eds.), Smith and Bailey on the Modern English System, 2nd Edn. (1991).
4. Halsbury"s Laws of England, 4th Edition, Vol.11 (3), LexisNexis Butterworths Publication
5. Halsbury"s Laws of England, 4th Edition, Vol.11 (4), LexisNexis Butterworths Publication.
6. Dubber, Markus Dirk. "American Plea Bargains, German Lay Judges, and the Crisis of Criminal Procedure," 49 Stanford Law Review 547-605 (1997).
7. Frase, Richard S. "Main-Streaming Comparative Criminal Justice: How to Incorporate Comparative and International Concepts and Materials into Basic Criminal Law and Procedure Courses," 100 West Virginia Law Review 773-798 (1998) (includes as "Resources for Further Study" in an appendix, an annotated bibliography of published works for professors and students).
8. Langbein , John H. & Weinreb, Lloyd L. "Continental Criminal Procedure: "Myth and Reality," 87Yale Law Journal 1549-1569 (1978). See also "Comment on Continental Criminal Procedure" by Abraham S. Goldstein & Martin Marcus at pages 1570-1577.

SPECIALISED PAPERS

BRANCH-III: INTERNATIONAL LAW AND HUMAN RIGHTS

First Semester Paper-III

PUBLIC INTERNATIONAL LAW

(Hard Core , 4 Credits)

1. International Law: Development; Definition; Theories of basis of international law.
2. Public International Law: Sources; Schools and Subjects.
3. State: Elements; types and recognition of states. State territory; Acquisition and loss of territory; State succession; state jurisdiction and responsibility.
4. Individuals: Nationality- modes of acquiring and losing nationality; place of individuals in international law. Law relating to Aliens; Extradition and Asylum.
5. Problem of Intervention; Law relating to War; War and Use of Force; Peaceful Settlement of International Disputes; International Criminal Court and the Rome Statute

Suggested Readings:

1. Anand, R. P., Compulsory Jurisdiction of the ICJ (Asia Publishing House, New Delhi, 1986).
2. Development of Modern International Law and India (Nomos, Germany, 2005).
3. International Law and the Developing Countries (Banyan Publications, New Delhi, 1986).
4. Anand, R. P., Origin and Development of the Law of the Sea (MartinusNijhoff, The Hague, 1983).
5. New States and International Law (Vikas Publications, New Delhi, 1994).
6. Dixit, R.K. & Jayaraj, C, Dynamics of International Law in the New Millennium (Manak Publications, New Delhi,
7. Dixit, R.K. , Shankardass, R.K.P., Jayaraj, C & Sinha, Manoj K., International Law: Issues and Challenges(ISIL & Hope India Publications, New Delhi, 2009)
8. Mani, Bhatt and Reddy, Air Law and Policy in India (Lancers Books, New Delhi, 1994).
9. Oppenheim's, International Law of Peace, vol. 1, 9th ed. (London, 1992).
10. Aggarwal, H.O. International Law and Human Rights.
11. Kapoor S.K. International law

First Semester Paper-IV

HUMAN RIGHTS LAW: INTERNATIONAL PERSPECTIVE

(Hard Core , 4 Credits)

1. Introduction: The Historical Development of Human Rights Law, Human Rights Concepts and Discourse, Human Rights Movements, Rights-Duties and Dilemmas of Universalism.
2. Normative Foundation of International Human Rights: Universal Declaration of Human Rights, International Covenant on Civil and Political Rights along with its optional protocols and International Covenant on Economic, Social and Cultural Rights along with its optional protocol.
3. International Human Rights Organisations: The UN Human Rights System, Treaty Bodies, Regional Arrangements (Comparison of Universal and Regional Systems, The European Convention System, Inter- American System and the African System, the Role of the High Commissioner for Human Rights.
4. International protection against Racial Discrimination, Discrimination against Women, The Rights of Child, The Right against Torture, Enforced Disappearance, The Right to Development and Rights of Persons with Disability.
5. Vertical and Horizontal Interpretation to Human Rights Law and Its Enforcement; Human Rights, Development and Climate Change; National Security, Terrorism and Limitation on Human Rights; Indigenous Communities: IPR and Human Rights.

Suggested Readings:

1. Agarwal, H. O., Implementation of Human Rights Covenants 2. with Special Reference of India {KitabMahal, Allahabad, 1983}. 3. Anand, R. P., Compulsory Jurisdiction of the ICJ (Asia Publishing House, New Delhi, 1986).
2. Development of Modern International Law and India (Nomos, Germany, 2005).
3. International Law and the Developing Countries (Banyan Publications, New Delhi, 1986).
4. Anand, R. P., Origin and Development of the Law of the Sea (MartinusNijhoff, The Hague, 1983).
5. New States and International Law (Vikas Publications, New Delhi, 1994).
6. Dixit, R.K. & Jayaraj, C, Dynamics of International Law in the New Millennium (Manak Publications, New Delhi,
7. Dixit, R.K. , Shankardass, R.K.P., Jayaraj, C & Sinha, Manoj K., International Law: Issues and Challenges(ISIL & Hope India Publications, New Delhi, 2009)
8. Mani, Bhatt and Reddy, Air Law and Policy in India (Lancers Books, New Delhi, 1994).
9. Mani, V. S., Basic Principles of Modern International Law (Lancers Book, New Delhi, 1993).
10. Oppenheim's, International Law of Peace, vol. 1, 9th ed. (London, 1992).
11. Verma, S. K., 50 Years of Supreme Court of India: Its Grasp and Reach (Oxford, 2008).
12. Agrwal, H.O. International Law and Human Rights.
13. Kapoor S.K. International law
14. Basu, Durga Das, Human Rights in Constitutional Law (Prentice Hall, New Delhi, 1994).

Second Semester Paper-III

LAW OF THE SEA AND LAW OF AIR AND OUTER SPACE

(Hard Core , 4 Credits)

1. Historical introduction to the Law of the Sea: Contributions of Seldon, Grotius, Bynkershock and others to the development of the early law; the Anglo-Norwegian Fisheries case and its aftermath; the technological revolution and utilization of the new resources of the sea; population explosion and its impact on the law, the U.N. conferences on the Law of the Sea; Developing nations and the uses of Sea; Changing concepts of Maritime Frontiers: Rights of States over territorial waters and contiguous zone, Continental Shelf , Exclusive Economic Zone, Principles of determination of maritime frontiers and maritime boundaries under the customary and conventional law.
2. Exploitation of Deep Sea Bed Resources: Area, International Sea Bed Authority, its functions and powers, decision making and settlement of disputes; Principles governing joint ventures; transfer of data and training of personnel of the authority; problems and perspectives; Emerging trends in Law of Sea: Conservation of Living resources of the High Sea: Problems of Maritime pollution, Landlocked States and the Law of the Sea, Piracy, Arctic regions, Sea as common heritage of mankind; the future of the law of the sea.
3. Definition, Nature, Scope and Source of Air law, autonomy air law Development of Air law (Paris Convention, 1910; Paris Convention,1919; Madrid Convention,1926; Havana Convention, 1928; Warsaw Convention and Chicago Convention,1944) Freedom of the Air and Sovereignty in the Air Membership and Organs of ICAO Legislative, Administrative and Multilateral Conventions Regionalism in Civil aviation; Safety and security in civil Aviation The concept, Aviation terrorism, Hijacking, Drugs International Norms-conventions, Protocols and regulations Regulation in India ; Air safety provisions, Air Traffic management, Legal regime of Air Space and Outer Space, Problem of application of Air, Space and telecommunication laws, State obligation to provide Air Navigation services, Sovereign rights of States, Aviation related pollution and Environmental problems, Aircraft financing and leasing, Aviation Insurance.
4. Space Law regime in International Law Definition, nature, scope and development UN and Outer Space technology-establishment of Committee on Peaceful use of Space (COPUOS), UN Space treaties, development of Law by Treaties: The Space Treaty, 1967, The Rescue Agreement, 1968: The Liability Convention, 1972: The Registration Convention,1975; the Moon Treaty,1979, Partial Test Ban Treaty, 1963; Weather Modification Convention, 1977. Space Terrorism; Space tourism; space debris Common heritage of mankind ; Bilateral Agreement in Space Activity, Satellite Broadcasting and Tele-Communications Use of space Technology; peaceful and non-peaceful, remote sensing, Disaster prediction, warning and mitigation, management of earth sources, Satellite- navigation and location, space communication Commercialization of Space Activities; Public and private sector activities, industrygovernment partnership, IPR Rights, Organisation of Space Activies-DOS, ISRO.

5. Dispute Settlement in Law of Sea: Jurisdiction, Applicable Laws, Enforceable mechanism, Exploitation of sea resources, International Sea Tribunal; Settlement of Aviation related Disputes: General Principles Role of ICAO and ICJ, Arbitration, Settlement under Municipal Law.

Suggested Readings:

1. H.PhilepinaDiederiks-verschoor, Introduction to Air Law,1983, Kluwer Law Pub
2. Azbeyratne, RIR, Legal and Regulatory Issures in International Aviation (1996) 3. S.Bhatt, The New Aviation policy in India (1977)
3. Carole Blackshow, Aviation Law and Regulation
4. V.S.Mani, Recent Trends in International Space and Policy (1966)
5. P.P.C Hanappel, the law and policy of air space and outer space (Kluvwelaw, London 2003)

Second Semester Paper-IV

HUMAN RIGHTS LAW AND INDIAN LEGAL SYSTEM

(Hard Core , 4 Credits)

1. Historical and Constitutional Development of Human Rights in India; Poverty and Human Rights in India; Fundamental Rights under the Indian Constitution.
2. Protection of Human Rights through Directive Principles of State policy and Fundamental Duties under the Indian Constitution.
3. Protection of Vulnerable Sections of Society in India (Tribals, Women, Minorities, Children, Aged, Disabled, Prisoners etc.)
4. Judicial Activism and Development of Human Rights Jurisprudence: Right to Human dignity, livelihood, Freedom from torture, Right to Food, Right to Education, Right to Health, Right to development, Right to clean environment and public safety.
5. Human Rights and Statutory Machinery: National Human Rights Commission, State Human Rights Commission, Law Commission, National Commission for women, SC/ST, minorities and National Commission for the protection of Child Rights. Role of NGOs in protection of Human Rights in India.

Suggested Readings:

1. JatindraKuman Das, Human Rights Law and Practice (PHI Learning, New Delhi) 2016.
2. D.D. Basu, Commentary of the Constitution of India (Vol. 1,2&3), 8th Ed., (Lexis Nexis, Nagpur), 2007 & 2008.
3. D.D. Basu, Human Rights in Constitutional Law', 3rd Ed., (Lexis Nexis, Nagpur), 2008
4. K.P. Sakesena, Human rights & the Constitution: vision and the reality', (Gyan Publishing house), 2003.
5. Chiranjivi.J. Nirmal, Human rights in India: Historical, Social and Political perspectives', (Oxford University Press, New Delhi), 2002.
6. J.S. Verma, The New Universe of Human Rights', (Universal Law Publications, New Delhi), 2011
7. GopalBhargava, Meaning & sources of Human Rights', (Kalpaz publications, India), 2003.
8. Corradetti Claudio (Ed.), _Philosophical Dimensions of Human Rights', (Springer publications), 2012.
9. Michael J. Perry, _Toward a theory of Human Rights: Religion, Law, Courts' (Cambridge University Press), 2007.
10. IshayMicheline, _The History of Human Rights', (Orient Blackwan), 2008.

Third Semester Paper-I

LAW OF INTERNATIONAL INSTITUTIONS

(Hard Core , 4 Credits)

1. Introduction: Genesis, Nature of International Institutions and their Place in the Contemporary World, Definition and Classification of International Organisations, Role and Functions of International Organisations; Theories of International Organisations.
2. Developments in the 19th Century: The Concert of Europe, The Hague Conferences, 1899 and 1907, Public International Unions. League of Nations: Constitutional Framework, Structure and Functions, Role in Major Challenges to Collective Security, Mandate System.
3. United Nations — Constitutional Issues: Sources of the Charter, Nature of the Charter — Treaty or Constitution?, Purpose and Principles, Membership, Domestic Jurisdiction, Self-Defence. Structural Issues: Principal Organs and their powers, Relationship between the General Assembly and the Security Council, Uniting for Peace Resolution, Structural and Institutional Reforms .
4. International Economic/Financial Institutions: UN Development Programme (UNDP), General Agreements on Tariffs and Trade (GATT) and World Trade Organisation (WTO), UN Conference on Trade and Development (UNCTAD), UN Commission on International Trade Law (UNCITRAL), International Monetary Fund (IMF), World Bank (IBRD); International Social and Humanitarian Organisations: International Labour Organisation (ILO), United Nations Educational, Scientific and Cultural Organisation (UNESCO), UN High Commissioner for Refugees (UNHCR) and International Red Cross Committee(ICRC).
5. Regional Organisations: European Community/Union, North Atlantic Treaty Organisation (NATO), African Union, South Asian Association for Regional Cooperation (SAARC), Organisation of American States. Future of International Institutions.

Suggested Readings:

1. Abi-Saab, Georges (eds), The Concept of International Organisation (UNESCO, Paris, 1981).
2. Bowett, D. W., Law of International Institutions,(Sweet of Maxwell, London, 1983).
3. Inis L. Claude, Jr., Swords and Ploughshares: Problems and Progress of International Organisation (St Martin's Press, McGraw-Hill, 1971).
4. Kaufman, Johan, The United Nations Decision- Making (1980).
5. Kelsen, Hans, The Law of the United Nations (Stevens and Sons, London, 1951).
6. Khan, Rahamatullah, The Implied Powers of the United Nations (Vikas Publications, Delhi, 1969).
7. Lelland, Goodrich et. al., The Charter of the United Nations (Stevens and Sons, London, 1969).
8. Luard, Evan, The United Nations: How It Works and What It Does? (1994).
9. Northedge, F. S., League of Nations: Its Life and Times (Holmes st.Meler, New York, 1986).
10. Rajan, M. S. et. al., United Nations at Fifty and Beyond (Lancers Books, New Delhi, 1996).

Third Semester Paper-II

INTERNATIONAL HUMANITARIAN LAW

(Hard Core , 4 Credits)

1. Introduction to International Humanitarian Law: Nature and Definition of IHL; Inter-state resort to force and international law – Prohibition and Exceptions; Use of Force and International Humanitarian Law (IHL) – Relationship between *jus ad bellum* and *jus in bello*; IHL as a part of International Law — Sources of Modern IHL -Development of the Geneva Conventions and Additional Protocols; Fundamental Rules of IHL — Applicable in Armed Conflict
2. Concept of War — International and Non-International Conflicts; Relationship between IHL and International Human Rights Law (IHRL); The Problem of Applicability of Human Rights Law in Armed Conflict; Limitation on Means and Methods of Warfare: General Limitations on the Conduct of War— Limits on the Choice of Methods and Means of Warfare, Specific Weapons — Chemical, Biological, Nuclear etc.
3. Protection of Defenceless: The General Obligations of Humane Treatment — Role of ICRC — Wounded, Sick and Shipwrecked persons; Combatant Status; Protection of POW's; Women and Children and Other Vulnerable Groups including Refugees. Protection of Cultural Property and Natural Environment.
4. Implementation of International Humanitarian Law: National Implementation of IHL — Status in South Asia, Role of National Legislation — Role of Military Law — Representation of Breaches, International Implementation of IHL — Protecting Power Concept and Role — Other International Measures War Crime Tribunals and Developments in International Criminal Law.
5. Law of Non-International Armed Conflicts: Historical Development and Conditions of Application—Article 3, Additional Protocol II to the Geneva Conventions of 1949 — A Critical Evaluation; Situation of Internal Disturbances and Violence — IHL and Human Rights; Contemporary Challenges to IHL: Lethal Autonomous Weapons System and Cyber War.

Suggested Readings:

1. Cahill, Kavin M., Basics of International Humanitarian Missions (NY: Fordham University Press, 2003).
2. Geza, Herczegh, Developments of International Humanitarian Law (Akademiai Kiado, Budapest, 1984).
3. Henckaerts, Jean-Marie and Beck-Doswald, Louise, Customary International Humanitarian Law (Cambridge University Press, UK, 2005).
4. Hingorani, R. C., Humanitarian Law (OUP, New Delhi, 1987).
5. Lattimer, Mark and Sands, Philippe (ed.), Justice for Crimes Against Humanity (Hart Publishing, USA, 2003).
6. Sinha, Manoj Kumar, Humanitarian Intervention by the United Nations (Manak Publishers, New Delhi, 2002).
7. Teson, Fernando, R., Humanitarian Intervention: An Enquiry into Law and Morality (Transnational Publishers, New York, 1997).
8. Welsh, Kavin M., Humanitarian Interventions and International Relations (Oxford University Press, New York, 2004).

Third Semester Paper-III

INTERNATIONAL REFUGEE LAW

(Hard Core , 4 Credits)

1. Origin and Development of International Refugee Law: Development of the Concept of —Refugee and Refugee Organization; Arrangements under the League of Nations; International Refugee Organization; Institution of the office of the High Commissioner of Refugees, 1951 Refugee Convention and its 1967 Protocol; Convention Definition with its essential ingredients; Expanding Dimensions of the Definition; Exclusion and Cessation Clauses.
2. Refugee protection and Durable Solutions: Right of Asylum; Principle of Non-Refoulement; Expulsion under Article 32 of the 1951 Convention; Exceptions to Non-Refoulement Article 33 (2); Rights under other Conventions; —Persons in Need of Protection- (IRPA, 2002, Canada); Voluntary Repatriation; Local Integration; Third Country Settlement.
3. Emerging Issues in International Refugee Law And Regional Developments: Burden Sharing; Compensation to the Refugees to be paid by the Country of Origin.; UNHCR Interventions with Internally Displaced People; Temporary Refuge; Safety Zones/Safe Haven Concepts; Vulnerable groups: Women, Children; OAU Convention in Africa; European and Latin American Developments-Schengen and Dublin Conventions Cartagena Declarations; Asian DevelopmentsAALLCO Declaration; Model National Law on Refugees in South Asia and the Regional Declaration.
4. Refugee Protection in India: Ratification of International Human Rights Instruments by India and their Impact on Refugee Protection in India, the Impact of the Bangkok Principles —Asian African Legal Consultative Organisation and Indian Obligations to Provide Refugee Protection; National Framework for Refugee Protection in India — Relevant Provisions of the Constitution of India; Foreigner Act, 1946, Relevant provisions of the IPC, Problem of Detention of Refugees/Arrests/discharge/ Surety etc.
5. Internally Displaced Persons - Evolution of the concept of IDPs - Guiding Principles on Internally Displaced - National policy in India; Role Played by Indian Administrative Authorities, the Judiciary, NHRC, SAARC LAW and Other Institutions/ Groups/NGO's Including the Role of the Informal Consultations on Status of Refugees and Migratory Movements in South Asia; Issues relating to the Accession to the Refugee Conventions.

Suggested Readings:

1. Goodwin, Gill, Guy, S., The Refugee in International Law (Clarendon Press, 1996).
2. Harris, D. J., et al., Law of the European Convention on Human Rights (Butterworths, London, 1995).
3. Hathaway, James, C., The Law of Refugee Status (Butterworths, Toronto, 1996).
4. Kalin, Walter, Guiding Principles on Internal Displacement: Annotations (Studies in Transnational Legal Policy, Washington, 2002).

5. Korn, David A., Exodus-Within Borders: An Introduction to the Crisis of Internal Displacement (Brookings Institutions Press, Washington, 1999).
6. Mishra, Omprakash (ed.), Forced Migration in the South Asian Region (Delhi: Manak Publications, PA. Ltd., 2004).
7. Singh, Nagendra, The Role and Record of the UN High Commissioner for Refugees (Macmillan, New Delhi, 1994).
8. Trakroo, Ragini and others, Refugee and the Law (Human Rights Law Network and Socio Legal Information Centre, New Delhi, 2005).

Fourth Semester Paper-I

LAW OF TREATIES AND LAW OF DIPLOMACY

(Hard Core , 4 Credits)

1. Sovereignty – Nationalism – Their evolution and operation, Elements of national power – Geographic element, demographic element – Historical, Sociological, Psychological and economic element – Organization, administrative element – Military element and diplomacy as an element of power.
2. Diplomacy: Definitions, Concepts and Features, Evolution of Diplomacy and Its contribution to practice of international relations; Foreign policy – Theory – Different aspects of foreign policy – Negotiation – Art of negotiation – Ailments of modern diplomacy.
3. Law of Treaties – Formation – Different aspects – Ratification – Reservation – Interpretation – Termination.
4. Patterns of power– Unilateralism – Collective security, balance of power- World conquest – World State – Case studies in balance of power; Disarmament: Attempts at Arms Control and Disarmament-Bilateral-Regional-Multilateral and UN led efforts- Nuclear Proliferation and Nonproliferation Efforts.
5. Emerging trends in UN diplomacy – diplomacy and energy security – the European Union example – environmental diplomacy – economic diplomacy – cultural and media diplomacy – diplomacy in the face of unconventional threats – terrorism as diplomacy through other means? – religious diplomacy – being a diplomat in the age of post-diplomacy; ASEAN, SAARC, NAFTA, AU, SCO- Rise of the Rest Asian Resurgence and the Rise of India and China.

Suggested Readings:

1. L.F.R. Hartman –The Relations of Nations
2. H.J. Morgenthau – Politics among Nations
3. O. Wright – A Study of International Relation
4. Oppenheim – Law of Peace
5. O’Connel – International Law (Vols. 1 & 2)
6. Brownlie – Principles of International Law

SPECIALISED PAPERS

BRANCH-IV: BUSINESS LAW

First Semester Paper-III

INTERNATIONAL ECONOMIC INSTITUTIONS AND SETTLEMENT OF DISPUTES IN INTERNATIONAL TRADE

(Hard Core , 4 Credits)

1. Introduction to International trade and the law of the WTO, Historical Background of the GATT, 1947; Evolution of the WTO, 1994, its Structure, Principles and Working; Sources of WTO Law, Basic rules and principles of WTO Law, Difference between GATT and WTO, Nondiscrimination Provisions in WTO; Voluntary Export Restraint and WTO; Agreement on Safeguards; Agreement on Anti-Dumping; Custom Valuation and WTO; Special and Differential Treatment under the WTO.
2. Agreement on Subsidies and Countervailing Measures; Trade in Agriculture; Agreement on Technical Barriers of Trade; Agreement on the Application of Sanitary and Phytosanitary Measures; TRIPS, TRIMS.
3. UNCTAD and NIEO; International Monetary Fund (IMF): Structure and Functions, Conditionality of IMF; International Bank for Reconstruction and Development (IBRD): Structure and Functions, International Finance Corporation, International Development Association, Lending by World Bank.
4. Regional Development Banks: Structure and Functions of Asian Development Bank, Inter American Development Bank, Banking in Relation to European Union.
5. Methods of Settlement of Disputes: Dispute Settlement Body (DSB) in WTO, WTO Dispute Settlement- Dispute Settlement Understanding; Principles of dispute settlement; Institutions of WTO settlement; WTO dispute settlement proceedings; Main challenges to the WTO dispute settlement system ADR and International Trade Disputes, International Commercial Arbitration, Conciliation, Mediation, Enforcement of International Awards and Settlements, Online Dispute Resolution; UNCITRAL Model Law of Settlement of Disputes.

Suggested Readings:

1. Schwarzerberger – Economic World Order, Manchester University Press
2. MyneniSrinivasaRao – International Economic Law, Pioneer Books
3. BandariSurendra – World Trade Organization and Developing Countries, Universal, New Delhi
4. ArunGoel – WTO in the New Millennium, Academy of Business Studies, New Delhi
5. JayanthaBagchi – World Trade Organization: An Indian Perspective, Eastern Law House
6. Bowett. D. W. – The Law of International Institutions
7. Materials of AALCC, Regional Seminar on International Trade Law
8. B.Griffin, Day & Griffin, The Law of International Trade (3rd Ed., London: Butterworths Lexis Nexis, 2003)
9. C. Debattista, Sale of Goods carried by Sea (2nd edn, London: Butterworth's, 1998)

10. Carole Murray, David Holloway, Schmitthoff's Export Trade: The Law & Practice of International Trade.
11. Daniel L. Bethlehem, Oxford Handbook of International Trade Law.
12. Dr. Neeraj Varshney, Anti-dumping measure- Law, Practice & Procedure, Indian case laws, 2007 edition.
13. From GATT to the WTO: the multilateral trading system in the new millennium by World Trade Organization Secretariat, Graduate Institute of International studies (Geneva, Switzerland).
14. Jason C.T. Chauh, Law of International Trade, Fourth Edition, Sweet and Maxwell, South Asian Edition, 2011.
15. Jayanta Bagchi, WTO: An India Perspective, Second edition, Eastern Law house.
16. J.F. Wilson, Carriage of Goods by Sea, (5th edn, Harlow, Pearson education, 2004).
17. K.R. Gupta, A study of WTO, Second revised edition, Atlantic publishers and Distributors (P) Ltd.
18. M.G. Bridge, International Sale of Goods: Law and Practice, (oxford: Oxford University Press, 1999)
19. Michael J. Trebilcock, Robert Howse, The Regulation of International Trade
20. Michael K. Levine, Inside International Trade Policy formulation
21. Nicholas Kouladin, Principles of Law relating to International Trade, Springer, 2006.
22. P. Sellman, The Law of International Trade, 150 leading Cases (2nd 3dition, London: Old Bailey Press, 2004)
23. P. Todd, Cases and Materials on International Trade Law (1stedn, London: Sweet & Maxwell, 2003)
24. Palmeter, N. David; Mavroidis, Petros C., Dispute Settlement in the World Trade Organization: Practice and Procedure.
25. Raj Bhalla, International Trade Law: Theory and Practice, Second Edition, Lexis Publishing, 2001.
26. Rao M B, WTO & International Trade, 2nd edition, Vikas Publishing House Pvt.Ltd
27. Rene David, Arbitration in International Trade, Kluwer Law and Taxation Publishers, Netherlands, 1985.
28. Schnitzer, Simone, Understanding International Trade law, Universal Publishing House, 2007
29. WTO Analytical Index: Guide to WTO Law and Practice, WTO Geneva 2003
30. Andrew T. Guzman and Joust Pauwelyn. International Trade Law: Cases and Materials, Aspen Publishers. Aspen Publishing, 2009

First Semester Paper-IV

PRIVATE LAW OF INTERNATIONAL TRADE

(Hard Core , 4 Credits)

1. International Trade-Need & importance of International Trade-Theories of International Trade.
2. International Sales Contract: Elements, Essentials and Performance of the Law of Sales Contract, Uniform Law on Formation of Sales Contracts; Types of International Sale of Contracts.
3. Vienna Convention on Contracts for the International Sale of Goods, 1980, UN convention on the Limitation Period in International Sale of Goods, 1973.
4. Contract of Carriage: Carriage of Goods by Sea— Bill of Lading or Charter Party, Indian Carriage of Goods by Sea Act, 1925 (amended in 1993), Multimodal Transportation of Goods Act, 1993; Commercial Practices covering Bill of Lading, Charter Party on Liner Practices, 1972, (Indian) Bill of Lading Act, 1856; International Convention on the Unification of Certain Rules relating to Bills of Lading (Hague Rules), Visby Protocol, 1968; Additional Protocol, 1979.
5. Financing of International Sales: Contract of Credit: Legal Position and Commercial Practices, Terms of Payment and Rights and Duties of Parties, Documentary Collection: Bills of Exchange/Documentary Drafts, Documentary Credit & Letter of Credit, ICC Uniform Customs and Practices for Documentary Credit, Merchant Finance for Exports — Bank Guarantees and other Contract Guarantees, Role of Financial and Risk Institutions in the Negotiation of Documents, Credit Risk Coverage: Export Credit and Guarantees Corporation (ECUC), Realization of Payments.

Suggested Readings:

1. Day, D. M. and Griffin, Bernardette, *The Law of International Trade* (Butterworths and Lexis Nexis, London, 2003).
2. Dijk, Pitol, Vom and Faber, Gemit, *Challenges to the New World Trade Organisation* (Kluwer Law International, The Netherlands, 1996).
3. Gervais, Danie, *The TRIPS Agreement: Drafting History and Analyses* (Sweet and Maxwell, London, 2008).
4. Gupta, R. K., *World Trade Organization- Text* (2Vols).
5. Honnold, John, *Unjform Law for International Sales under the 1980 United Nations Sales Convention* (Kluwer Law International, The Hague, 1982).
6. Indira Carr, *International Trade Law*, 5th edn. (Routledge, Cavendish, 2013). *International Trade Law and the GA TT/ WTO Dispute Settlement System* (Kluwer Law International, The Hague, 1997).
7. Joseph Gold, *Interpretation: IMF and International Law* (Kluwer Law International, 1986).
8. Palmeter and Mavroids, *Dispute Settlement in the World Trade Organisation* (Kluwer Law International, 1999).

9. Pescatore, Pierre, Davey, William J. & Lowenfeld, A. F., Handbook of WTO/GATT Dispute Settlement (Transnational Publishers, New York, 1997).
10. Petersmann, Ernst-Ulrich, The GATT/WTO Dispute Settlement Systems: International Law, International Organisations and Dispute Settlement (Kluwer Law International, The Hague, 1997).
11. Pratap, Ravindra, India at the WTO Dispute Settlement System (Manak Publications PA. Ltd, 2004).
12. Rao, P. C., The Arbitration and Conciliation Act, 1996 (Universal Law Publishing Co. Pvt. Ltd., Delhi, 1997).

Second Semester Paper-IV

LAW RELATING TO FOREIGN TRADE

(Hard Core , 4 Credits)

1. International Trade-Need & importance of International Trade-Theories of International Trade, Economic Theories of free trade-Absolute Advantage theory; Comparative Advantage theory; Heckscher–Ohlin theory; Leontief Paradox and New trade theory, Basic necessity for export & import in India-India's Foreign Trade Policy-Pre-Liberlization& Post Liberlization era in Foreign Trade, Control by State over Foreign Trade in India, Powers of Reserve Bank of India in controlling Foreign Trade, within India. v. Automatic Approval Scheme.
2. International organizations & foreign trade: WTO & GATT. Dispute Settlement Mechanisms, Transfer of technology, Tariff & Non-Tariff restrictions, Dumping of discarded technology & goods in international market-Anti-Dumping, Quota Restrictions-Subsidies & Countervailing Duties, Permissible & Quarantine Regulations.
3. State mechanisms to regulate foreign trade in India: Foreign Trade Development & Regulation Act, 1992, Director General of Foreign Trade (DGFT)-Board of Trade (BoT)-Central Excise Authority (CEA)-Export Import Bank of India-Export Credit Guarantee Corporation of India Ltd., Currency Transfer-Borrowing & Lending of money in Foreign CurrencyRepatriation & surrender of Foreign Securities-Investment in Indian Banks.
4. Foreign trade-specialized sectors: Agricultural Products, Textile & Clothing, Jewellery; Joint Venture-FII-NRI-FDI-ADR, GDR & FCCB; Service Sector.
5. Customs & prevention of smuggling: The Customs Act, 1962; The Conservation of Foreign Exchange & Prevention of Smuggling Activities Act, 1974 (COFEPOSA). Prohibition on importation & exportation of goods, Money laundering, Control of smuggling activities in import & export trade, Levy of & exemption from Customs Duties, Clearance of imported & to be exported goods, Conveyance & Warehousing of goods.

Suggested Readings:

1. Government of India. Handbook of Import Export Procedures Government of India Import and Export Policy (1997-2002).
2. Foreign Trade Development and Regulation Act, 1992 - Rules.
3. Customs Manual.
4. International Trade Law and Practice- Lew, Julton D.M and Clive Stand brook (eds), Euromoney Publications, London, 2009.
5. Export Trade – The Law and Practice of International Trade- Schmothoff C.R, 2008.

Second Semester Paper-IV

REGULATION OF CORPORATES IN INDIA

(Hard Core , 4 Credits)

1. Regulatory Framework, Business and Government-interrelationship, Legal Environment, Ministry of Corporate Affairs- vision, objective and role, E-Governance, Registrar of Companies.
2. SEBI Act, 1992: Establishment of Securities & Exchange Board – Powers & functions of the Board – Prohibition of manipulative & deceptive devices, Insider trading & substantial acquisition of securities or control - “SEBI Issue of Capital and Disclosure Guidelines 2018 .
3. Capital Market: Introduction, Securities Contract Regulation Act, 1956: Concept of Corporatisation and Demutualisation, Capital Market Intermediaries, Stock Exchanges, Listings and Delistings; Credit rating agencies; Dematerialisation and Depositories; Corporate Reconstruction and Restructuring: Mergers; Amalgamations; Acquisitions; Takeovers and Demergers.
4. Development & Regulation of Foreign Investment, Investment in India & Abroad, Merits and Demerits of Foreign Investment in India, Technology transfer, FDI Policy in India, SEBI guidelines on FDI.
5. Corporate Governance: Need and Concept, Principles, Corporate Governance Voluntary Guidelines, 2009; Evolution of corporate governance-Developments in India, US, UK. Principles of corporate governance – OECD principles, Corporate Governance and Indian Companies Act 2013, Corporate Social Responsibility: Position in India, Challenges in present era, National Voluntary Guidelines on Social, Environmental & Economic Responsibilities of Business, 2011, CSR under Indian Companies Act 2013, Corporate Criminal liability.

Statutory Materials and Suggested Readings:

1. G.C.V. SubbaRao – Law of Property
2. Avatar Singh – Law of Contract
3. Plock&Mulla – Law of Contract
4. S. Parameswaran – Law relating to Power of Attorney
5. M.L. Seth – General Principles of Economics
6. Gupta – Power of Attorney Act
7. Business Ethics: An Indian Perspective - by A.C. Fernando [Pearson Education India].
8. SEBI & Securities Market in India - by Sarkriya D.
9. Manual of SEBI, Notifications & Legislations - by Foreign Service Institute, New Delhi].
10. RuddarDutt, K.P.M. Sundharam, Indian Economy, S. Chand & Co. Ltd., New Delhi.
11. S. Aswani Kumar, The Law of Indian Trade mark (2001), Commercial Law House, Delhi.
12. Industrial Policy Resolutions of 1948, 1956, 1991.
13. Industrial Licensing Policy 1970, 1975.
14. Industrial Policy Statements 1973, 1977, 1980.
15. Ramaiyya, Guide to Companies Act, 1956.
16. Charlesworth& Morse, Company Law.

17. Gower & Davies, Principles of Modern Company Law.
18. K. Majumdar, Dr. G. K. Kapoor Company Law & Practice, Taxman.
19. T P Gosh, Companies Act 2013, Taxman.
20. Pennington, Company Law.
21. Palmer, Company Law.
22. Taxman's Master Guide to Companies Act 2013.
23. Nicholas Bourne, Principles of Company Law .
24. Prof. N. Balasubramanian, ' Corporate Governance and Stewardship
25. Petri Mantyasaari, 'Comparative Corporate Governance' Springer
26. Jonathan Charkham, 'Keeping Better Company' Oxford University Press
27. Kevin Keasey, Steve Thompson, Michael Wright, Corporate Governance, Accountability, Enterprise and International Comparisons.
28. Christine Mallin, International Corporate Governance- A case Study approach
29. Selected economic legislations that govern regulate and promote business Activities are to be dealt with.

Third Semester Paper-I

BANKING LAW

(Hard Core , 4 Credits)

1. Introduction: Nature and development of banking, History of banking in India and elsewhere indigenous banking, different kinds of banks and their function; Nationalization. Institutional Framework of Banks, Functions of Commercial Banks.
2. Reserve Bank of India as the Central Bank, its functions, Regulations of monetary mechanism of the economy, Credit control, Exchange control, Monopoly of currency issue, Bank rate policy formulation, Control of RBI over non-banking companies, Financial companies, Non financial companies; Deposit insurance: The Deposit Insurance Corporation Act 1961: objects and reasons., Establishment of Capital of DIC, Registration of banking companies, insured banks, liability of DIC to depositors, Relations between insured banks , DIC and Reserve Bank of India.
3. Negotiable Instruments: Meaning and kinds, Transfer and negotiations, Holder and holder in due course, Presentment and payment, Liabilities of parties, Securities for advances: Kinds and their merits and demerits; Repayment of loans, rate of interest, protection against penalty; Default and recovery;
4. The Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002: Applicability, Objectives, Process, Documentation; Debt recovery tribunal: Composition, functioning and powers.
5. Insolvency and Bankruptcy Code, 2016: Overview of the Act, Insolvency Resolution, Insolvency regulator, Insolvency professionals, Bankruptcy and Insolvency Adjudicator etc.

Suggested Readings:

1. Basu, A review of Current Banking Theory and Practice[1998]
2. Mac millan. M.Hapgood [ed.] Pagets' Law of Banking [1989] Butterworths, London.
3. R.Goode, Commercial Law (1995)
4. Ross Cranslon, Principles of Banking and Bankers[1995]Eastern Book Company.
5. M.L.Tannan, Tannans Banking Law And Practice In India[1997]Indian Law House, New Delhi. 2 volumes .
6. K.C.Shedkhar, Banking Theory and Practice[1998]UBS Publisher Distributers Ltd ,New Delhi. M.Dassesse, S.Isaacs and G.Pen,E.C. Banking Law, [1994] Lloyds of London Press, London. V.Conti and Hamuai (eds), Financial Makets' Liberalization and the Role of Banks Cambridge University Press, Cambridge(1993).
7. K.Subramanyan, Banking Reforms in India[1997] Tata Maigraw Hill, New Delhi.
8. SubodhMarkandeya and ChirtraMarkandeya, Law Relating to Foreign Trade in India: Being a Commentary on the Foreign Trade, (Development and Regulation) Act 1992, Universal Law Publishing Co. Pvt. Ltd. Delhi.
9. R.S. Narayana, The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51C1993), Asia Law House, Hyderabad.

10. M.A.Mir, The Law Relating to bank Guarantee in India[1992]. Metropolitan Book, New Delhi. Anthony Pierce, Demand Guarantees in International Trade [1993] Sweet& Maxwell.
11. Mitra, The Law relating to Bankers Letters of Credit and Allied Laws, [1998] University Book Agency .
12. Janakiraman Committee Report on Securities Operation of Banks and Financial Institution[1993]. Narasimham Committee Report on the Financial System (1991) Second Report (1999).
13. Ellinger, E. P. Ellinger's Modern Banking Law. New York: Oxford University Press, 2006.
14. Wadsley and G. A. Penn. The Law Relating to Domestic Banking. 2 nd ed. London: Sweet & Maxwell, 2000.
15. Zacharias, K. D. Legal Aspects of Banking Operations. Delhi: Macmillan, 2005.
16. Gupta, R. K. Banking Law and Practice. Allahabad: Modern Law Publications, 2004.
17. Sen Gupta, S. P. Commentaries on Negotiable Instruments Act, 1881. 2nded. Kolkata, Kamal Law House, 2005.

Third Semester Paper-II

INSURANCE LAW

(Hard Core , 4 Credits)

1. Nature & scope of insurance, Constitutional perspectives-List I-Entries 24, 25,29,30, 47; List III-Entries 19, 23, 32, 35,47, 56; Meaning of insurance and its importance, Historical background, Development and growth of insurance industry in India, Nationalization of insurance business in India, Entry of private players, History of Marine, Fire & Life insurances; Overview of Legislations governing insurance-Insurance Act, 1938; IRDA Act, 1999; Consumer Protection Act, 1986.
2. **General principles of law of insurance:** Essential elements of insurance contracts, Classification of insurance, Formation of insurance contracts, Nature of insurance contracts: Proximate cause, Classification of insurance, Formation of insurance contracts, Nature of insurance contracts: Contract is Aleatory, Contract of Uberima fide, Contract of Indemnity, Contract of Wager; Insurable interest; Premium; Risk; Assignment of Insurance policies; Warranties & disclosures; Double insurance & re-insurance; Doctrine of Contribution, Subrogation & Reinstatement.
3. **Life insurance:** Nature & scope of life insurance, Kinds of life insurance contracts, Events insured against in life insurance with special reference to Felo De Se, Factors affecting risk in life insurance, Amounts recoverable under life insurance, Persons entitled to payment under life insurance, Settlement of claims, Overview of LIC Act, 1956; The Fatal Accidents Act, 1855; The Personal Injuries (Compensation Insurance) Act, 1963.
4. **Marine insurance:** Nature & scope of marine insurance, Salient features of the English & Indian Marine Insurance Acts, Classification of marine insurance policies, Change of voyage and deviation, Maritime perils, Warranties, Loss. **Property Insurance:** Fire Insurance, Burglary and theft insurance, Livestock insurance, Agricultural insurance, Plate Glass insurance, Goods in transit insurance, Policies for accidental loss or damage to property, Overview of The Emergency Risks (Factories) Insurance, The Emergency Risks (Goods) Insurance. 5.10 The Motor Vehicles Act, 1988.
5. **Fire insurance:** Nature & scope of fire insurance, Subject matter of fire insurance, Fire perils & Fire policies, Proximate cause, Excepted perils and included perils, Onus of proof for consequential loss, Cancellation, Forfeiture and Assignment of policies, Settlement of Claims, Doctrine of Re instatement, Standard fire Policy, comprehensive and other types of fire policies.

Suggested Readings:

1. K.S.N. Murthy & Dr. K.V.S. Sarma - Modern Law Of Insurance.
2. M. N. Srinivasan - Principles Of Insurance Law (Life - Fire - Marine - Motor And Accident).
3. AvtarSingh - Law Of Insurance. B. Reference Material: a. E.R. Hardy Ivamy - General Principles of Insurance Law.
4. Eric M. Holmes, William F. Young – Insurance: Cases And Materials.
5. Colinvaux – Law Of Insurance. d. Edwin W. Patterson – Cases And Materials On Law Of Insurance.
6. John Birds – Modern Insurance Law.
7. Birds John, Birds` Modern Insurance Law, 2000, London Sweet & Maxwell
8. Bhargava, B. P. (Ed.) Rajiv Jain's Insurance Law & Practice. 2nd Ed. New Delhi: Vidhi Publishing Pvt. Ltd., 2006.
9. Jaiswal, J.V.N., Law of Insurance, 2nd edition. Eastern Book Company, 2016.
10. Myneni,S.R, Law of Insurance, Asia Law House, Hyderabad, 2015.
11. Rastogi, Sachin, Insurance: Law & Principles, 1st edition: LexisNexis, 2014

Third Semester Paper-III

COMPETITION LAW

(Hard Core , 4 Credits)

1. Concept of market, Open market- Regulated market, Market functions of role of competition law, Theoretical foundations of competition law, Objectives and Nature of Competition Laws, Genesis, objects, reasons and scope of the Act, 2002. Overview of Regulatory authorities - SEBI, TRAI, IRDA, NCDRC, CERC.
2. Competition Act, 2002: Anti-Competitive agreements, Dominant Position and abuse, Combinations, Concept, forms, reasons and regulatory framework in India, Different tests for studying the impacts of combinations in the market, Combinations; Horizontal and Vertical conglomeration mergers; Competition Commission of India: Functions and powers of CCI .
3. Competition Law in USA: Anti-trust legislation in the USA, The origin and objective of Anti-trust law: Philosophical origin, Historical background; Objectives of Anti-trust Law; The Sherman Antitrust Act, 1890; Federal Trade Commission Act, 1914; The Clayton Act, 1914; International Antitrust Enforcement : US Enforcement, Anti-trust Enforcement by EU Member States.
4. Competition Law in European Union: Treaty on functions of European Union (TFEU): Art. 101 Cartels or control of collusion and other anti-competitive practices, Art. 102 TFEU Monopolies or preventing the abuse of forms dominant market; Consumer interest – Dominance and monopolies, Collusion and Cartels, Mergers and Acquisitions – Concentration of Economic power; The Competition Act, 1998 in UK; The Enterprises Act, 2002.
5. International perspectives/Competition Law: Globalization and competition law; World Trade organization and competition law; Intellectual Property Rights and competition law. Theoretical basis of IPR and Competition law, TRIPs and its impact on competition law regime, Abuse of IPR and competition law (agreements, abuse of dominant position, combination), Doctrine of exhaustion and its treatment.

Suggested Readings :

1. S.M. Dugar, 'Commentaries on MRTP Law, Competition Law and Consumer protection', IVth Ed., Vol. 1 & 2, (Lexis Nexis, 2009).
2. Justice D.P. Wadhara, N.L Rajesh, 'The Law of Consumer protection', 2nd Ed. (Butterworth, 2009).
3. P.K. Majumdar, 'Law of Consumer protection in India', (Orient Publishers, Allahabad).
4. Prabirbasu, 'Consumer Protection Disent', (Vinod Publisher House, Delhi).
5. Hon'ble Justice Shri. S. Malik, 'Commentaries on the Consumer Protection Act, 1986', (Law Publishers (India) Pvt. Ltd.)
6. A. Pximer, 'The Anti-trust Laws', 4th Ed. John H Shen & Field and Irwin M.L Stelzer.
7. Whish, Richard. Competition Law. London: Oxford University Press, 2009.
8. Furse, Mark. Competition Law of the EC and UK. London: Oxford Press, 2008.

9. Dugar, S. M. Guide to Competition Law: Containing Commentary on Competition Act, MRTP Act and Consumer Protection Act. Lexis NexisButterworthsWadhwa Nagpur, 2010.
10. Dhall, Vinod. Competition Law Today: Concepts, Issues, and the Law in Practice. New Delhi: Oxford University Press, 2007.
11. Ritter, Lennart. European, Competition Law: A Practitioners Guide. Netherlands: Kluwer Law International, 2004.
12. Rodger, Barry J. Competition Law and Policy in the EC and UK. London: Cavendish, 1999.
13. Dabbah, Maher M. EC and UK Competition Law: Commentary, Cases, and Materials. London: Cambridge University Press.
14. Mittal, D. P. Competition Law and Practice. New Delhi: Taxmanns Allied Services, 2008.
15. Ramappa, T. Competition Law in India: Policy, Issues, and Developments. New Delhi: Oxford University Press, 2006

Fourth Semester Paper-I

TRADE, ENVIRONMENT, DEVELOPMENT AND HUMAN RIGHTS

(Hard Core, 4 Credits)

1. Role of Human Rights in Development: Theories of development, overview of sustainable development; Vision of the NIEO; effect of development and trade on human rights.
2. International Trade and Development: From ITO to WTO; Unequal terms of trade imposed by the Uruguay Round of GATT negotiation, Role of unfair terms of trade in human rights violation; Role of Transnational Corporations in trade/Development: Monopolies and right to development, National control over international trade, Codes of conduct and TNCs and function, Destruction of environment by TNCs; From consumer rights to human rights.
3. Trade-related Sanctions for Human Rights Violations: Debate on the social clause, Sanctions imposed by unilateral/bilateral trade terms, blockade of Cuba, US sanctions on the Third World III. Trade related sanctions under the multilateral system Human Rights standards and international trade.
4. International Trade and Human Rights Perspective in India: Impact of GATT-WTO on Doctrine of Sovereignty; Sovereign states and peoples' rights: issues of economic sovereignty; Human Rights Law and Enforcement Institutions in India.
5. Trade And Environmental Concerns in India: Overview of Environmental Protection Laws in India, Role of Judiciary in balancing the concerns; Environment Impact Assessment Policy in India.

Suggested Readings:

1. KrishenKoul - Guide to the WTO and GATT
2. AnupamGoyal - The WTO and International Environmental Law Towards Conciliation
3. Andrew F. Lowenfeld – International Economic Law
4. John H. Jackson, Sovereignty, the WTO and the changing fundamentals of International Trade Law
5. Day, D.M and Griffin, Bernardette - The Law of International Trade
6. Philip Sands - Principle of International Environmental Law
7. Indira Carr and Peter Stone - International Trade Law
8. Petersmann, Ernest Ulrich - The GATT/WTO Dispute Settlement System: International Law International Organization and Dispute Settlement System
9. Alan Boyle and Patricia Birnie - International Law and Environment.
10. Julius Stone- Human Law and Human Justice.
11. R. Dworkin-Taking rights Seriously

ELECTIVE PAPERS

ELECTIVE STREAM: LABOUR AND ADMINISTRATIVE LAW

LAW AND JUSTICE IN A GLOBALISING WORLD

Odd Semester

(Soft Core , 3 Credits)

1. **Fundamentals of Jurisprudence:** Divine Law - Natural Law - Empiricist Philosophy and its Connection with Natural Science Classical Positivism - Modern Positivism – The Impact of HLA Hart.
2. **Modern Development of Jurisprudence:** Critical Legal Studies – Postmodernism - Deconstruction – Feminism.
3. **Globalisation:** Fundamentals of Globalisation, Understanding Globalisation from the day-today perspective – Economic, Political and Social Dimensions of Globalisation.
4. **Law, Society and Justice:** The Connections between Law and Society - Judicial Thinking as a Consequence of Socialisation – Pound, Holmes, Cardozo - The Marxist View of Law - Theories of Justice - Dimensions of Justice - Plato's Concept of Justice - Aristotle's Concept of Justice - Distributive Justice and its Connection with Law - Modern Conceptions of Distributive Justice – A Comparison of Nozick and Rawls.
5. **Impact of Globalisation on Law and Justice:** Globalisation and Law - Transforming Notions of Sovereignty - Transforming Notions of Justice - Transforming Notions of Entitlement - Community Ownership, Community Rights, and Globalisation.

Suggested Readings:

1. M.D.A. Freeman, Lloyd's Introduction to Jurisprudence (Sweet and Maxwell, London)
2. Amartya Sen, The idea of Justice
3. Barbara J. Falk , 'Post-Communism's First Decade: A Primer for Non-Specialists' (2003) 36 Canadian Journal of Political Science 417.
4. Suri Ratnapala, Jurisprudence (OUP 2009).
5. Jan Aart Scholte, Globalization: A Critical Introduction 2 ed (Palgrave Macmillan 2005).
4. Manfred B. Steger , Globalization: A Very Short Introduction 2 ed (OUP 2009).

ELECTIVE STREAM: CRIMINAL LAW

VICTIMOLOGY

Odd Semester

(Soft Core , 3 Credits)

1. **Introduction to Victimology** – Victim and Victimology – Victims throughout History – Typology of Victims – Victimization Precipitation – Victim Blaming – Victim vulnerability and risk – Victim-offender relationship – Primary, Secondary and Tertiary Victimization – Repeat Victimization
2. **Role of Victim in Criminal Justice Process** – Victim participation in Criminal Justice System – Rights of Victims in Criminal Justice System.
3. **Victimization of Vulnerable Groups** – Children – Women – Elderly – LGBT – SC/ST – Refugees.
4. **Restorative Justice** – Restorative Justice – Definition, Goal, Principals & Pillars of Restorative Justice – State Compensation vs Offender Compensation - Victim Compensation Schemes.
5. **International Framework** – UN Declaration on Basic Principles of Justice for Victims of Crime and abuse of power – Handbook on Justice of Victims, 1999.

Suggested Readings:

1. Henting - The Criminal and His Victim
2. Gurpreet Singh Randhwa – Victimology& Compensatory Jurisprudence
3. Dr. Krishna Pal Malik – Penology, Victimology& Administration in India.
4. Chandra SenPratap Singh – Victims of Crime
5. D.Miers – Responses to Victimization
6. Robert C. Davis, Aurthur J. Lurigio& Wesley G. Skogan – Victims of Crime
7. P. Madhava Soma Sundaram and other – Crime Victims and Justice

ELECTIVE STREAM: INTERNATIONAL LAW AND HUMAN RIGHTS

HUMAN RIGHTS OF VULNERABLE GROUPS: PROBLEMS AND ISSUES *qua* PROTECTION AND ENFORCEMENT

Odd Semester

(Soft Core , 3 Credits)

1. **Concept of Disadvantaged and Vulnerable Groups:** Meaning and Concept of Vulnerable and disadvantaged- Human Value- Dignity – Liberty – Socially and economically disadvantages groups – Groups and Culture – Cultural Problems of disadvantaged and vulnerable.
2. **Women and Children as Vulnerable Groups:** Human rights and women rights – Rights of Children – Social status of women and children – National and international scenario on protection of human rights of women and children – Role of UN.
3. **Socially and Economically Disadvantaged Groups:** Prisoners – Stateless persons – Dalits – Mentally ill – AIDS/HIV victims – Sex workers – Transgender – Aged – Minorities.
4. **Human Rights- Enforcement Mechanism And Protective Laws- National And International Perspective:** Human rights legislations – Judicial organs – Supreme Court, High Courts – Human Rights Commissions – Commission for women and children – UN and Human rights – UN Charter and its significance – UN and rights of persons with disability – UN Declaration on the Rights of Indigenous People, 2007 – Conventions and Covenants on human rights of disadvantaged.
5. **Development of Human Rights- Future Goals:** National policies – Role of International Organizations – Implementation of International Instruments – Indian Scenario – Constitutional safeguard – Role of Media – Press – Advocates – Educational Institutions – Community – NGO's.

Suggested Readings:

1. G.S.Bhargava and R.M.Pal, Human Rights of Dalit Societal Violation (1999)
2. Geradine Van Bueren, The International law on the rights of the child (1998)
3. Prabhat Chandra Tripathi, Crime against working women (1998)
4. Philip Alston (et,al) Children, Rights and the Law
5. Janakinair, women and law in colonial India (1996)
6. Simon creighton, Vicky king, Prisons (1996)
7. MamtaRao, Law Relating to Women and Children EBC publications(2012)

ELECTIVE STREAM: BUSINESS LAW

INTELLECTUAL PROPERTY LAW

Odd Semester

(Soft Core , 3 Credits)

1. **International Developments:** An overview of International Intellectual property regime such as Berne convention, Paris Convention, Internet treaties, Trade related aspects of Intellectual property rights(TRIPS) and other important international agreements, treaties and conventions; An overview of Regional Intellectual property regime: European Patent Convention, Eurasian Patent convention.
2. **Law of Copyrights:** Free speech and copyright law interface, Ideaexpression Dichotomy, Doctrine of Merger, Requirements of 'originality' and 'fixation', Protectable subject matter: literary, dramatic, artistic, musical, sound recording and cinematography, Ownership of copyrightable works – 'work for hire'/contract for service, Economic Rights of the owner, mode of exercise of the rights, role of copyright societies in protecting the owners' rights, National and international enforcement of rights, Moral rights, Performers rights, Broadcasting rights, Copyright infringement and exceptions of fair use, etc., Remedies for Infringement, Copyright in digital environment – issues relating to anti-circumvention measures.
3. **Law of Trademarks:** Scope of registration of trademarks (issues with respect to limitations on registration and scope of non-traditional marks), Procedure for registration-impact of Madrid Agreement, Certification trademark, Collective trademark, Textile mark – well known trademark, Licensing of trademark (how far trading in trademark permitted?), Remedies for infringement, trademarks and internet – Domain name registration, dispute resolution policy, keywords, sponsored links and trademarks, Parody in trademarks.
4. **Law of a Patents:** Patent Policy, Utilisation of flexibilities within TRIPS by developing countries, Patent and access to Public health, Patentability criteria – patentable subject-matter including patentability of Living organism, computer programs, Business Method, excluded subject matter, Rights Infringement and Remedies , Novelty – Issues of 'prior publication' and 'prior use', statutory exceptions, Utility – general principles, utility guidelines of USPTO, Non-obviousness/inventive step – Graham Test, Windsurfing Dictum, Teaching-suggestion Motivation Test, Procedure for obtaining patent, Exhaustion of rights and parallel imports, Principle for determining infringement of Patents, Defences, Compulsory licensing.
5. **Geographical Indications:** Protectable subject matter, Economic rationale of GI, Procedure for obtaining GI registration, Conflict with trademark law, GI and certification & collective marks, Developments in EU, TRIPS; An overview of Traditional Knowledge, Industrial Designs, Ownership and assignment of industrial design rights, Layout Design for Integrated Circuits, Trade Secrets, Protection of Plant Varieties.

Suggested Readings:

1. Dr. B.L. Wadhera, Law relating to intellectual property, LexisNexis.
2. V.J. Taporewala, Law relating to intellectual property, Thomson Reuters, 2nd Edition, 2012.
3. JayshreeWatal, Intellectual Property Rights in the WTO and Developing countries, Oxford University Press, 2003.
4. W.R.Cornish, Intellectual property Rights, Sweet & Maxwell, 1999.
5. Jatindra Kumar Das, Law of Copyright (PHI Learning, New Delhi) 2nd Edition 2020-21
6. Copinger and Skone James on Copyright, Vol. 1, Sweet & Maxwell, 2010
7. Cornish, Graham P., Copyright: Interpreting the Law for Libraries, Archives and Information Service, Facet Publishing, London, 2009
8. D'AgostinoGuiseppina, Copyright, Contracts, Creators: New Media, New Rules, Edward Elgar, 2010
9. Nimmer on Copyright Law, LexisNexis, 2007
10. Joseph Straus et.al., Patents and Technological Progress in a Globalized World, Springer, Berlin, 2009.
11. S. Venkateshwaran, The Law of Trade Marks and Passing – off, Reprint 1999.
12. P. Narayanan, Intellectual Property Law, Eastern Law House, Calcutta.
13. P. Narayanan, Trade Marks Trade Name and Passing of Cases, Easter Law House, Calcutta,1977. 8. P. Narayanan, Law of Trade Marks (Trade Marks Act 1999) and Passing off, Eastern Law House, Calcutta, 2000. 9. P. Narayanan, Patent Law, third edition, Eastern Law House.
14. Nard, The Law of Patents, Aspen, 2008.
15. Richard F. Cauley, Winning the Patent Damages Case, OUP, New York, 2008.
16. Terrell on the Law of Patents, Sweet& Maxwell, 2011.
17. Verkey, Elizebeth, Law of Patents, Eastern Book Company, Lucknow, 2004.
18. Watal, Jayashree, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press 2001.
19. William Van Caenegem, Intellectual property Law and Innovation, Cambridge University, New York.

ELECTIVE STREAM: LABOUR AND ADMINISTRATIVE LAW

LAW RELATING TO CIVIL SERVANTS

Even Semester

(Soft Core , 3 Credits)

1. **Civil Servants under Indian Constitution:** Civil Servants and Fundamental Rights: Historical and Comparative Perspective – Equity and Protective Discrimination: Principles and Practices – Service Regulations – Constitutional Basis - Formulation of Service Rules- Doctrine of Pleasure-Limitation on the Doctrine of Pleasure - Action only by an authority not subordinate to Appointing Authority- Opportunity of Being Heard and its Exceptions.
2. **Recruitment and Promotion:** Central and State Agencies for Recruitment –Methods, Qualification.
3. **Conditions of Service:** Allowances - Pay and Bonus - Machinery for fixation and Revision of Pay – Kinds of Leave and conditions of Eligibility - Social Security Aspects – Provident Fund, Superannuation and Retrial Benefits, Medicare, Maternity Benefits, Employment of Children of those dying in Harness, Compulsory Insurance- Civil and Criminal Immunities for action in Good Faith- Comparative Evaluation with Private Sector, State Government Employees and Central Government Employees- Consultation with Public Service Commission.
4. **Special Category of Services:** Judicial Services: Subordinate Judiciary – Judicial Officers and Servants: Appointment and Conditions of Services – Officers and Servants of Supreme Court and High Court - Recruitment , Promotion, Conditions of Service and Disciplinary Action – All India Services, Object, Regulation Of Recruitment and Conditions of Service, Disciplinary Proceedings.
5. **Settlement of Disputes over Service Matters:** Departmental Remedies - Representation, Review, revision and Appeal - Administrative Tribunal - Jurisdiction, Scope and Procedure –Merits and Demerits – Remedy - Exclusion of Jurisdiction of Courts - Judicial Review of Service Matters- Jurisdiction of Supreme Court and High Court – Comparative Position in USA ,UK and France

Suggested Readings:

1. Central and State Laws and Rules relating to Service Matters
2. ILI (Justice M. Rama Jois) Service under the State (1987)
3. N.Narayanan Nair, The Civil Servant under the Law and Constitution (1973)
4. K.K.Goyal, Administrative Tribunals Act (1985)
5. Seervai, Constitutional Law Of India
6. Pandey, Constitutional Law of India
7. H.W.R. Wade, Administrative Law, Schwartz & Wade Legal
8. Markose A.T. - Judicial control of Administrative action in India
9. International Framework – UN Declaration on Basic Principles of Justice for Victims of Crime and abuse of power – Handbook on Justice of Victims, 1999.

ELECTIVE STREAM: CRIMINAL LAW

MEDICAL JURISPRUDENCE AND FORENSIC SCIENCE

Even Semester

(Soft Core , 3 Credits)

1. **Introduction to Forensic Science**-Introduction to Indian Criminal Justice System-Indian Evidence Act, 1872-Admissibility of Evidence-Relevancy of Expert Evidence. Constitutional aspects of experimental scientific procedures used in investigation: Narco-Analysis; Polygraph, Brain-mapping, etc.
2. **Scientific criminal investigation:** Medical jurisprudence with crime - Forensic science and Crime- Law of forensic science- Principles of Forensic science- Problems of proof - Expert witness - Forensic science institutions- Tools and technology.
3. **Role of investigator:** Identification of Individual – Interrogation – Surveillance – Scene of occurrence- sketching the scene -police photography -Forensic psychology - Voice analysis- Dental Forensics-Cyber forensics-Evidentiary clues: Death Investigation – Identification of Death – Time of Death – Cause of death (Injuries, Asphyxia) Identification of dead- Sexual Offences – Abortion - Infanticide -skeletal remains.
4. **Tracks and Trails:** Tool marks – Firearms – Disputed Documents – Narcotics – Toxicology – Alcohol – Explosives- Fire (Arson) – Vehicles – Fibres – Micro traces.
5. **Genetic tracing:** DNA profiling- Blood- Blood grouping- Blood fluids and other body fluids- Fingerprints – Semen – Hairs, etc.

Suggested Readings:

1. Dr. Jaising P. Modi , A Textbook of Medical Jurisprudence and Toxicology (Butterworth Heinemann)
2. Sharma B R, Forensic Science in Criminal Investigation and Trials (Universal law publishing) .
3. J Hala&Raju's, Medical Jurisprudence (Eastern Book Company)
4. H.J. Walls, Forensic Science: An Introduction to Scientific Crime Detection (New York: Praeger)
5. Philips J H &Bower JK, Forensic science and Expert witness (Russell & Russell)

ELECTIVE STREAM: INTERNATIONAL LAW AND HUMAN RIGHTS

PRIVATE INTERNATIONAL LAW

Even Semester

(Soft Core , 3 Credits)

1. Private International Law- Definition and Scope, Exceptions to Private International Law.
2. Jurisdiction — Basis and Limitations; Domicile and Nationality; Procedure in Private International Law .
3. Principles governing Law of obligations, Law of Torts, English and Indian Law of Foreign Trade, Law of Property including IPR and Succession.
4. Principles governing Marriage, Matrimonial Causes, Adoption and Custody of Children, Recognition of Foreign Divorce Decrees.
5. Foreign Judgments and Arbitral Awards.

Suggested Readings:

1. Broch, L.G, —The Recognition of Foreign Decrees of Divorce and Separation in Norwegian Law, Netherlands International Law Review vol. 14(1967).
2. Christian von, —Environmental Damage in Private International Law, Recueil Des Cours, no. 268, (The Hague, Boston, London: MartinusNijhoff Publishers, 1997).
3. Dolinger, Jacob, —Evolution of Principles for Resolving Conflicts in the Field of Contract and Torts, Recueil Des Cours, no. 283 (The Hague, Boston, London: MartinusNijhoff Publishers, 2000).
4. Govindaraj, V.C., —The Rule of Selection, Rule in Conflict of Laws —The So — Called American Revolution: A Critique, Indian Journal of International Law, vol. 45, no. 4 (2005).
5. Graveson, Ronald H., —Comparative Aspects of the General Principles of private International Law, Recueil Des Cours, vol. II, no. 109, (Layde: AW. Sijthoff, 1963).
6. Govindraj, V. C., Conflict of Laws in India-Inter-territorial and Inter-personal Conflicts (Oxford University Press, New Delhi, 2011).
7. Grinsburg, Jane C., —The Private International Law of Copy Right in an Era of Technological Change, Recueil Des Cours, no. 273 (The Hague, Boston, London: MartinusNijhoff Publishers, 1998).
8. Jambholkar, Lakshmi, Select Essays on Private International Law (Universal, New Delhi, 2011).

ELECTIVE STREAM: BUSINESS LAW

CYBER LAW

Even Semester

(Soft Core , 3 Credits)

1. **Introduction:** Overview of information technology, Law and Technology, Law and Technology Digitization and Society, Origin of cyberspace, Significance of cyber law, Cyber jurisprudence at Indian and International level.
2. **Regulating the Digital Environment:** Protecting Human Dignity in the Digital Age, Human Right in Cyberspace , Information Technology Act, 2000: Scope, Objectives and Criticisms of the Act, Jurisdictional perspectives and challenges: Issue of jurisdiction in cyberspace, Types and prerequisites of jurisdiction, Tests of jurisdiction, Jurisdiction under Information Technology Act, 2000 Dispute resolution authorities, Amendments and liabilities under the Act.
3. **Cyber crimes:** Hacking, cyber stalking, cyber grooming and bullying, Morphing, web-jacking, phishing, Digital forgery, cyber pornography, Identity theft and fraud, cyber terrorism, cyber defamation, etc., offences under IT Act, 2000.
4. **E-Governance:** Components, Types and benefits of e-governance, electronic signature, e-governance, Programs and Initiatives in India, challenges in India, Legal framework under the IT Act, 2000.
5. **E-Commerce:** Advantages, E-contracts, Models of e-commerce, Legal provisions governing ecommerce; IPR issues in cyberspace: Interface with copyright, Copyright Protection in Cyberspace, trademarks, Patents and databases.

Statutory Materials:

1. Information Technology Act, 2000.
2. Information Technology Rules.
3. Indian Penal Code, Criminal Procedure Code, Indian Evidence Act.
4. Communications convergence bill.

Suggested Readings:

1. Karnika Seth, Computers, Internet and New Technology Laws, Lexis Nexis Butterworths Wadhwa Nagpur.
2. Nandan Kamath, Law Relating to Computer Network and Ecommerce, Universal Law Publisher.
3. Apar Gupta, Commentary on Information Technology Act, Lexis Nexis.
3. Verma S, K, Mittal Raman, Legal Dimensions of Cyber Space, Indian Law Institute, New Delhi, (2004).
4. Vasu Deva, Cyber Crimes and Law Enforcement, Commonwealth Publishers, New Delhi, (2003).
6. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co., New Delhi, (2012).
5. Murrey Andrew, Information Technology: Law and Society, Oxford University Press, 2013.

6. Senthil, Surya, and Lakshmi Devi. *Manual of Cyber Laws*. New Delhi: Aditya Book Company, 2010.
7. Singh, Ranbir and Ghanshyam Singh. *Cyber Space and the Law: Issues and Challenges*. Hyderabad: NALSAR University, 2004.
8. Rowland, Diane, and Elizabeth Macdonald. *Information Technology Law*, Cavendish Publishing Ltd, 1997.
9. Sharma, Vakul. *Information Technology: Law & Practice*. 2nd Edition, New Delhi: Universal Law Publishing Co.
10. Seth Karnika, *Computers Internet and New Technology Laws*. Gurgaon: Lexis Nexis, 2013
11. Sharma, Vakul. *Information Technology: Law & Practice*. 2nd Edition, New Delhi: Universal Law Publishing Co. \
12. Jayashankar K. K., and Philip Johnson. *Cyber Law*. Pacific Books International, 2011.
13. Hiremath, Uma R. (Dr.) *Information Technology and Cyber Crimes*. Bangalore: Karnataka Institute for Law & Parliamentary Reforms, 2009.
14. Price, David, and Korieh Duodu. *Defamation: Law Procedure and Practice*. 3rd Ed. Thomson Sweet & Maxwell.
15. Fenwick, Helen. *Civil Liberties and Human Rights*. 4th Ed. Routledge Cavendish.
16. Joga Rao S. V. *Law of Cyber Crimes and Information Technology Law*, Nagpur: Wadhwa & Company, 2004.
17. Bainbridge, David. *Data Protection Law*. Vol 1. 2nd ed. New Delhi: Universal Law Publishing, 2005.

Note: Students are advised to consult all the suggested reading materials of recent editions.