

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

Subject Title: LAW & JUSTICE IN GLOBALIZED WORLD

Paper:1

Subject Code: LLM24101CR

Lecture: 3 credits

Tutorial: 1 Credit

Objectives of the course:

This course is designed to offer the teacher and the taught with - (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and (b) a spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law. The endeavour is to make the students aware of the role the law has played and has to play in the contemporary Indian society

The paper shall be of the pattern as provided in the annexure.

Learning Objectives:

- To make students understand about the wider aspects of law.
- To make students understand about the inter-section of law, justice and globalization.
- To discuss about the principles of law and justice in contemporary scenario.
- To discuss about the impact of globalization.

Learning outcomes:

- Students will understand law and justice along with its growth and development.
- Students will develop analytical thinking about the contemporary aspects of globalization from law and justice point of view.

Unit-I (Law and Justice)

- I. Meaning and Nature of Law
- II. Classification of Law
- III. Sources of Law
- IV. Concept of Justice
- V. Kinds of Justice
- VI. Relationship between Law and Justice

Unit- II (Theories of Justice)

- I. Utilitarianism: Bentham and Mill
- II. Contractarianism: David Gauthier
- III. Egalitarianism: Dworkin (Equality of Resources)
- IV. Distributive Justice: John Rawls
- V. Libertarianism: F.A. Hayek and Robert Nozick
- VI. Idea of Justice

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

Unit-III (Globalization)

- I. Origin and Development
- II. Meaning, Objective and Need of Globalization
- III. Dimensions of Globalization
- IV. Advantages and Disadvantages (Pros and Cons) of Globalization
- V. Causes of Globalization

Unit-IV (The Process of Globalization)

- I. Globalization and Human Rights
- II. Globalization and State Sovereignty
- III. Special Economic Zones (SEZ): Need, Law and Challenges
- IV. Global Justice
- V. Cosmopolitanism

References:-

Books:

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2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, “*Responsibility of International Organizations*” Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt.Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chinkin, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
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SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

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13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, *"The Law and Politics of International Organizations"* Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
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23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

Articles:

1. Ajit Pal Singh, *"Globalization and its Impact on National Policies with Reference to India: An Overview of Different Dimensions"* Journal of Constitutional and Parliamentary Studies 62-78 (2008).
2. Amit Kumar Sinha, *"Human Rights in the Era of Globalization"* Madras Law Journal 124-136 (2010).
3. Bag R.K, Domestic Violence and Crime against Women, Criminal Law Journal 1999.
4. Bag R.K., Domestic Violence & Crime against Women, Criminal Justice Response in India, Journal of Indian Law Institute, Vol. 39, 1997 Issue 2-4.
5. Bhatt D.K., Human Rights and Gender Issues: A Socio-Legal Perspective, Indian Bar Review, Vol.27 (1) 2000.
6. Bhatt D.K., Human Rights and Status of Women: A Socio-Legal Analysis, Journal Neo, Socio-Legal, Perceptions & Challenges of Bio Genetic-technology, AIR 2000.

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

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8. Chakraborty, Dolly (2002) *IPRS and Indian Agriculture: Plant Variety Protection under a Sui Generis System in India*. Indian Development Review, New Delhi: Serials Publication.
9. Chand, Ramesh (2003). *Impact of Trade liberalization and related Reforms on India’s Agricultural Sector, Rural Food Security Income and Poverty*.
10. Chaturvedi, Sachin and Gunjan Nagpal (2003). *WTO and Product Related Environmental Standards: Emerging Issues and Policy Options*. *Economic and Political Weekly*, 38(1): 66-74.
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13. Martina Piewitt, “*Participatory Governance in the WTO: How Inclusive is Global Civil Society*” *Journal of World Trade* 467-488 (April 2010).
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15. Hisashi Owada, “*The Rule of Law in a Globalizing World—An Asian Perspective*,” 8 *Wash. U. Global Stud. L. Rev.* 187 (2009).
16. Carlos Vargas, “*Lifelong learning from a social justice perspective*”, *Education Research and Foresight Working Papers*, UNESCO (2017).
17. Dorina Tanasescu, Felicia Dumitru and Georgiana Dinca, “*The Role of the International Organisms in the Globalization Process*”, published by IntechOpen(2012).

Subject Title: Legal and Social Science Research Methods

Paper:2

Subject Code: LLM24102CR

Lecture: 3 credits

Tutorial: 1 Credit

Objectives of the Course

This paper will pave way for full understanding of doing research and help students to learn the ethics, pros and cons and fundamentals of Legal Research.

UNIT-I FUNDAMENTAL OF LEGAL RESEARCH

- A. Meaning, Nature and Scope of Legal Research
- B. Explanation of Terms Frequently used in Legal Research
Concept;Relation;Theory;Paradigm;Hypothesis;Variables;Operationalization
- C. Types of Legal Research
 - I. *Doctrinal, Non-Doctrinal*
 - II. *Exploratory, Descriptive,*
 - III. *Qualitative, Quantitative*
 - IV. *Conceptual, Analytical*
 - V. *Mono-disciplinary, Inter-disciplinary*
 - VI. *Case Study, Comparative Study*
- D. Major Stages of Legal Research:
Formulation of Problem, Literature Review, Hypothesis, Research Design, Collection and Analysis of Data, Research Report Writing.

UNIT-II LEGAL SOURCES AND MATERIALS

- A. Legal Sources:
 - (i) *Primary Sources:*
 - a. International and National Legal Instruments, Law Commission Reports, Govt. Collected Data etc.
 - b. Use of Case Law, Importance of Ratio, Significance of Obiter
 - (ii) *Secondary Sources:*
 - a. Legal Dictionaries
 - b. Legal Encyclopedias and Digests
 - c. Law Reviews and Journals
 - d. Legal Treatises, Nutshells, Hornbooks, Desk books
- B. Legal Materials:
 - a. Library Sources

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

- b. e-Sources (How to Use)
- c. e-Data Base (How to Access)
- d. KU *e-Library* App/Web Use (How to Log In)

UNIT-III 1. LEGAL AND SOCIAL SCIENCE RESEARCH

- A. Historical and Contemporary Role of Legal Research
- B. Approaches to 'Law' in Legal Research

I. Research in positive/black-letter law

- II. Research in law as a decision-making process
- III. Research concerning Law as an institutional system
- IV. Research concerning law as a socio-cultural system
- V. Policy and action-oriented research for reform

- C. Approaches to 'Social Science' in Legal Research

2. LEGAL RESEARCH DESIGN AND TECHNIQUE

(i) Formation of Research Problem

- a. Identification of problem
- b. Literature Survey
- c. Hypothesis difference between proposition, hypotheses and theory.
- d. Types of hypothesis. Testing of hypothesis, and Operationalization of the Hypotheses.
- e. Objectives of Study

(ii) METHODOLOGY- DOCTRINAL AND NON-DOCTRINAL (EMPIRICAL) RESEARCH

- a. Use of Primary and Secondary Sources

(iii) Tools of Data Collection: *Observation, Interview, Questionnaire and Schedule.*

(iv) Research Techniques:

- a. Methodological Tool Kit:
 - i. *Case Study*
 - ii. *Survey*
 - iii. *Sampling*
 - iv. *Scaling Techniques - Thurston's Order Method, Likert and Guttman Scales*
- b. Anticipated and Unanticipated Problems

UNIT-IV I. DATA ANALYSIS

- A. Aggregate Data, Quantitative and Qualitative Data
- B. Use of Statistics in Social Sciences
- C. Drawing of Inferences and Interpretations
 - i. *Analysis/Interpretations*
 - ii. *Jurimetrics*

II. REPORT WRITING

- A. Legal Writing
 - i. *Framing of Writing*

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

- ii. *Method and Use of Footnotes/Endnotes*
- iii. *Editing/ Proof Reading*
- B. Proving/Disproving of Hypothesis.
- C. Placement of Tables /Graphs.
- D. Presenting Research: Research Proposal, Dissertation and Thesis.
- E. Bibliography: Priorities of Sources and Methods.

III. RESEARCH ETHICS

- A. Importance of Research Ethics and Research Integrity.
- B. Authorship, Peer Review and Conflict of Interest.
- C. Use of Copyright and Open Source Materials.
- D. Research Misconduct and Plagiarism.
- E. Codes and Policies for Research Ethics (UGC Regulations and Guidelines).

Reference:

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2. Alan Brayman, *Social Research Methods*, Oxford University Press, (2001)
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SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

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Subject Title: Juvenile Delinquency

Paper: 3

Subject Code: LLM24103DCE

Lectures: 2 credits

Practical: 1 credit

Objectives of the course

Juvenile delinquency is considered an important branch of criminology. The impact of juvenile delinquency upon the formation of Indian criminology tradition does not seem to be noticeable. No understanding of crimes and treatment of offenders can be complete without a sure grasp of causes, carrots, and cures of juvenile delinquency.

Increasingly, it is being also realized that young offenders require a wholly different centre of criminal justice system and should not be treated in the same way as the adult offenders. Juvenile Justice System, although a part of the criminal justice system has now its own autonomous characteristics.

In addition, the state and the law have to deal with juveniles in certain situations, as *parens patriae*.

The category of 'neglected children' defines the burdens of care which state and society have to assume for neglected children. Most categories of neglected children are also themselves the victims of crime. The institutional care of children poses its own distinctive dilemmas. These, too, should be discussed, especially, at the level of resource investment compared with the extent of need.

The paper shall be of the pattern as provided in the annexure.

Unit 1

- (i) Conceptualizing Juvenile Delinquency
- (ii) Scope of Juvenile Delinquency
- (iii) Types of Juvenile Delinquency
- (iv) Extent of the problem of juvenile delinquency in India.
- 1. Delinquency and social environment
 - (i) Family Functioning and Delinquency- The Contemporary Family As A Socialization Agency and Influence Of Family On Delinquent Behavior.
 - (ii) Schools and delinquency

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

(iii) Mass media and delinquency with special emphasis upon the influence of television violence on Aggressive Delinquent Behavior.

(iv) Economic pressure and Delinquency

(v) Gang Violence and Delinquency.

Unit 2

1. Measures of protection, treatment and rehabilitation of juveniles.

2. Custodial measures-Role of observation homes, children homes and special homes in treatment and rehabilitation of juveniles.

3. Rehabilitation and social reintegration through non-custodial measures

(i) Adoption

(ii) Foster care

(iii) Sponsorship

(iv) After care organization

4. Probation- its role in the treatment and rehabilitation of juveniles.

5. Role of family and schools in the treatment and rehabilitation of juveniles.

Unit 3 Judiciary and Juvenile Justice

[Lectures:12]

(i) Role of the judiciary: juvenile courts and constitutional safeguards.

(ii) Age determination

(iii) Issues concerning bail.

(iv) Legal aid to juveniles-A sine qua non of correctional jurisprudence.

(v) Social action litigation concerning juvenile justice.

Selected Bibliography

1. National institute of Social Defence, Model Rules under the Juvenile Justice Act, 1986, (1986)

2. K.S. Shukla, Adolescent Offender (1985)

3. United Nations, Beijing Rules on Treatment of Young Offenders (1985)

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4. Myron Weiner, *The Child and State in India* (1990)
5. The United Nations Declaration on the Rights of Children
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8. Peebles, Faith, and Rolf Loeber. "Do individual factors and neighborhood context explain ethnic differences in juvenile delinquency?." *Journal of Quantitative Criminology* 10.2 (1994): 141-157.
9. Baldry, Anna Costanza. "Bullying and Juvenile Delinquency: Common Risks, Different Outcomes: How to Prevent Recidivism." *Organized Crime, Corruption and Crime Prevention*. Springer International Publishing, 2014. 3-12.
10. Piquero, Alex R., et al. "Bulletin 2: Criminal Career Patterns (Study Group on the Transitions Between Juvenile Delinquency and Adult Crime)." (2013).
11. Barrett, David E., et al. "Females in the Juvenile Justice System: Influences on Delinquency and Recidivism." *Journal of Child and Family Studies* (2013): 1-7.

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

Subject Title: Crime and Criminology

Paper: 3

Subject Code: LLM24104DCE

Lectures: 2 credits

Practical: 1 credit

Unit 1 - Introduction.

- 1.1. Notions of Crime and Theories of Criminalisation.
- 1.2. Criminology - Nature and Scope.
- 1.3. Current Trends in Criminology.

Unit 2 - Individual Approaches to Crime

Biological Determinism.

2.1.

- 2.2. Psychological Theories of Crime Causation.

Unit 3 - Socio - Environmental Approaches to Crime

- 3.1. Anomie Theory.
- 3.2. Differential Association Theory.
- 3.3. Social Disorganisation Theory.
- 3.4. Biosocial Theory.
- 3.5. Conflict Theory.

Select Bibliography:

1. Larry Siegel, Criminology, 7th Edition, Wadsworth Publication, Australia 1999.
2. Katherine S. Williams, Textbook on Criminology, 3rd Edition, Universal Law Publishers, New Delhi 1997.
3. Clive Coleman & Clive Norris, Introducing Criminology, last Edition, Willian Publishers, USA 2000.
4. John Salmond, Jurisprudence: Responsibility and Criminal Liability, 11th Edition, Sweet and Maxwell Publication, London, 1989.
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7. M. S. Hoghughi and A. R. Forrest, Eysenck's Theory of Criminality: An Examination with Approved School Boys, 10 British Journal of Criminology 240 (1970).
8. R.O. Pihl, Hair Element Levels of Violent Criminals, 27 Canadian Journal of Psychiatry 533 (1982).

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

Subject: Constitutional Law-I

Paper:5

Subject Code: LLM24105DCE

Lectures: 2 Credits

Tutorial: 1 Credit

Objectives of the Course:

History is a continuous process. A proper understanding of constitutional history can help us in understanding Constitutional developments in future. The subject provides a lucid account of Constitutional provisions in the light of current challenges faced by our democracy and explains the working of the different aspects of the constitution and constitutionalism, rule of law. It covers fundamental rights, directives principles and fundamental duties, helping the students in a hurry to grasp the essence of the discussion easily.

The Fundamental Rights as inherent rights and inalienable rights are entrenched under the Constitution of India with an objective of unnecessary interference by the State. Directive Principles of State Policy and Fundamental Duties are sections of the Constitution of India that prescribe the fundamental obligations of the State to its citizens and the duties of the citizens to the State, respectively.. The Fundamental Duties are defined as the moral obligations of all citizens to help & promote a spirit of patriotism and to uphold the unity of India. These duties, set out in Part IV–A of the Constitution, concern of individuals and the nation. Like the Directive Principles, they are not enforceable by the law.

Course Outcome: After completion of this course the students will be able to:

- Identify the genesis behind constitution with the help of History of Constitution.
- Understand the basic structure concept of constitution and Fundamental Rights
- It will help students to understand clear idea about the fundamental Rights and about the Fundamental obligation of the state .
- Analysis of creative interpretation of Directive Principles of State Policy.
- Identify the duties of the citizens towards state.

Course Content:

Unit-I Introduction

1.History of Indian Constitution

1.1. Historical Background

1.2 The Simon Commission

1.3 The Indian Independence Act, 1947

1.4 The Philosophy of the Constitution of India

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

1.5 The making of the Constitution of India

2.Preamble and Concept of Fundamental Rights

2.1 Preamble - Importance and Amenability

2.2 Fundamental Rights

2.2.1 Evolution

2.2.2. Concept

2.2.3 Definition of State under Article 12, 13 - Inviolability of Fundamental Rights

2.2.4 Enforceability of Fundamental Rights

Unit-II 1. Fundamental Rights and Directive Principles

1.1.Right to equality

1.1.1 Relationship between Art. 14, 15, 16,17 and 18

1.1.2 Doctrine of classification - Doctrine of Arbitrariness and Intelligible Differentia,

1.1.3. Doctrine of Legitimate Expectation

1.2 Right to Freedom, Right against Exploitation

1.3 Religious and Minority Rights

1.4 Right to Property - Constitutional policy before and after the Forty fourth Amendment

1.5 Right to Constitutional Remedies.

2. Directive Principles of State Policy

421 Nature, content and justiciability

2.2 Directive Principles of State Policy vis-à-vis Fundamental Rights

2.3 Creative Interpretation of Directive Principles of State Policy

Unit-III Fundamental Duties

1.1 Evolution of Fundamental Duties

1.2 Relationship between Fundamental Rights and Duties

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

1.3 Legislative efforts for enforcement of Fundamental Duties

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 8. Surendra Malik, Fundamental Rights Case: The Critics Speak! (2012), Eastern Book Company
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SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

Subject: Union-State Financial Relations

Paper:6

Subject Code: LLM24106DCE

Lectures: 2 Credits

Tutorial: 1 Credit

Objectives of the course

The Indian Constitution adopts federal government for various reasons. Power is divided between the Union and the States in such a way that matters of national importance are entrusted to the Centre and matters of local importance are left to the States. The Constitution departs from the model of classical federalism in many ways. This departure was made to suit the peculiar Indian circumstances. However, the constitutional provisions were in practice further distorted so as to make the states totally subservient to the Centre. Distribution of fiscal power is the nerve centre of the federal system. In this paper a student will be made conscious of various aspects of federal principle, and their working in the Indian context with a view to ultimately assessing the Indian experience critically. He must clearly understand various emerging forces such as regionalism, sub-national loyalties and nationalism. He should be able to see the working of the constitutional process as a vital element of the political economy.

Unit 1. Federalism

1.1 The Federal Principle

1.2 Essentials of Federalism

1.3 Federalism in India- Application of federal principle in Indian Constitution.

Unit 2. Distribution of Legislative and Financial powers under the Indian Constitution

2.1 Distribution of Legislative Powers under the Constitution.

2.2 Evolution and Development of Federal Fiscal Relations in India

2.3 Taxing powers of the Union and States under the Indian Constitution.

Unit 3 Financial Relations & Planning

3.1 Role of the Finance Commission under the Constitution

3.2 Grants in Aid under the Constitution.

3.3 NITI Aayog and National Development Council.

SYLLABUS FOR LLM 1ST SEMESTER (2024 AND ONWARDS)

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- Administrative Reforms Commission on Centre-State Relationship Ch. 3 (1969)
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(1967) Vol. 1, Sections land 11, pp. IS- 168
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- D.T. Lakadwala, Union-State Financial Relations (1967)
- M.P. Jain, Indian constitutional Law (1994), Wadhwa.
- K. Subba Rao, The Indian Federation (1969)
- K.C. Wheare, Federal Government (1963)
- Students should consult relevant volumes of the Annual Survey of Indian Law published by the Indian Law Institute (Constitutional Law II)
- Saxena, Rekha. "A hybrid federal-unitary state?." Routledge Handbook of Regionalism and Federalism (2013): 353.
- Kumar, Chanchal. "Federalism in India: A Critical Appraisal." Journal Of Business Management & Social Sciences Research 3.9 (2014): 31-43.
- Arora, Guljit K. "An Analysis of central transfers in India: a study of selected states." (2014).
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SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

Subject: Fundamentals of Family Law

Paper:7

Subject Code: LLM24107DCE

Lectures: 3 credits

Objectives of the course

The objective of the course is to understand and analyse the importance of the family. It aims at understanding the evolution of the family structure. Further it aims at understanding the relevance of sources and schools of family law and its development.

Unit I. Introduction to family laws

- 1.1 Concept of the family and family laws
- 1.2 Domain of family Laws
- 1.3 Concept & Evolution of family laws in India

Unit II. Status of family laws

- 2.1 Family laws & British Administration of Justice in India
- 2.2. Family laws & the Constitution of India
- 2.3 Secular Family laws (Special Marriage Act).
- 2.4 Schools of Hindu Law

Unit III. Interpretation of Family Laws

- 3.1 Interpretation of Hindu Family Laws
- 3.2 Interpretation of Muslim Family Laws
- 3.3 Interpretation of Christian Family Laws
- 3.4 Interpretation of Parsi Family Laws

Selected Bibliography:

- Hammudah Abd al Ali, The Family structure in Islam, Illinois: American Trust Publications (1977)
- Ameer Ali, The Spirit of Islam, New Delhi: Kitab Bhawan (1922)
- N.J.Coulson, A History of Islamic Law, Edinburgh: Edinburgh University Press (1964).
- Ahmad A, Galwah, The religion of Islam, Cairo: Al-Ehemad Press (1945)
- Ruben Levy, The Social Structure of Islam, Cambridge: Cambridge University Press (1957)
- Abu Amenah Bilal Phillips, The Evolution of Fiqh, Riyaadh, Tawheed Publications (1990).
- Paras Diwan, Hindu Law, Allahabad: Wadhwa and Company (1995).
- P.V.Kane, History of Dharmasastra, Bhandarkar Research Institute (1976)
- Duncan Derrett, A critiques of Modern Hindu Family Law, Bombay: N.M.Tripathi Pvt. Ltd. (1970)
- John D Mayne, Treatise on Hindu Law and Usage, New Delhi: Bhanot Law House (1991)

Subject title: Family Laws in India

Paper:8

Subject code: LLM24108DCE

Credits : 3

Course Objective:

Religion plays an important role in marriage and family. Accordingly, Indian legal system includes plurality of laws in the area of personal relations. In the matters of marriage, divorce, maintenance, guardianship, custody, succession etc. various religious communities are governed by their respective personal laws. The course aims at understanding the concept and evolution of personal laws in India. It shall also focus on the relevance on these laws and the aim and purpose it has served during different periods. The course further aims at investigating the underlying causes shaping the reformation process

Unit I.Hindu Family Laws:

- 1.1 Concept of Hindu family
- 1.2 Joint Hindu Family and Coparcenary
- 1.3 Sources & Schools of Hindu Family Law

Unit II. Muslim Family Laws

- 2.1 Concept and Basis of Family in Islam
- 2.2 Sources of Muslim Family Law
- 2.3 Schools of Muslim Family Law

Unit III. Christian & Parsi Family Laws

- 3.1 Concept of Christian family
- 3.2 Concept of Parsi family

Selected Bibliography:

- Falvia Agnes, Law and Gender Inequality, New Delhi: Oxford University Press (1999).
V.Bagga, Studies in the Hindu Law the Special Marriage Act, Delhi: ILI Publications (1978)
Tahir Mahmood, Laws of India on religion and religious affairs, Delhi: Universal Law Publishing Co (2008).
Tahir Mahmood, Personal Laws in Islamic Countries, Delhi: Academy of Law and Religion (1987)
V.N.Shukla, Constitution of India, Lucknow: Eastern Book Co. (2008).
Tahir Mahmood, Islamic Law in Modern India, Bombay: N.M.Tripathi Private Ltd (1972).
Paras Diwan, Law of Marriage and Divorce, Delhi: Universal Law Publishing Co. Pvt. Ltd (1997).
Asaf A. Fyzee, Outlines of Muhammadan Law, Delhi, Oxford University Press (1974)

SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

Subject title: Mercantile Law

Paper:9

Subject code: LLM24109DCE

Credits : 3

Course Objective:

The objective of this subject is to examine the general principles of Contract and Special Contract Law in the context of their judicial evolution and interpretation.

Course Outcomes:

To provide an understanding of the growing trends demanded by modern trade and commerce, as well as changes in the form and activities of the state and planned economy in light of current events such as globalization.

To improve one's ability to assess the law and judicial decisions in light of the changing needs of an industrialized, planned, and welfare society.

Unit-I Foundation of Contracts

1. Nature, Object and Overview of Indian Contract Act, 1872.
2. Foundation Theories of Law of Contract •
3. Essentials of Contract. • Specific Contracts. • Quasi- Contract • Freedom of Contract and Encroachment on Freedom of Contract. • Standard-form contract,
4. Exemption Clauses, Protective Measures. • Sanctity of Contract.
5. Performance, Discharge and Breach of Contract • Special Contracts

Unit-II: Contracts and Technology

1. Electronic Contracts • Formation of E-Contracts • Advantages and disadvantages of E-Contracts • Relevant Laws.
2. Legality of E-Contracts

Unit III: Special Contracts-I

1. Introduction to Sale of Goods • Sale of Goods Act, 1930 •
2. Laws relating to International Sale of Goods:
 - a. Treaties; b. Lex Mercatoria c. Convention on Contracts for the International Sale of Goods Act, 1980

Special Contracts-II

1. Introduction to Indian Partnership Act 1932 & Limited Liability Partnership Act 2008.
2. Overview of Indian Partnership Act 1932 with latest Amendments • Nature and Incorporation Process of Limited Liability Partnership • Conversion of firms into Limited Liability Partnership • Foreign Limited Liability Partnership • Compromise, Arrangement or Reconstruction of Limited Liability Partnership • Winding up and Dissolution of Limited Liability Partnership

Reference Books:

1. A.G. Guest (ed): Anson's Law of Contract..
2. P.S. Atiya, Introduction to the Law of Contract.
3. Avtar Singh, Law of Contract.
4. G.C. Cheshire, H. S. Fifoot : Cases on the law of Contract.
5. Chitty: Chitty on Contracts, Vol. I General Principles Vol. 2 Specific Contracts. 6. Pollock and Mulla on the Indian Contract and Specific Relief Acts.
7. G. M. Treitel: Law of Contract.
8. S.Venkataraman and K. Ramanamurthy, T. S. Venkatesa Iyer's Law of Contract.
9. Mulla-Indian Contract Act.

SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

Subject: Intellectual and Industrial Property Rights -I

Paper-10

Subject code: LLM24110DCE

Lectures:3 credits

Note: Objective of the course: The concept of intellectual property rights have assumed seminal importance in India especially after the adoption of International Conventions especially TRIPS. The role of IPR both under intellectual property as well as industrial property regime has significantly refocused the relevance of the subject in India.

The paper shall be of the pattern as provided in the annexure.

UNIT – I: INTRODUCTION

1. Introduction of Intellectual Property Rights, WTO, World Intellectual Property Organization (WIPO).
2. Meaning of Intellectual Property; types of Intellectual Property.
3. Berne Convention, UCC, TRIPs, WCT, WPPT

UNIT – II: COPYRIGHT

1. Subject matter of copyright
2. Ownership of copyright
3. Economic rights
4. Moral rights
5. Assignment and Licensing
6. Infringement of copyright
 - 6.1.Certain acts not to be infringement of copyright
 - 6.2.Liability of ISPs for copyright infringement
7. Copyright and technology
8. Copyright and Neighbouring rights
 - 8.1.Performer's rights
 - 8.2.Rights of Broadcasting Organisations

UNIT – III: Industrial Designs

1. Introduction of Designs Law in India
2. Meaning of “Design”, “Article”, “Copyright”, “Proprietor of a New or Original Design”
3. Registration of Designs
4. Copyright in Registered Designs

SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

5. Piracy of Registered Designs, Pleading invalidity of registration without application for cancellation and Remedies
6. Interface between copyright and industrial designs

Recommended readings:

1. WIPO Intellectual Property Handbook: Policy, Law and Use (2004).
2. K.M. Garnett, J.E. Rayner James and G. Davis, Copinger and Skone James on Copyright (2005, 15th ed.), Indian Reprint 2008.
3. Jeremy Phillips, Royce Frederick Whale, Robyn Durie, Ian Karet, Whale on Copyright (Fifth Edition).
4. Raman Mittal, Licensing Intellectual Property: Law & Management (2011).
5. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights latest edition.
6. Russel Clarke, Industrial Designs (2005, 7th ed.).
7. V.K. Ahuja, Intellectual Property Rights in India (2015, 2nd Edition).
8. Annual Survey of Indian Law, Indian Law Institute.

SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

Subject title: Fundamentals of Banking Law

Paper: 11

Subject: LLM24111GE

Lectures: 2 credits

Course Objective:

The paper shall introduce the learner to the basic concept of Banking law . It shall provide an indepth study of the developments in Banking Law.

The paper shall be of the pattern as provided in the annexure.

Unit 1

- 1.1 History, Organization and Functions of Bank
- 1.2 Kinds of Banks
- 1.3 Banker-Customer Relation
- 1.4 Usual Guarantee and Bank Guarantee
- 1.5 Letter of Credit

Unit 2 Nature of Negotiable Instrument

- 2.1. Definition and Essentials of Negotiable Instruments
- 2.2. Promissory Note
- 2.3. Bills Of Exchange
- 2.4. Cheque
- 2.4.1 Dishonour of Cheques

Selected Bibliography

- 1. Tannan, Mohan Lal, C. R. Datta, and Parvinrai Mulwantrai Bakshi. *Tannan's Banking Law and Practice in India*. India Law House, 2002.
- 2. Goyal, Krishna A., and Vijay Joshi. "Indian banking industry: Challenges and opportunities." *International Journal of Business Research and Management* 3.1 (2012): 18-28.
- 3. Avtar Singh, *Laws of Banking and Negotiable Instruments: An Introduction*. Eastern Book Company, 2007
- 4. P. N. Varshney, H. C. Sarkar, *Banking Law and Practice*. Chand publishers

SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

Subject Title: Fundamentals of Constitutional Law

Paper:12

Subject Code: LLM24112OE

Lecture: 1 credit

Tutorial: 1 credit

Course Objective:

The paper shall introduce the learner to the basic concepts of constitutional law. It shall give an updated analysis of salient features of the Constitution. The paper shall be of the pattern as provided in the annexure.

Unit-1

1. Introduction of Constitutional Law
 - 1.1 Constitution, Constitutionalism
 - 1.2 Written and Unwritten Constitution
 - 1.3 Salient Features of Indian Constitution , Fundamental Rights

Unit 2

1. Directive Principles of State Policy, Fundamental Duties
2. Distribution of Legislative Powers under the Constitution
3. Emergency Provisions

LEADINGCASES

1. P.Mohan Pillai v. State of Kerala & Ors 2007(3) SCALE 548
2. Pradeep Kumar Biswas v. Indian Institute of chemical Biology 2002 5 SCC 111
3. Lt. Governor of Delhi v. V.K. Sodi AIR 2007 SC 2885
4. Air India Cabin Crew Assn v. Yesaswinee Merchant 2003 111 LLJ SC1
5. M. Nagraj v. Union of India 2006 8SCC 212
6. State of Bihar v. Project Uchala Vidya Sikshak (2006) 2SCC 545
7. Electricity Board Rajasthan V. Mohan Lal AIR 1967 SC 1857
8. R.D. Shetty V. The International Airport Authority AIR 1979 SC 1628.
9. Sodan Singh V. New Delhi Municipal Committee AIR 1984 SC 1966.
10. Ajay Hashia V. Khalid Mujib AIR 1981 SC 487.
11. State of West Bengal V. Anwasr Ali Sarkar AIR 1952 SC 75.
12. Kathi Ranni Rawat V.State of Saurashtra AIR 1952 SC 123.
13. In re Special Court Bill, 1978, AIR 1979 SC 478.
14. Air India V.Nargesh Meerza AIR 1981 SC 1829.
15. Indra Sawhney V.Union of India AIR 1993 SC 477.
16. L.I.C. India V.M.D. Shah(1992) 3 SCC 615.
17. Bijoe Emmanuel V. State of Kerala(1986) 3 SCC 615.
18. Mohni Jain V.State of Karnataka (1993) 1 SCC 666.

SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

19. Unni Krishnan V State of A.P (1993) 1 SCC 645.
20. A.K. Gopalan V. State of Madras AIR 1950 SC 597.
21. Kharak Singh V.State of U.P. AIR 1963 SC1295.
22. Francis Coralie V.Union Territory of Delhi AIR 1978 SC 597.
23. Manika Gandhi V.Union of India AIR 1981 SC 746.
24. Ministry of I &B V. Cricket Association of West Bengal 1995 2SCC161.
25. Shankri Prasad V. Union of India 1951 SC 455.
26. Sajjan Singh V. State of Rajasthan AIR 1965 SC 845.
27. Golak Nath V. State of Punjab AIR 1971 SC 1643.
28. Kesavananda Bharati V. State of Kerala AIR 1973 SC 1461.
29. Minerva Mills V. Union of India AIR 1980 SC1789.
30. A.D.M. Jabalpur V. S.Shukla AIR 1976 SC 1207
31. Mr. —Xl v Hospital Z AIR 1999. SC 495
32. Ahmadabad Municipal Corporation v Nawab Khan Gulab Khan (1997) II SCC 21
33. D.K.V. Basu v State of West Bengal (1997) I SCC 416.
34. Vishaka v State of Rajasthan AIR 1997 SC 3011.
35. T.A Pai Faindatren v. State of Karnataka (2003) 8SCC 481
36. Union of India v. Association for Democratic Reforms (2000) 5 SCC 294
37. Air India Cabin Crew Association v. Yeshaswinee Merchant (2003) 6 SCC 277
38. Islamic Academy of Education v. State of Karnataka (2003) 6 SCC 697.
39. Ramjawaya V, State of Punjab AIR 1955 SC 549.
40. U.N.Rao V. Indira Gandhi AIR 1971
41. Shamsher Singh V. State of Punjab AIR 1955 SC 556.
42. A.K.Roy V. Union of India 1982 SC 710.

Selected Bibliography

- 1 D.D. Basu Commentary on Constitution of India.
2. M.P.Jain Indian Constitutional Law.
3. M.P. Singh Shukla's Constitutional Law.
4. H.M. Seervai Constitution of India.
5. K .C. Wheare Modern Constitution .
6. Dicey Law of the Constitution.

SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

Subject title: Jammu and Kashmir Public Services Guarantee Act, 2011

Paper 13

Subject Code: LLM24113OE

Lectures: 1 credit

Practical: 1 credit

Course Objective:

The paper shall introduce the learner to the basic concept of Public Services Guarantee Act 2011. It shall give an overview of the provisions of the legislation.

The paper shall be of the pattern as provided in the annexure.

Unit 1.

- 1.1. Overview
- 1.2. Definitions
- 1.3. Procedure for Application

Unit 2

- 2.1. Right to Public Services and Good Governance
- 2.2. Powers and Functions of Authorities
- 2.3. Penalties, Other Functions of Appellate Authorities

References:

- 1. Jammu and Kashmir Public Services Guarantee Act, 2011.

SYLLABUS FOR LL.M. 1ST SEMESTER (2024 AND ONWARDS)

Subject Title: Subject: Introduction to Islamic Jurisprudence

Paper:14

Subject: LLM24114GE

Lectures: 2 credits

Objective of the Course:

The course is aimed at providing a basic understanding of the Islamic Jurisprudence among students with special emphasis on family laws.

The paper shall be of the pattern as provided in the annexure.

Unit 1: Introductory

1.1. Concept of law in Islam

1.2. Sources of Islamic Law

Unit 2: Development of Islamic Law

2.1. Schools of Islamic Law

2.2. Contemporary Trends

2.2.1. Life and Property Insurance

2.2.2 Islamic Banking

2.2.3 Organ Transplantation

Suggested Readings:

1. Subhi Mahmassani: Philosophy of Jurisprudence in Islam (Lieden 1961)
2. Abdur Rahim: General Principles of Mohammadan Jurisprudence (Madras 1911)
3. Shacht Joseph: Origin of Mohammadan Jurisprudence (Oxford, 1959)
4. Shacht Joseph: Introduction of Islamic Law, Oxford (1964)
5. Al Khudri: History of development of Islamic Law
6. Ahmed Hassan: Ijma, Qayas as sources of Islamic Law, Islamic Research Institute Islamabad
7. I.A.K. Nyazee: Theories of Islamic Law (IRI, Islamabad)
8. Welton, Mark D. "Modern Perspectives on Islamic Law by Ann Black, Hossein Esmaeili, Nadirsyah Hosen (review)." The Middle East Journal 68.2 (2014): 333-333.
9. Mahmoud, Mahgoub El-Tigani. Sources of Islamic Jurisprudence: Justice and Law in Islam. 2014.
10. Sachedina, Abdulaziz. "Law And Ethics In Islamic Bioethics." QScience Proceedings 2014 (2014).
11. Ramli, M. A. "Postmodernism approach in Islamic jurisprudence (fiqh)." Middle- East Journal of Scientific Research 13.1 (2013): 33-40.
12. Lewis, Mervyn K., Mohamed Ariff, and Shamsheer Mohamad, eds. Risk and Regulation of Islamic Banking. Edward Elgar Publishing, 2014.
13. Siddiqui, Najatullah Siddiqui, Interest free banking in Islam, Markazi Maktaba Islami , Delhi