

### SCHEMES OF THE EXAMINATION

- 1 (a) Every candidate appearing for **LL.M. First Semester** shall be examined in the following four papers of 100 marks each in which 80 marks for theory paper and 20 marks for Internal Assessment.

Paper I	-	LEGAL AND CONSTITUTIONAL HISTORY OF INDIA
Paper II	-	CONSTITUTIONAL LAW & NEW CHALLENGES – I
Paper III	-	CONSTITUTIONAL LAW & NEW CHALLENGES –II
Paper IV	-	RESEARCH METHODOLOGY

- (b) Every candidate appearing for **LL.M. Second Semester** shall be examined in the following four papers of 100 marks each in which 80 marks for theory paper and 20 marks for Internal Assessment.

Paper I	-	JURISPRUDENCE AND LEGAL THEORY
Paper II	-	INTERPRETATION OF STATUTES AND THEORY OF LEGISLATION
Paper III	-	INDIAN ADMINISTRATIVE LAW
Paper IV	-	HUMAN RIGHTS AND ENVIRONMENTAL DEVELOPMENT POLICY

### LL.M. FIRST SEMESTER EXAMINATION (Jan/Feb 2024-2025)

Sr. No.	Course Code	Course	No. of Credit	Max Marks	Min. Marks
1	101	Legal and Constitutional History of India	05	IA – 20, Theory-80	
2	102	Constitutional Law and New Challenges -I	05	IA – 20, Th. -80	
3	103	Constitutional Law and New Challenges -II	05	IA – 20 Th. – 80	
4	104	Research Mythology	05	IA – 20, Th. - 80	
<b>Total</b>			<b>20</b>	<b>Total – 100</b>	

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**LL.M. SECOND SEMESTER EXAMINATION  
(July/Aug 2024-2025)**

Sr. No.	Course Code	Course	No. of Credit	Max Marks	Min. Marks
1	105	Jurisprudence and Legal Theory	05	IA – 20, Theory-80	
2	106	Interpretation of Statutes and Theory of Legislation	05	IA – 20, Th. -80	
3	107	Indian Administrative Law	05	IA – 20 Th. – 80	
4	108	Human Rights and Environmental Development Policy	05	IA – 20, Th. - 80	
<b>Total</b>			<b>20</b>	<b>Total – 100</b>	

- (c) Every candidate appearing for LL.M. Third Semester Examination shall be examined in the following papers of 100 marks each in which 80 marks for theory paper and 20 marks for Internal Assessment.

**Constitutional and Administrative Law**

- Paper I - Constitutional Law of UK and Commonwealth Relation  
 Paper II - Constitutional Law of USA and Comparative Studies of Other Federal Systems  
 Paper III - Constitutional Law of Canada and Australia  
 Paper IV - Constitutional Law of Japan and Switzerland

**Crimes and Torts**

- Paper I - Criminology, Penology & Victimology  
 Paper II - Bhartiya Nagrik Suraksha Sanhita, 2023  
 Paper III - Bhartiya Nyay Sanhita, 2023  
 Paper IV - Bhartiya Sakhsya Adhiniyam, 2023

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**Crimes and Torts**

Paper I	-	Law of Torts – General Principles
Paper II	-	Specific Torts – Special Topics (1) Negligence (2) Vicarious Liability
Paper III	-	Dissertation
Paper IV	-	Viva-Voce

**LL.M. FORTH SEMESTER EXAMINATION**  
**Constitutional and Administrative Law**  
 (July/Aug 2024-2025)

Sr. No.	Course Code	Course	No. of Credit	Max Marks	Min. Marks
1	117	Law and Social Transformation in India	05	IA – 20, Theory-80	
2	118	Administrative Law (UK, USA, France and India)	05	IA – 20, Th. -80	
3	119	Dissertation	05	100	
4	120	Viva-Voce	05	100	
<b>Total</b>			<b>20</b>	<b>Total – 100</b>	

**LL.M. FORTH SEMESTER EXAMINATION**  
**Crimes and Torts**  
 (July/Aug 2024-2025 )

Sr. No.	Course Code	Course	No. of Credit	Max Marks	Min. Marks
1	121	Law of Torts – General Principles	05	IA – 20, Theory-80	
2	122	Specific Torts – Special Topics (1) Negligence (2) Vicarious Liability, Motor Vehicle Act, 2019 & Consumer Protection Act, 2019	05	IA – 20, Th. -80	
3	123	Dissertation	05	100	
4	123	Viva-Voce	05	100	
<b>Total</b>			<b>20</b>	<b>Total – 100</b>	

- (e) Dissertation shall be compulsory for each student Topics of the dissertation shall be allotted by the Head of the Department. This paper contains 100 marks for script writing.

Each student shall also appear for a Viva-Voce examination of 100 marks.

This will be held before a Board of three examiners of whom two will be external and one internal. The absence of one external examiner may, however, be condoned by the

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Kulpati, if it is caused due to unavoidable circumstances, ordinarily, the head of Department of Law will be the Internal examiner.

- (f) Distribution of marks of Internal Assessment: - 20 marks of Internal Assessment as to theory papers shall be divided as following –
- (1) Written Examination - 10 marks
  - (2) Seminar - 05 marks
  - (3) Attendance - 05 marks (above 75% - 05 marks & above 60% - 03 marks)
- (g) The following are the Groups of papers, any one of which shall be offered by the candidates appearing for LL.M. Part-II, Examination, Viz

### Group – I, Constitutional and Administrative Law

#### **LL.M. Third Semester**

Paper I	-	Constitutional Law of UK and Commonwealth Relation
Paper II	-	Constitutional Law of USA and Comparative Studies of Other Federal Systems
Paper III	-	Constitutional Law of Canada and Australia
Paper IV	-	Constitutional Law of Japan and Switzerland

#### **LL.M. Forth Semester**

Paper I	-	Law and Social Transformation in India
Paper II	-	Administrative Law (UK, USA, France and India)
Paper III	-	Dissertation
Paper IV	-	Viva-Voce

### Group – II, Crimes and Torts

#### **LL.M. Third Semester**

Paper I	-	Criminology, Penology &Victimology
Paper II	-	Bhartiya Nagrik Suraksha Sanhita, 2023
Paper III	-	Bhartiya Nyay Sanhita, 2023
Paper IV	-	Bhartiya Sakhsya Adhiniyam, 2023

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**LL.M. Forth Semester**

- Paper I - Law of Torts – General Principles
- Paper II - Specific Torts & other statutory sources of Compensatory Reliefs
- Paper III - Dissertation
- Paper IV - Viva-Voce

**Group – III, Personal Laws**

**LL.M. Third Semester**

- Paper I -
- Paper II -
- Paper III -
- Paper IV -

**LL.M. Forth Semester**

- Paper I -
- Paper II -
- Paper III - Dissertation
- Paper IV - Viva-Voce

**Group – IV, Merchantile Law**

**LL.M. Third Semester**

- Paper I -
- Paper II -
- Paper III -
- Paper IV -

**LL.M. Forth Semester**

- Paper I -
- Paper II -
- Paper III - Dissertation
- Paper IV - Viva-Voce

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**Group – V, International Law Group**

**LL.M. Third Semester**

- Paper I -
- Paper II -
- Paper III -
- Paper IV -

**LL.M. Forth Semester**

- Paper I -
- Paper II -
- Paper III - Dissertation
- Paper IV - Viva-Voce

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**PAPER – I (PAPER CODE – 101)****LEGAL AND CONSTITUTIONAL HISTORY OF INDIA**

This Course is intended to acquaint students of higher studies in law with the legal and Constitutional History of India beginning from 1600 upto date. Abroad reference will also be made to the history of nationalist movement:

1. **INTRODUCTORY & ADMINISTRATION OF JUSTICE:**  
Importance of Historical Background, Pre British Institutions, Early Charters and Surat Factory, Charter of 1600-1661, Legislative Power, King's Commission,  
ADMINISTRATION OF JUSTICE IN MADRAS (1639-1726) :  
ADMINISTRATION OF JUSTICE IN BOMBAY 1668-1726,  
ADMINISTRATION OF JUSTICE IN CALCUTTA 1690-1726  
MAYOR'S COURT : Charter of 1726 & 1753.
2. **BEGINNING & PROGRESS OF THE ADALAT SYSTEM :**  
Company becomes Diwan, Significance of Diwani, Execution of Diwani Functions, Judicial Plan of Warren Hasting's (1772-1780), Re-Organization of the Adalat System, Judicial Plan of Cornwallis (1787-1793), Progress of the Adalat system Sir John Shore (1793-1797), Progress of the Adalat System, Wellesley (1798-1827), Adalat system in Bengal Bentinck and After (1828-1835).
3. **REGULATING ACT & SUPREME COURT AT CALCUTTA :**  
Provisions of the Regulating Act, Legislative Authority, Charter of the Supreme Court, Supreme Court and Nizamat & Diwani, Trial of Nandkumar, The Patna Case, The Cossijurah Case, Gora Chand Dutt Case, Kamalluddin Case etc., Act of Settlement, 1781, Pitts India Act, 1781, A Dual Judicial System. Supreme Court at Bombay and Madras. Racial Discrimination in the Judicial System & Present Judicial System.
4. **HIGH COURTS & FROM PRIVEY COUNCIL TO SUPREME COURT:** The Indian High Courts Act, 1861, Charter of the Calcutta High Court, Allahabad High Court, The Indian High Courts Act, 1911, The Government of India Act, 1915, Other High Courts, High Courts

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under the Government of India Act, 1935, Jurisdiction of the High Courts. From Privy Council to Supreme Court : Basis of the Privy Council's Jurisdiction, Appeals to Privy Council, Progress of Indian Appeals : 1833-1845, High Courts-Appeals to the Privy Council, Appeals by special Leave, Appraisal of the System of Appeals to the Privy Council, Move for an Indian Appeal Court, Federal Court, Demise of Appeals to the Privy Council, Supreme Court, Post Constitutional Development.

**5. DEVELOPMENT OF CRIMINAL LAW, CODIFICATION & LAW REFORM** : Development of Criminal Law (1772-1860), Development of Law : Presidency Towns, Development of Civil Law: Mofussil, Codification of Law : 1833-1882, Legislature in India (1861-1950) : The Indian Councils Act, 1861, The Indian Councils Act, 1892, The Indian Councils Act, 1909, The Government of India Act 1909 and The Government of India, Act 1919, The Government of India Act, 1935. Law Reform : , Law Reform, History of Reform, Need for Law Reform, Hindu Law and the Courts, Law applicable to sects and sub-sects, Muslim Law and Custom, Hindu Law and Custom, Hindu Law and Legislature, Muslim Law and Legislature, The Special Marriage Act, 1954, Codification of Hindu Law, Uniform Civil Code, Law Commission in India, Administrative of Justice, Reports of the Law Commission of India.

**6. CONSTITUTIONAL DEVELOPMENTS LEADING TO INDIAN INDEPENDENCE** : Constitutional Developments Leading to Indian Independence (1937 to 1947), The Cripp's Mission, 1942, Draft declaration, Proposal relating to interim Settlement, Quit India Movement, 1942, Wavell Plan and Simla Conference of 1945, The Cabinet Mission. Provincial Representation in the Constituent Assembly, Formation of the Interim Government. The Indian Independence Act, 1947, Effects of the Indian Independence Act, 1947, Shaping of the Indian Constitution, Some Aspects of the Indian Constitution, Evolution of the Indian Constitution, Sources of the Indian Constitution. Personal Laws of Hindus and Mohammedans . Law Reporting in India, Growth of the Legal Profession, Legal Education.

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**BOOKS RECOMMENDED :-**

Jain M.P.	:	Outlines of Indian Legal History
Acharya B.K.	:	Codification in British India
Pylee M.V.	:	Constitutional History of India
Archilbold W.A.J.	:	Outline of India Constitutional History
Banerjee A.G.	:	Indian Constitutional Documents (Vol. I,II,III)
Fawcett Charies	:	First Century of British Justice in India
Cowell Herbert	:	History and Constitution of the Courts Legislative Authority in India
Kaye, J.W.	:	The Administration of the East India Company
Setalvad M.C.	:	Constitutional History of India
Stephans J.F.	:	Minute on the Administration of Justice in British India
Keith A.B.	:	Constitution History of India
Morey W.H.	:	Administration of Justice in British India
Rankin G.G.	:	Background of Indian Law
Punniah K.V.	:	Constitutional History of India
Trevelyan E.J.	:	The Constitutional and Jurisprudence of the Courts of Civil Justice in British India
Field C.D.	:	Some observations on Codification in India, 1833.
Jayaswal	:	Tagore Law Lectures (917)
Stocks	:	Anglo Indian Courts
Singh G.N.	:	History of the Constitutional Development and Nationalis Movement in India
Kulshreshth, V.D.	:	Hkkjr dk oS/kkfud bfrgkl
Paranjape, V.N.	:	Indian Legal & Constitutional History

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**LL.M. First Semester**

**PAPER – II (PAPER CODE – 102)**

**CONSTITUTIONAL LAW & NEW CHALLENGES - I**

This Course is intended to acquaint students with the organization and structure of the Indian Polity, its characteristic features and evolution. A comparative study of Constitutional Law of UK & USA is also desirable.

1. **INTRODUCTION:** - Organs of the Government, Forms of Government. Framing of Indian's Constitution. Preamble.  
**Constitution:** The distinctive features of the Constitution, Meaning and Idea of Constitution, Nature and objectives, Living Constitution Organic Constitution, Constitution as Fundamental Law  
**Constitutionalism:** Historical evolution of Constitutional government, Conventions of Constitutionalism-law and conventions, Sovereignty, Supremacy of the Constitution and Rule of Law, Modern Concept of Rule of Law, Social and economic rights as part of rule of Political, Democracy, The Rule of Law in a Globalizing World, Representative-limited Government, Separation of Power, Civilian Control of the Military Force, Police Governed by Law and Judicial Control, An Independent Judiciary. Limits & doctrine of domestic jurisdiction in international law.  
**Pluralism & Federalism:** federal government and its conditions as well as patterns, Creation of new states, Special status of certain States, Tribal Areas, Scheduled Areas, New trends in federalism, Central Control v. State Autonomy, Political factors influencing federalism, Plural aspects of Indian Federalism, Dynamics of federalism, pluralistic society, Ethnic, linguistic, cultural, political pluralism, Fundamental Rights, State Law Systems - Problem of a Uniform v. Personal laws - vertical federalism, Pluralism and International Concerns.
  
2. **THE UNION AND ITS TERRITORY :** Article (1 to 4), **Citizenship** Article (5 to 11)

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**FUNDAMENTAL RIGHTS & DIRECTIVE PRINCIPLES OF STATE POLICY (Art 12-51 A) :** Fundamental Rights (Article 12 to 35) : Concept, Historical Background, nature and scope of Fundamental Rights, Fundamental Rights vis-à-vis Human Rights, States and Laws Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, Saving of Certain Laws, Right to Constitutional Remedies. Directive Principles Of State Policy (Article 36 TO 51) and FUNDAMENTAL DUTIES (Article 51-A)

3. **THE UNION (Art 52-151):** The Union Executive, The President & Vice President (Art 52 to 78), The Union Legislature : Parliament of India (Art 79 to 123), The Union Judiciary : Supreme Court of India (Art 124 to 147), COMPTROLLER AND AUDITOR-GENERAL OF INDIA (Art 148 to 151 )
4. **THE STATE (Art152-237):**The State Executive: The Governor (Article 153 to 167) The State Legislature (Art 168 to 213),The State Judiciary: The High Courts in the States (Art 214 to 232) Subordinate Courts (Art 233 to 237)
5. **Courts:** Writ Jurisdiction, Protecting public interests through litigation. Locus standi and the nature of the judicial power, Independence of Judiciary, Concept and Origin of Judicial Review, Limitations on Judicial Review, Judicial accountability, Role of Precedent in the development of law and Society, Judicial Creativity, Judicial Activism and Judicial over Activism, Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability-Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct), Role of dissent in the development of law and society.  
**Landmark Judgements of Supreme Court shall be analyzed by the Students.**

**BOOKS RECOMMENDED :-**

Pandey J.N. : The Constitutional Law of India  
Kumar Narendra. : Constitutional Law of India

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Rai Kailash	:	Constitutional Law of India
Shukla V.N.	:	Constitution of India
Jain M.P.	:	Indian Constitution
Basu D.D.	:	Commentaries on Indian Constitution
Sen D.K.	:	Comparative Study of Indian Constitution
Seervai H.M.	:	Constitutional Law of India
Keith A.B.	:	Constitutional History of India
Tripathi P.K.	:	Spotlights and Constitutions
Dauglus W.O.	:	Studies in Indian and American Constitutional Law
Gledhill A.	:	Fundamental Rights
Setalvd M.E.	:	The Indian Constitution.
Subramaniam	:	Case Law of Indian Constitution
Basu	:	Case Law on Indian Constitutional Law
Shiv Rao B.	:	The framing of Indian Constitution
Where K.C.	:	Modern Constitution
Indian Law Institute	:	Central State Relations
Indian Law Institute	:	Delegated Legislation in India
Austin	:	The Indian Constitution : Cornerstone of a Nation
Where K. C.	:	Federalism
Bare Act Diglot	:	Constitution of India

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**LL.M. First Semester****PAPER – III (PAPER CODE – 103)****CONSTITUTIONAL LAW & NEW CHALLENGES -II**

This Course is intended to acquaint students with the organization and structure of the Indian Polity, its characteristic features and evolution. A comparative study of Constitutional Law of UK & USA is also desirable.

1. **THE UNION TERRITORIES (Art 239 -244A):** The Union Territories (Article 239 to 242), The Panchayats (Article 243 to 243-O) The Municipalities (Article 243-P to 243-ZG), The Cooperative Societies (Art 243 ZH to 243 ZT), The Scheduled & Tribal Areas (Art 244 to 244A)
2. **RELATIONSHIP BETWEEN THE UNION AND THE STATES(245-307):** Relationship Between The Union And The States Legislative Relations (Article 245 to 255), Administrative Relations (Article 256 to 263) FINANCE, PROPERTY, CONTRACTS AND SUITS (Article 264 to 281) :Miscellaneous Financial Provisions(Article 282-291) ,Borrowing(Article 292-293), Property, Contracts, Rights, Liabilities, Obligations and Suits(Article 294-300), Right to Property Article (300A), Trade, Commerce and Intercourse within the Territory of India (Article 301 to 307).
3. **SERVICES UNDER THE UNION AND THE STATES(308-351):** Services Under The Union And The States (Article 308 to 314), Public Service Commission (315-323), TRIBUNALS (Article 323-A & 323-B), Elections (Article 324 to 329A), Special Provisions relating to Schedule Caste and Schedule Tribal Caste (Article 330 to 342A), Language of the Union (Article 343 to 344), Regional Language ( Article 345 to 347), Language of the Supreme Court ( Article 348 to 349), Special Directives (article 350-351)
4. **EMERGENCY PROVISIONS & AMENDMENTS AND SCHEDULES (352-395) :** Emergency Provisions (Article 352 to 360) and Miscellaneous (Article 361 to 367) All Amendments of the Constitution till date(Article 368-392) All the Schedules (Article 393-395)
5. **INDIAN CONSTITUTION IN A GLOBALIZING WORLD:** Concept of Law & Justice, Types of Justice i.e. compensatory justice, distributive

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Indian Law Institute	:	Central State Relations
Indian Law Institute	:	Delegated Legislation in India
Austin	:	The Indian Constitution: Cornerstone of a Nation
Where K. C.	:	Federalism
Bare Act (Diglot)	:	The Constitution of India.
V.M.Dandekar.	:	Unitary Elements in a Federal Constitution
Deka S.	:	Constitutionalism & Constitution of India
Krishnaswamy Sudhir	:	Democracy and Constitutionalism in India : A Study of the Basic Structure Doctrine
M.A.Fazal,	:	Drafting a British Bill of Rights
Bryan Horrigan	:	Adventures in Law and Justice
Bhatnagar J. P	:	Women and Their Rights
Anaya James	:	Indigenous Peoples in International Law
Bimal N. Patel	:	"Responsibility of International Organizations"
Das J.K.	:	Indigenous Peoples, Sustainable Development and Human Rights
Falendra. K. Sudan	:	Globalisation and Liberalization. Nature and Consequences
Kenneth W. Abbott	:	"The Law and Politics of International Organizations"
Tom Campbell and Alejandra Mancilla:	:	"Theories of Justice"
Das S.T.	:	National Security in Perspective
G.O. Koppel	:	" The Emergency, The Courts and Indian Democracy"
Upendra Baxi	:	The Future of Human Rights
Paul Sebastian	:	Law, Ethics and the Media
Swamy P Rathna	:	Handbook on Election Law
Granville Austin	:	Working of a Democratic Constitution- The Indian Experience
Constitution of India as amended up to-date		
Constitution (Application To Jammu And Kashmir) Order 2019		
Constitutional Debates		

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**LL.M. -, First Semester**

**PAPER –IV (PAPER CODE – 104)**

**RESEARCH METHODOLOGY**

1. **Research:** Meaning, Nature, Objective, Scope, Motivation and Significance of Research

**Legal Research:** Nature, Importance, Benefits, Necessity, Motivating factors, Significance Facts, Events and Data of Legal Research, Logic and Legal Research.

**Various Kinds of Legal Research:** Kinds of research according to objectives of study material, Kinds of research according to the methods available for doing research, Legal Reasoning, Concept and their Role in Scientific legal investigation, theory and research.

2. **Legal Research and its methods:** Meaning, Merits and Demerits of Research in Law Research method and Research technique, Main Characteristics of research methodology, Doctrinal or Traditional Research Methods, Non-Doctrinal or Empirical Legal Research, Survey Method- Census and Sample Survey, Case Study Method, Historical and Ethnographic Method and Scientific Methods of Research.

3. **Steps for Legal Research:** Research Problem- Identifying and defining the Research Problem, Steps in Problem Formulation, Significance of Research Problem, Rationale of Study,

Review of Literature and Identification of Research Gaps - Significance of Review of Literature, Steps involved in Review of Literature,

Formulation of Objectives, Hypothesis- Meaning and Importance of Hypothesis, Formulation of Hypothesis, Types of Hypothesis in Legal Research, Sources of Hypothesis, Characteristics of a Good Hypothesis,

Research Design - Meaning and Significance of Research Design, Working out a Research Design,

Types of Research Design - Data Collection in Doctrinal Research: Meaning of Data, Types of Data, Primary and Secondary Sources of Data; Data Analysis, Data Interpretation and Drawing of inferences,

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Data Collection in Non-Doctrinal Research - Primary and Secondary Sources of Data, Meaning of Universe, Population and Sample, Importance of sampling, Types of Sampling, Difference between sampling method and census method,

4. **Research Data:** Forms, Sources, Tools and Collection of Data, Different methods for collecting the data, Online Legal Research - Use of Electronic Databases

Methods of Data Collection in Non-Doctrinal Research - Questionnaires and Schedules, Observation, Interview, Group Discussion,

Analysis and Interpretation of Data in Non-Doctrinal Research.

**Data Processing:** Editing, Coding, Classification and Tabulation, Analysis and Interpretation of Data, Generalization in Legal Research, Problem of measurement in legal research, Scaling technique in legal research, Sociometry in legal research, Jurimetrics.

5. **Report Writing:** Contents, Criteria, the Problem of Plagiarism, Citation Methods and Citation Styles, Book review and case comments.

Method of using Libraries and the use of ICT in legal research, Inter-Disciplinary Research and

### REFERENCE BOOKS:

- 1---Dr. S.R. Myneni-Legal Research Methodology, Published by Allahabad Law Agency
- 2---Dr. H.N. Tiwari- Legal Research Methodology, Published by Allahabad Law Agency
- 3---Shilpa Agrawal- Legal Research Methodology
- 5---William P. Statisky- Legal Research
- 6---Ewinc Surrency- A Guide to Legal Research
- 7---William J. Goode & Paul K. Hatt-Method in Social Research
- 8---Dr. H.N. Giri-Legal Research Methodology ( Written in Hindi)
- 9---Dr. Sanjay Kulshrestha-Vidhik Anushandhan Paddhatiya(Written in Hindi)
- 10—Dr. Bashanti Lal Babel-Legal Education and Research Methodology(Written in Hindi)
- 11-Loseke, D. R. Methodological Thinking
- 12-Wilkinson, T. S. And P. L. Bhandarkar Methodology and Techniques of Social Research
- 13-Kothari C.R. Research Methodology, Methods and Techniques
- 14-Durstan, Anderson J and B. H. Pooli. Thesis and Assignment Writing
- 15- Dr. G.P. Tripathi – Research Methodology.

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**LL.M. - Second Semester**

**PAPER – I (PAPER CODE – 105)**

**JURISPRUDENCE AND LEGAL THEORY**

1. **Jurisprudence and Its Basics:** Nature and Scope, Classification of Law, Purpose and Function of Law, Administration of Justice, Law According to John Austin, Different Meaning of 'Law' and 'Justice', Jurisprudence and its Relevance in Contemporary Times, Distributive Justice's Concept and Application in various Legal Systems, Concept of Corrective Justice - Meaning and Analysis, Application of the Concept of Social Justice in India, Morality and Law - A Critical Evaluation, Theory of Utilitarianism - A Critical Analysis, Social Contract Theory, Concept of Legal Pluralism, Does Arbitration Hinder the Growth of Common Law Jurisprudence?, Application of Concept of Social Justice in India and sources of law, Schools of jurisprudence. Critical survey of legal theories. Philosophical idealism and the problem of justice The impact of social development on legal theories, Historical evolution as a guide to legal thought, biology, society and legal evolution, Modern sociological theories of law. Philosophical idealism and the problem of justice
2. **Legal Theories: The Legal Philosophies That Shape The Law-**
  - Aristotle's Natural Law Theory - Its Impact on the Founding Fathers.
  - Jeremy Bentham's Legal Positivism Theory - The Law Of Human Creation
  - Marxist Law Theory - A Tool for Oppression or A Path to Justice?
  - Realist Law Theory - The Ever-Evolving Nature Of Judicial Decisions
  - Critical Legal Studies - Unmasking The Power Dynamics Behind The Law
  - Feminist Jurisprudence - How the Law Impacts Women's Rights and Equality?
  - Kelsen's pure theory of law, Utilitarianism, the jurisprudence of interests and legal idealism.
3. **Concept and Sources of Law:** Meaning and Types, Essentials of Sources of Law, Theories of Custom as a Source of Law, Custom with or without Binding Obligations, Legislation and Precedent as a Source of Law, Ratio Decidendi and Obiter Dicta.
4. **Rights and Duties:** Legal Rights - Nature, Characteristics, Kinds, Elements and Enforcements, Important Theories of Legal Rights – Protection Theory, Will Theory, Interest Theory, Concept of Duties in Jurisprudence – Nature, Characteristics and classification of Duties, Correlation between Rights and Duties in Jurisprudence and Liability in Jurisprudence. **Liability** - Definition, Nature, Kind - Civil and Criminal General conditions of liability - Negation, Their Theories Subjective & Objectives, Mental aspects, Duty of care, Standard & Care, Exemptions for Liability. **Obligation**

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- Definition, kinds and sources of obligation. **Evidence** - Procedural and Substantial, Element of Judicial procedure Evidence its nature and kinds.

5. **Legal Status of Person:** Legal Status of Unborn Children, Lunatic and Drunken Person, a Dead Person, Minor, Legal Rights of Animals, Jallikattu and Animals Rights in India, Legal Status of Corporate Personality, Theories of Corporate Personalities  
**Concepts of property, ownership and possession:** Concept, Definition, Nature, Incidents, Modes of Acquisition and Kinds of Ownership, Corporeal and Incorporeal, Trust and Beneficial, Legal and Equitable, Vested and Contingent, Absolute and Limited Ownership, Sole Ownership and Co-ownership, Co-ownership and Joint Ownership, Role of Ownership in Modern Times. Poverty and development
6. **Global justice:** Meaning and Application. Modernism and post-modernism Environmental Ethics. Medical Jurisprudence. Development of New Jurisprudence in Earth Justice. Study of any Religious book through the eyes of Indian Laws in the light of Jurisprudence.

#### BOOKS RECOMMENDED -

1. HLA Hart - The Concepts of Laws (Oxford) ELBS
2. Salmond - Jurisprudence (Tripathi) Bambay
3. G.W. Paton - Jurisprudence (Oxford) ELBS
4. RWM Dias - Jurisprudence (Indian Rep.) (Aditya), New Delhi.
5. V.D. Mahajan - Jurisprudence Legal Theory (EBC), Lucknow
6. W. Fridmann - Legal Theory (1999) (Universal) Delhi.
7. S.N. Dhyani - Jurisprudence - A study of Indian Legal Theory (Metropolitan), New Delhi.
8. M.S. Pandit, Out lines of Ancient Hindu Jurisprudence
9. Manuel P. Arriaga – The Modernist- postmodernist Quarrel on Philosophy and Justice
10. N.V. Paranjape – Studies in Jurisprudence and Legal Theory
11. S.R. Myneni - Jurisprudence (Legal Theory)
12. Rega Surya Rao – Jurisprudence (Questions & Answers)

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**LL.M- Second Semester****PAPER – II (PAPER CODE – 106)****INTERPRETATION OF STATUTES & THEORY OF LEGISLATION**

The Courses is intended to acquaint the students of advance studies in Law with the History and Development of Legislation with special reference to the Western Legal Systems and a comparative study of legislation in India Legal System particular attention is to be paid to the Benthamite movement of legislation and its comparative impact on other legal systems. The subject of study shall inter-alias include- (1) Principles of Legislation (2) Methods of Legislation, and (3) Interpretation of Statutes.

- 1. PRINCIPLES AND LEGISLATION – LAW :-** Legislature, Executive and Judiciary, Principle of Utility, Operation of these Principles upon Legislation, Distinction between Morals and Legislation.

**INTERPRETATION OF STATUTES-**Introduction, Meaning, Commencement, Operation and Repeal of Statutes, Purpose of Interpretation of Statutes Classification of Statutes.

- 2. GENERAL PRINCIPLES OF INTERPRETATION -** Primary Rules, Literal Rule, Golden Rule, Mischief Rule (Rule in the Hydon's Case) Rule of Harmonious Construction. Secondary Rules, Noscitur a Soclis, Ejusdem Generis, Reddendo Singula Singulis, Utres Magis Valeat Quam Preat, Contemporanea Expositio est Fortissima in Lege.

**PRESUMPTIONS IN STATUTORY INTERPRETATION -** Presumption as to Jurisdiction, Presumption Against inconvenient or Absurd, Presumption Against Intending Injustice, Presumption Against Impairing Obligations or Permitting from One's Own Wrong, Prospective Operation of Statutes.

- 3. AIDS TO INTERPRETATION AND MAXIMS OF STATUTORY INTERPRETATION -** Internal Aids and External Aids, MAXIMS -Delegates Non Potest Delegare, Expressio Unius Exclusio Alterius, Generalia Specialibus non Derogant, In Pari Delicto Potior Est Condition Possidentis, Utresvalet Potior Quam Preat, Expressum Facit Cessare Tacitum, Jure Nature Sunt Immutabilia.

- 4. INTERPRETATION WITH REFERENCE TO THE SUBJECT MATTER AND PURPOSE :** Beneficial Construction, Strict Construction of Penal Statutes and Taxing Statutes, Construction and Interpretation of Welfare Legislation, Harmonious Construction of the Statutes, Interpretation of Statutes in Pari Materia, Amending, Consolidating and Codifying Statutes, Mandatory and Directory Enactments and Conjunctive and Disjunctive Enactments.

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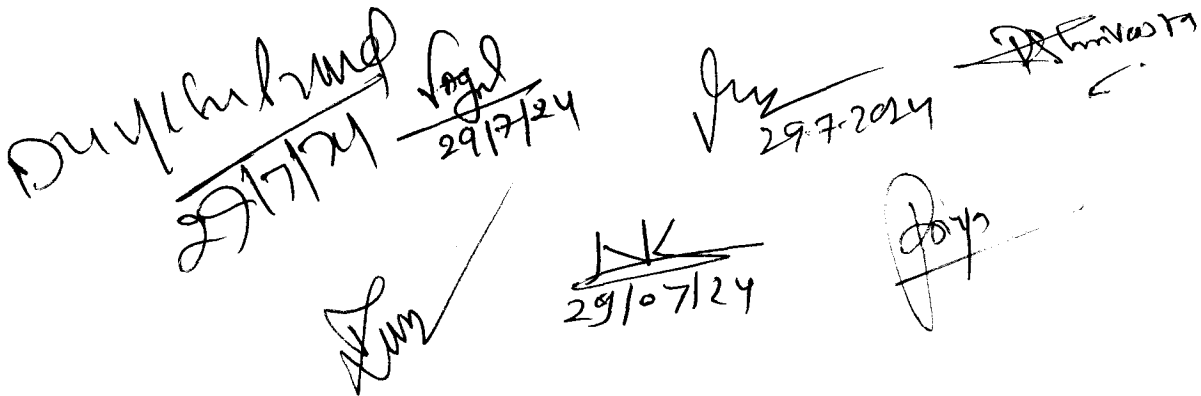
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5. **PRINCIPLES OF CONSTITUTIONAL INTERPRETATION** : Principles of Implied Powers, Incidental or Ancillary Power, Doctrine of Pith and Substance and Colorable Legislation, Principles of Implied Prohibition, Occupied Field and Territorial Nexus, Doctrine of Severability and Repugnancy and Doctrine of Eclipse and Ancillary Powers. Retrospectiv and Prospective Operation of Statutes.

**Books Recommended :**

Bentham	: Theory of Legislation
Jethro Brown	: Undertaking Principles of Modern Legislation
Decey A.V.	: Law and Public Opinion
Illbert C.	: Mechanics of Law Making
Maxwell	: The Interpretation of Statute
Sing G.P.	: Principles of Statutory Interpretation
Beal	: Rules of Interpretation
Ginsberg	: Law and Public Opinion and England 20 <sup>th</sup> Century
Rathan Swami	: Legislation Principle and Practice
Craise	: Interpretation of Statute Law
James	: Bentham and Legal Theory
Dale W.	: Legislative Drafting a New approach
Cross R.	: Statutory Interpretation
Odgers	: Constriction of Deeds and Statute
Swaroop J.	: Legislation and Interpretation
Bentham	: Principles of Statutes in British India
Sarathi, V.P.	: Interpretation of Statutes.
Tripathi, N.M.	: Maxwell's Interpretation of Statute
Dicey A.V.	: Law and Public opinion in England
Arora J.D.	: Principles of Legislation (in Hindi)

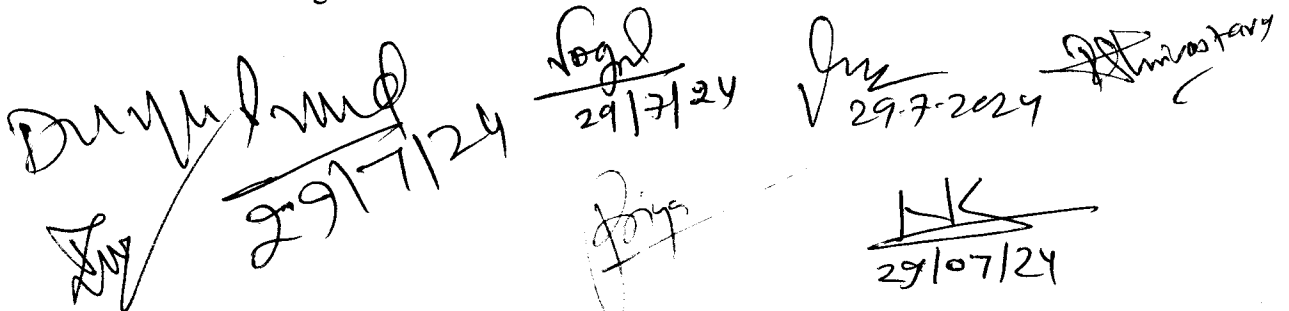

  
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**LL.M. - Second Semester**

**PAPER – III (PAPER CODE – 107)**

**INDIAN ADMINISTRATIVE LAW**

1. **Nature, scope and importance and development of administrative law:** Basic Objectives and definitions of Administrative Law, development nature and scope of administrative law. Separation of Powers and administrative law. Conceptual Relationship between Administrative Law and Constitutional Law, Principle of Rule of Law – Its Evolution and Application in India.  
Reasons for the Growth of Administrative Law: The Changing Role of the State, Inadequacies of the Judicial System and Legislative Process, Scope for Experiments in Administrative Process, Avoidance of Technicalities, Preventive measures, Effective Enforcement.  
**Administrative Action:** Meaning, nature, Classification, Scope, Significance and Control. Study in the light of case laws. Administrative Directions and its Enforceability, Judicial Control on Administrative Discretion. The progress of administrative discretion meaning nature, criteria use and need. Limit on exercise of discretion, non application of mind unreasonableness and standard of reasonableness. Administrative arbitrariness and bias, procedure safeguard for use of discretion
2. **The Principle of natural justice:** Principles of Natural Justice and Constitution of India, Types of Bias and Rule Against Bias, Personal Bias, Pecuniary Bias, Subject Matter Bias, Departmental Bias, Policy Notion Bias, Pre-Conceived Notion Bias, Bias on Account of Obstinacy, Emerging Trends and Judicial Approach. **Judicial review** on administrative actions –Grounds. violation thereof, The first principles: Justice in one's own cause, Judge's Bias, The second principle- Hearing the other side, Limit to the rule of Audi alteram Partem, The third principle: party to know the reason for the decision, effect of contravention: void or voidable. Against whom natural justice are not violated, when rules of natural justice are not violated, General Principles as revealed by Judicial Decisions. Limits of Judicial Review, Exceptional exclusion of Natural Justice.
3. **Delegated legislation and its constitutionality, Administrative adjudication & Tribunal:** Necessity for Delegation of Legislative Power and Control; Parliamentary Control, Procedural Control, Sub-Delegation of Legislative Powers, Functions of Quasi-judicial, Administrative and Ministers. Delegated Legislation in U.S.A & U.K. and an Analysis of Delegated Legislation in India, Conditional Legislation in India.


  
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**Corporation** : Corporations, its kinds and characteristics, its classification, legal and constitutional provisions & their responsibilities in contract and in tort, position of their employee whether they are civil servants ? Control on corporation, legislative control, judicial control, governmental control and public controls.

5. **Right to Information Act,2005:** digitization, Legal challenges of the information society, Interface of information technology and law; current challenges – mobiles, cyber security, cloud computing Authorities under the IT Act.

**Important Case Laws:**

- **Suk Das v. Union Territory of Arunachal Pradesh (1986)**
- **Bank Nationalization Case**
- **S.R. Bommai v. Union of India**
- **State of Bombay v Bombay Education Society**
- **Chandrakant Krishnarao Pradhan v Jasjit Singh**
- **Rashid Ahmed v Municipal Board, Kairana**
- **State of Mysore v. H. Srinivasmurthy.**
- **Ram Narayan Singh v State of Delhi**
- **A.R. Antulay v. R.S. Nayak**
- **Sunil Batra II v. Delhi Administration Authorities under the Act**

**Books Recommended :**

1. Jain and Jain - Principles of Administrative law, Tripathi (1986).
2. Wade - Administrative law (Indian Rep.) Universal Delhi.
3. J.C. Garner - Administrative law, Butherworth (1990)
4. D.D. Basu - Comparative Administrative law (Prentice Hall).
5. I.P. Massey - Administrative law EBC, Lucknow. (1996).
6. M.P. Jain - Cases and material on Indian Administrative law (Vol I & II) 1998 Universal book traders Delhi.
7. S.P. Sathe - Administrative law (1998), butterworth (India), Delhi.
8. De Smith - Judicial review of Administrative Action (1995) with supplement, Sweet & Maxwell.
9. M.A. Fazal - Judicial control of administrative action in India Pakistan & Bangladesh (2000), Butterworth India.
10. Indian law institute - Cases and material on Admininstrative law in India vol. I (1996), Delhi.

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**LL.M. - Second Semester**

**PAPER – IV (PAPER CODE – 108)**

**HUMAN RIGHTS & ENVIRONMENTAL DEVELOPMENT POLICY**

1. **CONSTITUTION AND HUMAN RIGHTS:** Fundamental Rights. Directive Principles and Fundamental Duties, International Human Rights and the Indian Constitution, Judicial Review and Administrative Actions with reference to Human Rights, State of Human Rights during Emergency (v) Judicial Activism – protection of human rights, Liberty, Equality and Fraternity in Human Rights Perspective.
2. **SPECIAL LAWS FOR PROTECTION OF SPECIFIC CATEGORIES / VULNERABLE SECTIONS OF THE PEOPLE :** Reservations and the Right to Equality, Protection of Minorities- Cultural and Educational Rights, Contract and Unorganized Workers, Bonded Labor, Tribal People
3. **ENFORCEMENT OF HUMAN RIGHTS :** Judiciary: Article 32, Article 226 – Public Interest Litigation, National Specialized Agencies: Law Commission, SC/ST commission, Minorities Commission, Women's Commission, Human Rights Commissions, Criminal Justice Delivery System, Legal Aid, NGO's, Social movements and pressure groups working through democratic institutions such as lobbying MPS, Media, International Redressal Mechanism.
4. **THE CONCEPT OF ENVIRONMENT :**
  - Meaning and Historical Perspective, Traditions, Natural and Biological Sciences: Perspectives, Modern concept : Conflicting dimension.
  - **INTERNATIONAL PERSPECTIVES AND DEVELOPMENT:** Stockholm Declaration, 1972, Right to development: UN Declaration on the Right to Development, 1986, Right to development versus right to clean environment, Rio Declaration: Sustainable development.
  - **ENVIRONMENTAL PROTECTION IN INDIA :** Constitutional rights and duties, Precautionary principle, Public trust doctrine, Polluter pay principle
5. **ENVIRONMENTAL PROTECTION IN DEVELOPING COUNTRIES :** (1) Poverty, Indigenous people and Tribal, Developing economies, Depletion of forest and natural resources.

**INTERNATIONAL CONCERN :** World environment movement, Natural and cultural heritage: Common Heritage Principle, Role of international and regional organization ,International financing policy and world environment fund, Global Environmental Facility (GEF).

**Books Recommended :**

1. J.K. Starke - An Introduction to the International Law.

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2. J. L. Brierley - The Law of Nations (Oxford)
3. A.K. Pillai - National Human Rights Commission.
4. S.K. Verma - An Introduction to Public International Law (Prentice-Hall India).
5. All the Covenants and Conventions.
6. Shaw M.N. - International law (CUP).
7. M.C. Nair - The Law of Treaties (Oxford)
8. Paras Diwan & Piyushi Diwan - Human Rights & The Law - Universal & Indian.
9. S.K.Kappor - Human Rights under International Law and Indian Law Central Law Agency Allahabad.
10. D.D.Basu - Human Rights in Constitutional Law (Prentice - Hall).

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**Group I**  
**CONSTITUTIONAL AND ADMINISTRATIVE LAW**

**LL.M.-THIRD SEMESTER**

**PAPER – I (PAPER CODE 109)**

**CONSTITUTIONAL LAW OF UK AND COMMONWEALTH RELATION**

1. The nature of British Constitutional development, Rise and growth of Parliament. The nature of the British Constitutional Law, Fundamental Laws and Judicial review of legislation, The scope of Constitutional Law, The functions of the Government doctrine of separation of power, The rule of law general characteristics of the British Constitution conventions of the British Constitutional law, nature and classification of the conventions.
2. The central government- The monarchy and its relevance, The Royal prerogative and immunities general nature of the prerogative, The prerogative in domestic areas and foreign affairs, The cabinet and the Prime-Minister Parliamentary Supremacy- History, Growth and nature of Parliamentary Supremacy Limitation on the sovereignty of Parliament, The birth growth composition fundamental and importance of the House of Lords, The development, organization, powers and functions of the House of Commons, Parliamentary or legislative procedure, committee system, Parliamentary privileges.
3. The United Kingdom and Europe- Introduction, The Sources of Community Law, European Community Act 1972, Community Law as a source of domestic Law, Parliament and Community Law, The impact of Community Law, The Armed Forces and the Emergency Powers of the executive emergency powers and personal freedom. Administration of Justice- Features and organization of the British Judicial system, Composition, Powers and Jurisdiction of the Supreme court the Privy councils, The Judicial functions of the Privy council at present day.
4. Rights and Duties of the individual – Rights of the individual under the United Kingdom Constitution, International Covenants, European Convention for the protection of human rights and fundamental freedoms, 1950 and European Social charter, 1961 and the Human Rights Act, 1998 Freedom of person and freedom of property, freedom of expression, freedom of assembly and freedom of Association, Nationality Citizenship, Immigration and Extradition.
5. The Commonwealth- Dependent Territories- The British Islands, Territories of the commonwealth, British Colonies, The Colonial Validity Act, 1965, Independence with in the commonwealth- The Dominions and the statute of Westminster (The Statute of Westminster 1931), Extension of U.K. legislation to the dominions, The common-wealth at present day, Appeals to the Privy Council- Appeals from dependent territories and Appeals from Independent commonwealth countries.

**BOOKS RECOMMENDED:**

Dicey A.V.	:	Law of the Constitution
Wade and Phillips	:	Constitutional Law
Hood and Phillips	:	Constitutional Law

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Keir and Lawson	:	Cases on Constitutional Law
Jenning and Young	:	Constitutional Law of the Common Wealth
Jenning	:	Law and Constitution
Yeardeley and Young	:	Introduction to British Constitutional Law
Mackintosh	:	British Constitution
Jenning	:	Cabinet Government
Cooley	:	Constitutional Limitations
Gladhill. A.	:	British Commonwealth
Hood Phillips & Jackson	:	Constitutional and Administrative Law
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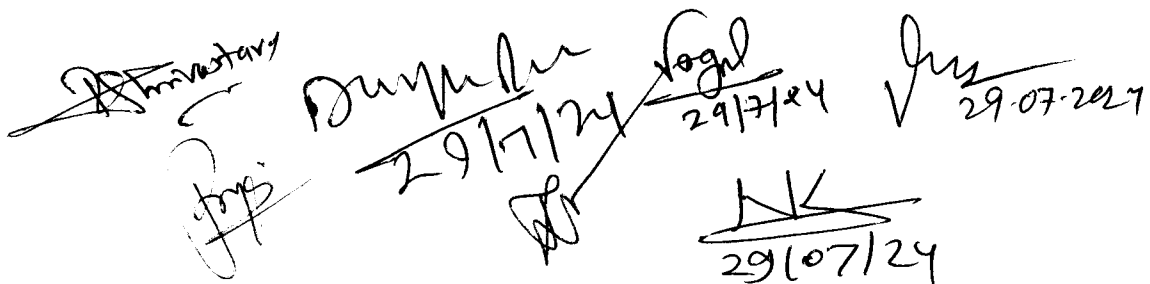
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**Group I**  
**CONSTITUTIONAL AND ADMINISTRATIVE LAW**

**LL.M.-THIRD SEMESTER**  
**PAPER –II (PAPER CODE 110)**

**CONSTITUTIONAL LAW OF USA AND COMPARATIVE STUDIES OF OTHER  
FEDERAL SYSTEMS**

1. General Background of the Constitution of USA—Historical Background of the Constitution, Causes of the Revolution, Establishment of Confederation, Articles of Confederation, Nature of Confederation, Defect of Confederation, Failure of Confederation.  
The Constitutional Convention—Making of the Constitution(Philadelphia Convention), Compromises of Philadelphia Convention, Ratification of the Constitution, Growth of the Constitution ,Methods and sources of the development of USA Constitution, Salient Features of the American Constitution.
2. Separation of Powers, Doctrine of Check and Balances, Criticism of the Separation of Powers in America. Delegation of Legislative Powers, Methods of Control over Delegation of Power.  
Amendments of the Constitution—Procedure for Amendment of the Constitution, Ratification by the States, Scope of Amendments, All amendments of the Constitution.
3. American Federal System—Formation of Federation, Federal Features in the American Constitution, Distribution of Powers, Method of Distribution ,Powers of the Federal Government and the Powers of the State Governments(Powers possessed and Powers denied of both the Government) Residuary powers of the State Government, Doctrine of Implied Powers, Factors Responsible for the growth of National Powers in America.  
The President—Characteristics of American Presidency, Election of President, Powers and Functions of the President, American Cabinet system  
The American Congress—Composition, Powers and Functions of the Senate, Composition, Powers and Functions of the House of Representative, Legislative Procedure and Committee System.
4. Federal Judiciary in America(Supreme Court and Judicial Review)—Organization of Federal Judiciary, Composition , Appointment, Tenure, Removal of the Judges of the Supreme Court, Working of the Supreme Court, Jurisdiction and Role of Supreme Court, Judicial Review, Judicial Activism or Judicial Self Control.  
Fundamental Rights under the American Constitution—Classification and Description of Fundamental Rights (i) Personal Rights (ii)Rights relating to Judicial Process (iii)Rights to Property.
5. Co-operative Federalism, Financial Relation of Federal and State Government,


  
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The Taxation and Fiscal powers of Congress, Direct Taxes and Excises.  
 Interstate Commerce Clause under the American Constitution, Doctrine of Immunity  
 of Instrumentalities under the USA Constitution, Doctrine of Eminent Domain, Police  
 powers of the State.  
 War Powers under the American Constitution, Military Law, Power to make Peace,  
 Admission of New States, Citizenship.

#### BOOKS RECOMMENDED:

Growin	:	Constitution of the United States
Growin	:	Constitution and what means today
Thoms M. Cooley	:	Constitutional Law in the USA
Ridge	:	Constitutional Law
Tressolini	:	American Constitutional Law
Mason and Beane	:	American Constitutional Law
Pritchett C.H.	:	American Constitutional
Antieau	:	Commentaries on the Constitution of USA
Shapin	:	American Constitutional Law
Enight	:	Constitutional Law
Kelley & harbinson	:	American Constitution
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**Group I**  
**CONSTITUTIONAL AND ADMINISTRATIVE LAW**

**LL.M.-THIRD SEMESTER**

**PAPER – III (PAPER CODE 111)**

**CONSTITUTIONAL LAW OF CANADA AND AUSTRALIA**

1. Historical Development, History of Constitution, Durham Report, Origin of Canadian Federation, Sources of the Constitution of Canada  
Salient Features of the Constitution, Conventions of the Constitution, Nature of the Constitution, Federal Features of the Canadian Constitution.
2. Dominion Executive – crown, governor general of Canada, Powers of the Governor General, Real position of governor general, Utility and usefulness of the Governor General, The privy council of Canada  
Canadian cabinet, composition, powers and functions of the cabinet Prime minister, position and power of PM  
The Canadian Legislature – Composition , powers and functions of the senate ,Comparison between USA senate and Canadian senate Composition , powers and functions of the House of Commons ,Procedure of law making  
Canadian Judiciary – features of Judiciary, courts of Canada, powers of Supreme Court of Canada, Judicial review in the constitution of Canada
3. History of Development of Australia, making of the Constitution, features of the constitution of the Australia, Federal system in Australian constitution. Characteristics of federal system, Distribution of Powers, Reasons of the extension of powers of federal Government. The Federal Executive- The governor General, Powers and functions of the Governor General. Appointment of Prime Minister Powers and functions of Prime Minister, Position of Prime Minister, Cabinet, Composition , Powers and function of cabinet.
4. The Parliament- The senate, Composition, Powers and function of senate, House of Representative, Composition, Powers and functions of House of Representative President of Senate, Speaker of House of Representative Privileges etc. of Houses. Legislative procedure, Powers of the House in respect of legislation.
5. The Judiciary- Organization of Judicial system in Australia, Powers, functions and jurisdiction of the High court of Australia,  
Finance, Scope of trade and commerce power in Australian Constitution, Taxing powers, Doctrine of Immunities of Instrumentalities State autonomy in Australia, Commonwealth Grant Commission of Australia, Procedure of amendment of the constitution  
Incidental powers.

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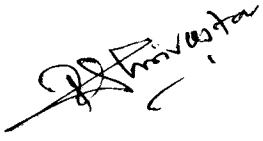

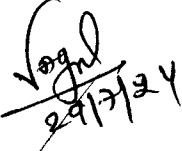
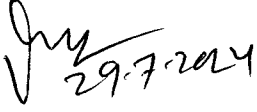
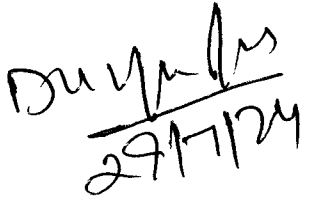
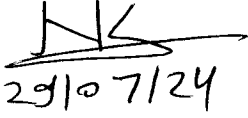
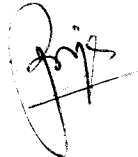
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**BOOKS RECOMMENDED:**

<b>Paton</b>	:	<b>Law of Commonwealth of Australia</b>
<b>Swat</b>	:	<b>Cases on Constitutional Law of Australia</b>
<b>Sweetman</b>	:	<b>Australia Constitutional Developments</b>
<b>Mitchell E.</b>	:	<b>Essays on the Australian Constitution.</b>
<b>Howard</b>	:	<b>Australian Federal constitutional Law</b>
<b>Lane</b>	:	<b>An Introduction to the Australian Constitution.</b>
<b>Lumb;</b>	:	<b>The Constitution of common Wealth Australia</b>
<b>Fajanbauem</b>	:	<b>Australian Constitutional Law Cases</b>
<b>Lane P.H.</b>	:	<b>The Australian Federal System</b>
<b>डॉ. वी. पी. सिंह:</b>		<b>विश्व के प्रमुख संविधान</b>
<b>डॉ. ओ पी. नागपाल</b>		<b>जापान, आस्ट्रेलिया और नेपाल का संविधान</b>

**Group I**  
**CONSTITUTIONAL AND ADMINISTRATIVE LAW**

**LL.M.-THIRD SEMESTER**

**PAPER – IV (PAPER CODE 112)**

**CONSTITUTIONAL LAW OF JAPAN AND SWITZERLAND**

1. Historical Background of Japan ,Importance Of The Study Of The Japanese Constitution , Constitutional Development Of Japan , Meiji Constitution Framing of The Modern Constitution.  
Nature of The Japanese Constitution, Characteristics Features of the Constitution, Comparison between the old and new Constitution.  
The Rights and Duties of the People-  
Introduction, General Provision, Specific Rights, Procedure of amendment of the Constitution.
2. The emperor- powers and functions of Emperor , Real Position of Emperor , The Cabinet , Composition of the Cabinet , Powers and Functions of The Cabinet.  
The Legislature – History of Diet, Composition , powers and functions of the House of Representatives , Composition , Powers and Functions of the house of Councilors , Legislative Procedure , Committee System in Japanese Constitution.  
Judiciary – Organization of Modern Judiciary, Constitution Powers and Jurisdiction of Supreme Court.
3. Swiss Constitution – Historical Background, importance of the Swiss Constitution, Characteristics of the Swiss Constitution. Basic, Civil and social rights.  
The Swiss Federal System, Dual polity System, Distribution of Powers, Federal status of the cantons, Extension of the powers of the centre procedure of amendment.
4. The Federal Legislature- Composition , Powers and functions of the council of states, privileges and Immunities, Composition , Powers and Functions of the National Council, Powers of the Federal Assembly, Working of the Federal Assembly.  
Federal Executive—Organization of the Federal Council, Powers and Functions of the Federal Council, Relation of the Federal Council with the Federal Assembly, President of the Swiss Confederation, Nature of the Federal Executive, The Federal Chancellery.
5. The Federal Tribunal—Organization of the Swiss Court System, Jurisdiction of the Federal Tribunal, The Federal Tribunal and Judicial Review,  
Cantons- Administration of cantons, Districts and Communes method of Direct democracy in Swiss Constitution- Primary Assemblies, Referendum and Initiative, merits and demerits of Referendum and Initiative.

**BOOKS RECOMMENDED:**

- |                     |  |
|---------------------|--|
| Beckmann,George M   | :The making of the Meiji Constitution.(Lawrence, 1957) |
| Cabinet Secretariat | :The Constitution of Japan (Tokyo, 1947)               |
| Fujisawa, F.        | : The Recent Aims and Political Development of Japan   |
| Gubbins, J.H.       | : The Maaking of modern Japan (London,1922)            |

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Ike, N.	: The Beginning of Political Democracy in Japan Baltimore, 1950)
Butty N.	: Parliamentary Democracy in Japan
Kapoor A.C.	: Selected Constitutions
Hughes	: The Federal Constitution of Switzerland
Rao B.S.	: Selected Constitution of the World
Basu	: Selected Constitution of the World
डॉ. वी. पी. सिंह:	विश्व के प्रमुख संविधान
डॉ. ओ पी. नागपाल	जापान, आस्ट्रेलिया और नेपाल का संविधान

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**GROUP - I**  
**CONSTITUTIONAL AND ADMINISTRATIVE LAW**

**LL.M.- FOURTH SEMESTER**  
**PAPER – I (PAPER CODE 117)**  
**LAW AND SOCIAL TRANSFORMATION IN INDIA**

1. LAW AND SOCIAL CHANGE

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

RELIGION AND THE LAW

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

2. LANGUAGE AND THE LAW

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

COMMUNITY AND THE LAW

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

3. REGIONALISM AND THE LAW

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

WOMEN AND THE LAW

Crimes against women.  
Gender injustice and its various forms.

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Women's Commission.  
Empowerment of women: Constitutional and other legal provisions.

#### 4. CHILDREN AND THE LAW

Child labour.  
Sexual exploitation.  
Adoption and related problems.  
Children and education.

#### ALTERNATIVE APPROACHES TO LAW

The jurisprudence of Sarvodaya- Gandhiji, Vinoba Bhave; Jayaprakash Narayan- Surrender of dacoits; concept of grama nyayalayas.  
Socialist thought on law and justice: An enquiry through constitutional debates on the right to property.  
Indian Marxist critique of law and justice. Naxalite movement: causes and cure.

#### 5. MODERNISATION AND THE LAW

Modernization as a value: Constitutional perspectives reflected in the fundamental duties.  
Modernization of social institutions through law.  
Reform of family law.  
Agrarian reform- Industrialization of agriculture.  
Industrial reform: Free enterprise Vs. State regulation Industrialization Vs. environmental protection.  
Reform of court process.  
Criminal law: Plea bargaining; compounding and payment of compensation to victims.  
Civil law: (ADR) Confrontation Vs. consensus; mediation and conciliation.; Lok adalats.  
Prison reforms.  
Democratic centralization and local self-government.

### BOOKS RECOMMENDED

Marc Galanter	: Law and Society in Modern India (1997) Oxford
Robert Lingat	: The Classical Law Of India (1998) Oxford
U. Baxi	: The Crisis Of the Indian Legal System (1982), Vikas, New Delhi
U. Baxi	: Law and Poverty Critical Essay. (1988) Tripathi, Bombay
Manushi	: A Journal about Women and Society.
Duncan Derret	: The State , Religion and Law in India (1999) Oxford
H.M. Seervai	: Constitutional Law of India (1996) Tripathi
D.D. Basu	: Shorter Constitution Of India (1996) Prentice- Hall of India (P) ltd
Sunil Deshta and Kiran Deshta	: Law and Mernace of Child Labour (2000) Armol Publications Delhi.
Savitri Gunasekhare	: Children, Law and Justice (1997) Sage
Indian Law Institute, Law and Social Change: Indo American Reflections,	Tripathi(1988)
J.B.Kripalani, Gandhi	: His life and Thought,(1970) Ministry of Information and Broadcasting, Government of India
M.P.Jain,	: Outline of Legal History,(1993), Tripathi, Bombay.
Agens, Flavia, Law and Gender Inequality: The Position of Women's Rights in India	(1999), Oxford

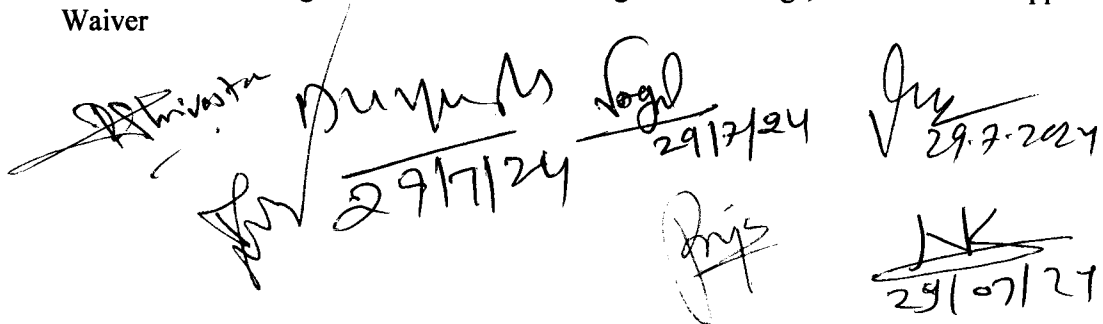
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**GROUP - I**  
**CONSTITUTIONAL AND ADMINISTRATIVE LAW**

**LL.M.- FOURTH SEMESTER**  
**PAPER – II (PAPER CODE 118)**

**ADMINISTRATIVE LAW**  
**(U.K U.S.A. FRANCE AND INDIA)**

1. Growth and Development of Administrative law, Concept, Nature, Scope and Definitions of Administrative law, Sources of Administrative Law  
Rule of Law-Development in UK, USA, France and India, Meaning and present position of Rule of Law  
Separation of Powers-Development, Meaning and present  
Position of Separation of Powers in UK, USA, France and India Droit Administratif
2. Classification of Functions-Tripartite Functions of Administration  
Delegated Legislation- Meaning, Nature and purpose of Delegated Legislation, Forms and Type of Delegated Legislation, Factors leading to the growth of Delegated legislation, Constitutionality of Delegated Legislation in UK,USA, France and India, Limits of Delegated Legislation, Control over Delegated Legislation in UK. USA, France and India, Sub-delegation and Administrative Directions
3. Administrative Adjudication and Administrative Tribunals—Growth of Administrative Tribunals in UK, USA, France, and India, Working of Administrative Tribunals, Administrative Tribunals and Judicial Review  
Natural Justice—Concept and Definition , Principles of Natural Justice, Application of Natural Justice in UK, USA, France and India, Exceptions of the Principles of Natural Justice, Effect of Failure of Natural Justice
4. Judicial Control of Administrative Actions through Writs-Need for Judicial Control, Position of Judicial Control of Administrative Actions in UK, USA, France and India, Grounds of Judicial Review, Limits of Judicial Review, Exclusion of Judicial Review, Public Interest Litigation  
Judicial Control of Administrative Actions(Remedies through ordinary Law) in UK, USA, France and India, Declaratory Action, Injunction and Action for Damages Judicial Review of Administrative Discretion
5. The Ombudsman- History, Development and Recent position in different Countries, The Lokpal Lokayukta, and Commissions of Inquiry.  
Government Privileges and Immunities in Legal Proceedings, Doctrine of Estoppels and Waiver


  
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Liability of the State in UK, USA, France and India, Act of State, Public Corporations and Regulatory Bodies

Note--: Following Acts shall also be deemed to be included in the Units of this paper.

- (1) Federal Administrative Procedure Act, 1946
- (2) Federal Tort Claim Act, 1945
- (3) Freedom Of Information Act, 1966
- (4) Tribunals & Inquiries Act, 1992
- (5) The Crown Proceedings Act, 1947
- (6) Parliamentary Commissioners Act, 1967
- (7) Administrative Tribunal Act, 1985
- (8) The Lokpal & Lokayukta Bill, 2011

**Books Recommended**

- Rebson : Justice And administrative Law
- Griffith and Street: Principles of Administrative law.
- Wade W.R.H. : Administrative Law
- Schwartz B : American Administrative Law
- De Smith S.A. : Judicial Review And Administrative Action
- Allen C.K. : Law and order
- Basu : Comparative Administrative Law
- Prasad : Administrative Tribunal in Action
- Jain&Jain : Principles of Administrative Law
- I.L.I. : Cases and material on Administrative Law in India
- Nair : Parliamentary control of Administrative Action
- Flaukes : Introduction of administrative Law
- Schwartz : Legal control of Government Administration in Britain and the United States
- Wyner : Executive Ombudsman in U.S.A.
- Davis k.G. : Administrative Law Text
- Davis K.G. : Administrative Law Cases.
- Brown and Garner: French Administrative Law.
- Bowatt : Ombudsman
- Street : Justice in Welfare States.
- Ramchandra V. : Administrative Law.
- Fazal M.A. : Comparative Administrative Law of UK, USA, India and France
- Laffe : Administrative Law cases and Materials
- Markose A.T. : Judicial Control of Legislative action

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Jain : Administrative Law in India  
Indian Law Institute: Delegated Legislation in India.

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**GROUP - I**  
**CONSTITUTIONAL AND ADMINISTRATIVE LAW**  
**LL.M.- FOURTH SEMESTER**

**PAPER – III (PAPER CODE 119)**

**DISSERTATION**

Dissertation shall be compulsory for each student Topics of the dissertation shall be allotted by the Head of the Department. This paper contains 100 marks for script writing .

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**PAPER – IV (PAPER CODE 120)****Viva-Voce**

Each student shall also appear for a Viva-Voce examination of 100 marks. This will be held before a Board of three examiners of whom two will be external and one internal. The absence of one external examiner may, however, be condoned by the Kulpati, if it is caused due to unavoidable circumstances, ordinarily, the head of Department of Law will be the Internal examiner.

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**Group- II**  
**CRIMES AND TORTS**

**LL.M.- THIRD SEMESTER**

**PAPER – I (PAPER CODE 113)**  
**CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY**

1. **Introduction** – Definition of Criminology, Crime and Criminal Law their theory and Significant, development of Criminal Law and Criminology in India, School of Criminology, - Pre-Classical, Classical and Neo- Classical and their theory Baccaria and Bentham. The positive, Sociology and Clinical school and their contributors.  
**Causes and type of Crimes and Criminal** – Habitual, Sexual, Professional and white –collar, Terrorism.  
**Organized Crime in India:** Definition and Scope, Characteristics of organized crime, Types of organized crime, Causes of organized crime, The Nexus of Organized Crime and Politics. Drug trafficking and Narcotic Drugs and Psychotropic Substances Act, 1985, Smuggling, Money Laundering and Hawala, Counterfeiting of Currency - special enactments, penal provisions, Trafficking of Human and Human Organs- special enactments, penal provisions. **Hate Crimes in India:** Communal violence in India- problems in the Legal system- finding of various commission reports on communal violence. Honour Killing- Law and Judicial Verdicts, Hate Speech and Laws.
  
2. **Transnational crimes:** Definition and Scope, Characteristics of Transnational crime, Types of Transnational crime, Causes of Transnational crime - Criminal Intent and mens-rea in such crimes & Modus operandi of Transnational crime, Classification of Transnational Crimes (International Perspective) - Drug Trafficking as Transnational Crime, Trafficking of Weapons, Counterfeit of Goods, Trafficking of Persons and Smuggling of Migrants, Money Laundering, Terrorism, Laws relating to Transnational Crime - Organized crime and United Nations, The UN Convention on Transnational and Organized crime, Naples Declaration and Global Action Plan 24 Dec. 1994, United Nations Conventions Against Organized Crime, 2000.  
**Prevention, control and correctional strategies:** Extradition Act 1962 (Relevant Provisions) and Extradition Treaty. International investigative agencies (Interpol etc), Adjudication authorities (including ad hoc and permanent criminal tribunals), Role of Police in Investigation of organized crime, Role of Judiciary, Trial and Sentencing in organized crime, Profiles of Criminal Gang / Investigation and Prosecution.

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**Criminal Justice Administration:** Meaning, purpose and relevance, Overview of CJS and co-ordination in criminal justice system, Role of Courts in Administration of Criminal Justice, Privileged class deviance.

**Challenges to Criminal Justice System:** Cyber crimes, Cyberspace, Cybercrime and Cyber Law. Prevention of Corruption Act, 1988.

Protection of Civil Rights Act, 1955 and the subsequent Legislative Developments.

3. **Penology** – Concept of Punishment, types and forms of punishment in ancient, medieval and modern India, theories of punishment, necessity Law and order, History of penal system in India.
4. **Prisoners Administration** – Types of Prisons and Prisoners, Basic principles for the treatment of prisoners, National and International Rights of Prisoners, Structure of Jail and Police in India, Nature, origin and advantages of Parole and probations. The Prisons Act 1894, The Prisoners Act 1900, The Identification of Prisoners Act 1920, The Transfer of Prisoners Act, 1950. The Prisoners Attendance in Court Act 1955. The Criminal Procedure (Identification) Act, 2022. Chhattisgarh Jail Manual.
5. **Victimology**- Nature, Historical, Origin and Development of Victimology, Typology of Victim, Status of Victim in the criminal justice system, Victim Compensation scheme.

**BOOKS RECOMMENDED –**

Sutherland & Crassey

Taft & England

Reckless W

Vole G.B.

Mannheim

Lolika Asrkar

Upendra Baxi

Pillai S.

Cycil Burt

Gilliam J.L.

P.K.Sen

Bhattacharya

Flexvor & Baldwani

M.Ponnanian

J.C. Chaturvedi

Bare Act (Diglot)

Bare Act (Diglot)

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- Criminology

- Criminology

- Criminology the Crime Problem

- Theoretical Criminology

- Compensation Criminology

- Crime & Women

-Law and Poverty

- Theory of Criminology

- Young Delinquents

- Criminology and Penology

-Penology old and New

- Prisons

- Juvenile Court and Probations

- Criminology and Penology

- Penology and Criminal Procedure Code

- Protection of Children from Sexual Offences Act, 2012

Domestic Violence Act, 2005

Sexual Harassment of women at work place (Prevention, Prohibition and Redressal) Act, 2013

The Narcotic Drugs and Psychotropic Substance Act, 1985

The Prisoners Act, 1900

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**Group- II**  
**CRIMES AND TORTS**

**LL.M.- THIRD SEMESTER**  
**PAPER – II (PAPER CODE 114)**

**Bhartiya Nagrik Suraksha Sanhita, 2023**  
**Juvenile Justice Act,2015 & Probation of Offenders Act,1958**

1. **PRILIMINARY AND CONSTITUTIONS & POWER OF CRIMINAL COURTS ,ARREST OF PERSONS (SEC 01-196)-**  
 Preliminary (Sec 01-05)  
 Constitutions of Criminal Courts and Offices (Sec 06-20)  
 Power of Courts (Sec 21-29)  
 Power of Superior Officers of Police and Aid to the Magistrates and the Police (Sec 30-34)  
 Arrest of Persons (Sec 35-62)  
 Process to Compel Appearance (Summons, Warrants, Attachment) (Sec63-93)  
 Processes to Compel the Production of Things (Sec 94-124)  
 Security for Keeping the Peace and for Good Behaviour (Sec 125-143)  
 Maintenance and wife, children and parents (Sec 144-147)  
 Maintenance of Public Order and Tranquility (Sec 148-196)
2. **JURISDICTION OF THE CRIMINAL COURTS TRIALS, ATTENDANCE OF CONFINED PERSONS, EVIDENCE IN INQUIRIES AND TRIALS (Sec 197 -391) –**  
 Rights of Accused and Victim, Right to Counsel and Legal Aid, Principal Features of a Fair Trial.  
 Jurisdiction of the Criminal Courts Inquiries and Trials (Sec 197-209)  
 Conditions Requisite for Initiation of Proceedings (Sec 210-222)  
 Complaints to Magistrates (Sec 223-233)  
 The Charge (Sec 234-247)  
 Trial before a Court of Session (Sec 248-260)  
 Trial of Warrant Cases (Sec 261-273)  
 Trial of Summons cases (Sec 274-282)  
 Summary Trials (Sec 283-288)  
 Plea Bargaining (Sec 289-300)  
 Attendance of Confined Person (Sec 301-306)  
 Evidence in Inquiries and Trials (Sec 307-391)
3. **JUDGEMENT, APPEAL, REVISION & EXECUTION, SUSPENSION, REMISSION AND COMMUTATION OF SENTENCES (SEC 392-477)**

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**Sentence Process:** Pre-sentence hearing Transfer of Cases, Sentences- Execution, Suspension, remission and commutation of sentences, Reformatory Sentence, Withdrawal from prosecution, Plea Bargaining, Compounding of Offences.

Judgment (Sec 392-412)

Appeal (Sec 413-435)

Reference and Revision (Sec 436-445)

Transfer of Criminal Cases (Sec 446-452)

Execution, Suspension, Remission and Commutation of Sentences (sec 453-477)

#### 4. BAIL, BONDS AND SCHEDULES (SEC 478-531)

Bail and bonds (Sec 478-496)

Disposal of Property (Sec 497-505)

Irregular Proceeding (Sec 506-512)

Limitation for Taking Cognizance of Certain Offences (Sec 513-519)

Miscellaneous (Sec 520-531)

Schedules

#### 5. Therapeutic Approaches-I: Prison Reforms, Probation and other flexible techniques, The Probation of Offenders Act, 1958, Parole.

##### PROBATION OF OFFENDERS ACT, 1958

Probation of offenders Act, 1958 – Meaning and definition of Probation, its nature and history. Admonition and Exemption from punishment below 21 years of age, Power of probation officer and its duty under the Act (Ss 1-19)

**Therapeutic Approaches-II and Juvenile Delinquency:** The Juvenile Justice Act (care and Protection of Children), 2000 and amendments Preliminary and Definition of Juvenile etc under JJ(C & P of C) ACT,2015, Juvenile Institutions, Constitutional aspects, Competent authorities, Procedural safeguards for juveniles, Social action litigation concerning juvenile justice Judicial decisions. The Prohibition of Child Marriage Act, 2006 (As amended);The Protection of Children from Sexual Offences Act, 2012(Including The Protection of Children from Sexual Offences Amendment) Act, 2019(As amended)

#### RECOMMENDED BOOKS:

1. N. V. Paranjape : Code of Criminal Procedure, Juvenile Justice ACT and Probation of offenders Act, (in Hindi)
2. Bare Act Diglot Bhartiya Nagrik Suraksha Sanhita 2023
3. Bare Act Diglot Juvenile Justice Act,2015
4. Bare Act Diglot Probation of Offenders Act,1958

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**Group- II**  
**CRIMES AND TORTS**  
**LL.M.- THIRD SEMESTER**  
**PAPER – III (PAPER CODE 115)**  
**(Bhartiya Nyaya Sanhita 2023)**

**1. PRELIMINARY, PUNISHMENT AND EXCEPTIONS (SECTION 01-44)**

Preliminary (Section-01), Definition (Section-02) General Explanation (Section-03) , Of Punishment (Section 04 to 13) , General Exceptions (Section 14 to 33) and Right of Private Defense (Section 34 to 44)

**2. ABETMENT, CONSPIRACY. OFFENCES AGAINST WOMEN, CHILD AND HUMAN BODY (SECTION 45-146)**

Of Abetment (Section 45 to 60), Criminal Conspiracy (Section 61) and of attempt (Section 62), Of Offences Against women and child (Section 63 to 99) , Of Offences Affecting the human body (Section 100 to 146)

**Offences against Vulnerable Groups: Crimes against Women**, The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1995, The Immoral Traffic (Prevention) Act, 1956, Dowry Prohibitions Act 196. **Crimes against Children** Crimes against Socially & Economically disadvantaged people, Minorities (SC/ST). Crimes against Sexual Minorities and Laws for Transgender, Gay, Lesbian etc. Crimes against Persons with special needs i.e. Disables, Mentally ill and laws related thereto

**3. OFFENCES RELATING TO THE STATE, ARMY NAVY, ELECTION AND COINS (SECTION 147-188)**

Of Offences Against the state (Section 147 to 158) , Of Offences Against to Army, Navy and Air force (Section 159 to 168) Offences relating to Elections (Section 169 to 177) Of Offences relating to Coin, Currency, Notes, Bank Notes and Government Stamps (Section 178 to 188)

**4. OFFENCE AGAINST THE PUBLIC TRANQUILLITY & PUBLIC SERVANTS (SECTION 189-297)**

Of Offences Against the Public Tranquility (Section 189 to 197), Of Offence by or relating to Public Servants (Section 198 to 205), Of Contempt's of the Lawful authority of Public Servants (Section 206to 226) , Of False Evidence & offences

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against public justice (Section 227 to 269) , Of Offences affecting the public health, safety, convenience, decency and morals (Section 270 to 297)

**5. OFFENCE RELATING TO RELIGION & PROPERTY (SECTION 298-358)**

Of Offences relating to religion (Section 298 to 302) , Of Offences against property (Section 303 to 334) ,Of Offences relating to Documents to Property marks (Section 335to 350) , Of Criminal intimidation, Insult, Annoyance, Defamation etc. (Section 351 to 357) , Repeal and Saving (Section 358)

**Books Recommended:**

1- Bare Act Diglot Bhartiya Nyay Sanhita 2023

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**Group- II**  
**CRIMES AND TORTS**

**LL.M.- THIRD SEMESTER**  
**PAPER – IV (PAPER CODE 116)**  
**Bhartiya Sakshya Adhiniyam, 2023**

**1. INTRODUCTION, INTERPRETATION & CONCEPTIONS & PRELIMINARY**

Introduction- Main feature of The Bhartiya Sakshya Adhiniyam 2023.  
Types of Evidence - Oral, Written and Circumstantial evidence, Medical evidence and evidence of relatives, Eye witness, Chance witness and child witness and direct witnesses.

Standard of proof and presumption - May presume, shall presume, conclusive proof, proved, disproved and not proved.  
Preliminary and Definitions (Sec 01 & 02),

**2. RELEVANCY OF FACTS (03 to 50):**

Relevancy of Facts (Sec 03 to 14), admission & Confessions (Sec.15-25)  
Statements by persons who cannot be called as witnesses (Sec 26-27)  
Statements made under special circumstances (Sec 28 -32)  
How much of a statement is to be proved (33)  
Judgments of courts when relevant (34-38)  
Opinions of Third persons when Relevant (39-45)  
Character when Relevant (46-50)

**3. ON PROOF- (SECTION 51-103)**

Facts which need not to be proved (Section 51-53), Of Oral Evidence (Sec 54-55), Of Documentary Evidence (Sec 56-93), Of the Exclusion of Oral Evidence by Documentary Evidence (Sec 94-103),

**4. PRODUCTION & EFFECT OF EVIDENCE (SECTION 104-123)**

Of the burden of Proof (Sec 104-120), Estoppels (Sec 121-123)

**5. OF WITNESSES (SECTION 124-170)**

Witnesses (sec 124-139), Examination of witnesses (Sec 140-168), Improper Admission & Rejection of Evidence (Sec 169), Repeal & Saving (Sec 170)

**Books Recommended –**

1. Ratanlal Dhirajlal - Law of Evidence, 21th Ed. 2004, PB, Wadhwa, Nagpur.
2. Sarkar - On Evidence (2 Vol.) 15th ed. 2002, Wadhwa, Nagpur, 2390=00
3. Avatar Singh - Principles of law of Evidence, Universal, Delhi.
4. Vepa P. Sarathi - Law of Evidence EBC, Lucknow.
5. Ratan Lal Dheeraj Lal - Indian Evidence Act, 19<sup>th</sup> edi., (in Hindi)
6. Avtar Singh - Evidence Act (in Hindi)
7. M.D. Chaturvedi - Evidence Act (in Hindi)
8. Bare Act (Diglot) Bhartiya Sakshya Adhiniyam 2023

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**Group- II**  
**CRIMES AND TORTS**  
**LL.M. FOURTH SEMESTER**

**PAPER – I (PAPER CODE 121)**

**LAW OF TORTS – GENERAL PRINCIPLES**

1. **Law of Torts:** Its introduction definition and classification history and development its comparison crime, breach of contract and breach of trust Essential of torts;  
**Foundation of tortious liability:** Mental elements, Distinctions between motive and intention. Fault as a basis of liability various torts, Test of proximity Directness and test of forcibility, Principles for awards of damages, Injuria sin demnum and demnum sin injuria  
**General defense in action of torts-** Private defenses necessity, inevitable accident, Act of God, Mistake, Statutory authority and consent, Volenti non fit injuria.

**Important Case Laws:**

- Municipal Corporation Delhi vs. Subhagwanti, 1966
  - Ashby vs. White, 1703
  - Bhim Singh vs. State of Jammu & Kashmir, 1985
  - Gloucester Grammar School Case
  - Mayor of Bradford vs. Pickle, 1985
2. **Remedies in action of torts-** judicial and extra judicial remedies, **Discharge of torts:** waiver, accord and satisfaction, Release of Acquiescence, Res judicat and statute of limitation, Assignment of right of action in torts and death of parties and its effect on tortious actions.  
**Capacity to sue or be sued in tort:** Position of unborn child, Minor, Husband and wife, Lunatic, insolvent, convicts, judicial affair, alien enemy, Trade union, corporations, Foreign sovereigns state and its executive authority.  
**Liability of state for the tortious liability-** foreign torts, joint and several tort feasers. Novous actus interveniens. Successive action of the same cause of action.
  3. **General principles for Liability :** Strict Liability (Ryland v. Flethcer Rule) Transformation of Strict Liability Rule into Absolute Liability, Bhopal Gas Tragedy Case. Liability for injury Caused by animals ( Scienter Rule) principles relating to product liability ( Donough v Stevenson Rule). Occupiers liability for dangerous land and premises.
  4. **Vicarious Liability:** Development of The Doctrine of Vicarious Liability, Liability of Partners, Parents Liability, Masters Liability, Course of employment.

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**BOOKS RECOMMENDED:**

1. Ratanlal Dhirajlal - The Law of Torts (1997) Wadwa Nagpur
2. Winfield and Jolowitz - On Torts (1999) Sweet & Maxwell London
3. Salmond and Houston - torts (1999) Butterworth London
4. PS Achutan Pillai - The Law Torts (2004) EBS Lucknow
5. DN Saraf - Law of Consumer Protection in India (1995) Tripathi
6. PR Majumdar - Law of Consumer Protection in India (1998) Orient New Delhi
7. Ramaswami Aiyer - Law of Torts (1999) Tripathi Bombay
8. MD Chaturevedi - Apkrtyo ki vidi (1998) EBCL (In Hindi)

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**Group- II**  
**CRIMES AND TORTS**  
**LL.M. FOURTH SEMESTER**  
**PAPER –II (PAPER CODE 122)**

**Specific Torts and other Statutory Sources of Compensatory Relief**

1. **Classification of Specific Torts** : Assault and Battery. False imprisonment, Nervous Shock, Injurious to the person and wrongs relating to domestic relations. Trespass to Land, Torts of Trespass to goods and conversion. Injurious falsehood and passing off actions, Distinction between passing off and fraud
2. **Negligence as a Torts**: Deceit and Negligent misstatements, Conspiracy, Nuisance - definition and nature and essentials ingredients for actionable negligence, requirement of duty in the case of negligence, standard of duty to take care, the breach of duty, casual relation better them. Liability for the negligence of the occupiers of land, Negligence of person possessing greater skill and special rate of profession. Negligence by the keepers of dangerous natural and dangerous goods, chattel contributory Negligence,
3. **Defamation, Malicious prosecution and maintenance**: Interference with contractual and business relation Malicious Proceedings: Malicious prosecution Maintenance and Champerty, Abuse of legal process. Misfeasance in public office.
4. **Other Statutory Sources of Compensatory Relief** :

**The Motor Vehicles (Amendments) Act 2019** : Introduction- aims and objects of M.V.A, title, extent and commencement of the act with modification, definitions, licensing of drivers of motor vehicles, licensing of conductors of stage carriages, registration of motor vehicles, control of transport vehicles, control of traffic, liability without fault in certain cases, insurance of motor vehicles against third party risk, claims tribunals, offences, penalties and procedure, power of police officer to impound documents and detain vehicles used without certificate of registration, permit etc., summary disposal of cases, appeal and revision on orders passed by original authority, The first schedule and the second schedule.

**The Consumer Protection Act 2019**- Introduction- Aims, object and scope of Consumer Protection ACT, Definitions, Central Consumer Council, State Consumer Council.

Consumer Disputers Redressal Agencies- Composition, Jurisdiction and function of district forum, State Commission and National Commission, Procedure adopted in dealing with complaint and appeal cases, Enforcement and execution of orders by Consumer Forum .

**General Insurance Act, 1972**, – No fault liability, third party insurance and claims tribunal

**The Banking Laws**

**The Competition Act, 2002** – Prohibition of certain agreements, abuse of dominant position and regulation of combinations.

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 V. 29-7-2024  
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**Technology and Law – Artificial Intelligence, Artificial Intelligence Law and its development in other jurisdictions, Artificial Intelligence Vs Consumer protection, Artificial Intelligence Vs Anti-Trust aspects.**

**BOOKS RECOMMENDED:**

1. Ratanlal Dhirajlal - The Law of Torts (1997) Wadwa Nagpur
2. Winfield and Jolowitz - On Torts (1999) Sweet & Maxwell London
3. Salmond and Houston - torts (1999) Butterworth London
4. PS Achutan Pillai - The Law Torts (2004) EBS Lucknow
5. DN Saraf - Law of Consumer Protection in India (1995) Tripathi
6. PR Majumdar - Law of Consumer Protection in India (1998) Orient New Delhi
7. Ramaswami Aiyer - Law of Torts (1999) Tripathi Bombay
8. MD Chaturevedi - Apkrtyo ki vidi (1998) EBCL (In Hindi)
9. **Bare Act (Diglot)** Motor Vehicle Act, 2019
10. **Bare Act (Diglot)** Consumer Protection Act, 2019.
11. Torts and Consumer Protection Act, by Medha Kolhatkar
12. Competition Law in India by Jayant Kumar and Abir Roy
13. Business Torts by Joseph Zamore
14. Insurance Law: Doctrines and Principles, by Philip Rawlings, John P. Lowry.
15. Tannan's Banking Law and Practice in India, 23rd edition, by M.L. Tannan.
16. Insurance Law and Regulation: Cases and Materials, by Kenneth S. Abraham.
17. Tackling Insurance Fraud - Law and Practice, by Dexter Morse.
18. Supreme Court of Banking Law 4th Edition by S. N. Gupta
19. Why Are There So Many Banking Crises? The Politics and Policy of Bank Regulation, by Jean-Charles Rochet
20. Insurance and the Law of Obligations, by Jenny Steele, Rob Merkin
21. Principles of Banking Law 0002 Edition by Ross Cranston
22. Policies and Perceptions of Insurance Law in the Twenty-First Century New Ed Edition by Malcolm Clarke
23. Artificial Intelligence and Law (Challenges Demystified) by Rodney D. Ryder & Nikhil Naren
24. Understanding Artificial Intelligence by Manohar R. Shankar. R.Vidyanand M.S

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**Group- II**  
**CRIMES AND TORTS**  
**LL.M. FOURTH SEMESTER**

**PAPER – III (PAPER CODE 123)**

**DISSERTATION**

Dissertation shall be compulsory for each student Topics of the dissertation shall be allotted by the Head of the Department. This paper contains 100 marks for script writing .

**PAPER – IV (PAPER CODE 124)**

**Viva-Voce**

Each student shall also appear for a Viva-Voce examination of 100 marks. This will be held before a Board of three examiners of whom two will be external and one internal. The absence of one external examiner may, however, be condoned by the Kulpati, if it is caused due to unavoidable circumstances, ordinarily, the head of Department of Law will be the Internal examiner.

~~Amrasta~~  
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