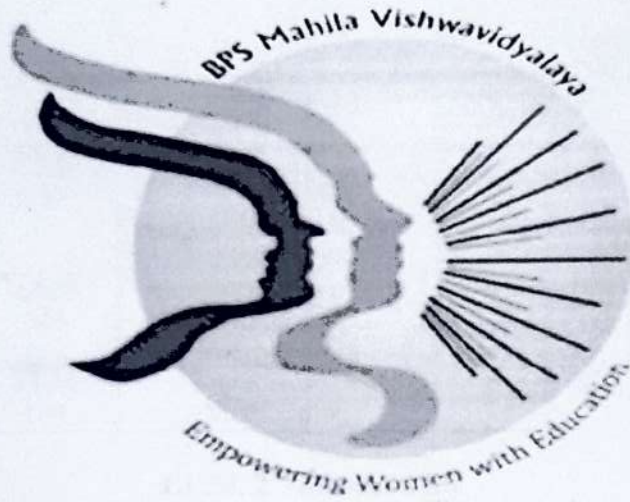


Bhagat Phool Singh Mahila Vishwavidyalaya Khanpur Kalan, Sonapat
(Established by the State Legislature Act 31 of 2006)



LL.M. Syllabus

1st Semester to 4th Semester

Seema
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Khanpur Kalan (Sonapat)

LL.M SCHEME						
LL.M. 1 ST SEMESTER						
S.NO	PAPE R CODE	NOMENCLATURE OF PAPER	Hour per Week	MAX. MARK S External : Internal 80:20		CREDIT S
Paper I	LLM 101	Legal Theory	5	80	20	5
Paper II	LLM 102	Indian Constitutional Law and the New Challenges	5	100	20	5
Paper III	LLM 103	Principles of Statutory Interpretation	5	100	20	5
Paper IV	LLM 104	Legal Research Methodology	5	80	20	5

Total Credits=20

LL.M. 2nd SEMESTER

LL.M. 2 nd SEMESTER						
S.NO.	PAPE R CODE	NOMENCLATUR E OF PAPER	Hours per Week	MAX. MARKS External: Internal 80:20		CREDITS
Paper I	LLM 201	Law & social Transformation in India	5	80	20	5
Paper II	LLM 202	International laws & Human Rights	5	80	20	5
Paper III	LLM 203	Public and Private International law	5	80	20	5
Paper IV	LLM 204	Family Law	5	80	20	5

Total Credits=20

LL.M. 3rd SEMESTER

LL.M. 3 rd SEMESTER (the candidate is required to opt any one group out of the following groups) Group "A" Criminal and Corporate Law						
S.NO.	PAPE R CODE	NOMENCLATUR E OF PAPER	Hours per Week	MAX. MARKS External: Internal 80:20		CREDITS

Reema
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Khaipur Kalan (Sonapat)

Paper I	LLM 301- A	Corporate Management	5	80	20	5
Paper II	LLM 302- A	Intellectual Property Rights	5	80	20	5
Paper III	LLM 303- A	Penology and treatment of offenders	5	80	20	5
Paper IV	LLM 304- A	Dissertation	5	80	20	5

Score

Department of Law
 Faculty of Law, Jharkhand State Law University
 Ranchi, Jharkhand
 (Pat)

Total Credits=20

LL.M. 3rd SEMESTERLL.M.
3rd SEMESTER
Group "B"Constitutional & Environmental
Law

S.NO.	PAPER CODE	NOMENCLATURE OF PAPER	Hours per Week	MAX.MARKS External: Internal 80:20		CREDITS
Paper I	LLM 301- B	Comparative constitutional law & governance	5	80	20	5
Paper II	LLM 302- B	Administrative law and judicial process	5	80	20	5
Paper III	LLM 303- B	International environmental law	5	80	20	5
Paper IV	LLM 304- B	Dissertation	5	80	20	5

Total Credits=20

LL.M. 4th SEMESTERLL.M. 4th SEMESTER
Group "A"

S.NO.	PAPER CODE	NOMENCLATURE OF PAPER	Hours per Week	MAX.MARKS External: Internal 80:20		CREDITS
Paper I	LLM 401- A	Competition and consumer protection laws	5	80	20	5
Paper II	LLM 402- A	Banking and insurance laws	5	80	20	5
Paper III	LLM 403- A	Human Right and Criminal justice System	5	80	20	5
Paper IV	LLM 404- A	Socio-economic offences	5	80	20	5

Total Credits=20

LL.M. 4th SEMESTER

Group "B"

S.NO.	PAPER CODE	NOMENCLATURE OF PAPER	Hours per week	MAX.MARKS External: Internal 80:20		CREDITS
Paper I	LLM 401- B	Environmental law and policies	5	80	20	5
Paper II	LLM 402- B	Environmental protection in India	5	80	20	5
Paper III	LLM 403- B	Transparency laws and Indian democracy	5	80	20	5

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Paper IV	LLM 404- B	Constitutionalism, Federalism and Pluralism	5	80	20	5
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Total Credits=20

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(w.e.f July 2021)

LLM (Two Year Degree Course)

Legal Theory

Paper Code – LLM 101

Semester 1ST

L-T-P

4-1-0

Maximum Marks:100

Credits-5

Time – 3 Hours

Note: (1)The entire syllabus has been divided into four units and the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objectives: The course aims at developing an analytical approach to understand the nature and development of law along with the working of a legal system in different dimensions with reference to popular legal theorists. Jurisprudential aspects in relation with nature of law, its evolution and its role in human life and society are focused.

Course outcomes: It is helpful to gain insights into dominant legal, societal and jurisprudential concepts regarding evolution and development of law. The course emphasizes the ideas of eminent theorists in building a legal institution for a civilized society. It is also helpful in understanding the notions behind rights and liabilities.

Unit-I

1. Nature, Value and Province of Jurisprudence
2. Positivism:
 - (a) Bentham and Positivism
 - (b) John Austin and Analytical Jurisprudence
3. Modern Positivism
 - (a) Kelsen's Pure Theory of Law
 - (b) Hart's Concept of Law
 - (c) Dworkin's Criticism of Positivism and his theory of Law

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Unit-II

1. Historical Jurisprudence:
 - (a) Savigny and the Historical School
 - (b) Henry Maine and the
 - (c) Anthropological School
2. Natural Law
 - (a) Revival of Natural Law
 - (b) Lon L. Fuller- Morality of Law
 - (c) Stammler- 'Natural Law with a variable content'
3. The Theory of Precedent in India

Unit-III

1. Modern Realism.
2. Sociological Jurisprudence:
 - (a) Ihering, Ehrlich and Duguit
 - (b) Roscoe Pounds' Social Engineering
3. Theory of Social Justice:
 - (a) John Rawls
 - (b) Indian Approach to socio-economic justice

Unit-IV**Legal Concepts:**

1. Legal Rights
2. Legal Personality
3. Possession and Ownership

Select Bibliography:

- Paton: A Textbook of Jurisprudence
 Dias: Jurisprudence
 Friedmann: Legal Theory
 Hart : Concept of Law
 Llyoyd : Introduction to Jurisprudence
 Fuller : The Morality of Law

Leena
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 Khajipur, Bihar (001904)

- Basu : Modern Theories of Law (TLL)
- Austin : The Province of Jurisprudence Determined
- Bodenheimer : Jurisprudence
- Ludr, Amit : Law of Personal Autonomy (2012 ed)
- Stone : Social Dimensions of Law and Justice
- Jennings : Modern Theories of Law
- Allen : Law in the Making
- Pound : Jurisprudence Vol..I-IV
- Weermanrury : Equality and Freedom: Some Third world Prospective
- Hilaire McCoubery : Text Book of Jurisprudence
- & Nigel D. White
- Dworkin : Taking Rights Seriously (1972), Law's Empire (1986)
- Bentham : Limits of Jurisprudence Defined (Ed. By Evertt) 1945.
- Savigny : Law of Possession
- Stone, Julius : The Province & Function of Law
- Sir Henry Maine : Ancient Law
- Rawls, John : Theory of Justice Cardoza
: Nature of Judicial Process

(w.e.f july 2021)
LLM (Two year Degree Course)
Indian Constitutional Law and the New Challenges
Paper Code - LLM 102
Semester 1ST

L-T-P

Maximum Marks:100

4-1-0

Credits-5

Time – 3 Hours

Note:(1)The entire syllabus has been divided into four units but the question papers shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objectives: The prime objective of this paper is to acquaint the students with the provisions Constitution of India particularly in the context of its federal structure, legislature executive and the judiciary and the contemporary issues associated with the interpretation of constitution.

Course Outcomes: At the end of this course students will be able to understand the contemporary issues associated with the application and interpretation of the constitutional provisions. The students will be able to comprehend upon the basic principles of Indian constitution as socialism , secularism , basic structure and the other allied provisions related to Indian polity.

Unit-I

1. The Executive- Union & States Parliamentary/Presidential form of Governments- Suitability. President/Governor & Council of Ministers-Relationship. Coalition government, Power Politics.
2. Parliament & State Legislatures Composition of Legislature, Elections, Corrupt Practices.
Role of the Legislature, Elections, Corrupt Practices
3. Judiciary in India, Independence of Judiciary, Appointment, Removal of the Judges, Code of Conduct for Judges .Power of Judicial Review, Writ Jurisdiction & other powers of the court, Judicial Activism .Separation of Powers, Relationship of Executive, Legislature & Courts.

Unit-II

1. Fundamental Rights, Definitions of State and Law.
2. Right to Equality, Reversed discrimination.
3. Political Freedoms of the citizen reasonableness of restrictions.
4. Right to life & personal liberty, various dimensions of the right to life and personal liberty.

Unit-III

1. Secularism, right of the minorities.
2. Socio-economic rights, Directive principles of state policy-enforcement by the state relationship between directive principles & fundamental rights.
3. Doctrine of eminent domain, right to property
4. Parliamentary Privileges & Fundamental Rights.
5. Fundamental duties of the citizen.

Unit-IV

1. Federalism, Co-operative federalism.
2. Legislative and Administrative relations.
3. Distribution of financial resources, Inter-State trade and commerce.
4. Amendment of the Constitution, Basic structure theory.

Select Bibliography:

- Seervai, H.M. : Constitutional Law of India (3 Volumes). Jain,
M.P. : Indian Constitutional Law
- Shukla, V.N. : Constitution of India
- Basu, D.D.: Constitution of India
- Bar Council of India : Constitution of India
(Edited by Hidayatulla)
- Ex. C.J. of India
- Dr. Pal, Chander : Centre-State Relation and Co-operative Federalism.
- Gupta, R.K. : Centre State Fiscal Relation under the Indian Constitutional Law
- Wheare, K.C. : Federal Government (1963)

(w.e.f July 2021)
LLM (Two year Degree Course)

Principles of Statutory Interpretation
Paper Code - LLM 103

Semester 1ST

L-T-P

Maximum Marks:100

4-1-0

Credits-5

Time – 3 Hours

Note:(1)Theentiresyllabushasbeendividedintofourunitsbutthequestionpapershallbedivided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit. i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objectives: This course aims to discuss various principles of statutory interpretation and construction. It is aimed to aware the students about the various internal and external aids in drawing construction and to inculcate in them the skills to draw true legislative intent behind enactment of the statutes to settle down the ambiguities and uncertainties in it. Students will also learn to define the scope and purview of the judiciary in interpreting the law.

Course Outcomes: The course is useful in developing the basic and advance skills of interpretation among students. The principles and rules of interpretation, maxims and scope of construction are included to impart fundamental skills required for a lawman as an advocate, socio-legal thinker, interpreter which ascertain the respective domains of the legislature and the Judiciary to avoid any conflicting opinions.

Unit-I

1. Basic Principles of Interpretation:
Meaning of Interpretation, Interpretation and Construction, Intention of Legislature, Statute must be read as a whole in its context, Presumption in favour of constitutionality of a statute. If meaning plain, effect must be given to it irrespective of consequences.
2. Rule of Literal Construction.
3. Golden Rule of Construction.
4. Mischief Rule of Construction

Unit-II

1. Internal Aid to Construction:

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- Short Title, long title, Preamble, Headings, Marginal Notes, Punctuations, Illustrations, Interpretation
2. Maxims
 - (i) Eiusdem Generis (ii) Expressio Unius Est Exklusio Alterius
 - (iii) Noscitur A Sociis
 3. Interpretation of Constitution. **Unit-III**
Parliamentary History, Historical Facts and Surrounding Circumstances, Dictionaries, Text-books, Use of Foreign Decisions, Statutes in Pari-materia.
 1. Codifying and Consolidation Statutes.
 2. Mandatory and Directory Provisions.
 3. Commencement and Repeal of Statutes.
 4. External Aid to Construction

Unit-IV

1. Beneficial and Liberal Construction.
2. Construction of Remedial and Penal Statutes.
3. Construction of Taxing Statutes.
4. Presumption as to Jurisdiction of the Courts.
5. Construction to Prevent, Evasion and Abuse.

Select Bibliography:

- Maxwell : Interpretation of Statutes.
 Craies : Statute Law.
 Sutherland : Statutory Construction.
 Singh, G.P. : Principles of Statutory Interpretation.
 Swarup, Jagdish : Legislation and Interpretation.
 Sarathi, V.P. : Interpretation of Statutes.
 Bindra : Interpretation of Statutes.

(w.e.f July 2021)
LLM (Two year Degree Course)
Legal Research Methodology
Paper Code - LLM 104
Semester 1st

L-T-P
4-1-0

Maximum Marks:100

Credits-5

Time – 3 Hours

Note:(1)Theentiresyllabusahasbeendividedintofourunitsbutthequestionpapershallbedivided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit. i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objectives: The object of this paper is to make the students aware about the legal research methodology. The course is beneficial to impart research skills and its importance in future developments for law, society and institution building. It is very helpful by providing research skills to the students and develop in them analytical and critical thinking. Students can contribute in social and legal developments by acquiring skills for research analysis, data collection and various methodologies for research.

Course Outcomes: The students shall be well versed about the legal research methodology, procedure and methods. The course is beneficial to impart research skills and its importance in future developments for law, society and institution building. It is very helpful by providing research skills to the students and develop in them analytical and critical thinking. Students can contribute in social and legal developments by acquiring skills for research analysis, data collection and various methodologies for research.

Unit-I

1. Meaning; Objectives and Scope of Legal Research.
2. Socio-legal Research in India
3. Kinds of Legal Research, Doctrinal and non-doctrinal legal research
4. Legal Research and law Reform
5. Legal Reasoning: Use of Deductive and inductive method.

Unit-II

1. Legal knowledge- Meaning of Law, Sources of Law and where to find law.
2. Major steps involved in doing legal research
3. Identification & Formulation of Research Problem.
 - (a) Survey of available literature and bibliography.
 - (b) Legislative materials including subordinate legislation, notification and policy statement.
 - (c) Decisional material
 - (d) Juristic Writings, compilation of list of reports or special studies.
4. Hypothesis: Meaning, Importance, Characteristics, Types, sources and its Formulation

Unit-III

1. Legal Research Design
Meaning of Research Design, Aspects to be considered in Research design, Contents, Steps, Characteristics, Need Significance of good research Design Types of Research Design.
2. Sampling Design for Legal Research- Census and sampling methods, Merits and Demerits of Sampling, Characteristics of a good sampling unit, procedure to select a sample, size of a sample and types of sampling, sampling error and standard error.
3. Data to collection and its Methods.
 - (a) Use of observation studies, questionnaires and schedules.
 - (b) Interview techniques
 - (c) Surveying method
 - (d) Case study method
 - (e) Scaling techniques
 - (f) Project Technique
4. Analysis and Interpretation of legal Research DATA

Unit-IV

1. Generalization in Legal Research
2. Sociometry in Socio-Legal Research
3. Preparing Legal Research Report
4. Report Writing
5. Computer Application and Legal Research

Select Bibliography:

Price, M.O. Bitner, H. and : Effective Legal Research (1978) Bysiewicz

Young, Pauline V. : Scientific Social Survey and Research (1962) Grade,

William J. and : Methods in social Research, McGraw-Hill Book

Paul, K. Hatt Company, London

Hyman, H.M. : Interviewing in Social Research (1965) Erwin, C.

Surrency, B. Fieif: A Guide to Legal Research (1959)

and J. Cera

Morris, L. Cohan : Legal Research in Nuishelc (1996)

West Publishing House Co

Havard Law Review Association, : Uniform System of Citations.

ILIPublication, : Legal Research and Methodology

Baxi, Upendra : Social Legal Research in India.

w.e.f July 2021)

LLM (Two year Degree Course)

Law and Social Transformation in India

Paper Code - LLM 201

Semester 2ND

L-T-P

4-1-0

Maximum Marks:100

Credits-5

Time - 3 Hours

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objectives: This course is designed to create awareness of Indian approaches to social and economic problems in the context of law as a means of social contract and change and also to examine how law and legal institution can be used to combat social oppression and inequalities in Indian Society. Limits of law in bringing out social transformation shall also be explored.

Course Outcomes:- After studying this subject the students gain an understanding in relation to the Indian approach to social and economic problems and means to address these through remedial measures through Law. Further they learn to explore and exploit the significance of law and legal institutions as a means of development within the framework of law. The students gain an understanding about barriers of society and impact of law to as an instrument of social control and change

Unit-I

Law and Social Change

1. Law as an instrument of social change
2. Law as a product of traditions and culture
3. Introduction of common law system and institutions in India and the impact of received law on the Indian Social and Legal Order
4. Limits of Law in bringing out social change

Unit-II

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Religion, Community and the Law

1. Indian Secularism: Constitutional Provision and Judicial Response
2. Constitutional Protection to Religious and Linguistic Responses
3. Affirmative Actions (Reservation)

Unit-III

1. Gender Injustice and its various forms
2. Empowerment of Women: Constitutional and Statutory Provisions; Women's Commission
3. Crime Against Women: Legislative and Judicial initiative

Unit-IV

Children and the Law

1. Child Labour
2. Sexual Exploitation of Children
3. Adoption and Related Problems
4. Children and Education

Suggested Reading:

- Marc Galanter (ed), 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. Bixi (ed), Law and Poverty Critical Essays (1988), Tripathi, Bombay
- Manushi, A journal About of Women and Society
- Duncan Derrret, The State, Religion and Law in India (1999), Oxford University Press, New Delhi
- H.M. Seervai, Constitutional Law of India (1996), Tripathi
- D.D. Basu, Shorter Constitution of India (1996), Prentice – Hall of India (P) Ltd., New Delhi
- Sunil Deshta and Kiran Deshta, Law and Menace 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, Outlines of Indian Legal History, (1993), Tripathi, Bombay
- Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford

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(w.e.f july2021)

LLM (Two year Degree Course)

International Laws and Human Rights

Paper Code - LLM 202

Semester 2ND

L-T-P

4-1-0

Maximum Marks :-100

Credits-5

Time – 3 Hours

Note: (1)The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objectives: The course is aimed to help students to understand the concept of Human Rights, challenges and issues in addition to international framework on Human Rights. This will be helpful in understanding and analyzing the state of human rights affairs and state obligations to implement International conventions. It offers deep insight over the concept of Human Rights evolution and protection mechanism.

Course Outcomes: International Human Rights Law provides students with a comprehensive insight into international and regional legal frameworks of human rights protection. This will enhance the knowledge and understanding of human rights. It will foster attitudes of tolerance, respect, solidarity and responsibility. It gave deep insight over the concept of Human Rights and its practical aspect, also sensitize about protection of human rights in society.

Unit I

1. Human rights- Historical context, Development and Institutions
2. The United Nations Treaties and Institutions
3. Generation/ classification of human rights
4. The Right to Life

Unit – II

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1. The Right to be Free from Torture, Inhuman, and Degrading Treatment
2. Social and Economic Rights
3. The Human Right to Health
4. ICJ and Human Rights

Unit -III

1. Rights of Refugees and Asylum Seekers
2. Women's Rights in International Human Rights System
3. International Environmental Law and Human Rights Regimes
4. Social Justice and Human Rights

Unit-IV

1. Global concerns over State of Human Rights affairs in today's world
2. Threats and challenges in protecting human Rights
3. A Case study on recent violations of Human Rights
4. State obligations and instruments of Human Rights Protection

Recommended cases:

1. The Republic of Nicaragua vs. The State of America, ICJ-1986
2. The Lotus Case
3. Lalita Kumari vs. Govt. Of U.P & ORS AIR 2014 SC187
4. Youth Bar Association of India vs. Union of India AIR 2016 SC4136
5. Shreya singhal v. Union of India,2015

Suggested Readings:

2. International law and human rights by K.C. Joshi 1938
3. Concise book on international law and human rights by H.O. Agarwal
4. Human Right of Women :National and International perspective by Cook
5. The Oxford Handbook of International Human Rights Law by Dina Shelton
6. International Human Rights Law by Daniel Moeckli
7. The International Covenant on Civil and Political Rights: Cases, Materials, and Commentary by Jenny Schultz, Melissa Castan, and Sarah Joseph
8. International Law and Human Rights by S .k. Kapoor

(w.e.f july 2021)

LLM(TwoyearDegreeCourse)**Public and Private International Law****Paper Code - LLM 203****Semester 2ND****L-T-P
4-1-0****Maximum Marks:- 100****Credits-5****Time – 3 Hours**

Note: (1)The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objectives:- To apprise the students about the similarities and difference between Private International law and Public International Law, to develop the student's grasp of the foundations of International Law, its evolution during the twentieth century and its role in world affairs. To help students understand both the legal and political aspects of International decisions and events.

Course Outcomes - On successful completion of the course students will be able to understand a thorough and contextual knowledge of public international law and private international law doctrine, principles and the role of legal institutions, in the areas covered during the course. It will encourage the students to identify contentious issues in public international law, and to apply legal doctrine to solve problems. It will create capacity of reflective understanding of the significance of notions of justice, sovereignty and rights within the international legal framework. It will be provide ability to conduct high-level legal research, exploring primary and secondary materials, and provide critical analysis of problems and questions.

Unit-I

1. Development of International Law: Definition, Nature, and Sanctions of International Law.
2. Legality of International Law- Positive Morality and theories of basis
3. Relationship between international Law and Municipal Law.
4. Sources and subject of international Law including position of Individual

Unit-II

1. Recognition of State and Governments
2. State Jurisdiction

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3. Acquisition and loss of State Territory
4. Extradition, Asylum, Settlement of Disputes

Unit-III

1. Diplomatic Relations
2. Settlement of International Disputes
3. International Institutions
4. Emerging Areas under International Law: Air Space and International Law
Aircraft Hijacking, Outer Space Laws, Star Wars

Unit-IV

Private International Law

1. Application and subject matter of private international law
2. Distinction with public international law
3. Concept of Renvoi
4. Material and formal validity of marriage under Indian and English law with Dissolution of marriage
5. Adoption, Recognition of foreign adoptions, adoption by foreign parents

Case Law:-

1. Zamora Case (1916) 2AC77
2. Daimler Co. Ltd. Continental Tyre and Rubber Co. Ltd. (1916) 2AC307
3. Columbian Peruvian Asylum Case ICJ Report (1951)71
4. Haile Selassie Vs Cable and Wireless Co. Ltd. (1939) CH12

Suggested Readings:

1. Starke's International Law (Oxford University Press Butterworth & Co. Publisher Ltd. 11th Ed. 2013)
 2. V.K. Ahuja Public International Law (Lexis, 11st Ed. 2016)
 3. V.C. Govindraj. Conflict of Laws cases and Materials (Lexis Nexis, 1st Ed. 2017)
 4. Aggarwal, H.O. Public International Law and Human Rights (Central Law Publications Ed. 2012)
 5. Kapoor, S.K. International Law (Central Law Publications 2013)
 6. Harris, D.J. Cases and Material on International Law (Sweet & Maxwell Ed. 2007)
- Greig, D.W. International Law (Butterworths and Co. (Publishers) Ed. (2007)

(w.e.f july 2021)

LLM (Two year Degree Course)

Family law

Paper Code - LLM 204

Semester 2ND

L-T-P

Maximum Marks:-100

4-1-0

Credits-5

Time – 3 Hours

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Objectives:- The primary objective of this paper is to acquaint the students with the socio legal aspects governing the matrimonial relationships. It further emphasizes upon the origin, sources and jurisprudential aspect of Hindu and Muslim law, the contemporary issues associated with family disputes within the social domain.

Course Outcomes:- At the end of this course students will be able to develop the deep knowledge of family system, standards, ethics, morality, rules, regulations, statutory provisions. They will be able to develop a clear understanding of personal laws including Hindu Laws, Muslim Laws and allied socio legal aspects.

Unit-I

GENERAL PRINCIPLE OF HINDU & MUSLIM JURISPRUDENCE

A. CONCEPTUAL FRAMEWORK OF HINDU JURISPRUDENCE

Conceptual Framework of Hindu Jurisprudence: Constituents of Hindu Jurisprudence-Nature of Hindu Law-Law under Hindu Philosophy-Concept of Rita and Concept of Justice-Rule of Law, Morality and Religion-Law as Believed under Hindu Belief from Ancient to Modern Period.

SOURCES & SCHOOLS

Scanned
Department of Laws
BPS Mahila Vishwavidyalaya
Khanpur Kalan (Sonapat)

Sources and School of Hindu Jurisprudence: Sources of Hindu Law with Regional or Other Relevant Variations; School of Hindu Jurisprudence and its Sub-Schools.

A. ISLAMIC JURISPRUDENCE

History of the Growth of The Muslim Legal System: Nature and Scope of Islamic Legal Theory-Muslim Schools of Thought-Concept, Origin and Development of Islamic Law- Definition of Law under Islam-Analysis of Western Definitions Comparison- Development of Islamic Law- Khilafat-Elections.

SOURCES & SCHOOLS

Sources of Islamic Law: Basic Wisdom-Necessity of Revelation-Conflict Between Revelation & Secular Reason; Primary Sources: The Holy Quran-Quran as a source of Islamic Legislation- Interpretation of Quran-Legislative Functions of Quran; Sunnah (Hadith)-Jurisprudential Basis and Legal Validity of Sunnah- Legislative Functions of Sunnah-Ijma: Validity of Ijma as a Source of Islamic Jurisprudence Qiyas: Arguments For and Against Qiyas; Ijtihad: Necessity of Ijtihad; Secondary Sources: Istihsan- Istadlal-Justice, Equity and Good Conscience-Legislations-Origin and Development of Sunni and Shia Schools

Unit-II

FAMILY AND EMERGING TRENDS

Family and its Changing Patterns: New Emerging Trends-Working Women and their Impact on Spousal Relationship-Retention of Restitution of Conjugal Rights as a Matrimonial Remedy- Concept of Matrimonial Home-Property Rights of Women Spousal Property; Domestic Violence-Gender based Specifications of Offences Adultery, Rape, Marital Rape, Wife Beating and Dowry Death.

Unit-III

A. THE CONCEPT OF PATRIARCHY

Concept of Patriarchy: Notions of Discrimination and Paternalism- Different Forms of Patriarchy-Patriarchal Character of Legal Administration- Problems of Access Custodial Institution; Women and Law: Law as Protector and Law as an Instrument of Patriarchal Oppression-Patriarchal Notion of Public/Private Law Dichotomy How 'Private' Law is a Device to Perpetuate Patriarchal, Social, Economic and Cultural Factors Contributing to Patriarchy.

B. PATRIARCHAL ASPECTS OF INDIAN LAW

Patriarchal Aspects of Indian Law with regard to Family: Sexuality, Patriarchy and Social Reproduction; Patriarchy in Hindu, Christian, Islamic and Parsi Law and Traditions-Board Overview of Developments and Reforms in these Laws Matrilineal Systems.

UNIT-IV

MARRIAGE AND DIVORCE IN CONFLICT OF LAWS

A. DOMICILE

Introduction: Theories of Private International Law-Characterization- Renvoi; Domicile: General Rules-Domicile of Origin-Domicile of Choice-Domicile of Married Woman- During Coverture-After Judicial Separation-After Divorce-After Annulment-After Death of Husband.

B. MARRIAGE

Marriage: Nature, Concept and Meaning of Marriage-Governing Law-Choice between Law of the Place of Celebration and Law of Domicile-Validity of Marriage

Classification of Rules of Marriage into Formal and Essential Conditions-Formal Validity-Governing Law-General Rule-Law of the Place of Celebration and Exception to the Rule; Essential Validity or Capacity to Marriage-Governing Law. Law of Domicile-Theories-Dual Domicile Theory-Intended Matrimonial Home Theory- Alternate Approaches.

C. DIVORCE

Divorce: Jurisdiction-Applicable Law-Recognition of Foreign Divorce/Decrees of Nullity-Position in India-General Rules laid down in Section 13 and 44A of CPC- The Rule of Real and Substantial Connection-Position in England-Development under Common Law-Current Position under Part II of the Family Law Act, 1986. Effect of Matrimonial Rights -Effect of Dissolution of Marriage.

Suggested Readings:

1. Atul M. Setalvad: Setalvad's Conflict of Laws, LexisNexis India, Gurgaon.
2. C. G. J. Morse and David McClean: Dicey, Morris & Collins on the Conflict of Laws, Sweet & Maxwell, London.
3. Flavia Agnes: Family Law and Constitutional Claims, Oxford University Press, New Delhi.
4. Kumud Desai: Indian Law of Marriage and Divorce, LexisNexis India, Gurgaon.
5. Laura E. Little: Conflict of Laws, Wolters Kluwer Law & Business, New York.
6. Lennart Palsson: Marriage and Divorce in Comparative Conflict of Laws, Springer, Netherlands.
7. Martin George & Andrew Dickinson: Statutes on the Conflict of Laws, Hart Publishing, UK.
8. Paras Diwan: Indian and English Private International Law, Deep & Deep Publication, New Delhi
9. Pearl, David: Inter-Personal Conflict of Laws—India, Pakistan and Bangladesh, N.M. Tripathi, Bombay.
10. Robert A. Leflar: The Law of Conflict of Law, The Bobbs-Merrill Co. Inc., Indianapolis.
11. Abdul Rahim: The Principles of Muhammadan Jurisprudence, Luzac and Company, London.
12. Ameer Ali, Muhammadan Jurisprudence, Vol. 1, Kitab Bhawan, New Delhi.
13. Ameer Ali, Muhammadan Jurisprudence, Vol. 2, Kitab Bhawan, New Delhi.
14. Asif Ali A. Faizee: Outlines of Muhammadan Law, Oxford University Press, Delhi
15. Asif Ali A. Faizee: A Modern Approach to Islam, Oxford University Press, Delhi.
16. Sir D.F. Mulla: Principles of Mahomedan Law, Lexis Nexis India, Gurgaon.
17. J. Schacht: The Origin of Mohammadan Jurisprudence, Clarendon Press, Oxford.
18. S. Mahmassni: (Falsafat al-tashrifi-Islam)-Philosophy of Jurisprudence in Islam, Beirut, 1946. [English Translation by F.J. Ziadeh (Beirut) Leiden, 1961].
19. Khalid Rasheed: Muslim Law, Eastern Book Co., Lucknow. 20. Tahir Mahmood: Muslim Law in India and Abroad, Universal Law Publishing Co., New Delhi

(w.e.f July 2021)

Seema
 Department of Law
 BPS Mahila Vishwavidyalaya
 Khanpur Kalan (Sonapat)

LLM (Two year Degree Course) GROUP—

'A'(Criminal and corporate Law)

Corporate Management

Paper Code - LLM 301 A

Semester 3rd

L-T-P

4-1-0

Maximum Marks: -100

Credits-5

Time – 3 Hours

Note: (1)The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit. i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Course Objectives: The object of this paper is to give knowledge of Company law and practices in India to the students. It is important to understand the role of corporate regulations and regulatory bodies for any company as well as for the society. It is aimed to motivate and prepare the students to render an analytical account of company law in India and to understand the scope and challenges in company law.

Course Outcomes:- Students will learn the basics of company law, its management. How corporate social responsibility is mandatory enforced by companies act 2013. It also makes students aware about the latest development in corporate sectors and to prepare them to practice in corporate field,

Unit I

1. Meaning and definitions of company
2. Incorporation of a company

3. SFIO Working

Unit II

1. Prospectus and commencement of company business.
2. Auditor
3. Director- qualifications, powers and duties, removal of directors

Unit-III

1. Meetings and kinds of meetings in a company
2. Majority rule & Minority Rights
3. Role of Central Govt. In Regulations of companies affairs

Unit-IV

1. Winding up of a company under IB Code –2016.
2. Concept of Corporate Social Responsibility
3. Role of SEBI as a regulator.

Recommended Cases:-

1. Nisha v. Lynde, (1929) AC158
2. Rattan Singh v. M.D. Moga Transport Co. Ltd. (1959) 29 Comp. Cas.165
3. Rex.v. Kysant (1932) 1 KB422
4. Sundaram Financeservice Ltd. V. Grandtrust financelt. (2003)42SCL89Mad.
5. Peek v. Gurney, (1873) LR 6 (HL)377
6. Shree Gopal Papers Mills Ltd. V. CIT (1967) 37 Comp. Cas 240Cal.
7. Rich Paints Ltd. v. Vadodara Stock Exchange Ltd. (1998) Comp. Cas8
8. Universal Incast Ltd. V. Appellate Authority (SEBI) (2000)28SCL140P&H
9. Raymond Synthetic Ltd. V. Union of India (1992) 73 comp Cas 762SC

Suggested Readings:-

1. A.K. Majoomdar & G.K. Company Law & Practice
2. Nicholas Bourne- Principles of Company Law
3. A. Rammaiya- Companies Act.
4. Charls warth and Morse – Company Law
5. M.C. Kuchhal- Business Law
6. ICSI- Corporate Governance- Beyond Letters
7. K.S. Anantharman Lectures on Company Law
8. S.C. Das Corporate Governance in India
9. Frank B. Cross Law and Corporate Finance
10. Aswath Damodran – Corporate Finance Theory & Practice

(w.e.f July 2021)

LL.M (Two year Degree Course)**GROUP " A"(Criminal and corporate Law)****Intellectual Property Rights****Paper Code- LLM 302 A****Semester 3RD****L-T-P****4-1-0****Maximum Marks:-100****Credits-5****Time – 3 Hours**

Note: (1)The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Objectives: The aim of this subject is to know the various theories and different aspect of IP Laws. The course is designed to give students a thorough understanding of the IP Laws in India with related case studies to understand the basic concept of economics of IPRs.

Course Outcomes- Students are learning more about what intellectual property is and why it matters now days. They will understand the intellectual property that how much is too much. This object is fulfilled by studying the various IP legislations, theories of IP and its impact on developing countries particularly India. The students are learnt that how licenses and assignment can play important role in globalized world. It enables the students to take up professional practice in intellectual property law and policy in India and abroad.

UNIT- I

Concept and Theories of Property, Constitutional aspects of Intellectual Property, General Principles of Intellectual Property Protection, Why Intellectual property matters,

International Legal Instruments relating to IPR, Paris Convention, 1883; Berne Convention 1886, TRIPS, 1994; Madrid Agreement, 1891, Hague Convention, Principle of Minimum Standards, Principle of National Treatment, Principle of Most Favored Nation (MFN)

UNIT- II

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Meaning of Copyright, Subject Matter, definitions, Sweat of Brow, Minimal creativity, Expression v. Idea, Originality, Works in Public Domain, Subject-matter-Literary, musical, artistic, dramatic works

Doctrine of Fair Dealing, Economic and Moral rights, Plagiarism, Copyright and Design, Public Domain

UNIT-III

Patent and Economic Development, Reports of Justice Baxi, Tekchand and Justice Ayyangar, Invention, Discovery and Innovation, Inventions which are not patentable, Compulsory Licensing, Parallel Importation, Impact of WTO TRIPs on Indian Patent Law, Patent amendment Act 1999, 2002, 2005, Objectives of Protection of Plant Varieties and Farmers Rights Act

UNIT -IV

Trademark and Geographical Indications, Objectives, Trademark and Economic Development, Non-Conventional Trademark, Well Known Trademark, Grounds of Refusal for registrations, Infringements and Remedies, Action for passing off, Objectives of Semiconductor Integrated Circuits Layout Designs 2000

Suggested Readings:

1. Feroz Ali, The Law Of Patents-With A Special Focus On Pharmaceuticals In India, Lexis Nexis
2. Jayashree Watal, Intellectual Property Rights: The Way Forward for Developing Countries, Oxford University Press
3. Ananth Padmanabhan, Intellectual Property Rights-Infringement And Remedies, Lexis Nexis
4. Prabhuda Ganguli, Intellectual Property Rights: Unleashing the Knowledge Economy, McGraw Hill Education
5. Lawrence Lessig Free Culture: The Nature and Future of Creativity, Penguin USA
6. Neil Weinstock Netanel, Copyright's Paradox, Oxford University Press
7. Lionel Bently, Brad Sherman, Dev Gangjee & Phillip Johnson, Intellectual Property Law, OUP, Oxford
8. VK Ahuja, Law Of Copyright And Neighbouring Rights-National And International Perspectives Lexis Nexis
9. Chandra Rajshree, Knowledge as Property: Issues in the Moral Grounding of Intellectual Property Rights, OUP, Oxford
10. Cornish, W and David Llewelyn, Intellectual Property: Patents, Copyrights, Trademarks & Allied Rights, Sweet and Maxwell, Thomson, South Asian Publication

(w.e.f july 2021)

LLM (Two year Degree Course)

GROUP 'A'(Criminal and corporate Law)

Penology and treatment of offenders

Paper Code- LLM 303 A

Semester 3RD

L-T-P

4-1-0

Maximum Marks: -100

Credits-5

Time – 3 Hours

Note: (1)The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit. i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Objectives: The object of this paper is to discuss the causative factors of crime and treatment of criminals and victims. This course is to make the students aware about the care, custody, treatment, prevention and control of crimes and also the various modes of sentencing and rehabilitation of criminals. It also gives the knowledge and information about the treatment of the offenders under imprisonment and alternative to imprisonment.

Course Outcomes: After the completion of this course, the students will be able to understand the various dimensions of the different aspects of the Indian law related to penology and Victimology. Enable the learner to understand the concept of restorative justice and compensatory schemes for victims. Demonstrate a thorough and contextual knowledge of penal laws and the various leading cases particularly in its application to real law problems. To develop understanding of students regarding law mix strategies for their own law practice.

Unit-1

1. Definition of Penology-historical and contemporary approaches to penology.
Theories of punishment - Retribution - Utilitarian prevention: Deterrence - Utilitarian: Intimidation
Behavioral prevention: Incapacitation-Behavioral prevention: Rehabilitation-

2. Classical Hindu and Islamic approaches to punishment.

Unit-2

Punishment

1. Theories of Punishment Deterrent, Retributive, Preventive and Reformative Alternatives to imprisonment: Probation, Open jail, Parole etc. Prison reform and the Judicial Response
2. Sentencing-types of sentences in IPC and special laws-sentencing for habitual offender,

Unit-3

1. **Juvenile Delinquency** - factors - response – J.J (care and protection of Children) - Act 2015 - JJ Board – Welfare Boards
2. Constitutional aspects - Neglected and Delinquent, care and protection.

Unit-4

Victimology

1. White collar crime-Pre-sentence hearing-summary punishment-Capital punishment
2. Victimology and Compensation - state of Jail reform - Classification of prisoners – Rights of prisoners - open prison. Need for compensation, Compensation and Rehabilitation, Constitutional perspective of compensation.

Suggested Readings:

1. Mamata Rao Law Relating to Women and Children
2. G B Reddy Law Relating to Women and Children
3. K S Shukla Adolescent Offender [1985]
4. C Chhabra The Quantum of Punishment in Criminal Law [1970]
5. H. L. A Hart Punishment and Responsibility
6. A Siddique Criminology [1984], Eastern Lucknow
7. Justice N. K. Chakraborti Probation system in the Administration of Criminal Justice
8. Bharat B Das Victims in the Criminal Justice System

(w.e.f July 2021)

LLM (Two year Degree Course)**Dissertation****Paper Code- LLM 304 A****Semester 3RD****L-T-P****Maximum Marks: -200****4-1-0****Credits-5****External Marks: 160****Internal Marks: 40**

Object-Dissertation acquaint the students with the practical aspects of research its conceptual and operational parameters in the field of law and justice in globalizing world, the judicial interpretation and the new and emerging dimensions.

Course Content:- In the 3rd semester within 07 days of the commencement of classes the student must apply to the Chairperson of the Department of Laws for the approval of her topic of dissertation and nomination of supervisor. The dissertation must be submitted within one month of the completion of 4th semester examinations. The dissertation must be certified by the candidate about its originality and countersigned by the supervisor. The supervisor has to evaluate it for 40 marks based on the research aptitude, knowledge and work done by the student. For rest of 160 marks it shall be evaluated by an outside examiner not below the rank of an Associate Professor.

(w.e.f July 2021)

LLM (Two year Degree Course)

GROUP 'B' (Constitutional and Environmental Law)

Comparative constitutional law & governance

Paper Code -LLM 301 B

Semester 3rdL-T-P
4-1-0

Maximum Marks:-100

Credits-5

Time- 3 hours

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Objectives: The curriculum covers issues concerning the development and operation of constitutional government in its broader political, social, historical, regional and international context. The core curriculum centers on fundamental issues in comparative constitutional law regarding constitution-making and constitutional design, constitutional government, horizontal and vertical separation of powers and constitutional rights protection in leading, emerging and declining constitutional democracies around the world. The curriculum covers historic and current developments in all major legal systems.

Course outcomes: At the end of this course students will be able to analyze the constitutional problems from a comparative and interdisciplinary perspective in light of their historical context. They will be further able to develop substantial understanding of the constitutional law while developing a global comparative perspective about the constitutional rights and human rights.

Unit 1

- Comparative constitutional law theory
- Constitution-making and preamble
- Comparing territorial structures: unitary, federal and mixed states
- Constitutions and the transnational: global constitutional values
- Constitutions and the others: women, indigenous people, minority groups

Unit 2

- Comparing systems of government: parliamentary, Presidential and Parliamentary forms of Government
- Federal and Unitary Governments
- Forms of Governments
- Federal and Unitary Forms
- (a) Features, Advantages, and Disadvantages
- (b) Model of Federalism and Concept of Quasi-Federalism
- (c) Role of Courts in Preserving Federalism

Unit 3

- Supremacy of Legislature in Law Making
- Rule of Law
- (a) Dicey's Concept of Rule of Law
- (b) Modern Concept of Rule of Law
- (c) Social and Economic Rights as Part of Rule of Law
- Separation of Powers
- (a) Concept of Separation of Powers
- (b) Checks and Balances
- (c) Separation of Powers or Separation of Functions.

Unit 4

- Right to equality as fundamental right
- Principles of Accountability and governance
- Concept of judicial review in India
- Scope of Judicial Review in UK
- Scope of Judicial Review in US
- Public Interest Litigation in India and UK
- Globalization and Global Governance
- Players in Global Governance—Public, Private.
- Constitutional change: amendment, replacement, revolution
- Constitutional enforcement and states of emergency

Suggested Readings:

1. D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur).
2. David Strauss, The Living Constitution (Oxford University Press, 2010)

3. Dr. Subhash C Kashyap, Framing of Indian Constitution (Universal Law, 2004)
4. Vikram David Amar, Mark Tushnet, Global Perspectives on Constitutional Law (Oxford University Press, 2009).
5. Press, 2009).

(w.e.f july 2021)

LLM (Two year Degree Course)

GROUP "B"

Administrative Law And Judicial Process

Paper Code - LLM 302B

Semester 3rd

L-T-P

Maximum Marks :-100

4-1-0

Credits-5

Time – 3 Hours

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. These questions shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-II to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objectives- The core objective of this paper is to comprehend upon the basic administrative process relating to administrative adjudication. Students will acquaint with the importance of discretionary powers exercised by the administrative bodies. Further it provides the various legislations relating to administrative adjudication and government privileges in legal proceedings.

Course Outcomes: At the end of this course students will be able to develop a clear understanding of the adjudicatory power & function of the judicial & quasi-judicial bodies and their jurisdiction. They will be further able to analyse various aspects relating to central and state administrative tribunals and their judicial process. They will be able to comprehend upon the concepts of discretionary power, judicial control and writ jurisdiction.

Unit-1

1. Administrative Process

Nature and purpose of administrative law
 Dicey, Unitary Democracy and ultra vires-Traditional approach
 Rights, legality and abuse of powers-new approach
 Rule of law- different approaches

2. The administrative systems: An historical perspective
 - In England
 - In India
 - Characteristics of Indian

Unit-2

3. Operation of judicial process
 - Competition : law and policy
 - Regulation- establishment, operation and control of regulatory bodies
 - Utilities and market power- case study of regulatory bodies
 - Privatization
- 2.6 Citizen character

Unit-3

4. Nature of judicial control
 - The power of judicial review
 - Jurisdictional Questions
 - problems of invalidity –direct or collateral proceedings, void or voidable , problems of proof
 - Exclusion of judicial review: ouster clause
 - conclusive evidence clauses
 - time limits clauses

Unit-4

5. Writ jurisdictions: General
 1. Constitutional provisions
 2. General conditions
6. Writ in particular
 1. Mandamus
 2. Certiorari and prohibition
 3. Habeas corpus and quowarranto

7. Other remedies

1. Declaratory orders
2. injunctions

Select Bibliography-

Friedman, The state and the rule of law in a mixed economy Dicey

, introduction to the law of the constitution

Davis, Discretionary justice

Jain & Jain principles of administrative law (1986) Tripathi

Craig, P.P. Administrative law (2001)

Sathe, S.P. Administrative law (1998), Butterworths, India

Massey, I.P. Administrative law (1995), Eastern, Lucknow

(w.e.f july 2021)

LLM (Two year Degree Course)

GROUP 'B' (Constitutional and Environmental Law)

International Environmental Law

Paper Code -LLM 303 B

Semester -3RD

L-T-P

Maximum Marks: -100

4-1-0

Credits-5

Time – 3 Hours

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit. i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Objectives: This course aims to acquaint the students with the principles and rules governing International Environmental Law. It also envisages the legal regime governing the environmental issues at global level and make the students in tune with the international developments towards environmental protection. The concept of sustainable developments, international conventions and treaties are also focused in the course. It further aims to enhance the analytical skills of the students to review the efficacy of various international instruments to resolve the environmental issues.

Course Outcomes: The course is helpful in building a strong acumen among students about various environmental issues and challenges. It enables students to connect the law, environment and society by building analytical skills. Various notions, approaches and developments in the field of environment included in the course are advantageous to use legal institution in protection and development of environment.

Unit -I

1. Evolution and Development of International Environmental Law,
2. U.N. Conference on Human Environment 1972
3. World Charter for Nature
4. Rio Declaration, 1992, Agenda 21
5. Johannesburg Declaration, 2002
6. Rio+20 United Nations Conference on Sustainable development

Unit -II

1. Principle of Sustainable development, Development v. Environment,
2. Inter generational and Intra generationalequity
3. Polluter pay principle, Precautionary principle
4. Principle of common but differentiatedresponsibility
5. Public TrustDoctrine

Unit -III

1. MontrealProtocol,
2. United Nations Framework Convention on Climate Change1992,
3. Kyoto Protocol ,1997
4. ParisAgreement,2015

Unit -IV

1. Convention on Biological Diversity,1992, BonnGuidelines
2. Cartegena Protocol onBiosafety,2000,
3. Nagoya Protocol on Access and Benefit sharing,2014,
4. Traditional Knowledge and conservation ofBiodiversity

Suggested Readings:

1. Phillipe sands and Jacqueline Peel, "Principles of International Environmental Law", (4th ed.,2018)
2. P.leelakrishnan, Environmental Law case book(2nded. 2010)
3. The World Commission on Environment and development, Our common future,1987
4. Daniel Bodansky, "International Climate Change Law"(Oxford University Press,2017)

(w.e.f July 2021)

LLM(Two year Degree Course)

Dissertation

Paper Code- LLM 304 B

Semester 3RD

L-T-P

4-1-0

External Marks: 160

Internal Marks : 40

Maximum Marks: -200

Credits-5

Objectives- Dissertation acquaint the students with the practical aspect of research its conceptual and operational parameters in the field of law and justice in globalizing world, the judicial interpretation and the new and emerging dimensions.

Course Content:- In the 3rd semester within 07 days of the commencement of classes the student must apply to the director of the centre for approval of the topic of dissertation and nomination of supervisor. The dissertation must be submitted within one month of the completion of 4th semester examinations. The dissertation must be certified by the candidate about its originality and countersigned by the supervisor. The supervisor has to evaluate it for 40 marks based on the research aptitude, knowledge and work done by the student. For rest of 160 marks it shall be evaluated by an outside examiner not below the rank of an Associate Professor.

(w.e.f july 2021)

LLM (Two year Degree Course)

GROUP 'A'

Competition and Consumer Protection Laws

Paper Code - LLM 401 A

Semester 4TH

L - T-P
4 -1-0

Maximum Marks: -100
Credits-5

Time – 3 Hours

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Objectives: This paper focuses on the competition laws of India in the context of new economic order and understands the economic investment laws in ensuring competition in the Indian market. It will make aware the students about the anti-competitive practices of the companies, abuse of dominant positions and merger and combinations which are covered under anti-competitive practices, Non-performing assets, Foreign Exchange management, Foreign Trade and securities contract.

Course Outcomes– Students get acquainted with knowledge and understanding of practices having adverse effect on competition in market. Being a law student, they will learn how the justifications and rationales for promoting anti-competitive practices and know the role of CCI, SEBI in India. It develop reasonable legal arguments with respect to an anti-competition practices. It enables the students to take up professional practice in competition law and policy in India and abroad.

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Unit-I

Competition Act 2002: Basic Concepts –Constitutional aspect of Elimination of Concentration of Wealth and Distribution of Resources Article 39 (b) (c) Relation between Competition Policy and Competition Law –Objectives of Competition Law Background, Prohibitions, Competition Commission of India, Competition Advocacy, The Sherman Anti-Trust Act, 1890

Unit-II

Corporate Finance and Regulatory Framework

SEBI Act, 1992, Securitization & Reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002

Unit-III

Foreign Trade (Development and Regulation) Act, 1992, Security Contracts (Regulation) Act, 1956

Unit-IV

Foreign Exchange Management Act 1999
Background, Policies and Authorities
Depositories Act 1996

Suggested Readings:

1. Chatterji Souvik, Competition law in India and Interface with Sectoral Regulators, Thomson Reuters (2019).
2. Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House (2018).
3. Sinha Manoj and Mallaya, Susmitha P Emerging Competition Law, Wolters Kluwer, (2017).
4. Richard Whish and David Bailey, Competition Law, 8th ed., Oxford University Press, (2015).
5. T Ramappa, Competition Law in India: Policy, Issues and Developments, 3rd ed., Oxford University Press, New Delhi, (2014).
6. Vinod Dhall (ed.), Competition Law Today, Oxford University Press, (2007).
7. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law, 4th ed., Wadhwa Nagpur, (2006)
8. Investor Guide to Stock Market: Sanjiv Agarwal
9. SEBI guidelines and listing of Companies: V.A. Avadhani
10. Security Market in India: Bal Krishan Marta
Working of Stock Exchange in India : A. Sudhakar

(w.e.f july 2021)
LLM (Two year Degree Course)
GROUP 'A
Banking and Insurance Law
Paper Code - LLM 402 A
Semester 4TH

L-T-P

Maximum Marks:-100

4-1-0

Credits-5

Time – 3 Hours

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Objectives:- The course highlights the Basics of Banking, Origin, Need, Types, Scope and Functions of Banking - Need for Regulation and Supervision. It also makes students aware about Banking Operations - Types of accounts - Banking Services - Current Scenario, Financial Inclusion and Banking Regulations & Role of RBI. Students will be well acquainted for Understanding Risk - Kinds of business risks - Need and Scope of insurance - Evolution of Insurance - Principles of insurance - Types of insurance and policies - Risk and Return.

Course Outcomes- This course is designed to acquaint the student with the conceptual and operational parameters of banking and insurance law, the judicial interpretation, the new and emerging dimensions of both the insurance as well as banking laws.

Unit-I

Law of Banking

1. History of Banking services in India,
2. Types of Banks,
3. Bank nationalization and social control over banking,
4. Contract between banker and customer, and relationship
5. Bankers rights against sureties and against collateral securities

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Unit-II

Banks and Banking Business

1. Definition of Bank
2. Banking business
3. Board of Directors,
4. Bank's liability for contracts, fraud and wrongs of its agent and servants.
5. Rights and Duties of banker in bailment, Hypothecation and pledge

Insurance Law

1. Legislative History of Insurance laws
- 2.

Unit-III

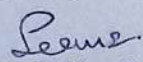
1. Legislative History of insurance law in India
2. Nature of the contract of insurance, fundamental principles of general insurance
3. Nature of the Contract of Insurance, fundamental principles of General Insurance
4. Concept of premium,
5. Concept of insurable interest,
6. Concept of policy

Unit-IV

1. Conditions in the policy,
2. Non-disclosure, fraud and Misrepresentation, Rights and remedies available to consumers
3. Claim and its Enforcement,
4. Return of premium,
5. Jurisdiction and conflict of law.

Suggested Readings:

1. Prescribed Books on Banking Laws C.R. Datta & P.M. Bakshi, M.L. Tannan's Banking - Law and Practice in India (21st ed., 2008) 2. R.K. Gupta, Banking - Law and Practice (2nd ed. 2008) 3. Mark Hapgood, Paget's Law of Banking (13th ed., 2007)


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4. M.L. Tannam, Banking Law and Practice in India (23rd ed., 2010)
2. Prescribed Bookson Insurancelaws: 1. K.S.N. Murthy & K.V.S. Sarma, Modern Law of Insurance in India (4th ed., 2002) 2. S.V. Joga Rao, M.N. Srinivasan's Principles of Insurance Law (9th ed., 2009) 3. M.N. Mishra, Law of Insurance (9th ed., 2012) 4. Birds, John, Modern Insurance Law (2003) 5. M.B. Shah, Landmark Judgments on Insurance (2004)

Prescribed Legislation:

- (1) The Banking Regulation Act, 1949 (B.R. Act)
- (2) The Insurance Act, 1938
- (3) The Marine Insurance Act, 1963
- (4) The Life Insurance Corporation Act, 1956
- (5) The General Insurance Business (Nationalization) Act, 1972
- (6) The Insurance Regulatory and Development Authority Act, 1999

(w.e.f july 2021)

LLM (Two year Degree Course)

GROUP 'A'

Human Right and Criminal justice System

Paper Code -LLM 403 A

Semester 4THL-T-P
4-1-0

Maximum Marks: -100

Credits-5

Time – 3 Hours

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks.

Objective: The object of the course is to make the learners get acquainted about evolution of Human Rights law, philosophy behind it, functioning of International Institutions for protection of Human rights and get well versed with the Indian criminal justice system which includes functionaries of criminal justice system. It also highlights the role of government and judiciary in protection of human rights

Course Outcomes: By the end of the course students will be able to: Demonstrate a good understanding of the provisions under the Constitution of India dealing with human rights; Display a good understanding of the nature and scope of special legislations dealing with protection of human rights of marginalized and vulnerable sections; Demonstrate a good understanding of the practical application of human rights law to specific human rights problems in India; Analyze complex human rights problems and apply relevant provisions of human rights law in India to a hypothetical situation/case study and a theoretical knowledge of the underpinnings of the human rights framework in India, its operation and issues associated with its implementation.

Unit-I

1. Human Rights : Meaning, Evolution of Human Rights : Ancient and Natural law perspective,

1. Natural Rights and Human Rights, Legal Right and Human Rights, Human Rights-Classification,
2. Sources of International Human Rights, Human Rights-Theories and notions,

Unit-II

1. U.N. Charter and Human Rights, Universal Declaration of Human Rights and its legal significance.
2. Covenants and Conventions : International Covenant on Economic, Social and Cultural Rights, 1966;
3. International Conventions on Civil & Political Rights, 1966 The European latest Human Rights issues and challenges

Unit III

1. The objectives and scope of Contemporary Human Rights Issues in India
2. National Human Rights Commission, National Commission for Minorities, National Commission for Women, National Commission for Backward Classes and National Commission for Schedule Castes and Schedule Tribes.
3. State of Human Rights Affairs: Judicial activism & Protection of Human Rights in India, Role of Non-Governmental organization in the Promotion and Protection of Human Rights

Unit IV

1. Criminal Justice System in India
2. Crime, Police, Courts
3. Prison system

Suggested Readings:

1. Prof. S.K. Verma, Public International Law (1998) Prentice Hall of India
2. Wallace, International Human Rights, 1996 Sweet & Maxwell
3. Theodor Meron (ed.), Human Right in International Law
4. V.R. KrishnaIyer, The Dialectics and Dynamics of Human Right in India
5. S.K. Kapoor, Human Right under International Law & Indian Law
- 6 Manoj Kumar Sinha, Implementation of Basic Human, Lexis Nexis

(w.e.f july 2021)

LLM(TwoyearDegreeCourse)**GROUP 'A'****SOCIO – ECONOMIC OFFENCES****Paper Code- LLM 404 A****Semester 4TH****L-T-P****Maximum Marks: -100****4-1-0****Credits-5****Time – 3 Hours**

Note: (1) The entire syllabus has been divided into four units but the question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks

Course Objectives:--The objective of this paper is to make students understand the concept of socio economic offences. It will also help the students to understand the emergence of various modes of Socio economic offences.

Course Outcome: On completion of this course, the learner will be able understand the manner of conduct and the form of economic offences and stark dissimilarities they pose when analyzed alongside the conventional offences; learn the procedure of filing a case of various economic offences; Appreciate and critique the role of legislature, executive and Judiciary in curbing economic offences

Unit—1

Understanding Socio-economic offences, offences relating to Child Marriage, commission of offences of Sati, offences against dowry, offences against honor killing, offences of scams/scandals against the society, Commission of offences by high profiled persons (Politicians, Judges, Doctors, Engineer, Bureaucratic, Police etc.)

Unit-II

Offences relating to Food Adulteration, drink, sale of noxious food, health, Spurious Drugs, spreading of infection of disease dangerous to life, offences against weights and measures, offences against Essential Commodities Act, 1955 and Black Marketing and Maintenance of Supplies Essential Commodities Act, 1980

Unit-III

Offences against SC/STs (The Protection of Civil Rights Act, 1955), The Prevention of Atrocities Act, 1989, Offences relating to Prevention of Corruption Act, 1988, Prevention of Money Laundering Act, 2002 and Drugs and Cosmetic Act, 1940.

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Unit-IV

Enforcement Agencies for prevention and control of socio-economic offences i.e. Central Vigilance Commission (CVC), Central Bureau of Investigation (CBI), Criminal Investigation Department (CID), Lokpal, Police etc, Role of Judiciary in prevention of socio economic offences.

Suggested Readings:

The Indian Penal Code, 1860

The Protection of Civil Rights Act,
1955,

The Prevention of Atrocities Act,1989,

The Prevention of Corruption Act, 1988,

The Prevention of Money Laundering Act,
2002

The Drugs and Cosmetic Act,1940.

The Essential Commodities Act, 1955

The Black Marketing and Maintenance of Supplies Essential Commodities Act, 1980

(w.e.f july 2021)

LLM (Two year Degree Course)

GROUP 'B'

Environmental Law and Policies

Paper Code- LLM 401 B

Semester 4TH

L-T-P

Maximum Marks: -100

Credits-5

Time – 3 Hours

Note: (1)The entire syllabus has been divided into four units. The question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This questions shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks i.e. 16.

Course Objectives: This course aims to provide the students a comprehensive understanding about the complex environmental issues and challenges. Students will study the key institutions and the mechanism under various statutes and develop a proactive approach about the contemporary environmental concerns.

Course Outcomes: The course is found useful to aware the students regarding different legislative framework enacted to deal with environmental issues and challenges. It is important to develop critical skills among students to ascertain and render them capable to comment on efficacy and impact assessment of the environmental law and policies. It is helpful in determining the usefulness of the law and legal mechanism to address the demands and the needs for a safe and healthy environment.

Unit –I

1. Effectiveness and Enforcement of International Environmental Law
2. Environmental Justice-Relationship with human rights and other participatory rights

3. Environmental governance and sustainable development
4. United Nations Environmental Programmes

Unit-II

- 1 Interplay between International Trade Law and Environmental Law
- 2 WTO and Environment Protection
- 3 Marrakesh Agreement
- 4 Climate change and emission trading

Unit-III

1. Sustainable Development Goals and Environmental Protection
2. Environment impact Assessment in India
3. National Environment Policy, 2006
4. National Action Plan on Climate Change, 2008

Unit -IV

1. Biological Diversity Act, 2002
2. National Biodiversity Action Plan
3. National Wildlife Action Plan

Suggested Readings:

1. James Salzman, Barton H Thompson Jr., Environmental Law and Policy, St. Paul MN Foundation Press
2. Shyam Diwan & Rosencranz, Environmental law and Policy in India", Oxford University Press
3. Brian R. Copeland, Recent Developments in Trade and Environment, Edward Elgar Publishing Ltd.
4. Sanjay Kumar Singh, Environment Law and Climate Change, SBS Publishers and Distributors
5. Stuart Bell, Donald McGillivrad, The Law and Policy relating to Protection of Environment, Oxford University Press
6. Dr. Vidya Bhagat, Environmental Law issues and Concerns, Regal Publications, New Delhi
P. Leelakrishnan, Environmental Law in India, Lexis Nexis Butterworth Nag

(w.e.f july 2021)
 LLM (Two year Degree Course)
 GROUP " B"
 Environmental Protection in India
 Paper Code- LLM 402 B
 Semester 4TH

L-T-P
 4 -1-0

Maximum Marks: -100

Credits-5

Time – 3 Hours

Note: (1)The entire syllabus has been divided into four units. The question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks i.e. 16.

Course Objective: The core objective of this paper is to acquaint the students with the legislative framework to deal with environmental issues and problems in India. It further aims to apprise them about the various principles governing the environmental law and its development in India. Constitutional aspects and judicial activism to deal with environmental issues are also part of the course.

Course Outcomes: It is useful to understand the constitutional mandate and the legal provisions under various statutes dealing with environment. Developing countries has different environmental issues and challenges. The course make the students aware about the procedure, liabilities and the institutional framework in India to control pollution. It is also helpful to critically analyze the strength and weaknesses of the law and the system which further lay down the future course of action in the environment protection.

Unit-1

- Basic Principles of Environmental Law

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- History of Environmental Legislations in India
 - Constitutional Provisions and Environment Protection in India - Article 14, 19, 32, 48-A, 51-A(g)
- Public Interest Litigation and Environmental Protection, Judicial Activism**

Unit-2

The Environment Protection Act, 1986

- Aims and Objectives
- General Powers of the Central Government
- Prevention, Control and abatement of Environmental pollution
- Miscellaneous

Water Prevention and Control of Pollution Act, 1974

- Meaning, Constitution and Functions of the Central and State Pollution Control Boards
- Prevention and control of Water Pollution
- Penalties and Procedure

Unit-3

Air Prevention and Control of Pollution Act, 1981

- Meaning, Causes and Effects of Air Pollution
- Powers and Functions of the Central and State Pollution Control Boards
- Prevention and Control of Air Pollution
- Offences and Penalties

Law related to hazardous substances

Unit-4

Protection of Wildlife

The National Green Tribunal Act, 2010

The Wildlife Protection Act, 1972

- Authorities under the Act
- Sanctuaries and National Parks
- Licensing of Zoos and Parks

Leading Cases:

1. Indian Council for Enviro legal Action v. Union of India AIR 1996 SC1446
2. Vellore Citizen Welfare Forum v. Union of India 1996 SC2715
3. R. L. and E. Kendra v. State of U.P. (1985) 2 SCC431
4. M.C. Mehta v. Kamal Nath 2002 (2) SCALE654

5. M.C. Mehta v. Union of India AIR 1988SC
6. State of M.P. v. Kedia Leather & Liquor Ltd. AIR 2003 SC3236
7. M.C.Mehta v. Union of IndiaAIR 1997SC248
8. Sansar Chand v. State of Rajasthan 2010 (10) SCC604

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(w.e.f july 2021)
 LLM (Two year Degree Course)
GROUP " B"
Transparency Law and Indian Democracy
 Paper Code- LLM 403 B
 Semester 4TH

L-T-P

4-1-0

Maximum Marks: -100

Credits-5

Time – 3 Hours

Note: (1)The entire syllabus has been divided into four units. The question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks i.e. 16.

Course Objective-This course is designed to examine transparency in democratic structure and concepts that are found in Constitutions. The course is intended to make the students familiar with the constitutional systems of Indian democracy.

Course Outcomes: At the end of this course students will be able to analyse various aspects of democratic setup. They will be able to comprehend upon various components of fundamental freedoms and their interpretation in light of the constitutional provisions.

Unit 1

1. Place of Constitution in Indian democratic system.
2. Democracy : communism
3. Constitution and Public accountability
4. State : defined in relation of liberalization
5. Right to strike: challenge of democratic development
6. Accountability: executive and judiciary

Unit 2

1. Right to Equality : Due process of Law
2. Rule of Law : concept and new transparency horizon
3. Doctrine of reasonable classification under transparent process
4. Fundamental Rights and judicial activism Equality and Social Justice
5. Freedom of press and challenges for transparency in Indian democracy

6. Right to be forgotten : the emergence of new right under ambit of Constitution

Indian

Unit 3 Judicial activism -problem of accountability

- 1.
2. Institutional liability of courts and judicial activism – scope and limits
3. Judicial Independence – doctrine of separation of power
4. Notions of judicial review – role in constitutional adjudication
5. Constitutional interpretation and Judiciary on right to information.
6. Personal accountability of public servant under Indian constitution.

Unit 4

1. Freedom of speech and Right to broadcast
2. Law of sedition and freedom of speech under Indian democratic system.
3. Access to information
4. Significance of Right to Information in democracy constitutional basis of RTI with special reference to Article 19 and 21 of the constitution.
5. Public participation in Right to information.
6. Liberties including political rights, civil and economic rights providing under Indian constitution.

Suggested Readings:

1. D.D. Basu Shorter Constitution of India.
2. Constituent Assembly Debates Vol. 1 to 12 H.M. Seervai, Constitution of India, Vol. 1-3 M.P. Singh(ed.),
3. V.N. Shukla, Constitutional Law of India
4. G. Austin, Indian Constitution, Cornerstone of a Nation
5. M.N. Karna, Democracy, Pluralism and Conflict, Rawat publication. Latest judgements of the Supreme Court of India.

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LLM (Two year Degree Course)
GROUP 'B'
Constitutionalism, Federalism and Pluralism
Paper Code- LLM 404B
Semester 4TH

L-T-P**Maximum Marks: -100****4-1-0****Credits-5****Time – 3 Hours**

Note: (1) The entire syllabus has been divided into four units. The question paper shall be divided into five units. The student is required to attempt five questions in all. Unit-I shall contain one compulsory question having eight questions. Each part shall carry two marks. This question shall be fairly spread over the entire syllabus. The student is required to attempt four more questions by selecting one question from each unit i.e. Unit-I to Unit-IV having two questions in each unit. Each question shall carry equal marks i.e. 16.

Course Objectives: The main objective of this paper is to introduce the students to the concept of constitutionalism in India and around the world. Students would be able to understand various models of pluralism and federal structures. The students would also be able to identify the role of judiciary in promoting constitutionalism, federalism and pluralism while maintaining the integrity of individual rights along with related human rights.

Course Outcomes: Having completed this course, the learner will be able to get an adequate knowledge on various forms of governments, their advantages and disadvantages, etc. As a citizen, the forms of governments would help the students to understand the problems of the societies and the governments more deeply. They will be further able to have a deep insight into the comparative analysis of constitutional functioning of various countries.

Unit I**Constitutionalism**

Authoritarianism-Dictatorship

Democracy-communism

Limited Government-concept-Limitations on government

Development of a democratic government in England- Historical
evaluation of constitutional government.

Conventions of constitutionalism- law and conventions

Written constitutions: USA, Canada, Australia, Sweden, South Africa and India.

Separation of powers: Montesquieu

Rule of law: concept and new horizons

Unit II**Federalism**

Concept and conditions of federal government
 Patterns of federal government- U. S. A, Australia, Canada, India
 Judicial review- for federal umpiring
 New trends in federalism: Co- operative federalism
 Dynamic of federalism.
 Quasi- Federal structure and features of Indian Constitution
 The Sarkaria Commission and India's struggle for quasi-federalism
 India- central control vs . State autonomy

Unit-III**Pluralism -Indian Constitutional Perspective**

Concept of pluralistic society
 Ethnic, linguistic, cultural, political pluralism
 Individual rights
 3.4. Universal Declaration of Human Rights 194
 1 Conventions against genocide
 Protection of religious, ethnic and linguistic minorities
 State Intervention for protection of human rights
 Right of self-determination

Unit-IV**Judicial Perspective of constitutionalism and Federalism in India**

Supreme Court on constitutionalism
 Doctrine of progressive realization of rights
 Legal relationship between the individual and state
 Judiciary on Federalism
 Judiciary on resolving federal issues
 Democracy and Federalism

Suggested Readings :-

1. Sudhir Krishnaswamy, Constitutional Federalism in the Indian Supreme Court (2015), Cambridge Universitypress,
2. M.N.Sharma, Democracy, Pluralism and conflict (2017), Rawat Publication
3. Dr.S.K.Jain, Indian Federalism Emerging issues (2017), Klapaz publication
4. Lancy Lobo, Mrutyanjaya Sahu, Federalism in India: Towards a fresh balance of power (2014) Rawat publication
5. D. Dua, Munidar. P. Singh, Indian federalism in the new Millennium (2003) Manohar publication
6. Y.V.Reddy, G.R.Reddy, Indian fiscal Federalism (2019) Oxford University press
7. Mokbulasker, Dynamics of Indian federalism: A Comprehensive Historical Review (2017), Notion press
8. N.W.Barber, The Principles of Constitutionalism (2018), Oxford university press

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