

SCHEDULE-A

LL.M. COURSE OF STUDY

LL.M. FIRST SEMESTER

CORE PAPER

LLM 411: INDIAN CONSTITUTIONAL LAW

The Course shall comprise of the following:

1. Indian Federalism;

Conceptual position of Federalism. Nature of the Indian Constitution. Cooperative Federalism, Relationship of trust and faith between centre and states. Challenges before the Indian Federalism.

2. Distribution of Legislative Powers:

The Scheme of the distribution of legislative powers in India, the judicial approach and the present position. Recommendation of Sarkaria Commission & Venkatachaliah Commission.

3. The Judiciary:

The Supreme Court of India. Jurisdiction and Powers. Its role as guardian of the Constitution.

4. Right to Equality:

Scope of the right to Equality. New approach of Article 14. Equality of opportunity in matters of public employment and in admission to educational institutions.

5. Freedom of Speech and Expression:

The area of freedom and its limitation. Freedom of Press and challenges of new scientific development.

6. Emerging regime of new Fundamental Rights:

The changing dimension of Right to Life and Personal Liberty. Reading Directive Principles and Fundamental Duties into Fundamental Rights.

7. Right to Freedom of Religion:

The scope of the freedom and the State Control. Secularism and religious fanaticism.

8. Working of the Constitution:

Achievements and failures. Areas of concern and challenges before the Constitution. The perception of National Commission to Review the Working of the Constitution.

LL.M. SECOND SEMESTER

CORE PAPER

LLM 421: LEGAL EDUCATION AND RESEARCH METHODOLOGY

The Course shall comprise of the following:

Part-A: Legal Education. (25%)

1. Objectives of Legal Education.
2. Lecture method of teaching; Merits and Demerits.
3. Discussion method and Seminar method of teaching.
4. Examination system and problems in evaluation.

Part B: Research Methodology (75%)

1. Meaning and objectives of Research, Importance of Research, Kinds of Research, Criteria of good research, Problems of Researchers in India.
2. Importance of Research Methodology, Procedural guidelines regarding the Research Process, Formulation of the Research problem, Different Steps.
3. Survey of the literature. Working Hypothesis. Determination of Sample Design. Collection of Data and analysis. Test of Hypothesis.
4. Different Steps in writing of Research Report. Layout of Research Writing. Preliminary. Main Text. Conclusion and Observation.
5. Mechanics of writing a Research Report, Practical aspect. Physical design. Treatment of quotation. Footnotes. Documentation style. Abbreviations. Bibliography. Index etc.

LL.M. THIRD SEMESTER

CORE PAPER

LMM 511: LAW AND SOCIAL TRANSFORMATION IN INDIA

The Course shall comprise of the following:

- 1. Interaction of Law and Social Sciences: A Cautious Alliance with History, Sociology, Political Science, Psychology and Economics**

2. Impact of Social Development on Law: Jurisprudential Approach; Law as the product of traditions and culture- cultural, structural, and constitutive and conflict perspective; Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India
3. Law as an instrument of Social Change: Its impact on development of society and legal institutions in India; Constitution of India as the supreme document of social change; Class, race, religion and language as divisive factors
4. Legal Idealism: Philosophical and legal Perspective; Varieties of legal idealism
5. Social Morality and Legal Order
6. Rule of Law, the individual and the welfare state: Women and law- Crime against Women, Gender Injustice and its various forms, Constitutional and other legal provisions; Children and law- Exploitation and Protective Measures, Role of Law and Education
7. Role and function of the lawyer: Lawyers and Social Stratification, Judges as Social Conscience
8. Economic, Social and Political Reforms and the Law- Reform of family law; Agrarian reform- Industrialisation of agriculture; Industrial reform- Free enterprise v. State regulation- Industrialisation v. environmental protection; Reform of court processes- Criminal law: Plea-bargaining; compounding and payment of compensation to victims, Civil law: (ADR) Confrontation v. consensus; mediation and conciliation; Lok-adalats; Prison reforms; Decentralization of democratic institutions; Socialist thought on law and justice: An enquiry through constitutional debates on the right to property; Modernisation and the Law- Modernisation as a value: Constitutional perspectives reflected in the fundamental duties; Modernisation of social institution through law.

LL.M. FOURTH SEMESTER

CORE PAPER

LLM 521: JUDICIAL PROCESS

The Course shall comprise of the following:

1. The concept of justice and relation between Law and Justice, the concept of 'Dharma' in Indian thought. 'Dharma' as the foundation of legal ordering. Various theories of justice in the Western thought.
2. The nature of Judicial Process. Judicial process as an instrument of social order. Judicial process and creativity in law. The tools and techniques of judicial creativity and precedents.
3. Judicial Process in India. Indian debate on the role of judges and on the notion of judicial review. Danger signals and New challenges before the Indian Judiciary.
4. Independence of judiciary and the nature of judicial process. Provisions of the Indian Constitution guaranteeing Independence of judiciary. Attitude of confrontation with the Legislature & Executive. Appointment & transfer of judges and its effect on independence of judiciary.

5. Judicial Activism and Constitutional obligations of the court. Evolution of the concept. Reasons in defence of judicial activism. Constitution of India and judicial activism. Role played by the Supreme Court of India. The tools and techniques of the judicial activism. Need for care and caution.
6. Decision making in the Supreme Court of India: Nature of participation-Dissent, concurrence, unanimity and voted with majority etc.

LLM 522: DISSERTATION

SCHEDULE-B

OPTIONAL GROUPS

GROUP- A : CONSITUTIONAL LAW

LLMA 451: CONSTITUTIONALISM AND CONSTITUTIONAL DEVELOPMENT IN INDIA AND ENGLAND

The Course shall comprise of the following:

1. What is a Constitution ? Constitution, Constitutional Law and Constitutionalism. Concept of Limited Government and limitations on government power. Conventions of constitutionalism- Law and conventions. Historical evaluation of constitutional government in India and England.
2. Rule of Law. Concept and new horizons; Separation of powers. Concept and its applicability in India and England.
3. Sovereignty of British Parliament, Powers and Functions, Privileges of the Parliament and Courts-Indian and British position.
4. The King of England. Prerogatives of the Crown. Position of the King in England. Cabinet System of government in India and England.
5. The Judicial system in England. Crown Proceedings Act 1947. Judicial Review and Constitutionalism in India. Prerogative writs.

LLMA 452: COMPARATIVE AND COOPERATIVE FEDERALISM

The Course shall comprise of the following:

1. Concept of Federalism. Requisite conditions of Federalism. Patterns of federal government of U.S.A. and Australia. Federal Control v. State autonomy.
2. Indian Federal Constitution and its present shape.
3. The changing dimension of modern federal Constitutions. New trends in federalism. National supremacy. Cooperative Federalism.
4. The scheme of the distribution of legislative powers in India and a comparative study of the scheme of U.S.A. and Australia. The specific legislative powers: Defence & External affairs.
5. Emergency provisions. Effect of Emergency on the federal structure. Judicial approach. Indian and American experiences.
6. Judicial Review for federal Umpiring. Scope of judicial review in the federal Constitutions. The approach of Indian & American Supreme Court.
7. Scope of Constituent power. Amending process and process in action. Judicial response. The direction of the Indian constituent power.

LLMA 453: CIVIL AND POLITICAL RIGHTS- COMPARATIVE STUDY OF SELECT CONSTITUTIONS

The Course shall comprise of the following:

1. Constitutional basis for protection of Individual rights. Balance between individual liberty and social needs. To whom and against who Rights are available. Suspension of Rights.
2. Right to Equality. General principles. Protective discrimination with special references to emerging judicial response to the problems of group inequalities. Comparative study of the decisions of the Indian and American courts.
3. Freedom of Speech and Expression: Special attention will be paid to the liberty of Press as interpreted by the Indian Supreme Court and to the interpretation of the freedom guaranteed by the First Amendment of the American Constitution.
4. Right to life and Personal Liberty: Judicial determination of the scope of the term “personal liberty”, “procedure established by law” and the American expressions “liberty” and “due process”. Radical changes in judicial thinking in this area.
5. Freedom of Religion, judicial interpretation of the freedom under the Constitution of India and of the United States.
6. Amendment of Rights: Adaptability of the Constitutional law to the changing needs of the society. Power and Procedure for amendments of these rights under the American and Indian constitution.

7. Elections and the Franchise: Constitutional foundation of the right to vote. The Voting Rights Acts. Judicial supervision of Elections.

GROUP B- FAMILY LAW

LLMB 451 : HINDU LAW INCLUDING HINDU JURISPRUDENCE

The Course shall comprise of the following:

1. Basic Principle of Hindu Jurisprudence
2. Sources of Hindu Law
3. Concept of Marriage under Hindu Law
4. Matrimonial Remedies
 - a) Nullity of Marriage
 - b) Restitution of Conjugal Rights
 - c) Judicial Separation
 - d) Divorce
5. Changing Concept of Adoption: From religious to secular
6. Inheritance
 - a) Historical perspective
 - b) Succession to property of a Hindu male dying intestate under the Hindu Succession Act, 1956.
 - c) Devolution of Interest in Mitakshara Coparcenary under the Hindu Succession Act, 1956.
 - d) Succession of property of Hindu female dying intestate
 - e) General principle of Succession.
7. Minority & Guardianship under the Minority & Guardianship Act, 1956.
8. Maintenance of wife, children, parents.
9. Joint family & coparcenary

LLMB 452: MUSLIM LAW INCLUDING MUSLIM JURISPRUDENCE

The Course shall comprise of the following:

1. Basic Principle of Muslim Jurisprudence
2. Sources of Muslim Law
3. Schools of Muslim Law
4. Law of Marriage
5. Law of Dower
6. Maintenance
7. Divorce under Muslim Law
8. Dissolution of Muslim Marriage Act.
9. Paternity & Legitimacy
10. Law of Inheritance
11. Uniform Civil Code

LLMB 453: CHRISTIAN & PARSI AND JEWISH LAWS

The Course shall comprise of the following:

1. Essentials of Marriage
2. Divorce
3. Nullity of marriage
4. Judicial Separation
5. Alimony
6. Custody of Children
7. Intestate succession of Parsis
8. Intestate succession other than Parsis

GROUP C – LAW OF TORTS

LLMC 451 : DEVELOPMENT OF LAW OF TORTS AND TORT ACTIONS GENERALLY

The Course shall comprise of the following:

1. Evolution of Law of Torts
2. Definition, nature, scope and objects
3. Principles of Liability in torts
4. Justification in Tort
5. Extinguishment of liability in certain situations
6. Standing
7. Vicarious liability
8. Doctrine of sovereignty and its relevance in India
9. Absolute and Strict liability
10. Legal Remedies

LLMC 452: SPECIFIC TORTS- I

The Course shall comprise of the following:

1. Assault, battery, mayhem
2. False imprisonment
3. Defamation
4. Malicious prosecution
5. Trespass to land, Trespass to goods, Detinue, Conversion
6. Injurious falsehood, misstatements, passing off.
- 7.

LLMC 453: SPECIFIC TORT-II

The Course shall comprise of the following:

1. Negligence:
 - (a) Basic concepts

- (b) Theories of negligence
- (c) Standards of care, duty to take care, carelessness, inadvertence
- (d) Doctrine of contributory negligence
 - (i) Res ipsa loquitor and its importance in contemporary law
 - (ii) Liability due to negligence-different professionals.
 - (iii) Liability of common cause for negligence.
- 2. Nervous shock.
- 3. Nuisance: definition, essentials and types
- 4. Acts which constitute nuisance-obstructions of highways, pollution of air, water, noise, and interference with light and air.
- 5. Liability due to negligence- different professions- under the Consumer Protection Act.
- 6. Liability of manufacturers and business houses for their products under the Consumer Protection Act.

GROUP-D : CRIMES

LLMD 451: CRIMINOLOGY AND PENOLOGY

The Course shall comprise of the following:

1. Criminology – Definition, Nature, Scope and Utility.
2. Methods of Criminological Studies.
3. Schools of Criminology: Classical, Biological, Cartographical, Sociological and Socialist.
4. Theories of Criminal Etiology: Lombroso and Neo-Lombrosian, Psycho-analytical, Differential Association, Anomie, Critical Criminology with special reference to Labeling, Interactionism and Conflict Theory.
5. Modern Trends in Criminology: Phenomenology, Postmodernism and Feminism and Crime.
6. Punishments: Concept and Theories.
7. Death Sentence
8. Treatment of Offenders: Prison, Probation and Parole.
9. Victimology.

LLMD 452: CRIMINAL LAW IN INDIA

The Course shall comprise of the following:

1. Crime and Criminal Law
2. Elements of Crime: External and Internal Intention, Recklessness, Negligence, Relevance of Motive, Strict Liability.
3. Joint and Constructive Liability.
4. Preliminary Offences: Attempt, Criminal Conspiracy, Abetment.
5. Defences: Mistake, Necessity, Intoxication, Unsoundness of Mind, Consent, Compulsion by Threat, Superior Order, Private Defence.
6. Offences against Human Body: Culpable Homicide and Murder, Kidnapping and Abduction.
7. Offences against Property: Theft, Robbery.
8. Offences against Marriage: Bigamy, Adultery.
9. Offences against Morals: Obscenity.
10. Offences against State: Sedition, Terrorism.

LLMD 453: CRIMES AGAINST SOCIAL AND ECONOMIC SECURITY AND PROBLEMS OF THEIR CONTROL

1. Nature, Scope and Impact of Socio-economic Crimes, White Collar Crimes, Distinction between Traditional Crimes and Socio – economic Crimes, Applicability of mens rea in Socio – economic Crimes, Burden of Proof and Presumption in Socio –economic Crimes.
2. Criminal Etiology of Socio-economic Crimes, Special Measures Requisite for Prevention of Socio-economic Crimes – Punishment, Applicability of Probation and other Reformatory Measures, Investigative and trial measures.
3. Offences against Consumers: Food Adulteration, Hoarding and Black Marketing, Food Safety and Standard Act 2006, Essential Commodities Act 1955, Prevention of Black Marketing and maintenance of Supplies of Essential Commodities Act 1980.
4. Drug Addiction and Drug Peddling: Narcotic Drugs and Psychotropic Substances Act (NDPS Act), Prevention of illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1988 (PITNDPS Act).
5. Professional Deviance: Medical Practitioners – Indian Penal Code, Criminal Procedure Code, Medical Termination of Pregnancy Act 1971, Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, Organ Transplant Act 1994.
6. Organized Crimes: Smuggling – Customs Act 1962, Conservation of Foreign Exchange and Prevention of Smuggling Act 1974 (COFEPSA), Prevention of illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1988 (PITNDPS Act).

7. Corporate Crimes: Corporate Criminal Liability, Individual and organization Liability Dilemma – allocating responsibility – human or corporate, Indian Penal Code, Essential Commodities Act 1955, Food Safety and Standard Act 2006, Drugs and Magic Remedies (Objectionable Advertisements) Act 1954, Drugs and Cosmetic Act 1940, Organ Transplant Act 1994, Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, Foreign Exchange Management Act 1999 (FEMA), Arms Act 1959, Prevention of Money Laundering Act 2002, Shell companies.
8. Corruption: Prevention of Corruption Act, Prevention of Money Laundering Act 2002, Lokpal and Lokayukta Act 2013, Prohibition of Benami Property Transactions Act 1988, Black Money (undisclosed Foreign Income and Assets) and Imposition of Tax Act 2015.
9. Dowry and Dowry related Crimes: Indian Penal Code, Dowry Prohibition Act 1961.

GROUP E : INTERNATIONAL LAW

LLME 451 : LAW OF TREATIES

The course shall comprise of the following:

Concept of Treaty in International Law

Nature, Scope and Importance of treaty

Historical Background of the Law of Treaty

Capacity

Conclusion and Entry into Force

Reservation

Problem of Unequal Treaty

Interpretation

Jus cogens

Amendment

Invalidity

Termination and Suspension

Rebus Sic Stantibus

Succession

OR

DIPLOMATIC AND CONSULAR RELATIONS

The course shall comprise of the following:

1. Meaning, definition, evolution and development of diplomatic and consular law.
2. The Vienna Convention on Diplomatic Relations, 1961.
 - (a) The inviolability of the premises of the diplomatic mission
 - (b) Diplomatic immunities-personal and property.
 - (c) Waiver of immunity.
3. Consular privileges and immunities. The Vienna Convention Consular Relations, 1963.
4. The Convention on Special Missions, 1969
5. The Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character.
6. The Immunities of International organizations.
7. Internationally protected persons.
8. Diplomatic Law and Indian State practice

OR

LAW RELATING TO OUTER SPACE

The Course shall comprise of the following:

1. The concept, substance and subject matter of International space law.
2. The History and development of space law.
3. Sources of International space law.
4. Fundamental principles of International space law.
5. Legal statue of space objects
6. Liability convention.
7. The Moon Treaty
8. The regulation of various aspects of space activities include remote sensing, space communication, dire of television broadcasting satellites.
9. Protection of the outer space environment

10. Outer space law and India.

LLME 452: INTERNATIONAL COURT OF JUSTICE

The Course shall comprise of the following:

1. International adjudication in a historical perspective.
2. International Court of Justice-a principal organ and principal judicial organ of the United Nations.
3. Organization and Structure of the ICJ.
4. The jurisdiction of the Court-general
5. Contentions jurisdiction, voluntary of jurisdiction, compulsory jurisdiction, reservation and reciprocity, Transferred jurisdiction forum prorogatum.
6. Sources of Law, Property and Legal Interest.
7. Provisional measures, non-appearance, and third party intervention.
8. The advisory jurisdiction of the ICJ.
9. Enforcement of the judgements and advisory opinions.
10. The Role of the Court.

OR

INTERNATIONAL ARBITRATION

The Course shall comprise of the following:

1. Growth of the idea of international arbitration and justice, difficulties of its realization.
2. History of the institution of international arbitration (since 1875).
3. The composition of Arbitral Tribunals, types of disputes submitted to arbitral tribunals, procedure and rules applied by arbitral tribunals, admissibility or inadmissibility of appeal.
4. Diverse fields of arbitral awards: state territory, the individual, international delinquencies, treaties.
5. The efficacy of arbitral awards.
6. The Immunities of International Organizations.

7. Internationally protected persons.
8. Diplomatic Law and Indian State practice

OR

LAW OF SEAS

The Course shall comprise of the following:

1. Evolution and Recent Developments
2. Territorial Sea and Contiguous Zone
3. Continental Shelf
4. Exclusive Economic Zone (EEZ)
5. High Seas
6. Landlocked States
7. Exploration, Exploitation and Management of the Resources of the International Sea-bed Area
8. Protection and Preservation of Marine Environment.

LLME 453 : INDIA AND INTERNATIONAL LAW

The Course shall comprise of the following:

1. International law in ancient, medieval and British India
2. Relationship between International law and Municipal law.
3. Recognition
4. Territorial and boundary disputes.
5. Human rights, humanitarian law and refugee protection.
6. International crimes including terrorism.
7. Use of force: validity of India's actions in Kashmir, Goa and Bangladesh.

8. India and WTO

GROUP -F : CONTRACT AND INSURANCE

LLMF 451: GENERAL PRINCIPLES OF CONTRACT

The Course shall comprise of the following:

1. Theories of Contract
2. Formation of Contract: A Critical Study of Offer and Acceptance
3. Electronic Contract
4. Doctrine of Consideration
5. Doctrine of Privity of Contract
6. Standard Form of Contract
7. Capacity to Contract: Nature of Minor's Agreement
8. Free consent with special reference to Coercion and Undue influence
9. Void agreements with special reference to trade and wagering agreements
10. Discharge of Contract with special reference to Doctrine of Frustration
11. Relation resembling that of Contract
12. Remedies in form of Compensation

OR

LAW OF EXPORT & IMPORT REGULATION

The Course shall comprise of the following:

1. Introduction: State control over import and export of goods from rigidity to liberalization. Impact of regulation on economy.
2. The Basic needs of Export and Import Trade goods, Services, and Transportation.

3. International Regime: WTO agreement, WTO and Tariff restrictions, WTO and non-tariff restrictions, Investment and transfer of technology, Quota restriction and anti-dumping, Permissible regulations, Quarantine regulation, Dumping of discarded technology and goods in international market, Reduction of subsidies and counter measures.
4. General Law on Control of Imports and Exports: General Scheme, Legislative control, Power of control: Central Government and RBI, Foreign Trade development and Regulation Act 1992, Restrictions under customs law, Prohibition and penalties, Export-Import formulation: guiding features, Control under FEMA, Foreign exchange and currency, Import of goods, export promotion councils. Export oriented units and export processing zones.
5. Control of Exports: Quality control. Regulation on goods. Conservation of foreign exchange, Foreign exchange management. Currency transfer, Investment in foreign countries.
6. Exim Policy: Changing Dimensions: Investment Policy: NRIs, FIIs (foreign institutional investors), FDIs, Joint venture, Promotion of foreign trade, Agricultural products, textile and cloths, Jewellery, Service sector.
7. Law Relating to Customs: Prohibition on import and export of goods, Control of Smuggling activities in export-import trade, Levy of and exemption from customs duties, Clearance of imported goods and export goods, Conveyance and warehousing of goods.
8. Regulation on Investment: Borrowing and lending of money and foreign currency, Securities abroad- issue of, Immovable property- purchase abroad, Establishment of business outside, Issue of derivatives and foreign securities-GDR (global depositories receipts), ADR (American Depository receipts) and Euro, Investment in Indian banks, Repatriation and surrender of foreign securities.
9. Technology Transfer: Restrictive terms in technology transfer agreements, Automatic approval schemes.

LLMF 452 : SPECIFIC CONTRACTS

The Course shall comprise of the following:

1. Contract of Indemnity.
 - (a) Definition and nature of contract of indemnity
 - (b) Extent and commencement of liability
2. Contract of Guarantee
 - (a) Meaning and Essentials of Contract of Guarantee

- (b) Extent of Surety's Liability
- (c) Discharge of Surety's Liability
- (d) Rights of Surety
- 3. Contract of Bailment & Pledge
 - (a) Meaning and Essentials of Contract of Bailment.
 - (b) Duties of Bailer and Bailee
 - (c) Rights of Bailee
 - (d) Meaning and Essentials of Pledge and persons entitled to pledge.
- 4. Contract of Agency
 - (a) Nature and Essentials of Contract of Agency.
 - (b) Creation of Agency: Implied Agency and Agency of Necessity.
 - (c) Agency by Ratification
 - (d) Termination of Agency.

OR

CORPORATE FINANCE

The Course shall comprise of the following:

1. Introduction: Meaning, importance and scope of corporate finance. Capital needs- capitalization- working capital- securities-borrowings-deposits debentures,. Objectives of corporate finance- profit maximization and wealth maximization, Constitutional perspectives-the entries 37,38,43,44,45,46,47,52,82,85 and 86 of List I- Union List, entry 24 of List II-State List.
2. Equity Finance: Share capital, Prospectus- information disclosure, Issue and allotment, Shares without monetary consideration, Non-opting equity shares
3. Debt Finance: Debenture, Nature, issue and class, Deposits and acceptance, Creation charges, Fixed and floating charges, Mortgages, Convertible debentures.
4. Conservation of Corporate Finance: Regulation by disclosure, Control on payment of dividends, Managerial remuneration, Payment of commissions and brokerage, Inter corporate loans and investment, Payback of shares, Other corporate spending.
5. Protection of creditors: Need for creditor protection, Preference in payment, Rights in making company decisions affecting creditor interests, Creditor self-protection, Incorporation of favourable terms in lending contracts, Right to nominate directors, Control over corporate spending.

6. Protection of Investors: Individual share holder right, corporate membership right, Derivative actions, Qualified membership right, Conversion, consolidation and re-organization of shares, Transfer and transmission of securities. Dematerialization of securities.

LLMF 453 : INSURANCE

The Course shall comprise of the following:

1. Nature and definition of Contract of Insurance
 - (a) Definition of Contract of Insurance
 - (b) Contract is ‘Aleatory’
 - (c) Contract of utmost good faith
 - (d) Contract of indemnity
 - (e) Contract of Wager.
2. Insurable interest:
 - (a) Nature of insurable interest
 - (b) Time or duration of interest
 - (c) Insurable interest and Life insurance
 - (d) Insurable interest and Fire insurance
3. The Risk:
 - (a) Meaning of risk
 - (b) Scope of risk
 - (c) Application of rule in various classes of insurance
 - (d) The elements of risk
 - (e) The alteration of the risk
4. The Insurance Regulatory and Development Authority:
 - (a) Establishment
 - (b) Composition
 - (c) Duties, powers and functions.

OR

BANKING LAW

The Course shall comprise of the following:

1. Introduction: Nature and development of banking. History of banking in India and elsewhere-indigenous banking, evolution of banking in India, different kinds of banks and their functions, Multi-functional banks-growth and legal issues.
2. Law relating to Banking Companies in India: Controls by government and its agencies, On management, On accounts and audit, Lending, Credit policy, Reconstruction and reorganization, Suspension and winding up, Contract between banker and customer: their rights and duties.
3. Social Control over Banking: Nationalization, Evaluation: private ownership, nationalization and disinvestments, Protection depositors, Priority lending, Promotion of under privileged classes.
4. Deposit Insurance: The Deposit Insurance Corporation Act 1961: Objects and Reasons, Establishment of Capital of DIC, Registration of banking companies, insured banks, liability of DIC to depositors, Relations between insured banks, DIC and the Reserve Bank of India.
5. The Central Bank: Evolution of Central Bank, Characteristic and functions. Economic and social objectives. The Central Bank and the state as banker's bank. The Reserve Bank of India as the Central Bank, Organizational structure, Functions of the RBI, Regulation monetary mechanism of the economy, Credit control, Exchange control, Monopoly of currency issue, Bank rate policy formulation, Control of RBI over non-banking companies, Financial companies & Non-financial companies.
6. Relationship of Banker and Customer: Legal character, Contract between banker and customer, Banker's lien, Protection of bankers, Customers, Nature and type of accounts, Special classes of customers-lunatics, minor, partnership, corporations, local authorities, Banking duty to customers, Consumer protection: banking as service.
7. Negotiable Instruments: Meaning and kind, Transfer and negotiations, Holder and holder in due course, Presentment and payment, Liabilities of parties.
8. Lending by Banks: Good lending principles, Lending to poor masses, Securities for advances, Kinds and their merits and demerits, Repayment of loans, rate of interest, protection against penalty, Default and recovery, Debt recovery tribunal.
9. Recent Trends of Banking System in India: New technology, Information technology, Automation and legal aspects, Automatic teller machine and use of internet, Smart card, Use of expert system, Credit cards.
10. Reforms in Indian Banking Law: Recommendations of committees: a review.

GROUP- G : ADMINISTRATIVE LAW

LLMG 451: ADMINISTRATIVE LAW IN INDIA-I

The Course shall comprise of the following:

- (1) Importance and Scope of Administrative Law;
- (2) Rule of Law;
- (3) Separation of Powers;
- (4) Delegated Legislation
 - a. Constitutionality
 - b. Judicial Control
 - c. Parliamentary Control
 - d. Procedural Control
- (5) Ombudsman in India
- (6) The Commission of Inquiry Act, 1952

LLMG 452: ADMINISTRATIVE LAW IN INDIA-II

The Course shall comprise of the following:

- (1) Judicial Review of Discretionary Power;
- (2) Writ of Mandamus;
- (3) Writ of Certiorari;
- (4) Writ of Prohibition;
- (5) Writ of Quo-warranto
- (6) Natural Justice: Bias; Opportunity of Hearing;
- (7) Administrative Tribunals;
- (8) Domestic Inquiries;
- (9) Administrative Finality;
- (10) Role of Declaratory Decree as Public Law Remedy;
- (11) Role of Injunction as Public Law Remedy;

OR
LOCAL SELF GOVERNMENT LAW

The Course shall comprise of the following:

1. Historical Perspectives: Early period, Gram Swaraj-the Gandhian concept
2. Constitutional Scheme: Directive Principles, Structure and powers of local bodies
3. Legislative Powers: Direct democracy and grass root planning, Municipalities and corporation, gram Sabha
4. Quasi-legislative Powers: Rule making power of the State Government, Regulations and Bye-laws
5. Financial Powers: Levying taxes, Licensing power, Financial resources and powers
6. Judicial and Quasi-judicial powers of the Local Bodies
7. Election to Local Bodies
8. Conduct of Meetings- Corporation, Municipal Council, Panchayat Committee and Gram Sabha
9. Institutional and Judicial Control

LLMG 453: COMPARATIVE ADMINISTRATIVE LAW

The Course shall comprise of the following:

- (1) Merits of French Administrative Law, Remedies available under French Administrative Law;
- (2) Availability of Judicial Review in the United States-
 - a. Doctrine of Primary Jurisdiction;
 - b. Doctrine of Exhaustion of Administrative Remedies;
 - c. Doctrine of Standing;
 - d. Doctrine of Ripeness;
- (3) Government liability for torts committed by its employees in Great Britain, France and India;

- (4) Promissory Estoppel in Great Britain and India.
- (5) Right to Information Act, 2005.
 - a. State privilege to refuse Production of documents in Courts in Great Britain and India;
 - b. The Official Secrets Act, 1923 (India)
 - c. The Freedom of Information Act, 2002
- (6) Doctrine of Legitimate Expectation in India and Great Britain.

GROUP- H: BUSINESS ADMINISTRATION

LLMH 451: BUSINESS ORGANISATION

The Course shall comprise of the following:

- 1. Introduction: History: History of Company Legislation, Characteristic features of a company and Lifting the corporate veil.
- 2. Kinds of Companies
- 3. Promoter- Definition and his legal position and effects of Pre-incorporation Contracts.
- 4. Memorandum of Association: Contents and relation with Articles of Association, Alteration of Memorandum.
- 5. Prospectus; Meaning and consequences of Misstatements in prospectus.
- 6. Shares: Meaning, kinds and general principles and statutory provisions regarding Allotment of shares, Effect of irregular Allotment.
- 7. Membership of company.

LLMH 452: BUSINESS MANAGEMENT (COMPANY MANAGEMENT & ADMINISTRATION)

The Course shall comprise of the following:

- 1. Qualifications, Appointment and Removal of Directors, Managing Directors and Managers
- 2. Remuneration of Directors, Managing Directors and Managers

3. Legal position of Directors and Criminal Liability of the Officers of the Company.
4. Meetings of the Company- Statutory Meeting, Annual General Meeting and Extraordinary Meeting.
5. Division of powers between company-in-General Meeting and Board of Directors.
6. Remedies in cases of oppression and Mismanagement
7. Investigations into the affairs of the Company.
8. Company Secretary- Appointments and his legal position.
9. National Company Law Tribunal and Appellate Tribunal

LLMH 453 : LAW RELATING TO MULTINATIONAL CORPORATION

The Course shall comprise of the following:

1. The Problems of Definition and various Legal Forms a MNE may have
2. The Regulation of MNEs through Company Law
3. Taxation Problems Associated with MNEs
 - a) International double Taxation
 - b) The Transfer Pricing Problem
 - c) The Indian Tax Law and the Incomes of Non-Resident Indians
4. Domestic Laws on Foreign Shareholdings in National Companies: The Relevant Provisions of the FEMA
5. Corporate Governance and MNEs
6. The Environmental Issues and MNEs
 - a) Exporting Environmental Hazards through MNEs
 - b) Industrial Accidents and the Problem of Corporate Veil
7. International Standards and the Foreign Investors: The Draft UN Code of Conduct on Transnational Corporation and the OECD Guidelines

GROUP- I: LABOUR MANAGEMENT RELATIONS

LLM I 451: REGULATION OF LABOUR MANAGEMENT RELATIONS

The Course shall comprise of the following:

1. Meaning, Nature and Philosophy of Labour Management Relations
2. An Historical and Constitutional perspective of Labour Management Relations.
3. State Regulatory process of Labour Management Relations in India.
4. Labour Management Regulatory processes in U.K. and USA-Its impact on India
5. Labour Management Relations and collective Bargaining
6. The New Economic policy and its impact on Labour Management Relations in India.
7. Some recent trends to regulate the Labour Management Relations.

OR

COMPARATIVE STUDY OF THE LAW RELATING TO TRADE UNIONS

The Course shall comprise of the following:

1. Meaning, Concept and Nature of Trade Unions.
2. Evolution, origin and growth of Trade Unions
 - a) U.S.A.
 - b) U.K.
 - c) India
3. Legal Basis of Trade Unions
 - a) U.S.A.
 - b) U.K.
 - c) India
4. Collective Bargaining and its Status
 - a) U.S.A.
 - b) U.K.
 - c) India

5. Trade Unions and the Right to Strike
6. Recent Judicial trends in the Law Relating to Trade Unions
7. Globalization, privatization and its impact on the working of the Trade Unions.

LLMI 452: LAW RELATING TO EMPLOYMENT AND NON-EMPLOYMENT

The Course shall comprise of the following:

1. Meaning and Concept of Employment
2. Wages and Conditions of Service
3. Termination of Employment
4. Termination other than Dismissal
5. Dismissal for Misconduct

LLMI 453: LAW RELATING TO TERMS OF EMPLOYMENT AND CONDITIONS OF SERVICE

The Course shall comprise of the following:

1. Meaning and concept of terms of Employment and conditions of service
2. The term of employment or the conditions of Labour or of any person.
 - a) Continuity of service
 - b) Permanency of tenure of service
 - c) Transfer
3. Hours of work
4. Work loads
5. Shifts
6. Promotions
7. Increments
8. Fringe benefits

9. Refusal benefits

GROUP- J: TAXATION

**LLMJ 451: CONSTITUTIONAL AND ADMINISTRATIVE LAW PROBLEMS
RELATING TO TAXATION**

The Course shall comprise of the following:

1. Distinction between Tax and Fee
2. Power to levy taxes on income
3. The Constitution (One Hundred and First) Amendment Act and General Features of Goods and Service Tax
4. Residuary Power of Taxation Under Entry 97 of the Union List
5. Role of Taxation in achieving the Objectives of Directive Principles
6. Taxation and Right to Equality
7. Taxation and Freedom of Trade, Commerce and Intercourse
8. Distribution of Tax Revenues
9. Inter-Governmental Tax Immunities
10. Delegation of Taxing Powers
11. Judicial Review of the Orders of Tax Authorities.

LLMJ 452: TAX ON BUSINESS AND INDUSTRY

The Course shall comprise of the following:

- (1) Residence of Firms
- (2) Residence of Company
- (3) Business Connection
- (4) Profits and gains from business or Profession
- (5) Depreciation allowance
- (6) Business Expenditure
- (7) Capital Gains
- (8) Income Tax authorities & their powers with special reference to search & Seizure

- (9) Procedure for assessment
- (10) Appeal & Revision.

LLMJ 453: CURRENT TAX PROBLEMS

The Course shall comprise of the following:

- (1) Assessment of Charitable Trusts
- (2) Tax on Agricultural income.
- (3) Canons of Taxation & characteristics of a good tax system.
- (4) Tax Evasion & Black Money- Causes & effects of Tax Evasion, Tax evasion distinguished with Tax Avoidance and Tax Planning.
- (5) Problems of Double Taxation.
- (6) Concept of Value Added Tax and its Merits and Demerits
- (7) Introduction to Goods and Service Tax (GST)
- (8) Problems Relating to Taxation of e - commerce

GROUP- K : REGULATED ECONOMY

LLMK 451: LEGAL REGULATION OF ECONOMIC ENTERPRISE

The course shall comprise of the following:

1.The Rationale of Government Regulation.

- (i) Constitutional Perspectives
- (ii) The new economic policy- Industrial policy resolutions, declarations and statements.
- (iii) The place of public, small scale, cooperative, corporate, private and joint sectors in the changing context.
- (iv) Regulation of economic activities
- (v) Disclosure of information
- (vi) Fairness in competition
- (vii) Emphasis on consumerism

2. Development and Regulation of Industries

3. Take-over of Management and Control of Industrial Units
4. Sick Undertaking: Nationalisation or Winding Up?
5. Licensing Policy and Legal Process-Growing Trends of Liberalization
6. Deregulation of essential commodities: developmental sign or a social mishap ?
7. Financial Services: Changing Techniques of Regulation.
8. Critical Issues Regarding the Capital Issues
 - (i) Equity and debt finance
 - (ii) Global depositories
 - (iii) De-materialised securities
9. Problems of Control and Accountability: Regulation of Hazardous Activity.
 - (i) Mass disaster and environmental degradation: legal liability and legal remedies.
 - (ii) Public Liability Insurance: adequacy
 - (iii) Issues in zoning and location of industrial units.
10. Special Aspects of Legal Regulation of Select Public Enterprises
 - (i) Telecom Regulatory Authority
 - (ii) Insurance Regulatory Authority
 - (iii) Broadcasting Regulatory Authority
11. Legal Regulation of Multinational
 - (i) Collaboration agreements for technology transfer
 - (ii) Development and regulation of foreign investments
 - (iii) Investment in India: FDIs and NRIs
12. Investment abroad

LLMK 452: REGULATION OF LABOUR MANAGEMENT RELATIONS

The Course shall comprise of the following:

1. Meaning, Nature and Philosophy of Labour Management Relations.
2. An Historical and Constitutional perspective of Labour Management Relations.
3. State Regulatory process of Labour Management Relations in India.
4. Labour Management Regulatory processes in U.K. and USA- Its impact on India.

5. Labour Management Relations and collective Bargaining.
6. The New Economic policy and its impact on Labour Management Relations in India.
7. Some recent trends to regulate the Labour Management Relations.

LLMK 453 : CORPORATE FINANCE

The Course shall comprise of the following:

1. Introduction: Meaning, importance and scope of corporation finance, Capital needs-capitalization-working capital securities-borrowings-deposits debentures, Objectives corporation finance-profit maximization and wealth maximization Constitutional perspectives- the entries 37,38,43,44,45,46,47,52,82,85 and 86 of List I-Union List, entry 24 of List 11-State List.
2. Equity Finance: Share; Capital, Prospectus information disclosure, Issue and allotment, shares without monetary consideration, non-opting equity shares.
3. Debenture, nature issue and class, Deposits and acceptance, Creation charges, fixed and floating charges, Mortgages, Convertible debentures.
4. Managerial remuneration, Payment of commissions and brokerage, Inter-corporate loans and investment, Pay-back of shares, Other corporate spending.
5. Protection of Creditors: Need for creditor protection, Preference in payment. Rights in making company decisions affecting creditor interest Creditor Self-protection. Incorporation of favourable terms in lending contracts, Right to nominate directors, Control over corporate spending.
6. Protection of Investors: Individual share holder right, Corporate membership right, Derivative actions, Qualified membership right, Conversion, consolidation and reorganization of shares, Transfer and transmission of securities, Dematerialization of securities.
7. Corporate Fund Raising: Depositories-IDR)Indian Depository Receipts), AADR (American Depository Receipts), GDR (Global Depository Receipts) Public Financing Institution) IDBI, ICICI, IFC and SFC, Mutual Fund and other collective investment schemes, Intuitional investments LIC, UTI and Bank, FDI and NRI investment. Foreign institutional investments (IMF and World Bank).
8. Administrative Regulation on Corporate Finance: Inspection of accounts, SEBI, Central Government Control, Control by Register of Companies, RBI control

OR

TAX ACCOUNTANCY

The Course shall comprise of the following:

1. Introduction:
Gross Total Income; Capital and Revenue Receipts; Methods of Accounting
2. Computation of Income under the head Salaries;
 - (i) Meaning of salary
 - (ii) Deductions under Section 16
 - (iii) Valuation of Perquisites.
 - (a) Valuation of Rent free accommodations
 - (b) Valuation of Accommodation provided on concessional rates
 - (c) Valuation of Motor Car facilities provided by the employer
 - (iv) Perquisites and Allowances exempted from taxation
 - (v) Taxation of Gratuity and Terminal payments;
 - (a) Received by Government employees
 - (b) Received under the Payment of Gratuity Act, 1972.
 - (c) Compensations received under Industrial Disputes Act.
3. Computation of Income under the Head Income from House Property;
 - (i) Determination of Annual Value
 - (ii) Concessions for newly constructed properties
 - (iii) Annual value of self occupied House Property.
 - (iv) Deductions from income from House Property.
4. Computation of Income under the head Profits and Gains of Business or Profession:
 - (i) General principles governing assessment of business income
 - (ii) Basic principles governing admissibility of deductions under Sections 30 to 40D
 - (iii) Computation of some specific deductions:
 - (a) Rent, rates, taxes, repairs and insurance of building (S.30)
 - (b) Repairs and Insurance of machinery, plant and furniture (S.31)
 - (c) Depreciation Allowance (S.32)

- (d) Rehabilitation Allowance
 - (e) Expenditure on Scientific Research
 - (f) Expenditure on acquisition of patent rights or copy rights.
5. Computation of Income under the Head Capital Gains:
- (i) Computation of Long term and short term capital gains on transfer of capital assets
 - (ii) Exemptions from capital gains.
6. Computation of income under the head Income from other sources:
- (i) Receipts which are taxable under the head income from other sources
 - (ii) Taxation of winning from lotteries, crossword puzzles, races, card games etc.
 - (iii) Deductions under the head Income from other sources.

GROUP- L: ADMINISTRATION OF JUSTICE

LLML 451 : LAW RELATING TO JURISDICTION AND SYSTEMS OF COURTS IN INDIA

The Course shall comprise of the following:

1. Administration of Justice in Madras, Bombay and Calcutta upto 1726.
2. Mayor's Court, 1726.
3. Adalat System and its Re-organization.
4. Supreme Court created under the Regulating Act, 1773.
5. High Courts created under the Indian High Courts Act, 1861.
6. Privy Council
7. Federal Court under the Govt. of India Act, 1935.
8. High Court and Supreme Court under the Constitution of India.
9. Sub-ordinate Civil Judicature and Criminal Judicature.
10. Village Panchayat Courts
11. Revenue Courts

12. New Dispute Redressal Machinery: Lok-Adalats, Family Courts and Tribunals, e.g. CAT

LLML 452 : LAW RELATING TO PROCEDURE AND PROOF

The Course shall comprise of the following:

A. Civil:

1. Jurisdiction of Civil Courts and Place of Suing
2. Res Sub-judice. Res Judicata and Foreign Judgment
3. Suit-Institution of, Essentials of, Parties of; Representative Suit and Special Suits e.g. against Government, Minors Lunatics and indigent
4. Pleadings- Complaint and Written Statement
5. Issue – Meaning, Framing, kinds and importance
6. Withdrawal and Compromise of Suits
7. Effect of Death, Marriage and Insolvency of Parties
8. Trial, Judgment, Decree and its execution
9. Appeal, Reference, Review and Revision
10. Inherent Powers of Courts

B. Criminal:

1. General principles relating to Fair Trial
2. Classes of Criminal Courts and Powers
3. Arrest, Search and seizure
4. Investigation by Police
5. Local Jurisdiction of Courts and cognizance
6. Bail
7. Withdrawal of Criminal Case
8. Charge and Trial
9. Appeal, Reference and Revision
10. Execution, Suspension, Remission and Commutation of Sentence

C. Proof:

1. Nature and Function of Law of Evidence
2. Relevancy of Facts and Admissibility
3. Proof and Burden of Proof

LLML 453 : LAW RELATING TO RELIEF

The Course shall comprise of the following:

1. Constitutional Relief: writs-Habeas, corpus, Mandamus, Certiorari, Prohibition and Quo-warranto.
2. Recovery of Possession-Movable and immovable property.
3. Specific Performance of Contract
4. Rescission of contract
5. Rectification & cancellation of Instruments
6. Declaration Decree
7. Preventive Relief-Injunctions
8. Damages: Types, Remoteness and Measure of Damages
9. Bar on Relief: General Law relating to limitation

GROUP – N : HUMAN RIGHTS

LLMN 451 : INTERNATIONAL LAW OF HUMAN RIGHTS

The course shall comprise of the following:

1. International Concern:
Protection of Individual in International Law; League of Nations; War Crime Trials.
2. Human Rights and the United Nations Charter:
(a) Normative and Institutional Framework of the UN

- (b) Role of The permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights.
- 3. Universal Declaration on Human Rights:
 - (a) History of the Declaration
 - (b) Structure of the Declaration
 - (c) Legal Significance
- 4. International Covenants: ICCPR and ICESCR
 - (a) Nature and Characteristic
 - (b) Optional Protocols
- 5. Regional Instruments
 - (a) European Convention on Human Rights
 - (b) American Convention on Human Rights
 - (c) African Charter on Human and People's Rights
 - (d) Asia and Human Rights

LLMN 452: INTERNATIONAL HUMANITARIAN LAW

The course shall comprise of the following:

1. Introduction
 - Nature, Basic Principles; Historical Development since 1899
2. Protection of Victim of War-Wounded, Sick; Shipwrecked; and Prisoners of War
3. Implementation of International Humanitarian Law
4. Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law.

OR

HUMAN RIGHTS AND THE REFUGEES

The course shall comprise of the following:

1. Introduction

Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967.

2. Human Rights of the Refugees
3. Solution to Refugee Problem:
 - (a) Resettlement in Third Country
 - (b) Local Integration
 - (c) Voluntary or Forced Repatriation
 - (d) Comprehensive Responses
4. Contemporary Developments in Refugee Law
 - (a) International Burden Sharing
 - (b) International Safe Countries Burden
 - (c) Temporary Protection
 - (d) Environmental refugees
 - (e) Safety Zones
5. Internally Displaced Persons: UN Guiding Principles on Internal Displacement 1998.
6. Refugee Law and Policy in India.

LLMN 453: HUMAN RIGHTS IN INDIA

The Course shall comprise of the following:

1. History and Development of Human Rights in Indian Constitution. Constitutional Philosophy. Preamble, Fundamental Rights- General.
2. Right to Equality: Gender Justice and Empowerment of Women. Special provisions for Weaker Sections of society Reservation Policy under the Constitution.
3. Freedom of Speech and Expression. Freedom of Press. Limitations, Right to Information.
4. Right to Life and Personal Liberty. New Dimension. Judicial approach.
5. Right to Freedom of Religion. Secularism. Protection to Minorities under the Constitution.
6. Implementation and Enforcement Mechanism of Human Rights in India. Remedies provided by the Judiciary and National Human Rights Commission.

7. Fundamental Duties. Article 51-A of the Constitution concept and need of Fundamental Duties. Enforcement and Effectuation of Fundamental Duties.
8. Emerging regime of new human rights in India. Taking guidance from, Directive Principles of State Policy and Fundamental Duties. New Approach.

GROUP- O : ENVIRONMENTAL LAW

LLMO 451: INTERNATIONAL ENVIRONMENTAL LAW

The Course shall comprise of the following:

1. Basic features of International Environmental Law and its evolution.
2. The Landmarks in International Environmental Law- a Journey from Stockholm to Johannesburg
3. Important conventions concerning Protection and Conservation of Environment; Vienna Convention and Protocol on the Depletion of Ozone Layer, Convention and Protocol on Climate Change, Chemical Weapons convention, Basel Convention, and Regulation of Hazardous Waste Convention on Biological Diversity.
4. Regulation of Transboundary pollution with special reference to Industrial Accidents and Air Pollution.
5. Impact of International Environmental Law on Indian Law with special reference to Principles of Environmental Protection.

LLMO 452 : NATURAL RESOURCES AND THE LAW IN INDIA

The Course shall comprise of the following:

1. Protection of Wild Life- with special reference to authorities, sanction and remedies under Wild Life (Protection) Act, 1972.
2. Protection and conservation of Forest-with special reference to Authorities, sanctions and remedies under Forest Act.1927 and Forest Conservation Act.1980.
3. Conservation of Fresh water and Ground water. Coastal Zone Management under the Environment (Protection)Act, 1986 and other relevant Statutes.
4. Protection and Conservation of Biodiversity with special reference to Biodiversity Act 2002.

5. The scope and Limit of PIL to protect the natural resources-(Special emphasis shall be placed on directions issued by the Supreme Court of India from time to time)

LLMO 453 : POLLUTION CONTROL LAW IN INDIA

The Course shall comprise of the following:

1. Constitutional Mandate and Environment with special reference to Article 32 and 226 (emphasis shall be given on use of PIL as a tool to provide environmental justice)
2. Comparative Study of Water Act, 1974, the Air Act, 1981 and the Environment (Protection) Act, 1986 with special reference to authorities, mechanism and sanctions
3. Efficacy of Remedies- Section 133 Criminal Procedure Code, Public Liability Insurance Act, 1991, National Environmental Tribunal Act, 1995, National Environment Appellate Authority Act, 1997. Citizens Suit provisions, remedies under Civil Procedure code, 1908.
4. Specific Environmental Problems and Legal Responses- special emphasis shall be placed on rules and notification framed under the Environment (Protection) Act, 1986. (Rules and Notifications shall be prescribed each year).
5. Environment Impact Assessment and People's Participation, EIA and Public Hearing under the Environment Protection Act, 1986.

GROUP- P: INTELLECTUAL PROPERTY

LLMP 451: COPY RIGHT: NATIONAL AND INTERNATIONAL PERSPECTIVE

The Course shall comprise of the following:

1. Aims, Objectives and Range of Copy Right
2. Works in which Copy Right Subsists
3. Infringement of Copy Right
4. Property Rights and Exploitation
5. Copy Right: particular cases
6. Statutory Laws in India
7. International Conventions.

LLMP 452: TRADE MARKS, DESIGNS AND GEOGRAPHICAL INDICATIONS

The Course shall comprise of the following:

- 1.Underlying Themes
- 2.Historical Development
- 3.The purpose of protection
- 4.Common Law Liability
- 5.Registration, its procedure, its implications
- 6.Statutory Laws in India
- 7.International Conventions

LLMP 453 : PATENTS AND PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHT

The Course shall comprise of the following:

- 1.Growth and Purpose
- 2.Grant and Content
- 3.Validity
- 4.Scope of Monopoly
- 5.Property Rights and Exploitations
- 6.Statutory Laws in India
- 7.International Conventions

GROUP- Q : LAW SCIENCE AND TECHNOLOGY

LLMQ 451: LAW, TECHNOLOGY, BIOTECHNOLOGY AND MEDICINE

The Course shall comprise of the following:

1. Interface of science and technology with law, Frontiers of New Technologies
2. Science, Technology and Human Rights.

3. Legal aspects of Medicine and Medical Technology

- (a) Organ Transplantation
- (b) Medical Termination of Pregnancy
- (c) Surrogate motherhood
- (d) Euthanasia
- (e) Sex-determination Techniques.

4. Law and Biotechnology

Bio-technology and Human Health

- 1. Genetic Markers: Diagnostic Biotechnology
- 2. Conquest of disease
- 3. Genetic screening: Prevention of genetic disease and mental retardation
- 4. Genetic screening: Uses and abuses of amniocentesis
- 5. Cloning of human beings.
- 6. Obsolescence and resilience of Law.

Legal Regulation of Biotechnology

- 1. Regulation of Government sponsored research
- 2. Regulation of Private R & D
- 3. Regulation of deliberate release of genetically mutated micro-organisms
- 4. Regulation of accidental release of genetically mutated micro-organisms
- 5. Comparative perspective
- 6. U.S.A.

5. Law and Medicine

LLMQ 452: INFORMATION TECHNOLOGY AND LEGAL ORDER

The Course shall comprise of the following:

- 1. Introductory:
 - (i) Interface between laws information technology

- (ii) Printing, Radio & Television.
- (iii) Remote Sensing
- (iv) Growth of Computer Sciences and Television.
- 2. Artificial Intelligence and Human Resources
- 3. The Law: Intellectual Property
 - (i) Law relating to protection of computer software
 - (ii) Information Technology Act.
 - (iii) Law Relating to patenting of hardware
 - (iv) Regulation of Transfer of computer technology (Unfair Means, Restrictive Trade Practices)
 - (v) Computer Systems and Liability Issues
 - (vi) Computer fraud
 - (vii) Computer non-feasance and liability for damages
 - (viii) Computer Systems and Renovation of Legal Order

LLMQ 453: NUCLEAR TECHNOLOGY: DILEMMAS OF LEGAL CONTROLS

The course shall comprise with the following:

- 1. Introduction
 - (i) Nuclear Fission/Fusion.
 - (ii) Radioactivity
 - (iii) Fission product and half-life measure
 - (iv) “Thermal” water reactors.
 - (v) Heavy-water reactors.
 - (vi) Nuclear fuel
- 2. Development in Civilian Uses of Nuclear Energy
 - (i) “Atoms for Peace” and International Atomic Energy Commission (IAEA)
 - (ii) The European Atomic Energy Community (EUROTAM)
 - (iii) Development of nuclear industry at a global level.
- 3. India’s Atomic Energy Programme

- (i) India's overall energy needs and planning
- (ii) India's Nuclear Energy Programme
- (iii) The Atomic Energy Commission Act
- (iv) Technology transfer and India's nuclear programme

4. Hazard Aspects of Nuclear Power

- (i). Plant Location: Problems of Sites
- (ii). uranium mining associated hazards
- (iii). Accidents Potential: e.g. fuel failure recirculation pump failures, control valve leaks, failure of shut-down device, metal failure, of electronic monitoring and control systems.
- (iv). Containment facilities
- (v). Occupational hazards for workers at research institutes and nuclear plants

5. The Regime of Legal Liability including:

- (i). Right to information as to levels of radioactivity
- (ii). Right to compensation.
- (iii). Right to meaningful "rehabilitation"

6. Other Associated Hazards and Other Management

- (i). The nature and magnitude of Nuclear wastes
- (ii). Reprocessing
- (iii). Environmental
- (iv). Low level wastes and High Level Wastes
- (v). Reprocessing of wastes
- (vi). Vitrification
- (vii). Dumping

7. Legal Aspects

- (i). Secrecy
- (ii). Minimum public participation
- (iii). Right to information
- (iv). Regimes of Liability for mass disasters and personal injuries
- (v). Environmental Law regulation of the hazardous aspects of nuclear energy production.

GROUP- R: JURISPRUDENCE

LLMR 451: THEORIES OF LAW (INCLUDING FEMINIST THEORY)

The course shall comprise of the following;

1. Definition, nature and scope of Legal Theory, Importance of the study of legal theory
2. Analytical positivism-Austin: Kelsen and Hart
3. Savigny's Theory of Volk-geist, and Maine's Theory of status to contract
4. National Law theory
5. Philosophical theory-Kant and Heget
6. A Theory of social engineering
7. American Realism
8. Relationship between law and morality
9. Feminist theories-liberal, socialist and Radical feminism.
10. Marxian theory of Law.

LLMR 452: THEORIES OF JUSTICE

The course shall comprise of the following:

1. The concept of justice: Meaning, Nature and varieties of justice-views of Marx, Austin, Kelson, Allen and Karl Renner
2. The basis of justice: The liberal Contractual tradition the liberal utilitarian tradition-the liberal moral tradition, the socialist tradition.
3. Relation between law and justice:
 - (a) Equivalence theories
 - (b) Dependency theories
 - (c) The Independence on Justice theories

LLMR 453: THEORIES OF RIGHTS

The course shall comprise of the following:

1. Classification and categorization of Rights types of rights, correlation of rights with duties.
2. History of legal discourse on rights
3. Nature of rights: views of Dworkin, David Lyons, Robert Nozick, Allen Buchanan, concepts of natural and absolute rights.
4. Structure of rights; correlation of rights with other legal concept, generation of rights.
5. The basis of rights.

GROUP- S : NEW ECONOMIC LAW : WTO IN CONTEXT

LLMS 451: DEVELOPMENT AND REGULATION OF INTERNATIONAL TRADE

The course shall comprise of the following:

1. W.T.O.: Its Birth and Background
2. W.T.O. :The Structural Dimension
3. W.T.O.: Dispute Settlement Mechanisms
4. Legal Framework of GATT 1994.
5. W.T.O.: Agreement on Agriculture
6. W.T.O.: Agreement on Textile and Clothing
7. Agreement on Sanitary and Phyto sanitary Measures.
8. Agreement on Technical Barriers to Trade
9. TRIPS Agreement
10. General Agreement on Trade in Service

LLMS 452 : LEGAL REGULATIONS OF ECONOMIC ENTERPRISES

The course shall comprise of the following:

1. The Rationale of Government Regulation.
 - (i) Constitutional Perspectives
 - (ii) The new economic policy-Industrial policy resolutions, declarations and statements
 - (iii) The place of public, small scale, cooperative, corporate, private and joint sectors in the changing context.
 - (iv) Regulation of Economic activities
 - (v) Disclosure of information
 - (vi) Fairness in competition
 - (vii) Emphasis on consumerism
2. Development and Regulation of Industries
3. Take-over of Management and Control of Industrial Units
4. Sick Undertakings: Nationalisation or Winding Up?
5. Licensing Policy and Legal Process- Growing Trends of Liberalization
6. Deregulation of essential commodities: developmental sign or a social mishap ?
7. Financial Services: Changing Techniques of Regulation
8. Critical Issues Regarding the Capital Issues.
 - (i) Equity and debt finance
 - (ii) Global depositories
 - (iii) De-materialised securities
9. Problems of Control and Accountability: Regulation of Hazardous Activity.
 - (i). Mass disaster and environmental degradation: legal liability and legal remedies.
 - (ii). Public Liability Insurance: adequacy
 - (iii). Issues in zoning and location of industrial units.
10. Special Aspects of Legal Regulation of Select Public Enterprises:
 - (i). Telecom Regulatory Authority
 - (ii). Insurance Regulatory Authority
 - (iii). Broadcasting Regulatory Authority
11. Legal Regulation of Multinationals

- (i). Collaboration agreements for technology transfer
- (ii). Development and regulation of foreign investments
- (iii). Investment in India: FDIs and NRIs
- (iv). Investment abroad

LLMS 453: LEGAL REGULATIONS OF INTERNATIONAL TRADE

The course shall comprise of the following:

- 1. W.T.O. Competition Policy
- 2. W.T.O. and Labour Standards
- 3. Trade and Environment Issues in the WTO
- 4. TWO Trade and Investment
- 5. Agreement on Import-Licensing Proceeding
- 6. Agreement on Pre-shipment Inspection
- 7. Developing Countries on the GATT/WTO

GROUP- T : ALTERNATE DISPUTE RESOLUTION SYSTEM

LLMT 451: DOMESTIC AND INTERNATIONAL COMMERCIAL ARBITRATION

The course shall comprise of the following:

- (i) Existing Justice Delivery System in India- Effectiveness/and Menances
- (ii) Reform in the Legal System for Achieving Effective and Speedy Resolution of Dispute.
- (iii) Historical Background of the Arbitration & Arbitration Agreement
- (iv) Composition & Jurisdiction of Arbitral Tribunal
- (v) Conduct of Arbitral Proceedings
- (vi) Making of Arbitral Award and Termination of Proceedings
- (vii) Recourse Against Arbitral Award.
- (viii) Finality & Enforceability of Arbitral Award.

- (ix) Appealable Orders & Miscellaneous provisions.

LLMT 452: ENFORCEMENT OF FOREIGN AWARD AND CONCILIATION IN INDIA

The course shall comprise of the following:

- (i) Enforcement of Foreign Award under New York Convention Award.
- (ii) Enforcement of Foreign Award under Geneva Convention Award.
- (iii) Meaning of Conciliation, Commencement of Conciliation Proceedings and appointment of Conciliator.
- (iv) Statements to Conciliation(s)
- (v) Role of Conciliator(s)
- (vi) Conduct of Conciliation Proceeding
- (vii) Settlement agreement & its Status and Effect.
- (viii) Protection for conciliation Proceeding
- (ix) Public Interest Litigation.
 - (a) Liberalization of Locus Standi Doctrine
 - (b) Dilution of UBI Jus IBI Remidium Doctrine

LLMT 453: MEDIATION, LOK ADALATS AND CONSUMER FORUM

The course shall comprise of the following:

- (i) Various modes and Processes of Alternative Dispute Resolution System.
- (ii) Meaning of Mediation-Distinction between Arbitration, Conciliation and Mediation and negotiation, Interest Based Versus Right Based Mediation.
- (iii) Conduct of Mediation Proceeding
 - (a) Opening Statement of Mediator
 - (b) Opening Statement of Party

- (iv) Mediation Agreement or Termination of Mediation Proceeding.
- (v) Common Error of Mediation Advocacy.
- (vi) Lok Adalats: Temporary and Permanent
 - (a) Constitution, Jurisdiction, Powers
 - (b) Procedure Remedy Provided.
- (vii) Consumer Forums under the Consumer Protection Act.
 - (a) Constitution, Jurisdiction, Power and Procedure
 - (b) Remedy Provided.
- (viii) Administrative Tribunals.

GROUP U: INTERNATIONAL ECONOMIC LAW

LLMU 451 International Trade Law

The course shall comprise of the following:

I. NATURE AND SCOPE OF INTERNATIONAL TRADE LAW

A. NATURE OF INTERNATIONAL TRADE TRANSACTIONS:

Trade in goods and services, counter-trade, international contracts of sale, carriage and charter party etc.

B. THEORIES OF INTERNATIONAL TRADE

1. Classical theories—theory of absolute advantage, comparative advantage and Heckscher-Ohim (HO) theory or the ‘factor endowment’ theory
2. New theories

II. SALE OF ‘GOODS’ ACT

- A. Nature of contract of sale of ‘goods’; Sale of ‘goods’: definition and kinds of ‘goods’, Other similar transactions
- B. Terms of Contract of sale
- C. Obligations of seller and buyer, passing of property and risk

III. HARMONIZATION OF SALES LAWS

1. Role of Unidroit, Uncitral and ICC
2. The 1980 United Nations Convention on the Contracts for the International Sale of Goods
3. Special Trade Terms

IV. CARRIAGE OF GOODS BY SEA

1. Bills of lading
2. Bill of Lading Act
3. Duties of ship carrier, shipper and charterer at common law
4. The Hamburg rules
5. The Rotterdam rules
6. Carriage of Goods by Ship Act, 1925

V. EXPORT FINANCE

- A. CREDIT TERMS: GENERAL
- B. ‘OPEN ACCOUNT’ TERMS
- C. DOCUMENTARY CREDIT SYSTEM: LETTERS OF CREDIT
 - A.General
 - B.Fundamental Principles
 - (a)The autonomy of the credit
 - (b)The doctrine of strict compliance
 - (c)UCP No. 600
- C. Kinds of Letters of Credit

- D. COLLECTION ARRANGMENTS
- E. BILL OF EXCHANGE
 - A. Negotiable Instruments in General
 - B. Bills of Exchange: Nature and Characteristics
- F. PERFORMANCE GUARANTEES
 - A. General
 - B. Standby letters of Credit
 - C. Guarantee and Performance Bonds
 - D. The 1995 UNCITRAL Convention on Independent Guarantees
- G. FACTORING AGREEMENT, UNIDROIT DRAFT CONVENTION ON INTERNATIONAL FACTORING

VI. DISPUTE SETTLEMENT

- A. JURISDICTION
- B. CHOICE OF LAW
- C. ENFORCEMENT OF FOREIGN JUDGEMENTS AND ARBITRAL AWRDS
- D. METHODS OF DISPUTE SETTLEMENT
- E. INTERNATIONAL COMMERCIAL ARBITRATION
 - (a) UNCITRAL Arbitration Rules
 - (b) The ICC International Court of Arbitration
 - (c) ICC Rules
 - (d) Arbitration and Conciliation Act, 1996

LLMU 452: International Trade Law

The course shall comprise of the following:

1. GATT 1947: history & Key features
2. **Principles/ Pillars of GATT 1994:** Most-Favored-Nation Obligation, Tariff Bindings, National Treatment Obligation, Elimination of Quotas, Other Non-Tariff Barriers to Trade.
3. The Uruguay Round Negotiations on Institutional Issues and Establishment and Scope of the World Trade Organization.
4. **Structural Dimension of the World Trade Organization:** Objective, Functions, Governance Structure, Decision making, WTO Relations with Intergovernmental and Nongovernmental Organizations.
5. **Dispute settlement Mechanism:** Dispute settlement under GATT and Dispute settlement under WTO.
6. General and Security Exceptions under WTO
7. Doha Round and Contemporary discussions in Ministerial conferences.
8. Developing Countries and the GATT/WTO
9. **Subsidies:** Evolution, Concept and Justification; The Agreement on Subsidies and Countervailing Measures, 1994: Definition of subsidy, Disciplines on Subsidies

under SCM Agreement (prohibited subsidies, actionable subsidies, non-actionable subsidies), Imposition of Countervailing Measures, Indian perspective on Subsidies.

- 10. Agriculture:** Evolution of Law Relating Agriculture under International Trade Regime; Agreement on Agriculture (AoA), 1994: Commitment under AoA: Market access, Domestic support, export subsidies and non-trade concern. Food Security under AoA.
- 11. Dumping :** Evolution, Concept and Justification; The Anti-Dumping Agreement, 1994: Definition of dumping and Anti- Dumping, Principles, determination of dumping, Dumping investigation: definition of domestic industry, initiation and subsequent investigation, Evidence, Provisional Measures, price undertakings, imposition and collection of anti-dumping duties, Anti-dumping legislation in India and Judicial approach.

LLMU 453 International Trade Law

The course shall comprise of the following:

- I. FOREIGN DIRECT INVESTMENT AND MULTINATIONAL ENTERPRIZES (MNEs); INTERNATIONAL REGULATORY FRAMEWORK
- II. INTERNATIONAL INVESTMENT & WTO
- III. INVESTOR'S PROTECTION
- IV. INVESTMENT AGREEMENTS :BITs & IIAs
- V. WTO: TRADE RELATED INVESTMENT MEASURES (TRIMS)
- VI. INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES (ICSID)
- VII. INTERNATIONAL DOUBLE TAXATION, TRANSFER PRICING

SCHEDULE C
LL.M. (HUMAN RIGHTS AND DUTIES EDUCATION) COURSE OF STUDY

LL.M. (HRDE) FIRST SEMESTER

CORE PAPER-1

LMH 411: HUMAN RIGHTS AND DUTIES JURISPRUDENCE

The course shall comprise of the following:

1. Concept of Rights
 - (a) Meaning, Nature and Definition
 - (b) Classification of Rights
 - (c) Relationship between Rights and Duties
2. Concept of Human Rights
 - (a) Historical Background
 - (b) Theories: Traditional and Modern
 - (c) Principles
3. Concept of Human Duties
 - (a) Moral and Ethical
 - (b) Social and Economic
 - (c) Political and Cultural
4. Dialectics of Human Rights
 - (a) Universal versus Cultural Relativism
 - (b) Basic needs versus Value – Based
 - (c) Individualism versus Collectivism
5. Emerging Concept of Human Rights
 - (a) Human Rights: Human Sufferings
 - (b) Human Rights Movements and Human Rights Markets
 - (c) Emergence of an Alternative Paradigm: Trade related Market Friendly Human Rights.

GROUP- A

**LMHA 411: HUMAN DUTIES, RESPONSIBILITIES AND ITS
EFFECTUATION**

The course shall be comprised of the following:

1. Concept of Human Duty; Values of Humanism-Justice, Liberty, Equality, Fraternity and Human Dignity.
2. Evolution of Human Duties and Responsibilities-Ancient, Medieval and Modern era.
3. Human Duties in India; Duties under different religions; Duties towards self (body and mind), family, society, nation and human being.
4. Fundamental Duties under the Indian Constitution; Analysis of Fundamental Duties and its justifiability.
5. Enforcement of Fundamental Duties; Judicial pronouncements; Justice Verma Committee Report; Other statutory provisions
6. Changing dimension of Fundamental Duties.

LMHA 412: INTERNATIONAL OBLIGATION

The Course shall be comprised of the following:

1. State Obligation through international law
 - (a) Sources of International Law
 - (b) Principle of Pacta Sunt Servanda
 - (c) Human Rights as Jus Cogens
2. International Concern for Human Rights Protection
 - (a) Anti-Slave Trade treaties. ILO and Labour Welfare, Nazi and Fascist atrocities and totalitarianism
 - (b) International Military Tribunals for trial of major war criminals
3. United Nations Concern for Human Rights Protection
 - (a) State Obligation under UN Charter
 - (b) Development of Normative order
4. Issues of International Accountability
 - (a) State Sovereignty (Domestic Jurisdiction), Principle of Non-Intervention
 - (b) Rule of Exhaustion of Local remedies
 - (c) Problems of cooperation between states: Extradition, Asylum

GROUP- B

LMHB 411: EMERGING DIMENSION OF HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Inter-relativity of Human Rights and Duties; Need of spelling out Human Duties and Eternal Human values.
2. Diverse perspective of Human Rights; Evolution of rising aspirations and need of the people
3. Challenging problems in the areas of the rights of Women, Children, Disabled and the Aged people; Freedom from sexual discrimination and harassment.
4. Freedom from Torture; Anti-terrorist laws and human rights
5. Right to live with Human Dignity; Basic need of food, water, housing, health and Education.
6. Universal entitlement of the people to democracy as a legitimate form of government; Good governance.

LMHB 412: ENVIRONMENT AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Constitutional Perspective:
 - (a) Fundamental Rights: Evolution of the Right to Clean Environment, Education and Compensation
 - (b) Directive Principle of State Policy
 - (c) Fundamental Duties
2. Environment Pollution and Legal Order
 - The Water Act, 1974 and the Air Act 1981
 - a) Pollution Control Boards and their Functions

- b) Pollution Control Measures with special emphasis on sampling, consent mechanism and power to give directions.
- c) Procedure and Penalties
- 3.Environment Protection and Legal Order
 - (i) Environment (Protection) Act, 1986
 - (a) Powers of the Central Government to take Environmental Measures
 - (b) Environment Protection Mechanism
 - (c) Procedure and Penalties
- 4.Principles of Environment Protection: National Perspective
 - (a) Polluter Pays Principles: Absolute Liability of Hazardous Industries
 - (b) Precautionary Principle
 - (c) Public Trust Doctrines
 - (d) Sustainable Development
- 5. Mega Projects with special reference to displacement and rehabilitation of the affected persons

GROUP-C

LMHC 411: HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM

The course shall comprise of the following:

1. Conceptual perspective
 - (a) Concept of crime and criminal liability
 - (b) Role of Criminal Justice System in protection of Human Rights
2. Human Rights Problems:
 - (a) Police Atrocities and Accountability
 - (b) Violence against Women and Children
 - (c) Terrorism and Insurgency
3. Rights to Accused:
 - (a) Ex post facto law
 - (b) Double Jeopardy
 - (c) Protection against Self Incrimination
 - (e) Fair Trial
4. Rights of Inmates of Prison and Custodial Homes:
5. Compensation to victims of crime
6. Punishment and Human Rights
7. International Perspectives:
 - (a) International Crimes and International Cooperation in combating of Transnational organized crimes.
 - (b) International Norms on Administrative of Criminal Justice.

LMHC 412: PEOPLE’S RIGHT OF SELF-DETERMINATION

The course shall comprise of the following:

1. Conceptual Perspective:
 - (a) Meaning of Self-Determination
 - (b) External and Internal Self-Determination, New Dimensions and Emerging Debates

2. Origin and Development of the Concept:
 - (a) Theories of Self-Governance: Kant, Locke, Rousseau and Marx; Proponents of Pluralism: Maciver and Laski, Mahatma Gandhi, Issues of Legitimacy of State and Forms of Governance
3. Historical Perspective:
 - (a) Age of Colonial Empire: Nationalism and Statehood
 - (b) Emergence of the Principle of Self-Determination: Mandate Territories, Trust Territories, Non-Self Governing States: Debate concerning Domestic Jurisdiction and the People's right of Self-Determination
4. Self-Determination in International Relation:
 - (a) Common Article 1 of the International Covenants on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.
 - (b) UN Declaration on the Granting of Independence to Colonial Countries and Peoples
 - (c) UN Declaration on the Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations
 - (d) Charter of Economic Rights and Duties of States

LL.M. (HRDE) SECOND SEMESTER

CORE PAPER LMH 421: RESEARCH METHODOLOGY

The course shall comprise of the following:

Part – A : Study

1. Introduction
Meaning and objectives of Research; kinds of Research; Criteria of good Research; Problems of Researchers in India.
2. Formulation of the Research Problem
3. Research Methodology:
Importance of Research Methodology, Procedural guidelines regarding the Research Process;
4. Defining the Research Problem; Survey of the Literature; Working Hypothesis; Preparation of Research Design. Determination of Sample design, collection of Data; Observation, Personal Interviews; Questionnaires & Schedules; Analysis of Data; Test of Hypothesis;
5. Preparation of the Report. Different steps in writing of Research Report; Layout of Research, Mechanics of writing a Research Report, Treatments of quotations, Footnotes, Documentation Style etc.
6. Use of computer and Information Technology.

Part- B Research Project Work

Formulation of one Research Problem; Involvement of Research Methodology; Preparation of Research Project Work.

GROUP-A

LMHA 421: INTERNATIONAL HUMANITARIAN LAW

The course shall comprise of the following:

1. Introduction
Nature; Basic Principles; Historical Development since 1899
2. Protection of Victim of War – Wounded; Sick; Shipwrecked; and Prisoners of War
3. Implementation of International Humanitarian Law
4. Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law

LMHA 422: SOCIALY & ECONOMICALY DISADVANTAGED PEOPLE AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Philosophical and Social Perspectives
 - (a) Role of Social Reformers: Gandhi, Ambedkar and Others
 - (b) Socio-Economic thoughts of Marx and Amartya Sen
 - (c) Identification of Disadvantaged People
 - (d) Economic and Social Inequalities Land Rights, Rural Indebtedness; Impact of Forest Law on Tribal Community; Bonded Labour; Issues of Human Dignity
2. Constitutional Protection:
 - (a) Fundamental Rights and Directive Principles of State Policy
 - (b) Special Protection under the Indian Constitution
3. Laws and Polices:
 - (a) Protection of Civil Rights Act 1955; Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989; Employment of Manual Scavenges and Construction of Dry Latrines (Prohibition) Act 1999.
 - (b) Policies of Reservations, Special Drives and Schemes
4. Institutional Mechanisms
 - (a) National Commissions, State Commissions
 - (b) Non-Governmental Organizations
 - (c) Information Media
5. International Norms Relating to Tribal and Other Indigenous Groups

GROUP-B

LMHB 421: INTERNATIONAL REFUGEE LAW

The course shall comprise of the following:

1. Introduction:
Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967
2. Human Rights of the Refugees
3. Solution to Refugee Problem:
 - (a) Resettlement in Third Country

- (b) Local Integration
- (c) Voluntary or Forced Repatriation
- (d) Comprehensive Responses
- 4. Contemporary Developments in Refugee Law:
 - (a) International Burden Sharing
 - (b) International Safe Countries Burden
 - (c) Temporary Protection
 - (d) Environmental Refugees
 - (e) Safety Zones
- 5. Internally Displaced Persons: UN Guiding Principles on Internal Displacement 1998
- 6. Refugee Law and Policy in India.

LMHB 422: MINORITIES AND HUMAN RIGHTS

The course shall comprise of the following:

1. Conceptual Perspective:
 - (a) Historical, Philosophical and Social Perspectives
 - (b) Minorities as a Socio-Economic-Religious-Linguistic Concept; Regional Minorities
2. Rights and Duties of Minorities in India:
 - (a) Constitutional Framework
 - (i) Fundamental Rights; Directive Principles of State policy
 - (ii) Special Provisions under Indian Constitution
 - (b) Special Laws and Policies:
 - (i) National Commission for Minorities Act, 1992
 - (ii) Caste (Disabilities Removal) Act, 1950
 - (iii) Policy of Secularism and Politics of minorities
3. Institutional Mechanisms:
 - (a) Non-Governmental Organizations
 - (b) Information Media
4. International Protection of Minorities:
 - (a) Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistics Minorities Act, 1992; Racial Discrimination Convention 1965;
 - (b) UN Sub-Commission on Minorities; Committees under the Racial discrimination Convention.

GROUP-C

LMHC 421: SCIENCE & TECHNOLOGY AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Introduction:
 - (a) Positive Role of Science & Technology
 - (b) Negative Role of Science & Technology
2. Rights to Human Dignity:

- (a) Developments in Bio-technology: Human Cloning, Foeticide, Abortion, In-Vitro Fertilization and Surrogate Parenthood; Organ Transplantation and Sale of Human Organs
- (b) Computer Crime, Pornography Online
- (c) Rights to Die in Dignity and Peace: Euthanasia
- 3. Freedom From Torture:
- 4. New Torture Technologies Such As Electric Shock, Trauma-Inducing Drugs and Psychotropic Substances
- 5. Impact of Biotechnology:
 - (a) Food Production and Food Security
 - (b) Food Management and Storage
- 6. Right to Health:
 - (a) Improvement of Individual and Community Health and Hygiene
 - (b) Experiments on Human Being

LMHC 422: AGED AND DISABLED AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Conceptual Perspective
 - (a) Poverty, Illiteracy and Breakdown of old social and family institutions
 - (b) Impact of improvements in the health care on morality
 - (c) Social taboos regarding the disabled
2. Protection of the Aged and the Disabled under the Indian Legal System
 - (a) Constitutional Framework: Fundamental Rights, Directive Principles and Fundamental Duties.
 - (i) Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995; Chapters IV to VIII
 - (ii) Mental Health Act, 1987;
 - Central and State Authorities for Mental Health Services
 - Establishment and Maintenance of Psychiatric Hospitals and Psychiatric Nursing Houses.
 - Administration and Detention in Psychiatric Hospitals and Psychiatric Nursing Houses.
 - (iii) The new Enactment
3. International Norms for Protection of the Aged and the Disabled
 - (a) UN Declaration on the Rights of the Disabled Persons, 1975
 - (b) Declaration on the mentally retarded persons, 1971.
 - (c) Second World Assembly on the Ageing
4. Vienna International Plan of Action on Ageing.

LL.M.(HRDE) THIRD SEMESTER

CORE PAPER

LMH 511: HUMAN RIGHTS AND DUTIES LAW IN INDIA

The course shall comprise of the following:

1. Right to Equality; Special provisions for weaker sections of the society; Reservation policy under the Constitution.
2. Right to Freedom of Speech and Expression; Reasonable Restrictions; Freedom of Press; Right to Information.
3. Right to Life and Personal Liberty; New Dimension; Judicial approach
4. Secularism and Freedom of Religion
5. Emerging regime of new human rights in India; Reading Directive Principles of State Policy and Fundamental Duties into Fundamental Rights
6. Implementation and Enforcement Mechanism; Remedies provided by the judiciary; National Human Rights Commission- Powers and Functions.
7. Fundamental Duties: Article 51-A; Concept of Duty; Need of Fundamental Duties; Enforcement and Effectuation of Fundamental Duties.

GROUP-A

LMHA 522: WOMEN AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Status of Women in contemporary Indian Society:
 - (a) Poverty, illiteracy, lack of independence, oppressions, social customs and gender justice.
 - (b) Violence against and abuse of women in public and private domains; Domestic violence, sexual harassment.
2. International Norms for protection of Women.
 - (a) UN convention on the Elimination of all forms of Discrimination against Women
 - (b) Convention on the Nationality of Married Women
3. Political Rights of Women

Convention on the Political Rights of Women

 - (i) Universal suffrage
 - (ii) Equal Right to Vote
 - (iii) Equal Right to be elected
 - (iv) Equal Right to hold Public Office
4. Constitution of India and the Status of Women
 - (a) Equality provisions in Fundamental rights and Directive Principles
 - (b) Special provisions for the protection of women Article 15(3), Article 39(d) & (e), Article 42, Articles 243-D & 243-T
5. Special Laws for Protection of Women
 - (a) Prevention of Immoral Traffic Act, 1956
 - (b) Indecent Representation of Women (Prohibition) act, 1986
 - (c) Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.
 - (d) Medical Termination of Pregnancy Act, 1971
 - (e) Maternity Benefit Act, 1961
 - (f) Equal Remuneration Act, 1976
 - (g) Dowry Prohibition Act, 1961
 - (h) Provisions Relating to Women Specially under IPC: Rape, Dowry Death, Cruelty by Husband or Relatives of Husband.

LMHA 522: SOCIETAL ISSUES OF HUMAN RIGHTS IN INDIA

The course shall comprise of the following:

1. Concept and Approaches
 - (a) Societal problems and human rights
 - (b) Theoretical Approaches
2. Social Problems:
 - (a) Problems of hierarchy: scheduled castes, scheduled tribes, minorities
 - (b) Pollution explosion
 - (c) Casteism
3. Economic Issues
 - (a) Poverty and Unemployment
 - (b) Corruption, Consumer rights
 - (c) Sustainable Development
4. Health Problems.

Negligence, Mismanagement, Lack of access to public health care, Environmental degradation.

GROUP- B

LMHB 521: CHILDREN AND HUMAN RIGHTS AND DUTIES

1. International Norms for Protection of the Child
 - (a) UN Declaration of the Rights of the Child 1959
 - (b) UN Convention on the Rights of the Child 1989
2. Indian Constitution and the Protection of Child
 - (a) Fundamental Rights and Directive Principles of State Policy
 - (b) Government of India's National Policy for Children 2013 and National Plan of Action for Children 2016
3. Protection against Economic Exploitation:
 - (a) ILO Convention on Restriction and Prohibition on Child Labour including ILO Convention on Child Labour, 1999
 - (b) Child Labour (Protection and Regulation) Act 1986.
4. Protection against Sexual Exploitation
 - (a) Child Prostitution and POCSO 2012
 - (b) Prevention from abduction; sale and Immoral Trafficking
5. Juvenile Justice System
 - (a) Juvenile Justice (Care and Protection of Children) 2015
 - (b) UN Standard Minimum Rules for Administration of Juvenile (The Beijing Rules) 1985
6. Protection of Disabled Child
 - (a) Convention on the Rights of Persons with Disabilities
 - (b) The Rights of Persons with Disabilities Act, 2016

LMHB 522: SOCIAL MOVEMENT AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Conceptual Perspective
 - (a) Concept of Social Movement
 - (b) Types of Social Movement
 - (c) Ideology, Organization
 - (d) Mobilization Leadership
2. Reform Movements and Human Rights
 - (a) Brahmo Samaj and Arya Samaj Movement
 - (b) Dalit Movement
 - (c) Feminist Movement
3. Political Movement and Human Rights
 - (a) Freedom Movement
 - (b) Peasant Movement
 - (c) Trade Union Movement
 - (d) Student Unrest
4. Ecological Movement
 - (a) Chipko Movement
 - (b) Narmada Bachao Movement

GROUP-C

LMHC 521: INTERNATIONAL LAW OF DEVELOPMENT

The course shall comprise of the following:

1. Conceptual Perspective
 - (a) Meaning, Nature and Concept of Development
 - (b) Sources of International Law of Development
 - (c) Theories of Development
2. International Trade and Development:
 - (a) From ITO to WTO
 - (b) Role of Unfair Terms of Trade in Human Rights Violation
3. Trade Related Aspects of Human Rights
 - (a) Debate on the Social Clause
 - (b) Trade Related Sanctions under the Multilateral System
 - (c) Human Rights Standards and International Trade
4. Right to Development:
 - (a) Perspective on Third Generation of Human Rights
 - (b) UN Declaration on the Rights to Development 1986
 - (c) Vision of the NIEO

LMHC 522: WORKING CLASS AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Conceptual Issues
 - (a) Definition; Classification
 - (b) Working Class Movement

- (c) From Laissez Fare to Welfare State
- (d) Privatization to Globalization
- 2. Status of Working class:
 - Causal Workers, Contract Labour, Bonded Labour, Agricultural Labour, Migrant Workers
- 3. Human Rights of the Workers
- 4. Labour Welfare Problems:
 - (a) Health Hazards: Accidents, Occupational Diseases
 - (b) Social Security
 - (c) Collective Bargaining
 - (d) Worker's Participation in Management
 - (e) Impact of Technological Developments
- 5. International Standards

LL.M. (HRDE) FOURTH SEMESTER

CORE PAPER

LMH 521: INTERNATIONAL LAW OF HUMAN RIGHTS

The course shall comprise of the following:

- 1. International Concern:
 - Protection of Individual in International Law; League of Nations; War Crime Trials
- 2. Human Rights and the United Nations Charter;
 - (a) Normative and Institutional Framework of the UN
 - (b) Role of the permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights
- 3. Universal Declaration on Human Rights:
 - (a) History of the Declaration
 - (b) Structure of the Declaration
 - (c) Legal Significance
- 4. International Covenants: ICCPR and ICESCR
 - (a) Nature and Characteristic
 - (b) Optional Protocols
- 5. Regional Instruments
 - (a) European Convention on Human Rights
 - (b) American Convention on Human Rights
 - (c) African Charter on Human And People's Rights
 - (d) Asia and Human Rights

LMH 522: DISSERTATION

LMH 523: VIVA-VOCE