

## **SEMESTER-III**

### **BRANCH-1-JURISPRUDENCE**

#### **PAPER--IX-FUNDAMENTAL LEGAL CONCEPTS**

##### **UNIT-I**

Justice: Concept, Theories – Access to Justice – Administration of Justice- Concept of Rights and Duties – Rights: Characteristics, Kinds - Legal rights in wider sense of right – Duties: Function, Structure, Enforceability, Sanction – conflicting duties – future duties – Rights Duties correlation - Persons – Nature of Personality – natural and artificial –Legal status of Unborn, Minor, lunatic, drunken, dead persons and lower animals – Theories of Corporate Personality – Corporate Sole and Corporate Aggregate – Purpose of Corporate Personality – Acts and liability of corporation – The State as corporation – UnincorporatedAssociations.

##### **UNIT-II**

Obligation – definition of obligation – chose in action –chose in possession – nature and kinds of obligation – source of obligation - innominate obligations- Liability: Definition, Nature and Kinds – Theories of remedial and penal liability – Vicarious Liability – Absolute or Strict Liability – General and Conditional Liability –acts – classes of wrongful acts – causation – Mens rea, Intention, motives, malice, negligence – theories of Negligence – Mistake of Law and Mistake of Fact – Accident- Measure of criminal and civil liability.

##### **UNIT-III**

Possession: Importance and Kinds– possession in fact and possession in Law – Corpus Possessionis – Animus Possidendi – Theories of possession – Savigny, Iherring, Salmond, Holmes, Pollock – Possession in Roman and English law – Possessory remedies.

##### **UNIT-IV**

Property: Definition, Kinds – Ownership of material things – movable and immovable property – real and personal property – Rights in re propria- Re-aliena-Leases-servitudes – securities- modes of acquisition – possession – prescription – agreement –inheritance – theories of property – Titles – Definition of titles – Vestitive facts – Acts in the Law – Agreement – Classes of Agreements- Void and voidableagreements.

##### **Suggested Readings:-**

1. Dias R.W.M. Jurisprudence, 5<sup>th</sup> Edn. 1994 Butterworth's & Co and Aditya Books Pvt. Ltd NewDelhi
2. Salmond on Jurisprudence 12<sup>th</sup> Edn. 1995 Sweet and Maxwell, Ltd. London.
3. Paton G.W. A text book on Jurisprudence, 4<sup>th</sup> Edn, 1972, oxford universitypress.
4. V.D. Mahajan Jurisprudence and Legal Theory, 1996 – reprint Eastern Book Company,Lucknow.

## **PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

### **Suggested Readings**

#### **BOOKS**

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>

4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School of Law, Howard College, University of Natal, 1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of the New Pattern*, *Legal Education in India Status and Problems* (BCI Trust, New Delhi 1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns*, *A Handbook on Clinical Legal Education* (Eastern Book Co., 1998).
7. S. Agrawala, *Legal Education in India* (West Publishing Company, 1973).
8. S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, (Rajeev Dhavan Ed., Butterworths, London, 1989).
9. S.K. Sharma, *Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients* (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, *Legal Aid to the Poor: The Law and Indian Legal System* (Deep & Deep Publications, New Delhi, 1993).
11. *Integrating Technology in the classroom* shelly, Cashman, Gunter and Gunter publication.
12. *Essential of Educational Technology*, Madan Lal, Anmol Publication.
13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

## ARTICLES

1. A.S. Anand, *Legal Education in India - Past, Present and Future*, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 *Journal of the All India Law Teachers Association* (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 *Clinical Law Review* 307(2000-2001).
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8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", *Mic. J. Int'l. L.*(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 *J.I.L.I.*(1986).
10. Jennifer Howard, *Learning to "Think Like A Lawyer" Through Experience*, 2 *Clinical Law Review* 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 *S.M.U. L.REV.*1461 (1997-1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 *SCC Jour.*(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII *IBR*(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) *IBR* (1986).
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16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, *Bar Council Review*(1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Bookreview) 19 *J.I.L.I.*(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 *JB Council of India* 105(1981).

19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi LawReview (1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education (2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Uprendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR, (1995)

## **PAPER-XI- JUDICIAL REASONING AND JUDGEMENT DRAFTING**

### **UNIT 1: Judicial Process**

The Nature of the Judicial Process and Judicial Decision-Making, Judicial Impartiality - Unconscious Judicial Prejudice - Decision-Making, Public Opinion and Concepts of Rights - Ratio decidendi - Obiter dicta and disparaging remarks

### **UNIT 2: Method of Reasoning**

Theories of Judicial Behaviour - Judge as legislator, Application of doctrines - Judicial constraints – external and internal – Jury Matrix.

### **UNIT 3: The Theory of Judgment Writing**

Judgments: Purpose and audience - Judgment length, style and structure - Dissenting and concurring judgments - Authors and Judges

### **UNIT 4: The Practice of Judgment Writing**

Form and Function - Extempore judgments - Steps to clearer judgment writing

### **Reference Books**

- “How Judges Think”, Richard A. Posner, First Indian Reprint 2010, Universal Law Publishing Co.
- Reflections on judging, Richard A. Posner. Cambridge, Massachusetts: Harvard University Press, 2013.
- Judicial Opinion Writing Handbook, by Joyce J. George. Publication: Buffalo, N.Y. Hein & Co., 2007.
- Making the case: the art of the judicial opinion by Paul W. Kahn. Publication: New Haven: Yale University Press, 2016.
- An introduction to judicial decision-making by Brian P. Block. Publication: Chichester, West Sussex : Barry Rose, c1998.
- Judgment and decision making : an interdisciplinary reader, Edited by Terry Connolly, Hal R. Arkes, Kenneth R. Hammond. Publication: Cambridge, U.K.; Cambridge University Press, 2000.
- How judges judge : empirical insights into judicial decision-making by Brian M. Barry. Publication: Abingdon, Oxon ; New York, NY : Informa Law from Routledge, 2021.
- The framework of judicial sentencing : a study in legal decision making by Austin Lovegrove. Publication: Cambridge ; New York : Cambridge University Press, 1997.
- “Blackwell handbook of judgment and decision making” edited by Derek J. Koehler and Nigel Harvey. Publication: Oxford, UK ; Malden, MA : Blackwell Pub., 2004.
- Friends of the Supreme Court: Interest Groups and Judicial Decision Making by Paul M. Collins, Jr. Publication: New York : Oxford University Press, 2008.
- Decisions to Imprison: Court Decision-Making Inside and Outside the law by Rasmus H. Wandall. Publication: Aldershot, England ; Burlington, VT : Ashgate, c2008.
- Judicial decision-making in a globalised world [electronic resource] : a comparative analysis of the changing practices of western highest courts by Elaine Mak. Publication: Oxford ; Portland, Oregon : Hart Publishing, 2013, c2013.

## IV SEMESTER

### BRANCH-1- JURISPRUDENCE

#### PAPER –XII - INDIAN CONSTITUTION: THE NEW CHALLENGES

(Common Paper for All the Branches)

##### UNIT-I

Federalism : Concept, Theories and Kinds – Cooperative Federalism and Competitive Federalism – Federalism in India: Formation of New States, Allocation of Resources, Inter State Disputes, Union-State Relations – Special status of certain States and UTs – Concept of Secularism and religious fanaticism – Definition of State-Need for widening the definition in the wake of recent developments.

##### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization – Gender Justice - Rights of Third Gender - Uniform Civil Code - Freedom of Speech and Expression: Right to broadcast and telecast, Right to Strike, Hartal and Bandh, Right to Information

##### UNIT-III

New Regime of Constitutional Rights - Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence - Right to Education - Right to Wholesome Environment and Sustainable Development - Doctrine of Public Trust

##### UNIT-IV

Institutional Dynamics - An overview of functioning of three organs of State with special reference to the Indian experience of Post-Independence Era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law – Constitutional Morality and Public Morality – Constitutionalism and Basic Structure

##### Suggested Readings:

- H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
- Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
- B.Shiva Rao, Framing of the Indian Constitution (in 5-volumes), Indian Institute of Public Administration, New Delhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Sujit Choudhry et al. (eds.), The Oxford Handbook of the Indian Constitution, OUP.
- Upendra Baxi, The Indian Supreme Court and Politics, EBC.
- Fali S. Nariman, God Save the Hon'ble Supreme Court, Hay House, 2018
- Dieter Grimm, Constitutionalism: Past, Present and Future, OUP, 2019.
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER- XIII-LEGISLATIVE DRAFTING**

### **UNIT-I**

Introduction: Legislative Drafting as a science and an art – The scope of Legislative drafting – Its importance in the law – making process-Forms of Legislative instruments: Bills, Acts, Ordinances, Orders, Rules, Circulars and Formal constitutions-Qualities of good drafting: Simplicity, Preciseness, Consistency, Clarity, Brevity, Certainty, Alignment with existing law, Effectiveness.

### **UNIT-II**

Materials and Preliminaries: Study of analogous legislations that exist in other countries or in other parts of the country – Legislation that already exists on the subject – study of judicial decisions – Constitutional law issues – International treaties-Classification of Statutes : Constitutional statutes – taxing statutes – penal statutes – statutes dealing with local government – statutes dealing with particular corporations- statutes dealing with personal law – statutes in the nature of law reforms – statutes dealing with procedure of the courts – social security statutes – repealing and amending statutesetc.

### **UNIT-III**

The mechanism of an Act – various parts of a statute – long title – preamble – enacting clause – short title – extent and application – commencement clause – exceptions and exemptions – principal provisions – procedural provisions – penal provisions – provisions regarding delegated legislation – enforcement machinery contemplated by the statute – temporary provisions - repeal and saving clauses – punctuations – marginal notes- provisos – illustrations – presumptions – non- obstante clauses – retrospective operation – removal of difficulty clause – fictions – explanations.

### **UNIT-IV**

Some flaws in drafting: looseness – obscurity – shabbiness – unenforceability – vagueness. Exclusion of judicial review – use of protection clauses and finally causes – as if enacted in this Act – conclusive evidence clause. Chronology of the process in Parliament – Rules of composition for legislativedrafting.

### **Suggested Readings:**

1. Indian Law Institute, The Drafting of Laws(1980)
2. Vepa P. Sarathi, Interpretation of Statutes (second Edition)
3. Allen, Law in the making, Sweet & Maxwell,
4. Thomson G.C. Legislative Drafting, Butterworth's,London
5. Zander, M., The Law Making Process, Widenfeld and Nicholson,England
6. Renton C'Hee Report, Preparation of Legislation, Sweet and MaxWell.

## PAPER-XIV-DISSERTATION

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her.** Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

**\* Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*



# SEMESTER-III

## BRANCH-II – CONSTITUTIONAL LAW

### **PAPER-IX - COMPARATIVE CONSTITUTIONAL LAW-II** **(American, Australian and Canadian Constitutions)**

#### **UNIT- I :**

Federal and Confederal Constitutions- Principles of Federalism - Constitutionalism - Different types of Federalism- Doctrine of Separation of Powers - Theory of Checks and Balances - Judicial Review in U.S.A. : Evolution, Scope and Limits.

#### **UNIT-II:**

U.S. Constitution – Evolution and Making - Salient features – Composition, Powers and Functions of Federal Executive, Legislature and Judiciary – Amendment of Constitution - Distribution of Legislative Powers – Bill of Rights.

#### **UNIT-III:**

Australian Constitution - Evolution - Salient features – Structure and powers of Commonwealth Legislature, Executive and Judiciary -Amendment of Constitution - Distribution of Legislative powers.

#### **UNIT-IV:**

Canadian Constitution (1867 through 1982) - Evolution and Patriation of Constitution –Salient features - Structure and powers of Dominion Legislature, Executive and Judiciary - Distribution of Legislative Powers - Charter of Rights and Freedoms - Amendment of Constitution.

#### **Suggested Readings:**

1. D.D.Basu: Comparative Constitutional Law, 2<sup>nd</sup> edn., Lexis Nexis 2014.
2. M.P.Singh: Comparative Constitutional Law, 2<sup>nd</sup> edn., EBC 2011.
3. K.C.Wheare: Federal Government, Oxford University Press,London.
4. S.E.Finer, Comparing Constitutions, Clarendon Press,Oxford.
5. Edward S.Corwin: Constitution and What it means today. Princeton UniversityPress;
6. C.Herman Pritchett, The American Constitution, MC.Graw-Hill Book Company, NewYork.
7. Mark Tushnet, Sanford Levinson, Mark A Graber (eds.), The Oxford Handbook of the U.S. Constitution, OUP 2015
8. P.H.Lane: Some Principles and Sources of Australian Constitutional Law, Law Book Company of Australia Ltd.,Sydney.
9. W.Anstey Wynes: Legislature, Executive and Judicial Powers in Australia, The Law Book Company of Australia Ltd.,Sydney.
10. Adrienne Stone, Cheryl Saunders (eds.), The Oxford Handbook of the Australian Constitution, OUP 2018.

11. TM.Cooley: The General Principles of Constitutional Law in the United States of America.
12. Laurence H. Tribe, American Constitutional Law, 3<sup>rd</sup> revised edn., Foundation Press 1999.
13. Bernard Schwartz, American Constitutional Law, Cambridge University Press, 2013.
14. Laskin: Canadian Constitutional Law, Carswell Co. Ltd.Toronto.
15. Nathalie Des Rosiers, Patrick Macklem, Peter Crawford Oliver (eds.), The Oxford Handbook of the Canadian Constitution, OUP 2017.

## **PAPER-X-LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

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## BOOKS

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13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

## ARTICLES

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11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 *S.M.U. L.REV.* 1461 (1997-1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 *SCC Jour.*(1995).
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20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
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24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

## **PAPER-XI-JUDICIAL PROCESS AND CONSTITUTION**

### **UNIT-1:**

Nature and Concept of Judicial Process: Judicial process as an instrument of social ordering- Judicial process and creativity in law : Common Law model, legal reasoning and the growth of law, change and stability – The tools and techniques of judicial review and judicial creativity- Role of judicial Concepts and judicial discretion in judicial reasoning- Judicial Contribution in bringing Social Change.

### **UNIT- II:**

Judicial Process and Application of the Law of Precedent – Doctrine of Precedent-Ratio Decidendi and Obiter Dictum-Methods of determining ratio- Stare decisis and its exceptions-Precedent in Common Law and Civil law Countries - Special Dimensions of Judicial Process in Constitutional Adjudication-Notions of Judicial Review- Judicial Review vis-a-vis Judicial Activism -Judicial Activism and Judicial Self Restraint- Problem of Accountability in judicial law-making.

### **UNIT-III:**

Judicial Process in India-Operation of precedent in India: search for the legislative intention-Judicial process in a statute free zone and judicial process on statutory materials-The Indian Debate on the role of the Judges and on the notion of Judicial review- Prospective overruling-The “Independence” of Judiciary and ‘Political’ nature of Judicial Process-Judicial Activism and Creativity of the Indian Supreme Court ; the new dimensions- Institutional liability of courts and judicial activism :Scope and Limits.

### **UNIT-IV:**

Judicial Process and Constitutional Amendments-Evolution of the Concept of Basic Structure-Philosophy of the Doctrine of Basic Structure – The Recent Developments: The “Essence of Rights” test and “Rights Test” to determine Basic structure- Basic Structure and Constitutionalism-Constitutional Morality versus Public Morality - Comparative Analysis of Judicial Process- Judicial Process in UK, USA, Australia and Other Countries

### **Suggested Readings:**

1. Cordozo ‘The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi
2. Julius Stone. The Province and Function of Law Ch.1, PP 8-16, (2000), Universal Law Publishing Co., New Delhi
3. J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985), Butterworths.
4. J.Stone. Legal System and Lawyer’s Reasoning (1999), Universal Law Publishing Co., New Delhi
5. Upendra Baxi, The Indian Supreme Court and Politics. (1980), Eastern Book Co., Lucknow.
6. Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.
7. Virendra Kumar, Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance, 49 Journal of the Indian Law Institute, PP: 365-395, (2007).
8. A.S.Anand, Judicial Review – Judicial Activism–Need for Caution, 42 Journal of Indian Law Institute P. 149 (2000).

9. Upendra Baxi, On how not to Judge the Judges’ 25Journal of the Indian Law Institute,P. 211 (1983).
10. Henry J. Abraham, The Judicial Process (1998), Oxford.
11. S.P.Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2002)
12. G.B.Reddy, Judicial Activism in India, 2 nd Edition (2013), Gogia Law Agency, Hyderabad

## SEMESTER IV

### BRANCH-II-CONSTITUTIONAL LAW

#### **PAPER –XII –INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES(Common Paper for All the Branches)**

#### **UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes Central-State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

#### **UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code-Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

#### **UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation-Compensatory Jurisprudence-Right to Education-Right to Information-Right to wholesome environment- Doctrine of public trust

#### **UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era -Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members- Judicial Activism and Judicial Accountability-Contempt of Courts- Political Morality and effect of Anti-defection Law

#### **Suggested Readings:**

- H.M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.

- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER-XIII-ADMINISTRATIVE LAW**

### **UNIT-I:**

Administrative Law-Definition, Scope, Causes for its growth- Difference between Administrative Law and Constitutional Law - Classification of Administrative action - Rule of Law – French Administrative System (Droit Administratiiff).

### **UNIT-II:**

Theory of Separation of powers - Delegated Legislation: Classification, Constitutionality and Controls - Limits of Delegated Legislation – Principles of Natural Justice, Origin, Evolution - Classification, Principles of Fair Hearing and Rule against Bias - Exception to the application of Principles of Natural Justice.

### **UNIT-III:**

Discretionary Powers of Administration - Doctrine of Legitimate Expectation - Doctrine of Proportionality - Judicial Control and Judicial Review of Administrative Action: Grounds and Means – Constitutional and Statutory remedies.

### **UNIT-IV:**

Public Corporations - Liabilities of State in Contracts and Torts - Promissory Estoppel- Administrative Tribunals - Ombudsman: Lokpal, Lokayukta and Central Vigilance Commission - Right to Information.

Suggested Readings:

1. H.W.R. Wade Administrative Law, Clarendon Press, Oxford.
2. Garner: Administrative Law, Butterworths, London.
3. J.A.G. Griffith and H. Street : Principles of Administrative Law, Pitman Publishing, New York.
4. S.A. De Smith: Judicial Review of Administrative Action, Stevens and Sons, London.
5. M.P. Jain & S.N. Jain: Principles of Administrative Law, Wadhwa and Company, Nagpur.
6. S.P. Sathe: Administrative Law, Butterworths, New Delhi.
7. I.P. Massey: Administrative Law, EBC, Lucknow
8. K.C. Davis: Administrative Law & Government, West Publishing Co., St. Paul Minn.
9. David Foulkes: Administrative Law. Butterworths. London.
10. Dr. Abdul Rayees Khan: Administrative Law, K.K. Publications, Hyderabad.



## PAPER- XIV: DISSERTATION

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her.** Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

**\* Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*



**SEMESTER-III**  
**BRANCH-III- INTERNATIONAL LAW**

**PAPER-IX-INTERNATIONAL LAW AND CONTEMPORARY ISSUES**

**UNIT-I**

Expanding scope of International Law and its changing dimensions and nature-influence of third world countries on the growth and nature of international law- absolute sovereignty to limited sovereignty and world Governance -Role of the United Nations organization in shaping international law.

**UNIT-II**

Sustainable development -The context of U.N commission on Environment and development, our common future the Report of the commission, proposed legal principles for environment protection and sustainable development. State acceptance and practice and critique

**UNIT-III**

Threats to International Peace, Peace Strategies and -Hijacking-Terrorism-science and technology for peace and violence-jurisdictional problems-organized crimes -nuclear technology- NPT, PTBT, CTBT, International regulations of Biological and chemical weapons, weapons of mass destruction.

**UNIT-IV**

Disarmament: attempts at arms control and disarmament-bilateral-regional-multilateral -disarmament as peace Strategy-History and outcome of disarmament efforts, UN Disarmament decade,International criminal law-war crimes and problems of prosecution of war Criminals-Nuremberg charter and tribunal-Adhoc tribunals for prosecution of war Criminals-International criminal court -jurisdiction, elements of crime, evidence and procedure.

**Suggested Readings**

1. H.W.Singer & J.A.Ansari, Rich and Poor countries (1982)
2. R.Falk,The End of the world order
3. L.Hanken,How Nations Behave(1968)
4. RP.Anand.International courts and contemporary conflict (1979)
5. L Clark,Reform and Resistance in International Order(1980)
6. A.Ball ,Modern International negotiations(1969)

## **PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

### **Suggested Readings**

## **BOOKS**

1. Dasgupta, Lovely. "Reforming Indian Legal Education: Linking Research and Teaching." *Journal of Legal Education* 59, no. 3 (2010): 432–49. <http://www.jstor.org/stable/42894129>.
2. Choudhary, T. "Legal Education and Pedagogy in Contemporary Era" (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE Research Paper No. 24/09, Available at SSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School of Law, Howard College, University of Natal, 1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of the New Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi 1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education* (Eastern Book Co., 1998).
7. S. Agrawala, *Legal Education in India* (West Publishing Company, 1973).
8. S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, (Rajeev Dhavan Ed., Butterworths, London, 1989).
9. S.K. Sharma, *Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients* (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, *Legal Aid to the Poor: The Law and Indian Legal System* (Deep & Deep Publications, New Delhi, 1993).
11. *Integrating Technology in the classroom* Shelly, Cashman, Gunter and Gunter publication.
12. *Essential of Educational Technology*, Madan Lal, Anmol Publication.
13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

## **ARTICLES**

1. A.S. Anand, *Legal Education in India - Past, Present and Future*, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 *Journal of the All India Law Teachers Association* (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 *Clinical Law Review* 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII *IBR*(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 *Journal of Bar Council of India*,(1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 *U. Det. Mercy L. Rev.*(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 *Clinical Law Review* 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", *Mic. J. Int'l. L.*(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 *J.I.L.I.*(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 *Clinical Law Review* 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 *S.M.U. L.REV.* 1461 (1997-1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 *SCC Jour.*(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII *IBR*(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) *IBR* (1986).

15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR(1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Bookreview) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education(2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

## **PAPER-XI- LAW OF TREATIES AND LAW OF DIPLOMACY**

### **UNIT-I**

Sovereignty-Nationalism- its evolution and operation, elements of national power- Geographic element, demographic Element-Historical, sociological, psychological and economic element-organization, administrative element-military element and Diplomacy as an element of power.

### **UNIT-II**

Diplomacy: Definitions, concepts and features, evolution of Diplomacy and its contribution to practice of international relations; Foreign policy- Theory-Different aspects of Foreign Policy- Negotiation-Art of Negotiation-Ailments of modern Diplomacy.

### **UNIT-III**

Law of treaties -formation-different - Aspects-Ratification-Reservation-Interpretation-Termination- Pattern of Power-Unilateralism-Collective Security, Balance of Power-World Conquest-World State-Case Studies in Balance of Power, and UN led efforts Nuclear proliferation and nonproliferation efforts.

### **UNIT-IV**

Emerging trends in UN Diplomacy -Diplomacy and energy security -the European union diplomacy- environmental diplomacy-economic diplomacy-cultural and media diplomacy-diplomacy in the face of unconventional threats-terrorism as diplomacy through other means- religious diplomacy-being a diplomat in the age of post-diplomacy; SEAN, SAARC, NAFTA, AU, SCO- Rise of the rest Asian Resurgence and rise of china and India. Political and Financial Crisis of SAARC Nations.

### **Suggested Readings**

1. L.F.R.Hartman- The Relations of Nations
2. H.J.Morenthau- Politics among nations
3. O.Wright-A study of International Relation
4. Oppenheim- Law of Peace
5. O' Connel- International Law (Vols.1&2)
6. Brownlie- Principles of International Law

**SEMESTER-IV**  
**BRANCH III- INTERNATIONAL LAW**

**PAPER-XII- INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES**  
**(Common to All Branches)**

**UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

**UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

**UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of public trust

**UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

**Suggested Readings:**

- H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
- Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
- B. Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.

- M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER-XIII - LAW OF SEA, AIR AND OUTER SPACE**

### **UNIT-I**

Law of the Sea: Evolution of the Law of the Sea - Concepts of Mare Liberum and Mare Clausum, Development of the concept of territorial sea - Theories relating to Territorial Sea - Freedoms of the High Seas - Continental Shelf - Developments before 1958 - Gulf of Paria Treaty - Truman's Proclamation on Continental Shelf - United Nations Conference on the Law of the Sea (UNCLOS) I - 1958 - Convention on Continental Shelf - 1982 Convention (UNCLOS) III.

### **UNIT-II**

Exclusive Economic Zone - Evolution of the concept – Developments before 1970 - Developments after 1970 - 1982 Convention (UNCLOS) III - Exploration and Exploitation of the resources of the Sea Bed and Ocean Floor - International Straits - The Geneva Conventions of 1958 - Common heritage of Mankind & common concern of mankind- Archipelagic States - International Straits- Bays and Gulfs - International agreements on the law of the sea -law of the Sea Tribunal.

### **UNIT-III**

Air Law - Development of Air Law during the 20th Century up to World War-I, World War-I to World War II - Post war developments - Sovereignty in Air and Space - Pre-Chicago Convention position - Post Chicago Convention Developments - Extent of Air Space - Civil Aviation under Chicago Convention - Five Freedoms -Agreement and Two freedoms Agreement - Sabotage.

### **UNIT-IV**

Space Law - Definition, Scope and nature - Legal status of Outer Space- Altitude limits of National Sovereignty -Internationalisation of Outer Space and Celestial Bodies - Peaceful uses of Outer space - Military uses of Outer Space and Celestial Bodies and demilitarization - Liability for damages caused by space objects - Astronauts in Distress – Registration of space objects - Problems of pollution of Outerspace.

### **Suggested Readings:**

1. John C.Colombus: The International Law of the Sea, 6th Edn. 1967, London.
2. Myers Mc.Dougal and William Burke: The Public Order of the .Oceans: A Contemporary International Law of the Sea, 1962, New Heaven, London.
3. Shigen Oda: International Control of Sea Resources, 1963. Laiden.
4. Bowett D. W.: The Law of the Sea, Manchester Dobbs Ferry Oceana, 1967. Shawcross and Beaumont: Air Law, Butterworths, 1978, Kingsway, London.

5. S.Bhat: Studies in Aerospace Law: From Competition to Cooperation, Sterling Publishers, 1974, NewDelhi.
6. Jerome Marchoff World Peace through Space Law, The Michie Company, Charlottesville, 1967, Virginia.
7. Cooper and Vlastic: Explorations in Aerospace Law, Mcgill University Press, 1968, Montreal.

### **PAPER-XIV-DISSERTATION**

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her.** Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

**\* Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*



## SEMESTER-III

### BRANCH-IV- CORPORATE AND SECURITIES LAWS

#### **PAPER-IX- LAW OF BANKING & NEGOTIABLE INSTRUMENTS**

##### **UNIT-I**

Historical background of Banking system - Evolution of Banks - Classification - Banks and other Financial institutions - Functions of Banks - Recent trends in Banking system-e-Bankingsystem

##### **UNIT-II**

Relationship between Banker and Customer - Definition - Rights and Duties - Special types of customers - Customer accounts – Overdrafts Bankers lien and combining of accounts - Appropriation of payments-Claytons Rule - Pass Book - Forgery, Negligence, Mistake, Wrongful endorsements - Legal protection to paying Banker and collecting Banker Lawful dishonour of Cheques - Effect of Wrongful dishonour of Cheques.

##### **UNIT-III**

Kinds of negotiable instruments, Customary / Deemed Negotiable instruments - Essential features. Crossing of Cheques - Holder in due course and Holder for value - Liability of maker of Notes and acceptor of Bills Drawer of Cheques - Liability and discharge of Endorser -Consideration Effect of Endorsement - Accommodation Bills – Discharge from Liability of Notes, Bills and Cheques. Noting and protest - Presumptions as to negotiable instruments-dishonour of cheques

##### **UNIT-IV**

Bank Guarantees - Kinds of Guarantees - Rights and Obligations of Bankers - Letters of Credit - Types of Letters of Credit – Advances secured by collateral securities - Advances against Goods and Documents of titles to Goods - Recommendations of committees in improving the Banking system RBI and its promotional role in relation to commercial Banks - Banking Regulation Act 1949 - The Securitisation and Reconstruction of Financial Assets and enforcement of security Interest Act, 2002- Salient features.

Suggested Readings:

1. Sheldon: Practice and Law of Banking , Pitman Publ., Toronto.
2. Tannan: Banking Law and Practice in India , India Law House, New Delhi.
3. Lord Chorley and P.E.Smart: Leading Cases in the Law of Banking
4. Bashyam and Adiga , Bharat Law House, New Delhi.

5. Arora & Kalra: All India Banking Law Judgements in 4 Vols, Punjab Law Agency, Delhi.
6. L.C. Goyle: Law of Banking and Bankers, Eastern Law House, New Delhi.

## **PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from 'Teaching' to 'Learning'-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global & India-Traditional Content based Curriculum-Current Challenges- Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model- Transition to Capability framework- Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demand for Competitiveness in Information & Communication Technology – New Evaluation & Assessment Models– Role of Online teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy- Electronic books- E-Books- Electronic Journals- E-Journals-

## **Suggested Readings**

### **BOOKS**

1. Dasgupta, Lovely. "Reforming Indian Legal Education: Linking Research and Teaching." *Journal of Legal Education* 59, no. 3 (2010): 432–49. <http://www.jstor.org/stable/42894129>.
2. Choudhary, T. "Legal Education and Pedagogy in Contemporary Era" (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE Research Paper No. 24/09, Available at SSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School of Law, Howard College, University of Natal, 1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of the New Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi 1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education* (Eastern Book Co., 1998).
7. S. Agrawala, *Legal Education in India* (West Publishing Company, 1973).
8. S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, (Rajeev Dhavan Ed., Butterworths, London, 1989).
9. S.K. Sharma, *Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients* (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, *Legal Aid to the Poor: The Law and Indian Legal System* (Deep & Publications, New Delhi, 1993).
11. *Integrating Technology in the classroom* Shelly, Cashman, Gunter and Gunter publication.
12. *Essential of Educational Technology*, Madan Lal, Anmol Publication.
13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

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9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 *J.I.L.I.*(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 *Clinical Law Review* 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 *S.M.U. L.REV.* 1461 (1997-1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities

and Achievements”, 5 SCC Jour.(1995).

13. Krishna Iyer, “Professions for the People: A Third World Perspective”, XXIIIIBR(1995).

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18. N. R. Madhava Menon, “Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961”, 8 JB Council of India 105(1981).

19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).

20. R.K. Gupta, “Legal Aid and Legal Education: Work Brain Teasers”, 2 Delhi Law Review(1973)

21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).

22. Shuvro Prosun Sarker, “Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India”, 19 International Journal of Clinical Legal Education(2013).

23. Steve Sheppard, “An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams”, 65 UMKC Law Review 65

24. Steven I. Friedland, “How We Teach: A Survey of Teaching Techniques In American Law Schools” 20 Seattle Univ. L. R. 1.

25. Upendra Baxi, “Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law”, 51 Journal of the Bar Council of India (1975-76).

26. Upendra Baxi, “The Pathology of the Indian Legal Professions”, XXII IBR,(1995)

## **PAPER XI-MODERN COMPANY LAW-II**

### **UNIT- I**

Majority control and minority protection, Prevention of oppression and Mismanagement, judicial pronouncements on Oppression and Mismanagement, powers of court and central government- legal liability of company - civil, criminal, tortious and environmental.

### **UNIT-II**

Types of Corporate Restructuring, : Key definitions, Compromises, Arrangements, Mergers & Amalgamations; Demergers & Slump Sale, Business Sale; Joint Venture, Strategic Alliance ,Reverse Merger Disinvestment; Financial Restructuring, Takeover of listed and unlisted companies, Fast Track Mergers, cross border mergers, Taxation issues & Stamp Act provisions relating to restructuring.

### **UNIT- III**

Registrar of Companies, Duties and powers of ROC, Appointment, powers and duties of Official Liquidator , Constitution of NCLT and NCLAT, Powers of NCLT and NCLAT, Special Courts under Companies Act.

### **Unit IV**

Historical Background of IBC, Petition for Corporate Insolvency Resolution process, Persons entitled to file petition under IBC, Liquidation on or after failing of resolution plan, Voluntary Liquidation: Procedure for Voluntary Liquidation; Powers and duties of the Liquidator; Completion of Liquidation, Winding-up by Tribunal under the Companies Act, 2013: Procedure of Winding-up by Tribunal; Powers and duties of the Company Liquidator; Fraudulent preferences.

### **Suggested Readings:**

1. Avtar Singh : Indian Company Law
2. Shah S. M : Lectures on Company Law
3. Palmer - Company Law
4. Ramiaya: Guide to Companies Act
5. Gower: Principles of Modern Company Law
6. Indian Law Institute- Current Problems of Corporate Law

7. The Companies Act,2013 and Rules made these under
8. Chandratre, Acharya, Israni, Sethuraman, Compendium on SEBI, Capital Issues and Listing

**SEMESTER-IV**  
**BRANCH-IV - CORPORATE AND SECURITIES LAWS**

**PAPER- XII: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES**

**(Common Paper for All the Branches)**

**UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

**UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

**UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

**UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

**Suggested Readings:**

1. H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
4. B. Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, New Delhi.
5. M.P. Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

### **PAPER-XIII- PAPER SECURITIES MARKETS AND INVESTMENT LAWS**

#### **UNIT- I**

Primary Markets- Investment Institutions, Qualified Institutional Buyers, HNI, Venture Capital, Alternative Investment Funds etc. Capital Market Instruments- Equity, Preference, Debt Instruments, FCCB, IDR, GDR etc

#### **UNIT-II**

Secondary Markets- History and Development of Stock Markets in India, Trading Mechanism, Suspension and Penalties, Impact of Various Policies on Stock Markets such as Credit Policy of RBI, Fed Policy etc.

#### **UNIT- III**

Primary Market and Secondary Market Intermediaries, Role, Functions and Law relating to Merchant Bankers, Registrar and Transfer Agents, Bankers to an issue, underwriters, Portfolio Managers etc.

#### **UNIT-IV**

Real Estate (Regulation and Development) Act, 2016 - Concept - Evolution – Registration Procedure – REIT Issues - Advantages – Kinds of REITs – Real Estate Regulatory Authority – Composition – Powers and Functions – Role of NCLT and NCLAT in RERA Cases. Start-ups in India – Definition - Characteristics – Types - Advantages and Disadvantages – Ideation - Exemptions – Provisions for raising Capital and modes – Legal Provisions.

#### **Suggested Readings:**

1. Palmer - Company Law.
2. Ramayya: Guide to the Companies Act, in three volumes, Wadhwa and Company, Nagpur.
3. Avtar Singh: Company Law, Eastern Book Company
4. H.K. Saharay: Principles and Practice of Company Law in India, Prentice Hall of India Private Limited, New Delhi.
5. S.M. Shah: Lectures on Company Law, N.M. Tripathi Private Ltd Bombay.

6. Chalesworth & Cain: Company Law, Geoffrey Morse, Stevens and Sons, London.
7. L.C.B. Grover: The Principles of Modem Company Law, Stevens and Sons, London.
8. Pennigton: Company Law, Butterworths, London. Taxmann's Publications Journal on SEBI and Corporate Laws.
9. Pahwa : Law relating to on-Banking financial companies B.K.Pahwa.

#### **PAPER- XIV: DISSERTATION**

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her.** Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

**\* Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.



\*\*\*\*\* THE END \*\*\*\*\*

## SEMESTER-III

### BRANCH-V-LABOUR AND EMPLOYMENT LAWS

#### **PAPER-IX- INTERNATIONAL LABOUR ORGANISATION**

##### **UNIT-I**

Origin and Historical Background of ILO - Factors responsible for establishment of ILO - Aims and Objectives of ILO - Structure and Functions of various agencies of the ILO - India and ILO.

##### **UNIT-II**

ILO Legislative Procedure - Conventions and Recommendations -Procedure for Adoption, Ratification and Application - Obligation of Members - Registration of Conventions with UNO – Supervisory Mechanism to ensure observance of ratified conventions Commissions of Enquiry - Role of ICJ

##### **UNIT-III**

ILO Conventions and Recommendations relating Basic Human Rights- Freedom of Association - Forced Labour - Abolition of forced labour-Equality of opportunity and Treatment - Empowerment of Women - Social Security - Children and Young Persons - Conditions of Employment-Industrial Relations - Wages, Salary, Health and Welfare - ILO Conventions ratified by India.

##### **UNIT-IV**

ILO - India Relationship - Position of India in the Governing Body- International Labour Office - Tripartism -Indian Procedure of ratification of Conventions - Constitutional Framework - Administrative Procedure-Tripartite consultations with Indian Labour Conference - Standing Labour Committee - Indian Response to ILO standards relating to Freedom of Association and Collective Bargaining – Elimination of Discrimination in Employment and Occupation - Indian response to unratified conventions - ILO projects in India.

##### **Suggested Readings:**

1. I.L.O. Office, Geneva: International Labour Conventions and Recommendations in

- 3volumes,Geneva.
2. Vaidyanathan N : I.L.O. Standards for Social Justice and development of labour, Deep and Deep Publications,Delhi.
  3. Rawat B.D. : India and I.L.O. RBSA Publishers,Jaipur.
  4. S.N.Dhyani : International Labour Organisation and India, Allahabad Law Agency, Allahabad.
  5. David A.Morse: The Origin and Evolution of I.L.O. and the Role in the World Community.
  6. P.F. Pillai : India and the ILO.
  7. United Nations Encyclopedia of International Organisations.
  8. Report of National Commission on Labour 1969(India).
  9. Ahmedullah Khan: Commentary on ILO and Indian Response.
  10. N.M.Swamy, Impact of ILO Standards On Indian Labour Law.

## **PAPER-X –LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-

Traditional Content based Curriculum-Current Challenges- Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model- Transition to Capability framework- Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demand for Competitiveness in Information & Communication Technology – New Evaluation & Assessment Models– Role of Online teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy- Electronic books- E-Books- Electronic Journals- E-Journals- Electronic Legal databases- E-Library- Power point Presentations

## **Suggested Readings**

### **BOOKS**

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research and Teaching.” *Journal of Legal Education* 59, no. 3 (2010): 432–49. <http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE Research Paper No. 24/09, Available at SSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School of Law, Howard College, University of Natal, 1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of the New Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi 1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education* (Eastern Book Co., 1998).
7. S. Agrawala, *Legal Education in India* (West Publishing Company, 1973).
8. S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, (Rajeev Dhavan Ed., Butterworths, London, 1989).
9. S.K. Sharma, *Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients* (Rawat Publications, Jaipur, 1984).
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13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

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## **PAPER- XI – LAW RELATING TO UNORGANISED SECTOR**

### **UNIT-I: Informal Sector:**

Concept – theoretical approaches – definition in different countries – concept of economic unit – meaning of informal economy – its relevance – open employment

### **UNIT-II: Concerns:**

Issues of gender equality – formalization of enterprises – employment policy framework – Areas of major concern – agriculture – domestic work – Dig workers.

### **UNIT-III: Wages & Other benefits:**

Informal wages – skilled - unskilled wage inequality – application of the concept of minimum wages – pension – other social security benefits – impact of economic liberalization

### **UNIT-IV: Protection through schemes under Central and State Government machinery:**

Aam Admi Bima Yojana – Rastriya Swastha Bima Yojana – Indira Gandhi National Old Age Pension Scheme – Pradhan Mantri Shram Yogi Maan-dhan etc. Agricultural workers – tree climbers – artisans and skilled workers – handloom workers – toddy and beedi workers, etc.

### **References:**

1. Sigamani Panneer, Sanghmitra S. Acharya, Nagarajan Sivakami, Health, Safety and Well-Being of Workers in the Informal Sector in India: Lessons for Emerging Economies, Springer, 2019.
2. Susan Marlow, Janine Swail & Colin C. Williams, Entrepreneurship in the Informal Sector: An Institutional Perspective, Routledge, 2018
3. A Handbook on Using The Mixed Survey For Measuring Informal Employment And The Informal Sector, Asian Development Bank, 2011.

4. Sarbajit Chaudhuri, Ujjaini Mukhopadhyay, Revisiting the Informal Sector: A General Equilibrium Approach, Springer, 2010.
5. Naila Kabeer, Gender and Social Protection Strategies in the Informal Sector, Routledge, 2010.
6. Utpal Chowdhury, Informal sector in a developing economy, Anmol Publications, 2006.
7. Madhu Singh, Meeting Basic Learning Needs in the Informal Sector: Integrating Education and Training for Decent Work, Empowerment and Citizenship, Springer, 2005.
8. Amitabh Kundu & Alakh N. Sharma (Eds.), Informal sector in India: Perspectives and policies, Institute for Human Development & Institute of Applied Manpower Research, 2001.

## **SEMESTER-IV**

### **BRANCH- V – LABOUR AND EMPLOYMENT LAWS**

#### **PAPER-XII- INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common to All Branches)**

##### **UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

##### **UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

##### **UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of public trust

##### **UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

### **Suggested Readings:**

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2. Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
4. B. Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.
5. M.P. Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER-XIII - SOCIAL SECURITY LAW**

### **UNIT -I**

Concepts of Social Security - The Beveridge Report - Social Security in U.S.A., U.K. and India - Comparative Study - The ILO measures on Social Security.

**UNIT-II** Constitutional Perspectives-Fundamental Rights and Directive Principles of State Policy relating to Social Security and Labour Welfare- Distinction between Social Insurance and Social Assistance - Development of Social Security Legislation in India - Recommendations of Second National Commission on Labour in India pertaining to Social Security- Unemployment Insurance - Old Age Pension - Social Security to Unorganized sector - Concept of outsourcing vis-a-vis social security.

**UNIT-III** The Employees Compensation Act, 1923 - The Employees' State Insurance Act, 1948 - The Maternity Benefit Act, 1961 - Health, Safety and Welfare provisions under the Factories Act, 1948 - The Contract Labour (Abolition and Regulation) Act.

**UNIT-IV** The Child Labour (Prohibition & Regulation) Act, 1986 - The Children (Pledging of Labour) Act, 1933 - The Payment of Gratuity Act, 1972- The Employees' Provident Fund & Miscellaneous Provisions Act, 1952-the Inter-State Migrant Workmen (regulations of Conditions of Service) Act, 1976

### **Suggested Readings:**

1. Srivastava S.C. : Treaties on Social Security and Labour Laws, Eastern Book Company, Lucknow.
2. Jiwitesh Kumar Singh: Labour Economics, Deep and Deep Publications, New Delhi.
3. Y.J. Rao : Factories Laws in A.P., Asia Law House., Hyderabad.
4. K.D. Srivastava : Workmen's Compensation Act, EBC, Lucknow.
5. Mishra S.N. : Labour and Industrial Laws, Central Law Publications, Allahabad.
6. Dr. Goswami Y.G. : Labour and Industrial Laws, Central Law Agency, Allahabad.

7. Report of the First (1969) and Second (2002) National Commissions on Labour, Govt. of India. Ministry of Labour, Employment and Rehabilitation, New Delhi.
8. William Beveridge: Report of Social Insurance and Allied Service.
9. Khan & Khan: Commentary on Labour and Industrial Laws, Asia Law House, Hyderabad. Labour and Employment

#### **PAPER- XIV: DISSERTATION**

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.



\*\*\*\*\* THE END \*\*\*\*\*

**SEMESTER-III**  
**BRANCH-VI- CRIMES AND TORTS**

**PAPER – IX: GENERAL PRINCIPLES OF LAW OF TORTS**

**UNIT-I**

Origin and Development of Law of Torts and its importance – Definition and nature of tort - Difference between torts and other forms of obligations-- Contracts - Quasi Contracts - Equitable obligations and crimes -Foundation of tortious liability - General Characteristics of tortious liability- Mental element in tort.

**UNIT-II**

Capacity of the Parties to sue and be sued -Immunities, Trade Unions-Married women, children, companies, insane persons, foreign state ambassadors etc. - Joint Tortfeasors - Nature and scope of liability Rule in Merry Weather v. Nixon - Applicability in India -Defences.

**UNIT-III**

Vicarious liability - State liability - Act of State - Sovereign Immunity -Recent Trends - Strict liability - Absolute liability - Defences.

**UNIT-IV**

Remedies - Judicial and Extra Judicial Remedies - Modes of discharge of liability in Tort - Death in relation to Tort.

**Suggested Readings:**

1. W.V.H. Rogers: Winfield and Jolowica on Tort, Sweet and Maxwell, London.
2. R.F. Henston and R.A. Buckley: Salmond and Henston on the Law of Torts, Sweet and Maxwell, London, Universal Book Traders, Delhi.
3. Tony Weir: A case book on Tort, Sweet and Maxwell, London.

4. Clark and Windset: Law of Torts, Sweet and Maxwell, London.
5. Friedman: Law in Changing Society, Universal Book Traders, Delhi.
6. Harper and James: Law of Torts.
7. Fleming: Introduction to the Law of Torts.
8. Winfield: Provinces of the Law of Torts.
9. Winfield: On the Law of Torts.
10. Salmond: On the Law of Torts.
11. Harvard Law Review: Selected Essays on the Law of Torts.
12. Atiyah : Vicarious Liability.

## **PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

## **Suggested Readings**

### **BOOKS**

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co.,1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
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9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Studyof Relations between Lawyers and their Clients (Rawat Publications, Jaipur,1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & DeepPublications, New Delhi,1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

### **ARTICLES**

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, “A Brief History of the Steps taken in India for Reform of LegalEducation”, 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, “Learning Through Service In A Clinical Setting: TheEffect Of Specialization On Social Justice And Skills Training”, 7 Clinical LawReview 307(2000-2001).
4. D.A. Desai, “Role and Structure of Legal Profession”, XXII IBR(1995).
5. D.C. Mukherjee, “Practical Side of Law Teaching”, 2 Journal of Bar Council ofIndia,(1973).
6. Frank J. Macchiarola, “Teaching in Law School: What are we doing and What MoreHas to be done?” 71 U. Det. Mercy L. Rev.(1994).
7. Frank S. Bloch and M. R. K. Prasad, “Institutionalizing A Social Justice Mission ForClinical Legal Education: Cross-National Currents From India And The UnitedStates”, 13 Clinical Law Review 165(2006-2007).

8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", *Mic. J. Int'l. L.* (1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", *28 J.I.L.I.* (1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, *2 Clinical Law Review* 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", *51 S.M.U. L.REV.* 1461 (1997-1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", *5 SCC Jour.* (1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", *XXIII IBR* (1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", *XIII (3 & 4) IBR* (1986).
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16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", *XII, Bar Council Review* (1986)
17. Mohammad Ghose, "Legal Education in India: Problems and Perspective", (Bookreview) *19 J.I.L.I.* (1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", *8 JB Council of India* 105 (1981).
19. Place of Skills in Legal Education, *43 Columbia Law Review* 345 (1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", *2 Delhi Law Review* (1973)
21. Resolutions of the 12th All India Law Teachers Conference, *2 Delhi Law Review* 291 (1973) (Resolution No. II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", *19 International Journal of Clinical Legal Education* (2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", *65 UMKC Law Review* 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" *20 Seattle Univ. L. R.* 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", *51 Journal of the Bar Council of India* (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", *XXII IBR*, (1995)

## **PAPER-XI- LAW RELATING TO COMPENSATION AND DAMAGES**

**UNIT-I:** Damages-Concept of Damages-Importance & Definition –Types Of damages- When allowed- Apportionment of Damages-Moral Damages-Purpose-when recoverable-Need for Testimony on moral suffering- Illegal Search-Libel, Slander-Malicious Prosecution.

**UNIT-II:** Actual or Compensatory Damages –Definition& purpose- Pleading and Proof of actual damage- Nature of loss& proof-loss Covered-in general – In contracts & quasi-Contracts-In Crimes and quasi- delicts-earning capacity, business standing- loss or Impairment of earning Capacity-Injury to business standing or commercial credit-Death by Crime or quasi delict-In rape cases.

**UNIT-III:** Exemplary or Corrective Damages-Purpose-when Imposed- In General –In addition to other types- Renunciation in advance- in Crimes-in quasi delicts- In Contracts& Quasi Contracts.

**UNIT-IV:** Nominal Damages- purpose & when Recoverable- violation of a Right- no actual loss

caused or Proved- under Consideration of Equity- under Considerations of Equity- Nature and Determination of Amount- Small but substantial – Commensurate to Injury suffered.

**Suggested Readings:**

1. Winfield & Jolowicz : Law of Tort, Sweet and Maxwell, London.
2. Salmond and Heuston : Law of Torts, edition, 2nd Indian reprint, Universal Book traders, New Delhi.
3. Ramaswamy Iyer: The Law of Torts, LexisNexis Butterworths, New Delhi.
4. PSA Pillai's: Law of Tort, Eastern Book Company, Lucknow.
5. Durga Das Basu: The Law of Torts, Prentice Hall of India, New Delhi.
6. Ratanlal & Dhirajlal: The Law of Torts, LexisNexis.
7. R.K.Bangia: Law of Torts, Allahabad Law Agency, Allahabad.
8. Vivienne Harpwood: Law of Torts, Cavendish Publishing Ltd. London.
9. Hepple & Mathews: Tort - Cases and Materials, Butterworth, London.
10. D.N.Saraf: Law of Consumer Protection in India, Tripathi, Bombay.

**SEMESTER-IV  
BRANCH-VI- CRIMES AND TORTS**

**PAPER –XII Indian Constitutional Law: The New Challenges  
(Common Paper for All the Branches)**

**UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

**UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

**UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

**UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to

the Indian experience of post independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

### **Suggested Readings:**

8. H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, NewDelhi.
9. Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
10. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
11. B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, NewDelhi.
12. M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
13. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
14. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER-XIII-LAW RELATING TO SPECIFIC TORTS**

### **UNIT-I**

Trespass to the person - Nervous Shock - Trespass to land - Trespass to goods - Nuisance - Injury to servitudes.

### **UNIT-II**

Negligence - Liability for animals - Liability for land and structures -Liability for defective products.

### **UNIT-III**

Defamation - Abuse of legal process - Deceit and Negligent Misstatement.

### **UNIT-IV**

Injuries affecting family and service - Relationships - Interference with contract or business relations - Intimidation - Conspiracy – Unlawful competition.

### **Suggested Readings:**

1. W.V.H: Rogers: Winfield and Jolowich on Tort, Sweet and Maxwell, London.
2. R.F. Henston and R.A. Buckley: Salmond and Henston on the Law of Torts, Sweet and Maxwell, London,Universal Book Traders, Delhi.
3. B.M. Gandhi: Law of Tort,Eastern Book Company, Lucknow.
4. Clark and Windsel: Law of Talis, Sweet and Maxwell, London.
5. Gregory and Kalven: Law of Torts (Cases and Materials).
6. Chapman: Statutes on the Law ofTorts.

## 7. Glanville Williams: Joint Torts and Contributory Negligence

### PAPER- XIV: DISSERTATION

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her.** Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*

## SEMESTER-III

### BRANCH-VII- ALTERNATIVE DISPUTE RESOLUTION

#### PAPER-IX – FAMILY DISPUTE RESOLUTION

##### **UNIT-I**

Nature and scope of family law in India-Subjects of family law- Unification of Intra and inter-religious family laws-Hindu, Muslim, Christian theories of marriage-polyandry- polygamy and Monogamy- marriage a holy union and contractual obligation-dowry and dower

##### **UNIT-II**

Matrimonial Disputes and Remedies - Restitution of Conjugal Rights, Judicial Separation, Nullity of Marriage, Divorce, Maintenance, Custody of Children – Rights of Guardianship – Position under different Personal Laws in India.

##### **UNIT-III**

Family Dispute Resolution under Hindu Marriage Act 1955, Special Marriage Act 1954, Indian Divorce Act 1869, Guardians and Wards Act 1890, Protection of Women from Domestic Violence Act 2006, IPC 1860, Code of Civil Procedure 1908, Code of Criminal Procedure 1973 - Family Courts: Jurisdiction, Adjudication, Trial and Procedure under Family Courts Act 1984

##### **UNIT-IV**

Family Problems - Identification of Contemporary Issues – Causative Factors to Family Crises – Methods of FDR through ADR: Family Counseling, Family Conciliation - Role of Counselor and Conciliator in Family Reconciliation



### **Suggested Readings:**

1. Dr. Avatar Singh-Law of Arbitration and Conciliation including ADR system-7<sup>th</sup> Ed. 2005 Eastern Book Company-Lucknow.
2. P.C. Rao & William Alternative Dispute Resolution 1<sup>st</sup> Ed.-1997 Universal Law Sheffield Publishing Ltd.
3. H.C. Johri-Commentary on Arbitration & Conciliation Act, 1996; Kamal Law House, Calcutta (1997).
4. G.K. Kwatra-The New Arbitration & Conciliation Law of India, ICA, 1998.
5. Relevant Reports of the Law Commission of India.
6. Paras Diwan, Modern Hindu Law, Allahabad Law Agency
7. Aquil Ahmed, Mohemmedan Law, Central Law Agency
8. G C V Subba Rao, Family Law in India, S. Gogia & Co.

## **PAPER – X: LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from 'Teaching' to 'Learning'-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools

classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

#### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global & India- Traditional Content based Curriculum-Current Challenges- Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model- Transition to Capability framework- Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demand for Competitiveness in Information & Communication Technology – New Evaluation & Assessment Models– Role of Online teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy- Electronic books- E-Books- Electronic Journals- E-Journals- Electronic Legal databases- E-Library- Power point Presentations

#### **Suggested Readings**

##### **BOOKS**

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5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of the New Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi 1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education* (Eastern Book Co., 1998).
7. S. Agrawala, *Legal Education in India* (West Publishing Company, 1973).
8. S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, (Rajeev Dhavan Ed., Butterworths, London, 1989).
9. S.K. Sharma, *Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients* (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, *Legal Aid to the Poor: The Law and Indian Legal System* (Deep & Publications, New Delhi, 1993).
11. *Integrating Technology in the classroom* Shelly, Cashman, Gunter and Gunter publication.
12. *Essential of Educational Technology*, Madan Lal, Anmol Publication.
13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

##### **ARTICLES**

1. A.S. Anand, *Legal Education in India - Past, Present and Future*, 3 S.C.C. (Jour.) 1 (1998).
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3. Antoinette Sedillo Lopez, “Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training”, 7 *Clinical Law Review* 307 (2000-2001).
4. D.A. Desai, “Role and Structure of Legal Profession”, XXII *IBR* (1995).
5. D.C. Mukherjee, “Practical Side of Law Teaching”, 2 *Journal of Bar Council of India*, (1973).
6. Frank J. Macchiarola, “Teaching in Law School: What are we doing and What More Has to be

done?” 71 U. Det. Mercy L. Rev.(1994).

7. Frank S. Bloch and M. R. K. Prasad, “Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States”, 13 Clinical Law Review 165(2006-2007).

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12. Justice Ranganath Misra, “Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements”, 5 SCC Jour.(1995).

13. Krishna Iyer, “Professions for the People: A Third World Perspective”, XXIII BR(1995).

14. Madhava Menon N.R., “Bar Councils and Management of Legal Profession”, XIII (3 & 4) IBR (1986).

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16. Madhava Menon., “Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course”, XII, Bar Council Review(1986)

17. Mohammad Ghose, “Legal Education in India: Problems and Perspective”, (Bookreview) 19 J.I.L.I.(1977).

18. N. R. Madhava Menon, “Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961”, 8 JB Council of India 105(1981).

19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).

20. R.K. Gupta, “Legal Aid and Legal Education: Work Brain Teasers”, 2 Delhi Law Review(1973)

21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).

22. Shuvro Prosun Sarker, “Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India”, 19 International Journal of Clinical Legal Education(2013).

23. Steve Sheppard, “An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams”, 65 UMKC Law Review 65

24. Steven I. Friedland, “How We Teach: A Survey of Teaching Techniques In American Law Schools” 20 Seattle Univ. L. R.1.

25. Upendra Baxi, “Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law”, 51 Journal of the Bar Council of India (1975-76).

26. Upendra Baxi, “The Pathology of the Indian Legal Professions”, XXII IBR,(1995)

## **PAPER – XI: ARBITRATION AND MEDIATION ON INTERNATIONAL INVESTMENT DISPUTES**

### **UNIT-I: Introduction**

Overview of issues and trends in foreign investments- Foreign investments in historical context- Trends in flow of foreign investments- Foreign investments and development- Foreign Direct Investment in India.

### **UNIT-II: Regulation of Foreign Investment**

Legislative Historical trends in regulation of foreign investments- Perspectives and emergence of bilateral, regional and multilateral Investments Treaties- Rights of foreign investors- Responsibilities of foreign investors' vis-à-vis environment, human rights and other municipal concerns of host states.

### **UNIT III: Remedies for Foreign Investors**

Trends and issues in treaty based remedies for foreign investors- Fork in the road and the umbrella clauses- Overview of foreign arbitral institutions- Recognition and enforcement of foreign arbitral awards with specific reference to India and Remedies for grievance of foreign investors.

### **UNIT-IV: International Centre for Settlement of Investment Disputes**

Overview of ICSID- Resolution of Investors State Dispute with specific reference to Washington Convention 1965- Preliminary issues in respect of jurisdictional proceedings- Essentials for the jurisdiction of ICSID, patterns of consent and meaning of foreign investment under Article 25 of the

ICSID. Legal framework of various investment laws applicable in India- Legal framework of stock exchange and the legal sanctions behind various market regulatory authorities- Depository system in India, its operation and legal framework and Mediation of Disputes relating to International Investments- Latest developments on Mediation Law and Overview.

**References:-**

1. Campbell Mc Lachlan, Laurence Shore & Matthew Weiniger, International Investment Arbitration: Substantive Principles, Oxford University Press, 1st ed, 2008.
2. Todd Weiler, International Investment Law and Arbitration: Leading Cases from the ICSID, NAFTA, Bilateral Treaties and Customary International Law, Cameron, 2005.
3. Mohamed A. M. Ismail, Conseil d'État, International Investment Arbitration: Lessons from Developments in the MENA Region, Ashgate, 1st ed., 2013
4. Arbitration under International Investment Agreements: A Guide to the Key Issues (2010) INTL K3830.A75 2010.
5. Kroll & Horn, Arbitrating Foreign Investment Disputes: Procedural and Substantive Legal Aspects, Kluwer Law, (2004)

**SEMESTER IV**  
**BRANCH VII - ALTERNATE DISPUTE RESOLUTION**

**PAPER –XII INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES**  
**(Common Paper for All the Branches)**

**UNIT-I**

Concept of Federalism- Allocation of resources- Inter State Disputes • Central- State Relations- Special status of certain States- Concept of Secularism and religious fanaticism- Definition of State- Need for widening the definition in the wake of recent developments.

**UNIT-II**

Right to Equality- its new dimensions- Protective Discrimination in the wake of privatization – gender Justice- Rights of third gender- Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast- Right to Strike, Hartal and Bandh.

### **UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

### **UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

#### **Suggested Readings:**

15. H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, New Delhi.
16. Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
17. Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
18. B. Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, New Delhi.
19. M.P. Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
20. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
21. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER XIII- INTERNATIONAL COMMERCIAL ARBITRATION**

### **UNIT-I**

Importance of International Commercial Arbitration (ICA); Impact of Globalization on the Growth of ICA-The rationale of UNCITRAL Model Law on ICA of 1985; Definition of ICA under the Indian Arbitration and Conciliation Act of 1996-Scope and meaning of the terms " international" and " commercial" in the context of judicial interpretation.

### **UNIT-II**

Role of Private International Law in settlement of commercial disputes; Application of Private International Law to contractual relations; The Doctrine of Proper Law of Contracts-meaning and scope; Problems arising out of the application of rules of Private International Law- Lack of uniformity among countries; Defense of Sovereign Immunity in arbitration proceedings relating to disputes between States and Persons- The United Nations Convention on Jurisdictional Immunities of States and their Properties of 2004; Scope and Extent Application of the provisions of the Indian Arbitration and Conciliation Act of 1996 to ICA.

### **UNIT-III**

Enforcement of Foreign Arbitral Awards in India; Geneva Protocol on Arbitration Clauses of 1923;

Deficiencies of the Protocol; Geneva Convention on the Execution of Foreign Awards of 1927; Salient Features of the Geneva Convention; Indian Arbitration (Protocol and Convention) Act of 1937; New York Convention on Recognition and Enforcement of Foreign Arbitral Awards of 1958; The Indian Foreign Awards (Recognition and Enforcement) Act of 1961.

#### **UNIT-IV**

Provisions of Part II of the Indian Arbitration and Conciliation Act of 1996 relevant provisions of CPC and Indian Evidence Act, 1872 regarding the Enforcement of Geneva and New York Conventions Awards; "Convention" and "Non- Convention" awards; Enforcement of Non-Convention Awards in India; Reservations to the Geneva and New York Conventions regarding conditions of reciprocity and commercial disputes; Conditions for Enforcement and Non-Enforcement of the Convention Awards under the 1996 Act.

#### **Suggested Readings:**

- Dr. Avatar Singh-Law of Arbitration and Conciliation including ADR system-7th Ed. 2005 Eastern Book Company-Lucknow.
- P.C.Rao & William Alternative Dispute Resolution 1st Ed.-1997 Universal Law Sheffield Publishing Ltd.
- H.C.Johri-Commentary on Arbitration & Conciliation Act, 1996; Kamal Law House, Calcutta(1997).
- G.K.Kwatra-The New Arbitration & Conciliation Law of India, ICA, 1998.
- Relevant Reports of the Law Commission of India.
- Paras Diwan, Modern Hindu Law, Allahabad Law Agency
- Aquil Ahmed, Mohemmedan Law, Central Law Agency
- G C V Subba Rao, Family Law in India, S.Gogia & Co.

### **PAPER- XIV: DISSERTATION**

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her.** Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*

## SEMESTER III

### BRANCH- VIII - INTELLECTUAL PROPERTY RIGHTS

#### **PAPER- IX- COMPETITION LAW AND ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS**

##### **UNIT- I:**

Concept of Competition and Anti-trust - Basic Concepts of Competition Law- Philosophy and objectives of Competition Law– Salient Features of the Competition Act, 2002 –  
Chapter II: Prohibition of Certain Agreements, Abuse of Dominant Position and Regulation of Combinations- Powers and Functions of the Competition Commission of India (CCI) in Adjudication of disputes

##### **UNIT- II:**

Competition Advocacy- Interface of Competition and IPR Laws- Anti-competitive Agreements:



Meaning and nature - Abuse of Dominance- Determination of Relevant Market–Mechanism within IP legal regime to prevent/mitigate anti-competitive agreements & Abuse of Dominance

### **UNIT- III:**

Enforcement of Industrial Property in general - Enforcement of Patent and Trademark rights - Evaluating Validity and Infringement of a Patent - Infringement of Trademarks and Passing-off - Cost of Patent and Trademark Litigation - Civil Court Procedures - ADR Mechanism in resolving IPR disputes- Criminal Actions: Counterfeiting

### **UNIT-IV:**

Enforcement of Copyright and related Rights -Provisions on Enforcement of Rights in International Copyright and Related Rights Conventions - Evolution of International Standards for the Enforcement of Rights - National Legislation Concerning Enforcement of Rights – Border Measures - Anti-Piracy Measures for Phonograms, Audiovisual Works and Computer Programs - Role of WTO concerning enforcement and enforcement provisions of the TRIPs Agreement.

### **References:**

1. Ownership and Enforcement of Intellectual Property Rights(2003), CIPRA, NLSIU, Bangalore
2. Alfredo Ilardi and Michael Blakeney (Ed), International Encyclopedia of Intellectual Property Treaties (2004), Oxford University Press.
3. Christopher Heath and Laurence Petit (Ed), Patent Enforcement Worldwide, A Survey of 15 Countries, Hart Publishing, Oxford and Portland, Oregon.
4. IPR Enforcement Toolkit For Police ,available at <http://cipam.gov.in/>
5. Guide to the TRIPS Agreement Module on IP enforcement available at <https://www.wto.org>
6. Gabriella Muscolo & Marina Tavassi (Ed), The Interplay Between Competition Law and Intellectual Property: An International Perspective (2019), Wolters Kluwer
7. T.Ramappa, Competition Law in India: Policy, Issues, and Developments (2013),Oxford
8. Report of Competition Law Review Committee (July, 2019),Ministry of Corporate Affairs, Government of India available at <https://www.ies.gov.in/pdfs/Report-Competition-CLRC.pdf>
9. Bare Acts of the Patents Act 1970, Copyright Act 1957, Trademarks Act 1999, Designs Act 2000, Competition Act 2002 and other IPR laws of India.

## **PAPER– X: LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing

Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

### **Suggested Readings**

#### **BOOKS**

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research and Teaching.” *Journal of Legal Education* 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE Research Paper No. 24/09, Available at SSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School of Law, Howard College, University of Natal,1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of the New Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education* (Eastern Book Co.,1998).
7. S. Agrawala, *Legal Education in India* (West Publishing Company,1973).
8. S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, (Rajeev DhavanEd., Butterworths, London,1989).
9. S.K. Sharma, *Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients* (Rawat Publications, Jaipur,1984).
10. S.S. Sharma, *Legal Aid to the Poor: The Law and Indian Legal System* (Deep & Deep Publications, New Delhi,1993).
11. *Integrating Technology in the classroom* Shelly, Cashman, Gunter and Gunter publication.
12. *Essential of Educational Technology*, Madan Lal, Anmol Publication.
13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

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1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
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5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India,(1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev.(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L.(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I.(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L.REV.1461 (1997-1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour.(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR(1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghose, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education(2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R.1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Uprendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

## **PAPER-XI- ACQUISITION OF INTELLECTUAL PROPERTY RIGHTS: LAW AND PROCEDURE**

### **UNIT I**

Registration of Patents in India: Procedure under the Patents Act 1970 - Who can apply—procedure for registration—contents of application —special provisions for biological inventions— Preparation of Patent Documents - Stages of Patenting: advertisement—search and examination—opposition proceedings— grant of patent- revocation—office of registration; Registration under PCT system: international phase – national phase; Patent Law Treaty – its relevance and advantage; e-filing procedures.

### **UNIT II**

Registration of Trade Marks: Relevant provisions of the Trademarks Act 1999- Voluntary nature—who can apply—procedure for registration—contents of application—examination—

advertisement–opposition proceedings–grant–office of registration;Madrid System– Madrid Agreement– Madrid Protocol -Different Forms used for application; e-filing procedures

### **UNIT III**

A) Registration of Designs-Relevant Provisions of the Deigns Act2000-Who can apply– procedure for registration–contents ofapplication–examination–grant–office of registration– advertisement–oppositionproceedings; The Hauge System

B) Registration of Geographical Indications ofGoods- Relevant Provisions of the Geographical Indications of Goods(Registration and Protection) Act 1999- who can apply– procedure forregistration–office of registration; e-filing procedures

### **UNIT IV**

A) Registration of Plant Varieties–who can apply–procedure forregistration – Registration of Extant and Farmers’ Variety - office ofregistration

B) Registration of Integrated Circuits–who can apply–procedure forregistration–office of registration; Registration of Copyright– who canapply–procedure for registration– office of registration; e-filing procedures

### **References:**

1.The Indian Patent Acts 1970 and the Patent Rules and Forms of Application

2. Manual of Patent Office Practice and Procedure, Version 3.0 Published By:The Office of Controller General of Patents, Designs & Trademarks available at[https://ipindia.gov.in/writereaddata/portal/images/pdf/manual\\_for\\_patent\\_office\\_practice\\_and\\_procedure\\_.pdf](https://ipindia.gov.in/writereaddata/portal/images/pdf/manual_for_patent_office_practice_and_procedure_.pdf)

3.Guide to the international registration of marks under the Madrid Agreementand the Madrid available at<https://www.wipo.int/publications/en/series/index.jsp?id=185>

5.The Trade Marks Act 1999 and the Trade Marks Rules & Forms

6.The Designs Act 2000 and the Design Rules .

7.The Geographical Indications of Goods (Registration and Protection) Act1999- Rules framed under the 1999 Act & Forms

8. The Semiconductor Integrated Circuit Layout-Design Act, 2000-Rules andForms

9. The “Protection of Plant Varieties and Farmer’s Rights Act (PPV&FRA),2001- Rules and Forms

10. <https://ipindia.gov.in/>

11. <https://ipindiaonline.gov.in/trademarkefiling/user/frmloginNew.aspx>

## **SEMESTER IV**

### **BRANCH – VIII - INTELLECTUAL PROPERTY RIGHTS**

#### **PAPER –XII INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES**

**(Common Paper for All the Branches)**

### **UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for

widening the definition in the wake of recent developments.

## **UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

## **UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

## **UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

### **Suggested Readings:**

- H. M. Seervai, Constitutional Law of India(in 2- Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes),Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER-XIII - LAW RELATING TO TRADEMARKS AND DESIGNS**

### **UNIT-I**

Concept of Trademarks, Trade names and Service Marks – Trademarks: Meaning, Definition, Purpose, Nature and Classification – Subject-matter of Trademark Protection (Goods, Services and Domain names)- The Trademarks Act,1999- Conventional and Non-ConventionalTrademarks

### **UNIT-II**

Registration of Trademarks – Essential Conditions for Registration of TMs- Characteristics of a Good TM - Procedure for Registration of TMs in India – International Registration of Trademarks - Impact of non-registration

### **UNIT-III**

Rights of Proprietors and Registered users of TMs - Transfer of TMs – Licensing, Infringement and Passing-off of TMs - Remedies (Administrative, Civil and Criminal) - Authorities under the Act: Registrar and IPAB -Their Powers, Functions and Jurisdiction.

### **UNIT-IV**

Concept of Industrial Designs: Meaning, Definition and Nature – Subject Matter of Design Protection – Essential conditions for Registration of Designs-Rights of Design holders – Copyright in Design - Infringement and Piracy of Designs - Remedies (Administrative, Civil and Criminal)- Authorities under the Act - Their Powers, Functions and Jurisdiction.

### **Suggested Readings:**

1. Eric M.Dobrusin, Esq., Katherine E.White, Intellectual Property Litigation: Pretrial Practice, Wolters Kluwer, Bedfordshire,U.K.
2. WIPO, Background Reading on Intellectual Property.
3. Report of the Commission on Intellectual Property Rights, London, 2002 -"Integrating Intellectual Property Rights and DevelopmentPolicy".
4. GB.Reddy, Intellectual Property Rights and the Law, Gogia Law Agency.Hyderabad
5. P.Narayanan: TradeMark, Tradename and Passing off (Vol. I &II Eastern LawHouse,Kolkata.
6. Unni .V.K: Trademarks & the Emerging concepts of Cyber Property Rights,(2002)Eastern Law House ,Kolkata.
7. Adams John, Merchandising Intellectual Property, Butterworths, London.
8. Wipo Publications on IPRs available at [www.wipo.int](http://www.wipo.int)
9. Relevant International Instruments including Madrid Agreement, TLT and NiceAgreement.

## **PAPER- XIV: DISSERTATION**

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her.** Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be



submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*

## SEMESTER III

### BRANCH- IX - INTERNATIONAL TRADE AND ECONOMIC LAWS

#### **PAPER IX - PRIVATE LAW OF INTERNATIONAL TRADE**

##### **UNIT-I**

International Trade-Need & importance of international trade- Theories of International trade-international sales contract: elements and performance of the law of sales contract, uniform law on formation of sales contracts; Types of international sale of contracts, types of international sale contracts.

##### **UNIT-II**

Vienna convention on contracts for the international sale of goods, 1980, UN Convention on the



limitation period in international sale of goods, 1973-Rome Regulation-I.

### **UNIT-III**

Contract of carriage: carriage of goods by Sea-Bill of lading or charter party, Indian carriage of Goods by sea Act,1925(amended in 1993), multi-modal Transportation of goods Act,1993, commercial practices covering bill of lading, charter party on liner practices,1972, (Indian) Bill of Lading Act,1856,

### **UNIT-IV**

International convention on the unification of certain rules relating Bills of Lading, Hague Rules, Visby protocol, 1968, Additional Protocol, 1979-Financing of international sales: contract of credit: legal position and commercial practices, terms of payment and rights and duties of parties, documentary collection: Bills of Exchange/ Documentary Drafts, Documentary credits & letter of credit, ICC Bank guarantees and other contract guarantees, role of financial and Risk institutions in the negotiation of Documents, credit Risk coverage, Export Credit and Guarantees Corporation (ECGC), Realization of payments.

### **SUGGESTED READINGS:**

1. Day, D.M. and Griffin, Bernadette, the law of international trade (Butterworths and Lexis Nexis, London,2003)
2. Dijk, pitol, Vom and Faber, germit, challenges to the new world trade organization (Kluwer Law international, The nietherlands,1996).
3. Gervais Daniel, the trips Agreement: drafting History and Analysis (sweet and Maxwell, London,2008)
4. Gupta, R.K; World trade organization-text(2vols)
5. Holnold, ohm, uniform law for international sales under the 1980 united nations sales convention (Kluwer law international, the hahue,19820)
6. Indira care, international trade law,5th edn (Routledge, cavendish,2013). international trade law and GATT/WTO Dispute settlement systems (Kluwer law international, The Hague,1997)
7. Joseph gold, interpretation: IMF and international law (Kluwer law international,1986).
8. Palmeter and mavroids, dispute settlement in the world trade organization (Kluwer law international,1999)

## **PAPER– X: LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

### **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

### **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

### **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

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10. S.S. Sharma, *Legal Aid to the Poor: The Law and Indian Legal System* (Deep & Deep Publications, New Delhi, 1993).
11. *Integrating Technology in the classroom* Shelly, Cashman, Gunter and Gunter publication.
12. *Essential of Educational Technology*, Madan Lal, Anmol Publication.

13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

## ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
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16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghose, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education(2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R.1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

## **PAPER – XI: LAW RELATING TO FOREIGN TRADE**

### **UNIT- I**

International Trade- Need and importance of international Trade-Basic necessity for export and import in India -India's Foreign Trade policy-pre Liberalization and post Liberalization era in foreign trade, control by state over foreign trade in India, powers of Reserve Bank of India in controlling Foreign Trade, within India v. Automatic Approval scheme.

### **UNIT-II**

State mechanisms to regulate foreign trade in India. Foreign Trade Development Regulation Act,1992, Director General of Foreign trade [DGFT]-Board of trade [BOT]-Central Excise Authority [CEA]-Export Import Bank of India-Export Credit Guarantee corporation of India Ltd.,

Currency Transfer-Borrowing & Lending of money in foreign currency repatriation & surrender of foreign securities- Investment in India Banks.

### **UNIT-III**

Foreign trade -specialized sectors: Agriculture products, textiles & clothing, jewellery; joint venture-FII-NRI-FDI-ADR, GDR& FCCB, Service sector.

### **UNIT-IV**

Customs & prevention of smuggling: The customs Act1962; The conservation of foreign exchange & prevention of smuggling activities Act, 1974(COFEPOSA)-Prohibition on importation & exportation of goods, money laundering, control of smuggling activities in import & export trade, levy of & exemption from customs duties, clearance of imported & to be exported goods, conveyance& warehousing of goods.

### **Suggested readings**

1. Government of India, Handbook of import export procedures government of India import and export policy (1997-2002)
2. Foreign trade development and regulation Act,1992-Rules
3. Customs manual
4. International trade law and practice-lew, julton D.M and Clive stand brook (eds), Euro money publications, London,2009.
5. Export trade-the la and practice of international trade- schmothoff C.R,2008.

## **SEMESTER IV**

### **BRANCH – IX - INTERNATIONAL TRADE AND ECONOMIC LAWS**

#### **PAPER –XII INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common Paper for All the Branches)**

### **UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

## **UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

## **UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

## **UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

### **Suggested Readings:**

- H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER-XIII –EMERGING TREND IN WORLD TRADE AND ECONOMY**

### **UNIT-I**

Right to Development - Trade and Environment - Social Clause -Economic Law and Human Rights.

### **UNIT - II**

Competition Policy - International Commodity Agreements – The Common Fund for Commodities.

### **UNIT- III**

International Sale of Goods - Lex Mercatoria - Liberalization – Need for Liberalization Implications of Liberalization Economic Restructuring through Trade - Economic Values and Frowning

Consumerism.

#### **UNIT - IV**

International Commercial Arbitration - Types of International Commercial Arbitration - Prevention of Disputes - Resolution of Commercial Disputes Arbitration Tribunal, Composition, Jurisdiction, Powers and Duties - Arbitral Award - Enforcement of Arbitration Clause (UNCITRAL Model)

#### **Suggested Readings**

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press, 1995
3. WTO Analytical Index: Guide to WTO Law and Practice. 1<sup>st</sup>ed. Geneva: WTO Publications, Lanham, Md: Bernan. 2003. In Two volumes.
4. Ralph H. Folsom, International Business Transactions. 2<sup>nd</sup>ed. Practitioner Treatise Series. St. Paul, Minn: West Group, 2002 with updates.
6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle Jr. International Trade and investment in Nutshell 2<sup>nd</sup> ed., St. Paul, Minn
8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.
9. Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The world Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997). Thompson Canada Ltd. 1997.
10. Anwarul Huda, Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices. Cambridge: Cambridge University, (2001).
11. [www.wto.org](http://www.wto.org).
12. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

#### **PAPER- XIV: DISSERTATION**

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be**

submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*

**SEMESTER III**  
**BRANCH X - CRIMINOLOGY AND CRIMINAL JUSTICE SYSTEM**

**PAPER – IX: VICTIMOLOGY AND VICTIM COMPENSATION**

**UNIT-I**

Victims: Concept and Importance - Historical development of victimology- Scope and objectives of victimology- National and International thinking: United Nation, Amnesty International, National Human Right Commission, etc.

**UNIT-II**

Patterns of Criminal Victimizations - Role of victims in Criminal Occurrence Victim-Offender



relationship - Victim typologies- Victim of abuse of power Women and crime victimization- Children and crime victimization.

### **UNIT-III**

Impact of Victimization- Physical and Financial -Physical and financial impact of victimization- Victimization: Impact on family- Psychological stress and trauma- Criminal, victimization, sense of security and socio Economic development.

### **UNIT-IV**

Criminal Justice System and victim relationship: collaborator or evidence - Victim & Police: Lodging of FIR & recording of statement- Deposition & cross-examination in courts- NGO intervention: Victim-Witness Association, Victim Association- Concept, meaning & importance for society & criminal justice system- Restitution, ex-gratia payment & insurance- Compensation by public authorities as social obligation- Victim Compensation in India: Provisions under Cr.Pc, SC/ST Act, etc.

### **Suggested Readings:**

1. Singh Makkar, S.P. 1993, Global perspectives in Victimology, ABC Publications, Jalandhar.
2. Rajan, V.N., 1981, Victimology in India: An Introductory study, Allied Publishers, New Delhi.
3. Chokalingam K, 1985, Readings in Victimology: Towards a Victim Perspective in Criminology, Ravi Raj Publications, Madras.

## **PAPER– X: LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

## **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

## **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

## **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

### **Suggested Readings**

#### **BOOKS**

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co.,1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd., Butterworths, London,1989).
9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Studyof Relations between Lawyers and their Clients (Rawat Publications, Jaipur,1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & DeepPublications, New Delhi,1993).

11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

## ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India,(1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev.(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L.(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I.(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L.REV.1461 (1997-1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour.(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR(1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghose, "Legal Education in India: Problems and Perspective", (Bookreview) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
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26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

## **PAPER - XI: INTERNATIONAL NORMS ON TREATMENT OF PRISONERS**

**UNIT- I:** The concept of prisoner rights- origin and development-United States of England-America-Prisoners Rights in India-International norms.

**UNIT- II:** Classification of prisoners-Mentally Disordered in Prisons- juvenile inside the Prisons- Female Prisoners-under trial prisoners-prohibited Discrimination.

**UNIT- III:** Prisoners' right-Contact with a lawyer-Right to Communication-Sex and Family Life in a Prison Setting-Access to Courts and Legal Service-Health of Prisoners-

Recreational Facilities-Exercise of Religious Beliefs and Practices-psychiatric services.

**UNIT- IV:** Preparation for life after release-aftercare-Community-oriented prison life-Reintegration goal-Links with family-Contact with friends-Information about transfer-Placement near home-Letters and telephone calls-Visits-Intimate visits-Prison leave- remission and commutation-parole- Impact of indeterminate and prolonged imprisonment-refusal or restrictions on release from prisons. Prohibition of torture and other cruel inhuman or degrading treatment or punishment-international norms-legislative measures-judicial decisions.

**Suggested Readings:**

1. Andrew L-T Choo, *The Privilege Against Self-Incrimination and Criminal Justice*, Hart Publishing, US, 2013.
2. Bartram S. Brown, *Research Handbook on International Criminal Law*, Edward Elgar, USA, 2011.
3. Catherine S. Namakula, *Language and the Right to Fair Hearing in International Criminal Trials*, Springer, 2014.
4. Constantine Theophilopoulos, *The Right to Silence and the Privilege against Self-incrimination*, University of South Africa, 2001.
5. Denis Abels, *Prisoners of the International Community*, Springer, 2012.
6. Gerhard Werle, Florian Jessberger, *Principles of International Criminal Law*, OUP, 2015.
7. Ilaria Bottiglierio, *Redress for Victims of Crimes Under International Law*, Springer, 2004.
8. Ilias Bantekas, Susan Nash, *International Criminal Law*, Cavendish-Routledge, London, 2003.
9. J. L. Murdoch, *The Treatment of Prisoners: European Standards*, Council of Europe, 2006.
10. Nigel Rodley, Matt Pollard, *The Treatment of Prisoners under International Law*, OUP, 2009
11. Nigel Rodley, Matt Pollard, *The Treatment of Prisoners under International Law*, OUP, 2009.
12. R.H. Helmholz, *The Privilege Against Self-Incrimination: Its Origins and Development*, University of Chicago Press, 1997.
13. Ralph D. McPhee, *The Treatment of Prisoners: Legal, Moral Or Criminal?*, Nova Science Publishers Inc., US A, 2006.
14. Robert Cryer, *An Introduction to International Criminal Law and Procedure*, Cambridge University Press, 2010.
15. Robert Cryer, *Prosecuting International Crimes*, Cambridge University Press, 2005.
16. Róisín Mulgrew, Denis Abels, *International Penal System*, Edward Elgar, 2016.

**SEMESTER IV**

**BRANCH X - CRIMINOLOGY AND CRIMINAL JUSTICE SYSTEM**

**PAPER –XII INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES  
(Common Paper for All the Branches)**

**UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for

widening the definition in the wake of recent developments.

## **UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

## **UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

## **UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

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- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes),Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER – XIII: EVIDENTIARY ISSUES RELATING TO THE USE OF MODERN TECHNOLOGY AND FORENSICIN CRIMIANL TRIALS**

### **UNIT-I**

Crucial Role of Evidence in Criminal Trials -. Need for violent and admissible evidence in terms of the Indian Evidence Act, 1872 Admissibility of Expert Testimony in Criminal Trials - Need for investigation and prosecution agencies to appreciate the special value of use of modern technology in collection and presentation of evidence.

### **UNIT-II**

Cyber Crimes and Modern Technology - Nature and Definition of Cyber Crime – offence and

penalties under the IT Act, 2000 - Cyber Policing in India: Legal Status.

### **UNIT-III**

Forensic Evidence and Criminal Trials - Kinds of Forensic -Evidence- Blood sample, saliva and other evidence from the person of victim and accused - finger prints - Ballistic evidence – Post mortem report- DNA-Narco analysis - Evidence- Probative value of Forensic Evidence -Processes involved in Collecting Forensic Evidence.

### **UNIT-IV**

Technology as A Means of Better Crime Prevention- Intercepting potentially dangerous crime information - Use of Technology Tools in Neutralizing and rendering harmless actual designs of infiltration and attack- Preventing violation of Intellectual Property Rights by techniques of Passwords, Firewalls, Encryption, Digital Signature, Clipper Chip, Reuters and Gateways – Ensuring Data Safety.

### **Suggested Readings:**

1. Dr. Jaishanker and Amin, Forensic Science and Criminal Investigation.
2. Sharma, Forensic Science in Criminal Investigation.
3. Harry Soderman & John O. Concll, Modern Criminal Investigation, Fung and Wangnalls Co. New York.
4. UN (1997) Manual on the Prevention and Control of Computer Related Crime, International Review of Criminal Policy No. 43 & 44, UN, New York.
5. Barkha and U Rammohan, Cyber Law and Crimes.
6. Albert J. Marcella & Robert S Greenfiled (Eds), Cyber Forensics, A Field Manual for Collecting, Examining and Preserving Evidence of Computer Crimes (2002).
7. Pease. K., "Crime Futures and Foresight: Challenging Criminal Behaviour in Information Age" in D. Wall (Ed) Crime and Internet, Routledge: London (2001).
8. McQuade, Sameul C, Understanding and Managing Cyber Crime, Allyn and Bacon

## **PAPER- XIV: DISSERTATION**

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the**

supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*

**SEMESTER III**  
**Branch – XI - HUMAN RIGHTS AND SOCIAL JUSTICE**

**PAPER – IX: HUMAN RIGHTS AND SOCIAL JUSTICE**

**UNIT-I**

Concept of Social Justice Origin and development- International and National Perspectives-Plato-



Aristotle-Johi Râwls-Thomaş Paine-Martin Luther. king-John, debusky-Phuley – Periyar-Dr.B.R.Ambedkar-Professor. Amarthiyasen- Racism and Social. Racial Discrimination-Sexism-Heterosexism-Third. Gender Discrimination-Communalism-Poverty-EconomicCasteism-Caste discrimination discrimination-Political discrimination-Cultural discrimination.

## **UNIT-II**

Concept of Affirmative action-Origin and its development-Affirmative action in South Africa-Asia-Malaysia-Sri Lanka-China-France-Finland-Taiwan-Germany Norway- Russia-Canada-USA-Brazil-UK.

## **UNIT-III**

Concept of Reservation in India -its origin and development- Indian Constitution and Reservations- Reservations in Educations and Employment-SC/ST Reservations in Politics- OBC Reservations in Education and Employment-EBC reservations for Upper caste poor- The concept of creamy lawyer and-application of creamy lawyer OBC and EBC-Reservations in Private Sector.

## **UNIT-IV**

The Relationship, between Human Rights and. Social justice- The differences between Affirmative action and Reservations- the Impact, of Globalization, Privatization and Liberalization on Affirmative actions and Reservations.

### **Suggested Readings:**

1. Bhatia, K.L. and others, Social Justice of Dr. B.R. Ambedker. (New Delhi: Deep and Deep, 1995).
2. Borgohain, Bani, Human Rights: Social Justice and Political Change (New. Delhi: Kanishka Publishers, 1999)
3. Anderson, Terry H. (2004). The pursuit of fairness: a history of affirmative action. Oxford New York: Oxford University Press. ISBN 9780195157642.
4. Featherman, David L.; Hail, Martin; Krislov, Marvin, eds. (2010). The next twenty-five years: affirmative action in higher education in the United States -and South Africa. Ann Arbor: University of Michigan Press. ISBN 97804720337Z5. Forewords by: Máry Sue Coleman, President of the - University of Michigan and Njabulo Ndebele, Former Vice-Chancellor and Principal of the University of Cape Town. Details.
5. Golland, David Hamilton (2008). Constructing affirmative action: federal contract compliance and the building construction trades, 1956– 1973 (Phi.D. thesis). City University of New York OCLC 279305174 Order No. DA3325474.
6. Vieth-Entus, Susanne (29 December 2008). Sozialquote: Berliner Gymnasien sollen mehr Schüler aus armen Familien aufnehmen. Der Tagesspiegel
7. Bossuyt, Marc (17 June 2002). "United Nations and Protection of Human Rights Sub-Commission on the Rights of Minorities" UN Economic and Social Council. Archived from the original on 16 October 2015. E/CN.4/Sub.2/2002/21 Pdf.
8. Riccucci, Norma M. (2002). Managing diversity in public sector workforces. Essentials of Public Policy and Administration Series. Boulder, Colorado: Westview Press. ISBN 9780813399389.
9. Sheth, D. L. (14 November 1987). "Reservations Policy Revisited" Economic and Political Weekly. 22 (46): 1957-1962. JSTOR 4377730.
10. Jump up to: Laşkar, Mehabul Hassan. "Rethinking Reservation in Higher Education in India" (PDE). ILI Law Review. pp. 29-30. Archived from the original (PDF) on 25 April 2012.
11. Menon, V. P. (1957). Transfer of Power in India (Reprinted ed). Orient Blackswan. pp. 49-50. ISBN 978-81-250-0884-2.
12. "Human Development Report 2016" (PDF). UNDP. p. 119. Retrieved 21 March 2017.
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## **PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION**

### **UNIT-I-Legal Pedagogy**

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study

and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

## **UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education**

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

## **UNIT-III-ICT in Education**

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

## **UNIT-IV-ICT in Legal Education: Need and Importance of legal education**

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

### **Suggested Readings**

#### **BOOKS**

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co.,1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd., Butterworths, London,1989).

9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi, 1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

## ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India,(1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev.(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L.(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I.(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L.REV.1461 (1997-1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour.(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR(1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
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20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education(2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law

Schools” 20 Seattle Univ. L. R.1.

25. Upendra Baxi, “Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law”, 51 Journal of the Bar Council of India (1975-76).

26. Uprendra Baxi, “The Pathology of the Indian Legal Professions”, XXII IBR,(1995)

## **PAPER-XI- INTERNATIONAL STANDARDS ON SENTENCING PROCEDURE**

**UNIT-I:**The sentencing Phase-Types of punishment-Corporal Punishment-Capital Punishment-Imprisonment-International norms controlling types of punishment-Considerations in Choosing a Penalty. Detention While Awaiting Sentence-restore liberty while awaiting sentencing-

pretrial detentions should not be automatic-Consideration of Time Spent on Remand-Non-Retroactivity of punishment.

**UNIT- II:** Deprivation of liberty-a sanction of last resort-community sanctions- non-custodial measures-factor to be considered in making a sentencing decision.-rehabilitation of the offender-the protection of society-the interests of the victim-Uniformity in sentencing-Sentencing should not be discriminatory-reasoned decisions-relevant social information on the offender-sentences to be imposed by a judge-re-sentence investigation-reform and social re-adaptation of the offender-acceptability of deterrence and retribution-Sentencing courts discretion-individual characteristics of the offender-sentencing guidelines.

**UNIT- III:** Alternatives to Incarceration-avoid the unnecessary use of imprisonment-Non-custodial dispositions-verbalsanctions-admonition-reprimand-warning-conditional discharge-status penalties-economicsanctions-monetary penalties-confiscation -expropriation order-restitution to the victim-compensation order-suspended or deferred sentencing-probation and judicial supervision-community service orders-referral to an attendance center-house arrest-modification or revocation of non-custodial treatment.

**UNIT-IV:** Challenging a Sentence-Right to Appeal-right to legal representation-Right to Review of Legality-Executive Clemency-Considerations During Detention-Review by a Competent Tribunal-Right to Counsel-the right to defend one's self- the right to be informed of the right to counsel-the right to choose one's counsel - legal counsel appointed and paid for by the state-Right to Effective Participation-right to be present at all court hearings- right to an interpreter-adequate opportunity to prepare his case-right to equality of arms- ICC sentencing police – romes regulations, International virtual law.

### **Suggested Readings:**

1. Terance D. Miethe, Hong Lu, Punishment: A Comparative Historical Perspective, Cambridge University, 2005.
2. M.A. DuPont- Morales, Michael K. Hooper, Judy H. Schmidt, Handbook of Criminal Justice Administration, Marcel Dekker Inc., New York, 2001.
3. Kenneth J. Peak, Introduction to Criminal Justice: Practice and Process, SAGE, 2015.
4. William A. Schabas, Nadia Bernazh, Handbook of International Criminal Law, Routledge, 2011.
5. William A. Schabas, Yvonne McDermott, Niamh Hayes, International Criminal Law, Ashgate, 2013.
6. R.H. Helmholz, The Privilege Against Self-Incrimination: Its Origins and Development, University of Chicago Press, 1997.
7. Constantine Theophilopoulos, The Right to Silence and the Privilege Against Self-incrimination, University of South Africa, 2001.
8. Andrew L-T Choo, The Privilege Against Self-Incrimination and Criminal Justice, Hart Publishing, US, 2013.
9. Robert Cryer, Prosecuting International Crimes, Cambridge University Press, 2005.
10. Thorsten Bonacker, Christoph Safferling, Victims of International Crimes: An Interdisciplinary Discourse, Asser Press, Springer, Netherlands, 2002.

11. Vladimir Tochilovsky, Jurisprudence of the International Criminal Courts and the European Court of Human Rights, Martinus Nijhoff, London, 2008.
12. William A. Schabas, An Introduction to the International Criminal Court, Cambridge University Press, 2011.

**SEMESTER IV**  
**BRANCH – XI - PAPER –XII INDIAN CONSTITUTIONAL LAW: THE**  
**NEW CHALLENGES**  
**(Common Paper for All the Branches)**

## **UNIT-I**

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

## **UNIT-II**

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

## **UNIT-III**

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

## **UNIT-IV**

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

### **Suggested Readings:**

- H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

## **PAPER XIII - SOCIAL JUSTICE AND NEW CHALLENGES FOR SOCIAL CHANGE**

### **UNIT-I**

The concept of social exclusion-economical exclusion political exclusion National and International Perspectives

### **UNIT-II**



Theory of inclusiveness-Global and Regional Perspectives-Inclusive Growth through Constitutional Measures National and International Perspectives

### **UNIT-III**

Human Rights Jurisprudence-Third World- Countries-Global Economy-The debt crisis of The Global South is significant factor contributing to current distribution of resources Worldwide

### **UNIT-IV**

Concept of Human Rights and social change-its origin and Development Theories of social change National and International perspectives - comparative legal system and social change. International perspectives concept of law and legal system of social justice for social change.

#### **Suggested readings:**

1. Mádelay, J. (1999), Big business, Poor countries: The impact of trans nation corporations on the world's poor. New York; Zed Books.
2. "Social Justice in an Open World: The Role of the United Nations" The International forum for Social Development, Department of Economic and Social Affairs, Division for Social Policy and Development. ST/ESA/305" (PDF). New York: United Nations. 2006. Archived (PDF) from the original on 29 August 2017.
3. Banai, Ayelet; Ronzoni, Miiam,. Schenmet, Christian (2011), Social Justice, Global Dynamics Theoretical and Empirical Perspectives. Florence: Taylor and Francis. 1SON 9100 203 81929 6.
4. Agartan, Kaan (2014). "Globalization and the Question of Social Justice" Sociology Compass. B (6): 903-915. doi:10.1111/soc4. 12162.
5. El Khoury, Ann (2015): Globalization Development and Social Justice propositional political approach). Florence: Taylor and Francis. pp. 1-20. ISBN 978-1-317-50480-1
6. Patil, Vijaykumar. "Caste system) hindering the goal of social justice, Siddaramaiah" Archived from the original on 4 September 2015.
7. "23h wCP: Plalo's Concept Or Justice: An Analysis" Archived from the original on 5 October 2016
8. Hunter. Lewis (14 October 2009). 'Sustainably,. The Complete Concept Environment, Healthcare. ad Economy" (PDF). Change This.
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10. John Rawls, Political Liberalism 15 (Columbia University Press 2003)
11. Pogge, Thomas Pogge. WorldPoverty and HumanRights" thomaspogge.com. Archived from the original on 19 September 2015.
12. O'Neill,. Ben (16 March 2011) The Injustice of Social Justice Archived 28,-October 2014 at the Way back Machine, Mises Institute
13. Anderson (Ed), Views from the South: Theeffects of globalization and the WTO on third world countries (pp54-90), Chicago': Food First Books and International: Forum on Globalization.
14. Chòmsky, N. (200), Rogúe States: The rule of force in world affairs. Cambridge, MA: South End Press, Chossudovsy,; M (1999, May), Scrape metal jacket New .Internationalist, pp 16-17.

### **PAPER- XIV: DISSERTATION**

**Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three**

seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

\*\*\*\*\* THE END \*\*\*\*\*







