

Central University of Punjab, Bathinda-151001
School of Legal Studies and Governance
Centre for Law

LL.M. Two Years Programme

SEMESTER I

(Specialization in-Environmental Law/Human Rights Law/Corporate Law)

LL.M. 506: Research Methodology & Legal Writing

L	T	P	Credits	Marks
5	-	-	5	100

Unit-I 16 Hours

1. Research- Concept, Meaning, Objectives and Types
2. Approaches to Research
3. Legal Research- Introduction, Nature, Scope and Manual of Legal Research Through Collaborative Learning Groups
4. Legal Research – A Tool for Codification and Legal Reform

5. Unit-II 16 Hours

6. Identification and formulation of Research Problem.
7. Hypothesis and its formulation.
8. Variables- Types and Relationships.
9. Research Ethics.
10. Plagiarism in Research.

Unit-III 16 Hours

11. Techniques of Research Writing; Project and Research Proposals, Project Report, Research Paper and Monographs- Abstract, Referencing, Foot Note and Bibliography, Samples and its techniques, Content and Item Writing.
12. Sources of Data Collection - Observation, Questionnaire and Schedule, Interview and Case Study, Surveys-Content Analysis.¹
13. Codification, Interpretation and Analysis.

Unit – IV 16 Hours

14. Law Reforms and Civil Society.
15. Jurimetrics and Socio-metrics.
16. Legal Research and Online Research Database- Rational and Significance of Online Database Use of Internet in legal research; Reference Manager Software².

Suggested readings

1. Bryman, A., (2009), *Social Research Methods*, Oxford University Press, New York.
2. Deborah, K. Padgett (2008), *Qualitative Methods in Social Work and Research*, Sage Publications (CA).
3. Paul, K. Hatt & William J. Goode, (2006), *Methods in Social Research*, Surjeet Publications, Delhi.

¹ Added in third meeting of SB on February 24, 2017.

² Added in third meeting of BoS, Centre for Law on February 20, 2017.

4. Menon, N. R. M. (Ed.) (1998), *A Handbook of Clinical Legal Education*, Eastern Book Company, Lucknow.
5. Morris, L. C. (1996), *Legal Research in Nutshell*, West Publishing Co. Minnesota.
6. Shawn, C. S. (2010), *International Adoption- A Legal Research Guide (Legal Research Guides)*, William's Hein & Co. New York.
7. William, J. G. & Paul K. H. (2006), *Methods in Social Research*, McGraw-Hill Book Company, London.
8. Young, P. V. (2010), *Scientific Social Surveys and Research*, P. H. Learning Pvt. Ltd., New Delhi.
9. Yvonne, N. B. (2009), *How to Write a Master's Thesis*, Sage Publications (CA).
10. P K Mujumdar (2011), *Research Methods in Social Science*, Viva Books Private Ltd. New Delhi.
11. Kultar Singh (2007), *Quantitative Social Research Methods*, Sage India, New Delhi.
12. J. Paul Lomio (2011), *Legal Research Methods in a Modern World: A Course Book (0003 Edition)*, Djoef Publishing, Denmark.
13. Ratan Singh, (2013), *Legal Research Methodology*, Lexis Nexis, Delhi.

L	T	P	Credits	Marks
3	-	-	3	100

CST.501: Computer Applications

Unit I 10 Hours

1. **Fundamentals of Computers-** Introduction to Computers, Parts of Computers, Hardware, Primary Components of Computer, functionality of Computer, Input devices, Central Processing Unit, Memory, Output Devices, Storage devices, UPS, Connecting devices to Computer
2. **Application Software-** Word-Processing Basics, Typing in Word Processing application, Text Formatting, Insert table shapes & charts, Header, Footer, Citation & Bibliography, Bookmark & Comments
3. **Presentation Software-** MS Power Point, Creating and enhancing a presentation, modifying a presentation, working with visual elements, delivering a presentation

Unit II 10 Hours

4. **Fundamentals of Excel Worksheet:** Application/usage of Excel Spread Sheet, Creation of cells, Cell inputting, Creation of tables, Use of Formulas, Data filtering, shorting, column chart, bubble chart, Bar chart, Pie chart
5. **Data Analysis:** Use of Statistical Package for the Social Sciences (SPSS) for data analysis.
6. **World Wide Web-** Origin and Concepts, Searching the Internet, Advanced Web Search, Web Surveys, E- Mail

Unit III 10 Hours

7. **Social & Professional Networking,** Blogging, Face Book, Twitter, Linkedin, Video Conference: Skype, Google+ etc. e-paper and other online Services.

8. **Online Legal Database:** Manupatra, Hein Online, Westlaw India

Unit IV **10 Hours**

9. Plagiarism and Internet Research, Use of Software for detecting Plagiarism
10. Information Technology Act, 2000 and Cyber Crime in India.

Suggested readings

1. Rajaraman, V., (2010), *Fundamental of Computer*, Delhi, PHI.
2. Anita Goel, (2010), *Computer Fundamentals*, Pearson.
3. Tanenbaum, (2009), *Modern Operating System*, PHI Publication.
4. Santosh Gupta, (2010), *Research Methodology & Statistical Techniques*, Delhi, Deep & Deep Publication (P) Ltd.

L	T	P	Credits	Marks
4	-	-	4	100

LL.M.507: Law and Social Transformation in India

Unit-I **14 Hours**

1. Law and social change
 - Law as an instrument of social change.
 - Law as the product of traditions and culture.
2. Community and the law
 - Non-discrimination on the ground of caste: Constitutional and Statutory Provisions.
 - Reservation; Statutory Commissions & Statutory provisions.
3. Regionalism and the law
 - Right of movement, residence and business; impermissibility of state or regional barriers.
 - Equality in matters of employment: the slogan "Sons of the soil" and its practice.
 - Admission to educational institutions: preference to residents of a state.

Unit-II **14 Hours**

4. Language and the law
 - Constitutional guarantees to linguistic minorities
 - Non-discrimination on the ground of language
5. Religion and the law
 - Religion as a divisive factor
 - Freedom of religion
 - Religious minorities and the law
6. Grama Nyayalayas, Mobile Courts, E Governance in administration of justice

Unit-III **14 Hours**

7. Children and the law
 - Constitutional Provisions relating to children.
 - National Commission for Protection of Child Rights.
 - Juvenile Justice (Care and Protection of Children) Act, 2015
 - RTE Act, 2009.
 - The Protection of Children from Sexual Offences Act, 2012.

Unit-IV **14 Hours**

8. Women and the law

Empowerment of Women: Constitutional Provisions.

National Commission for Women Act.

The Protection of Women from Domestic Violence Act, 2005.

The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Suggested readings

1. Galanter, M. (ed.) (1997), *Law and Society in Modern India*, Oxford University Press.
2. Lingat, R. (1998), *The Classical Law of India*, Oxford University Press.
3. Baxi, U. (1982), *The Crisis of the Indian Legal System*, Vikas, New Delhi.
4. Baxi, U. (ed.) (1988), *Law and Poverty Critical Essays*, Tripathi, Bombay.
5. Derret, D. (1999), *The State, Religion and Law in India*, Oxford University Press, New Delhi.
6. Seervai, H. M. (1996), *Constitutional Law of India*, Tripathi, Bobbay.
7. Basu, D. D. (1996), *Shorter Constitution of India*. Prentice - Hall of India (P) Ltd., New Delhi.
8. Deshta, S. & Deshta, K. (2000), *Law and Menace of Child Labour*, Anmol Publications, Delhi.
9. Malik, K. P. (2009), *Law and Social Transformation in India*. Pioneer Books, Faridabad.
10. Gunasekhare, S. Children, (1997). *Law and Justice*. Sage.
11. Jain, M. P. (2010), *Outlines of Indian Legal History*, Tripathi, Bombay.
12. Friedmann, W. (2004), *Law in a Changing Society*, University of California Press, Berekely.

L	T	P	Credits	Marks
4	-	-	4	100

LL.M.508: Legal Theory**Unit-I****14 Hours**

1. Meaning, Definition and Nature of Jurisprudence.
2. Sources of Law.
3. Natural Law Theories.

Unit-II**14 Hours**

4. Theories of Social Contract.
5. Analytical Positivism including Hart Fuller Debate.
6. Pure Theory of Law.

Unit-III**14 Hours**

7. Sociological School of Law.
9. Realist School of Jurisprudence.
10. Historical and Anthropological Jurisprudence.

Unit-IV**14 Hours**

11. Rights and Duty: Meaning and Definition of Right, Relationship between Rights and Duties, Kinds of Rights

12. Concept of Possession: Why Law protects possession, Meaning and Definition of Possession, Kinds of possession.
13. Ownership: Meaning and Definition of Ownership, Kinds of Ownership, Modes of Acquisition of Ownership.
14. Person: Meaning and Definitions of Person, Theories of Personality, Kinds of Person. Status of unborn person, dead man, idol, mosque and so on.

Suggested readings

1. Bowett, D. W. (1982), *Law of International Institutions*, Oxford University Press, USA.
2. Boderheimer, (1996), *Jurisprudence-The Philosophy & Method of Law*, Universal, Delhi.
3. R.W.M. Dias, (1994), *Jurisprudence Indian Reprint*-Adithya Books, Delhi.
4. Fitzgerald, (1999), *Salmond on Jurisprudence* Tripathi, Bombay.
5. Dhyani SN, (1985) *Jurisprudence-A Study of Indian Legal Theory*, CLP, All.

L	T	P	Credits	Marks
5	-	-	5	100

LL.M.509: Applied Legal Studies – I

Unit-I **14 Hours**

1. Law of Contracts
 - General Principles
 - Essentials of a valid contract.
 - Offer, acceptance and consideration.
 - Capacity to Contract: Minor’s contract.
 - Elements vitiating contract: Mistake, fraud, misrepresentation, public policy, coercion, undue influence, frustration of contract.
 - Remedies for breach of contract: Damages

Unit-II **14 Hours**

2. Nature of International Law and its sources.
 - Concept of sovereignty and its relevance today.
 - Recognition of State and Governments.
 - Extradition, Asylum, Nationality and Status of Refugees.
 - International Court of Justice.
 - UNO and its organs.
 - Global Trade Regime under International Law.

Unit-III **14 Hours**

3. Law of Torts and Consumer Protection Act, 1986
 - Foundation of Tortious Liability.
 - General Defences to an action of Tort
 - Vicarious Liability
 - Remoteness of Damages.
 - Contributory Negligence
 - Absolute and Strict Liability
4. Salient Features of Consumer Protection Act

Unit-IV**14 Hours**

5. Administrative Law and Right to Information

Meaning, nature and scope of Administrative Law

Rule of Law

Separation of Powers

Delegated legislation

Natural Justice

Judicial Review of Administrative Discretion

Right to Information Act

Suggested readings

1. Galanter, M. (ed.) (1997), *Law and Society in Modern India*, Oxford University Press.
2. Singh, Avtar (2013), *Contract and Specific Relief*, Eastern Book Company, New Delhi.
3. Bangia, R. K., (2013), *Law of Torts With Consumer Protection Act*, ALA. Delhi.
4. Markanda, P. C., (2010), *The Law of Partnership in India*. Lexis-Nexis, Delhi.
5. Wade and Philips, *Administrative Law*, Oxford University Press, Oxford.
6. M.P. Jain and S.N. Jain, (2011), *Principles of Administrative Law*, Lexis Nexis, New Delhi.
7. S.P. Sathe, (2010), *Principles of Administrative Law*, Lexis Nexis, New Delhi.

CST 511: Computer Applications- Practical

L	T	P	Credits	Marks
-	-	4	2	50

XXX.000: Inter-Disciplinary-I (From any Other Centre)

L	T	P	Credits	Marks
2	-	-	2	100

Semester II**LL.M.521: Judicial Process**

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I**14 Hours**

1. Nature of Judicial Process

Judicial process as an instrument of social ordering

Judicial process and creativity in law - common law model - Legal Reasoning and growth of law - change and stability

The tools and techniques of judicial creativity and precedent

Legal development and creativity through legal reasoning under statutory and codified systems

2. Special Dimensions of Judicial activism in Constitutional Adjudications;

Notions of Judicial Review

Constitutional Adjudication: Various Theories of Judicial Role.

Tools and techniques in policy-making and creativity in constitutional adjudication
 Varieties of judicial and juristic activism
 Problems of accountability and judicial law-making

Unit-II **14 Hours**

3. The Concepts of Justice

Justice or Dharma in Indian thought
 Dharma as the foundation of legal ordering in Indian thought
 The concept and various theories of justice in the western thought.
 Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

Unit- III **14 Hours**

4. Judicial Process in India

Indian debate on the role of judges and on the notion of Judicial Review
 The Independence of Judiciary and the Political Nature of Judicial Activism
 Judicial activism and creativity of the Supreme Court - the tools and techniques of creativity
 Judicial process in pursuit of constitutional goals and values - new dimensions of judicial activism and structural challenges
 Institutional liability of courts and judicial activism - scope and limits

Unit- IV **14 Hours**

5. Relation between Law and Justice

Equivalence Theories - Justice as nothing more than the positive law of the stronger class
 Dependency theories - For its realization justice depends on law, but justice is not the same as law.
 The independence of justice theories - means to end relationship of law and justice, the relationship in the context of the Indian constitutional ordering,
 Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

6. Landmark Judgments of the Supreme Court³

His holiness Keshavanand Bharti v. State of Kerala AIR 1973 SC 1461
Maneka Gandhi v. Union of India AIR 1978 SC 597
Minerva Mills v. Union of India AIR 1980 SC 1789
D.K.Basu v. Union of India AIR 1997 SC 610
S.R.Bomma v. Union of India AIR 1994 SC 1918
I.R. Coleho v. State of Tamilnadu AIR 2007 SC 861
Narayan Dutt and Others. v. State of Punjab and Another 2058/2011 decided on 24.2.2011

³ Revised in the 3rd meeting of School Board on February 24, 2017.

B.P. Singhal v. Union of India 296/2004 decided on 7.5.2010
Justice K.S. Puttuswamy and Another v. Union of India 494/2012
NALSA v. UoI 400/2012
Suresh Kumar Koushal and another v. NAZ Foundation and others 10974/2013
AWBI v. Union of India AIR 2014 SCW 3327
Supreme Court Advocates on Record Association v. Union of India 13/2015
 In RE: The Punjab Termination of Agreement Act, 2004 AIR 2016

Note: Above list is not exhaustive. The course coordinator shall be at liberty to include recent judgments contributing in the development of legal system.

Suggested readings

1. Demobowski, H. (2001), *Taking the State to Court*, OUP, Delhi.
2. Sundar, N. & Thin, N. (2001), *Branching Out: Joint Forest Management in India*, OUP, Delhi.
3. Cardozo, M. (1995), *The Nature of Judicial Process*, Universal Publication, New Delhi.
4. Abraham, H. J. (1998), *The Judicial Process*, Oxford.
5. Stone, J. (1995), *Precedent and the Law: Dynamics of Common Law Growth*, Butterworths.
6. Friedmann, W. (1960), *Legal Theory*, Stevens, London.
7. Bodenheimer. (1997), *Jurisprudence - the Philosophy and Method of the Law*, Universal Publication, Delhi.
8. Stone, J. (1999), *Legal System and Lawyers' Reasonings*, Universal Publication, Delhi.
9. Baxi, U. (1980), *The Indian Supreme Court and Politics*, Eastern Book Company, Lucknow.
10. Dhavan, R. (1997), *The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques*. Tripathi, Bombay.
11. Rawls, J. (2000), *A Theory of Justice*, Universal Publication, Delhi.

LL.M.522: Indian Constitution and New Challenges

L	T	P	Credits	Marks
4	-	-	4	100

Unit-I

14 Hours

1. The Idea of Constitutionalism
Nature of Indian Constitution
2. Constitutional Governance in India
Independence of Judiciary
State: Meaning and Definition
3. Constitutional amendments

Unit-II **14 Hours**

4. Fundamental Rights
 - Right to Equality (Article 14-18)
 - Fundamental Freedoms (Article 19)
 - Protections against Ex post facto laws, self-incrimination and double jeopardy (Article 20)⁴

Unit-III **14 Hours**

5. Right to life (Article 21)
 - Rights of Persons in Custody and Preventive Detention Laws (Article 22)
6. Protection against Exploitation (Article 23-24)
7. Freedom of Religion (Article 25-28)
8. Cultural and Educational Rights of Minorities (Article 29-30)
9. Right to Constitutional Remedies

Unit- IV **14 Hours**

10. Directive Principles: Meaning and Importance (Article 36-51)
11. Safeguard to Civil Servants
12. Relations between Centre and State – Legislative, Administrative and Financial⁵
13. Emergency Provisions.

Suggested readings

1. Ackerman, B. (1997), *The Jurisprudence of Just Compensation*, Hart publishing Ltd.
2. Babbitt, B. (1996), *Federalism and the Environment*, Praeger Publishing.
3. Baxi, U. (1980), *The Indian Supreme Court and Politics*, Eastern Book Company, Lucknow.
4. Seervai, H. M. (1996), *Constitutional Law of India*, Tripathi, Bombay.
5. Basu, D. D. (1996), *Shorter Constitution of India*. Prentice - Hall of India (P) Ltd., New Delhi.

LL.M.523 Comparative Public Law and Governance

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I **14 Hours**

1. Concept, Nature and Importance of the Comparative Public Law.
2. Concept and Theories of Constitutionalism and comparative study of U.K., USA and India: Rule of Law, Separation of Powers⁶
3. Emerging Trends of Constitutionalism.

Unit- II **14 Hours**

4. Procedure of Constitutional Amendments in UK, USA, and India.

⁴ Revised in the 3rd meeting of School Board on 24.2.2017.

⁵ Ibid.

⁶ Ibid.

5. Concept of Judicial Review and Accountability: Comparative Study with reference to U.S., UK and India.

Unit- III**14 Hours**

6. Nature of Federalism and Quasi-Federalism- India, UK and USA.
7. Fundamental Rights: Comparative Study with reference to U.S., UK and India.
8. Institution of Ombudsman- U.S., UK and India

Unit- IV**14 Hours**

9. Comparative study of enforcements of fundamental rights in US, UK and India.
10. Role of Media in national and international perspectives with reference to Good Governance.
11. Parliamentary Privileges in US, UK and India.

Suggested readings

- Basu D. D., (2010), *Commentary on the Constitution of India*. Lexis Nexis Butterworths Wadhwa, Nagpur.
- Elliott Mark & Thomas Robert, (2011), *Public Law*, Oxford University Press, New York.
- Jain M. P., (2010), *Indian Constitutional Law*, LexisNexis Butterworths Wadhwa, Nagpur.
- Loughlin Martin, (2004), *The Idea of Public Law*, Oxford University Press, New York.
- Tushnet Mark, Fleiner Thomas, (2012), *Routledge Handbook of Constitutional Law*. Routledge, New York.
- Zines Leslie, (2006), *Constitutional Change in the Commonwealth*. Cambridge University Press, Cambridge.
- Anal Chand Kumar (2010), *Selected Constitutions*, S Chand, New Delhi
- Graville Austin (1999), *The Indian Constitution: Cornerstone of a Nation*, Oxford New Delhi.
- M. V. Pylee (2012), *Constitution of the World*, Law Publishing Co., New Delhi.
- H. M. Seervai (2013), *Constitution of India*, Universal Law Company, New Delhi.
- Sathe S. P. (2015), *Judicial Activism in India: Transgressing Borders and Enforcing limits*, Oxford University Press, New Delhi.
- Jaakko Husa (2015), *A New Introduction of Comparative Law*, Bloomsbury Oxford and Portland, Oregon.

LL.M.524: Principles of Legislation and Interpretation

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I**14 Hours**

- The Principle of Utility
- Doctrine of Pain and Pleasure
- Principles of Constitutional Interpretation⁷
 - Doctrine of Eclipse
 - Doctrine of Colourable Legislation

⁷ Revised in the 3rd meeting of School Board on 24.2.2017.

- iii. Doctrine of Pith and Substance
- iv. *Ejusdem Generis*
- v. Harmonious Construction

Unit-II	14 Hours
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- 3. Classification of Statutes
- 4. Commencement, Extent and Operation of Act.
- 5. Primary/ literal rule of interpretation
- 6. Mischief Rule of construction (Heydon's Rule)
- 7. Golden Rule of construction

Unit-III	14 Hours
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- 8. Rule of Beneficial construction
- 9. Internal Aids to construction: Title, Short Title, Long Title, Preamble, Headings and title of a Chapter, Headings of Section, Marginal Notes, Interpretation Clause, Illustrations, Proviso, Explanation, Schedules, Punctuation

Unit-IV	14 Hours
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- 10. External Aids of construction- Parliamentary History, Historical Facts and Surrounding Circumstances, Dictionaries, Judicial Decisions, Foreign Judgments, Statutes in *pari- materia*
- 11. Subsidiary Rules and Latin Maxims of interpretation
 - Ut res magis valet quam pareat*
 - Expressio Unius Exclusio Alterius*
 - Jus Dare and Jus Dicere*
 - Redendo Singula Singulies*
 - Construction in Bonam Partem*
 - Generalia Specilibus non Derogant*
 - Contemporanea Expoitio*
- 12. Indian Judiciary and Trends in Judicial Interpretation

Suggested readings

- 1. Upendra Baxi (2008), *Bentham's Utilitarian Theory*, Lexis Nexis.
- 2. P St. J Langan (2011), *Maxwell on the Interpretation of Statutes*, Jain Book Agency, Delhi.
- 3. Vepa P. Sarathi (2013), *Interpretation of Statutes*, Jain Book Agency, Delhi.
- 4. K. P. Chakravarty (2013), *Interpretation of Statutes*, Jain Book Agency, Delhi.
- 5. Avinash Dhamir & Hans Raj Arora. (2010), *A Compendium of Interpretative Techniques*, Twenty- First Century Publications, Patiala.
- 6. A. K. Yog, J. (2012), *Interpretation of Statutes*, Modern Law Publications, Allahabad
- 7. M.N. Rao & Amita Dhanda (2006), *NS Bindra's Interpretation of Statutes*, Lexis Nexis.
- 8. G. P. Singh (2012), *Principles of Statutory Interpretation*; Jain Book Agency, Delhi.
- 9. Avtar Singh & Harpreet Kaur (2014), *Introduction to Interpretation of Statutes*, Jain Book Agency, Delhi.

L	T	P	Credits	Marks
5	-	-	5	100

LL.M.525: Applied Legal Studies – II**Unit-I 16 Hours**

1. Law of Crimes

- General Principles
- Nature and Definition of Offence.
- General Exceptions
- Common Intention and Common Object.
- Criminal Attempt, Conspiracy and Abetment.
- Offences against Women.

Unit-II 16 Hours

2. Environmental Pollution

- Meaning of Environment and Environmental Pollution; Kinds of Pollution.
- Legislative Measures for Prevention and Control of Environmental Pollution in India – Air and Water Pollution and General Protection of Environment.
- International Development for protection of Environmental Pollution.
- Remedies for Environmental Protection: Civil, Criminal and Constitutional.
- Importance of Forest and Wildlife in protecting environment.
- Environmental impact assessment and control of Hazardous wastes.

Unit-III 16 Hours

3. Family Law

- Concepts in Family Law.
- Sources of Family Law in India.
- Marriage and Dissolution of Marriage
- Law relating to Adoption, Maintenance and CARA guidelines.

Unit-IV 16 Hours

4. Human Rights

- Protection of Human Rights Act, 1993
- Brief History of Human Rights: National and International Perspectives
- UDHR, 1945
- International Bill of Human Rights

Suggested readings

1. Galanter, M. (ed.) (1997), *Law and Society in Modern India*, Oxford University Press.
2. Dhirajlal Ratanlal, (2013), *Law of Crimes*, LexisNexis, New Delhi.
3. P S Jaswal & Nishta Jaswal, (2015), *Environmental Law*, Allahabad Law Agency.
4. Paras Diwan, Peeyushi Diwan (2008), *Modern Hindu Law: Codified and Uncodified*, Allahabad Law Agency.

L	T	P	Credits	Marks
-	-	2	1	50

LL.M.526: Seminar

XXX.000: Inter-Disciplinary -II (From any other Centre)

Semester III

Optional Groups – I/II/III

LL.M.597: Seminar and Synopsis approval etc.

L	T	P	Credits	Marks
-	-	-	8	200

SEMESTER IV

Optional Groups – I/II/III (In continuation to Opted group in Semester III)

**LL.M.600: Dissertation,
Continuous Evaluation, Submission and
Viva Voce.**

L	T	P	Credits	Marks
-	-	24	12	300

Optional Groups (Syllabus)

Group I - Environmental Law (EVL)

Semester III

**LL.M. EVL 551: Historical, Philosophical and Theoretical
Foundation of Environment Protection**

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I

14 Hours

1. Introduction - Environment, Components of Environment, Nature and Mankind
Environment Deterioration- Concept and Factors Responsible for
Environment Deterioration
2. Natural Resources and Environment
 - Forest Resources- Use and Over-Exploitation, Deforestation, Mining,
Dams and their Effects on Forest
 - Water Resources- Use and Over-Utilization of Surface and Ground
Water, Floods, Drought, Conflicts Over Water, Dams- Benefits and
Problems
 - Mineral Resources- Use, Exploitation, and Impact on Environment
 - Food Resources- World Food Problems, Modern Agriculture, Over-
Grazing, Over Use of Fertilizer and Pesticide, Water Logging and Salinity
 - Energy Resources- Growing Energy Needs, Renewable and Non-
Renewable Energy Sources Use of Alternate Energy Sources
 - Land Resources- Land Degradation, Man Induced Landslides, Soil Erosion
and Desertification

3. Equitable Use of Resources for Sustainable Lifestyles

Unit- II	14 Hours
4. Environmental Policy Making, Environmental Economics and Environmental Politics	
5. Environmental Protection in India- Ethical, Religious and Political Perspectives Role of Religion in Environment Protection- Hindu, Muslim, Christian and Sikh Perspectives on Environment	
6. Management and Protection by Specific Communities	
Unit- III	14 Hours
7. Environment Protection- Historical Perspectives in India, Modern India- Contribution of Environmentalists.	
8. Environmental Ethics Theories of Environment Ethics, and Moral Philosophy Eco-Centrism Anthropocentrism Biocentrism	
Unit- IV	14 Hours
9. Environmental Ethics and Movements Deep Ecology Feminism	
10. Modern Concept of Sustainable Development	
11. Globalization and Environment	

Suggested readings

1. Arnold, D. & Guha, R. C. (Ed.), (1995), *Nature, Culture, Imperialism- Essays on the Environmental History of South Asia*, Oxford University Press, Delhi.
2. Balee, W. (1998), *Advances in Historical Ecology*. Columbia University Press, New York.
3. Beinart, W. & Coates, P. (1995), *Environment and History*. Routledge, New Delhi.
4. Carson, Rachel, (1962), *Silent Spring*. Houghton Mifflin, Boston.
5. Santa, F. (Ed.) (1994), *Historical Ecology- Cultural Knowledge & Changing Landscapes*, School of American Research Press, New Mexico.
6. Gadgil, M. & Guha, R. C. (1992), *This Fissured Land- An Ecological History of India*, Oxford University Press, New Delhi.
7. Thakur, K. (2007), *Environmental Protection- Policy and Laws in India*, Deep and Deep Publication, New Delhi.
8. Richard Evanoff, (2010), *Bioregionalism and Global Ethics: A Transactional Approach to Achieving Ecological Sustainability, Social Justice, and Human Well-Being*. Routledge, New Delhi.
9. Chaturvedi, R.G., (2010), *Ancient Law of Environment*. Universal Law Publishing, Delhi.
10. Aruna Venkat, (2011), *Environmental Law and Policy*, PHI, Delhi.

L	T	P	Credits	Marks
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4	-	-	4	100
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**LL.M. EVL 552- Environment Law & Policy-
International Development**

Unit- I 14 Hours

1. Emergence of International Environmental Law
 - Nature and Sources
 - Development of International Environmental Law as a Discipline
 - Hard Law and Soft Law
 - Development through Treaties, Framework Convention-Protocol Approach
 - In-Built Law Making Process within Various Multilateral Environmental Agreements (MEAS), Conference of Parties (COP), Secretariats, Scientific and Technical Committees
2. International Environment Policy and Principles
 - Inter-Generational Equity
 - Sustainable Development
 - Precautionary Principle
 - Polluter Pay Principle
 - Absolute Liability Principle

Unit-II 14 Hours

3. United Nations Conference on Human Environment/ Stockholm Declaration, 1972.
4. UNEP- Structure, Functions of Governing Council, The UNEP Secretariat, Role of UNEP in Environment Protection.
5. Nairobi Declaration, 1982.

Unit-III 14 Hours

6. United Nations Conference on Environment & Development at Rio De Janeiro, 1992/ Rio Declaration, Role of Agenda 21 in the Development of International Legal Instruments and Mechanism, UNFCCC, 1992.
7. Biological Diversity- Convention on Biological Diversity Cartagena Protocol on Bio-Safety, Nagoya, Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Bio-Safety.

Unit-IV 14 Hours

8. World Summit on Sustainable Development, 2002, Johannesburg Plan of Implementation.
9. Rio+ 20.
10. Paris, 2015.

Suggested readings

1. Axelrod, Regina S. (ed.), (2011), *The Global Environment*. CQ Press, Washington DC.
2. Baviskar, Amita, (2011), *In the Belly of the River*. Oxford University Press, New Delhi.
3. Bell, B. & Gillivray, M.G., (2009), *Environmental Law*, Oxford University Press, New York.

4. Bodansky, Daniel, (2011), *The Art And Craft of International Environment Law*. Oxford University Press, London.
5. Bowett, D. W., (1982), *Law of International Institutions*, Oxford University Press, New York.
6. Callicott, J. Baird & Frodeman, Robert (ed.), (2009), *Encyclopedia of Environmental Ethics and Philosophy*, Gale Cengage Learning, London.
7. Leelakrishnan, P., (2011), *Environmental Law Case Book*. Lexis Nexis Butterworths, Nagpur.
8. Myeni, S. R., (2008), *Environmental Law*. Oxford University Press, New York.
9. Sadeleer, N. D., (2012), *Environmental Governance and the Legal Bases Conundrum*, Oxford University Press, Oxford.
10. Walker, Gordon, (2012), *Environmental Justice*. Springer Press, New York.

LL.M. EVL 553- Environment Protection and Sustainable Development

L	T	P	Credits	Marks
4	-	-	4	100

Unit-I **14 Hours**

1. Introduction to the Concept of Sustainable Development.
2. Environment and Development- Conflicting Issues, Environment in the Age of Liberalization, Privatization and Globalization.
3. Emergence of Philosophy of Sustainable Development and Sustainability.
4. Ecological Sustainability.

Unit-II

5. Establishment of the World Commission on Environment and Development (Brundtland Commission) 1984-87 and Report of the Commission.
6. United Nations Commission on Sustainable Development (CSD)
Establishment and Mandate of CSD
Role and Responsibility of CSD
7. United Nations Conference on Sustainable Development, 1992/ Agenda 21.
8. Rio+20 and The Future We Want.
9. GIO-5.

Unit-III **14 Hours**

10. Johannesburg Convention, 2002 (World Summit on Sustainable Development, 2002).
11. Environmental Sustainability- North and South.
12. Definitions of and Debates on Political Ecology, Access to and Control over Resources Case and the Water Politics in India.
13. The Growth of Social Movements Around Natural Resources and Environment.
14. Dam Campaigns.

Unit- IV **14 Hours**

15. Transnational Networks- Case of the Multilateral Development Bank Campaign, the "Greening of Business."
16. The Next Bottom Line? Arguments for Green Business Case- the Monsanto Company and GMOs, Critics of Green Business.
17. Formal International Negotiations- Climate Change.
18. The "Mainstreaming" of Environmental Concerns- Financial Markets.

19. Multi-Stakeholder Negotiations at the Global Scale- The Case of the World Commission on Dams.
20. The World Summit on Sustainable Development and Beyond.

Suggested readings

1. Agarwal, A, Et Al, (Ed.) (1984), *State of India's Environment*, Oxford University Press, Delhi.
2. Baumol, W. E. & Oates, W. J. (1988), *Theory of Environmental Policies*. Cambridge University Press, Cambridge.
3. Borrie, W. D. (1988), *Population, Environment and Society*, Oxford University Press, Oxford.
4. Crush, J. (Ed.) (1995), *The Power of Development*, Rutledge, New York.
5. Escobar, A. (1995), *Encountering Development- the Making and Unmaking of the Third World*, Princeton University Press, West Sussex.
6. Watson, James K.R., (2013), *The WTO and the Environment*, Routledge, London.
7. Gadgil, M. & Guha, R.C. (2001), *Ecology and Equity- the Use and Abuse of Nature in Contemporary India*, Penguin, Delhi.
8. Gorz, A. (1980), *Ecology as Politics*, South End Press, Boston.
9. Mart, H. (1993), *An Anthropological Critique of Development- the Growth of Ignorance*, Routledge, New York.
10. Tietenberg, T, (2003), *Environmental and Natural Resource Economics*, Pearson Education, New York.

SEMESTER IV

L	T	P	Credits	Marks
4	-	-	4	100

LL.M. EVL 571- Emerging Paradigms of Legal Framework on Environmental Management in India

Unit-I

14 Hours

1. Pre Independence Environmental Legislations in India
Shore Nuisance (Bombay and Colaba) Act, 1853
Oriental Gas Company Act, 1857
The Series Act, 1867
The Bengal Smoke Nuisance Act, 1905
The Indian Forest Act, 1927

Unit-II

14 Hours

2. Post Independence Environmental Legislations in India and Implementing Mechanism
The Wildlife (Protection) Act, 1972.
The Water (Prevention and Control of Pollution) Act, 1974
The Air (Prevention and Control of Pollution) Act, 1981
The Environment (Protection) Act, 1985.
The Public Liability Insurance Act, 1991
The Biological Diversity Act, 2002.

Unit-III **14 Hours**

3. Public Participation and Environmental Decision Making: Concept, Object, Significance, Advantages & Disadvantages and Techniques.
4. Impact Assessment of Socio-Economic Environment: Prediction and Assessment.
5. Biological Environment and Environment Impact Assessment.

Unit- IV **14 Hours**

6. Environment Auditing.
7. Corporate Social Responsibility.
8. Environment Assessment in India- Legislative Aspects and Current Practices.

Suggested readings

1. Bhatt, S., (2009), *Environment Protection*, APH Publishing Corporation, Delhi.
2. Dube, Indrajit, (2007), *Environmental Jurisprudence*, Lexis Nexis Butterworths, Nagpur.
3. Jaswal, P. S. & Jaswal, Nishtha, (2015), *Environmental Law*, Allahabad Law Agency, Faridabad.
4. Khan, I. A., (2009), *Environmental Laws*, Central Law Publication, Allahabad.
5. Lear, Shannon O., (2010), *Environmental Politics*, Cambridge University Press, New Delhi.
6. Louis, J. Kotza, L. J., (2013), *Global Environmental Governance- Law and Regulation for 21st Century*, Edward Elgar Publishing Ltd., Cheltenham.
7. Mallick, M.R., (2012), *Environment & Pollution Laws*, Professional Book Pub., Delhi.
8. Shastri, S. C., (2010), *Environmental Laws*, Eastern Book Company, Lucknow.
9. Stephens, Tim, (2009), *International Courts and Environmental Protection*. Cambridge University Press, Cambridge.
10. Tiwari, N. D., (2011), *Environmental Law*, Allahabad Law Agency, Faridabad.

L	T	P	Credits	Marks
4	-	-	4	100

LL.M. EVL 572- Role of Judiciary, NGOs in Environmental Protection

Unit-I **14 Hours**

1. Theories of Environmental Protection
 - Bentham's Doctrine of Utility and Environment Protection
 - Roscoe Pound's theory of Social Engineering and Environmental Protection
 - The Contemporary Environmental Issues

Unit-II **14 Hours**

2. Social Engineering and Sustainable Development.
3. Indian Judiciary on Environment Protection.
4. Public Interest Litigation and Environment Protection.

Unit-III **14 Hours**

5. Judicial Response and Environment- Expanding Horizons of Article 21
 - Right to Clean and Healthy Environment- A Basic Human Right
 - Right to Clean and Healthy Environment
 - Right to Pure Drinking Water

Right to Protection against Noise Pollution
 Right to Life *Vis a Vis* Right to Livelihood
 Right to Life *Vis a Vis* Right to Freedom of Trade, Business and Profession

Unit- IV **14 Hours**

6. Role of Judiciary in Enforcement of International Environmental Laws
 - Doctrines of Inter-Generational Equity
 - Polluter Pay Principle
 - Doctrines of Absolute Liability
 - Precautionary Principle
 - Environmental Rights- Third Generation Rights
7. Role of NGOs in Environment Protection.
8. Joint Forest Management.

Suggested readings

1. Jaswal, P. S. & Jaswal, N. (2015), *Environmental Law*, Allahabad Law Agency, Faridabad.
2. Khan, I. A. (2009), *Environmental Laws*, Central Law Publication, Allahabad
3. Shastri, S. C. (2010), *Environmental Laws*, Eastern Book Company, Lucknow.
4. Dube, I. (2007), *Environmental Jurisprudence Polluter's Liability*, Lexis Nexis.
5. Singh, Gurdip, (2005), *Environmental Law in India*, Mac Millan, New Delhi.
6. Leelakrishnan, P. (2010), *Environmental Law*, Lexis Nexis, New Delhi.
7. Armin Rosen. And Divan Shyam, (2013) *Environmental Law and Policy in India-Case, Material and Statutes*, Oxford University Press.

GROUP-II- Human Rights Law (HRL)

Semester III

LL.M.HRL.551 International Human Rights Law

L	T	P	Credits	Marks
4	-	-	4	100

Unit I **14 Hours**

1. International Concern: Protection of Individual in International Law.
2. League of Nations and Human Rights.
3. Human Rights and the United Nations Charter:
 - (a) Normative and Institutional Framework of the UN
 - (b) Role of the permanent organs of the UN, Human Rights Council, UN High Commissioner for Human Rights.

Unit II **14 Hours**

4. Universal Declaration on Human Rights:
 - (a) History of the Declaration
 - (b) Structure of the Declaration
 - (c) Legal Significance
5. Nature and Characteristic of Covenants ICCPR and ICESCR.
6. Optional Protocols and Implementation Machinery.

Unit III **14 Hours**

7. Major Conferences on Human Rights.
8. Convention Against Torture.
9. Rights of Indigenous People: woman, child, Minorities, Aged.

Unit IV **14 hours**

10. European Convention on Human Rights.
11. American Convention on Human Rights.
12. African Charter on Human and People's Rights.
13. Asia and Human Rights.

Suggested readings

1. Brownlie Ian & Goodwin Gill Guys, (2010), *Basic Documents on Human Rights*, Oxford University Press, New York.
2. Amartya Sen, (2009), *The Idea Justice*, New Delhi, Penguin Books.
3. Conor Greaty and Adam Tomkins (1996) (Eds), *Understanding Human Rights*, London, Manshell.
4. David Beetham, (1995), *Politics and Human Rights*, Oxford: Blackwell.
5. Gurpreet Mahajan (1998) Ed., *Democracy, Difference and Social Justice*, Oxford University Press New Delhi.
6. James Nickel, (1987), *Making Sense of Human Rights: Philosophical Reflections on the Universal Declaration of Human Rights*, Berkeley: University of California Press.
7. John Rawls, (2001), *Law of the People*, Cambridge: Harvard University Press.
8. Michael Freedon, (1998), *Rights*, Delhi: World View, (Indian Reprint).
9. Michael Freeman, (2002), *Human Rights: An Interdisciplinary Approach*, Oxford: Polity.
10. Upendra Baxi, (2008), *The Future of Human Rights*, Oxford University Press, New Delhi.

L	T	P	Credits	Marks
4	-	-	4	100

LL.M.HRL.552-Protection & Enforcement of Human Rights in India

Unit-I **14 Hours**

1. History and Development of Human Rights in Indian Perspective.
2. Constitutional Philosophy and Human Rights.
3. Religion and Human Rights.
4. Comparison of Fundamental Rights with UDHR & Human Rights Covenants.

Unit-II **14 Hours**

5. Implementation of International Human Rights Treaties in India.
6. Implementation of ICCPR, ICESCR.
7. Implementation of CEDAW.

Unit- III **14 Hours**

8. Fundamental Rights v. Fundamental Duties.
9. Emerging regime of new human rights in India. Taking guidance from Directive

Principles of State Policy.

10. Right to Life and Personal Liberty: New Dimension. Judicial approach towards expansion of human rights protection.

Unit-IV

14 Hours

11. Protection of Human Rights Act, 1993.
12. Role of NHRC, NCW, NCPCR in Protection of Human Rights.

Suggested readings

1. B.P. Singh, (2008), *Human Rights in India: Problems and Perspectives*, Deep & Deep, New Delhi.
2. Aftab Alam, (2004), *Human Rights in India: Issues and Challenges*, Raj Publications, Delhi.
3. Shanker Sen, (2009), *Tryst with Law Enforcement and Human Rights: four decades in Indian Police*, APH, New Delhi.
4. Harsh Bhanwar, (2008), *Human Rights Law in India: Protection and Implementation of the Human Rights*, Regal Pub, New Delhi.
5. Jaiswal Jaishree, (2005), *Human Rights of accused and juveniles: Delinquent in conflict and Law*, Kalpaz, Delhi.
6. L.K. Thakur, (2002), *Essentials of POTO and other Human Rights Laws*, Author Press New Delhi.
7. Awasthi, S.K. & R.P. Kataria, (2002), *Law Relating to Protection of Human Right*, Orient Publishing, New Delhi.
8. K.P. Saxena, (2003) (ed.), *Human Rights and the Constitution: Vision and the Reality*, Gyan Publishing, New Delhi.

L	T	P	Credits	Marks
4	-	-	4	100

LL.M.HRL.553- Human Rights of Vulnerable and Disadvantaged Groups

Unit-I

15 Hours

1. Meaning and Concept Vulnerable and Disadvantaged Groups.
2. Groups, Customary, Socio-Economic and Cultural Problems of Disadvantaged Groups.
3. Status of Indigenous People: Status of SC/ST in the Indian Scenario.
4. National Commission for Schedule Caste, National Commission for Schedule Tribe, National Commission for Minorities

Unit II

15 Hours

5. UN and Women's Human Rights
 1. Commission on the Status of Women
 2. CEDAW, 1979 and its Protocol

Unit III

15 Hours

6. UN and Child Rights
7. Convention on the Rights of Child, 1989 & its Protocols
8. Role of UNICEF and other specialized agencies

Unit IV**15 Hours**

9. Human rights of Vulnerable Groups: Stateless Persons, Sex Workers, Migrant Workers, HIV/AIDS Victims, Trans-Genders
10. Human Rights of Aged and Disabled

Suggested readings

1. Nanjunda D.C., (2008), *Child Labour and Human Rights: A Prospective*, Kalpaz Pub, Delhi.
2. Chaudhary S.N., (2005), *Human Rights and Poverty in India: Theoretical Issues*, Concepts Delhi.
3. Ganga R., (2007), *Children's Rights as basic Human Rights*, Reference, Press New Delhi.
4. Anu Saksena (2004), *Gender and Human Rights: Status of Women Workers in India*, Shipra Publications, Delhi.
5. Gurusamy, S., (2009), *Human Rights and Gender Justice*, APH New Delhi.
6. Jha A.K., (2006), *Child Abuse and Human Rights*, N.D.: Anmol.
7. Rao D.V., (2004), *Child Rights: A Perspective on International and National Law*, Manak, New Delhi.
8. Devasia V.V., (2009), *Women, Social Justice and Human Rights*, New Delhi.
9. Sharma B.R., (2002), *Encyclopedia of Human Rights and Women's Development*, Sarup & sons, New Delhi.
10. Bhargava G.S., (2001), *Human Rights of Dalits: Social Violation*, New Delhi: Gyan.

SEMESTER IV

L	T	P	Credits	Marks
4	-	-	4	100

LL.M.HRL.571- Criminal Justice System and Human Rights**Unit-I****14 Hours**

1. Concept of Crime and Criminal Liability
2. Criminal Procedure and Human Rights: Constitutional Provisions, Criminal Justice System in India, Police Organization, Prosecution, Courts.

Unit-II**14 Hours**

1. Reporting a Crime: FIR
2. Investigation: Investigation Overview Search, Seizure, Investigation/Preliminary Questioning
3. Arrest: Circumstances and Rights when Arrested
4. Bail, Detention, Trial
5. Sentencing, Execution Clemency and Remission of Sentences etc.

Unit- III**14 Hours**

1. Human Rights of Detainees, Prisoners and Convicts
2. Legal Aid and Compensation

3. Recent Developments in Criminal Justice System, Landmark Judgements
4. Human Rights and Prison System in India
5. Drug Addiction and NDPS Act, 1985

Unit-IV: 14 Hours

1. History and Evaluation of International Criminal Law
2. International Criminal Court
3. International Criminal Tribunals

Suggested readings

1. South Asia Human Rights Documentation Centre (SAHRDC), (2006) *Handbook of Human Rights and Criminal Justice in India: the System and Procedure*, Oxford: New Delhi.
2. Manoj Kumar Sinha, (2010) *International Criminal Law and Human Rights*, Manak Publications Pvt. Ltd.: New Delhi.
3. Leanne Weber, Elaine Fishwick, Marinella Marmo, Crime, (2014), *Justice and Human Rights*, Palgrave Macmillan, New York.
4. V.K. Anand, Human Rights, (2012) *Human Rights*, Allahabad Law Agency, Haryana.
5. National Human Rights Commission India, (2012) *Human Rights Best Practices Relating to Criminal Justice in a Nutshell*, National Human Rights Commission, New Delhi.
6. South Asia Human Rights Documentation Centre, (2015), *Introducing Human Rights An Overview Including Issues of Gender Justice, Environmental, and Consumer Law*, Oxford: New Delhi.
7. National Human Rights Commission India, (2011), *Manual on Human Rights for Police Officers*, National Human Rights Commission, New Delhi.
8. S.M.A. Qadri, (2005), *Criminology Problems and Perspective*, Eastern Book Company, Lucknow.
9. David Scott, (2013), *Why Prison?* Cambridge University Press, United Kingdom.
10. Anthony Amatrudo, (2014), *Human Rights and the Criminal Justice System*, Routledge.
11. Vibhute, K.I.: *Criminal Justice: A Human Rights Perspective of the Criminal Justice Process in India*: Eastern Book Company.

L	T	P	Credits	Marks
4	-	-	4	100

LL.M.HRL.572- Refugees and Humanitarian

Law

Unit-I 14 Hours

1. Determination of Refugee Status
2. Refugee Conventions of 1951 and its Protocol 1967
3. Solution to Refugee Problems: Resettlement in Third Country, Local Integration, Voluntarily or forced Repatriation, Comprehensive Responses
4. Terrorism, Security and Human Rights, Counter-Terrorism, Military Intervention, Risks and Costs

Unit-II 14 Hours

4. Contemporary Developments in Refugee Law: International Burden Sharing, International Safe Countries Burden, Temporary Protection, Environmental refugees, Safety Zones
5. Internally Displaced Persons, UN Guiding Principles on Internal Displacement 1998, Refugee Law and Policy in India.
6. Conflicts and displacement in North-East
7. Role of UNHCR

Unit-III**14 Hours**

8. Nature and sources of IHL
9. Developments of IHL
10. Principles of IHL
11. Protection of victim of war-Geneva conventions 1949 and its protocol
12. Role of ICRC
13. IHL and UN peace Operations

Unit-IV**14 Hours**

14. Humanitarian -human rights nexus
15. War crimes and Human rights
16. IHL in internal armed conflicts
17. Protection of cultural property during war /conflicts
18. Surgical Strike

Suggested readings

1. Harland, Christopher (2011) *International Humanitarian Law*, Vij Books India Pvt Ltd, New Delhi.
2. Smith, K. M. Rhona (2010) *Texts & Materials on International Human Rights*, Routledge, New York.
3. Cushman Thomas (2014) *Handbook of Human Rights*, Routledge, New York.
4. Duffy Helen (2015) *The War on Terror*, Cambridge University Press, UK.
5. Peou Sorpong (2013) *Human Securities Studies*, World Scientific Publication Company, Singapore.
6. Basu Pratim Sibaji (2014), *Forced Migration and Media Mirrors*, Front Page Publications Ltd, UK
7. Khanna S. K. (2012) *War and Human Rights*, Wisdom Press, New Delhi.
8. Monshipouri Mahmood (2015), *Terrorism, Security and Human Rights*, Viva Books Private Limited, New Delhi.
9. SAHRDC (2008), *Human Rights and Humanitarian Law*, Oxford University Press, New Delhi.
10. Manoj Kumar Sinha, (2010), *International Criminal Law and Human Rights*, Manak Publications Pvt. Ltd.: New Delhi.
11. Alkopher Tal Dingott (2013), *Fighting for Rights*, Ashgate Publishing Limited, USA
12. Haas Michael (2014), *International Human Rights*, Routledge, New York.
13. Sirram Chandra Lehha (2009), *War Conflict & Human Rights Theory and Practice*, Routledge, New York.

Group III- Corporate Law (CPL)**Semester III****LL.M.CPL.551: Corporate Law and Governance**

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I**14 Hours**

1. Corporate Incorporation

- Certificate of Incorporation
- Memorandum and Articles of Association
- Doctrine of Ultra Vires
- Doctrine of Indoor Management

2. Managerial issues

- Directors: Appointment, Removal, Position, Powers and Duties of Directors.
- Audit Committee: It's Role.
- Company Secretary: Qualification, Appointment and Duties
- Officer who is in default: Definition of Officer who is in default
- Independent directors.

3. Meetings

- Types of Meetings
- Procedure of calling meeting
- Resolutions and its kinds

Unit- II**14 Hours**

4. Oppression & Mismanagement and Investigation

- Rule in Foss v. Harbottle
- Prevention of Oppression
- Prevention of Mismanagement
- Role & Powers of the Company Law Board
- Role & Powers of Central Government

5. Company Investigation.

Unit-III**14 Hours**

6. Corporate Liquidation

- Winding up of Companies
- Mode of winding up of the companies
- Compulsory Winding up under the Order of the Tribunal
- Voluntary winding up
- Contributories (Payment of liabilities)

Unit – IV**14 Hours**

7. Corporate Governance and Social Responsibility

- Importance of Corporate Governance
- Different system of Corporate Governance
- Impact of Legal Traditions and the Rule of Law on Corporate Governance
- Legal Reforms of Corporate Governance in India
- Reports of the various Committees on Corporate Governance
- Emerging Trend based on the recommendation of the Committees

8. Corporate Social and Environmental Responsibility.
9. Criminal Liability of Corporations.

Suggested readings

1. Smith and Keenan's (2002), *Company Law*, Harlow: Longman.
2. Andrew Lidbetter, (1999), *Company Investigations and Public Law*, Hart Publishing
3. Saleem Sheikh & William Rees, (2002), *Corporate Governance & Corporate Control*, Taylor and Francis, London.
4. Avtar Singh, (2007), *Company Law*, Eastern Book Company, Lucknow.
5. Paul Davies & Sarah Worthington, (2008), *Gower's Principles of Company Law*, R. Cambay & Co. Pvt. Ltd.
6. S. K. Verma & Suman Gupta (2005), *Corporate Governance and Corporate Law Reform in India*.
8. Companies Act, 2013.

L	T	P	Credits	Marks
4	-	-	4	100

LL.M.CPL.552: Competition Law

Unit- I **14 Hours**

1. Competition
 - An Introduction
 - Definition and objectives of Competition and Competition Law
2. History of Competition Law
 - (USA, UK, Europe) Relevant provisions of Sherman's Act
 - Indian scenario with an overview of MRTP Act, 1969
 - Raghavan Committee Report
3. International co-operation for competition
 - WTO agreements and the Act

Unit- II **14 Hours**

4. Anti-competitive Agreement- Appreciable adverse effect
 - Horizontal and Vertical agreements
 - Effects doctrine
5. Prohibition of anti-competitive agreements
 - Concerted practices and parallel behaviour
 - Cartel and Cartelisation
 - Bid rigging and collusive bidding
 - Tie-in-arrangements
 - Exclusive supply agreement
 - Resale price maintenance agreement

Unit-III **14 Hours**

6. Competition Commission of India
 - Establishment and composition
 - Duties
 - Procedure for inquiry
 - Powers
 - Competition fund
7. Competition Advocacy

Competition Policy

Unit – IV**14 Hours**

8. Combination
 - Value of Assets
 - Turnover
 - Acquisition
 - Conglomeration
 - Joint Venture
 - Merger and Amalgamation
 - Notification
9. Abuse of Dominant Position
 - Relevant market
 - Predatory behaviour
 - Predatory pricing
 - Discriminatory practices
 - Relevant market

Suggested readings

1. Ramappa. T. (2006), *Competition Law in India- Policy, Issues and Development*, Oxford University Press.
2. Nahar. S. Mahala (2006), *Competition Act, 2002 Law Practice And Procedure*, Commercial Law Publishers.
3. Dhall .Vinod(ed.), (2007), *Competition Law Today*, , Oxford University Press
4. Bangia R.K. (2004), *A Handbook of Consumer Protection Laws and Procedure*, Allahabad Law Agency.
5. Singh Avtar, (2005), *Law of Consumer Protection; Principles and Practice*, Eastern Book Company.
6. Verma S.K. & M. Afzal Wani (ed.), (2004), *A Treatise on Consumer Protection Laws*, Indian Law Institute.
7. Anoop K. Kaushal, (2006), *Universal's Practical Guide to Consumer Protection Law*, Universal law Publishing Company, New Delhi.
8. Pavleen, (2006), *Consumer Decision- Making*, Deep & Deep Publication.
9. Aggarwal, Prof. V. K. (2008), *Consumer and Protection Law and Practice*,
10. Mittal D.P. (2007) *Taxmann's Competition Law*, Taxmann
11. Universal Law Publishing Company (2003), *Universal Guide to Competition Law in India*, Universal Law Publishing Company, New Delhi.

LL.M.CPL.553: Regulation of Financial Market and Foreign Investment

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I**14 Hours**

1. Nature & Role of Financial Market.
2. Money Market: Characteristics, Importance and Players of Money Market,

3. Money Market Instruments: Call Money, Treasury Bill, Commercial Papers, Certificate of Deposit, Bill Market.
4. Financial Institutions: Banking and Non-Banking Financial Co. (NBFCs).

Unit- II**14 Hours**

5. Capital Market: Primary and Secondary market, Mutual Fund, SEBI Regulation.
6. Role of SEBI & SBI.
7. History of Stock Exchange in India NSE & BSE.
8. Investor Protection-Need for Educating Investors.

Unit- III**14 Hours**

9. Investment in India: Entities into which FDI can be made.
10. Issue of Financial Instruments.
11. Modes of FDI in India.
12. Guidelines for the Calculation of Total Foreign Investment.

Unit- IV**14 Hours**

14. Bilateral Investment Treaties: Constitutional Perspective of Bilateral Investment Treaties: Need and applicability Standards of Protection Treaties vis a vis State Responsibility
15. Dispute Resolution under Investment Treaties Basic Concepts in Investment Treaty
16. The FEMA, 1999: Regulations and Management of Foreign Exchange
17. Emerging paradigms with special reference to disclosure of Foreign Income and Assets/ Black Money (Undisclosed Foreign Income and Assets) & Imposition of Tax Act, 2015

Suggested readings

1. Bjorklund, Andrea K., (2015), *Yearbook on International Investment Law & Policy 2013- 2014*, Oxford University Press.
2. Dolzer, R., (2013), *Principles of International Investment Law (Foundations of Public International Law)*.
3. Giorgetti, C., (2014), *Litigating International Investment Disputes*, Martinus Nijhoff
4. Jean E., Kalicki, Arnold & Porter and Anna Joubin-Bret, (2015), *Reshaping the Investor-State Dispute Settlement System: Journeys for the 21st Century*, Brill, Nijhoff.
5. Jeswald W. Salacuse, (2013), *The Three Laws of International Investment National, Contractual, and International Frameworks for Foreign Capital*, OUP.
6. J., Weeramantry, (2012), *Treaty Interpretation in Investment Arbitration*, Oxford International Arbitration Series (OUP).
7. Kavaljit, Singh and Burghard Ilge, (2016), *Rethinking Bilateral Investment Treaties: Critical Issues and Policy Choices, Both Ends and Madhyam Publishers (Joint)*, Netherlands and New Delhi.
8. Kondaiah Jonnalagadda, (2015), *Securities Law*, Lexis Nexis.
9. K.Yannaca-Small (2010), *Arbitration under International Investment Agreement*, OUP.
10. Singhania, D.C., *Foreign Collaborations and Investment India*, Universal Law Publishing, Delhi.

11. Taxmann's, *Foreign Exchange Management Manual*, Taxmann Publication (P.) Ltd., New Delhi.

Semester IV

LL.M.CPL.571: Banking and Insurance Law

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I 14 Hours

- The Evaluation of Banking Services and its History in India
 - History of Banking in India.
 - Bank nationalization and social control over banking.
 - Various types of Banks and their functions.
 - Contract between banker and customer: their rights and duties.
 - Role and functions of Banking Institutions
- Salient Features of Banking Regulation Act and the Role of RBI

Unit- II 14 Hours

- Lending by Banks and Recent Trends of Banking System in India
 - Advances, Loans and Securities.
 - Direct, collateral and miscellaneous Securities.
 - Default and recovery.
 - Bank Debt Recovery Tribunals.
- The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act, 2002 (Definitions, Section 13 – Enforcement of security interest, Section 17 - Right to appeal.).

Unit-III 14 Hours

- General Principles of Law of Insurance
 - Definition, nature and history.
 - Contract of insurance and principles.
 - The Risk – commencement, attachment, assignment.
 - Types of insurances.
 - Policy and its Legal Status.

Unit – IV 14 Hours

- Recent Trends in Insurance
 - Insurance against third party risks (relevant provisions from Motor Vehicles Act, 1988.) Liability Insurance.
 - Consumer Protection and Banking and Insurance Services.
 - The Insurance Act, 1938 and the Insurance Regulatory & Development Authority Act, (IRDA), 2000.
 - Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance, Mediclaim, Sickness).

Suggested readings

- Babu, G. Ramesh, (2012), *Financial System in India*, Concept Publishing Co. Pvt. Ltd., New Delhi.
- Birds, John, *Modern Insurance Law*, (2011), Sweet & Maxwell Thomson Reuter South Asia Edition.

3. Gupta, S. N., *The Banking Law in Theory and Practice (in three volumes)*, 2006, Universal Law Publishing Co.
4. Hagela, T.N., (2015), *Money, Banking and Public Finance*, Ane Books Pvt. Ltd.
5. Murthy, K.S.N., and Sarma, K.V.S., *Modern Law of Insurance in India*, 2002, Lexi Nexis Butterworth.
6. Nainta, R.P., *Baking System, Frauds and Legal Control*, (2005), Deep and Deep Publication.
7. Shah, M. B., *Landmark Judgments on Insurance*, (2004), Universal Publishing Co.
8. Mishra, M.N., *Law of Insurance Principles and Practice*, 2008, Radhakrishan Prakashan.
9. Rangarajan, C., *Handbook of Insurance and Allied Laws*.
10. Rastogi, Sachin, (2014), *Insurance law & Principles*, Printed by: Baba Barkha Nath Printers, Haryana.
11. Sarma, K.V.S., (2015), *Modern law of Insurance in India*, Sai Print Pvt. Ltd., New Delhi.
12. Sarma, V. Nityananda, (2011), *Banking and Financial System*, Foundation Publisher, New Delhi.
13. Sharma, B.R. and Nainta, R.P., *Principles of Banking Law and Negotiable Instruments Act 2004*, Allahabad Law Agency.
14. Singh, Preeti, (2015), *Dynamics of Indian Financial System, Markets, Institutions and services*, Ane Books Pvt. Ltd.
15. Tannan, M.L., (2013), *Tannan's Banking Law and Practice in India*, Lexis Nexis.
16. Taxmann's (2016), *Corporate Laws*, Bookmann India.

L	T	P	Credits	Marks
4	-	-	4	100

LL.M.CPL.572: Law of Corporate Finance: Securities Regulation

Unit- I 14 Hours

1. Public Issue of Shares Prospectus
Remedies for misrepresentation
SEBI and Stock Exchange guidelines
2. Share Capital
Nature and Kind of Shares
Transfer, Transmission, Surrender and forfeiture of Shares
Purchase by Company of its own shares
Issue of shares at premium and discount
SEBI Guidelines

Unit- II 14 hours

3. Shareholders' Rights (Various rights of shareholders and variation of shareholders rights).
4. Debentures; Difference between Share and Debentures; Kinds of Debenture; Remedies of Debenture Holder; Company Charges.

Unit-III 14 Hours

5. Insider Trading: SEBI's Guidelines on Insider Trading.
6. Securities and Exchange Board of India (SEBI): Constitution, Powers and Functions.

Unit – IV**14 Hours**

7. Reconstruction merger, Amalgamation, Take Over and Mergers: Provisions in Company Law and SEBI Guidelines.
8. Auditors:
Appointment, powers, duties and removal of auditors Special Audit
Director Responsibility statement in Board Report
National Advisory Committee on Accounting Standards

Suggested readings

1. Avtar Singh (2015), *Company law*, Eastern Book Company, Lucknow.
2. Babu, G. Ramesh, (2012), *Financial System in India*, Concept Publishing Co. Pvt. Ltd. New Delhi.
3. Bhole, L.M., Mahakud, Jitendra, (2016), *Financial Institutions and Markets Structure Growth and Innovations*, McGraw Hill Education (India) Pvt. Ltd. New Delhi.
4. Bose, D. Chandra (2012), *Business Law*, PHI Learning Private Ltd., New Delhi.
5. *Corporate Law References* (2015), Lexis Nexis, Saurabh Printers Pvt. Ltd., Noida.
6. *Companies Act, 1956*.
7. *Gower's Principles of Company Law*, Sweet & Maxwell Thomson, 2006.
8. Karn Gupta (Lexis Nexis), *Company law*, Savrabu Printers Pvt. Ltd, Noida.
9. Khan, M.Y., (2016), *Indian Financial System*, McGraw Hill Education (India) Pvt. Ltd. New Delhi.
10. Kondaiah Jonnalagadda, (2015), *Securities Law*, Lexis Nexis.
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13. *The Institute of Chartered Accountants of India, (2016)*, Financial Reporting, ICAI, New Delhi.
14. *The Institute of Chartered Accountants of India, (2016)*, Corporate and Allied Laws, ICAI, New Delhi.
15. Verma J.C., (2008), *Corporate Mergers, Amalgamations & Takeovers*, Bharat Law House, New Delhi.
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