

Central University of Punjab, Bathinda-151001
School of Legal Studies and Governance
LL.M. Two Year Programme
(Specialization in-Environmental Law/Human Rights Law/Corporate Law)

LSR.501: Research Methodology & Legal Writing

L	T	P	Credits	Marks
5	-	-	5	100

Unit-I **16 Hours**

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

4. Unit-II **16 Hours**

5. Research Design- Choice of Research Topic, Identification of Research Formulation of Research Hypothesis, Units of Analysis, Variables- Types and Relationships
6. Sources of Data Collection - Observation, Questionnaire and Schedule, Interview and Case Study, Surveys-Analysis, Interpretation and Legal Writing

Unit-III **16 Hours**

7. Techniques of Research Writing- Project and Research Proposals, Project Report, Research Paper and Monographs- Abstract, Referencing, Foot Note and Bibliography
8. Ethics in Research
 - Ethical Behaviour and Plagiarism
 - Plagiarism in Research
 - Principle of Respect for Persons
 - Belmont Report on Research

Unit – IV **16 Hours**

9. Nature and Objectives of Legal Education
 - Legal Literacy
 - Clinical Legal Education - Legal Aid
 - Law Reforms and Civil Society
 - Jurimetrics and Socio-metrics
10. Legal Research and Online Research Database-
 - Rational and Significance of Online Database
 - Use of Internet
 - Authentication of Websites
 - Use of Internet Communication Technology

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.
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*, Mc Graw-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 Majumdar (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.

LSR.502: Computer Applications

L	T	P	Credits	Marks
3	-	-	3	100

Unit I

10 Hours

1. **Fundamentals of Computers-** Parts of Computers, Hardware, BIOS, Operating Systems, Binary System, Logic Gates and Boolean Algebra.
2. **Application Software-** Spreadsheet Applications, Word-Processing Applications, Presentation Applications, Internet Browsers, Reference Management, and Image Processing Applications.
3. **Computer Language-** Basic DOS Commands, Auto Hotkey Scripting Language, HTML and Basic Structure of a Webpage, Designing Websites.
4. **World Wide Web-** Origin and Concepts, Latency and Bandwidth, Searching the Internet, Advanced Web-Search Using Boolean Logic, Cloud Computing

Unit II

10 Hours

5. **Use of Statistical Techniques in Analysis of Data-** Measures of Central Tendency, Measures of Dispersion, Correlation & Regression, Testing of Hypothesis, Test of Significance Z-Test and T-Test, Analysis of Variance (One Way and Two Way), Chi-Square Test of Independence
6. **DBMS-** Introduction, Components, Functions, Development of Database Systems, Advantages of Using DBMS, Data Abstraction, Data Models, Data Independence, Database Languages, Database Manager, Database Administrator, Database Users.

Unit III

10 Hours

7. Computerized Research/ E-Research

- Introduction
- Ethnography of Internet
- The Use of Internet as Object of Analysis
- The Use of Internet as a Tool of Collection
- Quality Research Using Online Focus Groups

Qualitative Research Using Online Personal Interviews
 Online Social Surveys
 Web Surveys
 Mixing Modes of Survey Administration

Unit IV **10 Hours**

- 8. Ethical Consideration in Internet Research
- 9. Plagiarism and Internet Research

Suggested readings

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

LSR.503: Law and Social Transformation in India

L	T	P	Credits	Marks
4	-	-	4	100

Unit-I **14 Hours**

- 1. Law and social change
 - Law as an instrument of social change
 - Law as the product of traditions and culture
 - Criticism and evaluation in the light of colonisation and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.
- 2. Religion and the law
 - Religion as a divisive factor
 - Secularism as a solution to the problem
 - Reform of the law on secular lines: Problems.
 - Freedom of religion and non-discrimination on the basis of religion
 - Religious minorities and the law

Unit-II **14 Hours**

- 3. Language and the law
 - Language as a divisive factor: formation of linguistic states.
 - Constitutional guarantees to linguistic minorities
 - Language policy and the Constitution: Official language; multi-language system.
 - Non-discrimination on the ground of language
- 4. Community and the law
 - Caste as a divisive factor
 - Non-discrimination on the ground of caste
 - Acceptance of caste as a factor to undo past injustices
 - Protective discrimination: Scheduled castes, tribes and backward classes.
 - Reservation; Statutory Commissions, Statutory provisions

Unit-III **14 Hours**

- 5. Regionalism and the law
 - Regionalism as a divisive factor
 - Concept of India as one unit
 - 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.

6. Women and the law

Crimes against women
Gender injustice and its various forms
Women's Commission
Empowerment of women: Constitutional and other legal provisions

7. Children and the law

Child labour
Sexual exploitation
Adoption and related problems
Children and education

Unit-IV

14 Hours

8. Modernisation and the law

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

9. Alternative approaches to justice

The jurisprudence of Sarvodaya- Gandhiji, Vinoba Bhave; Jayaprakash Narayan
Surrender of dacoits, Concept of Grama Nyayalayas, Mobile Courts.
E Governance in administration of justice
Socialist thought on law and justice: An enquiry through constitutional debates on the right to property.
Indian Marxist critique of law and justice
Naxalite Movement: causes and cure.

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, Berkeley.

L	T	P	Credits	Marks
4	-	-	4	100

LSR.504: International Law, Human Rights and Global Relations

Unit- I 14 Hours

1. Historical Background and Theoretical Foundation of International Law :
 - Definition and Character of International Law
 - Historical Evolution and Development of International Law
 - Basis of International Obligation
2. Concept of Source of Law and Methods of Law Formulation.
 - Meaning of Source of Law
 - Sources of International Law
 - Codification and Progressive Development of International Law and Role of International Law Commission and International Agencies, Jus Cogens
3. Relationship between International Law and Municipal Law :
 - Theories of Relationship
 - Merits and Demerits
 - American, English and French Approaches towards the Relationship between Municipal Law and International Law
 - Indian Practice and role of Indian Judiciary

Unit- II 14 Hours

4. Subjects of International Law
5. State
6. Recognition
7. State Responsibility
8. State Succession

Unit-III 14 Hours

9. United Nations And Human Rights
 - Brief History of Human Rights- International and National Perspectives
 - Provision of the charters of United Nations
 - International Bill of Human Rights
 - Generations of Human Rights

Unit-IV 14 Hours

10. Introduction to Global Relations Theory: Defining Theory; Theorizing about International Relations and System of Analysis; Major Theoretical Debates
11. Contending Theories of Global Relations: Realism (Classical & Structural) / Neorealism; Liberalism / Neoliberalism
12. Global Conflict and Cooperation Theories: Balance of Power; Security Dilemma; Regime Stability; Power Politics vs. International Order and Cooperation

Suggested readings

1. Bowett, D. W. (1982). *Law of International Institutions*. Oxford University Press, USA.
2. Detter, I. (2010). *Law Making by the International Organisation*, Gale.
3. Dunne, T. and Steve Smith, (2007) eds., *International Relations Theories: Discipline and Diversity*, Oxford University Press.
4. Burchill, S., Andre Linklater and Terry Nardin, (2009) eds., *Theories of International Relations*, 4th Edition, Palgrave Macmillan Publishers.
5. Aron Raymond, (2003) 'Peace and War: A Theory of International Relations,' New Brunswick, New Jersey, London, Transaction Publishers.
6. Agarwal, H. O., (2011). *International Law & Human Rights*. Faridabad, Central Law Publication.
7. Kapoor, S. K., (2010). *International Law*. ABC Publications.

L	T	P	Credits	Marks
4	-	-	4	100

LSR.505: 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. Partnership Act
Nature and essentials of partnership mutual rights and liabilities of partners, advantages of registration of firms.
3. Sales of Goods Act.
4. Negotiable Instruments Act.
5. Company Law : Role of Directors, Doctrines of Indoor Management and Ultra Vires.

Unit-III

14 Hours

6. Law of Torts
Foundation of Tortious Liability.
General Defences to an action of Tort
Vicarious Liability
Remoteness of Damages.
Contributory Negligence
Absolute and Strict Liability

Unit-IV

14 Hours

7. Labour Law
Concepts : Industry, Industrial Dispute and Workman.
Trade Unions : Rights and Immunities of Registered Trade Union; Registration and its advantages.
Methods for Settlement of Industrial Disputes under Industrial Disputes Act, 1947.
Strike and Lockout as Instruments of Collective Bargaining.

Retrenchment, Lay – off and Closures.

Suggested readings

1. Galanter, M. (ed.) (1997). *Law and Society in Modern India*. Oxford University Press.
2. Singh, Avtar (2013). *Contract and Specific Relief*. New Delhi, Eastern Book Company.
3. Bangia, R. K., (2013). *Law Of Torts With Consumer Protection Act*. Delhi, Allahabad Law Agency.
4. Markanda, P. C., (2010). *The Law of Partnership in India*. Delhi, Lexis-Nexis.
5. Singh, Avtar, (2013). *Introduction To Labour and Industrial Law*. Delhi, Lexis-Nexis.

LSR.506: 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	50

Semester II

LSR.510: 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**

1. Relation between Law and Justice
 - Equivalence Theories - Justice as nothing more than the positive law of the stronger class
 - Dependency theories - For its realisation 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.

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 Universal Publication, Delhi.
8. Stone, J. (1999). *Legal System and Lawyers' Reasonings*. Universal 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.

	L	T	P	Credits	Marks
LSR.511: Indian Constitution and New Challenges	4	-	-	4	100

Unit-I **14 Hours**

1. The Idea of Constitutionalism
 - Constitutional Governance in India
 - Nature of Indian Constitution
 - Critical Review of Federal Features
2. Separation of Powers: Stresses and Strain
 - Separation of Powers: Constitutional status
 - Judicial Activism and Judicial Restraint
 - Public Interest Litigation: Uses and Abuses

Independence of Judiciary

Unit-II	14 Hours
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3. State: Meaning and Definition
4. Role of State in life of an individual
5. Emerging need for widening the definition of State in the age of Liberalization, privatization and globalization (LPG)
6. Fundamental Rights under Part III

Unit-III	14 Hours
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7. Rule of Law in the light of Liberalization, privatization and globalization (LPG)
8. Impact of Liberalization, privatization and globalization (LPG) on Fundamental Rights
9. Relationship between Right to clean and healthy environment and fundamental rights.

Unit- IV	14 Hours
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10. Directive Principles: Meaning and Importance
- 11.Environment Protection and Directive principles
- 12.Fundamental Duties
- 13.Harmonizing Fundamental Rights and Directive Principles
- 14.Legislative Relations between Centre and State with reference to environmental issues
- 15.Constitutional amendments relating to environmental protection.

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, Bobbay.
5. Basu, D. D. (1996). *Shorter Constitution of India*. Prentice - Hall of India (P) Ltd., New Delhi.

LSR.512 Comparative Public Law and Governance

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I	14 Hours
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1. Concept, Nature and Importance of the Comparative Public Law, Difference Between Comparative Public Law and Other Laws, Application of Comparative Law on Public Law and Other Laws
2. Theories of Constitutionalism, Constitution and Statehood
3. Colonialism and its Aftermath- Independence, Comparative Law and Politics in UK, USA and India
4. International Community and Emerging Constitutionalism

Unit- II	14 Hours
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5. Flexibility and Continuity as Aspects of Constitutionalism, Constitutional Amendments in UK, USA, Australia and India

6. Parliament and its 'Sovereignty', Accountability of the Members of Parliament and State Legislatures in India
7. Courts- Independence , Power of Judicial Review and Accountability, Distribution of Powers in UK, USA, and India

Unit- III **14 Hours**

8. Federalism and Quasi-Federalism- India, UK and USA
9. Fundamental Rights and Social Rights- The Emerging Trends
10. Rights and Mechanisms of their Effective Enforcements

Unit- IV **14 Hours**

11. Enforcements of Social Rights
12. Role of Media

Suggested Readings

1. Basu D. D., (2010). *Commentary on the Constitution of India*. Lexis Nexis Butterworths Wadhwa, Nagpur.
2. Brownlie Ian & Goodwin Gill Guys, (2010). *Basic Documents on Human Rights*. Oxford University Press, New York.
3. Cane Peter, (2011). *Administrative Law*, Oxford University Press, New York,.
4. Elliott Mark & Thomas Robert, *Public Law*, Oxford University Press, New York, 2011.
5. Jain M. P., *Indian Constitutional Law*, LexisNexis Butterworths Wadhwa, Nagpur, 2010.
6. Rebecca Williams, (2010). *Unjust Enrichment and Public Law: A Comparative Study of England, France and the EU*. Hart Publishing, Houston.
7. Loughlin Martin, (2004). *The Idea of Public Law*. Oxford University Press, New York.
8. Marks Susan,(2003). *The Riddle of All Constitutions: International Law, Democracy, and Critique of Ideology*. Oxford University Press, New York.
9. Tushnet Mark, Fleiner Thomas, (2012). *Routledge Handbook of Constitutional Law*. Routledge, New York.
10. Zines Leslie, (2006). *Constitutional Change in the Commonwealth*. Cambridge University Press, Cambridge.

LSR.513: Principles of Legislation and Interpretation

L	T	P	Credits	Marks
4	-	-	4	100

Unit- I **14 Hours**

1. The Principle of Utility
2. Sources of Pain and Pleasure
3. Human Actions in General

Unit-II **14 Hours**

4. Human Dispositions in General
5. Consequences of a Mischievous Act
6. Proportion between Punishments
7. Division of Offenses

Unit-III **14 Hours**

8. Interpretation of Laws
9. Rules of interpretation of Statutes
 - Primary/ literal rule of interpretation
 - Mischief Rule of construction (Heydon's Rule)

Golden Rule of construction
Rule of Beneficial construction

Unit-IV **14 Hours**

10. Internal Aids to construction
11. External Aids of construction
12. Subsidiary Rules and Latin Maxims of interpretation
13. 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 Statute; Jain Book Agency, Delhi.
4. K. P. Chakravarty (2013) Interpretation of Statute; 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 Statute; 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. Dr. Avtar Singh & Dr. Harpreet Kaur (2014) Introduction to Interpretation of Statutes; Jain Book Agency, Delhi.

LSR.514: Applied Legal Studies – II

L	T	P	Credits	Marks
5	-	-	5	100

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

Unit-IV**16 Hours**

4. General Awareness & Current Affairs
 - Major Events & Current Affairs - National/International
 - Personalities in News
 - Sports News
 - News about Power Sector in India.
5. Right to Information Law
Procedure and Practices

Suggested readings

1. Galanter, M. (ed.) (1997). *Law and Society in Modern India*. Oxford University Press.
2. Dhirajlal, Ratanlal. (2013) *Law of Crimes*, LexisNexis
3. P S Jaswal & Nishta Jaswal, (2009) *Environmental Law*, Allahabad Law Agency.
4. Paras Diwan, Peeyushi Diwan (2008) *Modern Hindu Law: Codified and Uncodified*, Allahabad Law Agency
5. Year Book

LSR.515: Seminar

L	T	P	Credits	Marks
-	-	2	1	50

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

L	T	P	Credits	Marks
2	-	-	2	50

Semester III

L	T	P	Credits	Marks
4	-	-	4	100

LSR.601: Legal Theory**Unit-I****14 Hours**

1. Nature of Jurisprudence
2. Meaning of Law
3. Natural Law Theories

Unit-II**14 Hours**

4. Classical Positivism
 - Austin
 - Bentham
 - H L A Hart
5. Pure Theory of Law

Unit-III**14 Hours**

6. Analytical School of Law
7. Sociological School of Law
8. American Realism
9. Scandinavian Realism
10. Historical and Anthropological Jurisprudence
 - Savigny
 - Maine

Grotius
 Kent
 Marxist Theories of Law and State

Unit-IV **14 Hours**

11. Feminist Jurisprudence
12. Postmodernist Jurisprudence

Suggested readings

1. Bowett, D. W. (1982). *Law of International Institutions*. Oxford University Press, USA.
2. Boderheimer, (1996) *Jurisprudence-The Philosophy & Method of Law* (1996) 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*.

Optional Groups – I/II/III

LSR.699: Dissertation Synopsis Approval Seminar, Literature Review, Monthly Reports Submission, and Work Evaluation Seminar

L	T	P	Credits	Marks
-	-	24	12	300

SEMESTER IV

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

LSR.699: 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

EVL.602: 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
4	-	-	4	100

EVL.603- Environment Law & Policy- International Development

Unit- I

14 Hours

13. 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
14. International Environment Policy and Principles
 Inter-Generational Equity
 Sustainable Development
 Precautionary Principle
 Polluter Pay Principle
 Absolute Liability Principle

Unit-II

14 Hours

15. United Nations Conference on Human Environment/ Stockholm Declaration, 1972
 16. 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
 17. Special Session of the UN General Assembly, 1997, Follow-Up of the Rio Mandate
 18. World Summit on Sustainable Development, 2002, Johannesburg Plan of Implementation
 19. World Summit on Sustainable Development (Rio+20), 2012, Outcome Document- The Future We Want
 20. GEO Reports

Unit-III

14 Hours

21. Climate Change Regime- UNFCCC,1992, Kyoto Protocol, Bali Conference on Climate Change, 2007, Copenhagen Climate Council, 2009, Cancun Climate Change Conference, 2010, Durban Climate Change Conference, 2011, Doha Amendment to The Kyoto Protocol 2012, Inter- Government Panel On Climate Change (IPCC)
22. Ozone Layer Protection Movement- Vienna Convention for the Protection of Ozone Layer, Montreal Protocol on Substances that Deplete the Ozone Layer
23. Protection of Forests and to Combat Desertification- Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of all Types of Forests, **United Nations Forum on Forests**, United Nations Convention to Combat Desertification.
24. Biological Diversity- Convention on Biological Diversity Cartagena Protocol on Bio-Safety, Nyoga, Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Bio-Safety

Unit-IV**14 Hours**

25. UNEP- Structure, Functions of Governing Council, The UNEP Secretariat, Role of UNEP in Environment Protection
26. Millennium Development Goals (MDG)
27. Regional Approach towards Environment Protection in SAARC- Regional Problems of Environment, SAARC Charter and Summit Declarations, Action Plan on Environment, Dhaka Convention
28. Selected Conventions- Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat (1971), Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973), Convention on Migratory Species of Wild Animals (1979)

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.

SEMESTER IV**EVL.604- 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*. Routledge, 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.

EVL.605- Emerging Paradigms of Legal Framework on Environmental Management in India	L	T	P	Credits	Marks
	4	-	-	4	100

Unit-I	14 Hours
<ul style="list-style-type: none"> ▪ Introduction of Environmental Management ▪ Environment Impact Assessment <ul style="list-style-type: none"> Background Objectives and Need for Assessment Components and Techniques Treatment of Risk and Uncertainty ▪ Environment Assessment in India ▪ Legislative Aspects and Current Practices 	

Unit-II	14 Hours
<ul style="list-style-type: none"> ▪ Impact Assessment of Socio-Economic Environment <ul style="list-style-type: none"> Prediction and Assessment Description of Socio-Economic Environment Setting Implications of Changes ▪ Biological Environment and Environment Impact Assessment <ul style="list-style-type: none"> Importance of Bio Diversity Impact Assessment in EIA Identification, Prediction and Evaluation of Impacts on Bio-Diversity Techniques of Bio Diversity Impact Assessment and Monitoring 	

Unit-III	14 Hours
<ol style="list-style-type: none"> 2. Public Participation and Environmental Decision Making <ul style="list-style-type: none"> Concept, Object, Significance, Advantages & Disadvantages and Techniques 3. Eco Mark Scheme –Objectives and Mechanism <ul style="list-style-type: none"> Criteria of Eco Mark 	

Unit- IV	14 Hours
<ol style="list-style-type: none"> 4. Environment Auditing <ul style="list-style-type: none"> Meaning of Auditing Process Kinds of Auditing Pre Audit and Post Audit Activities Role of Auditor, Personal Attributes of Auditor, Auditor Training 5. Corporate Liability for Environmental Protection <ul style="list-style-type: none"> Corporate Social Responsibility and the Environmental Liability Transnational Corporations Liability on Environmental Harms 	

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, (2011). *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.

EVL.606- Role of Judiciary, NGOs in Environmental Protection	L	T	P	Credits	Marks
	4	-	-	4	100

Unit-I	14 Hours
<ol style="list-style-type: none"> 1. Theories of Environmental Protection <ul style="list-style-type: none"> 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
<ol style="list-style-type: none"> 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 *Vis a Vis* Right to Freedom of Religion
 - 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
 - Doctrine of Inter-Generational Equity
 - Polluter Pay Principle
 - Doctrine of Absolute Liability
 - Precautionary Principle
 - Environmental Rights- Third Generation Rights
5. Role of NGOs in Environment Protection
6. Joint Forest Management

Suggested Readings

1. Jaswal, P. S. & Jaswal, N. (2011). *Environmental Law*. Allahabad Law Agency, Faridabad.
2. Khan, I. A. (2009). *Environmental Laws*. Central Law Publication.
3. Shastri, S. C. (2010). *Environmental Laws*. Eastern Book Company.
4. Dube, I. (2007). *Environmental Jurisprudence Polluter's Liability*. Lexis Nexis.

GROUP-II- Human Rights Law (HRL)

Semester III

HRL.602 International Human Rights Law

L	T	P	Credits	Marks
4	-	-	4	100

Unit I **14 Hours**

13. International Concern: Protection of Individual in International Law
14. League of Nations and Human Rights
15. 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 Grealy and Adam Tomkins (1996) (Eds). *Understanding HumanRights*, London: Manshell,.
- 4. David Beetham, (1995) *Politics and Human Rights*, Oxford: Blackwell.
- 5. Gurpreet Mahajan (1998) Ed., *Democracy, Difference and Social Justice*, New Delhi: Oxford University Press.
- 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 Freedden, (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*, New Delhi: Oxford University Press.

HRL.603-Protection & Enforcement of Human Rights in India

L	T	P	Credits	Marks
4	-	-	4	100

Unit-I **14 Hours**

- 1. History and Development of Human Rights in Indian Constitution.
- 2. Constitutional Philosophy.
- 3. Preamble, Fundamental Rights- General.

Unit-II **14 Hours**

- 4. Right to Equality: Gender Justice and Empowerment of Women. Special provisions for Weaker Sections of society Reservation Policy under the Constitution.
- 5. Freedom of Speech and Expression. Freedom of Press. Limitations, Right to Information
- 6. Right to Life and Personal Liberty. New Dimension. Judicial approach.
- 7. Right to Freedom of Religion. Secularism. Protection to Minorities under the Constitution

Unit- III	14 Hours
8. Fundamental Duties. 9. Article 51-A of the Constitution concept and need of Fundamental Duties. 10. Enforcement and Effectuation of Fundamental Duties.	

Unit-IV	14 Hours
11. Implementation and Enforcement Mechanism of Human Rights in India. 12. Remedies provided by the Judiciary and National Human Rights Commission 13. Emerging regime of new human rights in India. Taking guidance from Directive Principles of State Policy and Fundamental Duties. New Approach	

Suggested Readings

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

SEMESTER IV

HRL.604- Human Rights of Vulnerable and Disadvantaged Groups

L	T	P	Credits	Marks
4	-	-	4	100

Unit-I	14 Hours
1. Meaning and Concept of Vulnerable and Disadvantaged 2. Groups, Customary, Socio-Economic and Cultural Problems of 3. Vulnerable and Disadvantaged Groups	

Unit-II	14 Hours
4. Social status of women and children in International and national perspective 5. Human Rights and Women's Rights –International and National Standards 6. Human Rights of Children-International and National Standards	

Unit- III	14 Hours
7. Status of Social and Economically Disadvantaged people 8. Status of Indigenous People and the Role of the UN 9. Status of SC/ST and Other Indigenous People in the Indian Scenario 10. Human Rights of Aged and Disabled 11. The Minorities and Human Rights	

Unit-IV**14 Hours**

12. Human rights of vulnerable groups
13. Stateless Persons
14. Sex Workers
15. Migrant Workers
16. HIV/AIDS Victims

Suggested Readings

1. D.C. Nanjunda, (2008) *Child Labour and Human Rights: A Prospective*, Delhi: Kalpaz Pub.
2. S.N. Chaudhary, (2005) *Human Rights and Poverty in India: Theoretical Issues*, Delhi: Concepts.
3. R. Ganga, (2007) *Children's Rights as basic Human Rights*, New Delhi: Reference Press.
4. Saksena Anu, (2004) *Gender and Human Rights: Status of Women Workers in India*, Delhi: Shipra Publications.
5. Gurusamy, S., (2009) *Human Rights and Gender Justice*, New Delhi: APH.
6. A.K. Jha, (2006) *Child Abuse and Human Rights*, N.D.: Anmol.
7. D.V. Rao, (2004) *Child Rights: A Perspective on International and National Law*, New Delhi: Manak.
8. V.V. Devasia, (2009) *Women, Social Justice and Human Rights*, New Delhi: APH.09.
9. Thiagaraj, (2007) *Human Rights from the Dalit Perspective*, New Delhi: Gyan Publishing.
10. B.R. Sharma, (2002) *Encyclopaedia of Human Rights and Women's Development*, New Delhi: Sarup & sons.
10. G.S. Bhargava, (2001) *Human Rights of Dalits: Social Violation*, New Delhi: Gyan.

HRL.605- Criminal Justice System and Human Rights

L	T	P	Credits	Marks
4	-	-	4	100

Unit-I:**14 Hours**

1. Concept of Crime and Criminal Liability
2. Offences violative of human rights
3. Rules of criminal procedure and evidence
4. The administration of criminal justice

Unit-II:**14 Hours**

5. Human Rights in the Criminal Justice Administration
6. Human rights perspective of crime
7. Role of police and criminal justice administration – Human rights issues
8. Security issues and human rights

Unit- III:**14 Hours**

9. Detenu and Human Rights
10. Constitutional safeguards
11. Fair trial concept
12. Sentencing, execution and human rights

Unit-IV:**14 Hours**

13. Inmates of Institutional Homes, Prison and Human Rights
14. Protective Homes, Reformatory Homes and other Institutions
15. Prison, Prisoners life and Prisoners' rights

16. Judiciary as guardian of human rights, Compensation to crime victims, P.I.L. in criminal justice

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. Noorjahan Bava, (2000) *Human Rights and Criminal Justice Administration in India*, New Delhi.
3. Anthony Amatrudo, (2014) *Human Rights and the Criminal Justice System*, Routledge.
4. Kalpana Kannabiran (Editor), Ranbir Singh (Editor) (2008) *Challenging The Rules(s) of Law: Colonialism, Criminology and Human Rights in India*, SAGE Publications Pvt. Ltd.
5. Aftab Alam, (2004) *Human Rights in India: Issues and Challenges*, Delhi: Raj Publications.
6. Shanker Sen, (2009) *Tryst with Law Enforcement and Human Rights: four decades in Indian Police*, New Delhi: APH.
7. Harsh Bhanwar, (2008) *Human Rights Law in India: Protection and Implementation of the Human Rights*, New Delhi: Regal Pub.
8. Jaiswal Jaishree, (2005) *Human Rights of accused and juveniles: Delinquent in conflict and Law*, Delhi: Kalpaz.

HRL.606- Refugees and Humanitarian Law

L	T	P	Credits	Marks
4	-	-	4	100

Unit-I **14 Hours**

1. Determination of Refugee Status under the Refugee Convention of 1951.
2. Protocol of Refugee Convention 1967
3. Human Rights of the Refugees

Unit-II **14 Hours**

4. Solution to Refugee Problem:
 - (a) Resettlement in Third Country
 - (b) Local Integration
 - (c) Voluntary or Forced Repatriation
 - (d) Comprehensive Responses
5. Role of UNHCR

Unit-III **14 Hours**

6. Contemporary Developments in Refugee Law
 - (a) International Burden Sharing
 - (b) International Safe Countries Burden
 - (c) Temporary Protection
 - (d) Environmental refugees
 - (e) Safety Zones
7. Internally Displaced Persons, UN Guiding Principles on Internal Displacement 1998, Refugee Law and Policy in India.

Unit-IV **14 Hours**

8. Nature, Basic Principles; Historical Development since 1899
9. Protection of Victim of War- Wounded, Sick; Shipwrecked; and Prisoners of War
10. Implementation of International Humanitarian Law
11. Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law.

Suggested Readings

1. Ahmed, Imtiaz, and Dasgupta, Abhijit & Ors. (2004) State society and displaced people in South Asia. University Press Ltd, Dhaka.
2. Black, Richard & Robinson, Vaughan, (1993) Geography and refugees: Pattern and process of change. (Belhaven Press.
3. Dhavan, Rajeev, (2004) Refugee law and policy in India. PILSARC, New Delhi.
4. Patil, V T & Trivedi, P R (2001) Refugees and human rights. Authors Press, Delhi.
5. Sinha, Manoj Kumar, (2002) Humanitarian intervention by the United Nations. Manak Pub., New Delhi.
6. Gary D. Solis (2010) The Law of Armed Conflict: International Humanitarian Law in War, Cambridge University Press.
7. Dieter Fleck, (2013) The Handbook of International Humanitarian Law, OUP Oxford

Group III- Corporate Law (CPL)

Semester III

CPL.602: 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
 - Liability of 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

Suggested readings

1. Smith and Keenan's, Company Law (2002)
2. Andrew Lidbetter, Company Investigations and Public Law (1999)
3. Saleem Sheikh & William Rees, Corporate Governance & Corporate Control (2002)
4. Avtar Singh, Company Law, 2007 Eastern Book Company, Lucknow.
5. Gower's Principles of Company Law 8th Edition 2008, R. Cambay & Co. Pvt. Ltd.
6. Smith and Keenan's Company Law.
7. S. K. Verma & Suman Gupta, Corporate Governance and Corporate Law Reform in India. (2005).
8. Companies Act, 1956
9. Suman Gupta: Shareholder's Democracy: Fact or Fiction. (1992)

CPL.603: Competition and Consumer Protection Law

L	T	P	Credits	Marks
4	-	-	4	100

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

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
6. Abuse of Dominant Position
Relevant market
Predatory behaviour
Predatory pricing
Discriminatory practices
Relevant market

Unit-III **14 Hours**

7. Combination
Value of Assets
Turnover
Acquisition
Conglomeration
Joint Venture
Merger and Amalgamation
Notification
8. Competition Commission of India
Establishment and composition
Duties
Procedure for inquiry
Powers
Competition fund
9. Competition Advocacy
Competition Policy

Unit – IV **14 Hours**

10. Consumer Protection Act, 1986 and its applicability to Competition Law
Definition of Consumer
Definition of Service
Deficiency in Service
Unfair Trade Practices
Overlapping areas

Suggested readings

1. Ramappa. T., Competition Law in India- Policy, Issues and Development (2006) Oxford University Press.
2. Nahar. S. Mahala, Law, Practice and Procedure (2006), Commercial Law Publishers.
3. Dhall .Vinod, Competition Law Today, (ed.) 2007, Oxford University Press
4. Bangia R.K., A Handbook of Consumer Protection Laws and Procedure, 2004, Allahabad Law Agency.

5. Singh Avtar, Law of Consumer Protection; Principles and Practice, 2005, Eastern Book Company.
6. Verma S.K. & M.Afzal Wani, A Treatise on Consumer Protection Laws, (ed.) 2004, Indian Law Institute.
7. Anoop K. Kaushal, Universal's Practical Guide to Consumer Protection Law, 2006, Universal law Publishing Company, New Delhi.
8. Pavleen, Consumer Decision- Making, 2006, Deep & Deep Publication.
9. Aggarwal, Prof. V. K., Consumer and Protection Law and Practice, 6th Ed. (2008)
10. Mittal D.P., Taxmann's Competition Law (2007)
11. Universal Guide to Competition Law in India-2003, Universal Law Publishing Company, New Delhi.

Semester IV

L	T	P	Credits	Marks
4	-	-	4	100

CPL.604: Regulation of Capital Market and Foreign Investment

Unit- I

14 Hours

1. Meaning of Capital market, Primary and Secondary market, Trends in regulation of capital markets

Modes of Foreign Investment in India Foreign Direct Investment in India: Background and concepts Industrial Policy, Sector Wise Cap and Foreign Investment Procedural Aspects in FDI

Unit- II

14 Hours

2. Corporatization of stock exchanges
Trading in Security – Securities Contract Regulation Act, 1956 – Companies Act, 1956, FEMA
Instruments of Trading – Need for planning and development for financial instruments – Government and Corporate Securities.
Trading Methods – Trading Ring, On-line Trading, Carry Forward Systems – Risk management – Investor Protection.
Government Securities Market – Government Debt Instruments – Short Term and Long Term Instruments – Trading in Debt Instruments – Gilt Edged Market.
Securities Market Indicators – Sensex
Interest rates – Role of Interest rates in determining value of security – Interest rates and its influence on money market and capital market.
Indian Depository System – Need – Paperless Trading – Benefits – Need for educating investors
3. Role of SEBI and RBI

Unit-III

14 Hours

4. Policy framework for regulation of FDI
5. Investment Schemes for Non Residents External Commercial Borrowings Investment by Non Resident Indians in Immovable Property in India Establishment of Branch or office in India

6. Bilateral Investment Treaties: Constitutional Perspective Bilateral Investment Treaties: Need and applicability Standards of Protection Treaties vis a vis State Responsibility and Contractual Obligations
7. Dispute Resolution under Investment Treaties Basic Concepts in Investment Treaty Arbitration Jurisdiction and Admissibility in Treaty Arbitration Procedural Aspects in Treaty Arbitration

Suggested readings

1. Aliber, R.Z., Exchange Risk and Corporate International Finance, London, Macmillan
2. Alworth, Julian S., The Finance Investment and Taxation Decisions of Multinationals, Basil Blackwell, London
3. Bartiett, C. and Ghoshal, S., Transnational Management: Text, Cases and Readings in Cross Border Management, Chicago, Irwin
4. Bhalla, V.K. and S. Ramu, International Business Environment and Management, Anmol Publication, Delhi
5. Chturvedi, S.K., Foreign Investment Law, Deep and Deep Publications, New Delhi
6. Myneni, S.R., Law of Investment and Security, Asia Law House, Hyderabad
7. Ronen, S., Comparative and Multinational Management, New York, John Wiley
8. Samantha Shurety, E-business with Net Commerce, Addison Wesley, Singapore
9. Shapir, Alan C., Multinational Financial Management, Prentice Hall of India, New Delhi
10. Shapiro, A.C., International Financial Management, Allyn and Bacon, Boston
11. Singhanian, D.C., Foreign Collaborations and Investment India, Universal Law Publishing, Delhi
12. Taxmann's SEBI MANUAL, Taxmann Publications (P.) Ltd., New Delhi 1
13. Taxmann's Foreign Exchange Management Manual, Taxmann Publication (P.) Ltd., New Delhi
14. The Indian Financial System, Dorling Kindersely (India) Pvt. Ltd., Pearson Education, New Delhi
15. Bowett, D. W. (1982). *Law of International Institutions*. Oxford University Press, USA.
16. Abdullah, F.A., Financial Management for the Multinational Firm, Englewood Cliffs, Prentice Hall Inc., New Jersey.
17. Investment and Securities Markets in India – V. A. Avdhani.

L	T	P	Credits	Marks
4	-	-	4	100

CPL.605: Banking and Insurance Law**Unit- I**

11. 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
- 2. Salient Features of banking Regulationd Act anf the Role of RBI**

Unit- II

2. 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

3. 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

4. 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

1. Tannan, M.L., Tannan's Banking Law and Practice in India, 2008, Wadhwa and Co.
2. Tannan, M.L., Tannan's Banking Law and Practice in India, 2004, India Law House.
3. Tannan: Banking Law and Practice in India (in 3 vols.), 22nd Ed., R. Cambray & Co. Pvt. Ltd.
4. Gupta, S. N., The Banking Law in Theory and Practice (in three volumes), 2006, Universal Law Publishing Co.
5. Sharma, B.R. and Nainta, R.P., Principles of Banking Law and Negotiable Instruments Act 2004, Allahabad Law Agency
6. Nainta, R.P., Baking System, Frauds and Legal Control, 2005, Deep and Deep Publications.
7. Murthy, K.S.N., and Sarma, K.V.S., Modern Law of Insurance in India, 2002, Lexis Nexis Butterworth
8. Birds, John, Modern Insurance Law, 2003, Universal Publishing Co.
9. Shah, M. B., Landmark Judgments on Insurance, 2004, Universal Publishing Co.
10. Mishra, M.N., Law of Insurance Principles and Practice, 2008, Radhakrishan Prakashan
11. Rangarajan, C., Handbook of Insurance and Allied Laws.

L	T	P	Credits	Marks
4	-	-	4	100

CPL.606: Law of Corporate Finance and Securities Regulations

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, Amalgamation and Take Over: 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. Gower's Principles of Company Law, Sweet & Maxwell Thomson, 2006
3. Smith and Keenon's Company Law, Pearson Education Ltd., 2009
4. Suman Gupta: Shareholder's Democracy: Fact or Fiction, Publication Division, University of Delhi, 1992
5. Companies Act, 1956
6. Verma J.C., Corporate Mergers, Amalgamations & Takeovers, Bharat Law House, 2008

Interdisciplinary courses Offered by the Centre (in Semester I and II)

Semester I

LSR.507: Cyber Law and Governance

L	T	P	Credits	Marks
2	-	-	2	50

Unit- I

7 Hours

1. Introduction to the Cyber World and Cyber Law
 - Cyber World: An Overview
 - The internet and online resources
 - Security of information
 - Digital signature
2. An Overview Cyber Law
 - Introduction about the cyber space
 - Regulation of cyber space – introducing cyber law
 - Scope of Cyber laws – e-commerce; online contracts; IPRs (copyright, trademarks and software patenting); e-taxation; e-governance and cyber crimes
 - Cyber law in India with special reference to Information Technology Act, 2000

Unit- II

7 Hours

3. Cyber Crimes
 - Introduction – computer crime and cybercrimes; Classification of cyber-crimes.
 - Cyber-crime and Related Concepts
 - Distinction between cyber-crime and conventional crimes
 - Reasons for commission of cyber crime
 - Cyber forensic
 - Cyber criminals and their objectives
 - Kinds of cyber-crimes – cyber stalking; cyber pornography; forgery and fraud; crime related to IPRs; Cyber terrorism; computer vandalism etc.
4. Regulation of cyber crimes
 - Issues relating to Investigation
 - Issues relating to Jurisdiction
 - Issues relating to Evidence
 - Relevant provisions under Information Technology Act, 2000, Indian Penal Code, Pornography Act and Evidence Act etc.

Suggested readings:

1. Singh Y., (2012). *Cyber Laws*, 5th ed., New Delh, Universal Law Publishing Company.
2. Gupta A., (2011). *Commentary on Information Technology Act*, 2nd Ed., New Delh, Universal Law Publishing Company
3. Viswanathan, A., (2012). *Cyber Laws: Indian and International Perspectives on Key topics including Data Security, E-commerce, Cloud Computing and Cyber Crimes* 1st Edition. New Delhi, Lexis Nexis.

LSR. 508 International Environmental Law

L	T	P	Credits	Marks
2	-	-	2	50

Unit I**7 Hours**

1. Nature of International Environmental Law
2. Development of International Environmental Law
3. Principles of International Environment Laws: Inter-generational Equality, Sustainable Development, Precautionary Principle, Polluter Pay Principle
Absolute Liability
4. Major International Conferences on Environmental Protection
5. Multilateral Environmental Agreements:
 - (a) Climate Change
 - (b) Ozone Layer Protection
 - (c) Forest
 - (d) Biodiversity

Unit II**7 Hours**

6. International Institutions International Environmental Governance
7. United Nations Environment Programme
8. Inter-Governmental Penal on Climate Change
9. United National Forum on Forest
10. GEO Report
11. Role of International Tribunal in Environmental Protection

Suggested Readings

11. Axelrod, Regina S.(ed.), (2011).*The Global Environment*. CQ Press, Washington DC.
12. Baviskar, Amita, (2011). *In the Belly of the River*. Oxford University Press, New Delhi.
13. Bell, B. & Gillivray, M.G., (2009). *Environmental Law*. Oxford University Press, New York.
14. .Bodansky, Daniel, (2011). *The Art And Craft of International EnvironmentLaw*. Oxford University Press, London.
15. Bowett, D. W., (1982). *Law of International Institutions*. Oxford University Press, New York.
16. Callicott, J. Baird & Frodeman, Robert (ed.), (2009). *Encyclopedia of Environmental*

L	T	P	Credits	Marks
2	-	-	2	50

LSR.509: Consumer Protection Law**Unit-I****7 Hours**

1. Market Form and Consumer Interest
2. Perfect Competition/Monopolistic Competition
3. Consumer Education
4. Statutory Consumer Rights under the CPA
5. Procedure of Filing a Complaint
6. Grievance Redressal Mechanism
7. Vexatious complaints and Offences/ Penalties

Unit-II**7 Hours**

8. Consumer Problems
9. Proof of Purchase
10. Product and Service Quality- defects and deficiencies
11. Information Right of Consumers-Labeling etc.
12. Guarantees and Warranties
13. Organizational set up under Consumer Protection Act:
14. Consumer Protection Councils at the Central, State and District Levels
15. Adjudicatory Bodies and their composition
16. Powers and Jurisdiction of Adjudicatory Bodies
17. Appellate Jurisdiction of the National Commission.

Suggested Readings

1. VK Agarwal(2009)Consumer Protection Law and Practice; Bharat Law House (P) Ltd. Delhi
2. Avtar Singh (2005) Law of Consumer Protection: Principles & Practices; Eastern Book Company, Lucknow
3. DPS Verma (2002) Developments in Consumer Protection in India; Springer
4. D P Wadhwa, J. (2009) Law of Consumer Protection; Lexis Nexis

Semester II

L	T	P	Credits	Marks
2	-	-	2	50

LSR.516: Environmental Law and Governance**Unit- I****7 Hours**

1. Emergence of Environmental Law
 - Concept of Environmental Law & Policy
 - Environmental Law and the Indian Constitution
 - Other Major Laws and Environment (IPC, Cr.PC, Torts)
 - Environmental Equity and Governance
2. International Environmental Law
 - Emergence of International Environmental Law
 - Fundamental Principles
 - Application of International Environmental Law
 - Introduction to Trade & Environment

Unit- II**7 Hours**

3. Major International Environmental Laws
 - UNFCCC, 1992 & Kyoto Protocol, 1997
 - Treaty on Antarctic & Polar Regions – 1961
 - UN Convention of Law of the Sea, 1982 and Regional Seas Convention
 - International Water Courses
4. International Environmental Organizations and Negotiations

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
2	-	-	2	50

LSR.517 Human Rights and Governance

Unit-I

7 Hours

1. League of Nations and Human Rights
2. Human Rights under 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
3. International Bill of Human Rights: UDHR, ICCPR, ICESCR
4. History and Development of Human Rights in Indian.
5. Human Rights and Indian Constitution.
6. Preamble, Fundamental Rights, Directive Principles of State Policy (DPSP)
7. Indian Judiciary and Human Rights in India.

Unit- II

7 Hours

8. The Protection of Human Rights Act, 1993
9. National Human Rights Commission
10. State Human Rights Commission
11. Contemporary Issues relating to human rights in India.
12. Human Rights and Refugee
13. Human Rights and Corruption
14. Human Rights and Environmental Protection

Suggested Readings

1. B.P. Singh, (2008) *Human Rights in India: Problems and Perspectives*, New Delhi: Deep & Deep.
2. Aftab Alam, (2004) *Human Rights in India: Issues and Challenges*, Delhi: Raj Publications.

3. Shanker Sen, (2009) *Tryst with Law Enforcement and Human Rights: four decades in Indian Police*, New Delhi: APH.
4. Harsh Bhanwar, (2008) *Human Rights Law in India: Protection and Implementation of the Human Rights*, New Delhi: Regal Pub.
5. Jaiswal Jaishree, (2005) *Human Rights of accused and juveniles: Delinquent in conflict and Law*, Delhi: Kalpaz.

L	T	P	Credits	Marks
2	-	-	2	50

LSR.518: Corporate Governance and Practices

Unit-I

7 Hours

1. Evolution of Corporate Governance – Ancient and Modern Concept
2. Concept of Corporate Governance, Generation of Value from Performance
3. Principles of Corporate Governance
4. Business Ethics vis-à-vis Corporate Governance
5. Corporate Social Responsibilities and good corporate citizenship

6. Unit-I

7 Hours

6. Need for Legislation of Corporate Governance
7. Legislative Provisions of Corporate Governance in Companies Act 1956, Securities (Contracts and Regulations) Act, 1956 (SCRA), Depositories Act 1996, Securities and Exchange Board of India Act 1992, Listing Agreement,
8. Banking Regulation Act, 1949 and Other Corporate Laws
9. Legal Provisions relating to Investor Protection

Suggested readings

1. Andrew Lidbetter, *Company Investigations and Public Law* (1999)
2. Saleem Sheikh & William Rees, *Corporate Governance & Corporate Control* (2002)
3. Avtar Singh, *Company Law*, 2007 Eastern Book Company, Lucknow.
4. Gower's *Principles of Company Law* 8th Edition 2008, R. Cambay & Co. Pvt. Ltd.
5. Smith and Keenon's *Company Law*.
6. S. K. Verma & Suman Gupta, *Corporate Governance and Corporate Law Reform in India*. (2005).
7. *Companies Act, 1956 as amended up to date*.