



Vidyasagar University

West Bengal

Syllabus for LL.M.

(Master of Laws)



[w.e.f. 2025-26]

Preamble

The Post-Graduate programme in Law (LL.M.) at Vidyasagar University is designed to provide an advanced and comprehensive understanding of legal principles, jurisprudence, and contemporary issues in national and international law. The programme emphasizes specialized study in two areas including Criminal Law and Business Law. Through a balanced integration of theory, practice, and research, the LL.M. course aims to cultivate critical thinking, analytical reasoning, and ethical responsibility among students pursuing higher legal education.

To promote academic flexibility and interdisciplinary learning, the curriculum includes a range of elective papers that allow students to tailor their academic path according to their interests and career goals. In addition, courses on the **Indian Knowledge System (IKS)**, **Intellectual Property Rights (IPR)**, and the **Life and Philosophy of Pandit Iswar Chandra Vidyasagar** have been introduced to foster holistic education and a deeper appreciation of India's intellectual heritage and reformist ideals.

The **two-year LL.M. programme** has been introduced to strengthen postgraduate legal education at Vidyasagar University, ensuring alignment with the **National Education Policy (NEP) 2020** and the **Choice-Based Credit System (CBCS)**. The curriculum has been carefully structured to meet the standards of the **University Grants Commission (UGC)** and to prepare students for academic, judicial, administrative, and professional careers in law.

In addition to rigorous classroom learning, the programme integrates **seminars, research projects, field studies, internships, and community engagement**, encouraging students to bridge the gap between legal theory and real-world application. The **Dissertation component**, undertaken in the final semester, enables learners to engage in independent and original research under the guidance of experienced faculty members.

The Department of Law is equipped with **good academic infrastructure**, Library and access to a wide range of **online legal databases** and journals. A team of highly qualified and dedicated faculty members ensures that students receive both academic mentorship and professional guidance. The department also promotes research through workshops, conferences, and collaborative initiatives with legal institutions and governmental bodies.

The thrust areas of research in the department include **Constitutional Law and Governance, Human Rights and Gender Justice, Environmental Law, Intellectual Property Law, and Criminal Justice Administration**, reflecting the university's commitment to advancing legal scholarship, social justice, and the rule of law.

PROGRAMME OUTLINES

	Type of Program	This is a regular mode LL.M. programme, based on the guidelines of NEP 2020.
1	Duration and Eligibility Criteria	Students who have completed a 3-year or 5-year LL.B. degree in Law are eligible for admission to the two-year LL.M programme.
2	Intake capacity	The current intake capacity of the programme is 40 students. Admission is carried out in accordance with the prevailing government policies, and the reservation rules for EWS, OBC, SC, ST, PWD, and other applicable categories.
3	Admission procedure	Admission is based primarily on the basis of marks obtained in the Undergraduate (UG) programme and in the Higher Secondary (HS) examination, as applicable. The Admission Committee oversees the entire admission process, ensuring that all rules and regulations are properly followed.
4	Evaluation Process	<p>The students are assessed through a combination of continuous evaluation and end-semester examination. Continuous Evaluation (CE) carries 20% weightage, while the End-Semester Examination accounts for 80% of the total marks.</p> <p>The end-semester examination will comprise medium-answer, and long-answer type questions to evaluate the students' understanding and analytical skills comprehensively.</p>
5	Teaching Methods	<p>To achieve the intended learning outcomes, the following teaching learning methods are employed:</p> <ul style="list-style-type: none"> ▪ Lecture-based Learning: Structured delivery of core concepts through classroom lectures. ▪ Group Learning: Collaborative discussions and group activities to promote teamwork and idea-sharing. ▪ Individual Learning: Independent study and self-paced learning to strengthen conceptual clarity. ▪ Technology-based Learning: Use of digital tools, software, and online resources to support interactive learning. ▪ Peer Teaching: Students explaining concepts to peers, encouraging active participation and reinforcement of knowledge. ▪ Problem-solving Approach: Learning through real-world problems, case studies, and exercises to develop analytical and critical thinking skills.

6	Special Instructions	To align the syllabus with the National Education Policy (NEP) 2020, several general courses such as Indian Knowledge System (IKS), Intellectual Property Rights (IPR), Research Methodology and Ethics, Social Service/Community Engagement, Internship/Industry Visit or Industry-related Project, Field Visit, Research Project, and Life and Philosophy of Vidyasagar have been made compulsory. Alongside these, a set of core courses have been included to strengthen subject foundation. The syllabus also offers two specialization including Criminal Law and Business Law.
7	Research Projects	The research project will be distributed by the mentor to the students in third semester and Dissertation topic will be given in Final Semester.

Program Outcomes (POs)

PO1	Advanced Legal Knowledge: Demonstrate a comprehensive understanding of advanced legal concepts, principles, and theories in various branches of law at national and international levels.
PO2	Analytical and Critical Thinking: Apply critical, analytical, and interpretative skills to complex legal issues, statutory provisions, and judicial decisions, enabling sound reasoning and effective problem-solving.
PO3	Legal Research and Scholarship: Conduct independent, original, and ethically responsible research using appropriate methodologies, legal databases, and citation standards, contributing to the advancement of legal scholarship.
PO4	Professional and Ethical Values: Exhibit integrity, accountability, and commitment to professional ethics and social justice in legal practice, academia, and public service.
PO5	Policy and Governance Insight: Understand and critically evaluate the relationship between law, policy, and governance, fostering a broader understanding the role of law in the changing social, political, and economic environment.
PO6	Communication and Advocacy Skills: Develop advanced legal writing, argumentation, and oral advocacy skills essential for effective communication in academic, judicial, and professional contexts.
PO7	Lifelong and Interdisciplinary Learning: Engage in continuous and interdisciplinary learning, adapting to evolving legal frameworks, global challenges, and emerging areas of law.

Programme Specific Outcomes (PSOs)

PSO1	Specialization and Expertise: Acquire in-depth expertise in chosen areas of specialization such Criminal Law and Business Law.
PSO2	Legal Research and Publication: Design and execute substantial research projects or dissertations that demonstrate scholarly originality and contribute to legal reform, jurisprudence, or policy-making.
PSO3	Application of Law to Practice: Integrate theoretical understanding with practical application through moot courts, internships, and case studies, preparing for careers in advocacy, judiciary, academia, or public service.
PSO4	Social and Constitutional Responsibility: Promote constitutional values, human rights, and social equity through legal analysis, public engagement, and community-based legal initiatives.
PSO5	Contribution to Legal Education and Reform: Contribute to legal education, policy analysis, and institutional development by engaging in academic writing, curriculum design, and reform-oriented research.

DRAFT

Distribution of Courses of Two Year LL.M Degree Course under NEP

Optional Papers / Specialisations in Semester: II, III and IV

Semester	Group: A [Business Law]	Group: B [Criminal Law]
II	<ul style="list-style-type: none">• Principles of Company Law• Capital and Securities Market Regulation	<ul style="list-style-type: none">• General Principles of Criminal Law• Criminal Law and Penology
III	<ul style="list-style-type: none">• Banking Law and Insurance Law• Competition Law and Consumer Protection• Commercial Arbitration Law and Practice	<ul style="list-style-type: none">• Criminology and Victimology• Criminal Justice and Human Rights• Criminology and Administration of Criminal Justice
IV	<ul style="list-style-type: none">• International Trade and Investment Law	<ul style="list-style-type: none">• International Criminal Law and Transnational Crime

Total credit: 88

Total marks: 1100

Total no. of Compulsory Core (CC) papers: 18

Total no. of Skill Enhancement Course (SEC) papers: 4

CC: Compulsory Core Paper

SEC: Skill Enhancement Course

SEMESTER: I

Course Code	Course Title	Course Type	Lecture	Credit	Marks		
					IA	ESE	Total
LLM101	Advance Jurisprudence	CC		4	10	40	50
LLM102	Indian Constitutional Law: New Challenges I	CC		4	10	40	50
LLM103	Human Rights and Contemporary Challenges	CC		4	10	40	50
LLM104	Law and Social Transformation	CC		4	10	40	50
LLM105	Legal Aid and Awareness	Out-Reach		4		50	50
LLM106	Skill-based course: Indian Knowledge System			2		25	25
	Total			22			275

SEMESTER: II

Course Code	Course Title	Course Type	Lecture	Credit	Marks		
					IA	ESE	Total
LLM 201	Judicial Process	CC		4	10	40	50
LLM202	Indian Constitutional Law: New Challenges II	CC		4	10	40	50
LLM203	Research Methodology I	CC		4	10	40	50
LLM204	Principles of Company Law (Group-A) Or General Principles of Criminal Law (Group-B)	CC		4	10	40	50
LLM205	Capital and Securities Market Regulation (Group-A) Or Criminal Law and Penology (Group-B)	CC		4	10	40	50
LLM206	Skill-based course: Field visit/Case study/Hands on learning			2		25	25
	Total			22			275

SEMESTER: III

Course Code	Course Title	Course Type	Lecture	Credit	Marks		
					IA	ESE	Total
LLM 301	Legal Methodology II	CC		4		50	50
LLM302	Banking Law and Insurance Law (Group-A) Or Criminology and Victimology (Group-B)	CC		4	10	40	50
LLM303	Competition Law and Consumer Protection (Group-A) Or Criminal Justice and Human Rights (Group-B)	CC		4	10	40	50
LLM304	Commercial Arbitration Law and Practice (Group-A) Or Criminology and Administration of Criminal Justice (Group-B)	CC		4	10	40	50
LLM305	Administration Law	CC		4	10	40	50
LLM306	Social Service			2		25	25
	Total			22			275

SEMESTER: IV

Course Code	Course Title	Course Type	Lecture	Credit	Marks		
					IA	ESE	Total
LLM 401	International Trade and Investment Law (Group-A) Or International Criminal Law and Transnational Crime (Group-B)	CC		4	10	40	50
LLM402	International Law	CC		4	10	40	50
LLM403	Dissertation	CC		8		100	100
LLM404	Internship			4		50	50
LLM405	Intellectual Property Right	SEC		2		25	25
	Total			22			275

VIDYASAGAR UNIVERSITY

DETAILED SYLLABUS OF LL.M COURSE

SEMESTER I

Course Code: LLM 101

Course Title: Advance Jurisprudence

Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcome:

1. To have the in-depth knowledge about select schools of legal theory and rationales behind them
2. To inquest multiple strata at which law, justice and society intersect
3. To analysis changing concept of law with the change of the society

UNIT I:

1. Definition, Nature, Scope and Importance of study of Jurisprudence
2. Positivism and Analytical Theories of Law
 - a.Jeremy Bentham's Utilitarianism and Analytical Positivism
 - b.Austin's Theory of Law
 - c.Analytical Positivism and Indian Legal System
 - d.Kelson's Pure Theory of Law

UNIT II:

1. Natural Law Theories
 - a.Historical Development in Ancient, Medieval and Renaissance Period
 - b.Twentieth Century Natural Law Revival
 - c.Hart on Natural Law
 - d.Fuller and Morality of Law
2. Sociological Jurisprudence
 - a.Roscoe Pound's Theory of Social Engineering and Theory of Interest
 - b.Theories of Duguit and Ihering

UNIT III:

1. Historical and Anthropological Theories
 - a.The German Historical School-Savigny's Volksgeist Theory
 - b.The English Historical School-Sir Henry Maine
2. American Realism

UNIT IV:

1. Law and Morality- Relationship and Enforcement of Morality by Law- Hart- Devlin Debate
2. Feminist Jurisprudence-Liberal, Socialist and Radical Feminism

UNIT V:

1. The Critical Legal Studies Movement- Post-Modernist Jurisprudence.

Books Recommended:

1. Friedman- Legal Theory
2. Dias- Jurisprudence
3. Bodenheimer- Jurisprudence: The Philosophy and Method of Law
4. Salmond- Jurisprudence
5. G. W Paton- Jurisprudence
6. S.N. Dhyani- Fundamentals of Jurisprudence
7. V.D. Mahajan- Jurisprudence
8. Dr. S.K. Tiwari- Jurisprudence: Legal Theory and elements of Law
9. B. N Mani Tripathi- Jurisprudence and Legal Theory

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 102
Course Title: Indian Constitutional Law: New Challenges I
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcome:

1. Enable the students to understand the mechanism of judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social needs
2. To understand the working of legal system and processes leads to constitutional developments
3. To study about new challenges and perspectives of constitutional developments

UNIT I

1. Federalism

- a. Creation of new states.
- b. Allocation and share of resources- distribution of grants-in-aid.
- c. Centre's responsibility and internal disturbance within states.
- d. Directions of the Centre to the State under Article 356 and 365
- e. Special status of certain states.

UNIT II

1. "State": Need for widening the definition in the wake of liberalization, globalization and privatization

UNIT III

1. Right to equality
Privatization and its impact on affirmative action.
2. Right of minorities to establish and administer educational institutions and state control: Critical Analysis of Paid Foundation & its aftermath

UNIT IV

1. Emerging regime of new rights and remedies.
Reading Directive Principles and Fundamental Duties into Fundamental Rights
 - a. Compensation Jurisprudence
 - b. Right to education
 - c. Commercialization of Education and its impact

UNIT V

1. Separation of powers: Stresses and strains.
 - a. Judicial Activism and judicial restraint.
 - b. PIL: Implementation
 - c. Judicial Independence.
 - d. Accountability: Executive and Judiciary.
2. Democratic Process

- a. Nexus of politics with criminals and the business.
- b. Election: Jurisprudence of Representation; Role of Election Commission
- c. Electoral Reforms: Contribution of Judiciary.
- d. Coalition government, ‘stability, durability, corrupt practice’.

Books Recommended:

- 1. H.M. Seervai – Constitutional Law of India
- 2. M.P. Jain – Indian Constitutional Law
- 3. Granville Austin – The Indian Constitution: Cornerstone of a Nation
- 4. Gautam Bhatia – Offend, Shock, or Disturb: Free Speech under the Indian Constitution
- 5. Upendra Baxi – The Indian Supreme Court and Politics
- 6. Bare Acts – Constitution of India, Information Technology Act, Data Protection legislations.

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 103
Course Title: Human Rights and Contemporary Challenges
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Understand the evolution, concept, and philosophical foundations of human rights at national, regional, and international levels.
2. Critically examine the Universal Declaration of Human Rights (UDHR), ICCPR, ICESCR, and other international conventions in the context of contemporary global challenges.
3. Analyze the constitutional and statutory framework for human rights protection in India, including the role of NHRC, SHRC, and other institutions.
4. Evaluate emerging human rights issues such as terrorism, migration, refugee crises, climate change, digital privacy, and bioethics.
5. Apply human rights principles to contemporary socio-political issues, balancing state security and individual freedoms.

UNIT I

1. Human Rights, Development and Role of International Agencies
 - a. Historical development of Human Rights
 - b. UDHR, International Covenants, Protocols related to Civil, Political, Economic, Social and Cultural Rights
 - c. Organs of United Nations
 - d. Refugee Rights

UNIT II

1. Environment, Population and Development
 - a. Population v. Development
 - b. Development v. Environment
 - c. Corporate Environmental Responsibility
 - d. Concept of Common Property and State Property
 - e. Doctrine of Public Trust

UNIT III

1. Human Rights and Media
 - a. Role of Media
 - b. Role of NGOs
 - c. Media and Indian Constitution
 - d. Media and Judiciary

UNIT IV

1. Vulnerable Group and Human Rights
 - a. LGBT
 - b. Protection of minorities (National and International perspectives)

- c. Tribal rights
- d. Women and children

UNIT V

- 1. Human Rights Challenges
 - a. Role of Human Right Commission
 - b. Role of Judiciary
 - c. Role of NGOs
 - d. Enforcement mechanism, Human Rights defenders and whistle blowers

Recommended Books:

- 1. S.K. Kapoor – Human Rights under International Law and Indian Law (Central Law Agency)
- 2. H.O. Agarwal – International Law and Human Rights (Central Law Publications)
- 3. Dr. U. Chandra – Human Rights (Allahabad Law Agency)
- 4. G.S. Bajpai – Human Rights in the New Millennium (Rajiv Gandhi National University of Law Publication)

Advanced & Specialized Readings

- 1. Jack Donnelly – Universal Human Rights in Theory and Practice (Cornell University Press)
- 2. Philip Alston & Ryan Goodman – International Human Rights (Oxford University Press)
- 3. Rhona K.M. Smith – Textbook on International Human Rights (Oxford University Press)
- 4. Upendra Baxi – The Future of Human Rights (Oxford University Press)
- 5. Manfred Nowak – Introduction to the International Human Rights Regime (Martinus Nijhoff)

Statutory & Institutional Sources

- 1. The Protection of Human Rights Act, 1993 – Bare Act (Latest Edition)
- 2. Reports of NHRC, UN Human Rights Council, and relevant Special Rapporteurs

(Students should attempt 4 out of 6 Questions of 10 marks each)

Course Code: LLM 104
Course Title: Law and Social Transformation
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. To enable the student to acquire comprehensive knowledge about Indian approaches to social and economic problems in the changing contemporary society
2. A spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law
3. The endeavour is to make the students aware of the role the law has played and has to play in the contemporary Indian society

UNIT I:

1. Law and Social Change
 - a. Law as an instrument of social change,
 - b. Law as the product of traditions and Culture,
 - c. Development of law and legal institutions in India.
 - d. Law and Globalization

UNIT II

1. Community, Regionalism, Religion and the Law
 - a. Non-discrimination on the ground of caste, Protective discrimination: Scheduled castes, tribes, backward classes, economically weaker section, reservation
 - b. Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law
 - c. Regionalism and constitutional mandate.

UNIT III

1. Women, Children, LGBTQ+ and the Law
 - a. Crimes against women, Gender injustice and its various forms, Women's Commission,
 - b. Empowerment of women: Constitutional provisions and other Legislations, viz, Right to work, Right against exploitation, Right to marry, Right to reproduce, Right against abuse.
 - c. Child labour,
 - d. Adoption
 - e. Children and education,
 - f. Child Sexual Abuse
 - g. Juvenile Delinquency and Juvenile Justice
 - h. Rights of LGBTQ+

UNIT IV

1. Language, Modernization and the law
 - a. Law, Society, Modernization and multi culturalism

- b. Democratic decentralization and local self-government, modernization of social institutions through law,
- c. Language Policy in India

UNIT V

- 1. Approaches to Legal System
 - a. The jurisprudence of Sarvodaya-Gandhiji, Vinoba Bhave; Jayaprakash Narayan,
 - b. Types of Criminal Justice System: Inquisitorial and Adversarial
 - c. Restorative justice.

Books Recommended:

- 1. Marc Galanter (ed), Law and Society in Modern India (1997) Oxford
- 2. Robert Lingat, The Classical Law of India (1998), Oxford
- 3. U. Baxi, The Crisis of the Indian Legal System (1982), Vikas, New Delhi
- 4. U. Baxi (ed), Law and Poverty Critical Essays (1988), Tripathi, Bombay
- 5. Manushi, A Journal about women and society
- 6. Duncan Derret, The State, Religion and Law in India(1999), Oxford University Press, New Delhi
- 7. H. M seervai, Constitutional Law of India (1996), Tripathi

(Students should attempt 4 Questions out of 6 Questions [4X10 = 40]

Course Code: LLM 105
Course Title: Legal Aid and Awareness
Total Marks: 50 (ESE – 50)

Course Outcome:

1. Understand the constitutional and statutory framework for legal aid in India.
2. Conduct legal awareness programs for targeted groups.
3. Provide assistance in legal documentation, counseling, and dispute resolution.
4. Critically assess the functioning of legal aid institutions.

Unit I

1. Introduction to Legal Aid and Awareness
 - a. Concept and historical development of legal aid in India.
 - b. Constitutional mandate: Articles 14, 21, 39A.
 - c. Statutory framework: Legal Services Authorities Act, 1987; Rules and Regulations.
 - d. International perspective: Access to Justice and UN Declarations.

Unit II

1. Institutional Framework
 - a. National, State, District, and Taluk Legal Services Authorities: Structure and functions.
 - b. Role of Lok Adalats and Permanent Lok Adalats.
 - c. Para-legal volunteers and their training.
 - d. Law school legal aid clinics – role and responsibilities.

Unit III

1. Methods of Legal Awareness
 - a. Legal literacy campaigns – design and implementation.
 - b. Street plays, posters, legal literacy booklets.
 - c. Use of media and technology for legal awareness (radio, TV, social media).
 - d. Target groups: women, children, SC/ST, senior citizens, persons with disabilities, rural poor.

Unit IV

1. Field Work & Engagement
 - a. Participation in legal aid camps organized by State/District Legal Services Authorities.
 - b. Assisting in Lok Adalats and mediation sessions.
 - c. Conducting community surveys to identify legal issues.
 - d. Drafting simple legal documents (affidavits, applications, notices).

Unit V

1. Monitoring, Evaluation & Reporting
 - a. Impact assessment of legal aid and awareness programs.
 - b. Preparing case studies of successful legal aid interventions.
 - c. Critical analysis of gaps in implementation.

- d. Submission of practical work reports.

Practical Component (Mandatory Activities)

Each student must:

- a. Attend at least two legal aid camps and one Lok Adalat.
- b. Conduct at least one legal awareness program in a rural/urban marginalized area.
- c. Prepare a report on the functioning of a State/District Legal Services Authority.
- d. Assist in at least two live cases handled by the legal aid clinic.
- e. Prepare and submit a portfolio containing:
 - Details of field visits.
 - Drafted legal documents.
 - Photographs and evidence of awareness activities.
 - Reflection note on learning outcomes.

Evaluation Scheme

Attendance & Participation: 10 marks

Field Activity Reports: 20 marks

Presentation/Seminar: 10 marks

Viva on practical work: 10 marks

Suggested Readings

S.P. Sathe – Access to Justice

N.R. Madhava Menon – Clinical Legal Education

Legal Services Authorities Act, 1987 – Bare Act

Government of India – National Legal Services Authority (NALSA) Guidelines and Schemes

UNDP – Access to Justice Reports

Suggested Collaborations

National Legal Services Authority (NALSA)

State Legal Services Authorities (SLSA)

District Legal Services Authorities (DLSA)

NGOs working in the field of human rights and legal literacy

Media houses for awareness campaigns

Course Code: LLM 106

Course Title: Indian Knowledge Systems (IKS)

Total Marks: 25 (IA -5 / ESE – 20)

Learning Outcomes

1. Explain the key concepts of Indian Knowledge Systems related to law and governance.
2. Critically assess the *Dharmashastra*, *Arthashastra*, and related texts in the context of modern legal systems.
3. Compare indigenous and Western jurisprudential approaches.
4. Propose frameworks for integrating IKS principles into contemporary legal practice and policy.

Course Objectives

- To understand the philosophical foundations of Indian legal and ethical systems.
- To explore sources of law in ancient and medieval India.
- To compare Indian jurisprudential traditions with Western legal thought.
- To analyze the continuity and transformation of IKS within the modern Indian legal framework.
- To develop research skills in interpreting classical legal and philosophical texts.

Unit I

Introduction to Indian Knowledge Systems (IKS): Meaning, Scope & Relevance, Sources of Indian Legal and Ethical Thought.

Unit II

Idea of Justice and Jurisprudence in Indian Knowledge Tradition: Laws of Manu; Judicial Administration in *Arthashastra*, Concept of Dharma and Nyaya.

Unit III

Medieval Indian Legal Thought; Islamic jurisprudence influence, Dharmashastra under Mughal rule

Unit IV

Colonial Encounter and Transformation of Indian Law: Codification, British legal impositions, Macaulay's Penal Code

Unit V

Constitutional Foundations and IKS Continuities: Fundamental Duties, Directive Principles, Gandhian and Ambedkarian thought

Suggested Readings

- Kautilya, *The Arthashastra* (R.P. Kangle, ed.)
- Manusmriti (G. Bühler, trans.)
- Patrick Olivelle, *Dharmasutras: The Law Codes of Ancient India*
- Werner Menski, *Hindu Law: Beyond Tradition and Modernity*
- S.P. Sathe, *Judicial Activism in India*
- A.K. Ramanujan, *Three Hundred Ramayanas*
- R. Balasubramaniam, *Essays on Indian Knowledge Systems*
- NITI Aayog, *Indian Knowledge Systems: A Framework for Higher Education* (2022)

DRAFT

SEMESTER II

Course Code: LLM 201
Course Title: Judicial Process
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. To enable the students to analyse and evaluate the legal process from a broader juristic perspective.
2. to study the nature of judicial process as an instrument of social ordering
3. This paper exposes the intricacies of judicial creativity and the judicial tools and techniques employed in the process.
4. It familiarise the students with various theories, different aspects and alternative ways, of attaining justice.

UNIT I

1. Meaning, concept and Nature of judicial process
 - a. Meaning, Nature and role of judicial process
 - b. Judicial process as an instrument of social ordering
 - c. Ratio decidendi and Obiter dicta—Merits and demerits of precedents
 - d. Do judges make law—law making theory and Declaratory theory—problems of accountability
 - e. Advisory jurisdiction of Supreme court and supreme court's authority to rule on its own decisions.

UNIT II

1. Dimensions of judicial process
 - a. Rule of law: Doctrine of independence of judiciary as an aspect of separation of power.
 - b. Appointment, removal and transfer of judges.
 - c. Political nature of judicial process
 - d. New dimensions of Judicial activism, judicial creativity and judicial review— writs as means of enforcing the rights of people
 - e. Concept of locus standi- Public interest litigation- Merits and demerits of PIL

UNIT III

1. Judicial process and Constitutional Amendments
 - a. Evolution of the concept of basic structure
 - b. Philosophy of the doctrine of Basic structure
 - c. Basic structure and limitations to constitutional amendments
 - d. The recent developments: the “essence of rights” test and “right test” to determine Basic structure

UNIT IV

1. Judicial process and legal theory

- a. American realism philosophy: origin and development
- b. Views of Gray and Holmes
- c. Views of Jerome frank: law is uncertain and certainty of law is a legal myth
- d. Criticisms and drawbacks of the American realist thought

UNIT V

- 1. The concepts of justice
- a. Meaning of justice--Relation between law and justice—justice not the same thing as law
- b. The concept of Dharma in the Indian legal thought
- c. Various theories relating to administration of criminal justice
- d. Trends in the criminal administration of justice—Reformative punishment.

Books Recommended:

- 1. Cardozo 'The Nature of Judicial Process(1995). Universal Law Publishing Co., New Delhi
- 2. Julius Stone. The Province and Function of Law Ch.1, PP 8-16, (2000) Universal Law Publishing Co., New Delhi
- 3. J. Stone, Precedent and the Law: Dynamics of Common Law Growth(1985), Butterworths. (With effect from the Academic Session 2009-2010)
- 4. J. Stone. Legal System and Lawyer's Reasoning (1999), Universal Law Publishing Co., New Delhi
- 5. Upendra Baxi, The Indian Supreme Court and Politics. (1980), Eastern Book Co., Lucknow.
- 6. Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.
- 7. Virendra Kumar, Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance, Journal of the Indian Law Institute, PP 365-395, (2007).
- 8. A. S. Anand, Judicial Review – Judicial Activism–Need for Caution, Journal of Indian Law Institute P. 149 (2000).
- 9. Upendra Baxi, "On how not to Judge the Judges" 25 Journal of the Indian Law Institute, P. 211 (1983).
- 10. Henry J. Abraham, The Judicial Process (1998), Oxford.
- 11. S.P. Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2002)

(Students should attempt 4 out of 6 Questions of 10 marks each)

Course Code: LLM 202
Course Title: Indian Constitutional Law: New Challenges II
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes

1. Critically evaluate constitutional amendments, doctrines, and landmark judgments in light of new challenges.
2. Analyze tensions between individual rights and state interests in modern contexts.
3. Engage in comparative constitutional discourse to address Indian challenges.
4. Propose legal and policy reforms within the constitutional framework.

Unit I

1. Constitutionalism and New Dimensions
 - a. Evolving concept of constitutionalism in India.
 - b. Transformative constitutionalism and its judicial adoption.
 - c. Basic structure doctrine – current scope and controversies.
 - d. Role of constitutional morality in governance.

Unit II

1. Expanding Horizons of Fundamental Rights
 - a. Right to privacy post-Puttaswamy and data protection challenges.
 - b. Freedom of speech in the digital age – hate speech, fake news, and sedition.
 - c. Reservation policies – socio-economic criteria, EWS reservation, and judicial scrutiny.
 - d. Gender justice and constitutional rights – LGBTQ+ rights, personal laws, and equality.

Unit III

- a. Governor's role – constitutional limitations and political controversies.
- b. Interstate water disputes and environmental federalism.
- c. Emergency provisions and contemporary debates.

Unit IV

1. Separation of Powers and Judicial Activism
 - a. Expanding role of judiciary – judicial review vs. judicial overreach.
 - b. Appointment of judges – Collegium system and NJAC judgment.
 - c. Tribunals and quasi-judicial bodies – independence and accountability.
 - d. Legislative privileges vs. fundamental rights.

Unit V

1. New Frontiers in Constitutional Adjudication
 - a. Technology, AI, and constitutional rights – surveillance and algorithmic bias.
 - b. Environmental constitutionalism – right to clean environment, climate change litigation.
 - c. Global constitutional influences – comparative perspectives from South Africa, USA, Canada.

Books Recommended:

1. H.M. Seervai – Constitutional Law of India
2. M.P. Jain – Indian Constitutional Law
3. Granville Austin – The Indian Constitution: Cornerstone of a Nation
4. Gautam Bhatia – Offend, Shock, or Disturb: Free Speech under the Indian Constitution
5. Upendra Baxi – The Indian Supreme Court and Politics
6. Bare Acts – Constitution of India, Information Technology Act, Data Protection legislations.

(Students should attempt 4 Questions out of 6 Questions [4X10 = 40]

DRAFT

Course Code: LLM 203
Course Title: Research Methodology I
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcome:

Growth of legal science in India depends on the nature and career of legal research. The syllabus is designed to develop skills in research and writing in a systematic manner. It is framed with an intention to produce the future academicians, jurists and lawyers with better competence and expertise. Research methods and Legal Writing course introduces the students to the world of academic legal research and legal writing.

UNIT I

1. Introduction
 - a. Significance of Research
 - b. Meaning and concept of research
 - c. Scientific Methods & Legal Research
 - d. Socio-legal research and legal research models
 - e. Doctrinal and non-doctrinal research
 - f. Significance of empirical research
 - g. Qualitative and Quantitative Research
 - h. Inductive and Deductive Research Approach
 - i. Research Problem

UNIT II

1. Research Design and its components
 - a. Literature Review including juristic Writings, judicial decisions, Legislative materials, reports and conflicts in the area pertaining to research
 - b. Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources.
 - c. Major steps of preparation of research design.
 - d. Research tools: Library, Books, Law Reports, Law Commission Reports,
 - e. Legislative and Constitutional Assembly Reports, Computer/Internet

UNIT III

1. Sampling Procedure
2. Sampling techniques:
 - a. Design of sample
 - b. Its uses and advantages in research.
 - c. Random sampling, simple random, stratified random, systematic random.
 - d. Non-random sampling, haphazard, availability and purposive etc
 - e. Probability and Non-Probability Sampling

UNIT IV

1. Data Processing
2. Data Collection, Data processing and analysis and interpretation of data.
3. Socio-metrics and Jurimetrics. Methods of Data Collection: Observation, Interview, Questionnaire, Schedules, Case Study

4. Computerized research
5. A study of legal research programmes such as Lexis and west law coding
6. Online & offline sources and techniques of e-legal research.

UNIT V

1. Report writing
2. Research report & techniques of writing research work.
3. Citation rules and modes of legal writing.

Books Recommended:

1. Wilkinson –Bhandarkar –Research Methodology.
2. Young, Pauline V. –Scientific Social Survey and Research.
3. BerelsonB : Content Analysis in Communication Research.
4. Jain S. N. : Legal Research and Methodology.
5. Earl Babi –Research Methodology.
6. Good & Halt : Research Methodology (And relevant Websites)

(Students should attempt 4 Questions out of 6 Questions [4X10 = 40]

D R A F T

Course Code: LLM 204
Course Title: Principles of Company Law (Group-A)
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Understand and interpret the fundamental concepts, nature, and characteristics of companies under the Companies Act, 2013 and allied legislations.
2. Critically analyze the legal framework governing incorporation, corporate personality, and the doctrine of separate legal entity.
3. Evaluate the roles, powers, and fiduciary duties of directors, promoters, and key managerial personnel in corporate governance.
4. Apply statutory provisions and judicial precedents to issues relating to share capital, debentures, and raising of corporate finance.
5. Examine the legal principles regulating corporate meetings, resolutions, and decision-making processes.

UNIT I

1. Philosophy of Incorporation; Trends in Incorporation
2. Types of Companies
3. Essential ingredient for the formation of company
 - a. Promotion of Company & Role of Promoters
 - b. Certificate of Incorporation
 - c. MOA, AOA and other allied documents necessary for incorporation
 - d. Doctrine of Ultra Vires
 - e. Doctrine of Indoor Management
4. Membership in a Company
 - a. Who are the members?
 - b. Modes of acquiring membership
 - c. Restriction, Cessation and Expulsion of membership
 - d. Rights and duties of members
5. Key Managerial Persons
 - a. Who are Key Managerial Persons?
 - b. Their Roles and duties under the Company Act, 2013
 - c. Directors- (Dis)Qualification; Types; appointment and Removal; Duties and powers
6. Management/Running of a Company
 - a. Types of Meetings (AGM, EGM, BM)
 - b. The rules for constituting, conducting and convening a meeting
 - c. Resolutions and its types

UNIT II

1. Share Capital
 - a. Concept of Share Capital, Share and Stock
 - b. Types of Shares
 - c. Process of raising capital
 - i. Private Placement

- ii. Through Issue House
- iii. Prospectus
- d. Allotment of shares
- e. Buyback of securities & Reduction of Share Capital
- f. Forfeiture of Shares
- g. Transfer and Transmission of Shares

2. Debenture and Charge

- a. Types of Borrowings
- b. Distinction between Debenture and Shares
- c. Meaning of Charge & its kinds
- d. Creation of charge on Company's Assets- Requirements under Company Act, 2013

UNIT III

- 1. Accounts and Audit
 - a. Accounts of Company and its need under the Company Act 2013 a
 - b. Auditing Standards and NRFA
 - c. Role of ICAI
- 2. Inspection and Investigation under Company Act, 2013
- 3. Oppression and Mismanagement
 - a. Majority Rule and relevant caselaws
 - b. Protection of minority Rights
 - c. Prevention of Oppression & Mismanagement

UNIT IV

- 1. Reconstruction, Amalgamation and Takeover
 - a. Concepts
 - b. Relevant Provisions in Company Law & SEBI guidelines
 - c. Role of Tribunal and ROC
 - d. Consequences of Amalgamation
- 2. Winding up of Company
 - a. The need for Insolvency and Bankruptcy Code, 2016 in Winding up of companies; (to be studied in relation to the relevant provisions of the Company Act, 2013)
 - b. Procedure for Initiation of and conduct of Insolvency Process by Operation/Financial Creditor and Corporate Debtor.
 - c. Role of Insolvency and Resolution Professional
 - d. Conclusion of Insolvency Process

UNIT V

- 1. Corporate Governance
 - a. What is it & its needs
 - b. Global and Domestic scams that necessitated emergence of Corporate Governance as a concept
 - c. Relevant provisions of CG under the Company Act, 2013
- 2. Corporate Social Responsibility
 - a. Evolution of CSR as a concept
 - b. Dimensions of CSR required under Company Act, 2013
- 3. Introduction to E-governance

- a. Introduction
- b. Organisation of ROC office under MCA-21
- c. Back Office
- d. E-form
- e. Digital Signature Certificate (DSC)
- f. CIN based search of Companies

4. 2015 Amendment to Company Act, 2013

Books Recommended:

- 1. Avtar Singh – Company Law (Eastern Book Company)
- 2. Dr. N.D. Kapoor – Elements of Company Law (Sultan Chand & Sons)
- 3. A. Ramaiya – Guide to the Companies Act (LexisNexis)
- 4. Hicks & Goo – Cases and Materials on Company Law (Oxford University Press)
- 5. M.C. Kuchhal & Vivek Kuchhal – Modern Indian Company Law (Vikas Publishing)

Advanced Commentaries & Research-Oriented Works

- 6. L.C.B. Gower – Principles of Modern Company Law (Sweet & Maxwell)
- 7. Palmer – Company Law: Annotated (Sweet & Maxwell)
- 8. K.R. Chandratre – Corporate Laws: A Comprehensive Guide (Taxmann)
- 9. Mayson, French & Ryan – Company Law (Oxford University Press)
- 10. R. K. Bangia – Company Law (Allahabad Law Agency)

Specialized & Contemporary Topics

- 11. Umakanth Varottil & Umadevi – Corporate Governance in India: Change and Continuity (Oxford University Press)
- 12. Arun Kumar & Balasubramanian – Corporate Governance: Principles, Policies and Practices (Oxford University Press)
- 13. Anil Choudhary – Corporate Social Responsibility under Companies Act, 2013 (Taxmann)
- 14. Aneeta Hada v. Godfather Travels and other landmark case law compilations (SC judgments)

Statutory Material

- 1. The Companies Act, 2013 with Rules and Schedules – Bare Act (Latest Edition, Commercial Law Publishers/Professional Book Publishers)
- 2. SEBI Regulations and Listing Obligations – Latest edition

(Students should attempt 4 Questions out of 6 Questions [4X10 = 40]

Course Code: LLM 204
Course Title: General Principles of Criminal Law (Group-B)
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Understand the scope, nature, and functions of criminal law.
2. Interpret and apply the general principles of criminal liability.
3. Critically analyze judicial decisions relating to core criminal law concepts.
4. Engage with comparative criminal law perspectives and law reform debates.
5. Integrate theoretical concepts with practical problem-solving in criminal cases.

Unit I

1. Foundations of Criminal Law
 - a. Nature, scope, and purpose of criminal law.
 - b. Historical evolution of criminal law in India – from colonial codes to contemporary reforms.
 - c. Theories of crime and punishment – deterrent, retributive, reformatory, preventive, and restorative justice models.
 - d. Sources of criminal law – legislation, judicial precedents, customary law, and international conventions.

Unit II

1. General Principles of Criminal Liability
 - a. Essential elements of crime – actus reus and mens rea.
 - b. Strict liability and absolute liability offences.
 - c. Stages of crime – intention, preparation, attempt, and commission.
 - d. Joint and constructive liability – common intention, common object, and vicarious liability in criminal law.

Unit III

1. Defences and Exceptions
 - a. General defences under the Indian Penal Code – mistake of fact, accident, necessity, duress, insanity, intoxication, private defence.
 - b. Justification vs. excuse in criminal defences.
 - c. Special statutory defences and immunity provisions.

Unit IV

1. Inchoate and Group Crimes
 - a. Abetment and criminal conspiracy.
 - b. Attempt and its punishability.
 - c. Organised crimes and corporate criminal liability.
 - d. Liability for omissions in criminal law.

Unit V

1. Contemporary and Comparative Perspectives
 - a. Constitutional limitations on criminal law – fundamental rights and due process.

- b. Impact of technological developments on criminal law – cybercrimes, AI-based crimes.
- c. Comparative study – principles from UK, USA, and international criminal law.
- d. Criminal law reforms in India – post-2023 amendments and trends.

Books Recommended:

1. K.D. Gaur – Textbook on Indian Penal Code (Universal Law Publishing)
2. Ratanlal & Dhirajlal – The Indian Penal Code (LexisNexis)
3. P.S.A. Pillai – Criminal Law (LexisNexis)
4. Smith & Hogan – Criminal Law (Oxford University Press)
5. Wayne R. LaFave – Principles of Criminal Law (West Academic)
6. H.L.A. Hart – Punishment and Responsibility (Oxford University Press)
7. Andrew Ashworth – Principles of Criminal Law (Oxford University Press)
8. Law Commission of India Reports on Criminal Law Reforms.

(Students should attempt 4 out of 6 Questions of 10 marks each)

DRAFT

Course Code: LLM 205
Course Title: Capital and Securities Market Regulation (Group-A)
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. To acquaint with historical development of securities and derivative market and regulation of securities and derivative market by State.
2. To appreciate the scheme of securities regulation and the rationale behind various statutory or regulatory requirements.
3. To know the limitations on the contracting power and the system of checks and balances.
4. To examine the nature, scope and the constitutional validity of adjudicatory mechanism under the securities and derivatives laws and its functioning.
5. To understand how corporate debt finance is being regulated by the state.
6. To understand the role, power and functions of the regulator and the self-regulatory organisations.

UNIT I

1. Overview of Securities Market
 - a. Role, Relevance and significance of Securities Market in national development
 - b. Securities Market and Economic Reforms: Challenges and prospects
 - c. Introduction to various components of capital market and its role – primary and secondary market, stock exchanges
 - d. Meaning & scope of Securities

UNIT II

1. Trends in Regulation of Securities Market
 - a. Securities Contract Regulation Act 1956
 - b. SEBI Act 1992 with particular emphasis on role of SEBI
 - c. Depositories Act 1996
 - d. Constitutional provisions with respect to securities regulation

UNIT III

1. Policy framework for regulation of FDI
 - a. Meaning and forms of FDI
 - b. Foreign Exchange Management Act
 - c. FDI Policy and role of RBI

UNIT IV

1. Bilateral and multilateral investment agreements
 - a. Introduction to the trends of bilateral and multilateral investment agreements
 - b. Nature and scope of substantive rights of foreign investors under BIPAs

UNIT V

1. Dispute Settlement Mechanisms under BITs – Investment Arbitrations under ICSID and UNCITRAL
2. IOSCO Principles on Securities Market Regulation,

Books Recommended

1. Guruswamy, Capital Market, Tata McGraw Education, 2009
2. E Gordon & H Nataraj, Capital Market in India, Himalaya Publishing House, 2013
3. Deepening India's Capital Market: The Way Forward, USAID, November 2007
4. The Consolidated FDI Policy Circular of 2014, Ministry of Commerce & Industry
Department of Industrial Policy & Promotion, Government of India
5. ICSID Convention – A Commentary, C. Schreuer, 2nd Edition 2009
6. Sanjeev Agarwal, Guide to Indian Capital Market, Bharat Law House, 2009
7. Imaad A Moosa, Foreign Direct Investment: Theory Evidence and Practice, Palgrave MacMillan, 2010.
8. Niti Bhasin, FDI In India, New Century Publication, 2008

(Students should attempt 4 out of 6 Questions of 10 marks each)

DRAFT

Course Code: LLM 205

Course Title: Criminal Law and Penology (Group-B)

Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Explain the theoretical foundations of criminal law and penology.
2. Critically analyze different theories of punishment and their application in India.
3. Evaluate sentencing policies and practices, including judicial discretion and guidelines.
4. Examine correctional institutions, rehabilitation methods, and alternative punishments.
5. Assess the death penalty debate, prison reforms, and human rights concerns in penology.
6. Apply comparative and international perspectives to propose criminal justice reforms.

Unit I

1. Foundations of Criminal Law and Penology
 - a. Nature, scope, and purposes of criminal law.
 - b. Historical development of penology in India and abroad.
 - c. Relationship between criminal law, criminology, and penology.
 - d. Constitutional limitations on criminal law and punishment.

Unit II

1. Theories of Punishment
 - a. Retributive, deterrent, reformative, preventive, and restorative theories.
 - b. Critical appraisal of the relevance of each theory in modern times.
 - c. Restorative justice and victimology – emerging trends.

Unit III

1. Sentencing Policies and Practices
 - a. Principles of sentencing and judicial discretion.
 - b. Statutory provisions on sentencing in the Indian Penal Code and special laws.
 - c. Sentencing guidelines – need, status, and reforms.
 - d. Plea bargaining and negotiated settlements.

Unit IV

1. Correctional Methods and Alternatives to Imprisonment
 - a. Probation, parole, and community service.
 - b. Open prisons and halfway houses.
 - c. Role of NGOs and community participation in offender rehabilitation.
 - d. Juvenile justice system – reformation and reintegration approaches.

Unit V

1. Contemporary Issues in Penology
 - a. Death penalty debate – constitutional validity, judicial trends, and Law Commission recommendations.
 - b. Prison reforms in India – overcrowding, custodial violence, and prisoners' rights.
 - c. Impact of technology on corrections – electronic monitoring, AI in parole decisions.

d. Comparative perspectives – UK, USA, South Africa, and international human rights standards.

Books Recommended:

1. Sutherland & Cressey – Principles of Criminology (Rowman & Littlefield)
2. K.D. Gaur – Criminal Law: Cases and Materials (LexisNexis)
3. Ratanlal & Dhirajlal – The Indian Penal Code (LexisNexis)
4. S. Chhabra – Penology and Correctional Administration (Ashoka Law House)
5. Ahmad Siddique – Criminology, Penology and Victimology (LexisNexis)
6. H.L.A. Hart – Punishment and Responsibility (Oxford University Press)
7. Andrew Ashworth – Sentencing and Criminal Justice (Cambridge University Press)
8. Law Commission of India Reports – Sentencing Reforms, Death Penalty, Prison Reforms.

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 206
Course Title: Skill Based Course

Total Marks: 25 (ESE – 25)

D R A F T

SEMESTER III

Course Code: LLM 301

Course Title: Legal Methodology II
Total Marks: 50 (ESE – 50)

Course Outcomes:

1. This Course trains the students how to identify a research problem and to proceed with the research.
2. To acquaint the students with the use of empirical research methods and to encourage them to use such empirical methods in legal research
3. To train them in proper legal writing and foot noting, editing etc
4. To expand the research skills
5. To enable them to gain practical knowledge by involving in legal aid clinic and teaching

UNIT I

Doctrinal research (15 marks)

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The assignment shall be evaluated internally by a designated faculty member who are engaging LL.M. Classes regularly.

UNIT II

Non-Doctrinal research (15 marks)

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed internally by a designated faculty member who are engaging LL.M. Classes regularly.

Note: Only a single topic will be assigned to each student for project work which should be consists of both doctrinal and non- doctrinal research work and comprises of 40 marks as a combination of unit I and unit II mentioned above.

UNIT III

Clinical work (10 marks)

The method is that the Legal Aid Clinic of the Department of Law can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organisation, tackling of labour disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual submission of report turned out by him/her shall be assessed by the team of senior faculty who are engaging LL.M. Classes regularly. Focus, priority and weightage shall be for the research being done by the students in the above areas.

UNIT IV

Law Teaching (10 marks)

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes.

The students may be asked to teach the LL.M Semester I students. They can select any of the methods of teaching. In law teaching practical, the LL.M students are to be evaluated internally. The average marks shall be reckoned. Internal evaluation shall be by a group of senior faculty who are regularly engaged in handling LL.M. classes.

Books Recommended:

1. Sami Pathasarathy, Corporate Governance, Principles, Mechanisms and Practice
2. Dimple Grover, AmulyaKhurana, Ravi Shankar, The Regulatory Norms of Corporate Governance in India.
3. SadhalaxmiVivek Rao, Legal Framework and corporate Governance: An Analysis of Indian Governance System
4. Ministry of Corporate Affairs, Voluntary Guidelines on Corporate Governance, 2009
5. Sanjay Anand, Essentials of Corporate Governance
6. Kevin Keasey, Steve Thompson, Michael Wright, Corporate Governance, Accountability, Enterprise and International Comparisons
7. The Institute of Directors, Hanbook of International Corporate Governance
8. ChristineMallin, International Corporate Governance-A case Study approach
9. FrederickLipman& Keith Lipman, Corporate Governance Best Practices, Strategies for Public, Private and NGO.

DRAFT

Course Code: LLM 302
Course Title: Banking Law and Insurance Law (Group A)

Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Critical analysis of development of banking system, diversification of banks financing
2. Inquest about social control of the banking system
3. To acquaint the students with the conceptual and operational parameters of banking law
4. To study the evolution and development of law of insurance
5. To study laws applicable to insurance contracts
6. To analyse the contemporary issues involved in the regulatory framework of insurance sector

UNIT I

1. Introduction
 - a. Nature and development of banking.
 - b. History of banking in India and elsewhere –indigenous banking –evolution of banking in India –different kinds of banks and their functions.
 - c. Multi-functional banks –growth and legal issues. Law Relating to Banking Companies in India.
2. Controls by government and its agencies.
 - a. On management.
 - b. On accounts and audit.
 - c. Lending.
 - d. Credit policy.
 - e. Reconstruction and reorganization.
 - f. Suspension and winding up.
3. Contract between banker and customer : their rights and duties.

UNIT II

1. Social Control over Banking
 - a. Nationalization.
 - b. Evaluation : private ownership, nationalization and disinvestment.
 - c. Protection of depositors.
 - d. Priority lending.
 - e. Promotion of underprivileged classes.
2. Deposit Insurance
 - a. The Deposit Insurance Corporation Act 1961 : objects and reasons.
 - b. Establishment of Capital of DIC.
 - c. Registration of banking companies insured banks, liability of DIC to depositors.
 - d. Relations between insured banks, DIC and Reserve Bank of India.

UNIT III

1. Negotiable Instruments
 - a. Meaning and kinds.
 - b. Transfer and negotiations.
 - c. Holder and holder in due course.
 - d. Presentment and payment.
 - e. Liabilities of parties.

2. Lending by Banks

- a. Good lending principles - Lending to poor masses.
- b. Securities for advances - Kinds and their merits and demerits.
- c. Repayment of loans : rate of interest, protection against penalty.
- d. Default and recovery - Debt recovery tribunal.

UNIT IV

- 1. Introduction
 - a. Origin and Development of the Concept of Insurance
 - b. Theoretical Perspectives of Insurance
 - c. Types of Insurance—Parties to Insurance
 - d. Rights and liabilities of Insurer and Insured
 - e. Insurance policy-law of contract and law of torts
 - f. Need and importance of insurance,
- 2. Contract of insurance-definition, nature of contract including Contract of Indemnity and Wager, Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance, Medi claim, Sickness)

UNIT V

- 1. Insurable interest
 - a. Nature of Insurable interest – Time or Duration of Interest
 - b. Insurable Interest and Life Insurance
 - c. Insurable Interest and Fire Insurance
 - d. Insurable interest and insurable value in Marine Insurance
- 2. The Risk
 - a. The risk-commencement, attachment, duration
 - b. Circumstances affecting the risk in Life Insurance
 - c. Premium
 - d. Assignment and alteration
 - e. Warranties and disclosures

Books Recommended:

- 1. M.L. Tannan, Tannan's Banking Law and Practice in India., India Law House, New Delhi, Latest Edition.
- 2. L.C. Goyal, The Law of Banking and Bankers, Latest Edition, Eastern

(Students should attempt 4 out of 6 Questions of 10 marks each)

Course Code: LLM 302

Course Title: Criminology and Victimology (Group B)

Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Explain and critically assess major criminological theories.
2. Identify and analyze patterns, causes, and control mechanisms of criminal behaviour.
3. Examine the victim-offender relationship and victimization processes.
4. Evaluate the legal framework for victim protection in India and its effectiveness.
5. Compare international best practices in victim assistance and restorative justice.
6. Conduct independent research on issues related to crime and victimization.

Unit I

1. Foundations of Criminology
 - a. Definition, nature, scope, and importance of criminology.
 - b. Historical development of criminology – classical, positivist, sociological, and critical schools.
 - c. Interdisciplinary approach – sociology, psychology, law, and economics.
 - d. Crime trends and statistics in India – NCRB reports and analysis.

Unit II

1. Theories of Criminal Behaviour
 - a. Classical and neoclassical theories.
 - b. Biological and psychological explanations of crime.
 - c. Sociological theories – strain, differential association, labeling, social control.
 - d. Modern approaches – routine activity theory, environmental criminology, feminist criminology.

Unit III

1. Introduction to Victimology
 - a. Meaning, nature, scope, and objectives of victimology.
 - b. Historical evolution of victimology – from victim-blaming to victim rights movement.
 - c. Typologies of victims – vulnerable groups, repeat victims, secondary victimization.
 - d. Victim-offender relationship and its legal implications.

Unit IV

1. Victim Rights and Legal Framework
 - a. Constitutional and statutory provisions for victim protection in India.
 - b. Role of police, prosecution, and judiciary in victim assistance.
 - c. Compensation and rehabilitation schemes – Section 357 CrPC, NALSA, State Victim Compensation Schemes.
 - d. UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985).

Unit V

1. Contemporary Issues and Reforms

- a. Victim participation in criminal trials – witness protection and privacy concerns.
- b. Restorative justice and victim-offender mediation.
- c. Cybercrime victims, human trafficking, and terrorism-related victimization.
- d. Comparative perspectives – victimology practices in USA, UK, Japan, and South Africa.

Books Recommended:

- 1. Ahmad Siddique – Criminology, Penology and Victimology (LexisNexis)
- 2. Sutherland & Cressey – Principles of Criminology (Rowman & Littlefield)
- 3. K.D. Gaur – Criminal Law and Criminology (Deep & Deep)
- 4. Ezzat A. Fattah – Victimology: Theory, Research and Policy (Macmillan)
- 5. Andrew Karmen – Crime Victims: An Introduction to Victimology (Cengage Learning)
- 6. Benjamin Mendelsohn – Pioneers in Victimology (Sage Publications)
- 7. Jo-Anne Wemmers – Victimology: A Canadian Perspective (Oxford University Press)
- 8. Law Commission of India Reports – particularly on victim compensation and witness protection.

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 303

Course Title: Competition Law and Consumer Protection (Group A)

Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. To study the evolution and development and the need for competition law.
2. To study the law applicable to anti-competitive agreements about abuse of dominant position.
3. To study and critically analyse judicial interpretations competition laws.
4. To study the interface between the International competition law and the domestic law of competition.
5. To analyse the contemporary issues involved in application of competition law.
6. To learn to conduct guided research in a focussed area of the subject and to analyse how it ensure consumer justice
7. To learn to write a standard research paper based on extensive analysis of materials and synthesis

UNIT I

1. MRTP Act metamorphoses into the Competition Act
 - a. Introduction to Competition and concept of Perfect competition,
 - b. History and development of Competition Law
 - c. Theories on IP and Competition and the Concept of Open-Market System. Competition Policy & Regulation of Competition
 - d. MRTP Act: Formation & Features
 - e. Anti-Competitive Practices and its Regulation under MRTP Act

UNIT II

1. Competition Act, 2002
 - a. Drawbacks under the MRTP Regime and Need for Competition Act
 - b. Raghavan Committee Report
 - c. Regulatory Authorities under the Competition Act
 - d. Competition Law & Policy: Conceptual Study of Relevant Supreme Court Decisions
 - e. Regulation of Unfair Competition,
 - f. Abuse of dominance

UNIT III

1. Competition Policy and IPR
 - a. Intellectual Property Rights: Introduction to various IP Assets
 - b. Patent Policy and its Regulation under the Indian Laws.
 - c. Abuse of IPR and Regulation of Combinations
 - d. Conflict of Competition Policy and Patent Policy
 - e. TRIPS and its impact on Competition and Patent-Monopoly

UNIT IV

1. Competition Policy and Consumer Protection
 - a. Consumer justice under Competition Law and Consumer Protection Act in India,
 - b. Laws dealing with consumer complaints, Conceptual Study of Relevant Supreme Court

- c. Decisions, Enforcement mechanism under Competition Act, 2002

UNIT V

- 1. WTO and its impact on Competition Laws with reference to UNCTAD
 - a. International Dimensions of Competition Law Globalization and competition law
 - b. The Role of WTO in settling International Trade Disputes
 - c. Competition rules of WTO
 - d. International enforcement and Judicial assistance
 - e. Emerging principles of international competition law
 - f. Doctrine of Exhaustion: under the legal regime of EU, USA and India
 - g. Competition Policy: Conceptual Study on the Decisions under US Anti-Trust Laws and the U.K

Books Recommended:

- 1. Avtar Singh; Competition Law; Eastern Law House, 2012-
- 2. Competition Law in India; SrinivasanParthsarthy; Wolter Kluwer, 2012
- 3. Gurbax Singh, Law of Consumer Protection.
- 4. Indian Competition Law: An International Perspective; Suzanne Rab; CCH -A Wolters Kluwer Business, 2012
- 5. Law of Monopolistic, Restrictive and Unfair Trade Practices, Wadhwa& Co.
- 6. Taxmann"sGuide to Competition Act.
- 7. VinodDhall, Competition Law Today, Oxford University Press.

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 303

Course Title: Criminal Justice and Human Rights (Group B)

Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Explain the structure, functioning, and challenges of the criminal justice system in India.
2. Analyse the role of human rights principles in criminal investigation, trial, sentencing, and correctional processes.
3. Evaluate the functioning of enforcement agencies from a human rights perspective.
4. Interpret domestic criminal law in light of international human rights treaties and jurisprudence.
5. Recommend legal and policy reforms for a more equitable and rights-oriented criminal justice system.

Unit I

1. Introduction to Criminal Justice System
 - a. Concept, objectives, and components of criminal justice
 - b. Historical evolution of criminal justice administration in India
 - c. Structure: Investigation, prosecution, adjudication, and corrections
 - d. Adversarial vs. inquisitorial systems
 - e. Criminal justice as a tool for upholding rule of law and human rights

Unit II

1. Human Rights and Criminal Law
 - a. Constitutional safeguards for accused persons and victims
 - b. Criminal law provisions protecting human rights
 - c. Human rights in arrest, detention, interrogation, and trial
 - d. Rights of undertrials, convicts, and detainees
 - e. Special legislations and their human rights implications (e.g., UAPA, PMLA, NDPS Act)

Unit III

1. International Human Rights Standards and Criminal Justice
 - a. Universal Declaration of Human Rights (UDHR)
 - b. International Covenant on Civil and Political Rights (ICCPR)
 - c. UN Convention Against Torture (UNCAT)
 - d. International Criminal Court (ICC) and international criminal jurisprudence
 - e. Regional human rights instruments and their influence

Unit IV

1. Institutional Framework and Human Rights Enforcement
 - a. Role of Police in protecting human rights – accountability mechanisms
 - b. Judiciary and human rights adjudication
 - c. National Human Rights Commission (NHRC) and State Human Rights Commissions (SHRCs)
 - d. Legal Services Authorities and access to justice

- e. Role of NGOs and civil society

Unit V

- 1. Contemporary Challenges and Reforms
 - a. Custodial violence and deaths
 - b. Encounter killings and extrajudicial measures
 - c. Prison reforms and alternatives to incarceration
 - d. Victim rights and restorative justice
 - e. Recommendations of Law Commission, Malimath Committee, and Supreme Court directives for reform

Books Recommended:

- 1. K.D. Gaur – Criminal Law: Cases and Materials (LexisNexis)
- 2. B.L. Sharma – Criminal Justice Administration (Central Law Publications)
- 3. A. Wasim Qadri – Human Rights and Criminal Justice Administration (Deep & Deep Publications)
- 4. V.R. Krishna Iyer – Prison Reforms and Prisoner's Rights (Indian Law Institute)

Reference Works

- 5. Andrew Ashworth & Lucia Zedner – Preventive Justice (Oxford University Press)
- 6. M. Cherif Bassiouni – International Human Rights in the Administration of Criminal Justice (Brill)
- 7. Julius Stone – Human Law and Human Justice (Stanford University Press)
- 8. Justice J.S. Verma Committee Report (2013) – Recommendations on Criminal Law Reform

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 304

Course Title: Commercial Arbitration Law and Practice (Group A)

Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Explain the principles and procedures of commercial arbitration in India and globally.
2. Apply the provisions of the Arbitration and Conciliation Act, 1996 (as amended) to real-life disputes.
3. Critically evaluate judicial trends in commercial arbitration.
4. Compare domestic and international arbitration frameworks.
5. Draft arbitration agreements and understand enforcement of arbitral awards.

Unit I

1. Introduction to Arbitration and ADR
 - a. Concept and nature of arbitration – Historical evolution.
 - b. Advantages of arbitration over litigation.
 - c. Types of arbitration – Domestic, International Commercial Arbitration, Institutional Arbitration.
 - d. Arbitration vs. other forms of ADR (Mediation, Conciliation, Negotiation).
2. Legal framework in India: Overview of ADR under the Civil Procedure Code and Legal Services Authorities Act.

Unit II

1. Arbitration and Conciliation Act, 1996 (Part I – Domestic Arbitration)
 - a. Key definitions under the Act.
 - b. Arbitration agreement – essentials, form, scope, and validity.
 - c. Composition of arbitral tribunal – appointment, qualifications, challenge, and termination.
 - d. Jurisdiction of arbitral tribunal – Kompetenz-Kompetenz principle.
 - e. Conduct of arbitral proceedings – procedure, evidence, hearings, interim measures.

Unit III

1. International Commercial Arbitration and Enforcement
 - a. International Commercial Arbitration under the Arbitration and Conciliation Act, 1996 (Part II).
 - b. Recognition and enforcement of foreign arbitral awards – New York Convention and Geneva Convention.
2. Role of UNCITRAL Model Law.
 - a. Seat vs. venue of arbitration.
 - b. Judicial intervention in international arbitration – Indian approach.

Unit IV

1. Arbitral Award and Post-Award Remedies
 - a. Essentials of a valid arbitral award.
 - b. Time limit for making awards.
 - c. Interest and costs in arbitration.
 - d. Setting aside arbitral awards – grounds under Section 34.

- e. Enforcement of awards – procedure and challenges.

Unit V

- 1. Contemporary Issues and Practical Aspects
 - a. Emergency arbitration – Indian and global perspective.
 - b. Online arbitration and use of technology in dispute resolution.
 - c. Investor-State dispute settlement (ISDS).
- 2. Institutional arbitration in India – role of MCIA, ICA, and Nani Palkhivala Arbitration Centre.
- 3. Drafting arbitration clauses and agreements – common pitfalls and best practices.
- 4. Case studies of landmark Indian and international arbitration cases.

Books Recommended:

- 1. Avtar Singh – Law of Arbitration and Conciliation (Eastern Book Company)
- 2. P.C. Rao & William Sheffield – Alternative Dispute Resolution: What It Is and How It Works (Universal Law Publishing)
- 3. B.B. Pande – Law Relating to Arbitration and Conciliation (LexisNexis)
- 4. Redfern & Hunter – Law and Practice of International Commercial Arbitration (Sweet & Maxwell)
- 6. Gary B. Born – International Commercial Arbitration (Kluwer Law International)
Russel – Russel on Arbitration (Sweet & Maxwell)
- 7. O.P. Malhotra & Indu Malhotra – The Law and Practice of Arbitration and Conciliation (LexisNexis)
- 8. UNCITRAL – Model Law on International Commercial Arbitration (with 2006 amendments)

Bare Acts & Documents

- 9. The Arbitration and Conciliation Act, 1996 (as amended by 2015, 2019, and 2021 amendments) – Bare Act
- 10. The New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958
- 11. UNCITRAL Arbitration Rules

(Students should attempt 4 out of 6 Questions of 10 marks each)

Course Code: LLM 304

Course Title: Criminology and Administration of Criminal Justice (Gr. B)

Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Explain the evolution and schools of criminology.
2. Analyse the socio-economic and psychological factors contributing to criminal behaviour.
3. Critically evaluate the functioning of the police, prosecution, judiciary, and correctional institutions.
4. Assess the role of human rights in criminal justice administration.
5. Suggest legal and policy reforms for a more effective and humane criminal justice system.

Unit I

1. Introduction to Criminology
 - a. Definition, Nature, and Scope of Criminology
 - b. Relationship between Criminology, Penology, and Victimology
 - c. Historical development of criminological thought
 - d. Schools of Criminology: Classical, Positivist, Sociological, Chicago, Marxist, Feminist
2. Crime trends in India and global perspectives

Unit II

1. Theories and Causes of Crime
 - a. Biological, Psychological, and Sociological theories of crime
 - b. Economic crimes, Cyber crimes, White collar crimes, Organised crimes
 - c. Juvenile delinquency: causes, prevention, and rehabilitation
2. Recidivism: causes and control measures

Unit III

1. Administration of Criminal Justice in India
 - a. Police system: organisation, powers, accountability, and reforms
 - b. Prosecution system: structure and functioning
 - c. Judicial process: trial procedures, sentencing policies, and speedy justice
 - d. Correctional administration: prisons, probation, parole, open jails, and rehabilitation
2. Role of Legal Services Authorities and Lok Adalats

Unit IV

1. Human Rights and Criminal Justice
 - a. Human rights of accused, victims, and prisoners
 - b. Role of National Human Rights Commission (NHRC) and State Human Rights Commissions
 - c. Custodial violence and safeguards
2. International human rights standards and UN declarations
3. Victim protection and compensation schemes

Unit V

1. Contemporary Issues and Reforms

- a. Criminal law reforms in India (with reference to Bharatiya Nyaya Sanhita, 2023)
- b. Overcrowding of prisons and alternatives to incarceration
- c. Police reforms and community policing
- d. Use of technology in criminal justice administration
- e. Restorative justice models

Books Recommended:

- 1. Ahmad, Siddique – Criminology: Problems and Perspectives (Eastern Book Company)
- 2. Sutherland, Edwin H., & Cressey, Donald R. – Principles of Criminology
- 3. Paranjape, N.V. – Criminology and Penology with Victimology (Central Law Publications)
- 4. Reid, Sue Titus – Crime and Criminology (McGraw Hill)
- 5. Sharma, R.M. – Indian Criminal Justice System

Supplementary Readings

- 6. Rajendra K. Sharma – Criminology and Penology
- 7. Gaur, K.D. – Criminal Law: Cases and Materials
- 8. Ministry of Home Affairs – Reports of the Committee on Reforms of Criminal Justice System (Madhava Menon Committee, Malimath Committee)
- 9. Bedi, Kiran – It's Always Possible: One Woman's Transformation of Tihar Prison
- 10. Indian Law Institute – Essays on Criminal Law and Justice

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 305

Course Title: Administrative Law
Total Marks: 50 (IA – 10 / ESE – 40)

Course Outcomes:

1. Explain the scope and relevance of administrative law in a democratic welfare state.
2. Analyze the constitutional principles governing administrative powers.
3. Critically examine delegated legislation and administrative discretion.
4. Apply the principles of natural justice in practical contexts.
5. Evaluate judicial and non-judicial control mechanisms over administrative actions.
6. Demonstrate understanding of contemporary issues in administrative governance.

Unit I

1. Introduction to Administrative Law
 - a. Definition, nature, scope, and significance of administrative law.
 - b. Historical growth in India, UK, USA, and France.
 - c. Relationship between constitutional law and administrative law.
 - d. Rule of Law – Dicey's concept, modern concept, and its application in India.
 - e. Separation of Powers – relevance in the administrative framework.

Unit II

1. Delegated Legislation and Administrative Discretion
 - a. Meaning, necessity, and constitutional validity of delegated legislation.
 - b. Types and classification of delegated legislation.
 - c. Control of delegated legislation – parliamentary, judicial, and procedural safeguards.
 - d. Administrative discretion – scope, need, and judicial control.
 - e. Abuse of discretion and remedies.

Unit III

1. Principles of Natural Justice and Fair Administrative Action
 - a. Concept, rationale, and importance of natural justice.
 - b. Rule against bias (nemo judex in causa sua).
 - c. Rule of fair hearing (audi alteram partem).
 - d. Exceptions to natural justice.
 - e. Doctrine of proportionality and legitimate expectation.

Unit IV

1. Judicial Control of Administrative Action
 - a. Judicial review – constitutional basis (Articles 32 and 226).
 - b. Grounds of judicial review – illegality, irrationality, procedural impropriety.
 - c. Remedies – writs (habeas corpus, mandamus, certiorari, prohibition, quo warranto).
 - d. Public Interest Litigation in administrative matters.
 - e. Judicial activism vs. judicial restraint.

Unit V

1. Institutions and Mechanisms of Administrative Accountability
 - a. Ombudsman – Lokpal and Lokayukta in India.

- b. Central Vigilance Commission.
- c. Right to Information Act, 2005 – transparency and accountability.
- d. Administrative tribunals – structure, powers, and jurisdiction.
- e. Regulatory bodies – role in governance.

Recommended Books:

- 1. M.P. Jain – Principles of Administrative Law (LexisNexis)
- 2. I.P. Massey – Administrative Law (Eastern Book Company)
- 3. H.W.R. Wade & C.F. Forsyth – Administrative Law (Oxford University Press)
- 4. S.P. Sathe – Administrative Law (LexisNexis)
- 5. Takwani C.K. – Lectures on Administrative Law (Eastern Book Company)
- 6. Garner's Administrative Law (Butterworths)
- 7. De Smith – Judicial Review of Administrative Action (Sweet & Maxwell)
- 8. Relevant Bare Acts – The Administrative Tribunals Act, 1985, Right to Information Act, 2005, Lokpal and Lokayukta Act, 2013.

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 306

Course Title: Social Service
Total Marks: 25 (ESE – 25)

D R A F T

SEMESTER IV

Course Code: LLM 401
Course Title: International Trade and Investment Law (Group A)
Total Marks: 50 (IA-10/ESE – 40)

Course Outcomes:

1. Explain the evolution and foundational principles of international trade and investment law.
2. Interpret and apply WTO agreements and principles to real-world trade disputes.
3. Analyze investment treaty provisions and their impact on state sovereignty and regulatory powers.
4. Evaluate dispute resolution processes including WTO panels, Appellate Body, and ICSID arbitration.
5. Critically assess India's trade and investment policies in light of international commitments.
6. Engage in scholarly research and problem-solving in contemporary trade and investment issues.

Unit I

1. Introduction to International Trade and Investment Law
 - a. Historical development of international trade regulation.
 - b. Principles of free trade vs. protectionism.
 - c. Sources of international trade law: GATT 1947, WTO Agreement, regional trade agreements.
 - d. Evolution of foreign investment law: customary principles, Hull formula, Calvo doctrine.
2. Role of international economic institutions: WTO, UNCTAD, OECD, ICSID.

Unit II

1. WTO Law and Dispute Settlement
 - a. WTO structure, membership, and decision-making process.
 - b. Most-Favoured-Nation (MFN) and National Treatment principles.
 - c. Key WTO agreements: GATT 1994, GATS, TRIPS.
 - d. Trade remedies: anti-dumping, countervailing duties, safeguards.
 - e. WTO dispute settlement mechanism: consultations, panels, Appellate Body.
 - f. Case studies on WTO disputes involving India.

Unit III

1. International Investment Law
 - a. Bilateral and multilateral investment treaties (BITs and MITs).
 - b. Standards of investment protection: fair and equitable treatment, expropriation, national treatment, MFN, umbrella clauses.
 - c. Investor–State Dispute Settlement (ISDS) mechanisms: ICSID, UNCITRAL arbitration.
 - d. Defences and regulatory autonomy of host states.
 - e. India's Model BIT and its implications.

Unit IV

1. Contemporary Issues in Trade and Investment
 - a. Trade and sustainable development.
 - b. Investment and human rights.
 - c. Trade–environment linkage: Paris Agreement, carbon tariffs.

Unit V

1. E-commerce and digital trade rules.
2. Developing countries' concerns and South–South cooperation.
3. Reforms in WTO and ISDS systems.

Recommended Books:

1. Matsushita, M., Schoenbaum, T. J., & Mavroidis, P. C. – The World Trade Organization: Law, Practice, and Policy (Oxford University Press).
2. Van den Bossche, P., & Zdouc, W. – The Law and Policy of the World Trade Organization (Cambridge University Press).
3. Dolzer, R., & Schreuer, C. – Principles of International Investment Law (Oxford University Press).
4. Muchlinski, P., Ortino, F., & Schreuer, C. – The Oxford Handbook of International Investment Law (OUP).

Supplementary Readings

5. Bhala, R. – Modern GATT Law (Thomson Sweet & Maxwell).
6. Sornarajah, M. – The International Law on Foreign Investment (Cambridge University Press).
7. WTO and UNCTAD official documents and reports.
8. India's Model BIT (2016) and Ministry of Commerce policy documents

(Students should attempt 4 out of 6 Questions of 10 marks each)

A
R
D

Course Code: LLM 401

Course Title: International Criminal Law and Transnational Crime (Group B)

Total Marks: 50 (IA-10/ESE – 40)

Course Outcomes:

1. Explain the evolution, sources, and nature of international criminal law.
2. Critically assess the jurisdiction and functioning of international criminal tribunals and the ICC.
3. Evaluate the effectiveness of international legal instruments in combating transnational crimes.
4. Analyze the legal framework relating to specific crimes such as genocide, crimes against humanity, war crimes, and terrorism.
5. Integrate knowledge of domestic and international legal systems in addressing transnational criminal activities.

Unit I

1. Introduction to International Criminal Law
 - a. Concept, nature, and scope of international criminal law
 - b. Historical development: Nuremberg and Tokyo Trials
 - c. Sources of international criminal law
2. Principles of individual criminal responsibility
3. Command responsibility and superior orders

Unit II

1. International Criminal Tribunals and the ICC
 - a. Ad hoc Tribunals: ICTY, ICTR – Jurisdiction, procedure, and contributions
 - b. International Criminal Court: Establishment, jurisdiction, and Rome Statute provisions
 - c. Relationship between ICC and national jurisdictions
 - d. Contemporary issues and criticisms of the ICC

Unit III

1. Core International Crimes
 - a. Genocide: Definition, elements, and case studies
 - b. Crimes against humanity: Scope and judicial interpretation
 - c. War crimes: Grave breaches of Geneva Conventions and customary law
 - d. Crime of aggression: Definition and jurisdictional challenges

Unit IV

1. Transnational Crimes – Legal Framework
 - a. Concept and typology of transnational crimes
 - b. UN Convention against Transnational Organized Crime (Palermo Convention)
 - c. UN Convention against Corruption (Merida Convention)
 - d. Extradition, mutual legal assistance, and international cooperation mechanisms

Unit V

1. Specific Transnational Crimes

- a. Terrorism: International conventions and Security Council resolutions
- b. Human trafficking and migrant smuggling
- c. Money laundering and cybercrime
- 2. Enforcement, Challenges, and Future Directions
- a. Role of Interpol and other international enforcement agencies
- b. State sovereignty vs. international jurisdiction

Recommended Books:

- 1. Bantekas, Ilias & Nash, Susan, International Criminal Law, Routledge.
- 2. Cassese, Antonio, International Criminal Law, Oxford University Press.
- 3. Schabas, William A., An Introduction to the International Criminal Court, Cambridge University Press.
- 4. Cryer, Robert et al., An Introduction to International Criminal Law and Procedure, Cambridge University Press.
- 5. Boister, Neil, An Introduction to Transnational Criminal Law, Oxford University Press.
- 6. Werle, Gerhard & Jessberger, Florian, Principles of International Criminal Law, Oxford University Press.
- 7. UN Conventions: Rome Statute, Palermo Convention, Merida Convention, Geneva Conventions, and related UN Security Council resolutions.

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A F T

Course Code: LLM 402

Course Title: International Law
Total Marks: 50 (IA-10/ESE – 40)

Course Outcomes:

1. Explain the nature, scope, and development of international law.
2. Identify and apply the sources of international law to resolve legal issues.
3. Critically analyze the role of international institutions like the United Nations, ICJ, ICC, WTO, etc.
4. Examine the relationship between international and municipal legal systems, with reference to Indian constitutional provisions.
5. Evaluate contemporary challenges in the implementation and enforcement of international law.
6. Engage in legal research on complex international legal issues with a multidisciplinary approach.

Unit I

1. Introduction and Development of International Law
 - a. Definition, nature, scope, and significance of international law.
 - b. Historical development: Classical, modern, and contemporary periods.
 - c. Theories regarding the binding force of international law.
 - d. Relationship between international law and municipal law – monism, dualism, and the Indian constitutional position.

Unit II

1. Sources of International Law
 - a. B. Article 38 of the Statute of the International Court of Justice.
Treaties: Formation, reservations, interpretation, termination (Vienna Convention on the Law of Treaties, 1969).
 - b. Customary international law – formation, evidence, and relevance.
2. General principles of law recognized by civilized nations.

Unit III

1. Subjects of International Law
 - a. State as a subject: Recognition, state succession, territorial sovereignty, and jurisdiction.
 - b. International organizations as subjects of law.
2. Individuals in international law: Human rights, international crimes, and duties.
3. Non-state actors: Multinational corporations, NGOs, insurgents.

Unit IV

1. Law of the Sea, Air, and Outer Space
 - a. UNCLOS and maritime zones: Territorial sea, contiguous zone, EEZ, continental shelf, high seas.
 - b. Air law: Chicago Convention, freedoms of air, liability for damages.
 - c. Outer space law: Principles of peaceful use, liability, space treaties.

Unit V

1. International Dispute Settlement
 - a. Judicial settlement: ICJ, ITLOS, arbitral tribunals.
 - b. Role of the UN in peaceful settlement of disputes.
 - c. Enforcement measures under the UN Charter.
2. Contemporary Developments in International Law
 - a. International criminal law: ICC, ICTY, ICTR.
 - b. International environmental law: Climate change treaties, biodiversity conventions.
3. International humanitarian law: Geneva Conventions, additional protocols.

Recommended Books:

1. Malcolm N. Shaw, International Law (Cambridge University Press, Latest Edition)
2. Ian Brownlie, Principles of Public International Law (Oxford University Press, Latest Edition)
3. J.G. Starke, Introduction to International Law (Oxford University Press, Latest Edition)
4. R.K. Dixit & S.C. Bhari, Public International Law (LexisNexis, Latest Edition)
5. H.O. Agarwal, International Law and Human Rights (Central Law Publications, Latest Edition)

Supplementary Readings:

6. Antonio Cassese, International Law (Oxford University Press, Latest Edition)
7. Christine Chinkin & Mary Kaldor, International Law and New Wars (Cambridge University Press)
8. Richard Collins & Nigel White, International Organizations Law and Practice (Oxford University Press)
9. Philippe Sands & Jacqueline Peel, Principles of International Environmental Law (Cambridge University Press)
10. UN Yearbook and ICJ Reports (for case law references)

(Students should attempt 4 out of 6 Questions of 10 marks each)

D R A

Course Code: LLM 403

Course Title: Dissertation
Total Marks: 100 (ESE – 100)

Unit I

Dissertation of each student should be on topics from the area of specialization chosen, and approved by the Departmental Committee. The dissertation is expected to be an indepth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, articles and books relevant to the topic in the form of footnotes and bibliographical references. Typed and bound dissertations shall be of uniform pattern. Font size 12, New Times Roman, single space, margin 1", A4 paper, minimum 80 and maximum 100 pages. 2 copies of the Dissertation shall be submitted to the University prior to submitting the form of Semester IV Examination of LL.M Course.

LL.M students are required to follow the steps given below for preparation of Dissertation

- i. Title of the study
- ii. Problem of the study
- iii. Objectives of the study
- iv. Hypothesis
- v. Review of Literature
- vi. Operational concepts and variables of the study
- vii. Research Design : a) Nature/ Type of the study b) Method of data collection c) Sources of data collection
- viii. Limitations of the study
- ix. Possible contribution of the study
- x. Chapterisation

LL.M students are required to follow the following structure :

- Cover
- Cover Page
- Certificate
- Acknowledgement
- List of Case Laws
- List of Tables
- Abbreviations
- Contents
- Chapter I : Introduction (Theoretical Background and Research Methodology)
- Chapter II to Chapter V
- Chapter VI : Conclusions (Major Findings and Suggestion)
- Bibliography (Books, Journals, News papers, Websites, Research Reports, Magazines etc.)
- Annexures (Interview Schedules, Questionnaires, Master Charts, Acts, Bills, Maps etc.)

UNIT II

Presentation & Viva-Voce : 50 Marks

Course Code: LLM 404
Course Title: Internship
Total Marks: 50 (ESE – 50)

DRAFT

Course Code: LLM 405
Course Title: Intellectual Property Right (Skill Enhanced Course)
Total Marks: 25 (ESE – 25)

Course Outcomes:

1. Explain the concept, nature, and importance of Intellectual Property Rights.
2. Identify different categories of IPR and their governing legal frameworks.
3. Understand the process for registration and protection of IPR.
4. Analyze the role of IPR in fostering innovation, creativity, and economic growth.
5. Apply basic IPR knowledge to safeguard their own academic and creative works.

Unit I

1. Introduction to IPR
 - a. Concept and scope of Intellectual Property
 - b. Importance in the knowledge-based economy
 - c. International protection: WIPO, TRIPS Agreement, WTO

Unit II

1. Types of Intellectual Property
 - a. Copyright: Meaning, scope, protection, infringement
 - b. Patents: Requirements, procedure, rights and obligations, infringement
 - c. Trademarks: Types, registration, protection, infringement
 - d. Geographical Indications (GI): Significance, examples from India

Unit III

1. IPR in Contemporary Context
 - a. IPR in digital media and cyberspace
 - b. IPR and indigenous knowledge/traditional cultural expressions
 - c. IPR in research and innovation: plagiarism, patents from research, licensing

Unit IV

1. IPR Management and Enforcement
 - a. Enforcement mechanisms in India
 - b. Remedies against infringement
 - c. Role of IP in entrepreneurship and start-ups

Evaluation Pattern (Total Marks: 25)

1. Internal Assessment (10 Marks)
Class participation / attendance – 5 marks
Presentation / assignment – 10 marks
2. End-Semester Test (15 Marks)
MCQs – $15 \times 1 = 15$

Recommended Books:

1. N.K. Acharya, Textbook on Intellectual Property Rights, Asia Law House.

2. P. Narayanan, Intellectual Property Law, Eastern Law House.
3. Cornish, W.R. & Llewelyn, David, Intellectual Property: Patents, Copyright, Trade Marks & Allied Rights, Sweet & Maxwell.
4. V.K. Ahuja, Law Relating to Intellectual Property Rights, LexisNexis.
5. WIPO, Understanding Intellectual Property, WIPO Publication.

DRAFT