

LL.M. Ist SEMESTER

(COMPULSORY PAPERS)

- ❖ **The Student has to appear in FOUR Theory Papers in LL.M. IIIrd Semester. Each Theory Paper will carry 100 Marks.**

PAPER – I
CONSTITUTIONAL LAW OF INDIA - I
(Fundamental Rights)
(Paper Code : L-1001)

1. **Concept of State :** Constitutional And Judicial Approach of State (Article 12)
2. **Right to Equality:** Scope of the right to Equality. New approach of Article 14. Equality of opportunity in matters of public employment and in admission to educational institutions.
3. **Freedom of Speech and Expression:** The area of freedom and its limitation. Freedom of Press and challenges of new scientific development.
4. **Emerging regime of new Fundamental Rights:** The changing dimension of right to life and Personal Liberty. Reading Directive Principles and Fundamental Duties into Fundamental rights.
5. **Right to Freedom of Religion (Article 25 – 28):** The scope of the freedom and the State Control. Secularism and religious fanaticism.
6. **Minorities Rights (Articles 29 & 30):** Constitutional And Judicial Approach.
7. **Right to Remedy :** Constitutional And Judicial Approach.
8. Relationship Between Fundamental Rights And Directive Principles of State Policy.

BOOKS RECOMMENDED

Chander Pal, *Centre State Relations and Indian Cooperative Federalism*.
Chander Pal, *State Autonomy in Indian Federation: Emerging Trends*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
Pandey J.N., *Constitutional Law of India*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.
Tope T.R., *Constitutional Law of India*.

PAPER – II
JURISPRUDENCE - I
(Theories of Law)
(Paper Code : L-1002)

The course shall comprise of the following :

- 1. Introduction :** Definition, Nature, Scope, and Importance of the Study of legal theory.
- 2. Analytical School :** John Austin, Hans Kelsen, And H.L.A. Hart.
- 3. Historical School :** Karl Fedrick Savigny, Sir Henery Maine.
- 4. Natural Law School :** Classical Natural Law, Revival of Natural Law : Rudolf Stammler and Kohler.
- 5. Sociological School :** Background and Characteristics, Dean Roscoe Pound, and Leon Dugit.
- 6. Modern American Realism.**
- 7. Relationship between Law and Morality :** Hart and Fuller Controversy.
- 8. Economic Approach of Law :** Marxist Theory of Law.

BOOKS RECOMMENDED

Bodenheilmer : *Jurisprudence*.
Dias, *Jurisprudence*.
Friedman, *Law in Changing Society*.
Llyoyd, *Introduction of Jurisprudence*.
Mahajan V.D., *Jurisprudence*.
Paton : *Jurisprudence*.
Salmond : *Jurisprudence*.

PAPER – III
LEGISLATIVE OUGHTS, INTERPRETATION AND JUDICIAL PROCESS
(Paper Code : L-1003)

1. **Principles of Legislation:** Bentham's Theory of Utility and its Relevance, Relationship of Law and Public Opinion.
2. **Interpretation:** Meaning, Purpose, Main Rules of Interpretation, Subsidiary Rules of Interpretation, External and Internal Rules of Interpretation, Interpretation of the Constitution and Penal statutes
3. **Judicial Process:**
 - (a) The concept of justice and relation between Law and Justice. the concept of 'Dharma' in Indian thought. 'Dharma' as the foundation of legal ordering. Various theories of justice in the Western thought.
 - (b) The nature of Judicial Process. Judicial process as an instrument of social ordering. Judicial process and creativity in law. The tools and techniques of judicial creativity and precedents.
 - (c) Judicial Process in India. Indian debate on the role of judges and on the notion of judicial review. Danger signals and New challenges before the Indian Judiciary.
 - (d) Independence of judiciary and the nature of judicial process. Provisions of the Indian Constitution guaranteeing Independence of judiciary. Attitude of confrontation with the Legislature & Executive. Appointment & transfer of judges and its effect on independence of judiciary.
 - (e) Judicial Activism and Constitutional obligations of the court. Evolution of the concept. Reasons in defense of judicial activism. Constitution of India and judicial activism. Role played by the Supreme Court of India. The tools and techniques of the judicial activism. Need for care and caution.
 - (f) Decision making in the Supreme Court of India: Nature of participation- Dissent, concurrence, unanimity and voted with majority etc.

BOOKS RECOMMENDED

Bentham, *Theories Of Legislation*.

Cardozo, *Nature of Judicial Process*.

Craze W. F, *Statute Law*.

Dicey, A.V., *Law and Public Opinion*.

Henry J. Abraham, *Judicial Process*.

J. Swaroop, *Interpretation*.

Maxwell, *Interpretation*.

PAPER – IV
LEGAL EDUCATION AND RESEARCH METHODOLOGY
(Paper Code : L-1004)

1. Objectives of Legal Education
2. **Lecture methods of teaching** –Problem method, Discussion method and Seminar method of teaching.
3. Clinical legal education.
4. **Research** – Meaning, Objectives, Motivations, Types and Significance, Method and Methodology, Scientific Methodology, Research Process.
5. **Legal Research** – Evolution, Changing Emphasis and Contemporary Trend in general and specific to India
6. **Research Methodology-** Doctrinal, Empirical/Socio-Legal , Inter/Multidisciplinary, Historical, Descriptive, Diagnostic etc.
7. Selection and Formulation of Legal Research Problem, Utility of Literature Review.
8. Sources of Legal Research / Data collection methods (Tool of legal research) – Primary and secondary sources, Use of Library and Computer in Legal Research.
9. Hypothesis.
10. Research Design – Modes of data collection in empirical research – Observation, Interview, Questionnaire, Schedules, Case Study.
11. Sampling and Interpretation of Data.
12. Report Writing – Synopsis, Report Writing (Research Proposal, reports, research article, writing of thesis, writing References, Bibliography, Writing of an Abstract, Presenting the subject (by foot notes, Table, graphs, index Appendices).

BOOKS RECOMMENDED

Aggarwal Shipra, *Legal Research Methodology*.
Black Thomas, *Understanding Social Science Research*.
Bruce L. Berg, *Qualitative Research Methods For The Social Sciences*.
C.R. Kothari, *Research Methodology: Methods and Techniques*.
Engalhart Max D., *Methods of Educational Research*.
Fern Edward F, *Advanced Focus Group Research*.
Galtung Johan, *Theory and Methods of Social Research*.
Kothari C.R., *Research Methodology- Methods and Techniques*.
Purohit Mona, *Legal Education and Research Methodology*.

LL.M. IInd SEMESTER

(COMPULSORY PAPERS)

- ❖ **The Student has to appear in FOUR Theory Papers in LL.M. IInd Semester. Each Theory Paper will carry 100 Marks.**

PAPER – I
CONSTITUTIONAL LAW OF INDIA - II
(Paper Code : L-2001)

1. **Indian Federalism:** Conceptual position of Federalism. Nature of the Indian Constitution. Cooperative Federalism. Relationship of trust and faith between center and state. Challenges before the Indian Federalism.
2. **Distribution of Legislative Powers:** The Scheme of the distribution of legislative powers in India the judicial approach and the present position. Recommendation of Sarkaria Commission & Venkatachaliah Commission.
3. **The Judiciary:** The Supreme Court of India. Jurisdiction and Powers. Its role as guardian of the Constitution, Independence of Judiciary.
4. **Tortious Liability of State :** Constitutional And Judicial Approach.
5. Freedom of Trade Commerce And Intercourse (Article 301 – 308)
6. Parliamentary Privileges.
7. Parliamentary Form of Government versus Presidential Form of Government.
8. **Emergency Provisions in Indian Constitution :** National And State Emergency
9. Amendment of the Constitution (Article 368).

BOOKS RECOMMENDED

Chander Pal, *Centre State Relations and Indian Cooperative Federalism.*
Chander Pal, *State Autonomy in Indian Federation: Emerging Trends.*
Hidayatullah M., *Constitutional Law of India.*
Jain M.P., *Constitutional Law.*
Pandey J.N., *Constitutional Law of India.*
Seervai H.M., *Constitutional Law of India.*
Shukla V.N., *Constitutional Law of India.*
Tope T.R., *Constitutional Law of India.*

PAPER – II
JURISPRUDENCE - II
(Legal Concepts)
(Paper Code : L-2002)

- (1) **Legal Person** : Nature and Concept, Theories of Legal Personality.
- (2) **Legal Rights and Duties**: Definition, Basis and Characteristics, Kinds of Legal Rights, Relationship between Rights and Duties, Wider sense of Right.
- (3) **Possession** : Theories of Possession, Possession in fact and Possession in Law, Kinds of Possession.
- (4) **Ownership** : Definition, Kinds of Ownership, Relation between Possession and Ownership.
- (5) **Liability** : Remedial Liability and Penal Liability, Strict and Vicarious Liability, *Mens rea* and Negligence.
- (6) **Law and Justice** : Administration of Justice, Theories of Punishment.
- (7) Concept of State and Sovereignty.
- (8) **Sources of Law** : Custom, Precedent, and Legislation.

BOOKS RECOMMENDED

Bodenheilmer : *Jurisprudence*.
Dias, *Jurisprudence*.
Friedman, *Law in Changing Society*.
Llyoyd, *Introduction of Jurisprudence*.
Mahajan V.D., *Jurisprudence*.
Paton : *Jurisprudence*.
Salmond : *Jurisprudence*.

PAPER – III
LAW AND SOCIAL TRANSFORMATION IN INDIA
(Paper Code : L-2003)

1. Interaction of Law and Social Sciences
2. Impact of Social development on Law
3. Social Morality and legal order
4. Legal Idealism and the sociological approach to law
5. Law as an instrument of social change
6. Role of Law, the individual, & the welfare State
7. Role of Law and the function of Lawyers / Judges
8. Contemporary Society and the law
 - Industrial reforms / Economic Reforms.
 - Agrarian reforms.
 - Modernization & the law.
 - Reforms of family law.
 - Prison Reforms.
 - Reforms in justice delivery system.
 - Reforms of civil and criminal laws.
 - Sarvodaya etc (Role of democracy , panchayati raj , N.G.O'S etc.)

BOOKS RECOMMENDED

- Basu, D.D., *Constitution of india*, Prentice Hall of India Pvt.Ltd. New.Delhi, 1996.
- Baxi, Upendra, *Law & Poverty (Critical Essays)*, N.M. Tripathi Publication, Bombay, 1988
- Baxi, Upendra, *The Crisis of Indian Legal System*, Vikas Publication, New Delhi, 1982.
- Bhatt, P.I., *Law & Social Transformation.* , Eastern Book Company, Lucknow.
- Derret, Duncan, *The State , Religion & Law in India*, Oxford Uni. Press, New.Delhi, 1999.
- Friedman, W., *Law in Changing Society*, Universal Publication.
- Galanter, Marc (ed.), *Law & Society in Modern India*, Oxford, 1997.
- Indian Law Institute, *Law & Social Change : Indo American Reflections*, N.M. Tripathi Publication, Bombay, 1988.
- Lingat, Robert, *The Classical Law of India*, Oxford, 1998.
- Seervai, H.M., *Constitutional Law of India*, N.M. Tripathi Publication, Bombay, 1996.

PAPER – IV
HUMAN RIGHTS
(Paper Code : L-2004)

1. Human Rights and the United Nations Charter:
 - (a) Normative and Institutional Framework of the UN
 - (b) Role of the permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights
2. Universal Declaration on Human Rights:
 - (a) History of the Declaration
 - (b) Structure of the Declaration
 - (c) Legal Significance
3. International Covenants: ICCPR and ICESCR
 - (a) Nature and Characteristic
 - (b) Optional Protocols
4. Regional Instruments
 - (a) European Convention on Human Rights
 - (b) American Convention on Human Rights
 - (c) African Charter on Human and People's Rights
 - (d) Asia and Human Rights
5. Right to Life and Personal Liberty: Evolution of New Dimension of Human Rights Through Judicial Interpretation.
6. Implementation and Enforcement Mechanism of Human Rights in India. Remedies provided by the Judiciary and National Human Rights Commission.
7. Fundamental Duties. Article 51-A of the Constitution concept and need of Fundamental Duties. Enforcement and Effectuation of Fundamental Duties.
8. Emerging regime of new Human Rights in India. Taking guidance from Directive Principles of State Policy and Fundamental Duties. New Approach.

BOOKS RECOMMENDED

Agrawal H.O., *Human Rights*.
Basu D.D., *Human Rights in Constitutional Law*.
Khera S.C., *Human Rights and United Nation*.

LL.M. IIIrd & IVth SEMESTER (OPTIONAL GROUP PAPERS)

The Student has to opt any one Law Group among the following Law Groups in LL.M. IIIrd and Fourth Semester. Once a group opted by the student in LL.M. III Semester, he/she cannot change the Group in LL.M. IV Semester *i.e.* they shall keep the same Group with them . All the Theory Paper of LL.M. IIIrd and IVth Semester will carry Maximum 100 Marks.

- **GROUP (A) : Constitutional And Administrative Law Group**

OR

- **GROUP (B) : Business Law Group**

OR

- **GROUP (C) : Torts And Criminal Law Group**

IIIrd SEMESTER

Syllabus

- **GROUP (A) : Constitutional And Administrative Law Group**
- ❖ **The Student has to appear in FOUR Theory Papers in LL.M. IIIrd Semester. Each Theory Paper will carry 100 Marks.**
- ❖ **The Student will start writing a Dissertation on the topic of his choice (Any topic pertaining to Law and the Society) with prior consent of his / her Supervisor / Guide. It will be submitted by the students latest by one and half month (45 days) from the date of last theory paper of LL.M. IVth Semester examination.**

PAPER – I
[GROUP (A)]
CONSTITUTIONALISM AND CONSTITUTIONAL DEVELOPMENT
IN INDIA AND ENGLAND
(Paper Code : L-3001)

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

BOOKS RECOMMENDED

Begehot Walter, *The English Constitution*.
Boqdanor Vernon, *The New British Constitution*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
King Anthoni, *The British Constitution*.
Pandey J.N., *Constitutional Law of India*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.

PAPER – II
[GROUP (A)]
COMPARATIVE AND COOPERATIVE FEDERALISM
(India, America, And Australia)
(Paper Code : L-3002)

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

BOOKS RECOMMENDED

- Amar Akhil Reed, *America's Constitution : A Select Bibliography*.
French Robert, Lindell Geoffrey and Saunders Cheryl (ed.), *Reflections on the Australian Constitution*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
Landynski Jacob & Padover Saul, *The Living U.S. Constitution*.
Mason, *The Australian Constitution in Retrospect and Prospect*.
Pandey J.N., *Constitutional Law of India*.
Saunders Cheryl, *The Constitution of Australia*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.
Stevens Richard G., *The American Constitution and Its Provenance*.
Vile John R., *A Companion to the United States Constitution and Its Amendments*.

PAPER – III
[GROUP (A)]
CIVIL AND POLITICAL RIGHTS : COMPARATIVE STUDY OF SELECT CONSTITUTIONS
(India, United States of America and United Kingdom)

(Paper Code : L-3003)

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

BOOKS RECOMMENDED

Amar Akhil Reed, *America’s Constitution : A Select Bibliography*.
Begehot Walter, *The English Constitution*.
Boqdanor Vernon, *The New British Constitution*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
Landynski Jacob & Padover Saul, *The Living U.S. Constitution*.
Pandey J.N., *Constitutional Law of India*.
Saunders Cheryl, *The Constitution of Australia*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.
Stevens Richard G., *The American Constitution and Its Provenance*.
Vile John R., *A Companion to the United States Constitution and Its Amendments*.

PAPER – IV
[GROUP (A)]
LOCAL SELF GOVERNMENT LAW
(Paper Code : L- 3004)

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

BOOKS RECOMMENDED

Dhaliwal S.S., Local Self Government.
Jain M.P., Constitutional Law.
Mudgal Rahul, Local Self Government in India.
Pandey J.N., Constitutional Law of India.
Seervai H.M., Constitutional Law of India.
Shukla V.N., Constitutional Law of India.
Swami Satpal, Local Self Government.
Vidyasagar I.S., Local Self Government – Theoretical Perspective.

IIIrd SEMESTER

Syllabus

- **GROUP (B) : Business Law Group**
- **The Student has to appear in FOUR Theory Papers in LL.M. IIIrd Semester. Each Theory Paper will carry 100 Marks.**
- **The Student will start writing a Dissertation on the topic of his choice (Any topic pertaining to Law and the Society) with prior consent of his / her Supervisor / Guide. It will be submitted by the students latest by one and half month (45days) from the date of last theory paper of LL.M. IVth Semester examination.**

PAPER – I
[GROUP (B)]
(CONTRACT – I : GENERAL PRINCIPLES OF CONTRACT)
(Paper Code : L- 3005)

1. Formation of Contract: A critical study of offer and acceptance.
2. Doctrine of Consideration and Privity of Contract
3. Capacity to contract: Nature of minor's agreements and the doctrine of restitution.
4. Consent: Meaning, importance and the factors vitiating free consent with special reference to Fraud and Misrepresentation.
5. Standard form Contracts.
6. Void Agreements: With special reference to agreements relating to restraint of trade and wagering agreements.
7. Discharge of contracts with special reference to the doctrine of frustration.
8. Relations resembling those created by contract.
9. Remedies in the form of compensation.

BOOKS RECOMMENDED

Anson's Law of Contract.
Bangia R.K. (Dr.), Indian Contract Act
Desai S.T., The Indian Contract Act
Kapoor S.K., Contract
Moitra A.C., (Dr.), Principles and Digest of Indian Contract Act.
Pollock and Mulla, Indian Contract and Specific Relief Act
Singh Avtar (Dr.), Law of Contract

PAPER – II
[GROUP (B)]
(CONTRACT – II : SPECIFIC CONTRACT, SALES OF GOODS AND LAW OF PARTNERSHIP)
(Paper Code : L- 3006)

1. Contract of Indemnity : Definition and nature of contract of indemnity, Extent and commencement of liability.
2. Contract of Guarantee : Meaning and Essentials of Contract of Guarantee, Extent of Surety's Liability, Discharge of Surety's Liability, Rights of Surety.
3. Contract of Bailment & Pledge : Meaning and Essentials of Contract of Bailment, Duties of Bailor and Bailee, Rights of Bailee, Meaning and Essentials of Pledge and persons entitled to pledge.
4. Contract of Agency : Nature and Essentials of Contract of Agency, Creation of Agency: Implied Agency and Agency of Necessity, Agency by Ratification, Termination of Agency.
5. Delineation of Sale, Essentials of Contract of Sale and Agreement to Sale, Duties of Sellers and Buyers, Sale by Sample, Sale by Description, Conditions and Warranties, Rule of Caveat Emptor.
6. Transfer of Title, Passing of Property in Goods, Delivery of Goods – Rules regarding Delivery of Goods, Unpaid Seller and his Rights, Remedies for the Breach of Contract.
7. Network of Partnership, Difference between Partnership and a Company, Mutual relationship between Partners, Authority of Partners, Dissolution of Partnership, Minor as Partner. Effect of non-registration of Firm.
8. Limited Liability Partnership.

BOOKS RECOMMENDED

Anson's *Law of Contract*.
Bangia R.K. (Dr.), *Indian Contract Act*
Desai S.T., *The Indian Contract Act*
Kapoor S.K., *Contract*
Moitra A.C., (Dr.), *Principles and Digest of Indian Contract Act*.
Narayana P.S., *The Law of Partnership*.
Pollock and Mulla, *Indian Contract and Specific Relief Act*
Singh Avtar (Dr.), *Law of Contract*.

PAPER – III
[GROUP (B)]
COMPANY LAW
(Paper Code : L- 3007)

1. Introduction – History of Company Legislation, Characteristic features of company , Lifting of Corporate veil, Kind of companies.
2. Memorandum and Articles of association – Meaning, Contents and alteration, Doctrine of *Ultra Vires*, Doctrine of Indoor Management.
3. Prospectus – Meaning, definition and contents of a prospectus, statement in lieu of prospectus, Mis – Statement in a prospectus and their consequences.
4. Share and Share Capital – Meaning and Kinds of Shares, Allotment, Forfeiture, Transfer, Transmission of Shares, Underwriting and Brokerage, Bonus shares, Right shares, Reduction of Share Capital.
5. Investment, loans and borrowings – Investments, Charges , Debentures, Kinds of Debentures, Debenture Trust deed.
6. Company Management- Qualification and Disqualification of directors, appointment and removal of directors, legal position, duties, liabilities and power of directors.
7. Company Meetings – Types / Kinds of Meeting, Quorum and resolution of meetings
8. Majority Rule and Minority Protection – *Foss v. Harbottle*, Exception to the rule, Prevention of oppression and Mismanagement.
9. Amalgamation, Merger Take over and Reconstruction.
10. Winding –up – Modes of Winding up, Dissolution of Companies, Liquidators, NCLT.
11. Corporate Governance and Corporate Social Responsibility.

BOOKS RECOMMENDED

Majumdar A.K., *Company Law and Practice*.
Kapoor G.K. (Dr.) & Gower L.C.B., *Principles of Modern Company Law*.
Singh Avtar (Dr.), *Indian Company Law*.
Ramayya A., *A Guide to Companies Act*.
Rai Kailash, *Principles of Company Law*.
Dhingra L.C. (Dr.), *Principles of Company Law*
Tripathi S.C. (Dr.), *Modern Company Law*.
The Companies Act, 2013.

PAPER – IV
[GROUP (B)]
BANKING LAW
(Paper Code : L- 3008)

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

BOOKS RECOMMENDED

Bangia R.K., *Negotiable Instrument Act*.
Bashyam & Adiga: *The Negotiable Instrument Act*.
Chorley Lord, *Law of Banking*.
Faizi O.P., *The Negotiable Instrument Act*.
Gupta S.N., *Banks and the Customer Protection Law*.
Gupta S.N., *The Banking Law and Practice in India*.
Megraha Maurice & Ryder F.R., *Pagets Law of Banking*.
Parthasarathy M.P., *Negotiable Instrument Act*.
Singh Avtar (Dr.), *Negotiable Instrument Act*.
Tannen M.L., *Banking Law and Practice in India*.

IIIrd SEMESTER

Syllabus

- **GROUP (C) : Torts And Criminal Law Group**
- ❖ **The Student has to appear in FOUR Theory Papers in LL.M. IIIrd Semester. Each Theory Paper will carry 100 Marks.**
- ❖ **The Student will start writing a Dissertation on the topic of his choice (Any topic pertaining to Law and the Society) with prior consent of his / her Supervisor / Guide. It will be submitted by the students latest by one and half month (45 days) from the date of last theory paper of LL.M. IVth Semester examination.**

PAPER – I
[GROUP C]
HISTORY AND BASIC PRINCIPLES OF CRIMINAL LAW
[Paper Code : L- 3012 (A)]

1. Criminal Jurisprudence in Primitive and Ancient Ages.
2. Development of Criminal Law in India and England in Medieval Period.
3. Place of Criminal Law in Criminal Science.
4. Nature and Definition of Crime including distinction between Ethical, Moral, Civil, and Criminal wrongs.
5. Capacity to commit crime including Corporate Liability.
6. Mental Element in Crime.
7. Causation in Crime including Remoteness and types of harm.
8. Subjective Liability in Crime.
9. Holme's Theory of Objective Liability.
10. Strict Responsibility in Crime including difference with Absolute Liability.

BOOKS RECOMMENDED

Huda S.S, *Principles of Law of Crimes in British India*, Tagore Law Lecturer, 1902.
Kenny C.S., *Outlines of Criminal Law*.
Nigam R.C., *Law of Crime in India*, Vol. I (Principles of Criminal Law.)
Pillai P.S.A, *Criminal Law*.
Smith J.C. & Hogan B, *Criminal Law*.
Williams G.L., *Criminal Law*.

PAPER – II
[GROUP (C)]
PENOLOGY AND TREATMENT OF OFFENDERS
(Paper Code : L- 3010)

1. **Basics of Punishment** – Concept, Definition and elements, Schools of Penology, Approaches to Punishment – Punitive, Therapeutic and Preventive.
2. **Justification of Punishment** – Retribution, Utilitarian Prevention-Deterrence, Behavioural Prevention – Incapacitation, Behavioural Prevention – Expiation.
3. **Theories of Punishment** – Theory of Cultural Consistency, The Scape goat theory, Social Structure theory.
4. Forms of Punishment.
5. **The Problem of Capital Punishment** – Constitutionality of Capital Punishment, Controversy in the context of effectiveness of Capital punishment, Judicial Attitude.
6. **Imprisonment** – Evolution and development of Prison system Prison system in Modern India. Prison reforms in India .
7. **Treatment of offenders**- Concept of treatment of offenders , Probation, Open Prison.
8. **Juvenile Justice** – Juvenile delinquency, Treatment and rehabilitation of Juveniles.
9. **New Dimension of Penology** – Compensation to victim (Victimology).

BOOKS RECOMMENDED

Fitzgerald , *Punishment*.
Hart H.L.A, *Punishment & Responsibility*.
Oppenheimer, *Rationale of Punishment*.
Packer Iterbert L., *Limits of Criminal Sanction*.
Ross A., *On Guilt, Responsibility & Punishment*.
Shukla K.S., *Sociology of Deviant Behavior*.
Siddiqui A., *Criminology*.
Sutherland, E. and Cressy, *Principles of Criminology*.

PAPER – III
[GROUP (C)]
CRIMINOLOGY AND PRIVILEGED CLASS DEVIANCE
(Paper Code : L- 3011)

1. Basics of Criminology – Definition , Nature ,Scope and Methods of Study Criminology.
2. Schools of criminology – Classical , Cartographic, Socialist, Positivistic, Biological and Sociological.
3. Etiology of Crime – Theories.
4. Modern trends in criminology.
5. Privileged Class Deviance – Concept of white collar crime, socio-economic, crime and privileged class deviance.
6. The Distinction between traditional offences and Privileged class Deviance.
7. Typical forms of privileged Class Deviance – Business deviance, official deviance and professional deviance.
8. Response to the deviance of privileged classes.

BOOKS RECOMMENDED

Alf Ross, *On Guilt, Responsibility and Punishment*
Barnes and Tetter, *New Horizon in Criminology*
Boxi, Upendra, *Law and Poverty : Essays.*
Boxi, Upendra, *The Crises of Indian Legal System.*
Chhabra, S., *The quarilum of Punishment*
Garofolo, *Criminology Part I, II, III*
Hort, H.L.A., *Punishment and Responsibility*
Shukla, K.S., *Sociology of Deviance Behaviour.*

PAPER – I
[GROUP (C)]
GENERAL PRINCIPLES OF TORT
(Paper Code : L- 3012)

1. Genesis and Evolution of Tort – Forms of Action, The Writ of Trespass and the Writ of Trespass on the Case (The Case).
2. Definition, Nature, Scope, Distinctions with other Civil wrongs
3. Principle of Liability in Tort – Strict Liability, absolute Liability, Vicarious Liability.
4. General Exceptions and Justifications in Torts.
5. Assessment of Damages : Judicial Approach.
6. State Liability – Doctrine of Sovereignty and its relevance in India.
7. Remedies – Judicial and Non – judicial.

BOOKS RECOMMENDED

Bangia R.K., *The Law of Torts*.
Kapoor S.K., *Law of Torts*.
Lal Rattan & Lal Dhiraj, *The Law of Torts*.
Paranjape N.V., *Law of Torts*.
Salmond W.G., *Law of Torts*.
Winfield and Jolowicz, *Torts*.

IVth SEMESTER

Syllabus

- **GROUP (A) : Constitutional And Administrative Law Group**
 - ❖ **The Student has to appear in TWO Theory Papers in LL.M. IVth Semester. Each Theory Paper will carry 100 Marks.**
 - ❖ **The Student will submit his / her Dissertation latest by one and half month (45 days) from the date of last theory paper of LL.M. IVth Semester. The Dissertation will carry 100 Marks.**
 - ❖ **The Student will appear in Viva-voce examination in LL.M. IVth Semester which will carry 100 Marks.**

PAPER – I
[GROUP (A)]
ADMINISTRATIVE LAW IN INDIA – I
(Paper Code : L- 4001)

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

BOOKS RECOMMENDED

Basu D.D., *Comparative Administrative Law*.
Jain M.P. & Jain S.N., *Principles of Administrative Law*.
Joshi K.C., *Administrative Law*.
Massey I.P., *Administrative Law*.
S.P.Sathe, *Administrative Law*.
Takwani C.K., *Lectures on Administrative Law*.
Thakkar C.K., *Administrative Law*.
Wade H.P.W., *Principles of Administrative Law*.

PAPER – II
[GROUP (A)]
ADMINISTRATIVE LAW IN INDIA – II
(Paper Code : L- 4002)

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

BOOKS RECOMMENDED

Basu D.D., *Comparative Administrative Law*.
Jain M.P. & Jain S.N., *Principles of Administrative Law*.
Joshi K.C., *Administrative Law*.
Massey I.P., *Administrative Law*.
S.P.Sathe, *Administrative Law*.
Takwani C.K., *Lectures on Administrative Law*.
Thakkar C.K., *Administrative Law*.
Wade H.P.W., *Principles of Administrative Law*.

- **DISSERTATION (Code : L- 4007) (100 Marks)** : Dissertation will be submitted by the students latest by one and half month (**45 days**) from the date of last theory paper of LL.M. IVth Semester examination.
- **VIVA- VOCE (Code : L-4008)--- 100 Marks.**

IVth SEMESTER Syllabus

• GROUP (B) : Business Law Group

- ❖ The Student has to appear in TWO Theory Papers in LL.M. IVth Semester. Each Theory Paper will carry 100 Marks.**
- ❖ The Student will submit his / her Dissertation latest by one and half month (45days) from the date of last theory paper of LL.M. IVth Semester. The Dissertation will carry 100 Marks.**
- ❖ The Student will appear in Viva-voce examination in LL.M. IVth Semester which will carry 100 Marks.**

PAPER – I
[GROUP (B)]
INSURANCE LAW
(Paper Code : L- 4003)

1. **Nature and definition of Contract of Insurance** – Definition of Contract of Insurance, Contract is ‘Aleatory’, Contract of utmost good faith, Contract of indemnity, Contract of Wager.
2. **General Principle of Law of Insurance** – The Risk – Commencement, Attachment and duration, Assignment and alteration, Settlement of Claim and Subrogation, Effect of War upon policies, Insurable Interest, Double Insurance and Re- Insurance.
3. **Life Insurance** – Nature and scope, Event insured against Life Insurance Contract, Circumstances affecting the risk, settlement of claim and payment of money.
4. **Marine Insurance** – Nature and scope, Classification of marine policies, Insurable interest, Insurable value, Voyage – deviation, Perils of the Sea, Assignment of Policy.
5. **Property Insurance** – Fire Insurance, Policies covering accidental loss, damage to property, Risk of explosion, Storm and tempest, Burglary and theft policies, Goods in transit insurance, Agriculture insurance.
6. Insurance against accidents and third party risks, Assessment of Compensation, Contributory Negligence, Apportionment of compensation and liability, Compulsory insurance, Liability Insurance, Public Liability Insurance.
7. **Miscellaneous** – Group Life Insurance, Medi-claim, Sickness Insurance, Insurance Regulatory and Development Authority.

BOOKS RECOMMENDED

Mishra M.N., *Principles of Insurance and Practices*.
Mishra M.N., *Principles of Insurance*.
Rao C.R., *Treaties on the Law of Insurance*.
Singh Brij Nandan, *Insurance Law*.
Ray R.M., *Life Insurance in India*.
Singh Avtar, *Law of Insurance*.

PAPER – II
[GROUP (B)]
INTERNATIONAL TRADE LAW
(Optional Paper)
(Paper Code : L- 4004)

1. International Trade and Trading Blocks – Institutionalization of Trade Rounds – GATT –Regional Trading Blocks, Co- Operation with International and regional organization.
2. WTO and International Trade – WTO agreements, additional; agreements, Protection of Intellectual property under WTO agreements, World Intellectual Property Organization.
3. Anti – Dumping Duties, Subsidies and Countervailing Duties and Measures, Procedure for Arbitration, Categories of Subsidies, SCM agreements.
4. Competition Law and International Trade – Concept of Competition, International Trade and Competition Interface between competition and Trade, Competition and WTO, Competition and Consumer forum, vertical restraints, Prohibition of Anti – competitive agreements, Unfair Trade Practices, Power of Competition Commission of India.
5. International Commercial Arbitration – International Contracts, International Conventions and Treaties, UNCITRAL Neutrality, International Court of Arbitration, Permanent Court of Arbitration
6. Settlement of Disputes under WTO – Dispute Settlement Undertaking, Rule based system, Participation in dispute settlement, Dispute Settlement procedure, Tenure of Dispute, Expert Review Groups, Appeals.

BOOKS RECOMMENDED

- Kaul Krishan, Avtar, *The General Agreement on Tariffs and Trade/World Trade Organization-Law, Economics and Politics.*
- Carr, Indira, *Principles of International Trade Law.*
- Charley, Janetle, *International Trade Law.*
- Motiwal O.P., *International Trade- The Law and Practice.*
- Bhalla Raj, *International Trade Law: Theory & Practice.*
- Lowenfield A., *Law of International Trade.*
- Goyal Arun, *WTO in New Millennium.*
- Bagchi Jayanta, *World Trade Organization.*
- Rao M.B. & Guru Manjula, *WTO and International Trade.*

PAPER – II
[GROUP (B)]
ECONOMIC LAWS
(Optional Paper)
[Paper Code : L- 4004 (A)]

1. Foreign Exchange Management – Foreign Direct Investment in India, Current and Capital Account Transactions Remittance and Repatriation Prohibition of investment in India, Direct Investment outside India, Acquisition and Transfer.
2. Competition Laws (of Immovable property in and outside India). Economic Reforms, and Competition, Anti Competitive Agreement Dominant Position, Competition Commission of India, MRTP (Amendment) Act, 1991.
3. Consumer Protection Act – Definitions, Basic rights of consumers, Redressal Machinery under the Act, Complaints before the District Forum and State Commission, Power of the Redressal agencies, Nature & scope of remedies under the Act.
4. Law relating to Essential Commodities – Definition, Power of the Central Government to control production, supply and distribution etc. of essential commodities, Nature of order passed under the Act, seizure and confiscation of essential commodities, sale of commodity, *Mens rea*.
5. Law relating to weights and measures – (The Legal Metrology Act) Definitions, standard weights and measures, power of inspection, seizure, forfeiture, Declaration on pre- packaged commodities, probation, manufacture , repair or sale of weight or measures without licence.
6. Public Liability Insurance Act – Definitions, Compulsory Insurance, Application for Claim for relief, Establishment of Environmental Relief fund.
7. The National Green Tribunal Act – Establishment of Tribunal, Composition of Tribunal, Jurisdiction, Power and Proceedings of Tribunal , Procedure and Power of Tribunal , Cases dealt by NGT.

BOOKS RECOMMENDED

Chandratre, K.K. (Dr.), *Handbook on Consumer Protection Law*
Dhall Vinod, *Competition Law Today – Policies, Issues and Developments*.
Jain Rajiv, *Guide to New Industrial Policy With Procedure*.
Lal's Commentaries on Water and Air Pollution Laws.
Ramappa T., *Competition Law in India – Policies, Issues, and Developments*.
White Snow, *Foreign Exchange Management Manual*.
Recent Statutes and Acts.

- **DISSERTATION (Code : L- 4007) (100 Marks)** : Dissertation will be submitted by the students latest by one and half month (**45 days**) from the date of last theory paper of LL.M. IVth Semester examination.
- **VIVA- VOCE (Code : L-4008)--- 100 Marks**

IVth SEMESTER

Syllabus

- **GROUP (C) : TORTS AND CRIMINAL LAW GROUP**

- ❖ **The Student has to appear in TWO Theory Papers in LL.M. IVth Semester. Each Theory Paper will carry 100 Marks.**
- ❖ **The Student will submit his / her Dissertation latest by one and half month (45 days) from the date of last theory paper of LL.M. IVth Semester. The Dissertation will carry 100 Marks.**
- ❖ **The Student will appear in Viva-voce examination in LL.M. IVth Semester which will carry 100 Marks.**

PAPER – II
[GROUP (C)]
SPECIFIC PRINCIPLES OF CRIMINAL LAW
[Paper Code : L- 4005 (A)]

1. Stages of Criminal Liability.
2. (a). Tests to determine attempt.
(b). Liability for impossible attempts.
3. Concept of Inchoate Crimes and Principal and Accessories.
4. Vicarious Liability.
5. Liability for Abetment.
6. Joint Liability.
7. Constructive Liability.
8. Excusable defences.
9. Justifiable defences.
10. Mitigating defences.

BOOKS RECOMMENDED

Huda S.S., *Principles of Law of Crimes in British India*, Tagore Law Lecturer, 1902.
Kenny C.S., *Outlines of Criminal Law*.
Nigam R.C., *Law of Crime in India*, Vol. I (Principles of Criminal Law.)
Pillai P.S.A, *Criminal Law*
Smith J.C. & Hogan B, *Criminal Law*
Williams G.L., *Criminal Law*.

PAPER – II
[GROUP (C)]
SPECIFIC TORTS
(Paper Code : L- 4006)

1. Assault Battery etc.
2. Defamation
3. Malicious Prosecution
4. Trespass to land, goods, person etc.
5. Injurious Falsehood, Deceit
6. Negligence
7. Nuisance
8. New Horizons of tort –
 - Cyber torts
 - Environmental torts
 - Economic torts (I.P.R. etc)
 - Domestic violence and Injuries to Domestic Relations.

BOOKS RECOMMENDED

Bangia R.K., *The Law of Torts*.
Kapoor S.K., *Law of Torts*.
Lal Rattan & Lal Dhiraj, *The Law of Torts*.
Paranjape N.V., *Law of Torts*.
Salmond W.G., *Law of Torts*.
Winfield and Jolowicz, *Torts*.

- **DISSERTATION (Code : L-4007) (100 Marks)** : Dissertation will be submitted by the students latest by one and half month (**45 days**) after the date of last theory paper of LL.M. IVth Semester examination.
- **VIVA- VOCE (Code : L-4008) – (100 Marks)**