

Department of Law

New syllabus Compulsory and Optional Papers 2018

Course Structure of LL.M.

1st Semester

Paper-1- ML-CP-101 Constitutional Law of India-I

Paper-2-ML-CP-102 Jurisprudence & Legal Theory-I

Optional Group: Administrative Law-1

Paper-1- **Code: ML- OG- (AL) 101-** Comparative Administrative Law

Paper-2- **Code: ML-OG-(AL) 102-** Administrative Process: Adjudicatory and Discretionary powers of the Administration

Optional Group: Environmental Law-2

Paper-1- **Code: ML-OG-(EL) 101-** International Environment Law

Paper-2- **Code: ML-OG- (EL) 102-** Indian Environmental Law

Optional Group: Science, Technology And Law-3

Paper-1- **Code: ML-OG-(STL) 101-** Biotechnology and Law

Paper-2- **Code: ML-OG-(STL)102-** Nuclear Technology: Dilemmas of Legal Controls.

IInd Semester

Paper-1- ML-CP-201 Constitutional Law of India-II

Paper-2- ML- CP- 202 Judicial Process & Jurisprudence –II

Optional Group: Administrative Law-1

Paper-3- **Code: ML-OG- (AL) 203-** Public Authorities: Judicial Control & Liability

Paper-4- **Code: ML-OG-(AL) 204-** Local self-Governance and Public Authorities: Control on Maladministration

Optional Group: Environment Law-2

Paper-3- **Code: OG- (EL) 203-** Natural Resources Law and policy

Paper-4- **Code: OG-(EL) 204-** Environment and Development: Policy in India

Optional Group: Science, Technology And Law-3

Paper-3- Code: **ML-OG- (STL) 203- Information Technology and Legal Order**

Paper-4- Code: **ML-OG-(STL) 204- - Law, Science and Medicine**

IIIrd Semester

PAPER CODE: ML-CP-301: Research Methodology

Paper Code: ML- CP-302: Law and Social Transformation

Optional Group: Intellectual Property Rights-4

Paper-1- Code: **ML-OG- (IPR) 301- Fundamentals of Intellectual Property Rights**

Paper-2- Code: **ML-OG- (IPR) 302- Law of Copyright**

Optional Group: Criminal Law-5

Paper-1- Code: **ML- OG- (CL) 301- Criminal Law- Comparative Study**

Paper-2- Code: **ML-OG- (CL) 302- Socio Economic Offences**

IVth Semester

Paper-1- PAPER CODE: **ML-CP-401: Dissertation:**

Paper-2- PAPER CODE: **ML-CP-402: Viva Voce Examination**

Optional Group: Intellectual Property Rights-4

Paper-3- Code: **ML- OG- (IPR) 403: Law of Patent, Plant Varieties & Farmer's Rights**

Paper-4- Code: **ML-OG- (IPR) 404: Law of Trade Marks and Geographical Indications**

Optional Group: Criminal Law-5

Paper-3- Code: **ML- OG- (CL) 403- Cyber Crimes**

Paper-4- Code: **ML- OG- (CL) 404- Criminology and Penology**

COURSE STRUCTURE OF LL.M.

1ST SEMESTER

COMPULSORY PAPERS

Paper Code: ML- CP- 101
Paper-1 CONSTITUTIONAL LAW OF INDIA-I

Module I

Constitutionalism, Preamble, The concept of Federalism, co-operative federalism, Relation between Union and states.

Module II

Fundamental Rights - Concept - Nature - Necessity and justification, state, Right to equality:- Scope, new approaches, equality of opportunity in matters of public employment and admission to educational institution, Affirmative Action,

Module III

Right to freedom, Rights against exploitation, Right to Freedom of Religion,

Module IV

Cultural and educational Rights, Constitutional Remedies, Public Interest Litigation, Directive Principles of State Policy - Nature, and justifiability, Inter relationship between Fundamental Rights and DPSP, Fundamental duties.

Suggested Reading

1. M P Jain: Indian Constitutional Law
2. H M Seervai: Constitutional Law of India
3. V N Shukla : Constitution of India
4. Constitutional Assembly Debates
5. P. Ishwara Bhat: Inter-relationship between Fundamental Rights
6. Hidayatullah, M (ed): Constitutional Law of India.
7. Tope, T.K. : Constitutional Law of India
8. Datar, Arvind P : Constitutional Law of India
9. Kagzi M.C. Jain : Constitutional Law of India
10. Dicey, A.V.: An introduction to the study of the Law of Constitution.
11. Pylee, M.V.: Constitution of the World.
12. Bakshi, P.M.: The Constitutional of India.
13. Kashyap Subhash. : Constitutional Law of India
14. D. D. Basu, Shorter Constitution of India
15. J. V R Krishna Iyer: Fundamental Rights and Directive Principles
16. P K Tripathi: Some Insight into Fundamental Rights
17. S P Sathé: Fundamental Rights and Amendment to the Constitution
18. P B Gajendragadkar Law: Liberty and Social Justice
19. K C Wheare Federal Government

Paper Code: ML- CP- 102
Paper-2 JURISPRUDENCE & LEGAL THEORY-I

Module-I

Analytical Positivism – Imperative Theory of Law, Austin, Hart. Pure Theory of Law

Module -II

Historical School – Volksgeist Theory of Savigny, Anthropological approach of Henry Maine

Module-III

Sociological School – Theories of Ihering, Ehrlich, Duguit and Roscoe Pound.
Realist School

Module-IV

Natural Law Theory, Revival of Natural Law, Law & Morality

Recommended Readings

1. Bodenheimer : Jurisprudence (1986)
2. Allen C.K. : Law in the Making (1961)
3. Dias : Jurisprudence (1990)
4. Baxi, Upendra : Towards a Sociology of Indian Law (1986)
5. Baxi, Upendra : The Indian supreme Court and Politics (1980)
6. Collins, Hugh : Marxism and Law (1982)
7. Paton : A Text Book of Jurisprudence
8. Rawls, John : A Theory of Justice (1972)
9. Finnis, J : Natural Law and Natural Rights (1980)
10. Hart, H.L.A. : Concept of Law (1994)
11. Lloyd, Dennis : Introduction to Jurisprudence (1979)
12. Maine, Henry : Ancient law (1900)
13. Laski, Harold J. : Liberty in the Modern State (1961)
14. Dhavan, Rajeev : The Supreme Court of India – a Socio-Legal Critique of its Juistic Techniques(1977)
15. Dworkin, Ronald : Taking Rights Seriously (1977)
16. Mill, J.S. : On liberty (1974)
17. Miller, D. : Social Justice (1976)
18. Nozick, R. : Anarchy, State and Utopia (1974)

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

OPTIONAL GROUPS

OPTIONAL

GROUP:01

Administrative Law

Paper Code- ML-OG-(AL) 102

Paper-1 COMPARATIVE ADMINISTRATIVE LAW

Module-I

Evolution and significance of Administrative Law in various systems of governance from ancient to modern- England, U.S.A., France, and India.

Concept of State- laissez faire and welfare state – as a services provider. Other functions of modern state: relief welfare, Relationship between Constitutional Law and Administrative Law, Droit Administrative

Module-II

Separation of Powers- Comparative study of English. U.S.A. France and India.

Rule of Law changing dimensions, Classification of Administrative Actions.

Natural Justice in Administrative Actions

Module-III

Rule Making Powers of the Administration , Delegated legislation- problems, process and control, comparative approaches, Constitutionality of delegated legislation., Requirement for the validity of delegated legislation. Conditional legislation., Sub delegation of legislative power.

Module- IV

Control Mechanism of administrative rule making power- Procedural Control- Consultation of affected interest, public participation in rule making procedure, and publication. Parliamentary control- laying procedures and their effect, committees on delegated legislation judicial control

Recommended Readings:

1. Peter H. Schuck, Foundations of Administrative Law (1994), Oxford, New York.
2. Neville L. Brown and J.F. Garner, French Administrative Law
3. Davis, Discretionary Justice
4. De Smith, Judicial Review of Administrative Action (1995)
5. Jennings Ivor, Law and the Constitution.
6. Schwartz & Wade, Legal Control of Government.
7. Friedman, The State and the Rule of Law in a Mixed Economy
8. Dicey, Introduction to the Law of the Constitution,
9. M.P. Jain, Cases and Materials on Administrative Law (1996), Vol.I, Wadha, Nagpur.
10. S.P. Sathe, Administrative Law (1998), Butterworths, India.
11. De Smith, Judicial Review of Administrative Action (1995), Sweet and Maxwell.
12. I.P. Massey, Administrative Law (1995), Eastern, Lucknow.
13. Bagawati Prosad Banerjee, Writ Remedies, (1999), Wadhwa, Nagpur.
14. B.Schwartz, An Introduction to American Administrative Law.
15. K.S. Shukla and S.S.Singh, Lokayukta: a Social Legal Study (1988), Indian Institute of Public Administration, N.Delhi.
16. Neil Hawke and Neil Papworth, Introduction to Administrative Law (1996), Lawman, New Delhi.
17. D.D.Basu, Comparative Administrative Law,
18. Donald C. Rowat, The Ombudsman (1966), George Allan and Unwin Ltd., Toronto

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one

Paper Code- ML-OG-(AL) 102

Paper-2 Administrative Process: Adjudicatory and Discretionary powers of the Administration

Module-I

Adjudicatory power of the Administration - Need for evolution of administrative adjudication, distinction between judicial and quasi-judicial functions, distinction between Court & tribunal, Tribunals - Need, Nature, Kinds, Constitution, Jurisdiction, and Procedure, Judicial process of administrative tribunals.

Module-II

Administrative Tribunals Act 1985, Central Administrative Tribunal (CAT), State Administrative Tribunal (SAT), Railway Claims Tribunal (RCT).

Module-III

Administrative Discretion- Need, scope and limits, mala fide exercise of discretion, non- exercise of discretionary authority, irrelevant considerations, non -exercise of discretionary power, Judicial Control of Discretionary Power

Module-IV

Government Privileges in Legal Proceedings

Recommended Readings:

1. D.D. Basu, Comparative Administrative Law.
2. Friedman, The State and the Rule of Law in a Mixed Economy
3. Peter H. Schuck, Foundations of Administrative Law, Oxford, New York.
4. Dicey, Introduction to the Law of the Constitution,
5. Neville L. Brown and J.F. Garner, French Administrative Law
6. Davis, Discretionary Justice
7. De Smith, Judicial Review of Administrative Action
8. M.P. Jain, Cases and Materials on Administrative Law, Wadha, Nagpur.
9. S.P. Sathe, Administrative Law, Butterworths, India.
10. De Smith, Judicial Review of Administrative Action, Sweet and Maxwell.
11. I.P. Massey, Administrative Law, Eastern, Lucknow.
12. Bagawati Prasad Banerjee, Writ Remedies, Wadhwa, Nagpur.
13. B. Schwartz, An Introduction to American Administrative Law.
14. K.S. Shukla and S.S.Singh, Lokayukta: a Social Legal Study, Indian Institute of Public Administration, New Delhi

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OPTIONAL GROUP:2
ENVIRONMENT LAW

Paper Code: ML- OG-(EL) 101

Paper-1 INTERNATIONAL ENVIRONMENT LAW

Module-I

1. Historical development of International Environment Law.
2. Soft Law and Hard Law, Global Environmental Organisations.
3. Environmental Summits: Stockholm Conference to Rio+ 20.

Module-II

1. Principles of international environment law: Intergenerational equity, Polluter pays Principles,
2. Precautionary Principles, Public Trust Doctrine.
3. World Commission on Environment and Development, *Our Common Future*, 1987. Notion of Sustainable Development and Sustainable Development Goals, 2030

Module-III

1. Regulation of hazardous wastes.
2. Problem of Climate Change in its broader context.
3. Trade and Environment: WTO and TRIPs Agreement.

Module-IV

1. Conservation on Wetlands (Ramsar Convention).
2. Convention on International trade in endangered Species (CITES)
3. Conservation of Biological Diversity (CBD) Intellectual property rights and biodiversity conservation, Cartagena Protocol on Bio safety.

Recommended Readings

1. Birnie and A. Boyle, "International Law and Environment" 2009. Oxford University Press.
2. Stuart Bell and Donald McGillivray, Environmental Law (2000), Blackstone Press.
3. Singh Gurdip, "Environmental Law" 2016 Eastern Book Company, Lucknow (India).
4. Phillippe Culet, Intellectual Property Protection and Sustainable Development, (2004) Lexis Nexis Butterworth, New Delhi.
5. Caldwell, Lynton Keith," International Environmental Policy: Emergence & Dimension.
6. World Commission on Environment and Development, *Our Common Future* (1987) Oxford University Press.
7. Aynsley Kellor, International Toxic Risk Management (1999), Cambridge University Press.
8. Abdul Haseeb Ansari, *Future Directions in Conservation of Biological Diversity: An Interdisciplinary Approach*, in Michael I Jaffery, Jeremy Firestone and KarenBubna-Litic, *Biodiversity Conservation Law & Livelihoods Bridging the North- South Divide*, 132 (Cambridge University Press, 2008).

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code- ML-OG-(EL) 102

Paper-2 INDIAN ENVIRONMENTAL LAW

Module-I

Meaning and concept of Environment, Constitutional Provisions related to environmental protection, Environmental rights under common law principles, Environmental rights as human rights.

Module-II

Legal regime of pollution control-water pollution and air pollution control-specific legislations, Environment (Protection) Act, 1986, National Green Tribunal Act, 2010

Module-III

Noise pollution regulation, Nuclear and Radiation Pollution, Judicial Response and environment protection.

Module-IV

Public Insurance Liability Act, 1991, Hazardous wastes management regulation, Environment Impact Assessment Law.

Recommended Readings

1. Rosencranz Armin and Divan Shyam, Environmental Law & Policy in India: Cases Materials and Statutes
2. Leelakrishnan P, The Environmental Law in India
3. Kailash Thakur, Environmental Protection Law and policy in India.
4. CM, Araham, Environmental Jurisprudence in India.
5. Indian Law Institute, Mass Disasters and Multinational Liability: The Bhopal Case (1986),

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

OPTIONAL GROUP: 3
LAW, SCIENCE AND TECHNOLOGY

Paper Code- ML-OG-(LST) 101
Paper-I BIOTECHNOLOGY AND LAW

Module -I

Interface of science and technology with law, Emerging Technologies, Science, Technology and Human Rights, Legal Order and Technological, Innovation, Genetic Engineering, Bio- technology and Human Health, Genetic Markers: Diagnostic biotechnology, Genetic screening: Uses and abuses of amniocentesis, Cloning of human beings.

Module -II

Biotechnology, Agro-business and Biological Diversity, Plant Genetic Resources in Nature: Abundance of biological diversity, The Genetic mutation of Seed: Seed industry at global level: Indian Seeds Act,1966

Module -III

Biotechnology and Biological Diversity, The Impact of Biotechnology on Biological Diversity: Erosion of plant genetic resources, Patenting of new plant varieties, The green revolution and biotechnology.

Module -IV

Legal Regulation of Biotechnology, Regulation of government sponsored research Regulation of release of genetically mutated micro-organisms, Comparative perspective, Progress of biotechnology and legal regulation in India.

Select bibliography

1. U.Baxi, Biotechnology and Legal Order: Dilemmas of the Future of Law and Human Nature (1993).
2. D. Bull, A Growing Problem : Pesticide and the Third World Poor (1982)
3. J. Doyle, Altered Harvest, Agriculture, Genetics and Fate of The World's Food Supply (1986)
4. Z. Harsanyi & R. Hutton, Genetic Prophecy: Beyond the Double Helix (1987)
5. United Nations, Our Common Future: The World Commission on Environment and Development (1987)

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code- ML-OG-(LST) 102
Paper-2 Nuclear Technology: Dilemmas of Legal Controls.

Module- I

Nuclear Fission/Fusion, Radioactivity, Nuclear fuel, Development in Civilian Uses of Nuclear Energy

“Atoms for Peace” and International Atomic Energy Commission (IAEA), The European Atomic Energy Community (EUROTAM) , Development of nuclear industry at a global level.

Module -II

India’s Atomic Energy Programme: India’s overall energy needs and planning, Technology transfer and India’s nuclear programme, The Atomic Energy Commission Act.

Hazard Aspects of Nuclear Power: Plant Location: Problems of Sites, Uranium mining associated hazards

Module -III

Accidents Potential: e.g. fuel failure recirculation pump failures, control valve leaks, failure of shut-down device, metal failure, of electronic monitoring and control systems, Occupational hazards for workers at research institutes and nuclear plants.

The Regime of legal liability including: Right to information as to levels of radioactivity, Right to compensation, Right to meaningful “rehabilitation”, Other Associated Hazards and Other Management

Module -IV

The nature and magnitude of nuclear wastes:. Reprocessing, Entombment, Low level wastes and High Level Wastes, Reprocessing of wastes, Vitrification, Dumping.

Legal Aspects: Secrecy, Minimum public participation, Right to information, Regimes of liability for mass disasters and personal injuries, Environmental Law regulation of the hazardous aspects of nuclear energy production.

Select bibliography

In addition to official documents (e.g., Report of the DAE and Regulative Texts, consult, Centre for Science and Environment, The State of India's environment : 1984-1985 : The Second Citizen's Report (1985) Also see relevant articles in Economic and Political Weekly; and the recent Supreme Court decision on the EEC radioactive butter case.

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LL.M.: Semester - II

Compulsory Papers

ML-CP-201

Paper-1 CONSTITUTIONAL LAW OF INDIA-II

Module I

Union and State executive, Parliament and State Legislatures,
Parliamentary privileges

Module II

Judiciary, Independence of Judiciary, Public interest litigation, Judicial
Activism & Judicial Restraint , The National Judicial Appointments
Commission Bill, 2014

Module III

Liability of the State, Freedom of trade and commerce,

Module IV

Civil Services, Constitutional Protection of civil servants, Emergency
Provisions, Amendment

Recommended Readings

1. Seervai, H.M. : Constitutional Law of India
2. Basu, D.D. : Commentary on Constitution of India
3. Govt. of India : Constituent Assembly Debates
4. Hidayatullah, M (ed.) : Constitutional Law of India
5. Jain, M.P. : Constitutional Law of India
6. Shukla, V.N. : Constitution of India
7. Tope, T.K. : Constitutional Law of India
8. Datar, Arvind P. : Constitution of India
9. Kagzi M.C. Jain : Constitution of India
10. Shiva Rao. B. : The Framing of India's Constitution (6 Volumes)
11. Dicey A.V. : An introduction to the study of the Law of Constitution
12. Pylee M.V. : Constitutions of the World
13. Bakshi P.M. : The Constitution of India
14. K C Wheare Federal Government
15. Kashyap Subhash: The Constitution of India

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code:-ML-CP-202

Paper-2 JUDICIAL PROCESS & JURISPRUDENCE –II

Module-I

Sources of Law; Custom, Legislation, Precedent, Law and Justice

Module -II

Rights and Duties, Possession; Ownership; Theories of Punishment

Module -III

Judicial Process in India; judicial process and creativity in law, tools and techniques of judicial creativity and precedent, Independence Judiciary and political nature of judicial process, scope and limits of Judicial Process in India

Module- IV

Indian debate on the role of judges and on the notion of judicial review, Institutional liability of courts and judicial activism.

Recommended Readings

Bodenheimer : Jurisprudence (1986)

Allen C.K. : Law in the Making (1961)

Dias : Jurisprudence (1990)

Baxi, Upendra : Towards a Sociology of Indian Law (1986)

Baxi, Upendra : The Indian supreme Court and Politics (1980)

Collins, Hugh : Marxism and Law (1982)

Paton : A Text Book of Jurisprudence

Rawls, John : A Theory of Justice (1972)

Finnis, J : Natural Law and Natural Rights (1980)

Hart, H.L.A. : Concept of Law (1994)

Lloyd, Dennis : Introduction to Jurisprudence (1979)

Maine, Henry : Ancient law (1900)

Laski, Harold J. : Liberty in the Modern State (1961)

Dhavan, Rajeev : The Supreme Court of India – a Socio-Legal Critique of its Justice Techniques(1977)

Dworkin, Ronald : Taking Rights Seriously (1977)

Mill, J.S. : On liberty (1974)

Miller, D. : Social Justice (1976)

Nozick, R. : Anarchy, State and Utopia (1974)

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code- ML-OG-(AL) 201

Paper-3 Public Authorities: Judicial Control & Liability

Module-I

Administrative Action and Judicial Control, Control over Administrative actions- Historical development, Remedies- Public Law Review, Writs- Mandamus, Habeas Corpus, Certiorari, Prohibition, Quo Warranto. Locus Standi and public interest litigation

Module-II

Private Law Review- injunction, declaration, and civil suits for remedies. Promissory estoppels, Limits of Judicial Review: Exclusion of Judicial Review

Module-III

Procedural Fairness- Evolution and Significance of natural justice- England, judicial process: doctrine of fairness and doctrine of legitimate expectation. U.S.A. Due process and judicial decisions- India- doctrine of fairness Act. 14, 19 and 21. Resend decision, post decisional hearing Exception of natural justice.

Module-IV

Public Undertakings & Public Corporations, Public Authorities : Liability, Tortious liability- Federal Tort Claims Act, 1946 Crown proceeding , Contractual liability, Personal accountability, Compensatory jurisprudence and right to life

Recommended Readings:

Peter H. Schuck, Foundations of Administrative Law (1994), Oxford, New York.

Neville L. Brown and J.F. Garner, French Administrative Law

Davis, Discretionary Justice

De Smith, Judicial Review of Administrative Action (1995)

Jennings Ivor, Law and the Constitution.

Schwartz & Wade, Legal Control of Government.

Friedman, The State and the Rule of Law in a Mixed Economy

Dicey, Introduction to the Law of the Constitution,

M.P. Jain, Cases and Materials on Administrative Law (1996), Vol.I, Wadha, Nagpur.

S.P. Sathe, Administrative Law (1998), Butterworths, India.

De Smith, Judicial Review of Administrative Action (1995), Sweet and Maxwell.

I.P. Massey, Administrative Law (1995), Eastern, Lucknow.

Bagawati Prosad Banerjee, Writ Remedies, (1999), Wadhwa, Nagpur.

B.Schwartz, An Introduction to American Administrative Law.

K.S. Shukla and S.S.Singh, Lokayukta: a Social Legal Study (1988), Indian Institute of Public Administration, N.Delhi.

Neil Hawke and Neil Papworth, Introduction to Administrative Law (1996), Lawman, New Delhi.

D.D.Basu, Comparative Administrative Law,

Donald C. Rowat, The Ombudsman (1966), George Allan and Unwin Ltd., Toronto

Paper Code: ML-OG-(AL) 204

Paper-4 Local Self Governance and Public Authorities: Control on Maladministration

Module-I

Local Self Governance: Historical Perspective, Gandhian Concept, Constitutional scheme of Local self -Governance, Legislative, Financial and Judicial powers of the Local Self Governance, Institutional and Judicial Control,

Module-II

Commission of Inquiry, Vigilance Commission, Investigation Agencies: CBI, Inquiries by Legislative Committees, Legislative Control, Financial Control - Comptroller and Auditor General,

Module- III

Ombudsman: Concept, Comparative perspectives, Indian model of Ombudsman- Lokpal and Lokayukt,

Module-IV

The Right to Information Act, 2005, Protection of Whistle Blowers,

Recommended Readings:

1. M. Venketarangaiya & M. Pattabhiram, Local Government in India, Allied, New Delhi.
2. Radha Kumud Mookerji, Local Government in Ancient India, Daya Publishing Delhi.
3. W. Thornhill (ed.), The Growth and Reform of English Local Self-government, Weidenfeld and Nierlson, London
4. Donald C Rowat, The Ombudsman, George Allen and Unwin Ltd., Toronto.
5. K. S. Shukla and S.S. Singh - Lokayukt: A Social Legal Study, Indian Institute of Public Administrative, New Delhi.
6. Nevill L. Brown and J.F. Garner- French Administrative Law
7. Deicy A.V., Introduction to the Study of the Law Constitution. Universal Publication.
8. Baxi Upendra- Law Democracy and Human Rights
9. Bhagwati Prasad Benarjee - Writs Remedies, Wadhwa

Note: All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

OPTIONAL GROUP:2
ENVIRONMENT LAW

Paper Code:-ML-OG-(EL) 203
Paper III- Natural Resources Law and policy

Module-I

1. Concept of Common Property Resources (CPR)
2. Law and policy related to conservation of forest and other creatures including animal welfare.
3. Law and policy related to protection Wild life.

Module- II

1. Conservation of freshwater and ground water.
2. Coastal zone regulation.
3. Conservation of marine living and mineral resources.

Module-III

1. Energy Conservation Law and Policy.
2. Conservation of biodiversity under Bio- Diversity Act, 2002.
3. Conservation of Forest and rights of Tribal Communities.

Module- IV

1. Role of judiciary in protection of natural resources.
2. Resolution and settlement of environmental disputes.
3. Bio safety issues related to Genetically Modified Organisms.

Recommended Readings

1. Rosencranz Armin & Divan Shyam; *Environmental Law & Policy in India: Cases, Materials and Statutes*, (2000) Oxford University Press, New Delhi.
2. Kailash Thakur, *Environmental Protection: Law and Policy in India* (1997), Deep & Deep Publications, New Delhi.
3. Leelakrishnan P., *The Environmental Law in India*, Lexis Nexis Butterworths, New Delhi.
4. Nomani, Md. Zafar Mahfooz, *Natural Resources: Law & Policy*, (2004) Uppal Publication, New Delhi.
5. Shastri, S. C., *Environmental Law*, Eastern Book Company, Lucknow.
6. *Indian Journal of Public Administration*, Special Number on Environment and Administration, July- September 1988, Vol. XXXV, No.3.

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code:-ML-OG-(EL) 204
Paper IV-Environment and Development Policies in India

Module-I

1. Traditional concept of environment protection.
2. Natural and biological sciences perspectives.
3. Modern concept: conflicting dimensions.

Module- II

1. Theories of development.
2. Right to development.
3. Sustainable Development: National Perspectives.

Module-III

1. National Policies: Forest Policy, 1988,
2. Policy Statement on Environment and Development, 1992. Policy Statement on Abatement of Pollution, 1992.
3. Environment Policy, 2006, Water Policy, 2012.

Module- IV

1. Poverty, Population and Sustainable Development.
2. Right to Water and Sanitation.
3. Special Economic Zones (SEZ) and Environmental Protection.
4. Problem of Climate Change: National Perspectives.

Recommended Readings

1. Rosencranz Armin & Divan Shyam; *Environmental Law & Policy in India: Cases, Materials and Statutes*, (2000) Oxford University Press, New Delhi.
2. Leelakrishnan P., *The Environmental Law in India*, Lexis Nexis Butterworths, New Dehli, India.
3. Shastri, S. C., *Environmental Law*, Eastern Book Company Lucknow.
4. Aruna Venkat, *Environmental Law and Policy* (2011) PHI learning Pvt.Ltd, New Delhi.
5. Madhav Gadgil and Ramachandra Guha, *This Fissured Island: An Ecological History of India* (1996), Oxford.
6. Centre for Science and Environment, *The State of India's Environment 1982 to 2011*.
7. Singh Gurdip, "*Environmental Law*" (2016) Eastern Book Company, Lucknow (India).

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Optional Group: 3

**LAW, SCIENCE AND
TECHNOLOGY**

Paper Code:-ML-OG-(LST) 203
Paper-3 Information Technology and Legal Order

Module- I

Interface between law and information technology, Growth of Computer Science and technology, "Hardware" and "Software", Artificial Intelligence and Human Resources, Can computers think?, Appropriation of human functions by a machine actuality, potentiality, "appropriateness".

Module -II

The Law: Intellectual Property, Law relating to protection of computer software, Law relating to patenting of hardware

Regulation of transfer of computer technology (Unfair Means, Restrictive Trade Practices)

Module- III

1. Central data banks and privacy rights, Consumer Credit, privacy rights and computer systems

Module -IV

1. Computer Systems and Liability Issues, Computer fraud, Computer non-feasance and liability for damages

1. Legal information retrieval systems, Computerized retrieval of judicial decision, Jurimetrics and computer analysis

2. Computer analysis and computerization, Criminological analysis and computerization, Patent information systems

3. Clinical Research Project

Select bibliography

Cees J. Hamelink, The Ethics of Cyberspace (2001), Sage

Markandey Katju, Law in the Scientific Era (2000), Universal, New Delhi.

John Zinian et.al.(ed.) World of Science and the Rule of Law (1986), Oxford

Ann Johnston et.al. (ed.) New Technologies and Development (1986) UNESCO.

Maie-Wan Ho, Genetic Engineering: Dreams or Nightmare? The Brave New World of Bad Science and Big Business (1997) RESTE, New Delhi.

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code:-ML-OG-(LST)204
PAPER-4 MEDICAL LAW AND ETHICS

Module- I

Concept of Health and Public health, Law and health – development of interrelationship, Health Law and Bio Ethics.

Legal aspects of Health Care: Constitutional law- regulation of health, Health as basic human right, important legislations dealing with law and medicine

Module -II

Medical Professional, Patient and the Law: Nature and concept of physician – patient relationship, Informed consent and confidentiality, Concept of duty of care, Code of ethics in medical profession, Role of judiciary in regulating the medical profession

Module -III

Bioethics- Issues and challenges: Euthanasia and physician assisted suicide, , Organ Transplantation, Sex- determination Techniques,

Module -IV

Assisted Reproductive technology, Medical termination of pregnancy, prenatal diagnostic techniques,

The pharmaceutical industry in India and its regulation: Hospital Regulation, Medical Malpractice, Regulation of Drug Testing procedures in India, Clinical Drug Trial.

Suggested Readings

1. Freeman- Law and medicine
2. Micheal Davies- Textbook on Medical law
3. Jonathan Herring- Medical Law and Ethics
4. R.K. Bag- Medical Negligence and Compensation
5. S. V. Jogarao- Current Issues in Criminal Justice and Medical Law
6. Modi's Medical Jurisprudence
7. Mason and Mc Call Smith- Law and Medical Ethics

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

LL.M.: Semester - III

Compulsory Papers

Paper Code:- ML-CP-301
Paper-3 RESEARCH METHODOLOGY

Module-I

Meaning of research, objective of research, importance of research, Criteria of Good Research, Procedural guidelines regarding the research process, Legal Research, Research Ethics

Module-II

Various Types of research: Doctrinal and Non-Doctrinal, Applied, fundamental; Library research, field research and laboratory research, analytical, descriptive, conceptual; Participatory and Non-Participatory; Comparative, historical, statistical, critical, socio-legal; Mono disciplinary and trans disciplinary; quasi disciplinary, inter-disciplinary (multi- disciplinary) research; Quantitative and qualitative, one time and longitudinal, clinical or diagnostic research; Deductive and Inductive Methods.

Formulation of the Research problem, Preparation of the Research Design, Hypothesis,

Module-III

Tools and Techniques for Collection of Data: Primary and Secondary Sources, Literature Review, Observation Method, Questionnaire · Interview · Case study , Sampling procedures.

Processing and Analysis of data, Testing of Hypothesis, Searching the library catalogue, developing computer skill, use of internet in legal research, preparing power point.

Module-IV

Report Writing, Structure and Components of Research Report, Mechanism of writing a research report, Citation, Referencing and footnotes, abbreviation, Bibliography, How to Write a Dissertation.

Recommended Readings

Blaxter, L, C Hughes & M Tight. How to Research (Buckingham: Open University Press). ISBN: 0-335-19452-4

Buckley, P & D Clark. Rough guide to the Internet (London: Rough Guides). ISBN: 1-84353-338-3

Calishain, T. Web search garage (Upper Saddle River: Prentice Hall). ISBN: 0-13-147148-1

Clinch, P. Using a law library : a student's guide to legal research skills (London: Blackstone). ISBN: 1-84174-029-2

Cole, J. Using Moodle: teaching with the popular open source course management system, (Sabastopol, CA: O'Reilly). ISBN: 0-596-00863-5

Fairbairn, G J. & Winch, C. Reading, writing and reasoning: a guide for students (Buckingham: Open University Press). ISBN: 0-335-09596-8

Halvorson, T R. Law of the super searchers: the online secrets of the top legal researchers (Medford, NJ: CyberAge Books). ISBN: 0-910965-34-X

Hanson, S. Legal method and reasoning (London: Cavendish), ISBN: 1-85941-783-3

Webley, L. Legal writing (London: Cavendish). ISBN: 1-85941-919-4

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code: ML- CP-302

Paper-4 LAW AND SOCIAL TRANSFORMATION

Module-I

Concept of Social Change and Social Transformation, Law as an instrument of social change, Law as the product of tradition and culture, Sociological school and its, applicability in India, Principles of social legislation,

Module-II

Religion and the law, Religion as a divisive factor, Secularism as a solution to the problem, Freedom of religion, nondiscrimination on the ground of religion, Religious minority,

Community and the law - Caste as a divisive factor, Non discrimination on the ground of caste, Protective discrimination,

Module-III

Women and the Law: Position and role of women in Indian society, Crimes against women, Gender injustice, Women's Commission, Empowerment of women Constitutional and other legal provisions,

Module-IV

Children and the Law - Child Labour, Sexual exploitation, Education, inter-country adoption, International Norms governing Rights of Children

Modernization and the Law, Modernisation as a value: Constitutional perspectives, Modernisation of social institutions through law, Reform of family law,

Criminal Law: Plea bargaining, Civil Law Confrontation v. Consensus, (ADR)

Recommended readings

1. Marc Galanter (ed.), Law and Society in Modern India, Oxford University Press
2. Robert Lingat, The Classical Law of India, Oxford
3. U. Baxi, The Crisis of the Indian Legal System. Vikas, New Delhi.
4. U. Baxi (ed.), Law and Poverty Critical Essays. 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,
8. P Ishwara Bhat., Law and Social Transformation,
9. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour, Anmol Publications, Delhi.
10. Savitri Gunase Khare, Children, Law and Justice, Sage
11. Indian Law Institute, Law and Social Change: Indo-American Reflections, Tripathi (1988)
12. J.B. Kripalani, Gandhi: His Life and Thought, Ministry of Information and Broadcasting, Government of India,
13. Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford University Press.

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Optional Group:3
INTELLECTUAL PROPERTY RIGHTS

Paper Code: ML-OG-(IPR) 301

Paper-1 FUNDAMENTALS OF INTELLECTUAL PROPERTY RIGHTS

Module -I

Meaning and Concept of Intellectual Property Rights, Types of Intellectual Property Rights, Economic Importance of Intellectual Property, Justifications for Protection of Intellectual Property,

Module -II

Nature of Intellectual Property Rights: Monopolistic Perspective, Economic Perspective, Public welfare perspective, Theories of Intellectual Property Rights.

Module III

International Legal Framework:

Pre and Post WTO regime: TRIPS Agreement.

IPR and Human Rights,

Module -IV

IPR and Protection of Traditional Knowledge.

IPR and Sustainable Development, Challenges for IPR: Digital Economy, E-Commerce, Domain names, Biotechnology and Nanotechnology.

Recommended Readings:

1. Shahid Alikhan and Raghunath Mashelkar, Intellectual Property and Competitive Strategies in 21st Century , Second Edition (2009) Kluwer Law International.
2. Phillippe Culet, Intellectual Property Protection and Sustainable Development, Lexis Nexis Butterworth, 2004.
3. W R Cornish, Intellectual Property: Patents, copyright, Trademarks and allied rights , London : Sweet & Maxwell, 1996
4. Jayanti Bagachi , World Trade organization; An Indian Perspective (2000).
Narayanan, P., Intellectual Property Rights
5. UNCTAD-ICTSD, Resource book on TRIPs and Development, Cambridge University Press, 2005
6. Michael Blakeney, Trade Related Aspects of Intellectual Property Rights: A concise Guide to the TRIPS Agreement.
7. Elizabeth Verkey, Intellectual Property (2015), Eastern Book Company Lucknow.

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code- ML-OG-(IPR) 302

Paper- 2 LAW OF COPYRIGHT

Module -I

Introduction to Copyright: Historical development of the law of copyright, Nature and Scope of Copyright, Meaning of Copyright,

International Conventions/Treaties on Copyright: a. Berne Convention b. Rome Convention c. Geneva Convention d. Brussels Convention e. Universal Copyright Convention f. TRIPs Agreement g. WIPO Copyright Treaty, 1996 h. WIPO performance and Phonogram Treaty, 1996

Module -II

Concept of Originality, Subject matter of copyright: Literary Works, Dramatic Works, Musical Works, Artistic Works, Cinematograph Film and Sound Recording.

Module- III

Rights Granted, Ownership, duration, registration and assignment of copyright
Infringement of copyright, Doctrine of Fair Dealing, Remedies for infringement of copyright

Module -IV

Competition Law and IPR
The Design Act, 2000

Suggested Readings

1. The Copyright Act 1957.
2. W R Cornish, Intellectual Property: Patents, copyright, Trademarks and allied rights , London : Sweet & Maxwell, 1996
3. Goldstein, Law of Copyright
4. P. Narayanan, law on Copyright
5. Leon Bentley and Brad Sherman, Intellectual Property Rights

**Note: - All latest volumes of above mentioned books must be preferred.
The above list of books is not an exhaustive one.**

OPTIONAL GROUP: 04
CRIMINAL LAW

Paper Code: ML-OG-(CL) 301
Paper- I CRIMINAL LAW - COMPARATIVE STUDY

Module- I

Crime and Criminal Law, Elements of Crime: Intention, Recklessness, Negligence, Motive, Strict Liability.

General Defenses: Mistake, Necessity, Intoxication, Un-soundness of mind, Consent, Threat, Private Defense.

Module- II

Joint and Constructive Liability,

Preliminary Offences: Abetment, Criminal Conspiracy, Criminal Attempt

Module- III

Offences against Human Body: Capable Homicide and Murder, Kidnapping and Abduction, Hurt and Grievous Hurt, Sexual offences.

Offences against State: Sedition.

Module-IV

Offences against Property: Theft, Robbery.

Offences against Marriage: Bigamy, Adultery

Recommended Reading:

Kenny's: Outlines of Criminal Law.

Russell: On Crime.

Jefferson Michael: Criminal Law.

Dik George D. Sharlot Michael: Criminal Law Cases and Materials.

Hall Jerome: General Principles of Criminal Law.

Pillai P.S.A.: Criminal Law.

Gaur K.D.: Criminal Law and Materials.

Gaur K.D.: Commentary on the Indian Penal Code.

**Note: - All latest volumes of above mentioned books must be preferred.
The above list of books is not an exhaustive one.**

Paper Code: ML-OG-(CL) 302

Paper-2 SOCIO- ECONOMIC OFFENCES

Module- I

Concept and Nature of socio economic offences,
Distinction between traditional offences and socio-economic offences.

Module- II

Violence against Women-Sexual Harassment, Dowry, Domestic violence.
The Protection of Children from Sexual Offences Act, 2012.

Module- III

White Collar Crimes
The Prevention of Corruption Act, 1988

Module- IV

The Indecent Representation of Women (Prohibition) Act, 1986
The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act,
1989

Recommended Reading:-

Mahesh Chandra, *Socio- Economic Offences* (1979)

J.S.P. Singh, *Socio- Economic Offences* (1st Ed., 2005, Reprint 2015)

Ahmed Siddiqui, *Criminology: Problems and Perspectives* (4th Ed., 1997)

T.V. Nawal, *Legally Combating Atrocities against SC and ST*, (2004)

Lawyers Collective (Ed. by Indira Jaising), *Handbook on Law of Domestic Violence*, (1st
Ed., 2009)

Seth and Capoor, *Prevention of Corruption Act with a treatise on Anti- Corruption
Laws* (3rd Ed., 2000)

Ghosh, Srikanta; Economic Offences Universal's – Socio Economic Offences Law.

Note: - Suggested Readings are not exhaustive. Need to be supplemented with additional readings.

LL.M.: Semester - IV

Compulsory Papers

PAPER CODE: ML-CP-401
Paper-5 Dissertation:

PAPER CODE: ML-CP-402:
Paper-6 Viva Voce Examination

Optional Group: 03
CRIMINAL LAW

Paper Code: ML-OG-(IPR) 403

Paper- 3 LAW OF PATENT, PLANT VARIETIES & FARMER'S RIGHT

Module-I

Historical development of Patent Law, International Institutional and Legal Framework related to Patent, Development of Patent Law in India.

Module-II

The Patent Act, 1970 and its Amendments, Patentability Criteria, Patentable and Non- patentable inventions, Software Patent.

Module-III

Registration, Ownership, Rights of Patentee, Working of Patents and Compulsory License, Infringements and Remedies.

Module-IV

The Protection of Plant Varieties and Farmers are Rights Act, 2001, Intellectual property rights and conservation biological resources, Medical Patents and Access to drugs and right to health.

Recommended Readings:

1. Cornish,WR. *Intellectual Property: Patents, Copyright, Trade Marks, and Allied Rights* (London: Thomson Sweet and Maxwell, Sixth ed 2007).
2. Lionel Bentley and Brad Sherman, *Intellectual Property Law* (Oxford University Press, New Delhi, 2003)
3. Resource Book on the TRIPS and Development UNCTAD- ICTSD Cambridge University Press 2005).
4. Cullet Philippe. *Intellectual Property Protection and Sustainable Development* (New Delhi: Lexis Nexis & Butterworth, 2005).
5. Khader, Feroz Ali. *The Law of Patents-with a special focus on Pharmaceuticals in India*, ((New Delhi: LexisNexis Butterworths 2009).
6. Koul A.K. and Ahuja V.K. *The Law of Intellectual Property Rights: Prospect and Retrospect* (2001).
7. Narayanan. P. *Patent Law* (New Delhi: Eastern Law House, Fourth ed. 2010).
8. V.K.Ahuja, *Intellectual Property Rights in India* (Lexis Nexis, Butterworths, Wadhwa, Nagpur, (2009).
9. Arup, Christopher. *The New World Trade Organization Agreements: Globalizing Law through Services and Intellectual Property* (U.K: Cambridge University Press, 2000).
10. Corea M,Carlos & Yusuf A Abdulqawi. *Intellectual Property and International Trade:*
11. *The TRIPs Agreement* (Netherland: Wolters Kluwer Law and Business 2nd ed 2008).
12. Shiva Vandana. *Patents: Myths and Reality* (New Delhi: Penguin India 2001)

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code:- ML-OG-(IPR) 404
Paper-4 LAW OF TRADE MARKS AND GEOGRAPHICAL INDICATIONS

Module-I

Historical development, Meaning, Aim and Objectives.
Different Types of marks
Trade Marks Protection under International Law.

Module-II

Registration of Trade Marks.
Concept of Deceptive similarity.
Passing off.

Module-III

Trade Marks Infringement.
Remedies.

Module- IV

Concept of Geographical Indication.
National and International Perspective.
Registration, Infringement and Remedies of Geographical Indication.

Recommended Readings:

1. Ashwani Bansal, Law of Trade Marks in India with introduction to Intellectual Property Laws (Institute of Constitutional and Parliamentary Studies, New Delhi, 2009)
2. David Bainbridge, Intellectual Property(Pearson Education, Delhi, 2003).
3. Holyoak&Torreman, *Intellectual Property Law*(Oxford University Press, New York, 2010).
4. Jeremy Philips and Alison Firth, *Introduction to Intellectual Property Law*(LexisNexis Butterworths, UK, 2001).
5. Kailasam and Vedaraman, *Law of Trade Marks and Geographical Indications*(Wadhwa, Nagpur, 2009).
6. Latha R Nair &Rajendra Kumar, *Geographical Indications: A Search for Identity*(Lexis Nexis, New Delhi, 2005)
7. V.K.Ahuja, *Intellectual Property Rights in India*(Lexis Nexis, Butterworths, Wadhwa, Nagpur,2009)
8. W. R. Cornish, *Intellectual Property: Patents, Copyright, Trade Marks and Allied Right* (Sweet & Maxwell 2005)
9. Narayanan. P. *Law of Trade Marks and Passing Off* (Eastern Book Com. Lucknow,).

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Optional Group:04 Criminal Law

Paper Code: ML-OG-(CL) 403

Paper-3 CYBER CRIMES

Module- I

Historical Genesis and Evolution of Cyber Crimes
Meaning, Definition , Nature & scope of cyber crimes
Distinction between cyber crime and conventional crimes

Module- II

Information Technology Act, 2000: Aims and Objects-Overview of the Act.
Statutory laws pertaining to Cyber Crimes in India: Changes in IPC and IEA.

Module- III

Kind of cyber Crimes: Stalking, Pornography, Forgery, Online fraud, Cyber terrorism, Hacking ,etc.

Module- IV

Emergence of Data Protection Laws in India
Freedom of Speech and Expression in Cyberspace

Recommended Reading:-

Douglas Thomas & Brian D. Loader, *Cyber Crimes*
Talat Fatima, *Cyber Crimes*
Thomas J. Holt, Adam M. Bossler, Kathryn C Seigfried-Spellar; *Cybercrime and Digital Forensics An Introduction*
J.P. Mishra, *An Introduction to Cyber Law*
Peter Stephenson, *Investigating Computer-Related Crimes*
Prashant Mali, *Cyber Law and Cyber Crimes*
Stephenson, Peter ; *Investigating Computer-Related Crime.*
Vakul Sharma, *Information Technology Law and Practice*
Pavan Duggal , *Cyber Law-An exhaustive section wise commentary on the Information Technology Act alongwith Rules, Regulations, Polices, Notification etc,*
Broadhurst, Roderic G. & Grabosky, Peter, N.; *Cyber Crime: The Challenge in Asia.*

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

Paper Code: ML-OG-(CL) 404
Paper-4 CRIMINOLOGY AND PENOLOGY

Module-I

Criminology - Definition, Nature, Scope and utility, Methods of Criminological Studies,

Module-II

Theorising Criminal aetiology: Lombroso and Neo- Lombrosian, Psycho-analysis, Differential Association, Anomie Tradition, Interactionism and Conflict Theory,

Module-III

Schools of Criminology: Classical, Biological Cartographic,

Module-IV

Punishment: Concept and Theories, Capital Punishment,
Treatment of offenders: Prison, Probation and Parole,
Victimology

Recommend Reading:-

1. Edwin H. Sutherland: Principle of Criminology
2. Richard R. Kom, Lloyd W. McCorkle: Criminology and penology
3. Peter Becker and Recharad F. Wetzell: Criminals and Their Scientists
4. Matthew Lippman: Contemporary Criminal Law
5. Michael Kronenwttter: Capital Punishment
6. H.L.A. Hart, Punishment and Responsibility
7. A. Siddique, Criminology

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

