

LINGAYA'S VIDYAPEETH
Greater Faridabad, Haryana
SCHOOLOFLAW
LL.M-1 Year
Course Curriculum
(Batch 2023-2024)
CRIMINAL LAW

School: LAW										Batch: 2023-2024				
Department: LAW										Year: 1 st				
Course: LLM										Semester: 1 st				
S N	Cate- gory	Course Code	Course Name	Periods			Cred its	Evaluation Scheme						Su bje ct Tot al Ma rks
								Theory				Practi cal		
				L		RT D A		RBA			ESE	I P	E X P	
1	PCC	LLM101	Research Methodan dLegalWri ting(core course)	4		2	5	40		60	-	-	100	
2	PCC	LLM 103	Comparative Public Law(corecours e)	4		2	5	40		60	-	-	100	
3	PCC	LLM 105	LawandJustic eina Globalizing world (corecourse)	4		2	5	40		60	-	-	100	
4	PCC	CRM107	Comparative Criminal Law	4		2	5	40		60	-	-	100	
5	PCC	CRM109	Criminology And Penology	4		2	5	40		60	-	-	100	
			Total---->	20		10	25	200		300			500	

Abbreviations:

— { 277 }

School: LAW										Batch: 2023-2024				
Department: LAW										Year: 1 st				
Course: LLM										Semester: 2 nd				
SN	Cate- gory	Course Code	Course Name	Periods			Cred its	Evaluation Scheme					Subje ct Total Mark s	
				L		RTD A		Theory			Practi cal			
								RBA			ESE	I P		E X P
1	PCC	CRM102	Criminal JusticeAdmini stration	4		2	5	40			60	-	-	100
2	PCC	CRM104	Victimology	4		2	5	40			60	-	-	100
3	PCC	CRM106	Criminal Procedureunde r the EvidenceAct,1 872	4		2	5	40			60	-	-	100
4	PCC	CRM108	Other Selective Criminal Law Acts	4		2	5	40			60	-	-	100
5	PCC	LLM 110	Dissertation*				5	40	60			-	-	100
			Total---->	16		08	25	260			240			500

Abbreviations:

PCC:	Programme Core Courses	BBA:	Research Based Assignment
PEC:	Programme Elective Courses	MSE:	Mid Semester Examination
AECC: Ability Enhancement Compulsory Course	Project	ESE:	End Semester Examination
PROJ:			
PDP:	Personality Development Programme	IP:	Internal Practical
L:	Lecture	EXP:	External Practical
T:	Tutorial	VAC C(Non-credit course)	Value added compulsory course
P:	Practical	RTD A:	Research and Teaching Development

IST SEMESTER

Course Name: RESEARCH METHOD AND LEGAL WRITING (CORE COURSE)

Course Code: LLM 101

Class: LLM 1st year

Semester: I

Credit: 5

Objective-

1. To acquaint the student of law with the scientific method of social science research.
2. To provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio-legal research.
3. It Emphasis would be laid on practical training in conducting research in this course.
4. It will also emphasis on Evaluation of the research tools and process of legal research.
5. To instill rational tools of analysis in the students so that their research contributes to the developments of socio-legal dimensions

Course Outcomes: Students will be able to:

CO1: understand the nature and techniques of legal research;

CO2: distinguish the methods and techniques of legal research from that of social sciences research;

CO3: apply the techniques of legal research to legal communication and writings;

CO4: develop the proposal for research to write master level dissertation;

CO5: to apply the research techniques to prepare class lectures/ lessons based on principles, theories, legislations and cases.

Unit-I An Introduction to Legal Research

- a. Evolution, Meaning, Scope and Purpose
- b. Kinds of Legal Research-Doctrinal or Traditional Research
- c. Non-Doctrinal or Empirical Research
- d. Descriptive and Analytical Research
- e. Applied and Fundamental Research
- f. Quantitative and Qualitative Research
- g. Mono-Disciplinary and Trans disciplinary Research

Unit-II Research Design

- a) Identifications and Formulation of Research Problem
- b) Hypothesis and Research Design (Characteristics and contents)
- c) Data base for Legal Research: Legislations, Judicial Decisions, Juristic Writings and Traditional and Online databases

Unit-III Research Technique

- a) Methodology: Tool and Technique for Collections of data collection of case materials and juristic literature, use of historical and comparative research material and use of questionnaire and interview
- b) Census and Survey
- c) Sampling: Types, Merits and Demerits
- d) Observation

- e) Interview, Questionnaire

Unit-IV Data Processing Report writing

- a) Data Analysis and interpretation
- b) Report Writing
- c) Supervision
- d) Guidelines for researchers
- e) Research Ethics

Unit-V Legal writing Meaning and Signification

- a) Forms and Essential of Legal Writing
- b) Research Report Writing- Dissertation and thesis
- c) Footnotes-blue book citations ILI format-MLA format
- d) Bibliography
- e) E-resources and plagiarism

TEXTBOOKS:

- S.k. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, Indian Law Institute (2001) 2nd Edition
- Goode and Hatt, "Methods in Social Research", Singapore, Mc. Graw Hill Book Co. '1985 (reprint).

REFERENCES:

- Baxi, Upendra, 'Socio-Legal Research in India-A Program Schriff, ICSSR, Occassional Monograph, 1975
- Ghosh, B.N., 'Scientific Method and Social Research', New Delhi, Sterling Publishers Pvt. Ltd., 1984
- Johari J.C. (ed), 'Introduction to the Method of Social Sciences', New Delhi Sterling Publishers Pvt. Ltd. 1988.
- Kothari C.K., 'Research Methodology: Method and Techniques', New Delhi, Wiley Eastern Ltd., 1980
- Johari J.C. (ed), 'Introduction to the Method of Social Sciences', New Delhi Sterling Publishers Pvt. Ltd. 1988.

Course Name: COMPARATIVE PUBLIC LAW

Course Code: LLM 103

Class: LLM1st year

Semester: I

Credit:5

Objective-

1. This course introduces the students to a fundamental understanding of the term public law by contrasting with the realm of private law and the relationship between the two streams of law.
2. The study traces the evolution of the public law concept from the ancient times to the present and seeks to draw a distinction between the public law and private law
3. The purpose of this course is to equip the students with a broad spectrum of legal and judicial systems in the fast globalizing world
4. To give students brief knowledge about the various systems of governance and to draw a comparison between them.
5. The course intends to provide a comparative analysis about the structure of government, legislative process and the role of the judiciary to have better understanding of the Indian polity.

UNIT-I Public Law and It's Role in Governance

- a) Nature of Public law
- b) Distinction between Public and Private Law
- c) Scope of Public Law-Constitutional Law, Administrative Law and Criminal Law
- d) Basic concepts of Public Law
- e) Principles of Accountability and Public Law

UNIT-II Basic Principles of organization of Government and Forms of Government

- a) Presidential and Parliamentary forms of Government
 - b) Federal and Unitary Governments
- Features advantages and Disadvantages
 - Model of Federalism and concept of Quasi-Federalism
 - Role of courts in Preserving federalism

UNIT-III Constitutional Foundations of Powers

- a) Supremacy of legislature in law making
- b) Rule of law
- c) Dicey's Concept of Rule of law
- d) Modern concept of Rule of law
- e) Social and Economic Rights as part of Rule of law
- f) Separation of Powers or Separation of Functions
- g) Methods of Constitutional Review, Judicial and Political Review
- h) Limitations on Judicial Review

UNIT-IV Comparative Administrative law, criminal law and constitutional law

- a) Droit Administratif, conseil d'état
- b) Scope of Judicial review in India, UK, USA and France

- c) Public Interest Litigation in India, UK, USA and France
- d) Evolution, scope and role of Fundamental Rights in India, UK, USA and France
- e) White collar crime
- f) Juvenile justice
- g) Global Ombudsman

Text Books

1. D.D. Basu, Comparative Constitutional Law (2nd ed.) (Wadhwa ,Nagpur).
2. David King, “Formalizing Local Constitutional Standards of Review and the Implications for Federalism”97 (7) Virginia Law Review 1685-1726 (November 2011).5)
3. David Strauss, The Living Constitution 2010 (Oxford University Press)
4. Dr. Subhash C Kashyap, Framing of Indian Constitution 2004 (Universal Law)
5. Elizabeth Giussani, Constitutional and Administrative Law 2008 (Sweet and Maxwell)
6. Erwin Chemerinsky, Constitutional Law, Principles and Policies 2006 (3rd ed.) (Aspen)
7. J.D.M Derrett, An Introduction to Legal Systems (3rd Ed.) (Universal Law) M.V.

Reference Material

1. AmanUllah and Uzair Samee, “Basic Structure of Constitution: Impact of KesavanandaBharati on Constitutional Status of Fundamental Rights”, Vol. 26 (2) South Asian Studies 299-309 (JulyDecember 2011).
2. Bruce Ackerman, “The New Separation of Powers” 113 (3) Harv. L. Rev. 634-729 (2000)
3. Bryan Clark and Amanda Leiter, “Regulatory hide and seek: What agencies can (and can't) do to limit judicial review” 52(5) Boston College Law Review 1687-1732 (2011 November)
4. Chhavi Agarwal, “Rule of Law: Reflection upon we the People and Beyond”252 (1) Madras Law Journal 8-16 (2010)
5. Chris Brown and Ainley Kirsten, Understanding International Relations, 2009 (New York: Palgrave Macmillan (4th edition)
6. Pylee, Constitution of the World 2006 (Universal).

Course Name: LAW AND JUSTICE IN A GLOBALIZING WORLD

Course Code: LLM 105

Class:LLM1styear

Semester: I

Credit:5

Objective-

- 1.The purpose of this course is to provide to the students the basic information about the Law & Justice—its history and formation
- 2.The process of globalization has its own impact on every discipline and this paper or course intends to study its influence on the discipline of law.
- 3.The purpose is to sensitize students of law about implications of the process of globalization on basic principles, concepts and ideas underlying the discipline of law.
- 4.To name a few the concept of law itself, justice, human rights and legal process. The thrust is to analyze and evaluate them from a global perspective.
- 5.To get a brief knowledge on the effects of globalization on certain international relations and trades.

UNIT-I:Introduction

- a. Relationship of Law and Justice: Justice as Function and Purpose of Law
- b. Globalization and different dimensions of Globalization: Social, Political, and Economic
- c. Emergence of Transnational Law in a Globalizing World
- d. Globalization and Sovereignty of States

UNIT-II: Globalization and Justice

- a. Concept of Global Justice
- b. Global Poverty
- c. Globalization and Social Justice/Global Distributive Justice
- d. Displacement for Development
- e. Role of international institutions to control armed conflicts, environmental pollution and terrorism

UNIT-III: Impact of Globalization and Free Market

- a. Impact of globalization on welfare state
- b. Impact on Natural Resources and Environment;
- c. Impact on Human rights
- d. Impact on Trade and Investment law
- e. Impact on Intellectual Property Rights

UNIT-IV: Emerging Concepts of Justice in Globalization

- a. Amartya Sen's Idea of Justice: Its relevance in the light of Justice and World.
- b. Special Economic Zone (SEZ): Need of Law and Challenges.
- c. Environmental Jurisprudence and Millennium Development Goals (MDGs) to Sustainable Development Goals (SDGs)
- d. Accountability and Transparency in Governance

Recommended Readings

1. Reich, S., 1998. *What is globalization?: Four possible answers. The Helen Kellogg Institute for International Studies.*
2. Fischer, S., 2003. *Globalization and its challenges. American Economic Review*, 93(2), pp.1-30.
3. Chimni, B.S., 2007. *The past, present and future of international law: a critical third world approach. Melbourne journal of international law*, 8(2), pp.499-515.
4. Chimni, B.S., 2012. *Capitalism, imperialism, and international law in the twenty-first century. Or. Rev. Int'l L.*, 14, p.17.
5. Nagel, T., 2017. *The problem of global justice. In Global Justice (pp. 173-207). Routledge.*
6. Estévez, A., 2012. *Human rights, migration, and social conflict: Towards a decolonized global justice. Springer.*
7. de Bres, H., 2013. *Disaggregating global justice. Social theory and practice*, 39(3), pp.422-448.
8. Rabkin, J., 1997. *Grotius, Vattel, and Locke: An older view of liberalism and nationality. The Review of Politics*, 59(2), pp.293-322.
9. Vaksha, A.K., 2019. *Jay Treaty 1794: The Treasure Trove for Principle of International Law on Protection of Foreign Investments. US-China L. Rev.*, 16, p.281.
10. Schwebel, S.M., 2004, March. *The Influence of Bilateral Investment Treaties on Customary International Law. In Proceedings of the Annual Meeting (American Society of International Law) (pp. 27-30). The American Society of International Law.*
11. Salacuse, J.W., 2007. *The treatification of international investment law. Law & Bus. Rev. Am.*, 13, p.155.
12. Cole, T. and Vaksha, A.K., 2011. *Power-conferring treaties: The meaning of 'investment' in the ICSID convention. Leiden Journal of International Law*, 24(2), pp.305-330.

Reference Books

1. Sinha, M.K., 2020. *The Handbook of International Humanitarian Law.*
2. Cox, R.W. and Sinclair, T.J., 1996. *Approaches to world order (No. 40). Cambridge University Press.*
3. Boyle, F.A., 1999. *Foundations of world order: the legalist approach to international relations (1898-1922). Duke University Press.*
4. Kissinger, H., 2014. *World order. Penguin Books.*
5. Anghie, A., Chimni, B., Mickelson, K. and Okafor, O.C. eds., 2021. *The third world and international order: Law, politics and globalization. Brill.*
6. Byrnes, A., Hayashi, M. and Michaelsen, C. eds., 2013. *International law in the new age of globalization. MartinusNijhoff Publishers.*

Course Name: COMPARATIVE CRIMINAL LAW

Course Code: CRM 107

Class: LLM1st year

Semester: I

Credit:5

UNIT-I: INTRODUCTION

- a. Over view of Comparative Criminal Law of the India, England, U.S.A and France
- b. Principles of Criminal Law of the
World Nullum crimen sine lege,
Nulla poena sine lege
- c. Comparative Study of Punishments to Criminals.

UNIT- II: COMPARATIVE STUDY OF CRIMINAL ABILITY

- a. Criminal Liability in India, England, U.S.A and France
- b. Criminal Conspiracy and its role in different offences
- c. Law of Accessory and Abetment,
- d. Right of Necessity and Right of private defense
- e. Present position on Medical and Legal Insanity

UNIT-III: COMPARATIVE STUDY OF OFFENCES AGAINST HUMAN BODY

- a. Law of Homicide in U.S.A, England and India
- b. Offences related to Murder in U.S.A., England and India
- c. Comparative Study of Sexual Offence.

UNIT-IV: COMPARATIVE STUDY OF OFFENCES AGAINST PROPERTY

- a. Law of Theft and Law of Larceny
- b. Black mail and Extortion
- c. Embezzlement and Criminal Breach of Trust

Text Books:

- A. Comparative Law; by H.C. Gutteridge
- B. Select Constitutions of the World; by M.V. Pylee

Reference Books:

- A. Shorter Constitution of India; by D.D. Basu,
- B. Constitution of India; by H.M. Seervai
- C. Constitution of India; by M.P. Jain
- D. Select Constitutions of the World; by M.V. Pylee
- E. The idea of Public Law; by Martin Loughlin
- F. Comparative Law; by H.C. Gutteridge
- G. Modern Constitutions; by K.C. Wheare
- H. Federalism; Comparative Study; by E.S. Venkataramaiah
- I. Constitutional Practice; by Rodney Brazier

J. Commentary on American Constitution; by Bernad Schwartz
K. Environmental Law and Policy in India; by Armin Rosencranz&Shyam Dian
L. Public Interest Litigation in India: A Critique; by S. K. Agarwala

Course Name: CRIMINOLOGY AND PENOLOGY

Course Code: CRM 109

Class:LLM1styear

Semester: I

Credit:5

UNIT-I.CRIMINOLOGY

- a. Criminology: Definition Nature, Scope and importance of Criminology
- b. Relation between Criminology and other disciplines
- c. Crime: Concept, types and trend
- d. Psychology of Crime
- e. Understanding the causes of crime: Major Schools of Criminology.

UNIT-II.CRIMINAL JUSTICE SYSTEM

- a. Meaning, Purpose and Social Relevance;
- b. Legislative Process and CJS;
- c. Functionaries of CJS: Police, Prosecution, Judiciary, Prison

UNIT-III. ADMINISTRATIONS OF CJS-POLICE

- a. Fundamentals of Police Administration
- b. Organization and Structure of Police
- c. Police Act of 1861 – Recent State enactment (The Rajasthan Police Act, 2007)
- d. Police Reforms in Independent India and Judicial Intervention
- e. Policing in Modern Society-Different approaches including Community Policing etc.

UNIT-IV. PENOLOGY

- a. Nature, concept and types of Punishment
- b. Theories of punishment
- c. Corporal and Capital Punishment; Attitude on Pros and Cons of Capital Punishment

TEXTBOOKS:

1. MV Pranjepe
2. Author name: John Lewis Gillin
3. Dr. SS Srivastava, Central Law Agency
4. Author Ehmed Siddiqui

IInd SEMESTER

Course Name: Criminal Justice Administration

Course Code:CRM102

Class: LLM 1st year

Semester: II

Credit: 5

UNIT-I: ORGANISATION AND POWERS OF CRIMINAL COURTS

- a. Development of Criminal Justice Administration in India
- b. Constitution and Powers of Criminal Courts and Offices
- c. Police, Prosecution, Judiciary and Correction-their inter linkages and coordination.

UNITII: PRE-TRIAL PROCEDURES

- a. Filing of FIR, Evidentiary Value of FIR and Police station-basics
- b. Arrest and Detention and Protection against arrest and detention in certain cases
- c. Compel a Person to Appear Before a Criminal Court
- d. Rights of the accused.

UNIT-III:TRIAL PROCEDURE AND PROVISIONS OF BAIL/BONDS

- a. Crime Control Model and Due Process Model of Criminal Justice
- b. Role of the judge, the prosecutor and defence attorney in the trial
- c. Plea Bargaining
- d. Bail/Bonds

UNIT-IV:ADMINISTRATION OF CRIMINAL JUSTICE

- a. Maintenance of Public Order and Tranquillity
- b. Submission of death sentences for confirmation
- c. Transfer of Criminal Cases
- d. Power of the High Court to prevent abuse of the process

Textbooks:

1. CLP's Criminal Law, Criminology and Administration of Criminal Justice by K.D. Gaur, 4th Edition

CourseName:VICTIMOLOGY

Course Code: CRM

104Class:LLM1styearSe

mester:II

Credit:5

UNITI

- a. Victim,Victimization,Victimology;Concept,Nature&RelatedIssues
- b. Victimological theories
- c. Key Concepts in Victimology: Need of understanding Victim Psychology Psycho-dynamics of Victimization- Primary Victimization, Secondary Victimization, Tertiary Victimization,VictimVulnerability-Victimless Crimes

UNITII

- a. National & International Organization and Initiatives for Victims of Crime: Indian Society of Victimology, World Society of Victimology, The South Asian Society of Criminology and Victimology(SASCV),U N Declaration on Victims of Crime,1985, The Common wealth Human Rights Initiative, Amnesty International
- b. Victim Assistance & Service: Types; Victims Assistance & Services of Criminal Justice System. Provision for victim compensation and compensatory Jurisprudence.
- c. CJS and victim relationship: Collaborator or evidence-Victim & Police

UNITIII

- a. Prison Reforms
- b. Probation and other flexible techniques
- c. The Probation of Offenders Act,1958
- d. Parole

UNITIV

- a. The Juvenile Justice Act (care and Protection of Children), 2000 and amendments
- b. Juvenile Institutions
- c. Constitutional aspects.
- d. Competent authorities
- e. Procedural safeguards for juveniles
- f. Social action litigation concerning juvenile justice
- g. Judicial decisions

TEXT BOOKS:

1. Victimology: Legal, Psychological, and Social Perspectives (What's New in

Criminal Justice) Paperback – 3 January 2018by [Harvey Wallace](#) (Author), [Cliff](#)

[Roberson](#) (Author)

Course Name: Criminal Procedure under the Evidence Act, 1872

Course Code:CRM106

Class: LLM 1st year

Semester: II

Credit:5

Course Objectives:

The basic purpose of the Criminal Procedure Code read with Evidence Act, 1872 is disseminate awareness about the peculiarities of determining relevancy of facts and when an evidence can be admissible and when not.

Unit-I:Evidence Act Section 1-58

- a) Definitions, Relevancy of Facts, Admission, Statements of Others
- b) Court Judgments
- c) Opinion of Third Persons
- d) Relevance of Character
- e) Facts that Need not to be Proved

Unit II: Oral and Documentary Evidence Section 59 to 100

- a) Oral and Documentary Evidence
- b) Electronics Records Public Documents
- c) Presumption as to documents
- d) Exclusion of evidence-oral & documentary
- e) Expert Witnesses
- f) Public Documents

Unit- III: Effect of Evidence (Section 101-117)

- a) Burden of Proof in Various kinds of Cases
- b) Presumption in Cases of Suicide Dowry Death
- c) Legitimacy of child Section: 112
- d) Estoppel

Unit-IV: Law Relating to Witnesses Section 118-166

- a) Privileged Communications
- b) Examination of Witnesses (section 136-140, 143-153 and 155)
- c) Leading questions (Section 141, 142)
- d) Hostile witness (Section 155)

Text and References

- Ratan Lal and Dheeraj Lal, Criminal Procedure Code
- R.V.Kelkar, Lectures on Criminal Procedure Code Bar
- eAct, Code of Criminal Procedure, 1973
- Bare Act, Evidence Act, 1872

Course Name: Other Selective Criminal Law Acts

Course Code: CRM108

Class: LLM 1st year

Semester: II

Credit: 5

Course Objective:

The Basis Purpose of this Paper is to Create an understanding among the students about various other Criminal Laws, their significance in contemporary society and there percussions in terms of Default.

Unit-I: Sexual Exploitation of Children

- a) Protection of Children from Sexual Offences Act 2012: Background; Objects.
- b) Amendments of 2018 and recent case laws
- c) Offence Punishable under the Courts.
- d) Procedure, Punishments.

Unit- II: Prevention of Corruption Act

- a) Prevention of Corruption Act 1956: Background, Objects.
- b) Old Law of 1947
- c) Offences and Penalties Section:7-16
- d) Sanction for prosecution and other miscellaneous provisions Section:19-29
- e) Leading Cases
- f) Need for stricter provisions

Unit- III: Immoral Traffic Prevention

- a) Immoral Traffic Prevention Act1956: Background; Objects.
- b) Correlation with Section: 370 of Indian Penal Code
- c) 1986 Amendments, leading cases
- d) Plea for Decriminalization.

Unit-IV: Unlawful Activities (Prevention) Act, 1967

- a) Amendments of 2019 and leading cases
- b) Unlawful Associations Section: 3-9
- c) Offences and Penalties Section:10-14
- d) Punishment for Terrorist Activities Section15-23

Text and References

- Protection of Children from Sexual Offences Act2012 (Bare Act)
- Transplantation of Human Organ Act1994(Bare Act)
- Prevention of Corruption Act,1956 (Bare Act)
- Immoral Traffic Prevention Act1956 (Bare Act)
- Unlawful Activities (Prevention)Act1967 (Bare Act)

Course Name: Dissertation**

Course Code:LLM110

Class:LLM1styear

Semester: II

Credit:5

Objective:

The objective of the dissertation is to enable students to under take Doctrinal/Empirical Research to acquire an in-depth understanding of the problem identified and to suggest legal solutions for the same.

LINGAYA'SVIDYAPEETH
Greater Faridabad, Haryana
SCHOOLOFLAW
LL.M-1 Year Course
Curriculum(Batch 2023-2024)
CORPORATE LAW

School: LAW										Batch: 2023-2024			
Department: LAW										Year: 1 st			
Course: LLM										Semester: 1			
S N	Cate- gory	Course Code	Course Name	Periods			Credi ts	Evaluation Scheme					Sub ject Tot al Ma rks
				L		R T D A		Theory			Practi cal		
								RBA		ESE	I P	E X P	
1	PCC	LLM-101	ResearchMethod and Legal Writing(corecourse)	4		2	5	40		60	-	-	100
2	PCC	LLM-103	Comparative Public Law (core course)	4		2	5	40		60	-	-	100
3	PCC	LLM-105	Law and Justice in a Globalising world (core course)	4		2	5	40		60	-	-	100
4	PCC	CL107	Company Law – I Basic Concept of Company Law	4		2	5	40		60	-	-	100
5	PEC	CL109	Company Law– II Laws relating to squeeze outs in India	4		2	5	40		60	-	-	100
			Total---->	20		10	25	200		300			500

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PROJ:			
PDP:	Personality Development Programme	IP:	Internal Practical
L:	Lecture	EXP:	External Practical
T:	Tutorial	VACC (Non-credit)	Value added compulsory course
			Research and
P:	Practical	RTDA :	Teaching Development

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				L		R T D A		Theory			Practi cal		
								RBA		ESE	I P	E X P	
1	PCC	CL102	Corporate Governance	4		2	5	40		60	-	-	100
2	PCC	CL104	Law relating Insolvency & Bankruptcy Code, 2016	4		2	5	40		60	-	-	100
3	PCC	CL-106	Competition Law & Consumer Protection	4		2	5	40		60	-	-	100
4	PCC	CL-108	International Trade Law	4		2	5	40		60	-	-	100
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PDP:	Personality Development Programme	IP:	Internal Practical
L:	Lecture	EXP:	External Practical
T:	Tutorial	VACC(Non-credit)	Value added compulsory course
P:	Practical	RTDA:	Research and Teaching Development

IST SEMESTER

Course Name: RESEARCH METHOD AND LEGAL WRITING (CORE COURSE)

Course Code: LLM 101

Class: LLM 1st year

Semester: I

Credit: 5

Objective-

6. To acquaint the student of law with the scientific method of social science research.
7. To provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio-legal research.
8. It Emphasis would be laid on practical training in conducting research in this course.
9. It will also emphasis on Evaluation of the research tools and process of legal research.
10. To instill rational tools of analysis in the students so that their research contributes to the developments of socio-legal dimensions

Course Outcomes: Students will be able to:

- CO1: understand the nature and techniques of legal research;
CO2: distinguish the methods and techniques of legal research from that of social sciences research;
CO3: apply the techniques of legal research to legal communication and writings;
CO4: develop the proposal for research to write master level dissertation;
CO5: to apply the research techniques to prepare class lectures/ lessons based on principles, theories, legislations and cases.

Unit-I An Introduction to Legal Research

- a. Evolution, Meaning, Scope and Purpose
- b. Kinds of Legal Research-Doctrinal or Traditional Research
- c. Non-Doctrinal or Empirical Research
- d. Descriptive and Analytical Research
- e. Applied and Fundamental Research
- f. Quantitative and Qualitative Research
- g. Mono-Disciplinary and Trans disciplinary Research

Unit-II Research Design

- d) Identifications and Formulation of Research Problem
- e) Hypothesis and Research Design (Characteristics and contents)
- f) Data base for Legal Research: Legislations, Judicial Decisions, Juristic Writings and Traditional and Online databases

Unit-III Research Technique

- f) Methodology: Tool and Technique for Collections of data collection of case materials and juristic literature, use of historical and comparative research material and use of questionnaire and interview
- g) Census and Survey
- h) Sampling: Types, Merits and Demerits
- i) Observation

j) Interview, Questionnaire

Unit-IV Data Processing Report writing

- f) Data Analysis and interpretation
- g) Report Writing
- h) Supervision
- i) Guidelines for researchers
- j) Research Ethics

Unit-V Legal writing Meaning and Signification

- f) Forms and Essential of Legal Writing
- g) Research Report Writing- Dissertation and thesis
- h) Footnotes-blue book citations ILI format-MLA format
- i) Bibliography
- j) E-resources and plagiarism

TEXTBOOKS:

- S.k.Verma and M. Afzal Wani(Eds.) Legal Research and Methodology, Indian Law Institute (2001) 2nd Edition
- Goode and Hatt, "Methods in Social Research", Singapore, Mc. Graw Hill Book Co.'1985 (reprint).

REFERENCES:

- Baxi, Upendra, 'Socio-Legal Research in India-A Program Schriff, ICSSR, Occassional Monograph, 1975
- Ghosh, B.N., 'Scientific Method and Social Research', New Delhi, Sterling Publishers Pvt. Ltd., 1984
- Johari J.C.(ed), 'Introduction to the Method of Social Sciences', New Delhi Sterling Publishers Pvt. Ltd. 1988.
- Kothari C.K., 'Research Methodology: Method and Techniques', New Delhi, Wiley Eastern Ltd., 1980
- Johari J.C.(ed), 'Introduction to the Method of Social Sciences', New Delhi Sterling Publishers Pvt. Ltd. 1988.

Course Name: COMPARATIVE PUBLIC LAW

Course Code: LLM 103

Class: LLM1st year

Semester: I

Credit:5

Objective-

6. This course introduces the students to a fundamental understanding of the term public law by contrasting with the realm of private law and the relationship between the two streams of law.
7. The study traces the evolution of the public law concept from the ancient times to the present and seeks to draw a distinction between the public law and private law
8. The purpose of this course is to equip the students with a broad spectrum of legal and judicial systems in the fast globalizing world
9. To give students brief knowledge about the various systems of governance and to draw a comparison between them.
10. The course intends to provide a comparative analysis about the structure of government, legislative process and the role of the judiciary to have better understanding of the Indian polity.

UNIT-I Public Law and It's Role in Governance

- f) Nature of Public law
- g) Distinction between Public and Private Law
- h) Scope of Public Law-Constitutional Law, Administrative Law and Criminal Law
- i) Basic concepts of Public Law
- j) Principles of Accountability and Public Law

UNIT-II Basic Principles of organization of Government and Forms of Government

- c)Presidential and Parliamentary forms of Government
- d) Federal and Unitary Governments
- Features advantages and Disadvantages
- Model of Federalism and concept of Quasi-Federalism
- Role of courts in Preserving federalism

UNIT-III Constitutional Foundations of Powers

- i) Supremacy of legislature in law making
- j) Rule of law
- k) Dicey's Concept of Rule of law
- l) Modern concept of Rule of law
- m) Social and Economic Rights as part of Rule of law
- n) Separation of Powers or Separation of Functions
- o) Methods of Constitutional Review, Judicial and Political Review
- p) Limitations on Judicial Review

UNIT-IV Comparative Administrative law, criminal law and constitutional law

- h) Droit Administratif, conseil d'état
- i) Scope of Judicial review in India, UK, USA and France

- j) Public Interest Litigation in India, UK, USA and France
- k) Evolution, scope and role of Fundamental Rights in India, UK, USA and France
- l) White collar crime
- m) Juvenile justice
- n) Global Ombudsman

Text Books

- 8. D.D. Basu, Comparative Constitutional Law (2nd ed.) (Wadhwa ,Nagpur).
- 9. David King, “Formalizing Local Constitutional Standards of Review and the Implications for Federalism”97 (7) Virginia Law Review 1685-1726 (November 2011).5)
- 10. David Strauss, The Living Constitution 2010 (Oxford University Press)
- 11. Dr. Subhash C Kashyap, Framing of Indian Constitution 2004 (Universal Law)
- 12. Elizabeth Giussani, Constitutional and Administrative Law 2008 (Sweet and Maxwell)
- 13. Erwin Chemerinsky, Constitutional Law, Principles and Policies 2006 (3rd ed.) (Aspen)
- 14. J.D.M Derrett, An Introduction to Legal Systems (3rd Ed.) (Universal Law) M.V.

Reference Material

- 7. AmanUllah and Uzair Samee, “Basic Structure of Constitution: Impact of KesavanandaBharati on Constitutional Status of Fundamental Rights”, Vol. 26 (2) South Asian Studies 299-309 (JulyDecember 2011).
- 8. Bruce Ackerman, “The New Separation of Powers” 113 (3) Harv. L. Rev. 634-729 (2000)
- 9. Bryan Clark and Amanda Leiter, “Regulatory hide and seek: What agencies can (and can't) do to limit judicial review” 52(5) Boston College Law Review 1687-1732 (2011 November)
- 10. Chhavi Agarwal, “Rule of Law: Reflection upon we the People and Beyond”252 (1) Madras Law Journal 8-16 (2010)
- 11. Chris Brown and Ainley Kirsten, Understanding International Relations, 2009 (New York: Palgrave Macmillan (4th edition)
- 12. Pylee, Constitution of the World 2006 (Universal).

Course Name: LAW AND JUSTICE IN A GLOBALIZING WORLD

Course Code: LLM 105

Class: LLM1st year

Semester: I

Credit: 5

Objective-

6. The purpose of this course is to provide to the students the basic information about the Law & Justice—its history and formation
7. The process of globalization has its own impact on every discipline and this paper or course intends to study its influence on the discipline of law.
8. The purpose is to sensitize students of law about implications of the process of globalization on basic principles, concepts and ideas underlying the discipline of law.
9. To name a few the concept of law itself, justice, human rights and legal process. The thrust is to analyze and evaluate them from a global perspective.
10. To get a brief knowledge on the effects of globalization on certain international relations and trades.

UNIT-I: Introduction

- a. Relationship of Law and Justice: Justice as Function and Purpose of Law
- b. Globalization and different dimensions of Globalization: Social, Political, and Economic
- c. Emergence of Transnational Law in a Globalizing World
- d. Globalization and Sovereignty of States

UNIT-II: Globalization and Justice

- a. Concept of Global Justice
- b. Global Poverty
- c. Globalization and Social Justice/Global Distributive Justice
- d. Displacement for Development
- e. Role of international institutions to control armed conflicts, environmental pollution and terrorism

UNIT-III: Impact of Globalization and Free Market

- f. Impact of globalization on welfare state
- g. Impact on Natural Resources and Environment;
- h. Impact on Human rights
- i. Impact on Trade and Investment law
- j. Impact on Intellectual Property Rights

UNIT-IV: Emerging Concepts of Justice in Globalization

- e. Amartya Sen's Idea of Justice: Its relevance in the light of Justice and World.
- f. Special Economic Zone (SEZ): Need of Law and Challenges.
- g. Environmental Jurisprudence and Millennium Development Goals (MDGs) to Sustainable Development Goals (SDGs)
- h. Accountability and Transparency in Governance

Recommended Readings

1. Reich, S., 1998. *What is globalization?: Four possible answers. The Helen Kellogg Institute for International Studies.*
2. Fischer, S., 2003. *Globalization and its challenges. American Economic Review*, 93(2), pp.1-30.
3. Chimni, B.S., 2007. *The past, present and future of international law: a critical third world approach. Melbourne journal of international law*, 8(2), pp.499-515.
4. Chimni, B.S., 2012. *Capitalism, imperialism, and international law in the twenty-first century. Or. Rev. Int'l L.*, 14, p.17.
5. Nagel, T., 2017. *The problem of global justice. In Global Justice (pp. 173-207). Routledge.*
6. Estévez, A., 2012. *Human rights, migration, and social conflict: Towards a decolonized global justice. Springer.*
7. de Bres, H., 2013. *Disaggregating global justice. Social theory and practice*, 39(3), pp.422-448.
8. Rabkin, J., 1997. *Grotius, Vattel, and Locke: An older view of liberalism and nationality. The Review of Politics*, 59(2), pp.293-322.
9. Vaksha, A.K., 2019. *Jay Treaty 1794: The Treasure Trove for Principle of International Law on Protection of Foreign Investments. US-China L. Rev.*, 16, p.281.
10. Schwebel, S.M., 2004, March. *The Influence of Bilateral Investment Treaties on Customary International Law. In Proceedings of the Annual Meeting (American Society of International Law) (pp. 27-30). The American Society of International Law.*
11. Salacuse, J.W., 2007. *The treatification of international investment law. Law & Bus. Rev. Am.*, 13, p.155.
12. Cole, T. and Vaksha, A.K., 2011. *Power-conferring treaties: The meaning of 'investment' in the ICSID convention. Leiden Journal of International Law*, 24(2), pp.305-330.

Reference Books

7. Sinha, M.K., 2020. *The Handbook of International Humanitarian Law.*
8. Cox, R.W. and Sinclair, T.J., 1996. *Approaches to world order (No. 40). Cambridge University Press.*
9. Boyle, F.A., 1999. *Foundations of world order: the legalist approach to international relations (1898-1922). Duke University Press.*
10. Kissinger, H., 2014. *World order. Penguin Books.*
11. Anghie, A., Chimni, B., Mickelson, K. and Okafor, O.C. eds., 2021. *The third world and international order: Law, politics and globalization. Brill.*
12. Byrnes, A., Hayashi, M. and Michaelsen, C. eds., 2013. *International law in the new age of globalization. MartinusNijhoff Publishers.*

Course Name: Company Law – I Basic Concept of Company Law

Course Code: CL 107

Class: LLM 1st year

Semester: II

Credit:5

UNIT-I- Incorporation and Formation of Company

- a. Company and other forms of business organizations
- b. Different kinds of company: One Person Company, Foreign Company
- c. Process of Incorporation
- d. Memorandum and Articles of Association
- e. Commencement of Business and New Business; Pre-Incorporation Agreements and Contracts
- f. Formation of Nidhi Companies, Producer Companies and Mutual Benefit Funds
- g. Procedure Relating to Foreign Companies Carrying on Business in India
- h. Promotion– Legal position of Promoters, Duties and Liabilities, Pre-incorporation Contracts

UNIT-II-Corporate Management

- a. Doctrine of Indoor Management
- b. Doctrine of Ultra-vires
- c. Doctrine of constructive Notice

UNIT-III Role of directors and Meetings

- a. Directors: Appointment, Removal, Position, Power and Duties of Directors
- b. Liability of Independent Directors
- c. Meetings-Types of Meetings, Procedure of calling meeting

UNIT-IV Compromise, Arrangement and Amalgamation

- a. Power to compromise or make arrangement with credit or and members.
- b. Merger and Amalgamation of Companies
- c. Merger and Amalgamation of certain companies (section233)
- d. Merger and Amalgamation with foreign company(section234)
- e. Amalgamation of companies in public interest(section237)

Course Name: Company Law –II Laws relating to squeeze outs in India

Course Code: CL 109

Class: LLM 1st year

Semester: II

Credit:5

Unit-I: Squeezing out minority share holders

- a) Meaning and Concept
- b) Concerns of minority share holders
- c) Economic Rationale for Squeeze-Out Mechanism

Unit -II: Methods of squeeze out & Potential benefits of squeeze out

- a) Methods of squeeze out
 - Compulsory Acquisition
 - Scheme of Arrangement
 - Reduction of Capital
- b) Safeguarding the Interests of Minorities

Unit-III: Current Regulations in India regarding squeeze out & Judicial Pronouncements

- a) Regulatory Bodies And Squeeze Outs
- b) Regulation in Other Jurisdictions

Unit-IV: Prevention of Oppression and Mismanagement

- a) Application to Tribunal for relief in cases of oppression etc.
- b) Power of Tribunal
- c) Class Action

IIND SEMESTER

Course Name: Corporate

Governance

Course Code:CL 102

Class: LLM 1st year

Semester: II

Credit: 5

Objective-

Corporate governance is the set of processes, customs, policies, laws and institutions affecting the way a corporation is directed or controlled. Emergence of corporate social responsibility affecting all the stakeholders seeks to make the corporations socially responsible. The course aims at providing basic idea about corporate governance and its implications on society and legal system. To make students to learn and understand the various legal dimensions of corporate governance in India and to acquaint the students with legal frame work relating with the subjects.

Unit-I: Introduction and meaning of Corporate Governance

- a) Importance of Corporate Governance.
- b) Different Systems of Corporate Governance.
- c) Impact of Legal tradition and the Rule of Law on Corporate Governance
- d) Legal reform of Corporate Governance in India.
- e) Reports of various Committees on Corporate Governance.

Unit-II: Emerging Trends in Corporate Governance

- a) Emerging Trend in Corporate Governance based on the recommendation of the committees in the Companies Act, 2013
- b) Listing Agreement with Special reference to Clause 49.
- c) Women on Corporate Board.
- d) Social Media Governance.
- e) Corporate Governance vis-a-vis Companies, Act 2013

Unit III: Corporate Social Responsibility

- a) Introduction to CSR: Meaning & Definition of CSR,
- b) History & evolution of CSR.
- c) Concepts of sustainability & Stakeholder Management.
- d) Building a socially responsible business: Challenges & Suggestion.
- e) Statutory provisions & CSR.

Unit-IV: Corporate Governance and Public Policy

- a) Transnational Business: Challenges and Opportunities
- b) Corporate Governance and Political Economy
- c) Corporate Governance and Co-operative Governance in India.
- d) Impact of Corporate Governance on Stake holders: Consumers Employees.

TEXT BOOKS AND REFERENCES:

- Saleem Sheikh; William Rees, Corporate Governance; Corporate Control(2002)
- Avtar Singh, CompanyLaw,2007 Eastern Book Company.
- Companies Act,1956
- S.K. Verma; Suman Gupta, Corporate Governance; Corporate Law Reform in India.(2005)

Course Name: Law relating Insolvency & Bankruptcy Code 2016

Course Code: CL 104

Class: LLM 1st year

Semester: II

Credit:5

Course objective:

To make students to learn and understand the legal dimensions relating to insolvency and bankruptcy in India and to acquaint the students with legal frame work relating with the subjects.

Unit-I: Introduction to Insolvency and Bankruptcy Regime in India; Adjudicating Authorities

- a) Insolvency and Bankruptcy: Social, Legal, Economic and Financial Perspectives
- b) Need for Insolvency and Bankruptcy Code: Exploring the rationale and objectives
- c) Role of Adjudicating Authorities.
- d) Role of Insolvency and Bankruptcy Board of India (IBBI).
- e) Appellate Authorities and analysis of some important cases.

Unit-II: Enforcement Mechanism: CIRP (Corporate Insolvency Resolution Process)

- a) Initiation of Insolvency Resolution Process and Role of Interim Resolution Professional.
- b) Committee of Creditors: Powers, Duties and Processes.
- c) Fast Track Resolution
- d) Cross Border Insolvency: International Perspective

Unit-III: Liquidation Process

- a) Role of IP's as a liquidator and
- b) Liquidation process Liquidation Estate: Determination of Claims
- c) Liquidation Estate: Determination of Estate
- d) Voluntary Liquidation

Unit-IV: Insolvency Resolution and Bankruptcy for Individuals and Partnership Firm

- a) Fresh start Process
- b) Insolvency Resolution Process
- c) Role of IP in managing claims
- d) Bankruptcy Order
- e) Rights of home buyers; Insolvency laws
- f) Emerging Issues and Development in law and practice of IBC

Text and References

- Taxmann's Guideto Insolvency and Bankruptcy Code, 2016.
- Insolvency and Bankruptcy Code 2016-Bare Act.

Course Name: COMPETITION LAW AND SEBI ACT

Course Code: CL 106

Class: LLM1st year

Semester: II

Credit:5

Unit-I: Competition: An Introduction

- a) Definition of Competition; Competition Law.
- b) Objectives of Competition Law.
- c) History of Competition Law (USA, UK, Europe) Relevant provisions of Sherman's Act.
- d) Indian scenario with an overview of MRTP Act, 1969-Raghavan Committee Report.
- e) International co-operation for competition- WTO agreements and the Act

Unit-II: Anti-Competitive Agreements, Abuse of Dominant Position and Regulation of Combinations

- a) Anti-competitive Agreement-Appreciable adverse effect-Horizontal and Vertical agreements.
- b) Prohibition of anti-competitive agreements - Concerted practices and parallel behaviour –Cartel and Cartelization.
- c) Bid rigging and collusive bidding -Tie-in-arrangements.
- d) Exclusive supply agreement-Re sale price maintenance agreement.
- e) Abuse of Dominant Position- Relevant market-Predatory behaviour- Predatory pricing.
- f) Discriminatory practices –Relevant market.

Unit-III: Competition Commission of India Competition Advocacy

- a) Establishment and Composition, Term of Office of Chairperson and other members, Resignation and suspension, Administrative powers of Chairperson, Salary and allowances, Vacancy, Appointment of Director General, secretary, experts, professionals and other 19 officers, Meetings of the Commission, Duties, Procedure for Inquiry, Powers, Extra- territorial jurisdiction Competition Fund, Competition Advocacy
- b) Competition Advocacy-Competition Policy

UNIT-IV: Securities and Exchange Board of India Act, 1992

- a) Objective; Powers and functions of SEBI; Securities Appellate Tribunal; Penalties and appeals.
- b) An Overview of SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2009.
- c) SEBI(Issue of Capital and Disclosure Requirements)Regulations, 2009 re christened as SEBI(Issue of Capital and Disclosure Requirements)Regulations,2018.
An Overview of SEBI (Listing Obligations and Disclosure Requirements

Text Books:

- 1) Ramappa T. Competition Law in India- Policies, Issues and Development, Oxford University Press, 2013
- 2) Vinod Dhall, Competition Law Today: Concept, Issues and Law in Practice, Oxford University Press, 2007
- 3) V.S Datey, Guide to Insolvency and Bankruptcy Code, 2016, Taxmann Publication ,2018.
- 4) Ashish Makhija, Insolvency and Bankruptcy Code of India, LexisNexis Publication, 2018

CourseName: International Trade Law

Course Code:CL-108

Class: LLM 1st year

Semester: II

Credit:5

Course Objectives:

To make students to learn and understand the legal dimensions of International Trade Law and to acquaint the students with legal frame work relating with the subjects.

Unit-I:The History and Development of International Trade, and Financial Institution

- a) History and development of international trade.
- b) International Monetary Fund (IMF), International Bank
- c) Reconstruction and Development (IBRD).
- d) International Finance Corporation (IFC).
- e) IDA; MIGA

Unit-II: WTO and International Trade Law; Regulation of International Trade in India.

- a) Multilateral Agreements on Trade in Goods GATTs; TRIPS Agreement.
- b) Foreign trade (Development and Regulation) Act, 1992
- c) Foreign Trade Procedure.
- d) WTO; GATTs Case laws

Unit-III: International Trade Financing, International Sale and Carriage of Goods

- a) Legal Regime
- b) Bill of Exchange, The Geneva Uniform Laws
- c) Letters of Credit, Kinds, Collection arrangements.
- d) United Nations Convention on Contract for the International Sale of Goods, 1980

Unit -IV: Settlement of International Trade Disputes

- a) Consultations, Panel and appellate reviews, Good offices
- b) Conciliation and mediation
- c) International Commercial Arbitration
- d) Compliance and enforcement.

Text Books and references

1. Schnitzer, Simone; Understanding International Trade Law; Universal Publication
2. Kaul, A.K.; Guide to the WTO and GATT: Economics, Law and Politics; Kluwer Law International

Course Name: Dissertation**

Course Code: LLM110

Class:LLM1styear

Semester:II

Credit:5

Course Objective:

The objective of the dissertation is to enable students to undertake Doctrinal/Empirical Research to acquire an in depth understanding of the problem identified and to suggest legal solutions for the same.

LINGAYA'S VIDYAPEETH
Greater Faridabad, Haryana
SCHOOL OF LAW
LL.M-1 Year
Course Curriculum
(Batch 2023-2024)
Constitutional Law

School: LAW										Batch: 2023-2024			
Department: LAW										Year: 1 st			
Course: LLM										Semester: 1 st			
S N	Cate- gory	Course Code	Course Name	Periods			Credi ts	Evaluation Scheme					Sub ject Tot al Ma rks
				L		R T D A		Theory			Practi cal		
								RBA		ESE	I P	E X P	
1	PCC	LLM-101	ResearchMet hodandLegal Writing	4		2	5	40		60	-	-	100
2	PCC	LLM-103	ComparativeP ublicLaw	4		2	5	40		60	-	-	100
3	PCC	LLM-105	Law and Justice in a Globalizing World	4		2	5	40		60	-	-	100
4	PCC	CN-107	Fundamental rights and Directive Principles	4		2	5	40		60	-	-	100
5	PCC	CN-109	Center state relation & constitutional governance	4		2	5	40		60	-	-	100
			Total---->	20		10	25	200		300			500

Abbreviations:

PCC:	Programme Core Courses	RAB:	Research Based Assignment
PEC:	Programme Elective Courses	MSE:	Mid Semester Examination
AECC: Ability Enhancement Compulsory Course	Project	ESE:	End Semester Examination
PROJ:	Personality Development Programme	IP:	Internal Practical
L:	Lecture	EXP:	External Practical
T:	Tutorial	VACC (Non- credit)	Value added compulsory course Research and Teaching Development
P:	Practical	RTDA :	

School: LAW										Batch: 2023-2024				
Department: LAW										Year: 1 st				
Course: LLM										Semester: 2				
S N	Cate- gory	Course Code	Course Name	Periods			Cr edi ts	Evaluation Scheme						Subje ct Total Marks
				L		RT DA		Theory			Practi cal			
								RBA	M SE	ESE	I P	E X P		
1	PCC	CN-102	Police & security administration	4		2	5	40			60	-	-	100
2	PCC	CN-104	Administrative Law	4		2	5	40			60	-	-	100
3	PCC	CN-106	Religion Diversity & Law	4		2	5	40			60	-	-	100
4	PCC	CN-108	Media Law	4		2	5	40			60	-	-	100
5	PEC	LLM-110	Dissertation**				5	40	60			-	-	100
			Total---->	16		08	25	260			240			500

Abbreviations:

PCC:	Programme Core Courses	RB A:	Research based Assignment
PEC:	Programme Elective Courses	MS E:	Mid Semester Examination
AECC: Ability Enhancement Compulsory Course	Project	ESE :	End Semester Examination
PROJ:			
PDP:	Personality Development Programme	IP:	Internal Practical
L:	Lecture	EX P:	External Practical
		VA CC (Non-credit)	Value added compulsory course
T:	Tutorial		
P:	Practical		

RTDA:

Research and Teaching Development

IST SEMESTER

Course Name: RESEARCH METHOD AND LEGAL WRITING (CORE COURSE)

Course Code: LLM 101

Class: LLM1st year

Semester: I

Credit: 5

Objective-

1. To acquaint the student of law with the scientific method of social science research.
2. To provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio-legal research.
3. It Emphasis would be laid on practical training in conducting research in this course.
4. It will also emphasis on Evaluation of the research tools and process of legal research.
5. To instill rational tools of analysis in the students o that their research contributes to the developments of socio-legal dimensions

Course Outcomes: Students will be able to:

CO1: understand the nature and techniques of legal research;

CO2: distinguish the methods and techniques of legal research from that of social sciences research;

CO3: apply the techniques of legal research to legal communication and writings;

CO4: develop the proposal for research to write master level dissertation;

CO5: to apply the research techniques to prepare class lectures/ lessons based on principles, theories, legislations and cases.

Unit-I An Introduction to Legal Research

- a. Evolution, Meaning, Scope and Purpose
- b. Kinds of Legal Research-Doctrinal or Traditional Research
- c. Non-Doctrinal or Empirical Research
- d. Descriptive and Analytical Research
- e. Applied and Fundamental Research
- f. Quantitative and Qualitative Research
- g. Mono-Disciplinary and Trans disciplinary Research

Unit-II Research Design

- g) Identifications and Formulation of Research Problem
- h) Hypothesis and Research Design (Character is tics and contents)
- i) Data base for Legal Research: Legislations, Judicial Decisions, Juristic Writings and Traditional and Online databases

Unit-III Research Technique

- k) Methodology: Tool and Technique for Collections of data collection of case materials and juristic literature, use of historical and comparative research material and use of questionnaire and interview
- l) Census and Survey
- m) Sampling: Types, Merits and Demerits
- n) Observation
- o) Interview, Questionnaire

Unit-IV Data Processing Report writing

- k) Data Analysis and interpretation
- l) Report Writing
- m) Supervision
- n) Guidelines for researchers
- o) Research Ethics

Unit-V Legal writing Meaning and Signification

- k) Forms and Essential of Legal Writing
- l) Research Report Writing- Dissertation and thesis
- m) Footnotes-blue book citations ILI format-MLA format
- n) Bibliography
- o) E-resources and plagiarism

TEXTBOOKS:

- S.k.Verma and M. Afzal Wani(Eds.) Legal Research and Methodology, Indian Law Institute (2001) 2nd Edition
- Goode and Hatt, 'Methods in Social Research', Singapore, Mc. Graw Hill Book Co.'1985 (reprint).

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- Johari J.C.(ed), 'Introduction to the Method of Social Sciences', New Delhi Sterling Publishers Pvt. Ltd. 1988.

Course Name: COMPARATIVE PUBLIC LAW

Course Code: LLM 103

Class: LLM1st year

Semester: I

Credit:5

Objective-

1. This course introduces the students to a fundamental understanding of the term public law by contrasting with the realm of private law and the relationship between the two streams of law.
2. The study traces the evolution of the public law concept from the ancient times to the present and seeks to draw a distinction between the public law and private law
3. The purpose of this course is to equip the students with a broad spectrum of legal and judicial systems in the fast globalizing world
4. To give students brief knowledge about the various systems of governance and to draw a comparison between them.
5. The course intends to provide a comparative analysis about the structure of government, legislative process and the role of the judiciary to have better understanding of the Indian polity.

UNIT-I Public Law and It's Role in Governance

- k) Nature of Public law
- l) Distinction between Public and Private Law
- m) Scope of Public Law-Constitutional Law, Administrative Law and Criminal Law
- n) Basic concepts of Public Law
- o) Principles of Accountability and Public Law

UNIT-II Basic Principles of organization of Government and Forms of Government

- e)Presidential and Parliamentary forms of Government
- f)Federal and Unitary Governments
- Features advantages and Disadvantages
- Model of Federalism and concept of Quasi-Federalism
- Role of courts in Preserving federalism

UNIT-III Constitutional Foundations of Powers

- q) Supremacy of legislature in law making
- r) Rule of law
- s) Dicey's Concept of Rule of law
- t) Modern concept of Rule of law
- u) Social and Economic Rights as part of Rule of law
- v) Separation of Powers or Separation of Functions
- w) Methods of Constitutional Review, Judicial and Political Review
- x) Limitations on Judicial Review

UNIT-IV Comparative Administrative law, criminal law and constitutional law

- o) Droit Administratif, council d'état
- p) Scope of Judicial review in India, UK, USA and France

- q) Public Interest Litigation in India, UK, USA and France
- r) Evolution, scope and role of Fundamental Rights in India, UK, USA and France
- s) White collar crime
- t) Juvenile justice
- u) Global Ombudsman

Text Books

- 15. D.D. Basu, Comparative Constitutional Law (2nd ed.) (Wadhwa ,Nagpur).
- 16. David King, “Formalizing Local Constitutional Standards of Review and the Implications for Federalism”97 (7) Virginia Law Review 1685-1726 (November 2011).5)
- 17. David Strauss, The Living Constitution 2010 (Oxford University Press)
- 18. Dr. Subhash C Kashyap, Framing of Indian Constitution 2004 (Universal Law)
- 19. Elizabeth Giussani, Constitutional and Administrative Law 2008 (Sweet and Maxwell)
- 20. Erwin Chemerinsky, Constitutional Law, Principles and Policies 2006 (3rd ed.) (Aspen)
- 21. J.D.M Derrett, An Introduction to Legal Systems (3rd Ed.) (Universal Law) M.V.

Reference Material

- 13. AmanUllah and Uzair Samee, “Basic Structure of Constitution: Impact of KesavanandaBharati on Constitutional Status of Fundamental Rights”, Vol. 26 (2) South Asian Studies 299-309 (JulyDecember 2011).
- 14. Bruce Ackerman, “The New Separation of Powers” 113 (3) Harv. L. Rev. 634-729 (2000)
- 15. Bryan Clark and Amanda Leiter, “Regulatory hide and seek: What agencies can (and can't) do to limit judicial review” 52(5) Boston College Law Review 1687-1732 (2011 November)
- 16. Chhavi Agarwal, “Rule of Law: Reflection upon we the People and Beyond”252 (1) Madras Law Journal 8-16 (2010)
- 17. Chris Brown and Ainley Kirsten, Understanding International Relations, 2009 (New York: Palgrave Macmillan (4th edition)
- 18. Pylee, Constitution of the World 2006 (Universal).

Course Name: LAW AND JUSTICE IN A GLOBALIZING WORLD

Course Code: LLM 105

Class: LLM1st year

Semester: I

Credit: 5

Objective-

1. The purpose of this course is to provide to the students the basic information about the Law & Justice—its history and formation
2. The process of globalization has its own impact on every discipline and this paper or course intends to study its influence on the discipline of law.
3. The purpose is to sensitize students of law about implications of the process of globalization on basic principles, concepts and ideas underlying the discipline of law.
4. To name a few the concept of law itself, justice, human rights and legal process. The thrust is to analyze and evaluate them from a global perspective.
5. To get a brief knowledge on the effects of globalization on certain international relations and trades.

UNIT-I: Introduction

- e. Relationship of Law and Justice: Justice as Function and Purpose of Law
- f. Globalization and different dimensions of Globalization: Social, Political, and Economic
- g. Emergence of Transnational Law in a Globalizing World
- h. Globalization and Sovereignty of States

UNIT-II: Globalization and Justice

- a. Concept of Global Justice
- b. Global Poverty
- c. Globalization and Social Justice/Global Distributive Justice
- d. Displacement for Development
- e. Role of international institutions to control armed conflicts, environmental pollution and terrorism

UNIT-III: Impact of Globalization and Free Market

- k. Impact of globalization on welfare state
- l. Impact on Natural Resources and Environment;
- m. Impact on Human rights
- n. Impact on Trade and Investment law
- o. Impact on Intellectual Property Rights

UNIT-IV: Emerging Concepts of Justice in Globalization

- i. Amartya Sen's Idea of Justice: Its relevance in the light of Justice and World.
- j. Special Economic Zone (SEZ): Need of Law and Challenges.
- k. Environmental Jurisprudence and Millennium Development Goals (MDGs) to Sustainable Development Goals (SDGs)
- l. Accountability and Transparency in Governance

Recommended Readings

1. Reich, S., 1998. *What is globalization?: Four possible answers. The Helen Kellogg Institute for International Studies.*
2. Fischer, S., 2003. *Globalization and its challenges. American Economic Review*, 93(2), pp.1-30.
3. Chimni, B.S., 2007. *The past, present and future of international law: a critical third world approach. Melbourne journal of international law*, 8(2), pp.499-515.
4. Chimni, B.S., 2012. *Capitalism, imperialism, and international law in the twenty-first century. Or. Rev. Int'l L.*, 14, p.17.
5. Nagel, T., 2017. *The problem of global justice. In Global Justice (pp. 173-207). Routledge.*
6. Estévez, A., 2012. *Human rights, migration, and social conflict: Towards a decolonized global justice. Springer.*
7. de Bres, H., 2013. *Disaggregating global justice. Social theory and practice*, 39(3), pp.422-448.
8. Rabkin, J., 1997. *Grotius, Vattel, and Locke: An older view of liberalism and nationality. The Review of Politics*, 59(2), pp.293-322.
9. Vaksha, A.K., 2019. *Jay Treaty 1794: The Treasure Trove for Principle of International Law on Protection of Foreign Investments. US-China L. Rev.*, 16, p.281.
10. Schwebel, S.M., 2004, March. *The Influence of Bilateral Investment Treaties on Customary International Law. In Proceedings of the Annual Meeting (American Society of International Law) (pp. 27-30). The American Society of International Law.*
11. Salacuse, J.W., 2007. *The treatification of international investment law. Law & Bus. Rev. Am.*, 13, p.155.
12. Cole, T. and Vaksha, A.K., 2011. *Power-conferring treaties: The meaning of 'investment' in the ICSID convention. Leiden Journal of International Law*, 24(2), pp.305-330.

Reference Books

13. Sinha, M.K., 2020. *The Handbook of International Humanitarian Law.*
14. Cox, R.W. and Sinclair, T.J., 1996. *Approaches to world order (No. 40). Cambridge University Press.*
15. Boyle, F.A., 1999. *Foundations of world order: the legalist approach to international relations (1898-1922). Duke University Press.*
16. Kissinger, H., 2014. *World order. Penguin Books.*
17. Anghie, A., Chimni, B., Mickelson, K. and Okafor, O.C. eds., 2021. *The third world and international order: Law, politics and globalization. Brill.*

Course Name: Fundamental rights and Directive Principles

Course Code:

CN 107

Class:

LLM1st year

Semester:I

Credit:5

Unit 1:INTRODUCTION

1. Evolution of Fundamental Rights, impact of Universal Declaration of Human Rights and Constitutions of other countries on Fundamental Rights.
2. Concepts of Fundamental Rights, Bill of Rights, Natural Rights and Human Rights.
3. Preamble of the Constitution and its implication with reference to Fundamental Rights, Directive Principles of State Policy, and Fundamental Duties.
4. Definition of State under Art.12,13 -In viol ability of Fundamental Rights.
5. Doctrine of Waiver, Doctrine of Severability, Doctrine of Eclipse, scope of definition of law under Art.13.

Unit 2:RIGHT TO EQUALITY

1. Relationship between Articles14,15,16,17,and18.
2. Doctrine of Classification, Doctrine of Arbitrariness, Doctrine of Legitimate Expectation, Wendsbury Principle.
3. Prohibited grounds for discrimination (Art.15); special provisions relating to women; protective discrimination in favor of Backward Classes, Scheduled Castes and Scheduled Tribes; Development of case law.
4. Equality of Opportunity in the matters of public employment, reservations in public employment, residence as prerequisite for employment.
5. Untouchability, Abolition of Titles.

Unit 3:RIGHT TO FREEDOM, RIGHT AGAINST EXPLOITATION

1. Six fundamental freedoms under Art.19 and reasonable restrictions under Art19(2)to(6);test to determine the reasonableness of restrictions; whether restriction includes deprivation and prohibition.
2. Rights of accused; Doctrine of ex-post -facto law; Doctrine of Double Jeopardy; privilege against self-incrimination.
3. Protection of life and personal liberty; right to education; safeguards against ordinary arrest and preventive detention; right against exploitation.
4. Ambit of religious freedom, cultural and educational rights.
5. Right to Constitutional remedies; Fundamental Rights vis-à-vis Armed Forces.
6. Martial Law and Armed Forces Special Powers Act

Unit 4:DIRECTIVE PRINCIPLES OF STATEPOLICY AND FUNDEMENTALDUTIES

1. Relative importance of Directive Principles of State Policy (DPSP) and Fundamental Rights.
2. Nature of Directive Principles of State Policy; Justifiability of Directive Principles of State Policy.

3. Social security and welfare provisions under Directive Principles of State Policy; economic rights.
4. Directive Principles of State Policy that were read in to Fundamental Rights.
5. Fundamental Duties –evolution, relationship between Fundamental Rights and Duties.

Course Name: CENTERSTATE RELATION & CONSTITUTIONAL GOVERNANCE

Course Code:

CN-109

Class:

LLM1st year

Semester: I

Credit:5

Unit 1:NATURE OF INDIAN POLITY

1. Introduction to the Constitution of India.
2. Constitutional Law---Constitutionalism.
3. Introduction to the concept of Federalism.
4. Historical evolution of Federal features in India.
5. Different forms of Governments-Unitary, Federal and Confederation, their features, merits, de-merits and distinction between them.
6. Nature of Indian Federalism–Dominant features of the Union over the States.
7. Judicial Perspective over the Indian Federalism.

Unit 2:LEGISLATIVE RELATIONS BETWEEN THE CENTRE AND THE STATES

1. Doctrine of Territorial Nexus.
2. Delegated Legislation-permissible limits of delegation.
3. Scheme of distribution of legislative powers between Union and States.
4. Principles of interpretation of lists- Doctrine of Pith and Substance; Doctrine of Colorable Legislation; Doctrine of harmonious construction; Ancillary legislation
5. Residuary Powers.
6. Parliament's power to legislate on the State List.
7. In consistency between laws passed by Parliament and State legislature.

Unit 3:ADMINISTRATIVE RELATIONS BETWEEN THE UNION AND STATES

1. Distribution of executive powers
2. Inter-governmental delegation of powers
3. Centre's directive to State & other Constitutional provisions
4. All India Services
5. Co-operative federalism; disputes relating to waters, Inter-State Council

Unit 4: FINANCIAL RELATIONS BETWEEN THE UNION AND THE STATES

1. Introduction to Allocation of taxing powers-Central Taxes, State Taxes, Concurrent Taxes, No tax outside the tax entries.
2. Funds-Consolidated and Contingency Funds.
3. Public Accounts.
4. Tax and Fees.
5. Restrictions on taxing powers.
6. Inter-Government Tax immunities.

7. Tax-sharing.
8. Grants-Grants-in-lieu; Grants-in-aids; Specific Purpose Grants.
9. Finance Commissions.
10. Borrowing Powers

Unit 5:SERVICES UNDER THE UNION AND THE STATES & EMERGENCY PROVISIONS

1. Recruitment and Regulations of Conditions of Services.
2. Doctrine of Pleasure-Restrictions on Doctrine of Pleasure.
3. Constitutional Safeguards to Civil Servants.
4. Public Service Commission-Appointment of Member of Public Service Commission.
5. Functions of Public Service Commission.
6. National Emergency.
7. State Emergency.
8. Financial Emergency.

IIND SEMESTER

Course Name: POLICE AND SECURITY ADMINISTRATION

Course Code:

CN-102

Class:LLM1st year

Semester:I

Credit:5

Course Contents:

Unit 1:NATIONAL SECURITY, PUBLIC ORDERS AND RULE OF LAW

1. Emergency Detention in England-Civil Liberties.
2. Subjective satisfaction or objective assessment?
3. Pre-Independence law.

Unit 2:EXCEPTIONAL LEGISLATIONS

1. COFEPOSA and other legislation to curb economic offenders.
2. TADA:"the draconian law"-comments of NHRC
3. Special courts and tribunals
4. Due process and special legislation

Unit 3:MARTIAL LAW

1. Provisions in English Law
2. Provisions in the Indian Constitution

Unit 4:ACCESS TO COURTS AND EMERGENCY

1. Article359: ups and downs of judicial review
2. Constitution (Forty-fourth),Amendment Act,1978.
3. Constitution(Fifty-ninth)Amendment Act,1988.

Course Name: ADMINISTRATIVE LAW

Course Code:
CN-104

Class:LLM1styear

Semester: II

Credit:5

Course Contents:

Unit 1:

1. Evolution and significance of Administrative Law in various systems of governance-from ancient to modern.
2. Doctrine of Separation of Powers: Comparative survey- Common Law and Continental System: England, USA, France and India from Rigidity to Flexibility.
3. Rule of Law: Changing dimensions, Regulation of administrative process.

Unit 2:

1. Delegated Legislation: Problems, Process and Control.
2. Judicial Review of Delegated Legislation.

Unit 3:

1. Processual Fairness: Evolution and Significance of Natural Justice:
 - a) England: Judicial Process, Doctrine of fairness and doctrine of legitimate expectation.
 - b) U.S.: Due process and judicial decision.
 - c) India: Through judicial decision-Doctrine of Fairness(Art.14,19,21).
2. Doctrine of Legitimate Expectation, Privilege against disclosure, official secrecy, Access to information and Right to Information Act.

Unit 4:

1. Global Administrative Law :Meaning, Scope and Relevance.
2. Global Administrative Law Challenges: Constitutional Issues/ Judicial Review.
3. Increased role of Global Institutions like UN, IMF, WB, WTO etc(Transparency, Accountability &Democracy).
4. Control on Maladministration: Ombudsman, Commissions of Inquiry, Vigilance Commissions.
5. Investigative Agencies: The CBI, Inquiries by Legislative Committee, Legislative control, Judicial Inquiries.

Course Name: RELIGION DIVERSITY & LAW

Course Code: CN-106

Class: LLM1st year

Semester: II

Credit: 5

Course Contents:

Unit 1: Introduction

1. Law: concept and significance.
2. Religion: role and significance.
3. Culture: forms and contribution.
4. Effect of culture and tradition on law: Law as an instrument of social change.

Unit 2: Relationship between Law, Religion and Culture

1. Relationship between religion, culture and law.
2. Religion as a tool of unity and diversity.
3. Right to Freedom of Religion and legal reforms on secular lines; Status of languages in India: recognized and official languages; Status of marginalized communities in India; Constitutional guarantees to linguistic minorities.

Unit 3: Law, Diversities and Contemporary Social Problems

1. Fundamentalism, Communalism and Terrorism.
2. Secularism, Formation of Linguistic states, Constitutional policies on language.
3. Marginalized communities and protective discrimination and affirmative action policies.
4. Role of the Constitution in preserve ingenuity; Judicial trends.

Unit 4: Alternative Approaches

1. Jurisprudence of Sarvodaya and the role of Mahatma Gandhi.
2. Role of Vinobha Bhave and Jayaprakash Narayan.
3. Socialist thought on Law and Justice; Indian Marxist critiques on Law and Justice
4. Alternate social movements.
5. Alternative Dispute Resolution; Lok Adalats and contemporary movements.

Course Name: MEDIALAW

Course Code: CN-108

Class:LLM1styear

Semester:II

Credit:5

Course Contents:

Unit-1:Media & Public Policy

I. Disseminating the facets of Media

1. Understanding the concept of Media
2. History of Media Theories of Media
3. Evolution of Media

I) Media Legislation –British experience

II) Media Legislation in U.S.

III) Media Legislation in Indian Context

- Freedom of Expression in Indian Constitution
- Interpretation of Media freedom
- Issues of Privacy
- Right to Information
- Case studies on Media and Free expression

Unit 2: Media- Regulatory Framework

1. Legal Dimensions of Media
2. Self-Regulation & Other Issues

Unit 3: Convergence & New Media

1. Understanding Broad cast Sector
2. Legislative efforts on Broad cast sector
3. Opening of Airwaves
4. The New Media of Internet

Unit 4: Media–Advertisement & Law

1. Concept of Advertisement
2. Advertisement & Ethics
3. Advertisement Act of 1954

Course Name:

Dissertation**

Course

Code:LLM110

Class: LLM1styear

Semester:II

Credit:5

Course Objective:

The objective of the dissertation is to enable students to undertake Doctrinal/Empirical Research to acquire an in depth understanding of the problem identified and to suggest legal solutions forthe same.