

DEPARTMENT OF LAW

I. INTRODUCTION :

The Department of Law, University of Mumbai is located at the heart of the Commercial Capital of India i.e Mumbai on the first floor of the historical building of University of Mumbai, Fort, Mumbai - 400 032. It was established in November 1959 for the purpose of imparting post-graduate legal education and promote legal research.

Endowment Lectures :

The Department organises the following Endowment Lectures in Law:

- (1) Chimanlal Setalvad Memorial Lecture;
- (2) Justice Telang Memorial Lecture;
- (3) Justice P. B. Gajendragadkar Law Lecture;
- (4) Lallubhai Shah Memorial Lecture;
- (5) Yogindra Khushlani Law Lecture;

A Chair is established in the Department of Law by Chief Justice Chagla Memorial Trust in "Human Rights and Civil Liberties"

General norms for LL.M. Course :

The LL.M. Course, is intended to produce Academicians and Lawyers of competence and expertise, as it is imperative that the students should have an in-depth knowledge not only of the Concepts and basic Principles of law, but also of Social, Political and Economic aspects of law, as well as dynamics of law.

Duration of the course :

Two years consisting of four semesters.

Intake :

100 students per Group.

Timing of the lectures :

LL.M. Lectures are held between 4.00 p.m. to 8.00 p.m. on week days.

Academic Terms :

For the academic year 2016-2017 the arrangement of terms is as under :-

First term from 1st July, 2016 to 23rd December, 2016}

Second term from 2nd January, 2017 to 16th May,2017}

(There will be break for Mid Term from 06th September, 2016 to 12th September, 2016 both days inclusive).

(The Diwali vacation will commence on 24th October, 2016 and will end on 5th November, 2016 both days inclusive).

(There will be winter break from 26th December, 2016 to 1st January, 2017 both days inclusive).

Department Faculty (Full Time) :

Dr. Rashmi M. Oza, B.Sc. LL.M., NET, Ph.D. (Mumbai) Professor & Head, I/c.Professor-Justice Chagla Chair in 'Human Rights and Civil Liberties

Dr. Ashok R. Yende, B.Sc., M.A. (P.A.) M.A. (G.T.),D.I.T., LL.M., Ph.D. Professor

Dr. Rajeshri N. Varhadi, B.A., LL.M., Ph.D. (Mumbai) Associate Professor

Dr. Swati D. Rautela, B.S.L., LL.B., LL.M. SET, Ph.D. Associate Professor

Shri Sanjay V. Jadhav, M.Com. LL.M. (Mumbai) Assistant Professor.

Smt. Alka R. Patil, M.Com, LL.M., NET. Assistant Professor.

Smt. Deepali T. Patil, B.S.L., LL.B., LL.M. SET Assistant Professor.

Shri Sheetal Kumar Setia, B.A., LL.M. Assistant Professor.

Dr. Shreedhar V. Mundhe, B.Pharm., LL.B., LL.M., NET, Ph.D. Assistant Professor.

The teaching staff of department consists of full-time teachers, Adjunct faculties and Part-time lecturers, who are either recognized post-graduate teachers for Law Colleges or persons of eminence in the field of their specialization.

Rules of Admission :

O.5231. There shall be Entrance Examination for all students seeking LL.M. admission in the Department.

The minimum qualification for a candidate of general category making an application for admission to the LL.M degree course is a LL.B degree of this University or a degree recognized as equivalent thereto. However candidates belonging to reserved category may make an application to the LL.M degree course with a pass class.

N.B.:—

The students who have passed LL.B. degree from other than Mumbai University are required to obtain Provisional Statement of Eligibility Certificate from Eligibility Section, Dr. Babasaheb Ambedkar Bhavan, Santacruz (E.), Vidyanagari, Mumbai – 400 098. They are further required to pay the amount in the Department of Law as a fee for procedural Document Verification as prescribed by this University from time to time for confirmation of the validity of their certificates of their previous University and confirmation of Eligibility to their LL.M. Course.

O.5232. An application for admission to the LL.M degree course must be made in the prescribed form and be submitted to the Department of Law within the prescribed time, immediately after the declaration of the results of the LL.B. degree examination of this University held in first half of every year.

O.5233. Admission forms for the LL.M. degree course shall be referred to the Admission Committee comprising of the Head, University Department of Law and the recognized Post-graduate teachers of the University to fix the criteria of admission.

O.5234. The students selected for admission to LL.M. degree course shall register themselves with University of Mumbai as the Post-graduate students.

O.5235. Students will not be permitted to pursue the LL.M. degree course simultaneously with any other course of this or any other recognized University.

O.5236. Admission of the students shall be made in accordance with the merits at the LL.M Entrance exam and marks secured at LL.B degree.

O.5237. Admission to the LL.M. degree course shall be made for the entire academic year, i.e. for both the First and Second Semesters at the beginning of the academic year at one time.

O.5238. A Candidate for being eligible for the Second Semester must have successfully kept terms for the First Semester, irrespective of the result of the First Semester Examination.

O.5239. A candidate for being eligible for admission to the Third and Fourth Semester must have either passed in the First and Second Semesters or must have got exemption in at least six papers of the First and Second Semesters. Student who remains absent or fail in the Third Semester Practical Examination is required to pay only examination fees to become eligible to appear for Practical Examination.

O.5240. Unless students passes all the Theory papers and Practical paper of third Semester examinations and dissertation of the Fourth Semester, their final result shall not be declared.

O.5241 Admission for the students of Backward Classes shall be in accordance with the Government Policy. Students applying for admission under the reserved category other than SC/ST are required to submit non creamy-layer certificate along with their application form. Students applying for admission for other reservation will be admitted as per the government policy from time to time.

N.B. :— Students are required to submit all the documents required for Scholarship/Freeship within one month of their admission to the course failing which their application for Scholarship/Freeship will be rejected without any intimation.

R.4356. The LL.M. course shall consist of Foundation course of 4 papers and any one optional Group of 6 papers from Six Groups.

R.4357. The First Semester shall be of two Foundation Papers and two Papers of an Optional Group. Each Paper shall be of 100 Marks.(4 credits)

R.4358. The Second Semester shall be of two Foundation Papers and the next two Papers of Optional Group opted by the student in the First Semester. Each Paper shall be of 100 Marks(4 credits)

R. 4359. The third semester shall be last be last two papers of the optional group. Each paper shall be of 100 Marks. (4 credits each).

In addition there shall be practical examination of 100 marks (Four Credits) as under :

1. Classroom Teaching & Seminar – 40 marks (20 marks each)
2. Choice of Practical Components comprising of 50 marks to the students from the following Component.
3. 10 marks attendance

Choice of Practical Component:

- (a) Legal Aid
- (b) Loopholes / Lacunae in existing laws and reports
- (c) Comparative study and its utility in context of India
- (d) Debate on any contemporary legal issue
- (e) Book Review / Group Discussion on current Legal Affairs
- (f) Surprise Written Test
- (g) Case Comments.

R.4360. Revised; The Fourth Semester shall be of Dissertation of 80 marks and Viva-presentation of 20 marks (4 credits).

For the balance 100 marks the students would have choice to select the topic for project from the topics listed in the syllabus of the group opted which will have interdisciplinary approach. Out of 100 marks (4 credits), 50 marks (2 Credits) would be for project and 50 marks (2 credits) for viva – presentation.

R.4361.

- (a) Passing Standards:
50% to 59% Second Class
60% and above First Class
- (b) No LL.M. student shall be allowed to appear for the examination unless he/she has attended 75% of the total number of lectures and seminars conducted in each Semester.
- (c) No Class will be awarded to the students in the First, Second and Third Semester examination.
- (d) The Class will be awarded on the basis of the total performance of the student in all the four Semesters. However a student claiming exemption will be entitled to pass class only.
- (e) To pass LL.M. examination, a student must obtain a minimum of 45 percent of the marks in each paper and 50 percent in aggregate in each of the Semester.
- (f) Dissertation shall be evaluated by a team of teacher of the concerned group and external expert nominated by the Head of the Department. The Marks shall be awarded after joint consultation by both the evaluators.
- (g) A student may be exempted at his choice from appearing in any of the papers, if he has secured at least 50% of the total marks in that paper.
- (h) Students failing in Dissertation/Project and Viva Examination in the Fourth Semester shall undergo again the Dissertation and Viva as the case may be. The final approved dissertation shall be submitted on CD in addition to two hard copies. The same procedure shall apply to failure in Choice based credits.
- (i) The medium of course is English only.

LL.M. SYLLABUS

CURRICULUM SUMMARY :

a. Foundation Papers

1. Law and Social Transformation in India
2. Indian Constitutional Law : New Challenges.
3. Judicial Process
4. Legal Education and Research Methodology

b. Optional Groups

1. Constitutional and Administrative Law.
2. Business Law
3. Intellectual Property and Information Technology
4. Human Rights Law
5. Criminal Law and Criminal Administration
6. Environmental Law.

c. Dissertation and Choice Based Project work:

FOUNDATION PAPER I — LAW AND SOCIAL TRANSFORMATION IN INDIA (4 CREDITS)

Module – I (1 Credit)

1. Law and Social Change :

- 1.1. Law as an instrument of social change.
- 1.2. Law as the product of traditions and culture. Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.

2. Religion and the Law :

- 2.1. Religion as a divisive factor.
- 2.2. Secularism as a solution to the problem.
- 2.3. Reform of the law on secular lines: Problems.
- 2.4. Freedom of religion and non-discrimination on the basis of religion.
- 2.5. Religious minorities and the law.

Module – II (1 Credit)

3. Language and the Law :

- 3.1. Language as a divisive factor : Formation of linguistic states.
- 3.2. Constitutional guarantees to linguistic minorities.
- 3.3. Language policy and the Constitution Official language; multi-language system.
- 3.4. Non-discrimination on the ground of language.

4. Community and the law :

- 4.1. Caste as a divisive factor
- 4.2. Non-discrimination on the ground of caste.
- 4.3. Acceptance of caste as a factor to undo past injustices.
- 4.4. Protective discrimination; Scheduled castes, tribes and backward classes.
- 4.5. Reservation; Statutory Commissions, Statutory provisions.

Module – III (1 Credit)

5. Women and the Law :

- 5.1. Crimes against women.
- 5.2. Gender injustice and its various forms.
- 5.3. Women's Commission.
- 5.4. Empowerment of women : Constitutional and other legal provisions

6. Children and the Law :

- 6.1. Child labour
- 6.2. Sexual exploitation.
- 6.3. Adoption and related problems.
- 6.4. Children and education.

Module – IV (1 Credit)

7. Modernization and the Law :

- 7.1. Modernisation as a value : Constitutional perspectives reflected in the fundamental duties.
- 7.2. Modernisation of social institutions through law.
 - 7.2.1. Reform of family law
 - 7.2.2. Agrarian reform – Industrialisation of agriculture.
 - 7.2.3. Industrial reform : Free enterprise v. State regulation – Industrialisation v. environmental protection.
- 7.3. Reform of court processes.
 - 7.3.1. Criminal law : Plea bargaining; compounding and payment of compensation to victims.
 - 7.3.2. Civil Law ; (ADR) Confrontation v. consensus; mediation and conciliation; Lokadalats.
 - 7.3.3. Prison reforms
- 7.4. Democratic decentralization and local self government.

8. Alternative approaches to law :

- 8.1. Naxalite movement: causes and cure

References :—

- Marc Galanter (ed.), *Law and Society in Modern India* (1997) Oxford.
- Robert Lingat, *The Classical Law of India* (1998), Oxford.
- U. Baxi, *The Crisis of the Indian Legal System* (1982), Vikas, New Delhi.
- U. Baxi (ed.), *Law and Poverty Critical Essays* (1988). Tripathi, Bombay.
- Manushi, *A Journal About Women and Society*.
- Duncan Derret, *The State, Religion and Law in India* (1999), Oxford University Press, New Delhi.
- H.M. Seervai, *Constitutional Law of India* (1996), Tripathi.
- D.D. Basu, *Shorter Constitution of India* (1996), Prentice Hall of India (P) Ltd., New Delhi.
- Sunil Deshta and KiranDeshta, *Law and Menace of Child Labour* (2000) Armol Publications, Delhi.
- SavitriGunasekhare, *Children, Law and Justice* (1997), Sage Indian Law Institute, *Law and Social Change : IndoAmerican Reflections*, Tripathi (1988)
- J.B. Kripalani, *Gandhi: His Life and Thought*, (1970) Ministry of Information and Broadcasting, Government of India.
- M.P. Jain, *Outlines of Indian Legal History*, (1993), Tripathi, Bombay.
- Agnes, Flavia, *Law and Gender Inequality: The Politics of Women's Rights in India* (1999), Oxford

**FOUNDATION PAPER II— INDIAN CONSTITUTIONAL
LAW : NEW CHALLENGES
(4 Credits)**

Module – I (1 Credit)

1. Federalism :

- 1.1. Creation of new states
- 1.2. Allocation and share of resources – distribution of grants in aid
 - 1.2.1. The inter-state disputes on resources
- 1.3. Centre’s responsibility and internal disturbance within State.
- 1.5. Directions of the Centre to the State under Airticle 356 and 365.
- 1.6. Federal Comity: Relationship of trust and faith between Centre and State
- 1.7. Special status of certain States.
 - 1.7.1. Tribal Areas, Scheduled Areas

2. “State”: Need for widening the definition in the wake of Liberalization.

Module – II (1 Credit)

3. Right to equality: privatization and its impact on affirmative action.

4. Empowerment of Women.

5. Freedom of press and challenges of new scientific development :

- 5.1. Freedom of speech and right to broadcast and telecast.
- 5.2. Right to strikes, hartal and bandh

Module – III (1 Credit)

6. Emerging regime of new rights and remedies :

- 6.1. Fundamental Rights Directive Principles and Fundamental Duties.
 - 6.1.1. Compensation jurisprudence.
 - 6.1.2. Right to education.
 - 6.1.2.1. Commercialisation of education and its impact.
 - 6.1.2.2. Brain drain by foreign education market.

7. Rights of minorities to establish and administer educational institutions and state control.

8. Secularism and religious fanaticism.

Module – IV (1 Credit)

9. Separation of powers: stresses and strain :

- 9.1. Judicial Activism and judicial Restraint
- 9.2. PIL : implementation
- 9.3. Judicial independence.
- 9.3.1. Appointment, transfer and removal of judges.
- 9.4. Accountability: executive and judiciary.
- 9.5. Tribunals

10. Democratic process :

- 10.1. Nexus of politics with criminals and the business.
- 10.2. Election commission: status.
- 10.3. Electoral Reforms
- 10.4. Coalition government, ‘stability, durability corrupt practice’
- 10.5. Grass root democracy.

References :—

No specific reference is suggested for this course since the course materials depends upon the latest developments. These developments in the areas specified in the course can be gathered from the recent materials such as case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values.

FOUNDATION PAPER III - JUDICIAL PROCESS (4 Credits)

Module – I (1 Credit)

1. Nature of judicial process :

- 1.1. Judicial process as an instrument of social ordering
- 1.2. Judicial process and creativity in law –common law model – Legal Reasoning and growth of law – change and stability.
- 1.3. The tools and techniques of judicial creativity and precedent.
- 1.4. Legal development and creativity through legal reasoning under statutory and codified systems.

Module – II (1 Credit)

2. Special Dimensions of Judicial Process in Constitutional Adjudications :

- 2.1. Notions of judicial review
- 2.2. ‘Role’ in constitutional adjudication – various theories of review.
- 2.3. Tools and techniques in policy-making and creativity in constitutional adjudication,
- 2.4. Varieties of judicial activism
- 2.5. Problems of accountability and judicial law making.

Module – III (1 Credit)

3. Judicial Process in India :

- 3.1. Indian debate on the role of judges and on the notion of judicial review.
- 3.2. The ‘independence’ of judiciary and the ‘political’ nature of judicial process.
- 3.3. Judicial activism and creativity of the Supreme Court – the tools and techniques of creativity.
- 3.4. Judicial process in pursuit of constitutional goals and values – new dimensions of judicial activism and structural challenges
- 3.5. Institutional liability of courts and judicial activism–scope and limits.

Module – IV (1 Credit)

4 The Concept of Justice :

- 4.1. The Concept of justice or Dharma in Indian thought
- 4.2. Dharma as the foundation of legal ordering in Indian thought.
- 4.3. The concept and various theories of justice in the western thought.
- 4.4. Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

Module – IV (1 Credit)

5 Relation between Law and Justice :

- 5.1. Equivalence Theories – Justice as nothing more than the positive law of the stronger class
- 5.2. Dependency theories – For its realization justice depends on law, but justice is not the same as law.
- 5.3. The independence of justice theories – means to end relationship of law and justice – The relationship in the context of the Indian constitutional ordering.
- 5.4. Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

References :—

- Julius Store, *The Province and Function of Law*. Part II, Chs. 1.8-16(2000), Universal, New Delhi.
- Cardozo, *The Nature of Judicial Process* (1995) Universal, New Delhi.
- Henry J. Abraham, *The Judicial Process* (1998), Oxford.
- J. Stone, *Precedent and the Law: Dynamics of Common Law Growth* (1985) Butterworth
- W. Freidmann, *Legal Theory* (1960), Stevens, London.
- Bodenheimer, *Jurisprudence – the Philosophy and Method of the Law* (1997), Universal, Delhi.
- J. Stone, *Legal System and Lawyers' Reasonings* (1999), Universal, Delhi.
- U. Baxi, *The Indian Supreme Court and Politics* (1980), Eastern, Lucknow.
- Rajeev Dhavan, *The Supreme Court of India – A SocioLegal Critique of its Juristic Techniques* (1977), Tripathi, Bombay.
- John Rawls, *A Theory of Justice* (2000), Universal, Delhi.
- Edward H. Levi, *An introduction to Legal Reasoning* (1970), University of Chicago.

FOUNDATION PAPER IV – LEGAL EDUCATION AND RESEARCH METHODOLOGY (4 Credits)

Module – I (1 Credit)

- 1. Objective of Legal Education.**
- 2. Methods of Teaching – Merits and demerits.**
- 3. Examination reforms.**

Module – II (1 Credit)

- 4. Clinical Legal Education – Legal aid, Legal Literacy, Legal survey and Law reform.**

Module – III (1 Credit)

5. Research Methods :

- 5.1. Socio Legal Research
- 5.2. Doctrinal and non-doctrinal
- 5.3. Induction and deduction.

6. Identification of Research Problem and formulation of Hypothesis :

- 6.1. Research problem
- 6.2. Survey of available literature and bibliographical research
 - 6.2.1. Legislative materials including subordinate legislation, notification and policy statements.
 - 6.2.2. Decisional materials including foreign decisions; methods of discovering the “rule of the case” tracing the history of important cases and ensuring that these have not been over-ruled; discovering judicial conflict in the area pertaining to the research problem and the reasons thereof.
 - 6.2.3. Juristic writings - a survey of juristic literature relevant to select problems in India and foreign periodicals.
 - 6.2.4. Compilation of list of reports or special studies conducted relevant to the problem.

Module – IV (1 Credit)

7. Preparation of the Research Design :

- 7.1. Devising tools and techniques for collection of data :
Methodology.
 - 7.1.1. Methods for the collection of statutory and case materials and juristic literature.
 - 7.1.2. Use of historical and comparative research materials
 - 7.1.3. Use of observation studies
 - 7.1.4. Use of questionnaires/interview
 - 7.1.5. Use of case studies
 - 7.1.6. Sampling procedures – design of sample, types of sampling to be adopted.
 - 7.1.7. Use of scaling techniques
- 7.2. Computerized Research – A study of legal research programmes such as Lexis and West law coding etc.
- 7.3. Classification and tabulation of data – use of cards for data collection – Rules for tabulation, Explanation of tabulated data.
- 7.4. Analysis of data.

References :—

High Brayal, NigelDunean and Richard Crimes, Clinicallegal Education: Active learning in your law school,(1998)Blackstone Press Limited, London.

S.K. Agrawal (Ed.), Legal Education in India (1973),Tripathi,Bombay
N.R. MadhavaMenon,(ed) A handbook of Clinical LegaLEducation, (1998) Eastern Book Company, Lucknow.

M.O. Price, H. Bitner and Bysiewiez, Effective LegalResearch, (1978).

Pauline V. Young, Scientific Social Survey and Research,(1962)

William J. Grade and Paul K. Hatt, Methods in SocialResearch, McGraw-Hill Book Company, London.

H.M. Hyman, Interviewing in Social Research (1965)Payne, The Art of Asking Questions (1965)

Erwin C. Surrency, B. Fieff and J. Crea, A Guide to Legal Research (1959)

Morris L. Cohan, Legal Research in Nutshell, (1996), WestPublishing Co. Havard Law Review Association, Uniform System of Citations.

ILI Publication, Legal Research and Methodology.

OPTIONAL GROUPS
GROUP-I – CONSTITUTIONAL AND ADMINISTRATIVE
LAW

PAPER I – CONSTITUTIONALISM : PLURALISM AND
FEDERALISM (4 Credits)

Module – I (1 Credit)

1. Constitutionalism :

- 1.1. Authoritarianism – Dictatorship
- 1.2. Democracy – Communism.
- 1.3. Limited Government – Concept – Limitations on government power.
- 1.4. What is a Constitution ?
- 1.5. Development of a democratic government England – Historical evolution of constitutional government.
- 1.6. Conventions of constitutionalism – law and conventions
- 1.7. Written Constitutions: U.S.A., Canada, Australia, Sweden, South Africa and India.
- 1.8. Separation of powers: Montesquieu.
- 1.9. Rule of Law: Concept and new horizons
- 1.10. Marxist concept of Constitutionalism
- 1.11. Dictatorship of the proletariat.
- 1.12. Communist State from Stalin to Gorbachov.
- 1.13. Fundamental Rights: Human rights
- 1.14. Judicial Review : European Court of Human Rights.
- 1.15. Human Rights: International conventions.
- 1.16. Limits & doctrine of domestic jurisdiction in International Law.

2. Federalism :

- 2.1. What is a federal government ?
- 2.2. Difference between confederation and federation.
- 2.3. Conditions requisite for federalism.
- 2.4. Patterns of federal government – U.S.A., Australia, Canada, India.

- 2.5. Judicial review – for federal umpiring
- 2.6. New trends in federalism : Co-Operative federalism
- 2.7. India – Central Control v. State Autonomy
- 2.8. Political factors influencing federalism
- 2.9. Plural aspects of Indian Federalism : Jammu & Kashmir, Punjab, Assam.
- 2.10. Dynamic of federalism.

Module – II (1 Credit)

3. Pluralism :

- 3.1. What is a pluralistic society ?
- 3.2. Ethnic. Linguistic, cultural, political pluralism
- 3.3. Individual rights – right to dissent
 - 3.3.1. Freedom of speech and expression
 - 3.3.2. Freedom of the press
 - 3.3.3. Freedom of association
- 3.4. Rights to separateness
 - 3.1.1. Freedom of religion
 - 3.1.2. Rights of the religious and linguistic minorities
 - 3.1.3. Compensatory discrimination for backward classes
 - 3.1.4. Women – right to equality and right to special protection
 - 3.1.5. Scheduled Tribes, Distinct Identity – protection against exploitation – NSIS – Exclusion from Hindu Law

Module – III (1 Credit)

4. Uniform Civil Code :

Non-State law (NSLS) and State Law Systems – Problems of Uniform Code v personal laws – vertical federalism.

5. Equality in Plural Society :

- 5.1. Right to equality and reasonable classification
- 5.2. Prohibition of discrimination on ground of religion, caste, sex, language.
- 5.3. Abolition of untouchability
- 5.4. Secularism – constitutional principles
- 5.5. Tribal Groups and Equality

Module – IV (1 Credit)

6. Pluralism and International Concerns :

- 6.1. Universal Declaration of Human Rights
- 6.2. Conventions against genocide
- 6.3. Protection of religious, ethnic and linguistic minorities
- 6.4. State intervention for protection of human rights
- 6.5. Right of self-determination

References :—

Upendra Baxi, “ Law, Democracy and Human Rights” - 5, Lokayan Bulletin 4 (1987)

V.M. Dandekar “ Unitary Elements in a Federal Constitution” 22 E.P.W. 1865 (1988)

Rajeev Dhavan, “ The Press and the Constitutional Guarantee of Free Speech and Expression” 28 J.I.L.I. 299 (1986)

M.A. Fazal “Drafting A British Bill of Rights” 27 J.I.L.I. 423 (1985)

M.P. Jain Indian Constitutional Law (1994), Wadhwa Jagat Narain “ Judicial Law Making and the Place of the Directive Principles in the Indian Constitution,” J.I.L.I. 198 (1985)

Rhett Ludwikowski, “Judicial Review in the socialist Legal Systems : Current Development” 37 I.C.L.D.89-108 (1988)

S.P. Sathe, Fundamental Rights and Amendment of the Indian Constitution (1968)

H.M. Seervai, Constitutional Law of India (1993), Tripathi, Bombay
Students should consult relevant volumes of the Annual Survey of Indian Law Published by the Indian Law Institute.

**PAPER-II- NATIONAL SECURITY, PUBLIC ORDER,
AND RULE OF LAW (4 Credits)**

Module – I (1 Credit)

1. National Security, Public Orders and Rule of Law :

- 1.1. Emergency Detention in England – Civil Liberties
- 1.1.1. Subjective satisfaction or objective assessment ?
- 1.2. Pre-Independence law

2. Preventive Detention and Indian Constitution :

- 2.1. Article 22 of the Constitution
- 2.2. Preventive Detention and Safeguards
- 2.3. Declaration of Emergencies
- 2.4. 1962, 1965 and 1970 Emergencies
- 2.5. 1975 Emergency

Module – II (1 Credit)

3. Exceptional Legislation :

- 3.1. COFEPOSA and other legislation to curb economic offenders
- 3.2. TADA : “The draconian Law”- comments of NHRC
- 3.3. Special courts and tribunals
- 3.4. Due process and special legislation

4. Civil Liberties and Emergency :

- 4.1. Article 19
- 4.2. Meaning of “Security of State”
- 4.3. Meaning of “Public Order”
- 4.4. Suspension of Article 19 rights on declaration of emergency
- 4.5. President’s Right to suspend right to move any court
- 4.6. Article 21 – special importance- its non-suspendability
- 4.7. Suspendability – 44th amendment

Module – II (1 Credit)

5. Access to Courts and Emergency :

- 5.1. Article 359 : Ups and downs of judicial review
- 5.2. Constitution (Forty-fourth), Amendment Act, 1978
- 5.3. Constitution (Fifty-ninth) Amendment Act, 1988

6. Martial Law :

- 6.1. Provisions in English Law
- 6.2. Provisions in the Constitution

Module – IV (1 Credit)

7. Human Rights in India :

- 7.1. Constitutional Philosophy
- 7.2. Human Rights of Disadvantaged Groups – Women, Children, Dalits, Unorganised Labour and Minorities.
- 7.3. Police, Prison and Human Rights
- 7.4. Judicial Activism.

References :—

G.O. Koppell “The Emergency, The Courts and Indian Democracy”
8 J.I.L.I. 287 (1966)

H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus
: A Criticism (1978)

International Commission of Jurists, Status of Emergency and Human
Rights (1984)

N.C. Chatterji and Parameshwar Rao, Emergency and the Law (1966)

**PAPER III—COMPARATIVE CONSTITUTIONAL LAW
(4 Credit)**

Module – I (1 Credit)

1. Constitutionalism, Classification of Constitutions
2. Conventions in Constitutional Law.
3. Parliamentary and Presidential Democracy.

Module – II (1 Credit)

4. Comparative Study of the fundamentals of the Constitutions of India, USA, UK, Switzerland, Ireland, Germany and Canada.
5. Comparative Study of Federalism in India, USA, Switzerland, Ireland, Germany, Canada.

Module – III (1 Credit)

6. Comparative Study of Amending Processes of the Constitutions in the USA, India and Switzerland.
7. Comparative Study of Judiciary in India, UK, USA and Switzerland.

Module – IV (1 Credit)

8. Civil Liberties in India, UK, USA
9. Affirmative Actions in India and United States.

References :—

1. Wheare K.C., “Federal Government”, Oxford, 1963.
2. Sawyer, “Modern Federalism”.1969.
3. Basu D.D., “Comparative Federalism”, PHI. 1987.
4. Walter Begchot, “English Constitution,” Oxford.
5. Wade, “Public Law in Britain and India,” N.M. Tripathi, 1992.
6. Hood Philips, “Constitutional and Administrative Law”, Sweet & Maxwell, London, 1987.
7. Hughes, “Federal Constitution of Switzerland”, Oxford.
8. Basu D.D., “Select Constitutions of the World,” Sarkar, Calcutta, 1990.

9. Raman Sunder, "Amending Power under the Constitution of India, Eastern, 1990.
10. Jeferry Jowell and Dawn Oliver, "The Changing Constitution".
11. Wheare K.C., "Modern Constitutions", Oxford, 1966.
12. Finer, Comparative Governments, Penguin, 1970.
13. Dicey A.V., "Law of the Constitution",
14. Jennings Ivor, "Law and the Constitution", 1971.
15. Friedrich Karl, "Constitutional Government and Democracy", Oxford, 1966.
16. Wade & Bradley, "Constitutional Law", Longman, 1985.
17. Cooley, "Constitution of the U.S.A." 1973.
18. Franle, "Comparative Constitutional Process."
19. Bryce James, "Modern Democracies." McMillian & Co., 1923.

**PAPER IV— ADMINISTRATIVE PROCESS : NATURE
AND SCOPE (4 Credits)**

Module – I (1 Credit)

1. Administrative Process :

- 1.1. Nature and meaning
- 1.2. The role of civil service
- 1.3. The role of administrative agencies

**2. Administrative Process : Regulation to De-regulation and
Control to Decontrol-Globalization and Liberalization :**

- 2.1. Constitutional standards
- 2.2. Comparative aspects

Module – II (1 Credit)

3. Rule of Law :

- 3.1. Changing dimensions
- 3.2. Regulation of administrative process

4. Separation of Powers: From Rigidity to Flexibility.

Module – III (1 Credit)

5. Delegated Legislation: Problems, Process and Control.

6. Power and duty :

- 6.1. Doctrine of police power
- 6.2. Doctrine of eminent power
- 6.3. Taxing power
- 6.4. Responsibility and accountability

Module – IV (1 Credit)

7. Administrative Discretion :

- 7.1. Structuring and limiting
- 7.2. Impact of technological development

**8. Comparative Administrative Law – India, U.S.A., U.K.,
France, Germany.**

References :—

Friedman, The State and the Rule of Law in a Mixed Economy
Dicey, Introduction to the Law of the Constitution Davis,
Discretionary Justice
Jain & Jain. Principles of Administrative Law (1986)Tripathi
DeSmith, Judicial Review of Administrative Action (1995)
M.P. Jain, Cases and Materials on Administrative Law (1996), Vol.I,
Wadha, Nagpur

PAPER V—ADMINISTRATIVE PROCESS AND JUDICIAL CONTROL (4 Credits)

Module – I (1 Credit)

1. Concepts and Agencies :

- 1.1. Common law countries
- 1.2. French system

2. Judicial Review in India :

- 2.1. Historical development
- 2.2. Powers of the Supreme Court
- 2.3. Powers of the High Court
- 2.4. Role of subordinate judiciary

Module – II (1 Credit)

3. Jurisdiction :

- 3.1. Finality clauses
- 3.2. Conclusive evidence clauses
- 3.3. Law and fact distinction
- 3.4. Exclusionary clause

4. Grounds of Review :

- 4.1. Doctrine of ultra vires
- 4.2. Unreviewable discretionary powers : from Liversidge to Padfield
- 4.3. Discretion and Justifiability
- 4.4. Violation of fundamental rights
- 4.5. Extraneous consideration and/or irrelevant grounds
- 4.6. Delegation
- 4.7. Acting under dictation
- 4.8. Malafides and bias
- 4.9. Lack of rationality and proportionality
- 4.10. Oppressing decision
- 4.11. Absence of proportionality

Module – III (1 Credit)

5. Procedural fairness :

- 5.1. Legitimate Expectation
- 5.2. Natural justice and duty to act fairly
- 5.3. Bias and personal interest
- 5.4. Fair hearing

6. Remedies :

- 6.1. Writs
- 6.2. Injunction and declaration

Module – IV (1 Credit)

7. Limits of judicial review :

- 7.1. Locus standi and public interest litigation
- 7.2. Latches
- 7.3. Res Judicata
- 7.4. Alternative remedies

8. Judicial Review of Delegated Legislation.

References :—

- S.P. Sathe, Administrative Law (1998), Butterworths, India.
De Smith, Judicial Review of Administrative Action (1995), Sweetand Maxwell
I.P. Massey, Administrative Law (1995), Eastern, Lucknow
Bagawati Prosad Banerjee, Writ Remedies, (1999), Wadhwa, Nagpur
M.P. Jain, The Evolving Indian Administrative Law (1983), Tripathi, Bombay
Jain & Jain, Principles of Administrative Law (1986) Tripathi
M.P. Jain, Cases and Materials on Administrative Law (1996), Vol. Wadha, Nagpur.

**PAPER VI – PUBLIC AUTHORITIES AND POWER
HOLDERS : CONTROLS ON MAL ADMINISTRATION
(4 Credits)**

Module – I (1 Credit)

1. Ombudsman :

- 1.1. The concept
- 1.2. Comparative perspective
- 1.3. Evolving Indian models-Lokpal, Lokayukta Institutions.

2. Commission of Inquiry.

Module – II (1 Credit)

3. Vigilance Commissions.

4. Investigation Agencies: the CBI

Module – III (1 Credit)

5. Inquiries by Legislative Committees.

6 Legislative Control.

Module – IV (1 Credit)

7. Financial Control – Comptroller and Auditor General.

8. Judicial Inquiries.

References :—

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

Jain & Jain, Principles of Administrative Law (1986) Tripathi

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

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

SEM IV – COMPONENTS OF CHOICE BASED CREDIT SYSTEM (4 credits)

GROUP-I : CONSTITUTIONAL & ADMINISTRATIVE LAW

1. Constitutional law and Access to Justice. Law and Justice in Globalizing world
2. Role of Civil Society in Governance in the Economic and Social Development of a Country.
3. Changing Dimensions of Judicial Interpretation of Constitution : Judicial Trend & Approach
4. System of Governance – Comparative Constitutionalism
5. Right to Health – A Constitutional Perspectives
6. Judicial Review of Administrative Action – Scope & Limitations
7. Right to Livelihood & Social Entrepreneurship and Right to Development under the Constitution
8. Right of Indigenous Persons & Sustainable Development – Constitutional Perspective

REFERENCE BOOKS :—

1. Seervai H.M: Constitutional Law of India – A Critical Commentary; Pub. N.M. Tripathi
2. M.P. Jain : Indian Constitutional law; LexisNexis
3. D.D. Basu: Comparative Constitutional law; Wadhwa& Co.
4. Cambridge University Press: Comparative Constitutional Law & Policy.
5. Dr. SubhashKashyap: Framing of Indian Constitution; Universal law Pub. Delhi
6. Mahendra Singh: Comparative Constitutional Law; Eastern Book Co.
7. Vikram David Amar : Global Perspective on Constitutional Law ; Oxford University Press
8. John Hatchard, MunaNdulo, Peter Slinn: Comparative Constitutionalism & Good Governance; Cambridge University Press

GROUP-II BUSINESS LAW
PAPER I – FUNDAMENTAL PRINCIPLES OF LAW OF
CONTRACT AND ALLIED LAWS [4 Credits]

Module – I (1 Credit)

- 1.1. Nature, Object and Multi-dimensional Scope.
- 1.2. Foundation Theories of Law of Contract
- 1.3. Individualism:
- 1.4. Freedom of Contract.
- 1.5. Sanctity of Contract.
- 1.6. Encroachment on Freedom of Contract:

Module – II (1 Credit)

- 2.1. Legislative Intervention.
- 2.2. Socio-economic Factors.
- 2.3. Limitations on Sanctity of Contract.
- 2.4. Conceptual Analysis:Contract
- 2.5. Essentials of Contract.
- 2.6. Specific Contracts.
- 2.7. Standard-form contract, Exemption Clauses, Protective Measures.
- 2.8. Quasi- Contract :
Doctrines of Unjust Enrichment, Law of Restitution.
- 2.9. Doctrine of Frustration :Grounds and Effects of Frustration.
- 2.10. Breach of Contract and Remedies.
U.N. Convention on Sales.

Module – III Alternative Disputes Resolution (1 Credit)

- 3.1. Historical background of the Arbitration and Conciliation Act,1996.
- 3.2. Distinction between the Arbitration Act, 1940, and the Arbitration and Conciliation Act, 1996.
- 3.3. Definition and Meaning of Arbitration
- 3.4. Arbitration Agreement and Arbitration Clause in Agreement
- 3.5. Alternative Disputes Resolution (ADR) Process

Module – IV (1 Credit)

- 4.1. Composition of the Arbitral Tribunal
- 4.2. Number / Appointment of Arbitrators

- 4.3. Disqualification / Removal of Arbitrators
- 4.4. Termination of Authority of Arbitrator
- 4.5. Jurisdiction of Arbitral Tribunal
- 4.6. Conduct of Arbitral Proceedings
- 4.7. Making of Arbitral Award.
- 4.8. Finality and Enforcement of Arbitral Awards.
- 4.9. Recourse against Arbitral Award
- 4.10. Other Internationally Accepted modes of Alternative Disputes Resolution.-(ADR)
- 4.11. Commercial Arbitration
- 4.12. Conciliation.

References : Fundamental Principles of Law of Contract :

1. Anson – Law of Contract
2. Cheshire, Fifoot and Furmston-Law of Contract
3. Pollock & Mulla – Indian Contract Act and Specific Relief Act
4. Chitty’s Mercantile Contracts (1st Indian Reprint)-2001
5. Dutt – Indian Contract Act,
6. Cheshire and Fifoot – Cases on Law of Contract
7. Schelsinger – Formation of Contract
8. Law of Contract – Dr. Avtar Singh
9. Dr. Meena Rao – Fundamental Concepts in Law of Contract
10. Dr. Meena Rao – Consent in Law of Contract.
11. The Law of Contracts : An Outline (2nd Ed.) – Dr. Nilima Chandiramani.
12. United Nations Convention on Sales by the United Nations Commission.
13. Sale of Goods and Partnership (For U.N. Convention on Sales) – Dr. Nilima Chandiramani

Alternative Disputes Resolution — (ADR) :

14. Justice Bachawat’s Law of Arbitration and Conciliation.
15. O. P. Malhotra - Arbitration and Conciliation Act
16. Rao P.C. and William Sheffield - Alternative Disputes Resolution—What it is and How it works.
17. Kwatra G.K. —The Arbitration and Conciliation Law of India with case Law on UNCITRAL Model Law on ARbitration.
18. Bansal A.K. — Law of International Commercial Arbitration.
19. Law of Arbitration and Conciliation—Dr. Avtar Singh

**PAPER II—GLOBAL TRADE UNDER WORLD TRADE
ORGANISATION (4 Credits)**

Module – I (1 Credit)

1. World Trade Organization (WTO) Agreement :

- 1.1. Introduction to World Trade Organisation
- 1.2. Bretton woods Conference
- 1.3. General Agreement on Tariffs and Trade (GATT)
- 1.4. World Trade Organisation (WTO)—Establishment, Scope, Functions, Structure, Secretariat, Status, Decision-making, Withdrawal, etc.

Module – II (1 Credit)

2. Trade in Goods :

- 2.1. General Agreement on Tariffs and Trade (GATT) Rules.
- 2.2. Most Favoured Nation (MFN)
- 2.3. National Treatment
- 2.4. QRs, tariff bindings
- 2.5. Textile and Clothing
- 2.6. Investment Measures
- 2.7. Anti dumping, Safeguard and Countervailing measures
- 2.8. Customs valuation, pre-shipment inspection
- 2.9. Rules of origin, import licensing
- 2.10. Agreement on Agriculture
- 2.11. Sanitary and Phyto-sanitary norms.

Module – III (1 Credit)

3. Trade in Services :

- 3.1. General Agreement on Trade in Services (GATS) Agreement
- 3.2. Financial Services
- 3.3. Maritime Transport
- 3.4. Professional services

Module – IV (1 Credit)

4. Trade Related Aspects of Intellectual Property (TRIPS) :

- 4.1. Patents
- 4.2. Copyright
- 4.3. Industrial Designs
- 4.4. Trademarks
- 4.5. Geographical Indications
- 4.6. Integrated Circuits
- 4.7. Undisclosed Information

5. Dispute Settlement Process.

References :—

1. GATT Agreements – World Trade Center Publication
2. WTO in the New Millennium – MVIRDC World Trade Centre – Arun Goyal
3. Trade, Development and WTO (Handbook) – IMF Publication ed. Bernard Hoekman, Aaditya Mattoo + Philip English
4. WTO and Globalisation – Nilima Chandiramani.

PAPER III—CORPORATE LAW (4 Credits)

Module – I (1 Credit)

1. Formation of Company :

- 1.1. Concept of Corporate Personality
- 1.2. Registration and Incorporation
- 1.3. Memorandum of Association
- 1.4. Articles of Association
- 1.5. Kinds of Companies

2. Organisation and Management :

- 2.1. Managerial Personnel
- 2.2. Meetings
- 2.3. Corporate Governance
- 2.4. Professional Management
- 2.5. Legal Regulation of Multi-nationals. – Collaboration Agreements
- 2.6. Amalgamation of Companies

Module – II (1 Credit)

3. Corporate Finance :

- 3.1. Meaning, importance and scope of Corporate Finance
- 3.2. Capital requirements
- 3.3. Prospectus
- 3.4. Share Capital , Kinds of Shares, Shareholders, allotment of Shares.

4. Audit, Accounts and Dividends :

- 4.1. Auditors
- 4.2. Audit of Accounts
- 4.3. Dividends

5. Securities, Borrowing, Debentures :

- 5.1. Debentures – Nature, issue, Class
- 5.2. Mortgages and Charges
- 5.3. Transfer and transmission of securities
- 5.4. Dematerialisation of securities.

Module – III (1 Credit)

6. Protection of Investors and Creditors :

- 6.1. Need for Protection
- 6.2. Protection and Rights of Creditors
- 6.3. Protection of Investors
- 6.4. Rights of Shareholders and Members
- 6.5. Majority Powers and Minority Rights

7. Administrative Regulation on Corporate Finance :

- 7.1. Security Exchange Board of India - (SEBI).
- 7.2. Central Government Control
- 7.3. Control by Registrar of Companies
- 7.4. Control by company Law Board

Module – IV (1 Credit)

8 Prevention of Oppression and Mismanagement :

- 8.1. Oppression
- 8.2. Mismanagement
- 8.3. Preventive measures
- 8.4. Powers of Company Law Board
- 8.5. Powers of Central Government.

9 Winding Up :

- 9.1. Winding up and Dissolution of Company.
Types of Winding up.
- 9.2. Winding up by Court.
- 9.3. Voluntary Winding up
- 9.4. Process of Winding up
- 9.5. Winding up of Defunct Companies, Sick undertakings,
Unregistered Companies and Foreign Companies.

References :—

1. Gower – The Principles of Modern Company Law
2. Sethna – Indian Company Law.
3. Mayson, French & Ryan, Company Law. (15th ed.) 2000
(1st Indian Reprint)
4. Palmer – Company Law
5. Pennington – Formation of Companies
6. Madon – Management of Corporations.
7. Mazumdar D.L. – Towards a Philosophy of the Modern Corporation.
8. Sen S.C. – The New Frontiers of Company Law.
9. Ramaiya A, - Guide to the Companies Act 3 Vols.
10. Taxmann's Corporate Laws.
11. Taxmann's Company Law and Practice.
12. Company Law – Dr. Avtar Singh
13. Companies Act and Laws relating to SEBI, depositories, Industrial Financing

**PAPER IV– LAW RELATING TO CUSTOMS AND
FOREIGN EXCHANGE (4 Credits)**

Module – I (1 Credit)

1 Law Relating to Customs :

- 1.1. Custom of charging customs duties
- 1.2. Rules relating to interpretation of customs law
- 1.3. Prohibition on Importation and Exportation of Goods
- 1.4. Chargeability and Levy of Customs duty

Module – II (1 Credit)

- 1.5. Exemption from Customs duties
- 1.6. Refund of Customs duty
- 1.7. Clearance of Imported Goods and Export Goods
- 1.8. Warehousing of Goods
- 1.9. Powers of Customs Officers.
- 1.10. Adjudicatory Proceedings
- 1.11. Appeals
- 1.12. Criminal Prosecution

Module – III (1 Credit)

2. Law Relating to Foreign Exchange :

- 2.1. Historical background to Foreign Exchange Regulation Act (FERA) and Foreign Exchange Management Act (FEMA).
- 2.2. Foreign exchange and currency
- 2.3. Foreign exchange management and noteworthy features of Foreign Exchange Management Act (FEMA).

Module – IV (1 Credit)

- 2.4. New Concepts under Foreign Exchange Management Act (FEMA).
 - Resident
 - Capital Account Transactions
 - Current Account Transactions
 - Export
 - Person

- Service
 - Transfer
- 2.5. Export of Goods and Services
 - 2.6. Adjudication, Appeals and Penalties
 - 2.7. Foreign Direct Investment in India
 - 2.8. Foreign Trade, Development & Regulation Act, 1992

References :—

1. Customs Law, Practice and Procedure – T.P. Mukerjee
2. Customs Law, Practice and Procedure – Justice Roy
3. A Guide to Customs Act. – Nilima Chandiramani.
4. Foreign Exchange Management Act — Dilip Sheth
5. Foreign Exchange Management Manual – Taxmann.

PAPER V – LAW OF INSURANCE (4 Credits)

Module – I (1 Credit)

1. Introduction :

- 1.1. The nature of risk and insurance.
- 1.2. Risk management – Principles and Practices.
- 1.3. Need and importance of Insurance, Future of Insurance
- 1.4. Kinds of Insurance , Types of Insurance Polices, Law of Contract, Proposal, Consideration
- 1.5. Re-insurance and Double Insurance

2. General Principles of Law of Insurance :

- 2.1. Need for utmost Good Faith.
- 2.2. Insurable interest
- 2.3. The risk – Commencement, attachment and duration.
- 2.4. Indemnity
- 2.5. The law of proximate cause
- 2.6. Subrogation
- 2.7. Assignment and nomination ,

3. Indian Insurance Law – General :

- 3.1. Nationalisation, Privatisation and Globalisation of Insurance Sector.
- 3.2. Principles of General Insurance.
- 3.3. The Insurance Regulatory Development Authority Act, 2000.

Module – II (1 Credit)

4. Insurance pertaining to Life and Personal Accidents/ Hospitalisation :

- 4.1. Life Insurance – Nature, Principles and Scope
- 4.2. Events insured against life insurance contract.
- 4.3. Factors affecting risk
- 4.4. Mediclaim, Sickness Insurance, Personal Accidents

5. Marine Insurance :

- 5.1. Marine Insurance – Nature, Principles and Scope
- 5.2. Marine Insurance Policy – Conditions – Warranties
- 5.3. Seaworthiness
- 5.4. Perils of the Sea and other Insured Perils in Marine Policies
- 5.5. Hull and Cargo Insurance

Module – III (1 Credit)

6. Property Insurance :

- 6.1. Fire Insurance
- 6.2. Risks Insurance
- 6.3. Policies covering risk of explosion, earthquake, flood.
- 6.4. Policies covering accidental loss, damage to property, construction risks
- 6.5. Burglary, Theft, Civil Commotion and Strikes, other Endorsements.

Module – IV (1 Credit)

7. Insurance Against Accidents arising under Tort, Contract and Statute :

- 7.1. Accident Policies
- 7.2. Assessment of compensation and Liability
- 7.3. Contributory Negligence
- 7.4. The Personal Injuries (Compensation Insurance) Act, 1963.
- 7.5. Compulsory Insurance.
- 7.6. Professional Negligence Insurance

8. Insurance Against Third Party Risks under Statute :

- 8.1. Relevant Provisions of Motor Vehicles Act, 1988.
- 8.2. Claims Tribunal : constitution, functions, procedures, powers and award.
- 8.3. Liability Insurance : Contractual and Legal Liabilities
- 8.4. Public Liability Insurance

References :—

1. Gow
1. Colinvaux – Law of Insurance (1977)
2. E.R. Hardy Ivamy – Principles of Insurance (1979)
3. Marine Insurance – Hardy Ivamy
4. Charmers Marine Insurance Act 1906
5. Mitra B.C. – Law of Marine Insurance (1997)
6. Brijnandan Singh – Law of Insurance – (1997)
7. Banerjee, Law of Insurance (1994)
8. Birds, Modern Insurance Law – (1997)
9. John Hanson and Christopals Henly – All Risks Property Insurance (1999)
10. M.N. Srinivasan – Insurance Law
11. K.S.N. Murthy and Dr. K.V.S. Sarma – Modern Law Insurance.
12. The Insurance Act – 1938
13. The Life Insurance Corporation Act, 1956.
14. The Insurance Regulatory Authority

PAPER VI – BANKING LAWS (4 Credits)

Module – I (1 Credit)

1. Introduction :

- 1.1. Nature and Development of banking
- 1.2. History of Banking in India and elsewhere-indigenous banking-evolution of banking in India – different kinds of banks and their functions.
- 1.3. Multi-functional banks – growth and legal issues.

2. Law Relating to Banking Companies in India :

- 2.1. Controls by government and its agencies.
 - 2.1.1. On management
 - 2.1.2. On accounts and audit
 - 2.1.3. Lending
 - 2.1.4. Credit policy
 - 2.1.5. Reconstruction and reorganization
 - 2.1.6. Suspension and winding up
- 2.2. Contract between banker and customer : their rights and duties

Module – II (1 Credit)

3. Social Control over Banking :

- 3.1. Nationalization
- 3.2. Evaluation : private ownership, nationalization and disinvestments
- 3.3. Protection of depositors
- 3.4. Priority lending
- 3.5. Promotion of under privileged classes

4. The Central Bank :

- 4.1. Evolution of Central Bank
- 4.2. Characteristics and functions
- 4.3. Economic and social objectives
- 4.4. The Central Bank and the State – as bankers' bank
- 4.5. The Reserve Bank of India as the Central Bank
 - 4.5.1. Organisational structure
- 4.6. Functions of the RBI

- 4.6.1. Regulation of monetary mechanism of the economy
 - 4.6.1.1. Credit control
 - 4.6.1.2. Exchange control
 - 4.6.1.3. Monopoly of currency issue
 - 4.6.1.4. Bank rate policy formulation
- 4.7. Control of RBI over non-banking companies
 - 4.7.1. Financial companies
 - 4.7.2. Non-financial companies

Module – III (1 Credit)

5. Relationship of Banker and Customer :

- 5.1. Legal character
- 5.2. Contract between banker and customer
- 5.3. Banker's lien
- 5.4. Protection of bankers
- 5.5. Customers
 - 5.5.1. Nature and type of accounts
 - 5.5.2. Special classes of customers – lunatics, minor, partnership, corporations, local authorities.
- 5.6. Banking duty to customers
- 5.7. Consumer protection: banking as service

6. Negotiable Instruments :

- 6.1. Meaning and kinds of instruments
- 6.2. Transfer and negotiations
- 6.3. Holder and holder in due course
- 6.4. Presentment and payment
- 6.5. Liabilities of parties

Module – IV (1 Credit)

7. Lending by Banks :

- 7.1. Good lending principles
- 7.2. Lending to poor masses
- 7.3. Securities for advances
- 7.4. Kinds and their merits and demerits
- 7.5. Repayment of loans : rate of interest, protection against penalty
- 7.6. Default and recovery
- 7.7. Debt recovery tribunal

8. Recent Trends of Banking System in India :

- 8.1. New technology
- 8.2. Information technology
- 8.3. Automation and legal aspects
- 8.4. Automatic teller machine and use of internet
- 8.5. Smart card
- 8.6. Credit cards

References :—

1. Negotiable Instruments Act- Bhashyam and Adiga
2. Law of Negotiable Instruments Nilima Chandiramani
3. Banking Law and Practice in India -M.L. Tannan
4. The Law of Banking and Bankers - L.C. Goyle
5. Banking Theory and Practice - K.C. Shekar
6. Banking Theory and Practice -Varshney
7. Review of current Banking theory and Practice – Basu A.
8. Pagets Law of Banking - M. Hapgood (ed)
9. Banking Reforms in India - K. Subrahmanyam
10. Report of working Group on Customer Services in Banks - R.K. Talwar
11. Law of Negotiable Instruments - Dr. P.W. Rege.

Semester – IV Topics for Credit based Choice (4 credits)

1. Understanding and Assessment of Industrial Psychology
2. C S R and Human Rights Education
3. Right to Information Under Mercantile Legislations – Constitutional Perspective
4. Securities Laws and Criminal Jurisprudence
5. Growth and Development of A D R Under Environmental Legislations
6. Property Laws and Rights of Consumers
7. W T O and Indian Politics
8. Information Technology and e-commerce –Emerging Legal Issues and Concern
9. Corporate Law and Accounting Standards

References :—

1. Indian Constitutional Law; Dr. Durga Das Basu revised by S.R.Roy and SP.Gupta.3rd edition,2011.
2. Right to information Law in India N.V.Paranjape 2014
3. The Political Economy of the World Trading System Amitabh Kundu,Michel M Kostecki edition 3rd 2009
4. Law and Practice of Alternative Dispute Resolution In India- A Detailed Analysis AnirbanChakraborty edition 2016
5. Role of Environmental Green Tribunal in Protection Environment M J Khandare 2016
6. International Law and Human Rights S K Kapoor 2016
7. Consumer, Consumerism and Consumer Protection – Indian Context Dr. K.N.Bhatt, Prof. Suresh Mishra and Sapna Chadah2015
8. Information Technology Law and Practice Vakul Sharma 2014
9. Cyber and E-Commerce Laws (Diwan and KapoorBharat Publishers
10. SEBI Manual Code

GROUP – III-LAW OF INTELLECTUAL PROPERTY AND INFORMATION TECHNOLOGY

Paper I-Intellectual Property and International Organisations and Agreements(4 Credits)

Module – I (1 Credit)

1. Introduction to Intellectual Property Rights (IPRs) :

- 1.1. What is Intellectual Property
- 1.2. Basic concepts of Intellectual Property
- 1.3. Nature of Intellectual Property
- 1.4. Commercial exploitation of Intellectual Property
- 1.5. Enforcement of rights and remedies against infringement
- 1.6. International character of Intellectual Property.

Module – II (1 Credit)

2. International Organisation and Conventions :

- 2.1. International Agreements/Conventions relating to Intellectual Property.
- 2.2. World Intellectual Property Organisation (WIPO)
- 2.3. World Trade Organisation (WTO)

Module – III (1 Credit)

3. Trade Related Aspects of Intellectual Property Agreement (TRIPs) :

- 3.1. General Provisions and Basic Principles
- 3.2. Standards concerning the availability, scope and use of Intellectual Property Rights.
- 3.3. Enforcement of Intellectual Property Rights
- 3.4. Acquisition and Maintenance of Intellectual Property Rights
- 3.5. Dispute Prevention and Settlement
- 3.6. Transitional Arrangements
- 3.7. Institutional Arrangements.

Module – IV (1 Credit)

4. Human Rights and Intellectual Property Rights (IPRs) :

- 4.1. Anti competitive Practices / Abuse of Intellectual Property Rights (IPRs)
- 4.2. Government Use and Public Interest

References :—

1. Intellectual Property (1999) edition) by W.R. Cornish (Sweet & Maxwell)
2. WTO in the New Millenium – MVIRDC – by Arun Goyal
3. Intellectual Property Rights - WADHERA
4. WTO and Globalisation : An Indian Overview – Dr. Nilima Chandiramani
5. Intellectual Property Rights under the TRIPs Text – Dr. Nilima Chandiramani
6. Intellectual Property Rights – P. Narayan
7. Intellectual Property Rights Law – Dr. Ashok Soni.

PAPER II. -Law of patents (4 credits)

Module – I (1 Credit)

- 1.1. Introduction, definition, scope and objectives of Law of Patents
- 1.2. Subject Matter of Patents.
- 1.3. International Conventions and treaties regarding patents.
- 1.4. History of Indian Patent System

Module – II (1 Credit)

- 2.1. Procedure for Obtaining Patents.
- 2.2. Patentability and Patentable Subject – Matter
- 2.3. Process and Product Patent
- 2.4. Specification
- 2.5. Opposition to grant of Patents

Module – III (1 Credit)

- 3.1. Register of Patents and Patent Office
- 3.2. Rights and Obligations of Patentee
- 3.3. Transfer of Patent Rights
- 3.4. Voluntary Licences, Compulsory Licences,
- 3.5. Licence of Right and Revocation for non working patents.
- 3.6. Assignment and Licensing of Patents.
- 3.7. Patenting of Traditional Knowledge. Issues related to Biopiracy and BioProspecting

Module – IV (1 Credit)

- 4.1. Powers of Central Government to acquire and use patents for public purpose.
- 4.2. Revocation and Surrender of Patents.
- 4.3. Infringement of Patents. Threat of Infringement Proceedings
- 4.4. Offences and Penalties.
- 4.5. Appellate Tribunal Proceedings
- 4.6. Ever Greening of Patents.

References :—

1. Intellectual Property (1999 edition) by W.R. Cornish (Sweet & Maxwell)
2. Trrell on Law of Patents, 15th Edition (2000) by Simon Thorley,
3. Richard Miller, Guy Burkill and Colin Birss (Sweet & Maxwell)
4. Patent Law by P. Narayanan, 3rd Edition (1998),
5. Patent Co-Operation Treaty Handbook by Chartered Institute of Patent, Agents (Sweet & Maxwell) 1999n edition
6. Wadhera – Intellectual Property Rights
7. Intellectual Property Rights – P. Narayan

Paper –III - Law of Trademarks – (4 credits)

Module – I (1 Credit)

- 1.1. General Principles of Trademarks.
- 1.2. International and National Laws relating to trademarks
- 1.3. Property in Trademarks – how acquired?
- 1.4. Conditions and Procedure for Registration of Trademarks.

Module – II (1 Credit)

Opposition of Registration of Trademark.

- 2.1. Effect of Registration
- 2.3. Registerable and Non Registerable Trademarks.
- 2.4. Similar, Nearly Resembling and Deceptively Similar Trademarks.
- 2.5. Trademark Registry and Register of Trademarks
- 2.6. Assignment, Transmission and Abandonment

Module – III (1 Credit)

- 3.1. Licensing of Trademarks and Registered Users
- 3.2. Collective Marks Service Marks and Textile Trademarks
- 3.3. Infringement and Passing Off.
- 3.4. Action for Infringement
- 3.5. Passing off Action.
- 3.6. Certification of Trademark

Module – IV (1 Credit)

- 4.1. Offences and Penalties.
- 4.2. Threat of Legal Proceedings.
- 4.3. Appellate Tribunals
- 4.4. Emerging New Trends in Trademarks.

References :—

1. Kerly's Law of Trade Marks and Trade Names Thomas A> Balano White and Robin Jacob (Sweet & Maxwell)
2. The Modern Law of Trade Marks by Christopher Morcom, Ashley Roughton and James Graham, 1st edition, 1999 edition (Butterworths)
3. K.S. Shavaksha on Trade and Merchandise Marks Act 1958 3rd Edition (1999 edition) Butterworths, India.
4. Mc. Carthy on Trade Marks and Unfair Competition (1999 edition) (West Group. U.S.A.
5. Intellectual Property (1999 edition) by W.R. Cornish (Sweet & Maxwell)
6. Narayanan on Trade Marks and Passing Off – Fourth Edition.
7. Wadhera – Intellectual Property Rights
8. Intellectual Property Rights-P.Narayan

Paper IV - Copyrights Law and other related rights (4 credits)

1. Module – I (1 Credit)

- 1.1. Introduction to Copyrights
- 1.2. International Conventions relating to Copyrights
- 1.3. Indian Laws relating to Copyright
- 1.4. Nature of Copyrights
- 1.5. Subject Matter of Copyrights.
- 1.6. Term of Copyright

2. Module – II (1 Credit)

- 2.1. Authorship and Ownership.
- 2.2. Rights Conferred by Copyright
- 2.3. Rights of Broadcasting Organizations, Producers of Phonograms and Performers.
- 2.4. Assignment, Transmission and Relinquishment.
- 2.5. Registration of Copyrights

3. Module – III (1 Credit)

- 3.1. Licences
- 3.2. Publication
- 3.3. Copyright Societies
- 3.4. Copyright office and Boards.
- 3.5. Infringement of Copyright

4. Module – IV (1 Credit)

- 4.1. Emerging New Trends in copyrights.
- 4.2. International Copyrights.
- 4.3. Registration of Copyrights
- 4.4. Appeals.

References :—

1. Intellectual Property (1999 edition) by W. R. Cornish (Sweet & Maxwell)
2. Copinger and Skone James on Copyright, 14th Edition by Kevin Garnett; Jonathan Rayner James and Gillian Davis – 1999 edition(Sweet & Maxwell)
3. The Modern Law of Copyright and Designs; 2nd edition 1995 by Hugh Laddie, Peter Prescott and Mary Vitoria (Butterworths)
4. Nimmer on Copyright in 10 volumes (edition 2000) Mathew Bender)
5. Copyright and Industrial Designs - P. Narayanan
6. The Copyright Act – Iyenger.

Paper V - Law of Industrial Designs, Geographical Indication, Layout Designs Data Protection and Trade secrets(4 credits).

Module – I (1 Credit)

- 1.1. Laws Relating to Industrial Designs :
- 1.2. Introduction, Novelty and Originality
- 1.3. Publication
- 1.4. Registration of Designs
- 1.5. Rights conferred by registration
- 1.6. Infringement of Copyright in Design
- 1.7. Remedies.

Module – II (1 Credit)

- 2.1. Law Relating to Geographical Indication :
- 2.2. Definition, need scope of Geographical Indications.
- 2.3. Register and Conditions for registration of Geographical Indications.
- 2.4. Procedure for and Duration of Registration
- 2.5. Effect of Registration
- 2.6. Special Provisions related to Trademark and Prior use.
- 2.7. Rectification and Correction of Register
- 2.8. Offences / Penalties / Appeals
- 2.9. Remedies.

Module – III (1 Credit)

Layout- Designs (Topographies) of Integrated circuits :

- 3.1. Meaning of Integrated Designs
- 3.2. Need and Mechanisms for Protection of Integrated Circuit & Layout Designs
- 3.3. International conventions and National Legislations
- 3.4. Procedure for Registration of Integrated Circuits.
- 3.5. Duration of Registration
- 3.6. Change in the Identity of Proprietor; Assignment; Surrender, Amendment; Corrections and other Changes, Cancellation

- 3.7. Compulsory Licensing
- 3.8. Infringement and Appeals

Module – IV Protection of Undisclosed Information/Trade Secrets. (1 Credit)

- 4.1. Law relating to Data Protection and Trade Secrets.
- 4.2. Protection of trade secrets – Confidential Information
- 4.3. How to protect trade secrets
- 4.4. The relationship between patents and confidential information
- 4.5. The relationship between copyright and confidential information
- 4.6. The Data Protection Act (DPA) 1998
- 4.8. Protection of Undisclosed Information
- 4.9. Introduction: terminology, definition and scope
- 4.10. International and National Legislation for protection of Undisclosed Information.

References :—

1. Intellectual Property (1999 edition) by W.R. Cornish (Sweet & Maxwell)
2. The Designs Act.
3. Russell – Clarke on Industrial Designs (6th Edition) 1998 by Martin Howe (Sweet & Maxwell)
4. Design – The Modern Law and Practice; by Lan Morris and Barry Quest (1987 edition) (Butterworths)
5. Patent for Inventions and the Protection of Industrial Designs by Thomas A. Balanco White, 1974 Edition (Stevens & Sons)
6. Taxmann’s Trade Marks Act & Geographical Indications of Goods & Copyright Act.
7. Intellectual Property (fifth ed.) Daoul Bainbridge First Indian Reprint 2003 Peason Education (Singapore) Pte. Ltd., Indian Branch, Delhi.

Paper VI - . Information Technology/ Cyber Laws (4 Credits)

Module – I (1 Credit)

- 1.1. Introduction to Information Technology
- 1.2. UNCITRAL Model Law
- 1.3. An Overview of the Information Technology Act
- 1.4. Information Security
- 1.5. Application

Module – II (1 Credit)

- 2.1. Digital Signatures and Certificates
- 2.2. Electronic Governance
- 2.3. Certifying authority
- 2.4. Software Protection

Module – III (1 Credit)

- 3.1. Comparative Study Relating to Cyber Laws
- 3.2. United nations, India, U.S.A, Europe and China.
- 3.3. Cyber Security
- 3.4. Jurisdictional Issues in Transnational Crimes.

Module – IV (1 Credit)

- 4.1. Formation of E – **Contracts**. Validity and Enforcement
- 4.2. Emerging New Legal Issues.
- 4.3. Cyber Crimes, Penalties and Adjudication
- 4.4. Appellate Tribunal
- 4.5. Offences and Prosecution
- 4.6. Cyber Terrorism.
- 4.7. Social Media and Emerging Crimes.

References :—

1. Taxmanns Law of Information Technology (Cyber Law)-D.P. Mital.
2. Cyber and E-Commerce, IT Act 2000 – Diwan Kapoor, Bharat Publishers.
3. Law relating to Computers and Internet – Rahul Matthan Butterworth.
4. Computer Crime – Nitant P. Trilokekar – Snowwhilte
5. Law of Internet – F. Lawrence Street Mark P. Grant 2000 Edition, Lexis Publication

Semester – IV Topics for Choice Based Credits (Four credits)

1. Issues relating to Biopiracy and Bio- prospecting
2. Resources for Food and Agriculture – issues on patent policy and farmers' **rights- CBD, Nagoya Protocol and Indian law •**
2. UNESCO – protection of folklore/cultural expressions. Developments in WIPO on traditional knowledge and traditional cultural expressions
4. Intellectual Property rights and Information Technology. Copyright and Media Laws.
5. Trade Related Aspects of Intellectual Property Rights: A Viable Tool for the Enforcement of Benefit Sharing.
6. WTO Negotiations on Geographical Indications and Their Potential Implications
7. Human Right Perspective of Intellectual Property Rights.
8. Dispute Settlement Mechanism.

Suggestive Readings :

1. Intellectual Property (1999) edition) by W.R. Cornish, (Sweet & Maxwell)
2. WTO in the New Millennium – MVIRDC – by ArunGoyal
3. Intellectual Property (fifth ed.) Daoul Bainbridge First Indian Reprint 2003, Pearson Education (Singapore) Pvt. Ltd., Indian Branch, Delhi.
4. Peter Drahos: A Philosophy of Intellectual Property, 1996
Commons J.R.: International Economics, 1934
5. Narayan : Intellectual Property rights, 2007
5. Gopalakrishnan.N.S, Cases And Materials On Intellectual Property Law: Along With Objectives, Methodology, And Course Outline Bangalore: National Law School of India University, 1992.
6. International Legal Instruments, D.K. Agencies 1998.
Intellectual Property Rights CSIR Journal. International Legal Materials.

7. Journal of the Indian Law Institute Journal of the Indian Society of International Law; American Journal of International Law;
8. Ram Jethmalani D S Chopra, Cases and Materials on Media Law: A Book on Indian Perspective, published by Thomas Reuters, published on 2012, ISBN NO 9381082367
9. Monroe E. Price (Editor), Stefaan G. Verhulst (Editor), Broadcasting Reform in India: Media Law from a Global Perspective (Law in India Series)
Publisher : Oxford University Press (April 15, 1999), ISBN-10:

0195645642

ISBN-13: 978-0195645644

GROUP- IV - HUMAN RIGHTS LAW
PAPER I—CONCEPT AND DEVELOPMENT OF HUMAN
RIGHTS (4 Credits)

Module – I (1 Credit)

1. Human Rights : Concept :

- 1.1. Human Rights in Indian tradition: ancient, medieval and modern
- 1.2. Human rights in western tradition, The American Declaration of Independence and the Bill of Right, the French Declaration of the Rights of Man and the Universal Declaration of Human Rights.
- 1.3. Development of natural rights
- 1.4. Human rights in International law and National law.
- 1.5. Criticism of Rights by Conservatives - Utilitarian (Jeremy Benthan), Idealist (T.H. Green), Socialist (Karl Marx) and Positivist (Hart)

Module – II (1 Credit)

2. Classification of Human Rights – First, Second and Third Generations: Historical Development.

Module – III (1 Credit)

3. Human Rights: Politics and Society :

- 3.1. Colonisation, imperialism and human rights
- 3.2. Power, practices, accountability and transparency
- 3.3. Liberalization, privatization and globalization
- 3.4. Human duties: responsibilities and obligations
- 3.5. Relationship Between Rights, Obligations and Duties in relation to State and Society with special focus on contemporary values.

Module – IV (1 Credit)

- 4. Universality of Human Rights.**
- 5. Third World Perspective to Human Rights.**
- 6. Human Rights and Consumerism.**

References :—

1. Angela Hegarty, Siobhan Leonard, Human Rights an Agenda for the 21st Century (1999)
2. Lalit Parmer, Human Rights, (1998)
3. Rama Jois, Human Rights: Bharatiya Values, (1998)
4. David P. Forsythe, Human Rights in International Relations.
5. Lon L. Fuller, The Morality of Law.
6. John Finnis, Natural Law and Natural Rights, (1980)
7. Julius Stone, Human Law and Human Justice, (2000), Universal, New Delhi.
8. M.G. Chitkara, Human Rights: Commitment and Betrayal, (1996).
9. V. D. Kulshreshtra, Landmarks in the Indian Legal and Constitutional History, (1995)
10. Robert Lewngat. The Classical Law of India (1998), Oxford.
11. a. Bentham J. Anarchical fallacies in Human Rights (Ed.) Moldon Belmont, California, Wadsworth 1970
b. Hart HLA - Essays in Jutisprudenc and
c. Paine Tand H Colins (ED) - Rights of Man (1791/2)

Harmondworth Penguin 1969.

- d. Waldron J.J. (Ed) - Theories of Rights, Oxford, Oxford University Press 1984.

PAPER II – HUMAN RIGHTS AND INTERNATIONAL ORDER (4 CREDIT)

Module – I (1 Credit)

1. Development of Concept of Human Rights :

Under International Law ILO and various Conventions dealing with Human Rights, International Bill of Rights and implementation in global context Human Rights and Development - the Declaration on the Right to Development 1987, Freedom of Expression and Rights to Know - RTI

Module – II (1 Credit)

2. Role of Regional Organizations :

- 2.1. European Convention on Human Rights
- 2.2. American Convention on Human Rights
- 2.3. African Convention on Human Rights.
- 2.4. Other regional Conventions.

Module – III (1 Credit)

3. Protection agencies and mechanisms :

- 3.1. Role of UN specialized agencies - UNESCO, UNICEF, ILO, WHO, FAO.
- 3.2. Role of International Non-governmental Organizations Like Amnesty International, Human Rights Watch, Asia Watch etc.
- 3.3. International Court of Justice - its functioning and settlement of International disputes.
- 3.4. International Criminal Court.
- 3.5. Role of National Human Rights Commission with Special reference to India

Module – IV (1 Credit)

4. New International Economic Order.

5. Global Terrorism.

References :—

Benedetto Conforti and Francesco Francioni, *Enforcing International Human Rights in Domestic Courts*, (1997)

Francisco Forrest Martin, *International Human Rights Law and Practice*, (1997)

Luck Clements, *European Human Rights Taking a Case under the Convention*, (1994)

Evelyn A. Ankumah, *The African Commission on Human Rights and People's Rights* (1996)

R.K. Sinha, *Human Rights of the World*, (1997). Philip Alston, *The United Nations and Human Rights Critical Appraisal*, (1992)

R.S. Sharma and R.K. Sinha, *Perspectives in Human Rights Development*, (1997).

The Human Rights Watch *Global Report on Women's Human Rights*, (2000), Oxford.

B.P. Singh Seghal, *Human Rights in India*, (1996).

Chandan Bala, *International Court of Justice: Its*

Functioning and Settlement of International Disputes, (1997)

1. Amnesty International- *Torture in Eighties* London, Amnesty International Publications 1984.
2. Claud R. P. and H. W. (Ed) - *Human Rights in the World Community-Issues and Actions*, Philadelphia, University of Pennaylavania, 1989.
3. Jenks C. W. - *Human Rights and International Labour Standards*, London, Stevens, 1960.
4. Raman Kannamma - *University of Human Rights Discourse an overview* - Dept. of Civics and Politics, University of Mumbai,

Mumbai - 1998.

5. Vijapur Abdul Rahim (Ed). Essays on International Human Rights - 1991 (South Asian Publishers Pvt. Ltd. New Delhi)

PAPER III—PROTECTION AND ENFORCEMENT OF HUMAN IN INDIA (4 CREDITS)

Module – I (1 Credit)

1. History and Development of Human Rights in Indian Constitution :

- The Comparison between Human Rights and Fundamental Rights - Areas of Convergence and Divergence
- Indian Societal responses towards ideology or philosophy of Human Rights.
- Investigating agencies and Human Rights.
- Leading cases of S.C. and H.C. of India on Human Rights.

Module – II (1 Credit)

2. Judicial Activism and Development of Human Rights Jurisprudence.

Module – III (1 Credit)

3. Enforcement of Human Rights :

- 3.1. Formal enforcement mechanism
 - 3.1.1. Role of Supreme Court
 - 3.1.2. Role of High Court
 - 3.1.3. Role of Civil and Criminal Court
 - 3.1.4. Statutory Tribunals
 - 3.1.5. Special Courts
 - 3.1.6. Armed Forces Act and Violation of Human Rights.
 - 3.1.7. Displacements and Human Rights protection.

Module – IV (1 Credit)

4. Role of India in implementing International norms and standards.

References :—

1. D.D. Basu, Human Rights in Indian Constitutional Law, (1994).
2. Vijay Chitnis(et.al). Human Rights and the Law : National and Global Perspectives, (1997)
3. B.P. Singh Seghal, Law, Judiciary and Justice in India, (1993).
4. James Vadakkumchery, Human Rights and the Politics in India, (1996).
5. D.R. Saxena, Tribals and the Law, (1997)
6. Poornima Advani, Indian Judiciary : A Tribute, (1997)
7. Justice Venkataramiah, Human Rights in the Changing World, (1998).
8. Paramjit S. Jaiswal and Neshtha Jaiswal, Human Rights and the Law (1996)
9. Agarwal H.O. - Implementation of Human Rights Contents with Special Reference to India. - 1993 D.K. Publishers, New Delhi.
10. Anthony M.J. - Social Action through Courts (Landmark Judgements in PIL) New Delhi, ISI Publications - 1993.
11. Baxi Upendra _ Mambeino's Helmet? Human Rights in the Changing World, New Delhi, Har Anand Publishers, 1994.
12. Iyer Krishna V.R. - Human Rights and Inhumab Wrongs, 1993 D.K. Publishers, New Delhi.
13. Iyer Krishna V.R. - The Dialectics and Dilemmas of Human Rights - Yesterday, Todat and Tomorrow.
14. NHRC Annual Reports, New Delhi.
15. Sehgal BPS - Human Rights in India - Problems and Prospects, 1995 Deep and Deep Publications, New Delhi.
16. All Law Journals and reports.
17. Justice Hosbet Suresh titled "All Human Rights are Fundamental

Rights”-Universal Law Publication, New Delhi.

18. Sr. Adv. N. M. Ranka titled “ Laws Profession Experiences and Expectations-Ranka Public Charitable Trust, Jaipur - 302 004.

PAPER IV — HUMAN RIGHTS OF DISADVANTAGED GROUPS (4 CREDITS)

Module – I (1 Credit)

1. Concept of Disadvantaged Groups.

Module – II (1 Credit)

2. Emerging Human Rights Jurisprudence and the Role of the Judiciary :

- 2.1. Rights of women
- 2.2. Rights of the child
- 2.3. Rights of prisoners
- 2.4. Rights of Dalits
- 2.5. The tribal and other indigenous people
- 2.6. The Disabled Persons
- 2.7. The Stateless persons
- 2.8. The unorganized labour and bonded labour
- 2.9. ‘Aids’ victims
- 2.10. Rights of minorities
- 2.11. Elderly Persons.

Module – III (1 Credit)

3. Enforcement of Human Rights :

- 3.1. Protection Laws of the Disadvantaged Groups: Problems and Issues.
- 3.2. National agencies for protection such as National Commission for women, National Commission for Children, National Commission for Scheduled Castes/ Scheduled Tribes, National Commission for Minorities.

Module – IV (1 Credit)

4. Future Perspectives of the Human Rights of the Disadvantaged.

References :—

- G.S. Bhargava and R.M. Pal, Human Rights of Dalit Societal Violation, (1999)
- Geraldine Van Bueren, The International Law on the Rights of the Child, (1998)
- Prabhat Chandra Tripathi, Crime Against Working Women, (1998)
- Paras Diwan and Piyush Diwan, Women and Legal Protection Philip Alston (et.al.), Children, Rights and the Law.
- Kelly D. Askin, Dorean M. Koenig, Women and International Human Rights Law, (1999).
- N.K. Chadrabarti, Juvenile Justice in the Administration of Criminal Justice, (1999).
- Rebecca Wallace, International Human Rights, Text and Materials. (1997)
- Janaki Nair, Women and Law in Colonial India, (1996)
- Simon Creighton, Vicky King, Prisons and the Law, (1996).
- D.D. Basu, Human Rights in Indian Constitutional Law, (1994).
- Vijay Chitnis(et.al). Human Rights and the Law : National and Global Perspectives, (1997)
- B.P. Singh Seghal, Law, Judiciary and Justice in India, (1993).
- James Vadakkumchery, Human Rights and the Politics in India, (1996).
- D.R. Saxena, Tribals and the Law, (1997)
- Poornima Advani, Indian Judiciary : A Tribute, (1997)
- Justice Venkataramiah, Human Rights in the Changing World, (1998).
- Paramjit S. Jaiswal and Neshtha Jaiswal, Human Rights and the Law (1996)
- Agarwal H.O. - Implementation of Human Rights Contents with Special Reference to India. - 1993 D.K. Publishers, New Delhi.
- Anthony M.J. - Social Action through Courts (Landmark Judgements in PIL) New Delhi, ISI Publications - 1993.
- Baxi Upendra _ Mambeino's Helmet? Human Rights in the Changing World, New Delhi, Har Anand Publishers, 1994.
- Iyer Krishna V.R. - Human Rights and Inhumab Wrongs, 1993 D.K. Publishers, New Delhi.
- Iyer Krishna V.R. - The Dialectics and Dilemmas of Human Rights - Yesterday, Today and Tomorrow.

NHRC Annual Reports, New Delhi.
Sehgal BPS - Human Rights in India - Problems and
Prospects, 1995 Deep and Deep Publications, New Delhi.
All Law Journals and reports.

**PAPER-V INTERNATIONAL HUMANITARIAN LAW AND
REFUGEE LAW (4 CREDITS)**

Module – I (1 Credit)

1. Humanization of Welfare :

- 1.1. Amelioration of the wounded and sick
- 1.2. Armed forces in the field
- 1.3. Armed forces at sea
- 1.4. The Shipwrecked
- 1.5. Protection and facilities
- 1.6. Prisoners of war
- 1.7. Civilians in times of War
- 1.8. Cultural properties
- 1.9. International Convention on Genocide

Module – II (1 Credit)

2. Control of weapons :

- 2.1. Conventional
- 2.2. Chemical
- 2.3. Biological
- 2.4. Nuclear

Module – III (1 Credit)

3. Humanitarian law : Implementation :

- 3.1. Red Cross – role
- 3.2. National legislation

Module – IV (1 Credit)

4. The Concept of refugees :

- 4.1. Definition of refugees and displaced persons –their problems
- 4.2. The UN Relief and Rehabilitation Administration and

other international Refugee organizations : international protection.

4.3. Protection under national laws

5. Strategies to combat refugee problem :

5.1. Repatriation, resettlement local integration and rehabilitation

5.2. UNHCR – role

5.3. UNHCR and India

References :—

B.S. Chimni, International Refugee Law (2000)

Jean Yves Calier, Who is a Refugee A Comparative Case Law Study, (1997)

Kelly Dawn Askin, War Crimes Against Women, (1997)

M.K. Balachandran, Rose Varghese, Introduction to International Humanitarian Law, (1997).

Guy S. Goodwin-Gill, The Refugee in International Law, (1996)

Veral Gowlland-Debbas, The Problem of Refugees in the Light of Contemporary International Law Issues, (1996)

Anti-personnel Landmines Friend or Foe?, International Committee of Red Cross, (1996)

Resettlement Handbook, The United Nations High Commissioner for Refugees.

James C. Hathaway, Hohn A.Dent, Refugee Rights : Report on a Comparative Survey, (1995)

PAPER VI—SCIENCE, TECHNOLOGY AND HUMAN RIGHTS (4 CREDITS)

Module – I (1 Credit)

1. Interrelationship of Science, Technology and Human Rights :

2. Implication of Development of Science and Technology on Human Rights :

- 2.1. Right to environment in the development of science and technology
- 2.2. Right to development in the advancement of science and technology
- 2.3. Right to human health and impact of developments in Medical sciences

Module – II (1 Credit)

3. Medicine and the Law :

- 3.1. Organ transplantation
- 3.2. Experimentation on human beings
- 3.3. Medical Negligence and Human Rights.
- 3.4. Euthanasia (Mercy Killing)
- 3.5. Gene therapy

Module – III (1 Credit)

4. Issue of Human Rights Ethics in Scientific and Technological Development :

- 4.1. Sex determination test
- 4.2. Induced abortion
- 4.3. Reproductive technology
- 4.4. Cloning
- 4.5. Invitro fertilization
- 4.6. Artificial insemination
- 4.7. Surrogate motherhood

Module – IV (1 Credit)

4. Development in information and Human Rights Cyber Terrorism.

5.1. Positive and Negative Implications of Science & Technology in context of Terrorism.

6. Impact of Scientific and Technological Progress on Human Rights: Normative Response of the International Community :

- 6.1. Right to life
- 6.2. Right to privacy
- 6.3. Right to physical integrity
- 6.4. Right to information
- 6.5. Right to benefit from scientific and technological progress
- 6.6. Right to adequate standard of living

References :—

Diane Rowland, Elezabeth Macdonald, information Technology Law, (1997)

Suresh T. Viswanathan, The Indian Cyber Law (2000)

The International Dimensions of Cyberspace Law (2000), UNESCO Publication.

D.P. Mittal, Law of Information Technology (Cyber Law), (2000)

Michael Chissick, Alistair Kelman, Electronic Commerce, Law and Practice, (1999)

Adwin W. Patterson, Law in a Scientific Age, (1963)

Steve Jones, Borin Van Leon, Genetics for Begineers, (1993)

Weeramantry, C.G., Human Rights and Scientific and Technology Development, 1990.

Kamenka, E., Ideas and Ideologies Human Rights (1978)

Galtung, Human Rights in Another key, (1994)

Akbar, M,J., Roits After Riots, (1988)

Baxi, U.(ed), Rights to be Human, (1986)

Kazmi, F., Human Rights, (1987)

Levin L., Human Rights, (1982)

Gromley W.P., Human Rights and Environment, (1976)

Madhavtirtha, Human Rights, (1953)
 Beddard H., Human Rights and Europe, (1980)
 Swarup J., Human Rights and Fundamental Freedoms,(1975)
 Nagendra Singh, Human Rights and International Cooperation, (1969)
 Kashyap, S.C., Human Rights and Parliament, (1978)
 Khare S.C., Human Rights and United Nations, (1977)
 Moskowitz, Human Rights and World Order, (1958)
 Drost, Human Rights as Legal Rights, (1965)
 Garling M., Human Rights Handbook, (1979)
 Andrews J.A., Human Rights in Criminal Procedure, (1982)
 Kalaiah A.B. Human Rights in International Law, (1985)
 Menon, I. (ed.), Human Rights in International Law, (1985)
 Robertson, A.B. (ed.), Human Rights in National and International Law,(1970)
 Lauterpacht, E., International Law and Human Rights, (1968).
 Robertson, E., Human Rights in the World, (1972) Sohn, Lonis & Burgenthal, International Protection of Human Rights, (1973)
 Baxi, U., “Human Rights, Accountability and Development”, Indian Journal of International Law, 279, (1978)
 Basu, D.D., Human Rights, in Constitutional Law, (1994)
 Macfarlane, L.J., The Theory and Practice of Human Rights, (1985)
 Krishna Iyer, V.R., Human Rights – A Judge’s Miscellny, (1995)
 Rama Jois, M., Human Rights: Bharatiya Values, (1998).

Semester – IV Topics for Choice Based Credits (Four credits) :

- (1) Clinical Trials and Human Rights
- (2) Poverty and Population vis-à-vis Human Rights
- (3) Illiteracy and Corruption and Human Rights
- (4) Globalization and Human Rights
- (5) International Terrorism and Human Rights
- (6) Sustainable development-Need for Human Rights Education
- (7) Science and Technology vis-à-vis Human Rights Ethics
- (8) Human Rights and Duties – Areas of harmony and conflict
- (9) Public Interest Lawyering and Human Rights .

References :—

1. Julius Stone, Human Rights and Human Justice (2000)

- Universal Publication, New Delhi.
2. M.G.Chitkara-Human Rights: Commitment and Betrayal (1996)
 3. The Human Rights Watch Global Report on Women.s Human Rights (2000) Oxford
 4. B.P.SinghSehgal-Human Rights in India (1996)
 5. Raman Kannamma-Universality of Human Rights Discourse-an overview-Department of Civics and Politics, University of Mumbai, Mumbai 1998
 6. Vijapur Abdul Rahim (Ed) Essays on International Human Rights-1991 South Asian Publishers Pvt.Ltd, New Delhi
 7. Justice Venkataramiah-Human Rights in the Changing world (1998)
 8. Agarwal H.O-Implementation of Human Rights Contents with Special reference to India-1993 D.K Publishers, New Delhi
 9. Baxi Upendra-Mambeino's Helmet? Human Rights in the Changing world, Har Anand Publishers,1994
 10. Iyer Krishna V.R-Human Rights and Inhuman Wrongs, D.K.Publishers, New Delhi 1993
 11. Iyer Krishna V.R-The Dialectics and Dilemmas of Human Rights-Yesterday, Today and Tomorrow
 12. NHRC Annual Reports, New Delhi
 13. Sehgal B.P S-Human Rights in India-Problems and Prospects, Deep and Deep Publications, New Delhi 1995
 14. Justice Hosbet Suresh, "All Human Rights are Fundamental Rights"-Universal Law Publication, New Delhi
 15. Weeramantry C G-Human Rights and Scientific and Technology Development,1990

16. Baxi Upendra-Rights to be Human (1986)
17. Baxi U-Human Rights, Accountability and Development-Indian Journal of International Law (1978)
18. Krishna Iyer V.R-Human Rights- A Judge's Miscellany (1995)

**GROUP V – CRIMINAL LAW AND CRIMINAL
ADMINISTRATION**

PAPER I – CRIMINAL JURISPRUDENCE – (TOTAL 4 CREDITS)

Module-I (1 Credit)

- 1. Crime, Criminal Law and Criminal Justice.**
- 2. Administration of Criminal Justice – Meaning, Necessity and Growth.**
- 3. Doctrine of Mens Rea and Exceptions :**
 - 3.1. Negligence
 - 3.2. Physical Element in Crime- Actus Reus.
- 4. Stages in Commission of Crime :**
 - 4.1. Inchoate Crimes.
 - 4.2. Abetment and Criminal Conspiracy.

Module- II (1 Credit)

- 5. Principle of Group Liability in Crime.**
- 6. Fundamental Principles of Criminal Jurisprudence :**
 - 6.1. Test of Criminality /Legality
 - 6.2. Presumption of Innocence
 - 6.3. Double Jeopardy
 - 6.4. De Minimus Non Curat Lex.
 - 6.5. Mistake of Law and Mistake of Fact
 - 6.6. Jus Necessitatis.
- 7. General Exceptions.**
- 8. Right of Private Defense**

Module – III (1 Credit)

9. Theories and kinds of punishment.

10. Right of Protection of the accused.

11. Strict Liability

Module – IV (1 Credit)

12. International Criminal Court.

13. Concept of Decriminalisation.

References :—

- | | |
|----------------------|---|
| Glanville Williams | : Criminal Law (The general part) |
| Jarome Hall | : General Principles of Criminal Law |
| Fitz Gerald | : Criminal Law and punishment |
| Moberly | : Ethics of Punishment |
| Nigam | : Criminal Law |
| Tapas Kumar Banerjee | : Back ground to Indian Criminal Law
Commission of India, Forty Second |

Report Chapter 3 (1971) Criminal
Procedure Code, 1973 14th and 41st

Report of Indian Law Commission.

PAPER II - PENAL LAWS – (TOTAL 4 CREDITS)

Module-I (1 Credit)

1. Offences under Indian Penal Code :

- 1.1. Offences Against the State
- 1.2. Offences Relating to Elections
- 1.3. Offences Relating to Religion
- 1.4. Offences Affecting the Public Health, Safety,
Convenience, Decency and Morals.
- 1.5. Reforms in I.P.C.

Module-II (1 Credit)

- 2. The Maharashtra Control of Organised Crime Act,1999.**
- 3. The Prevention of Terrorism Act, 2002**

Module-III (1 Credit)

- 4. Cyber Crimes under Information Technology Act**

Module-IV (1 Credit)

- 5. The Juvenile Justice (Care and Protection of Children) Act, 2000 :**

- 5.1. The Basic Concepts
- 5.2. Determining Factors of Juvenile Delinquency
- 5.3. Legislative Approaches
- 5.4. Indian Context Juvenile Delinquency
- 5.5. Judicial Contribution
- 5.6. Implementation
- 5.7. Preventive Strategies

References :—

The Indian Penal Code, 1860

Ratanlal & Dhirajlal – Law of Crime
Russel on Crime
Smith & Hogen – Criminal Law

PAPER III — CRIMINOLOGY- – (TOTAL 4 CREDITS)

Module-I (1 Credit)

1. Concept of Crime. Criminal Law, Criminology as a Science :

1.2. Development and Crime

2. Criminology From – Ancient to Modern thought :

2.1. Pre-classical – classical – Neo classical

2.2. Cartographic School

2.3. Socialist School

2.4. Dr. Lombrozo theory

2.5. Approach of Radical Criminologist

Module-II (1 Credit)

3. Multiple Factor theory.

4. Causes of Crimes :

4.1. Socio –Cultural

4.2. Physical

4.3. Economic

4.4. Psychological

4.5. Mass Media & Crime

Module-III (1 Credit)

5. Privileged Class Deviance and Indian Legal order :

5.1. Notion of Privileged Class Deviance

5.2. White Collar Crimes

5.3. Official Deviance

5.4. Police Deviance

6. Professional Deviance of Lawyers, Teachers, Judges, Journalists, Doctors, Technocrats, etc. :

6.1. Unethical Practices at the Indian bar

6.2. The Lentin Commiss76n Report

- 6.3. The Press Council on unprofessional and unethical Journalism
- 6.4. Medical Malpractice

Module-IV (1 Credit)

7. Response of Indian Legal Order :

- 7.1. Vigilance Commission
- 7.2. Public Accounts Committee
- 7.3. Ombudsman
- 7.4. Commission of Enquiry
- 7.5. Prevention of Corruption Act ,1988

References :—

- A.S. Siddique - Criminology (1984) Eastern, Lucknow
Tapaskumar Banerjee - Background to Indian Criminal Law (1990) R. Company & Co., Calcutta.
Tapan - Crimes, Justice and Correction
Dr. Sethana - Society and the Criminal, Southern and Cresscy - Principles of Criminology Law Commission of India 42 Report Chap.3 (1971)

Sutherland & Cressey - Principles of Criminology Barness & Teeters
- New Horizons in Criminology
Dr. Suresh Mane - Crime, Criminal Law & Criminology, 2007.

**PAPER – IV COLLECTIVE VIOLENCE AND CRIMINAL
JUSTICE SYSTEM–
(TOTAL 4 CREDITS)**

Module- I:- (1 Credit)

1. Introductory :

- 1.1. Notions of “force”, “coercion”, “violence”
- 1.2. Distinctions: “symbolic” violence, “institutionalized” violence, “structural violence”
- 1.3. Legal order as a coercive normative order
- 1.4. Force-monopoly of modern law
- 1.5. Freedom of speech and incitement to violence
- 1.6. “Collective political violence” and legal order
- 1.7. Notion of legal and extra- legal repression”

2. Approaches to Violence in India :

- 2.1. Religiously sanctioned structural violence: Caste and gender based
- 2.2. Ahimsa in Hindu, Jain, Buddhist, Christian and Islamic traditions in India.
- 2.3. Gandhiji’s approach to non-violence
- 2.4. Discourse on political violence and terrorism during colonial struggle
- 2.5. Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period.

Module- II:- (1 Credit)

3. Agrarian Violence and Repression :

- 3.1. The nature and scope of agrarian violence in the 18-19 Centuries in India
- 3.2. Colonial legal order as a causative factor of collective

- political (agrarian) violence
- 3.3. The Telangana struggle and the legal order
 - 3.4. The Report of the Indian Human Rights Commission on Arwal Massacre

Module- III:- (1 Credit)

4. Violence against the Weaker Sections :

- 4.1. Notion of Atrocities
- 4.2. Incidence of Atrocities
- 4.3. Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities
- 4.4. Violence Against Women and Children

Module- IV:- (1 Credit)

5. Caste/Communal Violence :

- 5.1. Incidence and courses of “communal’ violence
- 5.2. Findings of various commissions of enquiry
- 5.3. The role of police and para-military systems in dealing with communal violence
- 5.4. Operation of criminal justice system trying and in relation to, communal violence

NOTE : Choice of further areas will have to be made by the teacher and taught.

References :—

- U. Baxi - “Dissent, Development and Violence” in R, Meagher(ed) Law and Social Change: Indo-American Reflections 92(1988).
- U. Baxi - (ed) Law and Poverty: Critical Essays, (1988)
- A.R. Desai,(ed)- Peasant Struggles in India, (1979)
- A.R. Desai - Agrarian Struggles in India: after Independence 1986)
- A.R. Desai, Violation of democratic Rights in India (1986).
- D.A. Dhangare - Peasant Movement in India: 1920-1950(1983)
- Ranjit Guha - Element any Aspects of Peasant Insurgency in Colonial India (1983) Ranjit Guba(ed) Subaltern Studies Vol. 1-6(1983-1988)
- T. Honderich - Violence for Equality (1980)
- Mark Juergensmeyer - “The Logic of Religious Violence: The Case of Punjab” 22 Contributions to Indian Sociology 65 (1988)
- Rajni Kothari - State Against Democracy (1987)

G. Shah - Ethnic Minorities and Nation Building: Indian Experience (1984)

K.S. Shukla - "Sociology of Deviant Behaviour," in 3 ICSSR Survey of Sociology and Special Anthropology 1969- 1979(1986).

**PAPER V - PENOLOGY : TREATMENT OF OFFENDERS -
- (TOTAL 4 CREDITS)**

Module- I:- (1 Credit)

1. Introductory :

1.1. Definition of Penology

2. Theories of Punishment :

2. Theories of Punishment

2.1. Retribution

2.2. Utilitarian prevention: Deterrence

2.3. Utilitarian: Intimidation

2.4. Behavioural prevention : Incapacitation

2.5. Behavioural prevention: Rehabilitation - Expiation

2.6. Classical Hindu and Islamic Approaches

Module- II:- (1 Credit)

3. The Problems of Capital Punishment :

3.1. Constitutionality of Capital Punishment

3.2. Judicial Attitudes Towards Capital Punishment in India
- An inquiry through the statute law.

3.3. Law Reform Proposals

Module –III:- (1Credit)

4. Approaches to Sentencing :

4.1. Alternatives to Imprisonment

4.2. Probation

4.3. Corrective labour

4.4. Fines

- 4.5. Collective fines
- 4.6. Juvenile Institutions
- 4.7. Rehabilitative Programmes.

5. Sentencing :

- 5.1. Principal types of sentences in the Penal Code and special laws
- 5.2. Sentencing in white collar crime
- 5.3. Pre-sentence hearing
- 5.4. Sentencing for habitual offender
- 5.5. Summary punishment
- 5.6. Plea-bargaining

Module- IV:- (1 Credit)

6. Imprisonment :

- 6.1. The State of India's jails today
- 6.2. Prison Reforms in India
- 6.3. The disciplinary regime of Indian prisons
- 6.4. Classification of prisoners
- 6.5. Rights of prisoner and duties of custodial staff.
- 6.6. Deviance by custodial staff
- 6.7. Open prisons
- 6.8. Judicial surveillance – basis – development reforms

References :—

- S. Chhabra - The Quantum of Punishment in Criminal Law (1970).
H.L.A. Hart - Punishment and Responsibility (1968)
Herbert L. Packer- The Limits of Criminal Sanction (1968)
Alf Ross - On Guilt, Responsibility and Punishment (1975)
Siddique A.S.- Criminology (1984) Eastern, Lucknow
Law Commission of India, Forty-Second Report Ch.3(1971)
S.K. Shukla - "Sociology of Deviant Behaviour" in 3 ICSSR
Survey of Sociology and Social Anthropology 1969-179 (1986)
Tapas Kumar Banerjee - Background to Indian Criminal Law (1990),
R. Campray & Co., Calcutta.

**PAPER VI—FORENSIC SCIENCE AND SCIENTIFIC
INVESTIGATION OF CRIME. -
(4 CREDITS)**

Module –I:- (1 Credit)

- 1. Forensic Science – An Integral component of Criminal Justice system – scope.**
- 2. Development of Forensic Science in India.**

Module –II:- (1 Credit)

- 3. An Introduction to :**
 - 3.1. Forensic Laboratories
 - 3.2. Forensic Biology
 - 3.3. Forensic Toxicology
 - 3.4. Forensic Anthropology
 - 3.5. Forensic Ballistics
 - 3.6. Forensic Documents
 - 3.7. Forensic Medicine

Module –III:- (1 Credit)

- 4. Modern Scientific Methods of Crime Control and Prevention :**
 - 4.1. Electrical Traps to catch thieves, burglars
 - 4.2. Truth Telling Drugs.
 - 4.3. Lie Detector.
 - 4.4. Atomat
 - 4.5. Breathalyser
 - 4.6. Traffipax Camera

- 4.7. Magnetic Gun
- 4.8. Night Vision Binoculars.
- 4.9. Portable Bomb Sniffer
- 4.10. Detection of Note Forgery by use of ultra violet ways

Module- IV:- (1 Credit)

5. Inter state crimes and Criminals :

- 5.1. The problem of International Crime
- 5.2. International Co-operation –
- 5.3. International Criminal Police Organisation (Interpol)

References :—

1. Dr. Hans Gross - Criminal Investigation
2. R. Deb. - Criminology, Criminal and Investigation.
3. Soderman And O'Connell - Modern Criminal Investigation
4. Dr. J.P. Modi - A Text Book of Medica Jurisprudence and Toxicology.
5. Nigel Morland -Science in Crime Detection.
6. The Indian Police Journal
7. International Criminal Police Review Journal.

Semester – IV Topics for Choice Based Credits (Four credits)

1. Law of defamation & Freedom of speech.
2. Study of Criminal behavior vis-à-vis increasing criminality.
3. White Collar Criminality & Corporate Crimes.
4. Tackling Collective Violence vis-à-vis Innovative Policing Techniques.
5. Ethical Issues & Medical Profession.
6. Cyber Crimes & Remedies.
7. Juvenile Justice System in India & Juvenile Psychology.
8. Corruption Laws & Elections in India.

References :—

1. Moberly : Ethics of Punishment
2. Dr. Sethna: Society &The Criminal.
3. U. Baxi: Dissent, Development & Violence

4. S K Shukla: Sociology of Deviant Behaviour.
5. Dr. J P Modi: A Text book of Medical Jurisprudence & Toxicology

GROUP VI - ENVIRONMENT AND LEGAL ORDER (4 CREDIT)

PAPER I — ENVIRONMENT AND DEVELOPMENT : LAW AND POLICY

Module – I (1 Credit)

1. The Idea of Environment :

- 1.1. Ancient and medieval writings
- 1.2. Traditions
- 1.3. Natural and Biological sciences: perspectives
- 1.4. Modern concept: Conflicting dimension

2. Development :

- 2.2. Right to development
- 2.3. Sustainable development – national and international Perspectives
- 2.4. Developing economies

Module – II (1 Credit)

3. Policy and Law :

- 3.1. From Stockholm to Rio and after
- 3.2. Post – Independence India
- 3.3. Role of government
 - 3.3.1. Five Year Plans
 - 3.3.2. Forest Policy
 - 3.3.3. Conservation strategy
 - 3.3.4. Water policy

Module – III (1 Credit)

4. Population, Environment and Development :

- 4.1. Population explosion and environmental impact
- 4.2. Population and development
- 4.3. Population and sustainable development

Module – IV (1 Credit)

5. Constitutional Perspectives :

- 5.1. Fundamental Right
 - 5.1.1. Right to environment
 - 5.1.2. Enforcement of the right
 - 5.1.3. Directive principles and fundamental duties
 - 5.1.4. Legislative power
- 5.2. Environment : Emerging concepts and challenges
 - 5.2.1. Polluter pay principle : absolute liability of hazardous Industry
 - 5.2.2. Precautionary principle
 - 5.2.3. Public trust doctrine

References :—

C.M. Abraham, Environmental Jurisprudence in India (1999), Kluwer
 Madhav Gadgil and Ramachandra Guha, This Fissured Island : An Ecological History of India (1996), Oxford.
 R.B. Singh & Suresh Misra, Environmental Law in India (1996), Concept Publishing Co., New Delhi.
 Kailash Thakur, Environmental Protection: Law and Policy in India (1997) Deep & Deep Pub. , New Delhi.
 Rochard L. Riversz et.al. (eds). Environmental Law, the Economy and Sustainable Development, (2000). Cambridge.
 Christopher D. Stone. Should Trees Have Standing and other Essays on Law, Morals and the Environment (1996). Oceana
 Stuart Bell and Donald McGillivray. Environmental Law (2000), Blackstone Press
 Charles A.R. Webster, Environment Health Law (1981).
 Leelakrishnan P et.all (eds) Law and Environment (1990), Eastern
 Leelakrishnan P. The Environmental Law in India (1999), Butterworths-India
 Department of Science and Technology, Government of India. Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring

Environmental Protection (1980) (Tiwari Committee Report).
Thomas J. Schoenbaum, Environmental Policy Law (1992).
Foundation Press, Inc, Westbury, New York.
Darryl D'Monte. Temples or Tombs industry versus
Environment: Three Controversies (1985). Centre for Science and
Environment, New Delhi.
Indian Journal of Public administration, Special Number on Environment
and Administration. July-September, 1988 Vol. XXXV, No.3 pp 353-801.
Khosho, Environment Concerns and Strategies (1988). Ashish, Delhi.
Centre for Science and Environment. The State of India's

Environment 1982. The State of India's Environment 1984-85 and The State of Indian Environment 1999-2000.

World Commission on Environment and Development. Our Common Future (1987). Oxford

PAPER II—RESOURCE MANAGEMENT AND THE LAW

Module – I (1 Credit)

1. Water :

- 1.1. Salinity
- 1.2. Bund and spill ways
- 1.3. Aquaculture and fishing : regulation
- 1.4. Irrigation
- 1.5. Ground water management
- 1.6. Interstate water management and disputes

Module – II (1 Credit)

2. Land :

- 2.1. Controls on land development.
- 2.2. Eco-friendly land planning : conservation, utilization and conversion.
- 2.3. Mining and quarrying

Module – III (1 Credit)

3. Concepts of Common Property and State Property :

- 3.1. Forest
- 3.2. Wildlife
- 3.3. Common facilities and the right to use : roads, parks, pathways, lakes, rivers
- 3.4. Natural heritage-Tribal habitat
- 3.5. Historical monuments
- 3.6. Wet lands: Wise use concept

Module-IV (1 Credit)

4. Energy :

- 4.1. Sources
- 4.2. Energy related environmental problems :taping,

- transmission and utilization indiscriminate use
- 4.3. Utilization of conventional energy : hydro-electric, thermal and nuclear
 - 4.4. Non-conventional energy : Solar, wind, tidal and biogas

References :—

Kailash Thakur, Environmental Protection: Law and Policy in India (1997), Deep & Deep publications, New Delhi
WCED, Our Forest, Our Future (1999), Cambridge

Abraham C.M. Environmental Jurisprudence in India (1999), Kluwer.
Diwedi, India's Environmental Policies, Programmes and Stewardship (1999). Kluwer.

Enid M. Barron, et.al.(eds). Royal Commission on Environmental Pollution, London, U.K.(1998). Kluwer.

David B. Wilkins Animal Welfare in Europe (1997), Kluwer

Mark Austen and Tamara Richards, Basic Legal Documents on International Animal Welfare and Wild Life Conservation (1000). Kluwer.

Jack Grosse, Protection and Management of Our Natural Resources, Wild Life and Habitat (1997), Oceana.

Enid M. Barson and Lga Nielson (eds.) Agriculture and Sustainable Use in Europe (1998) Kluwer.

Trever Hella Well, Blackston's Guide to Contaminated Land (2000), Blackstone Press.

Leelakrishnan, P et. Al. (eds.) Law and Environment (1990)

Leelakrishnan, P. The Environmental Law in India (1999). Butterworths – India

Frodorick R. Anderson, Et.al. Environmental Improvement through Economic Incentives (1977).

Indian Journal of Public Administration, Special Number on Environment and Administration. July-September, 1988
Vol. XXXV, No.3.

David Hughes, Environmental Law, (1999) Butterworths, London.

A.R. Bam and P.N. Gantam, Natural Heritage of India (1989), R.K. Publishers, Delhi.

Standing Committee on Environmental Law American Bar Association, Common, Boundary/Common Problems: The Environmental Consequences of Energy Production (1982).

S.K. Jain and A.R.K. Sastry, Threatened Plants of India: A State of the Art Report (1980)

Armin Rozenzanz, et. Al. (eds). Environmental Policy and Law in India (1988), Butterworths, India.

PAPER III —PREVENTION AND CONTROL OF POLLUTION

Module – I (1 Credit)

1. Pollution :

- 1.1. Meaning
- 1.2. Kinds of pollution and their impact

2. Pollution of Water :

- 2.1. Definition
- 2.2. Ground water pollution
- 2.3. Sources
- 2.4. Critique of exiting laws
 - 2.4.1. Machinery
 - 2.4.2. Powers
 - 2.4.3. Function
 - 2.4.4. Offences and penalties

3. Pollution of Air :

- 3.1. Pollutants and effects
- 3.2. Modalities of control
- 3.3. Conflicts of jurisdiction of different control
- 3.4. Agencies
- 3.5. Critique of the existing legal frame work

Module – II (1 Credit)

4. Noise Pollution :

- 4.1. Sources and effects
- 4.2. Different legal controls
- 4.3. Need for specific law

Module – III (1 Credit)

5. Disposal of Waste :

- 5.1. Kinds of wastes
- 5.2. Disposal agencies : local bodies and other agencies
- 5.3. Treatments, Disposal and recycling of wastes

Module – IV (1 Credit)

6. Sanctions against Pollution :

- 6.1. Efficacy of criminal and civil sanctions
- 6.2. Corporate liability, civil and criminal
 - 6.2.1. Should penalties be prohibitive?
 - 6.2.2. Civil liability, compensatory and penal
 - 6.2.3. Administrative compensation system
- 6.3. Incentives to pollution control
- 6.4. Market-based Instruments for abating Industrial Pollution.

References :—

- Kailash Thakur, Environmental Protection Law and Policy in India (1997), Deep & Deep publications, New Delhi.
- Enid. M. Barson and Ilga Nielson (eds.), Agriculture and Sustainable Use in Europe (1998), Kulwer.
- John F.Mc. Eldownery and Sharron Mc. Eldownery, Environmental Law and Regulation (2000), Blackstone Press.
- Leelakrishnan, P et.al. (eds) Law and Environment (1990)
- Leelakrishnan, P. The Environment Law in India (1999), Butterworths
- Frodo R. Anderson, et.al. Environmental Improvement Through Economic Incentives (1977)
- David Hughes, Environmental Law (1999), Butterworths, London.
- Daniel R. Mandekar, Environmental and Land Controls Registration (1976), Bobbs-Merril, New York
- Indian Law Institute, Mass Disasters and Multinational Liability : The

Bhopal Case (1986)

Inconvenient Forum and Convenient Catastrophe: The Bhopal Case (1986)

Armin Rozenzanz et.al. (eds.) Environment Policy and Law in India (2000), Butterworths India.

PAPER IV – ENVIRONMENT AND INTERNATIONAL LEGAL ORDER

Module – I (1 Credit)

1. Environmental Federalism and International Order :

- 1.1. Unitary approach
- 1.2. Decentralised approach

2. Sustainable Development.

3. International Concern for Environment Protection :

- 3.1. World environment movement
 - 3.1.1. Natural and cultural heritage
 - 3.1.2. Role of international and regional organizations

Module – II (1 Credit)

4. International Obligations towards Sustainable Development :

- 4.1. International financing policy
- 4.2. World environment fund
- 4.3. Global Environment Facility (GEF)
 - 4.3.1. International Co-operation
 - 4.3.2. Poverty alleviation

Module – III (1 Credit)

5. Marine Environment :

- 5.1. Marine resources : conservation and exploitation
- 5.2. Scientific research and exploration

- 5.3. Antarctic environment
- 5.4. International Seabed Authority
- 5.5. Pollution from ships
- 5.6. Dumping of oil and other wastes into the sea

Module – IV (1 Credit)

6. Trans-boundary Pollution Hazards :

- 6.1. Oil pollution
- 6.2. Nuclear fall outs and accidents
- 6.3. Acid rain
- 6.4. Chemical Pollution
- 6.5. Green house effect
- 6.6. Depletion of ozone layer
- 6.7. Space pollution

7. Control of Multinational Corporations and Containment of Environmental Hazards :

- 7.1. Problems of liability and control mechanisms
- 7.2. Disaster management at international level
- 7.3. Monopoly of biotechnology by MNCs

8. Disposal and Dumping of Hazardous Wastes: Transnational Problem and Control with special reference to Basel Convention of 1989 :

References :—

- Priya Kanjan Trivedi, International Environmental Laws (1996), A.P.H. Publishing Corporation, New Delhi.
- Sir Elworthy and Jane Holder, Environmental Protection: Text and Materials (1997), Butterworths Nathali L.T.J. Horbach, Contemporary Developments in Nuclear Energy Law (1999), Kluwer
- Henrick Ringbom (ed). Competing Norms in the Law of Marine Environmental Protection (1997), Kluwer.
- Claus Bosselmann and Benjamin J. Richardson, Environmental Justice and Market Mechanism (1999) Kluwer.
- Jean-Pierre Beurier, New Technologies and Law of Marine Environment (2000) Kluwer.

Richard L. Reversz et.al.(eds) Environmental Law, the Economy and Sustainable Development (2000), Cambridge.

Dovor Vidas, Protecting the Polar Marine Environment (2000), Cambridge Aynsley Kellor, International Toxic Risk Management (1999), Cambridge

Zhiguo Gao, Environmental Regulation of Oil and Gas (1998), Kluwer. Indian Law Institute, Legal Control of Environmental Pollution (1980).

Varshney, C.K.(ed.) Water Pollution and Management (1983) Wiley Eastern, New Delhi.

World Commission on Environment and Development, Our Common Future (1987), Oxford.

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Standing Committee on Environmental Law American Bar Association. Common Boundary/Common Problems: The Environmental Consequences of Energy Production (1982).

J.M. Spector, "Elephants, Donkeys and other creatures? Presidential Election Cycles and International Law of the Global Commons" 15 AM.U.INT'LL.Rev.5.pp 976-1038 (1999).
Control of Multinational Corporations and Containment of Environmental Hazards.

PAPER V—BIOLOGICAL DIVERSITY AND LEGAL ORDER

Module – I (1 Credit)

1. Bio-diversity :

- 1.1. Meaning
- 1.2. Need for protection of bio-diversity
- 1.3. Dependence of human life on the existence in flora and fauna
- 1.4. Significance of wild life
- 1.5. Medicinal plants
- 1.6. Plant and micro-organism

Module – II (1 Credit)

2. Bio-diversity and Legal Regulation :

- 2.1. Bio-diversity Act
- 2.2. Utilization of flora and fauna for bio-medical purposes
- 2.3. Experimentation on animals: Legal and ethical issues
- 2.4. Genetic mutation of seeds and micro-organisms
- 2.5. Genetic engineering
- 2.6. Legal mechanisms of control
- 2.6.1. Recognition of regional and local agencies

3. Development Projects and Destruction of Bio diversity: Concept of Sustainable Development :

Module – III (1 Credit)

4. Problems in Legal Regulation of Medicinal Plants :

- 4.1. Cosmetic plants

- 4.2. Animal products
- 4.3. Utilization of flora and fauna for bio-medical purposes by Multi-national corporations, Problems and Control
- 4.4. Regulation of trade in wild-life products

Module – IV (1 Credit)

5. Legal framework for Development and Protection of Sanctuaries :

- 5.1. Parks
- 5.2. Zoos
- 5.3. Biosphere resources
- 5.4. Protection of genetic resources for agriculture

References :—

Arjun Prasad Nagore, Bibliological Diversity and International Environmental Law (1996) A.P.H. Publishing Corporation, New Delhi.
Project Large, Plant Variety Protection and Plant Biotechnology-Options for India (1999) Allied.

M.S. Swaminathan, Genetic Conservation: Microbes to Man, Presidential Address at XV International Congress of Genetics, New Delhi, India, December 12-21, 1983

Wild Genetic Resources, Earthscan Press Briefing Document No.33, Earthscan, London (1982)

K.L. Mehta and R.L. Arora, Plant Genetic Resources of India; their Diversity and Conservation (1982), National Bureau of Plant Genetic

Resources, New Delhi.

P.N. Bhat, et.al., Animal Genetic Resources in India (1981)

P.N. Bhat, “Conservation of Animal Genetic Resources in India, “- Animal Genetic Resources, Conservation and Management FAO, Rome, (1981).

PAPER VI—ENVIRONMENTAL LEGISLATIONS

Module – I (1 Credit)

1. General Laws on Environmental Concern :

- 1.1. Code of Criminal Procedure : Public nuisance
- 1.2. Provisions in the Indian Penal code
- 1.3. Local bodies law : an overview

Module – II (1 Credit)

2. Environment (Protection) Act, 1986 :

- 2.1. Environment (Protection) Act, 1986.
- 2.2. ‘Necessary and proper clause’: concentration of power on the Central Government
- 2.3. Delegated legislation: power to make rules, regulation and to issue directions
- 2.4. Delegation of powers

Module – III (1 Credit)

3. Coastal Zone Management :

- 3.1. Sea erosion
- 3.2. CRZ Notification
 - 3.2.1. Prohibitions and exemptions
 - 3.2.2. Permissible activities
- 3.3. Classification of zones
- 3.4. Regulation of sea resorts
 - 3.4.1. Eco-tourism
- 3.5. Coastal zone management plans
- 3.6. Aquaculture

4. Laws on Hazardous Substance

Module – IV (1 Credit)

5. Preparedness on Environmental Disasters

6. Emerging Legal Controls :

- 6.1. Eco-mark
- 6.2. Environmental audit
- 6.3. Environment Impact Assessment
- 6.4. Public participation in environmental decision making
- 6.5. Environment Information

References :—

Leelakrishnan, P. et.al. (eds), Law and Environment (1990), Eastern, Lucknow

Leelakrishnan, P, The Environmental Law in India (1999), Butterworths, India

Department of Science and Technology, Government of India, Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental Protection (1980) (Tiwari Committee Report)

Indian Law Institute, Environment Protection Act : An Agenda for Implementation (1987)

Indian Journal of Public Administration, Special Number on Environment and Administration, July-September 1988, Vol. XXXV, No.3.

Findley, R.W. and Farber, D.A. Environmental Law

David Hughes, Environmental Law (1999), Butterworths, London
Armin Rozencranz, et.al.(eds.), Environmental Policy and Law in India (2000), Oxford.

SEMESTER IV- COMPONENTS OF CHOICE BASED CREDIT SYSTEM (4 credits)

1. Environment & Constitutional Perspectives
2. Environment Protection & Role of Media
3. Global Warming & Environment Protection
4. Environmental Legislation & Corporate Social Responsibility
5. Environmental Pollution & Civil Liability
6. Environmental Legislations & Intellectual Property Rights
7. Criminal Jurisprudence & Environment Safeguards
8. Environment Protection & Disaster Management

References :—

- Intellectual Property (1999 edition) by W. R. Cornish (Sweet & Maxwell)
- Copyright and Industrial Designs - P. Narayanan
- The Copyright Act – Iyenger
- D.D. Basu, Human Rights in Indian Constitutional Law, (1994).
- Leelakrishnan P. The Environmental Law in India (1999),
- Kailash Thakur, Environmental Protection Law and Policy in India (1997), Deep & Deep publications, New Delhi.
- Department of Science and Technology, Government of India, Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental Protection (1980) (Tiwari Committee Report)
- Indian Law Institute, Environment Protection Act : An Agenda for Implementation (1987)
- Indian Journal of Public Administration, Special Number on

Environment and Administration, July-September 1988,
Vol.XXXV, No.3.

- Environment Law Journals and Reports.

FEES

The details of the fees for the LL.M. Degree Course for the academic year 2015-2016 are as follows :—

LL.M. Degree Course	First & Second Semester Rs. P.	Third & Fourth Semester Rs. P.
Tuition Fees	3000.00*	3000.00
Library Fees including Smart Card Fee	1080.00	1080.00
P.G. Registration Fees	800.00 @	—
Gymkhana Fees	125.00	125.00
Caution Money	10.00 @	—
Sports & Cultural Activities	10.00	10.00
Disaster Relief Fund	10.00	10.00
Students Group Insurance	40.00	40.00
E-Charge	20.00	20.00
P.G. Registration Form	25.00	—
Total	5120.00	4285.00

Foreign students are required to pay Rs. 15,000/- as tuition fees for LL.M. degree course.

@ Applicable only in the first year.

Transfer/Migration Certificate :

Candidates of this University are required to produce a Transfer Certificate from the Institution last attended and graduates of other Universities are required to produce a certificate of eligibility from the Registrar of this University before they can be admitted to the

Department. Students of other Universities who are admitted in the Department on the strength of provisional eligibility certificate must invariably submit before the end of the first term, the Migration and other necessary certificates for confirming their admission. Particulars in this regard can be obtained from the Office of the Department.

The candidates admitted from other than Mumbai University are required to pay fee for Procedural Document Verification for confirmation of validity of Statement of Marks and other Certificates of their previous University and confirmation of Eligibility to their LL.M. Course.

Government of India Post-Matric Scholarship to Backward Class Students :

The scheme of Grant of Government of India Scholarships to the Backward Class students (S.Cs/S.Ts/D.T./ N.Ts / V.J.N.Ts /OBC and S.Ts outside Specified Area in Vidarbha) for post-S.S.C. courses is implemented by the Director of Social Welfare, M.S., Poona. All the Backward Class students undertaking approved post-S.S.C. courses are considered eligible for the Government of India Scholarship with the following exceptions :—

1. The students switching over to another professional line after completing professional course in one line viz. LL.B. after B.T / B.Ed. or B.F. will not be held eligible.
2. The student failing in the term/annual examination are not considered eligible for the Scholarship. One failure is, however, condoned in respect of the Scheduled Caste and Scheduled Tribes students pursuing Medical and Engineering courses.
3. Book bank scheme for the Backward class students who are entitled for scholarship are available in the Department.
4. Students belonging to Scheduled Caste including Nav Buddhist, Scheduled Tribes, DT and NT categories those who are not eligible under EBC Scheme as per Govt. letter No. Shikshan/ Bhasashi/2/191 ka-11 SamajKalyanSanchalanalaya Maharashtra Rajya, Pune dated 18thFebruary 1991 and required to pay only admission and registrations fees at the time of admission.

Value of Scholarships :

The Government of India Scholarship includes maintenance charges,

fees and expenses on approved student tours in respect of professional courses and typing/printing of thesis of the research scholar. The maintenance charges payable to the students are detailed in Rule V of the Government of India Regulations. The rate of maintenance charges varies according to the educational courses a student would like to select. The Government of India Scholarship to the Scheduled Tribe students is granted irrespective of the income while the Government of India Scholarship to the S.Cs., N.T. and V.J.N.Ts. students is granted on the basis of income.

No Scholarship is granted in the following cases :—

1. If the income of the parents/guardians from all sources exceeds Rs. 1,00,000/- p.a. for OBC, VJNT.
2. If the income of the parents / guardians from all sources exceeds Rs.2,00,000/-p.a. for SC, ST.
3. If the student is the third child of same parents/guardians receiving post-matric education.
4. Students in full-time employment.
5. Repeater except in case of Medical and Engineering Courses.
6. For same Stages of education.
7. From one professional course to another professional course.
8. Students has to pay the full course fee:
 - (i) if fails to submit scholarship / Freeship form online and submit a copy of the same to the Department of Law in given time.
 - (ii) if the form is rejected by the office of the Department of Social Welfare, Govt. of Maharashtra
9. Students from other than Maharashtra State will not be eligible for the Scholarship / Freeship awarded by the Department of Social Welfare, Govt. of Maharashtra

The students who are eligible for Government of India Scholarship will not be required to pay fees which are of compulsory nature.

Procedure for Submission of Form for GOI Scholarship :

All Backward Class students and the students coming under the Lower Income Group should apply for the Government of India Scholarships in the prescribed form through their respective colleges in the month of June. The application forms will be made available to them at the time of

their admission. All the students should be vigilant enough to fill in the form complete in all respects as any omission or incorrect/false information is apt to disqualify them for the above scholarship. The students having a gap in their education should invariably file a Court affidavit declaring as to what they were doing during the intervening period.

The students who were in receipt of Government of India Scholarships last year have to apply for renewal of the same in the prescribed form. The students reading in B.A. Part I, B.Sc. Part I, M.A. Part I, M.Ed. Part I, B.Ed. Part I, First Year Engineering etc. will be treated as fresh candidates for the purposes of scholarship and as such they are required to apply for scholarship in the prescribed form.

N.B. :— Students are required to submit all the documents required for Scholarship/Freeship within one month from the date of admission to their course failing which their applications for Scholarship/Freeship will be rejected without intimation.

LIBRARY :

A Special care always taken for building up a good library and therefore sustained efforts are made for updating and maintaining the existing library facilities which cater to a large number of members of legal community of the University of Mumbai.

Two libraries are maintained by the University :—

1. Jawaharlal Nehru Library, Vidyanagari Campus and
2. University Library, Fort Campus
3. Journal Section, Fort Campus

Application forms for Reader's Ticket are available in both the libraries. This application has to be submitted through the Department of Law with counter signature of the Head of the Department.

Students should familiarize themselves with the University library rules governing the following :

1. Reading facilities in the library;
2. Lending of books; and
3. Special facility to research students

All information regarding the library may be obtained from the Librarian, University of Mumbai.

The University Library contains extensive collection of comparative legal materials. The following are some of the rules :—

1. Readers, including the students of the Department are required to obtain a Reader's Ticket, which can be had by filling in the prescribed form. A Reader's Ticket is necessary for getting a book in the Library.
2. A reader will be required to submit the Reader's Ticket to the Library on each occasion that he wants to take out a book for study or reference. The book must be returned on the same day ten minutes before the Library closes. The Ticket will be returned when the book is returned. Failure to return the book on the same day may entail forfeiture of the Reader's Ticket.
3. Writing or making any marks in books or damaging them in any manner is strictly prohibited. Smoking and conversation are strictly prohibited on the Library premises.
4. Books required for study in the Research Students' Room will be issued to *bona-fide* research students of the Department only on the recommendation of the teacher under whom the student is working.
5. While borrowing one or more books the students shall make the necessary entries in the issue card in a legible hand.
6. Books issued as above shall be returned within one week from the date of issue thereof. While returning each book the reader shall obtain the signature of the Library Assistant in accordance with the procedure laid down in this behalf. The issue of any book may be renewed at the end of the week, if not in demanded by other readers.
7. Books issued from the Library must be kept in the locker or table provided for the purpose ; they shall in no case be removed outside the premises of the Library; Any infringement of this rule may entail the forfeiture of the facilities offered in the behalf.

8. Failure to return books in time or infringement of any rules in any manner may entail withdrawal of the facilities and forfeiture of deposit of caution money.
9. Facility of Lending Section is available as per library rules.

HOSTEL ACCOMMODATION

Seats - Boys-25, Girls-02.

The University maintains a hostel for the students of the University Departments. The Department is allocated some seats in the University Hostel. Students seeking admission to the Hostel are required to fill in the prescribed application form which must be submitted to the Department Office before the last date notified in this regard.

Application forms may be obtained from the Office of the University Hostel.

The allocation of seats in the Hostel will be notified on the Department notice-board. The Warden does not undertake to correspond about the allocation of seats or discuss the same with the applicant.

The Hostel is situated near Churchgate Station and is within a Kilometer from the University. The postal address of the Hostel is :—
JagannathShankarseth Hall, Mumbai University Hostel, 20, ' B ' , Road, Churchgate, Mumbai—400 020.

Hostel accommodation for foreign students is provided in the International Students' House, ' C ' Road, Churchgate, Mumbai – 400 020.

DISCIPLINE

- (a) All students are bound to obey the rules in force relating to maintenance of discipline and proper conduct among the students of the University.
- (b) The general control of all premises occupied by the Departments is vested in the University. Regular uses of the premises is confined to the staff and the students. Person introducing visitors to the premises of the Department will be held responsible for their conduct.

- (c) The premises of the Department should not, without permission from the University, be used for the sale or organised distribution of books/papers or other materials or for the making of collections for charitable or other purposes or for organising agitation of any kind.
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Adjunct Faculty :

1. Dr. D.K. Sonawane M.A., LL.M., Ph.D. (Mumbai)
2. Dr. R.T. Deoghare LL.M, Ph.D (Mumbai)

**Panel of Visiting Teachers of Department :
(2016-2017)**

1. Dr. KavitaLalchandani
2. Dr. Kiran Sharma
3. Dr. P.Y. Gaonkar
4. Dr. Rama Rao
5. Adv. Vinay Parelkar
6. Adv. R.B. Jaiswal
7. Dr. Anant Kalse
8. Dr. Daisy Alexander
9. Prof.Sunil John
10. Dr.Sunita Khariwal
11. Dr.Bindu Variath

P.G. Diploma Courses

1. Diploma in Intellectual Property Rights (IPR)
2. Diploma in Alternative Dispute Resolution (ADR)
3. Diploma in Securities Law
4. Diploma in Cyber Law & Information Technology
