

UNIVERSITY OF MUMBAI

No.UG/ 296 of 2005

CIRCULAR :

A reference is invited to the Ordinances, Regulations and Syllabi relating to the Post-graduate Diploma Course in Juvenile Jurisprudence and Juvenile Justice System and the Head, University Department of Law and the Principals of the affiliated colleges in Law are hereby informed that the recommendation made by the Joint meeting of the Board of Studies in Law and Faculty of Law at its meeting held on 12th May, 2005 has been accepted by the Academic Council at its meeting held on 14th June, 2005 vide item No. 4.38 and subsequently approved by the Management Council at its meeting held on 18th June, 2005 vide item No.4 and that in accordance therewith the Post-graduate Diploma Course in Juvenile Jurisprudence and Juvenile Justice System will be introduced by the University from the academic year 2005-2006.

Further that in exercise of the powers conferred upon the Management Council under Section 54 (i) and Section 55 (i) of the Maharashtra Universities Act 1994, it has made the Ordinances 5522, 5523, 5524, 5525, 5526, 5527, 5528, 5529, 5530 and 5531 and Regulations 5155, 5156, 5157, 5158, 5159, 5160, 5161, 5162, 5163, 5164, 5165, 5166, 5167, 5168, 5169, 5170, 5171, 5172, 5173, 5174, 5175, 5176, 5177, 5178 and 5179 relating to the Post-graduate Diploma Course in Juvenile Jurisprudence and Juvenile Justice System and the following Diploma Courses which have already been introduced by the University including scheme of papers, syllabi and standard of passing has been passed as per Appendices* and that the same will be brought into force with effect from the academic year 2005-2006:-

1. Post-graduate Diploma Course in Environmental Laws and Practice.
2. Post-graduate Diploma Course in Cyber Laws.
- ✓ 3. Post-graduate Diploma Course in Forensic Science and Laws.
4. Post-graduate Diploma Course in Human Rights and Laws.

Mumbai 400 032.
22nd July, 2005.

A.C.4.38/14.06.2005
M.C.4/18.06.2005

for REGISTRAR.

9/ 22/7 2005

To,

The Head, University Department of Law and the Principals of the affiliated colleges in Law

P.T.O.



Copy forwarded with Compliments for information to :-

2. The Dean, Faculty of Law
2. The Chairman, Board of Studies in Law.


for REGISTRAR.

Copy for information to :-

The Director, Board of College and University Development, Deputy Registrar (Eligibility and Migration) the Personal Assistants to the Vice-Chancellor, the Pro-Vice-Chancellor, the Registrar and the Assistant Registrar, Administrative Sub-Centre, Ratnagiri.

~~OSD~~ ~~Cum~~ / Controller of Examinations (10 copies), The Finance and Accounts Officer, Accounts Section, Fort (2 copies), Director (U.C.C., I.D.E. Bldg., Vidyanagari Campus) (2 copies), The Deputy Registrar, A.A. Unit, (2 copies), D.R.(E.A.U.) (1 copy). They are requested to treat this as Action taken report on the concerned resolution adopted by the Academic Council/Management Council referred to in the above Circular, and that no separate A.T.R. will be sent in this connection. Accounts Section, Vidyanagari, Kalina Campus (2 copies), Record Section (5 copies) Publication Section (5 copies), CONCOL (1 copy), A. R., Enrollment (2 copies), In-charge, Central Computing Facility (1 copy), D. R., I.D.E. (10 copies), D. R. Statistical Unit (2 copies), D.R.(P.R.O.) (2 copies), Superintendent, Thesis Section (2 copies), Superintendent, P. G. Section (2 copies), BUCTU (1 copy), Secretary, MUASA (1 copy), Dy. Acctt. (Unit V) (1 copy) Receptionist (1 copy), Telephone Operator (1 copy).

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14/6/05

UNIVERSITY OF MUMBAI

Post Graduate Diploma in Environmental Laws and Practice

***Ordinances, Regulations, Scheme of
Papers and Syllabus for the Post
Graduate Diploma in Environmental
Laws and Practice.***

***(Introduced from the academic year 2005-
2006)***

UNIVERSITY OF MUMBAI

O. 5522 Title of the Course :- Post Graduate Diploma in Environmental Laws and Practice.

O. 5523 Eligibility :- Graduation from any Faculty.

R. 5155 Duration of the Course :- One Academic Year.

R. 5156 Fees Structure Rs.8000/-

Number of Papers :- Four Theory Papers + One paper on Practical Training.

Paper I Environmental Concerns and the Law

Paper II Waste Management and Prevention and Control of Pollution.

Paper III Conservation and Development.

Paper IV International Environmental Law and Emerging principles and policies

Paper V Practical Training.

Each Paper will be of 100 Marks

R. 5157 Intake Capacity – 50

R. 5158 Teacher Qualifications :- Post Graduate in Law or Graduate in Law with Ten years teaching experience.

R. 5159 **Standard of Passing :-**

- a) Candidate who secures minimum 50% in each subject will be declared to have passed the examination in the Second class.
- b) The candidate has to pass separately in each paper. Candidate who secures a minimum of 50% marks in each paper and an aggregate of 60% and above marks on the whole shall be declared to have passed the examination in the First Class.
- c) If a candidate secures 70% and above marks on the whole shall be declared to have passed the examination with Distinction.

Number of Lectures and Teaching.

There shall be 40 lectures per paper.

This will include class room lectures, seminars, workshops and interactive sessions.

Paper I Environmental Concerns and Law

- The Environment – Nature and its Components
- Environmental Degradation – Causes and Effects
- Environmental Ethics : Planning and Management
- Sources of Environmental Law
- Environment and General laws (C.P.C., Cr.P.C., Law of torts, I.P.C.)
- Environment and the Constitution of India
 - Duty of the State and Responsibility
 - Individual's rights and duties
 - Constitutional remedies
 - Public Interest Litigation
 - Judicial Activism
- Policy Instruments
 - Sustainable Development
 - Polluter Pays Principle
 - Inter generational equity
 - Precautionary Principle
 - Public Trust Doctrine
 - Public Participation

Paper II Waste Management and Prevention & Control of Pollution.

- Pollution : Definition – Ecocentric and human centric
 - Kinds and Sources of Pollution
 - Water Act
 - Air Act
- } With Central and State Rules

- Environment Protection Act
- Environment Audit
- Eco mark
- Wastes : Kinds and Sources
- Disposal, Treatment and recycling
 - Hazardous Wastes (Management and Handling) Rules, 1989
 - Manufacture, Storage and transport of Hazardous Chemicals Rules, 1989.
 - Biomedical Waste Management and Handling Rules 1989
 - Plastics Manufacture Sales and usage Rules 1991.
 - Municipal Solid Wastes Management and Handling Rules 2000
 - Batteries Management and Handling Rules 2001
- Statutory Compensation Mechanisms
 - Public Liability Insurance Act 1991
 - National Environment Tribunal Act, 1995
- Disaster Management – Law and Policy

Paper III Conservation and Development

- Forest Conservation-Indian Forest Act 1927, Forest (Conservation) Act, 1980.
- Wild Life Conservation- Wild Life Protection Act, 1972.
- Coastal Zone-CRZ Notification
- Preservation of trees of Urban area-Local Tree Authority
- National and Cultural Heritage
- Water Management-Ground Water Inter-State Sharing of River Waters
- Land Use and Planning
- Right to Development
- Large Development Projects
- Environment Impact Assessment
- National Environment Appellate Authority Act 1997
- Biological Diversity Act 2000
- Protection of Plant Varieties and Farmers Rights Act 2001

Paper IV International Environmental Law and Emerging Principles and Policies

- Introduction to International Law
- Conferences and UN Declarations
- UNEP, UNCSD
- Conventions
 - Marine Environment
 - Law of Sea Convention 1982, Ocean Dumping
 - Climate Convention
 - Convention of Ozone Depletion
 - Convention on Biological Diversity
 - Desertification Convention
- Global and Environmental Protection
 - World Heritage Convention
 - Emerging Trends, Principles and Policies
 1. Soft Laws : UN Declarations
 2. Shift from human rights to (environmental rights), animal rights
 3. Transfer of Technology
 4. Inter generational equity

Paper V Practical Training

Practical training shall include :-

- A.
 1. Visit to the Pollution Control Board
 2. Field trip to collect samples of effluents in an Industrial area.
 3. Process of filing a PIL in a matter relating to the environment
 4. Filing of a criminal complaint in a matter relating to the environment
 5. Participation in a Public Hearing

The students will be expected to keep a journal recording their Experiences in the above activities.

- B. An independent research paper of 5000 words on the impact of any Major developmental exercise on the environment such as a
1. A Mega Dam Project
 2. A large urban Project
- (Other topics can be suggested by faculty)

Suggested Reading :

- ◆ C.M.Abraham, Environmental Jurisprudence in India (1999), Kluwer
- ◆ R.B. Singh and Suresh Misra, Environmental Law in India (1996), Concept Publishing Company, New Delhi.
- ◆ Kailash Thakur, Environmental Protection: Law and Policy in India (1997) Deep and Deep Pub., New Delhi
- ◆ 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
- ◆ Leelakrishnan P et.all (eds) Law and Environment (1990), Eastern
- ◆ Leelakrishnan P. The Environmental Law in India (1999), Butterworths India.
- ◆ 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
- ◆ World Commission on Environment and Development. Our Common Future (1987) Oxford.Mark Austen and Tamara Richards, Basic Legal Documents on International Animal Welfare and Wild Life Conservation (1000) Kluwer

- ◆ Frodorick R. Anderson, El.al Environmental Improvement through Economic Incentives (1977)
- ◆ David Hughes, Environmental Law, (1999) Butterworths, London
- ◆ A.R. Bam and P.N. Gantam, Natural Heritage of India (1989), R.K. Publishers, Delhi.
- ◆ S.K.Jain and A.R.K. Sastry, Threatened Plants of India : A State of the Art Report (1980)
- ◆ Armin Rozencranz et.al (eds). Environmental Policy and Law in India (1988), Butterworths, India.
- ◆ Indian Law Institute, Mass Disasters and Multinational Liability : The Bhopal Case (1986).
- ◆ Inconvenient Forum and Convenient Calastrophe : The Bhopal Case (1986)
- ◆ Priya Kanjan Trivedi, International Environmental Laws (1996), A.P.H. Publishing Corporation, New Delhi.
- ◆ Jean Pierre Beurier, New Technologies and Law of Marine Environment (2000) Kluwer.
- ◆ Dovor Vidas, Protecting the Polar Marine Environment (2000) Cambridge.
- ◆ Indian Law Institute, Legal Control of Environmental Pollution (1980)
- ◆ Varshney, C.K.(ed.) Water Pollution and management (1983) Wiley Eastern, New Delhi.
- ◆ Arjun Prasad Nagore, Biological diversity and International Environmental Law (1996) A.P.H. Publishing Corporation, New Delhi.
- ◆ P.N.Bhat et.al, Animal Genetic Resources in India (1981)
- ◆ Findley, R.W. and Farber, D.A. Environmental Law
- ◆ David Hughes, Environmental Law (1999) Butterworths, London
- ◆ S. Shanthakumars, Introduction to Environmental Laws, Wadhwa And Co.Nagpur.
- ◆ Jaiswal and Jaiswal, Environmental Law, Pioner Publication.
- ◆ S.L. Goel & Ram Kumar, Disaster Management, Deep & Deep Publication.
- ◆ Mc Donald's Introduction to Natural and man made Disasters.
- ◆ Parliamentary Bill on Disaster Management.

UNIVERSITY OF MUMBAI

14/6/05

**Post Graduate Diploma Course in
Cyber Laws.**

**Ordinances, Regulations, Scheme of
Papers and syllabus for the Post
Graduate Diploma Course in Cyber
Laws.**

Introduced from the academic year 2005-2006

UNIVERSITY OF MUMBAI

O. 5524 :- Title of the Course: - Post Graduate Diploma
in Cyber Laws

O. 5525 :- Eligibility: - Graduation from any Faculty

R. 5160 :- Duration of The Course: - One Academic Year

R. 5161 :- Fees Structure - Rs.8,000/-

Number of Papers: - ^{five} (Four Theory ~~Papers~~ + One Paper on
Practical Training)

Paper I:- Jurisprudence, Information & Cyberspace Technology

Paper II: - E - Commerce & Issues.

Paper III: - IPR Issues in Cyber Space & beyond.

Paper IV: - Cyber Crimes, Digital Forensics & Evidence.

Paper V: - Practical Training

Each Paper will be of 100 marks.

R. 5162 :- Intake Capacity - 50

Weekly Lectures:- Three Lectures of 50 minutes duration for
each paper.

R. 5163 :- Teacher Qualification : A Post-graduate Law or
a Graduate Law ^{with} ten years of teaching experience ^{and} having a
Computer (and related network Technologies) Orientation,
preferably with an Intellectual Property Rights' background.

R. 5164 :- Standard of Passing: -

- Candidate who secures minimum 50% in each subject be declared to have passed the examination *in the Second Class*.
- The candidate has to pass separately in each paper. Candidate who secures a minimum of 50% marks in each paper and an aggregate of 60% and above marks on the whole shall be declared to have passed the examination in the First Class.
- If a candidate secures 70% and above marks on the whole shall be declared to have passed the examination with Distinction.

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Field Visits & short deputations at:-

Cyber Cell (Police)
Cyber Café
Mumbai Cyber Lab
Preferred Technology Orientation Courses (optional, as offered by other institutions as per their terms & conditions and fees, only an outline included herewith)
Software Company live interactions
Seminars conducted by NASSCOM, ISACA, IPLPA, CSI & others.
Student memberships recommended to Computer Lawyer's Association (USA), ISACA (USA & India), IEEE, IPLPA and CSI (as per their rules & membership payments, only recommended here).
+ Project

Paper I : - Jurisprudence, Information & Cyberspace Technology

Introduction:

1. Emergence of Cyberspace - From pages of Science-fiction.
2. Defining Cyber space.
3. Evolution of Computer Technology & Cyber law - A time line
4. Governance of Internet & other relevant details outlined.

Cyber Ethics

5. A look at evolving ethics in information age with special reference to free music, flash mobs and Pune BPO's case.

A glance at the Technology as an enabler.

We would provide concrete concepts as grounding for beginners and gradually introduce the questions and ideas that are abstract and future oriented.

6. A brief historical perspective, non-technical overview of computer/mobile devices and the internet. Both hardware and software concepts are quickly introduced as a foundation step.

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7. A glance of computer/mobile applications as they are used in the cyber space, automating and increasing workforce's productivity and mobility.
8. The world of network from the very basic LAN and WAN to a global infrastructure- the evolving internet.
9. Risks and ethical issues are uncovered along with a quick look at how applications are shaped exploring the process and the problems in software creation embedding artificial intelligence.
10. The impact of cyber space on society especially social behaviour, governance, learning & education, health care and business including entertainment.

Information Technology Act, 2000

11. Overview of IT Act 2000 along with rules with relevant sections and rules highlighted along with amendments to other laws.

A conceptual overview along with laws/rules relating to the following:

12. Cryptography including a discussion on algorithms & public/private key encryption.
13. Digital Signatures –concept & their legal recognition. -
14. Electronic Governance (*E - Governance*)
15. Legal Recognition of Electronic Records
16. Certifying Authorities
17. Network Service Providers Liability

Access to the cyberspace

18. Access to the Cyber Space would deal with copper wires, co-axial cables and wireless networks as a means of communication to the cyber space. How the telecom, cable/broadcast and other spectrum policies affect the market mechanisms influencing the net citizens' ability to use it.

Jurisprudence

19. Jurisprudence: A case digest with 125 to 150 typical cases, sets a present context in different categories of legal issues.

An emerging framework for international governance of cyberspace.

20. Here we briefly focus on initiatives of internet policy making at international levels by individual inter-governmental organizations, which are considerable feats, pointing to an emerging international framework. As an illustrative example of policy making, we could discuss the TRIPP Agreement and the WTO, ICAAN and UNICITRAL in the area of Intellectual Property, Domain Names and model e-commerce law.

Paper II : - E – Commerce & Issues

Contextualizing E- Commerce

1. Case study of various portals / web sites with a view to survey what they are doing in an attempt to showcase the essence of the Cyberspace. The latest trend for additional features incorporating mobile applications/solutions based on evolving/existing technologies like RFID, GPS/GPRS, SMS based and others.

Generating a profile of the legal concern, issues and vulnerabilities.

Some recommended sites in typical categories could include Yahoo!, Rediff, Google, Overture, Amazon, Nielsen, America on line, itunes, Times of India – e-paper, Slashdot, Chemconnect, Netflix, ebay, Orbitz, Fruste, Verisign, Encase, Doubleclick, WIPO, ICAAN and PayPal.

A suggested Framework for evaluation:

They could be evaluated giving a brief introduction, how it can be navigated in the cyber space, its design, web analytics, business models, digital market addressed, digital automations, auction and dynamic pricing, conflicts with other brick channels, trusted transactions, security, data privacy, intellectual property, governance responsibilities, ethics adhered to and other relevant benchmarks.

2. ***A Legal dimension:***

This could be followed by a check-list/and a more detailed discussion on legal concerns & issues based on a few above case studies or a consolidated hypothetical case addressing:

e-business plan with a patenting opportunities / liabilities, jurisdiction issues, intellectual property rights addressed and managed, internet privacy, consent of third party/parties, information security and non-contractual liability like torts, internet taxation, on-line contract formation, internet payment system, regulatory issues, information security check-list, terms and conditions of use, adherence to commercial transaction facilitating laws (like UCITA), employment issues, email and internet usage check-list, internet advertising policies, web site intellectual property audit, insurance policies and online dispute resolution.

3. ***E Commerce- Salient Features,***

comparing/contrasting with other e-models especially the e-governance, e-healthcare and e-learning.

4. ***Some focus issues:***

- **Jurisdiction** and zoning
- **Online contracts** – Contrasting/comparing click wrap agreements with others.
- **Privacy Issues** and along with a discussion on protection of personal data.
- **Torts** in cyber space along with negligence, strict liability, immunities and privileges
- **Security and evidence** in e-commerce with respect to digital signatures, encryption and digital certificates.
- **Taxation Issues** in Cyber spaces - Taxes related to the Internet (e-commerce), tax evasion and the problems of taxation on the net, International taxation, US & European views

- **Anti-trust cases** along with emerging checks on the market place with open source, co-evolution, interoperability and standards becoming the order of the day instead of competition.
- **Converging business models** for service with information appliances like iPods.

5. **E- banking:** An illustrative example in Indian Scenario.

Legal issues related to e-banking (internet banking) and use credit/debit cards on the net like buying Indian railway or cinema tickets.

Or e-Securities could be considered instead/additionally.

Paper III: - IPR Issues in Cyber Space & beyond IPR.

Contextualizing the content issues:

1. Case Studies:

(a) Relating to digital media especially relating to Napster & its subsequent generation variants bring out how Copyright, Contract and Technology Shape the Business of Digital Media.

[b] A landmark case relating to Patents
- State Street Bank Case

[c] Domain Names cases addressed by different forums like WIPO, a High Court and others in the past.

2. Intellectual Properties: a brief overview with regards to cyberspace.

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Copyrights

3. Copyright a law that assigns and delineates the borders of rights in information. Many in society believe that it has exceeded its benefit as an incentive of people to create, investing the effort and time in original and innovative intellectual works – This discussion would give an overview as well as focus on relevant issues that the law addresses, including subject matter concepts of “originality” & “fixation”; their entitlements, infringements and limitations; limited time period highlighted by the Sonny Bono case.
4. Other than copyright would examine alternatives including data protection, contract law, encryption, open source and a tax/royalty system.

Patents:

5. Patents: This would address the recent development in intellectual property laws to patent computer software and business methods. Applications in patent offices of US, Europe and Japan only indicate a popular paradigm shift. The business method patents such as Amazon.com’s one click purchasing and Priceline.com reverse auction are illustrative. The present legislative attempt to narrow the ability to patent new business processes is looked at along with India’s position on these issues.

Domain Names:

6. Trademarks and Domain name- A collision in Cyber Space. A review of attempts to address the Domain name disputes worldwide by many regimes along with investigating different mechanisms that attempted to solve the scarcity along with Online Dispute Resolution Policy.

Database Protections:

7. Databases: Protection with respect to US, European & Indian Laws.

Some Other issues:

8. Software- Copyright or Patent?
9. Linking, framing, meta tags, robots & search engines-a brief discussion.
10. Digital right management and anti-circumvention laws. Is contract & digital rights management are two alternatives or together additional ways to protect content? Evaluate.

Paper IV: - Cyber Crimes, Digital forensics & Evidence

Contextualising digital Crimes

1. Understanding Cyber Crimes – A sample of at least 25/30 cases in different categories, encompassing crimes against or/and supported by the computer and the network. This raises concern about
 - Unauthorised access
 - Web Spoofing
 - Hacking and web defacement
 - Denial of Service Attacks
 - Malicious Code
 - Financial Crimes – including online fraud, counterfeiting etc.
 - Social Engineering Attacks
 - Password Cracking
 - Steganography
 - Identity theft
 - Cyber stalking
 - Pornography
 - Harassment
 - Murder and death threats
 - Gambling
 - Spamming
 - Sale of controlled items – tobacco, wines etc.
 - Commercial espionage
 - Commercial extortion
 - Data manipulation

- Software/hardware piracy
- Money laundering
- Threat or disruptions to health and safety, shut-down of essential services and extortions.
- Espionage and Terrorism
- Others including the ones involving mobile devices.

These acts add to the challenges faced by law enforcement bodies to deal with.

2. A case study of a real life hacking focusing on the anatomy of a hack, with clear outline of the objective, the methodology, the techniques & tools deployed at each stage of the process.
3. A live demo of system penetration by an ethical hacker, to get a context of what it means to hack, along with its vulnerability report and a corresponding look at the response of an intrusion detection system.
4. Profiling the need to combat Digital Crime by State Enforcement as well as comparing/contrasting cyber crimes with conventional crimes

Rules & Procedures`

5. Information Technology Act- Penalties & offences, investigations and adjudication.
6. Indian Penal Law – An overview with relevant sections/rules highlighted.
7. Criminal Procedure code - An overview with relevant sections/rules highlighted.
8. Evidence Act - An overview with relevant sections/rules highlighted.

Critical Evaluation of Rules & Procedures

9. Are these enough /more to address digital crimes?
Are there more challenges?
 - A critical evaluation by participants who can work out the ideal model rules and procedures.
 - Identify areas not covered by IT Act and classify those addressed by other laws and issues that await attention.

Focus on some other typical issues:

10. Obscenity & Pornography on the Internet
11. Freedom of Speech & Expression
-Defamation & Hate Speech included.

Precautions undertaken by corporate & individuals – voluntarily as well as under regulations

Voluntarily as a corporate/individual policy

12. Adherence of Standards/Specifications. A very brief outline discussion on BS7799, CC, CDSA, FIPS Pub, GMITS, ITIDF, OSI Security, Security Information Object, GSS-API, Kerberos, PEM, PGP, PKCS, S-HTTP, S/MIME, SOCKS, SSL, NIST publications..
13. Security as understood and defined in present context as well as defining/profiling the perceived/real threat.
14. Understanding the business needs for security.
15. Align IT Infrastructure
16. Risk Assessment
17. IT Controls: their identification and design.
18. Implementation
19. Feedback in the form of measure, monitor and report.
20. A quick look at concept/products of/for Intrusion detection, firewalls, Anti Virus solutions, Security scans, continuous process of updating & configuration (example patches released by Microsoft)

Some of these standards/specifications/processes could be a part of the regulatory requirements mentioned below.

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As a Regulatory requirement

21. Under the following Act very briefly outline identifying a regulatory requirement:
Information Technology Act 2000 (as already covered earlier), Sarbanes-Oxley Act, Gramm-Leach-Bliley Act (GLBA), Committee of Sponsoring Organisation (COSO), Control Objectives for Information and related Technology (COBIT), Health Insurance Portability & Accountability Act (HIPAA) and others as they evolve.

Incident occurs, what next

22. An internal corporate policy in place for incident response/ individual's desire. An evaluation.

Reporting the incident on desire of victim

- 23. A FIR and in few cases a remand order.
- 24. Other process including how the accused with a different profile needs to be handled than normal criminals, accessing their motives, degree of empathy, sympathy & anger expressed based on the nature of crime, age of the accused & degree of offence to be considered

Investigating the crime scene by first responders

- 25. An overview of enforcement response to digital evidence, nature of digital evidence and the forensic process.
- 26. Introduction
- 27. Electronic devices with their potential evidence profile.
- 28. Investigative Tools & Equipments
- 29. Securing the Scene & its Evaluation.
- 30. Documenting the Scene
- 31. Evidence Collection
- 32. Packaging, Transportation and storage of Evidence collected.

.....12/-

Precautions in the investigation/examination of digital evidence.

33. A brief summary as to the special precautions to be taken to document, collect, preserve and examine the fragile natured evidence, with due diligence. Fragile, as it can be altered, damaged or destroyed by improper handling or examination losing evidence value.

Investigative uses of technology and Forensic Examination of Digital Evidence.

34. Introduction to Digital Forensic as they pose challenges for its admissibility in court. Proper procedures / process need to be in place which may include collection, acquisition/imaging, examination, assessments, analysis, documenting and reporting. Recognised forensic tools usage is recommended in the process, as is the case world wide. Forensic examination could address peculiar issues in each crime category. Also the understanding of anti forensic tools would help.

This would very briefly bring out, to the extent possible, (as digital forensics skill set neatly meshes with the skills required in order to respond to security incidents, as earlier profiled in the case study - point 2/3) the following issues:

- Digital Forensics using with open source tools-a few demos.
- An overview summary of Computer Crime, as already provided earlier.
- Preparation of sterile examination media
- Acquisition, collection and seizure of digital/magnetic media.
- Recovering deleted data from a smart/cell phone /digital camera/PDA's
- Documenting a "Chain of Custody"
- Understanding Microsoft Windows from a forensics point of view
- Working with NTFS
- Combing Partition table and boot record
- Investigating The Master File Table (MFT)

- Linux/Unix forensics –a brief note
- Investigating data streams
- Dates and times of file storage
- File deletion/recovery
- Internet Usage Data/Swap Files/Temporary Files/Cache Files – how recovered?
- Safe handling of original media and preservation thereof.
- Original media copies in bitstream
- Rootkits & other techniques commonly used for data hiding
- CD-ROM media examination
- Carving out files "hidden" in unallocated/slack disk space
- Password cracking
- Presentation of data in court –Issues to be addressed-see below
- The evidence marking, storage and transmittal.
- Use tools such as Paraben/Encase Forensic Edition, X-Ways Forensic Addition, Forensic ToolKit (FTK) and others.

Recreating digital crimes Scene

34. Recreating the crime scene.

Creation of digital evidence by the forensic unit

36. A brief summary of the details including the chain of custody – physical item & data acquisition, the preliminary handling of digital evidence (pre law enforcement), the acquisition and examination processes.

Courtroom presentation of digital evidence

37. A brief summary covering the 'Search and Seizure Issues', 'Integrity, Discovery and Disclosure of Digital Evidence', 'Courtroom Preparation and Evidence Rules' and 'Presentation of Digital Evidence'.

Courtroom Presentation and Evidence Rule would focus on the preliminary considerations for the prosecutor when reviewing the scope of the investigation to date, effective pre-trial communication between prosecutor, investigator and forensic examiners and also evidentiary issues like authentication and hearsay in digital evidence context.

Presentation of Digital Evidence would include educating the audience, what needs to be proved/disproved?, Expert witness/scientific method evidence, recurring issues in computer crime trials with respect to identity, knowledge, chronology of events, Jury instructions, jury selection, presenting complicated technical issues.

Paper V : - Practical Training:

Contemporary Issues debated.

Contemporary issues debated with a view to help individual participants to develop an independent opinion on issues.

Partial list of issues that could be considered:

- Cyber cafés how they are regulated all over the world and India.
- ISP's responsibility to block unwanted sites – a law.
- Spamming, is it a crime?
- Spyware compared and contrasted with other similar technologies that put privacy at stake.
- Instant messaging logs as admissible evidence
- Gambling, online gambling and lottery tickets compared/contrasted.
- Can BPO's in India succeed in creating a data base of their employees?
- Digital right management and music video piracy with the arrival of broadband in India.
- How the handhelds, PDA's and smart phones change the landscape of cyber laws?
- Ad-hoc networks like Bluetooth, infra red and Wi-Fi challenge the digital evidence.
- Trojan Horse defence – a discussion
- Cloning a mobile phone – is it a forgery?
- Rights of employees in the cyber age – How much can the employer monitor employees at work.
- Is blog equivalent to press, implications, if any?
- India an outsourcing capital – a critical legal view as to what needs to be done to realize the potential.
- Taxation issues on downloads of music, video of software.

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Hands on/ Demos/ Presentations

E-mail header reading to identify the source.
Understanding the use & how Logs are read.
An introduction to Biometrics.
Understanding the role of ISP's

A Demo: Mobile Sim Card cloning & some related technologies.

Understanding a few top Security tools deployed.

Basic understanding of how penetration testing or ethical hacking is undertaken

Understanding a few forensic/ anti forensic tools.

A Case Study of challenges- as posted by investigative & forensic experts demonstrating their use of forensic tools.

Developing writing/presentation skills for court room's presentations. This is with a view to developing individual's ability to put together, a clear bigger picture, effectively using digital evidence.

Moot Court – Putting skills to test.

Some Independent Presentations:

- The open source – A Presentation
- A NASSCOM Presentations on Security as well as a view on the Industry.
- A ISACA Presentation on Security Policies & the certifications they offer.

....16/-

Preferred Technology Orientation Courses but Are Optional.

(These courses are being offered by few specialised institutions & universities.)

For beginner, intermediate and advanced learners.

For a security perspective:

For understanding the technology for security/ethical hacking tools:

Computer Languages: Advanced C and Assembler under DOS, Windows

Ethernet Programmes: Sniffer, ARP, TCP/IP Connect Programme.

Protocols: TCP/IP, ICMP, UDP

Network Programmes: Raw-Sockets, HTTP Client/Server programme,
Trace Route, Syn flood, Shell code, Root kits

Windows Internals: Buffer Overflow, PE File Format, Sql Injection,
Mobile Sim Cards programming.

Tools: Network Monitor, NC, Ethereal, SNORT,
Debugger, NMAP, NESSUS.

System penetration testing demo using the above tools.

For digital forensic perspective:

One must have a comprehensive understanding of the subject from definitions to data recovery techniques to uncover the methods used in cyber-attacks.

It would briefly include the basic concept of digital forensic, data recovery, digital evidence collection, reconstructing past events, deterrence through attacker's ID, destruction of trace and email uncovered, digital footprint and criminal tracking, the individual exposed, possibility of terrorist attack and the cyber underground world.

A brief understanding of how everything is tied up, located and utilized as digital evidence as it exists on computer hard disks, mobile/electronic devices, shared network or embedded systems.

Tools used for collecting and analyzing digital evidence along with their strengths and limitations.

Putting to test all our perspectives:

Case studies describing the actual digital crimes committed and how subsequently investigated.

.....17/-

For those looking for a deeper technical understanding, details of network and data communications could of interest.

This would include networks and networking essential, networking fundamentals, LAN and WAN, clients and servers, peer to peer, the network medium, network software, network services, network types, network design basics-network design, designing a network layout, standard topologies; Hubs, switches. Variations of the major topologies, constructing a network layout: Networking media: Networking cabling: Tangible physical media, primary cable types, Network Interface Cards (NIC), choosing network adaptors for best performance, special purpose NICs, wireless adapters, remote boot adapters, Driver Software OSI and 802 Networking models.

Advanced Understanding would include Network Communications and Protocols-Function of Packets in Network Communications: Protocols: Common Protocols-Transmission Control Protocol/Internet Protocol (TCP/IP), IP Addressing: NetBIOS and NetBEUI, IPX/SPX, Putting Data on the Cable: Channel Access Methods, Function of Access Methods, Major Access Methods, Choosing an Access Method.

Enterprise and Distributed Networks: Modems in Network Communications, Carriers, Remote Access Networking: Creating Larger Networks; Repeaters, Bridges, Routers, Gateways, Switches. Wide Area and Large-Scale Networks; Advanced WAN Technologies; X.25; ISDN (Integrated Services Digital Network); Frame Relay; ATM (Asynchronous Transfer Mode); FDDI (Fiber Distributed Data Interface); SONET (Synchronous Optical Network); SMDS (Switched Multi megabit Data Service).

The Internet: A World-Wide Resource, What is on the Internet? Domain Name System (DNS), Making an Internet Connection, Dial-Up Connections, Digital Connection Types, Connection Considerations.

14/6/05

UNIVERSITY OF MUMBAI

Post Graduate Diploma Course in Forensic Science and Laws.

Ordinances, Regulations, Scheme of Papers and Syllabus for the Post Graduate Diploma Course in Forensic Science and Laws.

(Introduced from the academic year 2005-2006.)

UNIVERSITY OF MUMBAI

O 5526 Title of the Course : Post Graduate Diploma Course in Forensic Science and Laws.

O 5527 Eligibility : Graduation from any faculty.

R 5165 Duration of the Course : One Academic Year.

R 5166 Fees Structure : Rs.8000/-

Number of Papers : Four Theory Papers + One Paper on Practical Training.

Paper I : Forensic Science, Crime Investigative Techniques and the Laws.

Paper II : Forensic Science and its Application in Crime Investigation.

Paper III : Forensic Science, Forensic Medicine and the Laws.

Paper IV : Recent Advances in Forensic Science and Laws.

Paper V : Practical Training- Field work (Visit of FSL) + Project

Each paper will be of 100 marks.

R 5167 Intake Capacity - 50.

Weekly Lectures: - Three lectures of 50 minutes duration for each paper.

S168 R 5167 Teacher's Qualification :- Post Graduate ⁱⁿ Law or Graduate ⁱⁿ Law ^{with} Ten years Teaching experience.

S169 R 5168 Standard of Passing:

- Candidate who secures a minimum 50% Marks in each subject shall be declared to have passed the examination in the Second Class.
- The candidate has to pass separately in each paper. Candidate who secures a minimum of 50% marks in each paper and an aggregate of 60% and above marks on the whole shall be declared to have passed the examination in the First Class.
- If a candidate secures 70% and above marks on the whole shall be declared to have passed the examination with Distinction.

Intake - 50 students

Faculty - Post graduation in Law with Science background

Post graduation in Science with Law graduation & graduation in law

Lectures will include -

- class room instructions
- Seminars
- Workshops
- Guest Lectures

POST GRADUATE DIPLOMA IN FORENSIC SCIENCE AND THE LAWS

SYLLABUS



- I : Forensics Science, Crime Investigative Techniques and the Laws.
- II : Forensic Science and its Application in Crime Investigation.
- III : Forensic Science, Forensic Medicine and the Laws.
- IV : Recent Advances in Forensic Science and the Laws.
- V : Practical Training – Field work (Visit to FSL) + Project.

**FORENSIC SCIENCE, CRIME INVESTIGATIVE TECHNIQUES AND
THE LAWS**

I) Forensic Science :

Basic Principles and significance, History & Development of Forensic Science, Organizational Structure of Forensic Science Laboratories/Institutions.

II) Criminal Justice System :

Structure of Police, Prosecution & Judicial Organizations, Introduction to IPC and Cr.P.C. – Section 291, 292 & 293, Indian Evidence Act – Introduction & Sections 32, 45, 46, 47, 57, 58, 60, 73, 135, 136, 137, 159.

III) Crime :

Definition & causation, crime scene, types of crime scene, protection and recording of crime scene, search of physical clues, preservation, packing and forwarding of physical clues, processing of crime scene, Blood spattering/Pattern analysis.

IV) Investigative Techniques :

Criminals, criminal behavior^{or}, modus operandi, criminal profiling, portrait parley, polygraphy, narco-analysis, brain fingerprinting, voice stress analysis and speaker profiling

FORENSIC SCIENCE AND ITS APPLICATION IN CRIME
INVESTIGATION.

Chapter-1 : Definition, Nature, Need ^{and} Scope of Forensic Science.

Chapter-2 : Establishment of identity of individuals by :

- a) Skeleton remains
- b) Finger prints and foot prints
- c) Hair and body fluid
- d) DNA profiling (Criminal & Civil issues)

Chapter-3 : Identification of physical objects by shape and size.

Chapter-4 : Questioned documents and their identification :

- a) Handwriting
- b) Typewriting
- c) Torn documents, preservation
- d) Forgery, electronic signature, (e) (12)
- e) Counterfeit coins and notes etc.
- f) Small coins (offences) Act 1971
- g) Standards of Weight and Measures Act 1976

Chapter-5 : Firearms and Ballistics :

- a) Arms Act 1950 Act.
- b) Explosives Act 1984
- c) Explosives Substances Act 1908
- d) Rifles Act 1920

Chapter-6 : Chemical Analysis –

- a) Petroleum Products,
- b) Narcotics,
- c) Explosives,
- d) Chemicals, Act 1934

Chapter-7 : Adulteration of Food,

The Drugs Act 1940

The Drugs and Cosmetics Act 1945

Cases under Prohibition Act (Liquor etc.)

FORENSIC SCIENCE, FORENSIC MEDICINE AND THE LAWS

PART-A : MEDICAL JURISPRUDENCE

Chapter 1: Medical Jurisprudence and its Utility

Chapter 2: Forwarding Biological samples to Forensic Science.

Chapter 3: ^{Concept} ~~Glossary of Terms related to~~ ^{of} Human Anatomy, Physiology & Medical Field.

Chapter 4: Post Mortem Report, Dying Declaration and Expert Evidence.
(Evidence Act)

Chapter 5: Injuries:

- a) Classification
- b) Forms
- c) Medico-Legal Aspects

Chapter 6: Sexual Offences :

- a) Rape & Unnatural Offences
- b) IPC relevant provisions of IPC
- c) Relevant provision of Evidence Act
- d) Examination of the victim and the accused.

Chapter 7: Infanticide, Abortion, Artificial Insemination, Virginity,
Medical Termination of Pregnancy Act 1971.

Chapter 8: Insanity:

- a) Medico-Legal Aspects – Mental Health Act, 1987
- b) Case Study
- c) Prevention of Food adulteration Act 1954
- d) The Narcotic Drugs and Psychotropic Substance Act, 1985
- e) Petroleum Act, 1934

- f) The Poisons Act, 1919
- g) The Drugs Act, 1940
- h) Drugs and Cosmetic Act, 1945
- i) Prenatal Diagnostic Techniques Act, 1994
- j) Prevention of Damage to Public Property Act, 1984
- k) Prevention of illicit trafficking in Narcotics Drugs and Psychotropic Substance Act, 1985.

PART-B: TOXICOLOGY

Chapter 1: Legislative Enactments

Chapter 2: Law relating to Poisons.

Chapter 3: Classification of Poison

Chapter 4: Narcotics

Chapter 5: Intoxication

Chapter 6: Medico-Legal Aspects

Chapter 7: Pharmacology

Chapter 8: Case Study.

RECENT ADVANCES IN FORENSIC SCIENCE AND THE LAWS

- I) **Cyber Forensic :**
Cyber crimes – definition, IT laws- Introduction, internet, hacking, virus, obscenity, pornography, programmed manipulation, software piracy, intellectual property and computer security etc., Encryption and Decryption methods.
- II) **Forensic Narco-Analysis:**
It is possible to get vital information from the subject about the crime under the specific state of mind in which he reveals detailed information which he normally does not reveal under normal condition.
- III) **Forensic Brain Mapping:**
It is possible to know whether the accused or suspect had knowledge of the crime and crime scene by studying the subjects, specific brain response using this technique.
- IV) **Forensic Acoustics-Speaker Identification:**
In cases of extortion threatening calls, hoax calls, drugs transactions the recorded voice can be identified.
- V) **Forensic Crime Scene Management :**
Crime scene is known to be the wealth of clues. The mobile forensic lab, with portable equipment and trained Forensic Scientists will guide and help the investigating officer to collect proper samples from scene of crime.
- VI) **Preventive Forensic:**
To urge Government to impose rules or ban certain activities in the interest of Public Safety and avert many of natural and man made disasters.
- VII) **Forensic DNA Finger Printing :**
The most important and reliable technique to establish a link between the criminals, victim and scene of crime.

UNIVERSITY OF MUMBAI

**Post Graduate Diploma Course in Human
Rights and Laws.**

**Ordinances, Regulations, Scheme of Papers
and Syllabus for the Post Graduate Diploma
In Human Rights & Laws**

Introduced from the academic year 2005-2006

University of Mumbai

O. 5528:- Title of the Course :- Post Graduate Diploma in Human Rights & Laws

O. 5529:- Eligibility :- Graduation from any Faculty.

R. 5170:- Duration of the Course :- One Academic Year.

R. 5171:- Fee Structure - Rs. 8,000/-

Number of Papers :- Four Theory Papers + One paper on Practical Training.

Paper I :- Human Rights :- Origin, Nature & Constitutional Law

Paper II :- Human Rights And The Vulnerable

Paper III :- Human Rights Enforcement - The Role Of Judiciary, Statutory Bodies And NGOs

Paper IV :- International Human Rights & Humanitarian Laws.

Paper V :- Practical Training.

Each Paper will be of 100 marks

R. 5172 :- Intake Capacity - 50

R. 5173 :- Teacher Qualifications : A Post-graduate Law or a Graduate Law ten years of teaching experience .

R. 5174 :- Standard of Passing :-

- Candidate who secures minimum 50% in each subject be declared to have passed the examination *in the Second Class.*
- The candidate has to pass separately in each paper. Candidate who secures a minimum of 50% marks in each paper and an aggregate of 60% and above marks on the whole shall be declared to have passed the examination in the First Class.
- If a candidate secures 70% and above marks on the whole shall be declared to have passed the examination with Distinction.

POST GRADUATE DIPLOMA IN HUMAN RIGHTS & LAWS

Paper I

HUMAN RIGHTS :- ORIGIN, NATURE & CONSTITUTIONAL LAW

- 1) Concept and Origin.
 - Western Thought, Non- Western Thought
 - United Nations and Universal Declaration on Human Rights
- 2) Philosophical Foundation:
 - The Theories on Human Rights
 - Human dignity as foundation : Right to dignity
- 3) Classification of Human Rights
- 4) Indian Constitution : Part III – Civil and Political Rights
- 5) Indian Constitution : Part IV - Social, economic and cultural rights

Paper II

HUMAN RIGHTS AND THE VULNERABLE

- I Rights of Accused and Prisoners,
 - Police and Defence Forces,
 - Terrorism
- II Human Rights for women.
- III Human Rights of Children
- IV Rights of Labourers
- V Human Rights of Dalits
- VI Rights of Scavengers
- VII Human Rights of old, disabled, mentally ill and HIV affected persons.
- VIII Right to Health : Food, Nutrition, Health care

Paper III

HUMAN RIGHTS ENFORCEMENT - THE ROLE OF JUDICIARY, STATUTORY BODIES AND NGOS

- I Role of Judiciary – Supreme Court, High Court, Civil Courts, Criminal Courts & Labour Courts
- II Independence of Judiciary
- III Judicial Activism
 - Strategies –
 - Expansion of State
 - Reaching the masses through PIL
 - recognizing International norms through creative construction of Part III, Indian Constitution

- IV Human Rights, Legal Aid & Access to Justice.
 - Concept of Legal Aid, Lok Adalat.
 - Law Reform for access to justice.
- V Role of Statutory Commissions
 - 1) National Human Rights Commission
 - 2) State Human Rights Commission
 - 3) National Commission for Women & State Commission for Women.
 - 4) Minorities Commission
 - 5) National Commission for SC & ST
 - 6) National Commission for Backward Classes.
- VIII NGOs- National & International
 - assessment of their Role
 - Legal recognition

Paper IV

INTERNATIONAL HUMAN RIGHTS & HUMANITARIAN LAWS.

- I Nature of International Law, sources & International Organisations
- II International Human Rights Covenants :
 - International Convention on Civil & Political Rights
 - International Convention on Economic, Social & Cultural Rights
- III Slavery Convention, Torture Convention, Convention on Elimination of All Forms of Discrimination against Women, Convention on Rights of a Child
- IV Regional International Conventions
 - African, American and European Convention
- V Treatment of Aliens & State responsibility for violation of Human rights.
- VI Refugee Law
- VII Humanitarian Laws - Geneva Conventions

Paper V

Practical Training.

- i **50 Marks for the following.**
 - 1) Observation of cases before State Human Rights Commission.
 - 2) Observation of cases relating to Human Rights violations : Court visits
 - 3) Visits to Police Station
 - 4) Visits to Prisons

Reference Books :-

1. Human Rights & Social Justice by Narasimham R.K. Published by Commonwealth Publishers, 1999 1st Edition
2. International Law & Human Rights By Dr. H.O. Agarwal Published by Snow White Publications, 1997
3. Human Rights & The Constitution by Paras Diwan Published by Deep & Deep Publications, New Delhi 1998
4. Philosophical Foundations of Human Rights by Dr. Chitnis & Dr. Wadhvani. Published by Sultan Shah Publications, Mumbai 1st Edition 2004
5. Law Relating to Protection of Human Rights by Awasthi & Kataria Published by Orient Publishing company, Allahabad, Reprint 2004
6. Human Rights in Constitutional Law by Durga Das Basu. Published by Wadhwa & Company, Nagpur., New Delhi 2nd Edition 2003
7. Human Rights under International Law & Indian Law by Dr. S.K. Kapoor. Published by Central Law Agency Allahabad, 1999
8. Human Rights by Paras Diwan. Published by Deep & Deep Publications, New Delhi 1999
9. Human Rights National & Global Perspectives by Dr. Chitnis. Published by Snow White Publications.
10. Human Rights in Pre-Trial detention by Chandra Mohan Upadhyay. Published by A.P.H. Publishing Corporation, New Delhi 1999 Edition
11. Criminal Justice & Human Rights by Dr. Subhash Kumar. Published by Vaibhav Prints
12. Human Rights of the Vulnerable Groups by Dr. Chitnis & Dr. C.K. Murthy Published by Futuristic Digital Publications, Pune
13. Human Rights by Dr. V.K. Anand. Published by Allahabad Law Agency, Faridabad (Haryana) 1st Edition 2001
14. Children & Human Rights by S.K. Pachauri. Published by A.P.H. Publication Corporation, New Delhi 1999
15. Human Rights & Law Enforcement by Sankar Sen. Published by Concept Publishing Company, New Delhi, 2002 Edition.
16. Human Rights & Criminal Justice Administration by Dr. R. Thilagaraj. Published by A.P.H. Publishing Corporation, New Delhi 2002 Edition
17. Human Rights National & Global perspectives by Dr. Chitnis. Published by Snow White Publications.
18. The Law Relating to Human Rights by Lohit D. Naikar. Published by Puliani & Puliani Bangalore 2004
19. The Protection of Human Rights Act & relating Laws by Mangari Rajender.. Published by Law Book Agency, Hyderabad 1st Edition 2000

21. Human Rights & inhuman wrongs by **Justice V.R. Krishna Iyer**. Published by **B.R. Publishing Corporation Delhi**. 1990
22. Essentials of POTA and other Human Rights Laws by **L.K. Thakur** published by **Authors Press** 2002.
23. Anti -Terrorism Laws India, The United States, The United Kingdom and Israel by **K.R. Gupta** Published by **Atlantic Publishers and Distributors**. (Vol. I)
24. Anti -Terrorism Laws India, The United States, The United Kingdom and Israel by **K.R. Gupta** Published by **Atlantic Publishers and Distributors**. (Vol. II)
25. Law of Prevention of Atrocities on the Scheduled Castes and the Scheduled Tribes by **Dr. T.R. Naval** Published by **Concept Publishing Company**, New Delhi.

14/6/05

UNIVERSITY OF MUMBAI

Post Graduate Diploma in Juvenile Jurisprudence and Juvenile Justice System.

**Ordinances, Regulations, Scheme of Papers
and Syllabus for the Post Graduate Diploma
in Juvenile Jurisprudence and Juvenile
Justice System.**

(Introduced from the academic year 2005-2006)

UNIVERSITY OF MUMBAI

O. 5530 Title of the Course : Post Graduate Diploma in Juvenile Jurisprudence and Juvenile Justice System.

O. 5531 Eligibility : Graduation from any faculty from a recognized University

R. 5175 Duration of the Course: One Academic Year

R. 5176 Fees Structure : Rs. 8000/-

Examination : To be held at the end of every Academic Year.

Number of Papers : Four Theory Papers And One Paper On Practical Training

Paper I : Child Development and Child Psychology and the Law

Paper II : Child Rights and Welfare

Paper III : Child Abuse, Child Labour, *child* Trafficking and Prostitution and Rehabilitation

Paper IV : Juvenile Justice System, Child Law Advocacy

Paper V : Practical Training

Each Paper will be of 100 marks

R. 5177 Intake Capacity – 50.

Weekly Lectures : Lectures for Eight Hours every week

R. 5178 Teacher Qualification : Post Graduate *Law* or Graduate *Law* with Ten years Teaching experience.

R. 5179 Standard of Passing :

- Candidate who secures a minimum of 50% marks in each subject shall be declared to have passed the examination in the Second Class
- Candidate who secures a minimum of 50% marks in each paper and an aggregate of 60% and above marks on the whole shall be declared to have passed the Examination in the First Class.
- In addition to (a) and (b) above, a candidate who secures 70% and above marks on the whole shall be declared to have passed the Examination with Distinction.

1) Qualification of Faculty : Post Graduate in Law / Medicine / Psychology

2) Lectures will include

- a. Class room Instructions
- b. Seminars
- c. Workshops
- d. Guest Lectures

12) Fees : Rs. 8000/-

**POST GRADUATE DIPLOMA IN JUVENILE JURISPRUDENCE
AND JUVENILE JUSTICE SYSTEM**

SYLLABUS

- I : Child Development and Child Psychology and the Law
- II : Child Rights and Welfare
- III : Child Abuse, Child Labour, Prostitution and Trafficking and Rehabilitation
- IV : Juvenile Justice System, Child Law Advocacy.
- IV : Practical Training

Paper I

Child Development and Child Psychology and the Law

1. Definition and Concept

2. Stages of Normal Development

3. Factors affecting Normal Development:

a. Familial Environment

i. Hereditary Factors: Biologic / Genetic

ii. Family Structure

b. Socio-Economic Environment

c. Cultural Influences

4. **Significance of Impaired/Altered Development and Impact on Personality:**
 - a. Identification of Abnormal Developmental Patterns
 - b. Causal Factors
 - c. Environmental Support
5. **Personality Disorders:**
 - a. Cluster A: eg Schizotypal
 - b. Cluster B: eg Borderline Personality Disorder, Anti Social Personality Disorder
 - c. Cluster C: eg Obsessive Compulsive Personality Disorder
6. **Abnormal Psychology, Maladaptive Disorders (Psychotic, Neurotic, Organic) and Impaired Functionality**
7. **Legal Implications:**
 - a. Psychological Impact of offences committed at a developmentally significant stage
 - b. Recording Evidence
 - c. Testing and Counseling
 - d. Punitive Methods
 - e. Rehabilitation
8. **Relevant Provisions of the Indian Penal Code, Indian Evidence Act, etc.**

Paper II

Child Rights and Welfare

1. *Rights of the Child, Constitutional Perspective*
2. *International Law on Child Rights*
3. *Child Marriage: Social and Legal Issues*
4. *Legitimacy*
5. *Inheritance and Property Rights*
6. *Legal Status*
 1. *Contract*
 2. *Evidence*
 3. *vis-à-vis Offences*
 4. *Economic Interactions, viz partnership, holdings*
 5. *Advertisement and media, Censorship and related legal issues*
 6. *Technology, Child and the Law*
6. *Right to Parental Care and Family Environment and Laws of the*
 - a. *Custody*
 - b. *Guardianship*
 - c. *Adoption — Maintenance*
 - d. *Other Non-Institutional Services*
 - e. *Surrogate Parenthood*
7. *Right to Development:*
 - a. *Health*
 - i. *International Human Rights Law*
 - ii. *Law and Policy in India*
 - iii. *Rights of Unborn Child, Experimentation on Fetuses and Rights during Early Childhood*
 - iv. *Medical Termination of Pregnancy Act, 1971*
 - v. *The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994*
 - vi. *Euthanasia*
 - vii. *Suicide*
 - viii. *Special Children*
 1. *Testing and Diagnosis*
 2. *Voluntary and Statutorily*
 3. *Privacy and Consent*
 4. *Any other Provisions relating to Special Children, eg health care*

5. *Crimes against/ Exploitation of Special Children
(Familial, Social and Institutional)*

b. Nutrition

- i. *Assessment*
- ii. *Provisions*

c. Education

- i. *Right of admission*
- ii. *Provisions for Primary Education (Voluntary and Statutorily)*
- iii. *Counseling in the School*
- iv. *Exploitation in the Classroom*
 - 1. *Physical*
 - 2. *Psychological (Neglect and Discrimination)*
 - 3. *Sexual*
 - 4. *Economic*
- v. *Legal Issues of Higher Education*
 - 1. *Commercialization of Education*
 - 2. *Laws and Judgments regarding Admission*
 - 3. *Capitation Fees and Expenditure*

d. Shelter:

- i. *Foster Care*
- ii. *Remand Homes*

e. Misc:

- i. *Harmful Publication*
- ii. *Property*
- iii. *Child as a Consumer of Goods and Services.*
- iv. *Medical Care*
- v. *Medical Trials: Experimentation with fetuses and children*
- vi. *Legal status of Displaced Children*
- vii. *Rights of NRI Children*
- viii. *Rights of Children from deprived sections of society:*
 - 1. *Orphans and Destitutes*
 - 2. *Children of CSWs, Terminal Illnesses, Mentally Challenged Parents*

Child Abuse, Child Labour, Prostitution and Trafficking and
Rehabilitation

1. Child Abuse:

- a. Definition
- b. Forms of abuse
- c. Child Marriages
- d. Child Rape
 - i. Familial
 - ii. Institutional/ Custodial
 - iii. Special Provisions for Investigation, Interrogation, Evidence, Court and Police Procedures, Prosecution, Conviction
 - iv. Right to Privacy and Dignity and Rehabilitation of the Victim.
- e. Judicial Trends
- f. Social Scenario and Outlook
- g. Issues of Evidence, Prosecution and Conviction
- h. Role of Child Psychologists
- i. Child Friendly Courts
- j. Legal Provisions
- k. Juvenile Advocacy

2. Child Labour:

- a. Scope and Effect
- b. National Policy on Child Labor
- c. Non Governmental Organizations' (NGOs) Initiatives
- d. Government Initiatives and schemes
- e. Migrant labour
- f. International Legal Interventions and Movements

3. Child Prostitution and Trafficking:

- a. Indian and International Scenario
- b. Indian Laws and Judgments
- c. International Instruments
- d. Prevention of Child Pornography
- e. Government/NGO Interventions
- f. Monitoring of Agencies involved
- g. Law Reform and Enforcement

4. *Other Crimes against Children:*
- a. *Kidnapping, Forced Labor, Begging:*
 - i. *IPC Section 360*
 - ii. *IPC Section 363*
 - iii. *IPC Section 364*

Paper IV

Juvenile Justice System, **Child Law Advocacy .**

1. *Juvenile Justice Act 1986:*

- a. *Administration and Implementation*
- b. *Government Schemes And Intervention*
- c. *The Juvenile Justice (Care and Protection Of Children) Act 2000*

Juvenile welfare board

2. *Child Law Advocacy:*

- a. *Appreciation of Developmental and Psychological Implications of Wrongs against Children*
- b. *Need for Reforms In Evidence, Prosecution and Conviction*
- c. *Child Friendly Courts*
- d. *Necessity of Sensitizing Courts and Enforcement Agencies*
- e. *Participation of Trained Child Psychologists and Counsellors at every stage of the Judicial Process.*
