

BRANCH-VII
LL.M. (ALTERNATIVE DISPUTE RESOLUTION)
SEMESTER-I
SYLLABUS

PAPER-I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW
(Common Paper for All the Branches)

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism-Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist-Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engels; Sociological theories of law• Contribution of Ihering- Contribution of Ehrlich-Duguit's theory of Social Solidarity-Roscoe Pound's Social Engineering and Classification of Interests-American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law –Greek origins-Medieval period-View of St.Thomas Aquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories- Stammler and Natural Law with variable content-Fuller and the Morality of Law- Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

1. G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
2. R.W.M. Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt.Ltd.Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER-II : ALTERNATIVE DISPUTE RESOLUTION (ADR): CONCEPTS AND METHODS

Unit-I:

Introduction to ADR-Definition, Meaning and Scope: dispute Resolution through third party settlement; Disputes and kinds of disputes; dispute resolution as a State monopoly Judiciary as the Third estate; Adjudication: Common Law System and Continental System; Adversarial System-Doctrine of Precedent and Judicial Hierarchy; Substantive Law and Procedural Law; Advantages and Disadvantages of Judicial Settlement: Law's Delays-Importance and Advantages of ADR; ADR under different laws in India Emerging Global Trends in Favour of ADR.

UNIT-II:

Procedural Law: Law of Civil Procedure ;Basic Principles: Audi Alteram Partem; Right to Fair Hearing; Nemo Judex in Causa Sua; Cause of Action; Plaint and Written Statement; Framing of Issues: Summons; Discovery, Interrogatories and admissions; Trial-Summary Procedure; Law of Evidence: Kinds of Evidence: Relevancy and Admissibility of Evidence; Affidavits and Examination of Witnesses; Judgment: Appeals: Execution of Decrees. Need for judicial reforms: Access to Justice- Lord Wolffe's Report in England.

UNIT-III:

ADR Kinds; Arbitration, Mediation, Conciliation, Negotiation and Good offices; Types and Skills of Negotiation ;Hybrid Forms-Med-arb and Arb-med; Binding and Non-Binding Arbitration; Need for Professional Arbitrators and Conciliators; Fast-Track Arbitration: Court-Annexed Arbitration: Section 89 of Civil Procedure Code of India: Institutionalized Arbitration: Permanent Court of Arbitration at Hague.-Arbitration Councils and Associations in USA.UK, Singapore and India.

UNIT-IV:

ADR and its Application in India; ADR in ancient India-Nyaya Panchayat etc; ADR and its modern applications: Application of ADR in Different Fields: Family, Industrial and Employment: Motor Vehicle Accidents, Medical Negligence, Commercial. Cyber space Disputes: Online Dispute Resolution (ODR): Lok Pal and Lok Ayukta: Legal Aid.

Suggested Readings:

1. Dr. Avatar Singh-Law of Arbitration and Conciliation including ADR System, Eastern Book Company, Lucknow.
2. Venu Gopal KK – Justice Bachawat's Law of Arbitration and Conciliation including commercial, international and ADR
3. P.C. Rao & William - Alternative Dispute Resolution, Universal Law Sheffield Publishing Ltd.
4. S. K. Chawla, Law of Arbitration and Conciliation Act 1996-A Commentary, Universal Law Publishing Ltd.
5. Anthony Walton Russell on Law of Arbitration 18th Ed. 1970 Stevens & Sons Ltd., London.
6. G. K. Kwatra - The Arbitration and Conciliation Law of India (with case law on UNCITRAL model law on Arbitration). The Indian Council of Arbitration.
7. N. D. Basu- Arbitration & Conciliation Commentary-Orient Publishing House (1998).
8. John Sutton, Kendall & Judith Gill,- Russell on Arbitration; Sweet & Maxwell, London (1997).
9. H.C. Johri, Commentary on Arbitration & Conciliation Act, 1996; Kamal Law House, Calcutta (1997)
10. G.K. Kwatra-The New Arbitration & Conciliation Law of India, ICA, 1998.
11. Relevant Reports of the Law Commission of India.

PAPER–III : LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. 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, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.): Law and Society in Modern India (1997), Oxford.
2. Robert Lingat: The Classical Law of India (1998), Oxford.
3. U. Baxi: The Crisis of the Indian Legal System (1982), Vikas, New Delhi.
4. U. Baxi, (ed.): Law and Poverty Critical Essays (1988), Tripathy, Bombay.
5. Manushi: A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
7. H. M. Seervai: Constitutional Law of India (1996)
8. D. D. Basu: Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshta : Law and Menace of Child Labour (2000) AnmolKiranDestha Publications, Delhi.
10. SavitriGunasekhare: Children, Law and Justice (1997), Sage
11. Indian Law Institute: Law and Social Change : Indo-American Reflections Tripathi (1988)
12. J. B. Kriplani: Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India
13. M.P. Jain: Outlines of Indian Legal History (1993), Tripathi, Bombay.
14. Agnes, Flavia: Law and Gender Inequality: The Politics of Women’s Rights in India(1999), Oxford.

PAPER-IV LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law- Induction and Deduction-Case study.

Unit-II:

Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods- Socio-legal research-doctrinal and non-doctrinal research.

Unit-III:

Research tools and techniques for collection of data-Observation - Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▯ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▯ C.R. Kothari: Research Methodology : Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▯ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- ▯ Pauline V Young : Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▯ B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- ▯ S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESTER-II

PAPER-V

LAW OF ARBITRATION AND CONCILIATION IN INDIA

Unit-I

Evolution of Arbitration Law in India - The Arbitration Act of 1940- Drawbacks of the Act – Background of the Arbitration and Conciliation Act 1996 - Impact of Liberalisation, Privatisation and Globalisation on commercial disputes – UNCITRAL Model Laws on International Commercial Arbitration, 1985 and UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation, 2018 [Previously International Commercial Conciliation]; Arbitration and Conciliation Act, 1996: Aims, Objectives and Salient Features – Recent Amendments, 2015 & 2019.

Unit-II

Arbitration, Arbitration Agreement and Arbitration Clause, Arbitral Institution: Definition and Essential Legal Requisites conformity with Indian Contract Act – sec 23 – Restriction on Court's Intervention – Arbitral and Non-Arbitrable Disputes- Reference to Arbitration – Appropriate Court – Interim Relief from Court – Appointment of Arbitrator(s)- Amendment of 2019: Qualifications, Independence and Impartiality – validity of the In-house Arbitrators Constitution of Arbitral Tribunal: Powers and Functions – Arbitration Council Challenge to Arbitrators – Termination of the Mandate of Arbitrator- Grading of Arbitral Institutions and Arbitrators.

Unit-III

Arbitral Tribunal: Jurisdiction, Procedure, Interim Measures – Seat of Arbitration, Applicable Law – Statements of Claim and Defense – Court's Assistance; Settlement through Conciliation – Decision Making by Tribunal – Arbitral Award: Definition and Kinds – Decision *ex aequo et bono*; Form and Contents of Award – Set-Aside of Award - Finality and Enforcement of Award - Appealable Orders – Costs – Limitation.

Unit-IV

Meaning and Scope of Conciliation – Distinction between Conciliation and Mediation – Advantages of Conciliation – Appointment of Conciliator - Conduct of Conciliation Proceedings – Qualifications of Conciliator – Role of Conciliator – Confidentiality – Resort of Arbitral and Judicial Proceedings – Conciliation Settlement Agreement: Status and Effect – Termination of Conciliation Proceedings – Immunity to Conciliator

Suggested Readings:

1. Dr. Avatar Singh-Law of Arbitration and Conciliation including ADR System-7th Ed. 2005, Eastern Book Company-Lucknow.
2. Venu Gopal K.K-Justice Bachawat's Law of Arbitration and Conciliation Including commercial, international and ADR, 3rd Ed. 1999.
3. P.C.Rao & William-Alternative Dispute Resolution 1st Ed.-1997 Universal Law Sheffield Publishing Ltd.
4. S.K.Chawla-Law of Arbitration and Conciliation Act 1996 A commentary- (1999) Universal Law Publishing Ltd.
5. Anthony Walton Russell-on Law of Arbitration 18th Ed. 1970. Stevens & Sons Ltd., London.
G.K.Kwatra, The Arbitration and Conciliation Law of India (with case law on UNCITRAL model law on Arbitration). The Indian Council of Arbitration.

6. N.D.Basu-Arbitration & Conciliation Commentary- Orient Publishing House(1998).
7. Goyal.G.C-Arbitration & Conciliation Act, Khetrapal Public Ltd.(1998).
8. John Sutton, Kendall & Judith Gill: Russell on Arbitration; Sweet & Maxwell, London(1997).
9. H.C.Johri: Commentary on Arbitration & ConciliationAct,1996;Kamal Law House, Calcutta(1997).
10. Justice Bachawat's Law of Arbitration and Conciliation including International Commercial Arbitration and ADR, Lexis Nexis 2017.
11. G.K.Kwatra :The New Arbitration &Conciliation Law of India,ICA.1998.
12. Relevant Reports of the Law Commission of India.

PAPER - VI

ONLINE DISPUTE RESOLUTION

Unit-I

History and Development of Online Dispute Resolution(ODR); Law and Cyberspace; Meaning and scope of Cyberspace; Problems of absence of territoriality in cyberspace communications and transactions; Use of Internet; E-commerce and the Problems of online conclusion of contracts; Validity of Online Contracts and Arbitration Agreements; Problems of Substitution of Paper-Based Documents by Electronic Documents; Clickwrap and Shrink-wrap contracts; Proof of electronic documents; Electronic Data Interchange.

Unit-II

ODR- Methods and uses; Legal Issues involved in ODR; Online Negotiation- Automated Negotiation; Assisted Negotiation; Online Mediation and Online Arbitration; Online Courts; Types of Online Communications; E-Mediation and E- Negotiation; Problems of Security; Methods of Encryption

Unit-III

ODR Service Providers and Different Technologies; Legal Liability of Service Providers- Kinds of Online Disputes: Business to Business(B2B), Business to Consumer (B2C) and Consumer to Consumer (C2C) disputes - Party Autonomy: Issues of Unequal Balance between the parties and Unequal Access to Technology – UNCITRAL Technical Notes on ODR, 2016 – EU ODR Regulation 2013 – British Columbia Civil Resolution Tribunal Act, 2012- UN Electronic Communications Convention, 2013

Unit-IV

ODR and Online Courts - Use of ODR in Traditional Litigation - Court Annexed ODR – Online Examination of Witnesses and Submission of Arguments: Problems and Prospects – Litigation Conferencing – Enforcement of Online Arbitration Awards - Legal Recognition of ODR in India under the Arbitration and Conciliation Act, 1996 and Information Technology Act, 2000 – E-Courts Project in India

Suggested Readings:

1. Dr.Avatar Singh-Law of Arbitration and Conciliation including ADR system-7th Ed. 2005 Eastern Book Company-Lucknow.
2. P.C.Rao &William Alternative Dispute Resolution 1st Ed.-1997 Universal Law Sheffield Publishing Ltd.
3. H.C.Johri-Commentary on Arbitration & Conciliation Act, 1996;KamalLawHouse,Calcutta(1997).
4. G.K.Kwatra-The New Arbitration &Conciliation LawofIndia,ICA,1998.
5. Gabrielle Kaufmann Kohler & Thomas Schultz- Online Dispute Resolution: Challenges for Contemporary Justice, Wolters Kluwer, UK.
6. Katsh E, Rabinovich-Einy O, Digital Justice: Technology and the Internet of Disputes (1st edn, Oxford University Press 2017)
7. Katsh E, Rifkin J, Online Dispute Resolution: Resolving Conflicts in Cyberspace (1st edn, Jossey-Bass 2001)
8. Richard Susskind, Online Courts and the Future of Justice (Oxford University Press, 2019)
9. Rule C, Online Dispute Resolution For Business: B2B, ECommerce, Consumer, Employment, Insurance, and Other Commercial Conflicts (1st edn, Jossey-Bass 2002)
10. Relevant Reports of the Law Commission of India.

PAPER –VII- LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

Unit – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

Unit - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References: Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, "*Responsibility of International Organizations*" Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chorine, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER-VIII
DISPUTE RESOLUTION RELATING TO IPR, CYBER LAWS AND
INTERNATIONAL ARBITRAL INSTITUTIONS

UNIT-1:

Meaning, Nature and Classification of Intellectual Property - Significance and need for protection of Intellectual Property — Varied forms of Intellectual Property: Patents, Trademarks, Industrial Designs, Geographical Indications of Goods, Copyright and Neighbouring Rights and the fundamental aspects of the statutes relating to the above forms.

UNIT-2:

New forms of Intellectual Property: Plant Varieties Protection and Biotechnology, Genetic Resources and Traditional Knowledge (GRTK), Layout Designs, Computer Programmes, Geographical Indications of Goods (Registration and Protection) Act, 1999, the Protection of Plant Variety and Farmers Right Act, 2001 (PPVFR Act), Biodiversity Act, 2002 and issues of dispute and resolution relating to the above new forms of intellectual property and also under the Trademarks Act, 1999, the Patents Act, 1970, Copyright Act, 1957, Industrial Designs Act, 2000.

UNIT-3:

Meaning of Cyber Law, meaning and nature of E Commerce – Basic features of the Information Technology Act, 2000 and its impact on Law of Contracts, Law of Evidence, Law of Crimes – Cyber contracts and IPR – Breach of Cyber Contracts and Dispute Resolution methods.

UNIT-4:

Arbitral Institutions: Basic knowledge on Arbitral Institutions, viz., Indian Council of Arbitration, New Delhi - Delhi International Arbitration Centre of Delhi High Court - ICC International Court of Arbitration, Paris – American Arbitration Association, U.S.A., - Permanent Court of Arbitration, Hague – World Intellectual Property Organization, Switzerland – The Chartered Institute of Arbitrators, London – London Court of International Arbitration, London – Singapore International Arbitration Centre, Singapore, Hongkong International Arbitration Centre, Hongkong.

Suggested Readings:

1. Elizabeth Verkey, Intellectual Property Rights, Eastern Book Company.
2. G.B. Reddy, Intellectual Property Rights and the Law Gogia Law Agency.
3. T.S.Venkatesa Iyer, Law of Contracts, S.Gogia and Company, Hyderabad.
4. Kamlesh N. & Murali D.Tiwari(Ed), IT and Indian Legal System, Macmillan India Ltd, New Delhi.
5. Vakul Sharma, Hand book of Cyber Laws, Macmillan India Ltd, New Delhi.
6. Hand Book on Arbitration by the Institute of Company Secretaries of India.

SEMESTER-III

PAPER-IX – FAMILY DISPUTE RESOLUTION

UNIT-I

Nature and scope of family law in India-Subjects of family law- Unification of Intra and inter-religious family laws-Hindu, Muslim, Christian theories of marriage-polyandry- polygamy and Monogamy- marriage a holy union and contractual obligation-dowry and dower

UNIT-II

Matrimonial Disputes and Remedies - Restitution of Conjugal Rights, Judicial Separation, Nullity of Marriage, Divorce, Maintenance, Custody of Children – Rights of Guardianship – Position under different Personal Laws in India.

UNIT-III

Family Dispute Resolution under Hindu Marriage Act 1955, Special Marriage Act 1954, Indian Divorce Act 1869, Guardians and Wards Act 1890, Protection of Women from Domestic Violence Act 2006, IPC 1860, Code of Civil Procedure 1908, Code of Criminal Procedure 1973 - Family Courts: Jurisdiction, Adjudication, Trial and Procedure under Family Courts Act 1984

UNIT-IV

Family Problems - Identification of Contemporary Issues – Causative Factors to Family Crises – Methods of FDR through ADR: Family Counseling, Family Conciliation - Role of Counselor and Conciliator in Family Reconciliation

Suggested Readings:

1. Dr. Avatar Singh-Law of Arbitration and Conciliation including ADR system-7th Ed. 2005 Eastern Book Company-Lucknow.
2. P.C. Rao & William Alternative Dispute Resolution 1st Ed.-1997 Universal Law Sheffield Publishing Ltd.
3. H.C. Johri-Commentary on Arbitration & Conciliation Act, 1996; Kamal Law House, Calcutta (1997).
4. G.K. Kwatra-The New Arbitration & Conciliation Law of India, ICA, 1998.
5. Relevant Reports of the Law Commission of India.
6. Paras Diwan, Modern Hindu Law, Allahabad Law Agency
7. Aquil Ahmed, Mohemmedan Law, Central Law Agency
8. G C V Subba Rao, Family Law in India, S. Gogia & Co.

PAPER – X: LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

Suggested Readings

BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” *Journal of Legal Education* 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education* (Eastern Book Co.,1998).
7. S. Agrawala, *Legal Education in India* (West Publishing Company,1973).
8. S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, (Rajeev DhavanEd., Butterworths, London,1989).

9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi, 1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India,(1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev.(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L.(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I.(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L.REV.1461 (1997- 1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour.(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR(1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education(2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R.1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

PAPER – XI: ARBITRATION AND MEDIATION ON INTERNATIONAL INVESTMENT DISPUTES

UNIT-I: Introduction

Overview of issues and trends in foreign investments- Foreign investments in historical context- Trends in flow of foreign investments- Foreign investments and development-Foreign Direct Investment in India.

UNIT-II: Regulation of Foreign Investment

Legislative Historical trends in regulation of foreign investments- Perspectives and emergence of bilateral, regional and multilateral Investments Treaties- Rights of foreign investors- Responsibilities of foreign investors' vis-à-vis environment, human rights and other municipal concerns of host states.

UNIT III: Remedies for Foreign Investors

Trends and issues intreaty based remedies for foreign investors- Fork in the road and the umbrella clauses- Overview of foreign arbitral institutions- Recognition and enforcement of foreign arbitral awards with specific reference to India and Remedies for grievance of foreign investors.

UNIT-IV: International Centre for Settlement of Investment Disputes

Overview of ICSID- Resolution of Investors State Dispute with specific reference to Washington Convention 1965- Preliminary issues in respect of jurisdictional proceedings-Essentials for the jurisdiction of ICSID, patterns of consent and meaning of foreign investment under Article 25 of the ICSID.Legal framework of various investment laws applicable in India-Legal framework of stock exchange and the legal sanctions behind various market regulatory authorities-Depository system in India ,its operation and legal framework and Mediation of Disputes relating to International Investments-Latest developments on Mediation Law and Overview.

References:-

1. Campbell Mc Lachlan, Laurence Shore & Matthew Weiniger, International Investment Arbitration: Substantive Principles, Oxford University Press, 1st ed, 2008.
2. Todd Weiler, International Investment Law and Arbitration: Leading Cases from the ICSID, NAFTA, Bilateral Treaties and Customary International Law, Cameron, 2005.
3. Mohamed A. M. Ismail, Conseil d'État, International Investment Arbitration: Lessons from Developments in the MENA Region, Ashgate, 1st ed., 2013
4. Arbitration under International Investment Agreements: A Guide to the Key Issues (2010) INTL K3830.A75 2010.
5. Kroll & Horn, Arbitrating Foreign Investment Disputes: Procedural and Substantive Legal Aspects, Kluwer Law, (2004)

SEMESTER-IV

PAPER –XII : INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common Paper for All the Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, NewDelhi.
2. Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, NewDelhi.
4. B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, NewDelhi.
5. M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

PAPER XIII- INTERNATIONAL COMMERCIAL ARBITRATION

UNIT-I

Importance of International Commercial Arbitration (ICA); Impact of Globalization on the Growth of ICA-The rationale of UNCITRAL Model Law on ICA of 1985; Definition of ICA under the Indian Arbitration and Conciliation Act of 1996-Scope and meaning of the terms "international" and "commercial" in the context of judicial interpretation.

UNIT-II

Role of Private International Law in settlement of commercial disputes; Application of Private International Law to contractual relations; The Doctrine of Proper Law of Contracts-meaning and scope; Problems arising out of the application of rules of Private International Law- Lack of uniformity among countries; Defense of Sovereign Immunity in arbitration proceedings relating to disputes between States and Persons- The United Nations Convention on Jurisdictional Immunities of States and their Properties of 2004; Scope and Extent Application of the provisions of the Indian Arbitration and Conciliation Act of 1996 to ICA.

UNIT-III

Enforcement of Foreign Arbitral Awards in India; Geneva Protocol on Arbitration Clauses of 1923; Deficiencies of the Protocol; Geneva Convention on the Execution of Foreign Awards of 1927; Salient Features of the Geneva Convention; Indian Arbitration (Protocol and Convention) Act of 1937; New York Convention on Recognition and Enforcement of Foreign Arbitral Awards of 1958; The Indian Foreign Awards (Recognition and Enforcement) Act of 1961.

UNIT-IV

Provisions of Part II of the Indian Arbitration and Conciliation Act of 1996 relevant provisions of CPC and Indian Evidence Act, 1872 regarding the Enforcement of Geneva and New York Conventions Awards; "Convention" and "Non- Convention" awards; Enforcement of Non-Convention Awards in India; Reservations to the Geneva and New York Conventions regarding conditions of reciprocity and commercial disputes; Conditions for Enforcement and Non-Enforcement of the Convention Awards under the 1996 Act.

Suggested Readings:

- Dr. Avatar Singh-Law of Arbitration and Conciliation including ADR system-7th Ed. 2005 Eastern Book Company-Lucknow.
- P.C.Rao & William Alternative Dispute Resolution 1st Ed.-1997 Universal Law Sheffield Publishing Ltd.
- H.C.Johri-Commentary on Arbitration & Conciliation Act, 1996; Kamal Law House, Calcutta(1997).
- G.K.Kwatra-The New Arbitration & Conciliation Law of India, ICA, 1998.
- Relevant Reports of the Law Commission of India.
- Paras Diwan, Modern Hindu Law, Allahabad Law Agency
- Aquil Ahmed, Mohemmedan Law, Central Law Agency
- G C V Subba Rao, Family Law in India, S.Gogia & Co.

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

***** **THE END** *****

BRANCH-VIII
LL.M. (INTELLECTUAL PROPERTY RIGHTS)
SEMESTER – I
SYLLABUS

PAPER – I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW
(Common Paper for All the Branches)

Unit-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools-Salient features of Analytical, Historical, Philosophical and Sociological Schools.

Unit-II: Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism- Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist-Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engles; Sociological theories of law• Contribution of Ihering-Contribution of Ehrlich-Duguit's theory of Social Solidarity- Roscoe Pound's Social Engineering and Classification of Interests- American and Scandinavian Realism-Critical Legal Studies Movement.

Unit-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law – Greek origins-Medieval period-View of St.ThomasAquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories-Stammler and Natural Law with variable content-Fuller and the Morality of Law-Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

- G.W.Paton: A Text book of Jurisprudence, Clarendon Press, Oxford.
- *R.W.M. Dias*, Jurisprudence, Aditya Books Private Ltd., New Delhi
- W.Friedmann: Legal Theory, Columbia University Press, NewYork
- Dennis Lloyd: Lloyd's IntroductiontoJurisprudence,Sweet and Maxwell, London.
- Julius Stone: The Province and Function of Law; Associated General Publications Pvt.Ltd. Sydney.
- Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh.
- S.N.Dhyani: Fundamentals of Jurisprudence: The IndianApproach, Central Law Agency, Allahabad.
- Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders,Delhi.
- Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, EasternBook Company, Lucknow.
- Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., NewDelhi.

PAPER-II: INTELLECTUAL PROPERTY RIGHTS: CONCEPTS

Unit-I: Conceptual Framework of Property-Legal concept of Property-Elements of Property-Classification of Property- Theories of Property: Occupation Theory-Locke's Labour Theory of Property - Hegel's Personality Theory of Property -Marxian Theory on Private Property and IP - Economic Theory and Social Trust Theory

UNIT-II: Jurisprudential aspects of property-ownership, Possession and title - Constitutional Aspects of Property - Meaning, nature and evolution of Intellectual Property-Position in Ancient India-Analysis of WIPO definition of Intellectual Property-Theoretical justification for protection of IP.

UNIT-III: Classification of Intellectual Property-Industrial Property, Literary Property and Emerging Forms-Traditional forms of IP-Patents, Trademarks, Trade Names and Descriptions, Industrial designs, Geographical Indications of Goods, Copyright and Related Rights and Trade Secrets-Their characteristic

UNIT-IV: Emerging forms of IP-New Plant Varieties, IP in Life forms and Micro-Organisms, Lay-out Designs, Traditional Knowledge and Indigenous Knowledge-Business Methods-Computer Programmes-Traditional Cultural expressions- Bio-piracy, Bio- prospecting and Bio-ethical Issues relating to IP Protection

Suggested Readings:

1. P.Narayanan, Intellectual Property Law, Eastern Law House, Kolkata.
2. Pola Koteswara Rao, Supreme Court and Parliament: Right to Property and Economic Justice, Law Book Agency, Hyderabad.
3. Prabhuddha Ganguli, Intellectual Property Rights-Unleashing Knowledge Economy, Tata-Mcgraw Hill, New Delhi.
4. Shahid Ali Khan & Raghunath Mashelkar, Intellectual Property and Competitive Strategies in the 21st Century, Kluwer Law International, London.
5. N.S. Gopalakrishnan, Intellectual Property and Criminal Law, National Law School of Indian University, Bangalore.
6. GB. Reddy: Intellectual Property Rights and Law: Gogia Law Agency, Hyderabad.
7. S.K. Verma: Intellectual Property Rights, ILI, New Delhi.
8. David Bainbridge: Intellectual Property, Pearson Education Ltd, New Delhi.
9. Pearson & Miller: Commercial Exploitation of intellectual Property (2004), Universal Law Publishing Co. Pvt. Ltd, Delhi.
10. www.wipo.int
11. R.S. Bhalla, The Institution of Property-Legally, Historically and Philosophically Regarded, EBC, Delhi.

PAPER –III : LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. 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, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.): Law and Society in Modern India (1997), Oxford.
2. Robert Lingat: The Classical Law of India (1998), Oxford.
3. U. Baxi: The Crisis of the Indian Legal System (1982), Vikas, New Delhi.
4. U. Baxi, (ed.): Law and Poverty Critical Essays (1988), Tripathy, Bombay.
5. Manushi: A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India (1999), Oxford University Press, New Delhi.
7. H. M. Seervai: Constitutional Law of India (1996).
8. D. D. Basu: Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi.
9. Sunil Deshta: Law and Menace of Child Labour(2000) AnmolKiranDestha Publications, Delhi.
10. SavitriGunasekhare: Children, Law and Justice (1997), Sage.
11. Indian Law Institute: Law and Social Change: Indo-American Reflections Tripathi(1988)
12. J. B. Kriplani: Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India.
13. M.P. Jain: Outlines of Indian Legal History(1993), Tripathi, Bombay.
14. Agnes, Flavia: Law and Gender Inequality: The Politics of Women’s Rights in India(1999), Oxford.

PAPER-IV : LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II:

Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III:

Research tools and techniques for collection of data-Observation - Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

1. Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
2. C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
4. Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
5. B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
6. S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi,
7. Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESTER-II

PAPER-V

INTERNATIONAL LEGAL REGIME RELATING TO INTELLECTUAL PROPERTY RIGHTS

Unit - I

Transnational Character of Intellectual Property- International Players in the Field of Intellectual Property: WTO, WIPO, TRIPS Ministerial Council and EPO - International Efforts to Protect IPR: From Paris Convention to Present

Unit-II

International Instruments relating to IPR Protection- Paris Convention for the Protection of Industrial Property (1883)- Berne Convention for the Protection of Copyright (1886) – Madrid Agreement on International Registration of Trademarks 1891 and Protocol 1989 - The Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome Convention 1961) – PCT - WCT - WPPT – PLT

Unit - III:

International Conventions and Agreements Relating to International Trade and IPR – TRIPS Agreement: Background, Objectives, Scope, Principles and Minimum Standards of Protection – The South American Free Trade Agreement – The North American Free Trade Agreement – Agreement on South Asian Free Trade Area, 1993

Unit-III

International and Regional Institutions Relating to IPR - W I P O - UNESCO- ARIPO – EPO Their Composition, Powers, Functions, and Jurisdiction.

Suggested Readings:

1. W.R.Cornish, Intellectual Property: Patents, Copyright, Trademarks and Allied Rights, Sweet and Maxwell, London.
2. Marshal A.Leaffer, International Treaties on Intellectual Property, the Bureau of National Affairs Inc, Washington D.C.
3. Hillary E.Pearson & Miller C.G., Commercial Exploitation of Intellectual Property, Universal Book Traders, NewDelhi.
4. WIPO, Background Reading on Intellectual Property
5. Report of the Commission on Intellectual Property Rights, London, 2002- "Integrating Intellectual Property Rights and Development Policy".
6. GB.Reddy, Intellectual Property Rights and the Law, Gogia Law Agency, Hyderabad
7. Jayasree Watal: Intellectual Property Rights, OUP (2002), New Delhi.
8. Sender Martha Cross: Border Enforcement of Patent Rights, (2002), OUP, New York.
9. Dreyfuss, Expanding Boundaries of Intellectual Property Rights, (2001), OUP, New York.

PAPER -VI

LAW RELATING TO COPYRIGHT AND NEIGHBORING RIGHTS

Unit-I

Concept of Copyright – Idea and Expression Dichotomy - Meaning and Subject Matter of Copyright – Position under the Copyright Act,1957 - Berne Convention, UCC, WCT and WPPT - Judicial Interpretation of Meaning and Subject Matter of Copyright.

Unit-II

Copyright Protection in India – Ownership and Authorship – Economic and Moral Rights of Authors/Owners - Term of Copyright – Assignment of Copyright: Subject matter, Statutory requirement and Terms – Licensing of Copyright: Voluntary, Statutory and Compulsory licensing – Impact of the 2012 Amendment

Unit-III

Meaning of Neighboring/Related Rights – Rights of Producers of Phonograms, Broadcasting Organizations and Performers – Broadcast Reproduction Right and Performers Rights - Collective Management of Copyright and Related Rights – Copyright Societies: Registration and Functions – Digital Rights Management - Registrar of Copyright - Intellectual Property Appellate Board : Powers and functions.

Unit-IV

Infringement of Copyright and Neighboring Rights - Exceptions to Infringement of Copyright - Doctrine of Fair Use/Fair Dealing – Disabled Exception – Remedies for Infringement of Copyright (Administrative, Civil and Criminal) – Protection of International Copyright – Emerging issues in copyright protection – Creative Commons License, Copyleft, Copyright in works created by AI and Animals – Copyright in Sports – Celebrity Rights

Suggested Readings:

- David Bainbridge, Intellectual Property, Pearson Education Limited, London.
- Brad Sherman & Lionel Bentley, The Making of Modern Intellectual
- Property Law, Cambridge University Press, London.
- W.R.Cornish, Intellectual Property: Patents, Copyright, Trademarks
- and Allied Rights, 1999, Sweet and Maxwell, London.
- David Saunders, Authorship and Copyright, Routledge, London.
- John Gurnsey, Copyright Theft, 1995, ASLIB Gower, Hampshire, England.
- G.B.Reddy, Copyright Law in India, Gogia Law Agency, Hyderabad.
- P.Narayanan, Copyright Law and Industrial Designs, Eastern Law House, Kolkata.
- Gillian Davis: Copyright Law and public Interest, Sweet & Maxwell, London
- T. Vidya Kumari, Copyright Protection Current Indian & International Perspectives, Asia Law House
- Robin Jacob: A Guidebook to Intellectual Property, Sweet & Maxwell, London.
- Alka Chawla, Law of Copyright: Comparative Perspectives, Lexis Nexis.
- Relevant International Instruments relating to copyright like, Berne Convention, Rome Convention, WCT, UCC and WPPT etc.

PAPER –VII- LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

Unit – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

Unit - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, "*Responsibility of International Organizations*" Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Edition Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chorine, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

Paper VIII

LAW RELATING TO PATENTS IN INDIA

Unit-I

Evolution of Patents - Meaning, Definition and Nature of Patent - Classification of Patents: Product Patent, Process Patent, Utility Patent, Inventor's Certificate and Patent of Addition
- Subject-matter of Patenting (Patentable and Non-Patentable Subject-Matter) - Standards of Patentability in the changing technological context – The Patents Act, 1970: Philosophy and Salient Features

Unit-II

Essential Conditions for Grant of Patent – Patent Drafting – Specifications: Meaning, Kinds and Contents - Procedure for Registration of Patents in India – Stages of Patenting - Opposition to Grant of Patent - Grant of Patents – PCT Procedure and Stages: Advantages and Disadvantages

Unit-III

Rights, Duties and Limitations of/on Patent Holders - Surrender and Revocation of Patents
- Term of Patent Protection - Transfer of Patent Rights with special reference to Licensing – Compulsory Licensing - Acquisition by Government

Unit-IV

Notion of Abuse of Patent - Infringement of Patent Rights - Remedies (Administrative, Civil and Criminal)- Authorities under the Act - Controller of patents & IPAB - Their powers, functions and jurisdiction – Patent Reforms and Emerging Issues

Suggested Readings:

1. B.L.Wadhera, Law Relating to Patents, Trademarks, Copyright, Designs & Geographical Indications, Universal Law Publishing Co.Ltd.,New Delhi.
2. Prof.Willem Hoyng & Frank Eijvogels, Global Patent Litigation, Wolters Kluwer,Bedfordshire, U.K.
3. David Bainbridge, Intellectual Property, Pearson Education Ltd, London.
4. W.R.Comish, Intellectual Property: Patents, Copyright, Trademarks and allied Rights, Sweet & Maxwell,London.
5. Manish Arora,Guide to New Patent Law, Universal Law Publications Co. Pvt. Ltd.
6. P.Naryanana: Patent Law ,Eastern law House,Kolkata
7. Sender Marta, Cross: Border Enforcement of Patent Rights OUP, New York.
8. Bio-Technology and Intellectual Property Rights ,NLSIU, Bangalore.
9. Relevant Intellectual Instruments like Paris Convention, PCT, PLT, Strasburg Intellectual Patent classification etc.
10. Wipo Publications on IPRs available at www.wipo.int
11. Elizabeth Varkey, Law of Patents, EBC

SEMESTER III

PAPER- IX- COMPETITION LAW AND ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS

UNIT- I:

Concept of Competition and Anti-trust - Basic Concepts of Competition Law- Philosophy and objectives of Competition Law– Salient Features of the Competition Act, 2002 –
Chapter II: Prohibition of Certain Agreements, Abuse of Dominant Position and Regulation of Combinations- Powers and Functions of the Competition Commission of India (CCI) in Adjudication of disputes

UNIT- II:

Competition Advocacy- Interface of Competition and IPR Laws- Anti-competitive Agreements: Meaning and nature - Abuse of Dominance- Determination of Relevant Market–Mechanism within IP legal regime to prevent/mitigate anti-competitive agreements & Abuse of Dominance

UNIT- III:

Enforcement of Industrial Property in general - Enforcement of Patent and Trademark rights - Evaluating Validity and Infringement of a Patent - Infringement of Trademarks and Passing-off - Cost of Patent and Trademark Litigation - Civil Court Procedures - ADR Mechanism in resolving IPR disputes- Criminal Actions: Counterfeiting

UNIT-IV:

Enforcement of Copyright and related Rights -Provisions on Enforcement of Rights in International Copyright and Related Rights Conventions - Evolution of International Standards for the Enforcement of Rights - National Legislation Concerning Enforcement of Rights – Border Measures - Anti-Piracy Measures for Phonograms, Audiovisual Works and Computer Programs - Role of WTO concerning enforcement and enforcement provisions of the TRIPs Agreement.

References:

1. Ownership and Enforcement of Intellectual Property Rights(2003), CIPRA, NLSIU, Bangalore
2. Alfredo Ilardi and Michael Blakeney (Ed), International Encyclopedia of Intellectual Property Treaties (2004), Oxford University Press.
3. Christopher Heath and Laurence Petit (Ed), Patent Enforcement Worldwide, A Survey of 15 Countries, Hart Publishing, Oxford and Portland, Oregon.
4. IPR Enforcement Toolkit For Police ,available at <http://cipam.gov.in/>
5. Guide to the TRIPS Agreement Module on IP enforcement available at <https://www.wto.org>
6. Gabriella Muscolo & Marina Tavassi (Ed), The Interplay Between Competition Law and Intellectual Property: An International Perspective (2019), Wolters Kluwer
7. T.Ramappa, Competition Law in India: Policy, Issues, and Developments (2013),Oxford
8. Report of Competition Law Review Committee (July, 2019),Ministry of Corporate Affairs, Government of India available at <https://www.ies.gov.in/pdfs/Report-Competition-CLRC.pdf>
9. Bare Acts of the Patents Act 1970, Copyright Act 1957, Trademarks Act 1999, Designs Act 2000, Competition Act 2002 and other IPR laws of India.

PAPER– X: LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education - Global & India- Traditional Content based Curriculum- Current Challenges- Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model- Transition to Capability frame work-Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals- Electronic Legal databases- E-Library-Power point Presentations

Suggested

Readings: BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” *Journal of Legal Education* 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education* (Eastern Book Co.,1998).

7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd., Butterworths, London,1989).
9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients (Rawat Publications, Jaipur,1984).
10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi,1993).
11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.
12. Essential of Educational Technology, Madan Lal, Anmol Publication.
13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India,(1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev.(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L.(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I.(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L.REV.1461 (1997- 1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour.(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII BR(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR(1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education(2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R.1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

PAPER-XI : ACQUISITION OF INTELLECTUAL PROPERTY RIGHTS: LAW AND PROCEDURE

UNIT I

Registration of Patents in India: Procedure under the Patents Act 1970 - Who can apply—procedure for registration—contents of application —special provisions for biological inventions— Preparation of Patent Documents - Stages of Patenting: advertisement—search and examination—opposition proceedings— grant of patent- revocation—office of registration; Registration under PCT system: international phase – national phase; Patent Law Treaty – its relevance and advantage; e-filing procedures.

UNIT II

Registration of Trade Marks: Relevant provisions of the Trademarks Act 1999- Voluntary nature—who can apply—procedure for registration—contents of application—examination—advertisement—opposition proceedings—grant—office of registration;Madrid System— Madrid Agreement— Madrid Protocol -Different Forms used for application; e-filing procedures

UNIT III

A) Registration of Designs-Relevant Provisions of the Deigns Act2000-Who can apply—procedure for registration—contents of application—examination—grant—office of registration—advertisement—opposition proceedings; The Hauge System

B) Registration of Geographical Indications of Goods- Relevant Provisions of the Geographical Indications of Goods(Registration and Protection) Act 1999- who can apply—procedure for registration—office of registration; e-filing procedures

UNIT IV

A) Registration of Plant Varieties—who can apply—procedure for registration – Registration of Extant and Farmers' Variety - office of registration

B) Registration of Integrated Circuits—who can apply—procedure for registration—office of registration; Registration of Copyright– who can apply—procedure for registration– office of registration; e-filing procedures

References:

1. The Indian Patent Acts 1970 and the Patent Rules and Forms of Application
2. Manual of Patent Office Practice and Procedure, Version 3.0 Published By: The Office of Controller General of Patents, Designs & Trademarks available at https://ipindia.gov.in/writereaddata/portal/images/pdf/manual_for_patent_office_practice_and_procedure_.pdf
3. Guide to the international registration of marks under the Madrid Agreement and the Madrid available at <https://www.wipo.int/publications/en/series/index.jsp?id=185>
5. The Trade Marks Act 1999 and the Trade Marks Rules & Forms
6. The Designs Act 2000 and the Design Rules .
7. The Geographical Indications of Goods (Registration and Protection) Act 1999- Rules framed under the 1999 Act & Forms
8. The Semiconductor Integrated Circuit Layout-Design Act, 2000-Rules and Forms
9. The “Protection of Plant Varieties and Farmer’s Rights Act (PPV&FRA), 2001- Rules and Forms
10. <https://ipindia.gov.in/>
11. <https://ipindiaonline.gov.in/trademarkefiling/user/frmloginNew.aspx>

SEMESTER IV

PAPER –XII : INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common Paper for All the Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

- H. M. Seervai, Constitutional Law of India(in 2- Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes),Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

PAPER-XIII - LAW RELATING TO TRADEMARKS AND DESIGNS

UNIT-I

Concept of Trademarks, Trade names and Service Marks – Trademarks: Meaning, Definition, Purpose, Nature and Classification – Subject-matter of Trademark Protection (Goods, Services and Domain names)- The Trademarks Act,1999- Conventional and Non-Conventional Trademarks

UNIT-II

Registration of Trademarks – Essential Conditions for Registration of TMs- Characteristics of a Good TM - Procedure for Registration of TMs in India – International Registration of Trademarks - Impact of non-registration

UNIT-III

Rights of Proprietors and Registered users of TMs - Transfer of TMs – Licensing, Infringement and Passing-off of TMs - Remedies (Administrative, Civil and Criminal) - Authorities under the Act: Registrar and IPAB -Their Powers, Functions and Jurisdiction.

UNIT-IV

Concept of Industrial Designs: Meaning, Definition and Nature – Subject Matter of Design Protection – Essential conditions for Registration of Designs-Rights of Design holders – Copyright in Design - Infringement and Piracy of Designs - Remedies (Administrative, Civil and Criminal)- Authorities under the Act - Their Powers, Functions and Jurisdiction.

Suggested Readings:

1. Eric M.Dobrusin, Esq., Katherine E.White, Intellectual Property Litigation: Pretrial Practice, Wolters Kluwer, Bedfordshire,U.K.
2. WIPO, Background Reading on Intellectual Property.
3. Report of the Commission on Intellectual Property Rights, London, 2002 -"Integrating Intellectual Property Rights and Development Policy".
4. GB.Reddy, Intellectual Property Rights and the Law, Gogia Law Agency.Hyderabad
5. P.Narayanan: TradeMark, Tradename and Passing off (Vol. I &II Eastern LawHouse,Kolkata.
6. Unni .V.K: Trademarks & the Emerging concepts of Cyber Property Rights,(2002)Eastern Law House ,Kolkata.
7. Adams John, Merchandising Intellectual Property, Butterworths, London.
8. Wipo Publications on IPRs available at www.wipo.int
9. Relevant International Instruments including Madrid Agreement, TLT and Nice Agreement.

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

***** **THE END** *****

BRANCH-IX
LL.M. (INTERNATIONAL TRADE
AND ECONOMIC LAWS)

SEMESTER-I

SYLLABUS

PAPER-I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW
(Common Paper for All the Branches)

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism-Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist-Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engels; Sociological theories of law• Contribution of Ihering- Contribution of Ehrlich-Duguit's theory of Social Solidarity-Roscoe Pound's Social Engineering and Classification of Interests-American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law –Greek origins-Medieval period-View of St.Thomas Aquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories- Stammler and Natural Law with variable content-Fuller and the Morality of Law- Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

1. G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
2. R. W. M. Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt.Ltd.Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER-II DEVELOPMENT AND ORIGIN OF INTERNATIONAL ECONOMIC LAW

Unit-I: History of Economic Law-Origin and Development- General Principles of International Economic Relations-New International Economic Order (NIEO)- Charter of Economic Rights and Duties of States.

UNIT-II: Permanent Sovereignty over Natural Resources-Basic Principles-Expropriation of Property and International Law-Stability of Contractual Relations in the International Investment Process-Transnational Water courses Law.

Unit-III: Hard Law and Soft Law-International Regulation of Transnational Corporations- Draft Code of Conduct on Transnational Corporations-National Legal Systems and Transnational corporations-The Set of Multilaterally agreed Equitable Principles and Rules for the Control of Restrictive Business Practices – U .N Commission on Transnational Corporations.

UNIT-IV: Transfer of Technology and Developing Countries - Draft Code of Conduct on Transfer of Technology-Other International Conventions and Norms- Kinds of Globalization - Political Globalization - Economic Globalization - Technological Globalization - Cultural Globalization - Impact of Globalization on Indian Trade and Economy.

Suggested Readings:

1. Texts of Programme and Declaration of Action on NIEO and Charter of Economic Rights and Duties of States in R.P.Ananded., International Law Documents(1996).
2. Mohammed Bedjaoui, Towards a New International Economic Order. (Holmes and Meir Publisher, New York,1979).
3. NicoSchrivjer, Sovereignty over Natural Resources (Cambridge University Press, Cambridge, 1997).
4. Kamal Hossain and S.R.Chowdhury eds. Permanent Sovereignty over Natural Resources in International Law: Principle and Practice (Francis Pinter, London,1984).
5. Richard Falk et al eds., International Law: A Contemporary Perspective (Westview Press, Boulder,1985).
6. J.H.Jackson, Legal Problems of international Economic Relations: Cases, Materials and Text on the National and International Regulation of Transnational Economic Relations (St.Paul, Minnesota: WestPublishing,1995).
7. .M.S.Rajan, The Doctrine of Permanent Sovereignty over Natural Resources(1982).
8. B.S.Chimni, International Law and World Order: A Critique of Contemporary Approaches (Sage, New Delhi,1993).
9. Stephen McCaffery, The Law of International Water courses (OxfordUniversityPress; Oxford,2001).
10. A.A.Fatourosed., Transnational Corporations: The International Legal Framework (Routledge, London,1995).
11. Shihata, MIGA and Foreign Investment: Origins, Operations, Policies and Basic Documents of the Multilateral Investment Guarantee Agency (Nijhoff, Dordrecht,1995)
12. M.Sornorajah, The International Law on Foreign Investment (1994).

Articles

1. International Legal Instruments of Intellectual Property Law (in two volumes), (1998), NLSIU, Bangalore.
2. Implications of the TRIPS Agreement on Treaties Administered WIPO (2003), Geneva.
3. Relevant WIPO Publications on Individual International Instruments.

PAPER –III : LAW AND SOCIAL TRANSFORMATION
(Common Paper for All the Branches)

Unit I:

1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. 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, Sociological school and its applicability in India, Principles of Social Legislation.
2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II:

1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language
2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III:

1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State.
2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV:

Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.): Law and Society in Modern India (1997), Oxford.
2. Robert Lingat: The Classical Law of India (1998), Oxford
3. U. Baxi: The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi, (ed.): Law and Poverty Critical Essays (1988), Tripathy, Bombay
5. Manushi: A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
7. H. M. Seervai: Constitutional Law of India (1996)
8. D. D. Basu : Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshta : Law and Menace of Child Labour (2000) AnmolKiranDestha Publications, Delhi.

10. Savitri Gunasekhare : Children, Law and Justice (1997), Sage
11. Indian Law Institute : Law and Social Change : Indo-American Reflections Tripathi (1988)
12. J.B. Kriplani: Gandhi – His, Life and Thought(1970), Ministry of Information and Broadcasting, Government of India
13. M.P. Jain: Outlines of Indian Legal History (1993), Tripathi, Bombay.
14. Agnes, Flavia: Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford.

PAPER-IV : LEGAL RESEARCH METHODOLOGY
(Common Paper for All the Branches)

Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II:

Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III:

Research tools and techniques for collection of data-Observation -Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▯ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▯ C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▯ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing House, Bombay- Delhi-Nagpur 1994.
- ▯ Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▯ B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- ▯ S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESTER-II

PAPER-V

INTERNATIONAL REGIME OF INTELLECTUAL PROPERTY RIGHTS

Unit-I Meaning, Nature and Classification of Intellectual Property -Transnational Character of Intellectual Property- International Players in the Field of Intellectual Property - International Efforts to Protect IPR.

Unit-II

International Instruments relating to IPR Protection- Paris Convention for the Protection of Industrial Property (1883)- Berne Convention for the Protection of Copyright (1886) – Madrid Convention for International Registration of Trademarks1891 - Rome Convention – The Hague Convention - PCT - WCT - *WPPT* – PLT

Unit - III:

International Conventions and Agreements Relating to international Trade and IPR – TRIPS Agreement - SAFTA.- NAFTA

Unit-III

International and Regional Institutions Relating to IPR - W I P O - UNESCO-ARIPO- Their Composition, Powers, Functions, and Jurisdiction.

Suggested Readings:

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press, 1995.
3. WTO Analytical Index: Guide to WTO Law and Practice. 1st ed. Geneva: WTO Publications, Lanham, Md: Bernan. 2003. In Two volumes.
4. Ralph H. Folsom, International Business Transactions. 2nd ed.
5. Practitioner Treatise Series. St. Paul, Minn: West· Group, 2002 with updates.
6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle.
7. .Jr. International Trade and investment in Nutshell 2nd ed., St. Paul, Minn
8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.
9. Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The world Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997). Thompson Canada Ltd. 1997.
10. Anwarul Huda, Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices. Cambridge: Cambridge University, (2001.).
11. www.wto.org.
12. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

PAPER - VI

INTERNATIONAL TRADE AND ECONOMIC INSTITUTIONS

Unit – I

Economic and Social Council - Composition, Functions and Powers - Multilateral Investment Guarantee Agency.

Unit – II

International Centre for Settlement of Investment Disputes Bilateral Investment Protection Agreements - International Monetary Fund (IMF).

Unit – III

UNCTAD - OECD - UNCITRAL - Their Composition, Functions, and Powers.

Unit – IV

IBRA - IFC - EU - UNITAR - Their Composition, Functions and Powers.

Suggested Readings:

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press, 1995.
3. WTO Analytical Index: Guide to WTO Law and Practice. 1st ed. Geneva: WTO Publications, Lanham, Md: Bernan. 2003. In Two volumes.
4. **Ralph H. Folsom, International Business Transactions. 2nd ed.**
5. Practitioner Treatise Series. St. Paul, Minn: West Group, 2002 with updates.
6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle.
7. Jr. International Trade and investment in Nutshell 2nd ed., St. Paul, Minn
8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in
9. Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.
10. Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The World Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997). Thompson Canada Ltd. 1997.
11. Anwarul Huda, Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices. Cambridge: Cambridge University, (2001.).
12. **www. wto.org.**
13. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

PAPER –VII : LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

Unit – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

Unit - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality
- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, "*Responsibility of International Organizations*" Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chorine, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER-VIII : GATT and WTO

Unit–I: Origin and Development of GATT - Objectives - MFN Clause –National Treatment Clause.

Unit–II: Prohibition of Quantitative Restrictions - General exceptions –Security exceptions.

Unit–III: Code of Anti-Dumping –Code of Subsidies - Agreement on Agriculture

Unit–IV: Dispute Settlement Understanding - Dispute Settlement Mechanism - India & WTO.

Suggested Readings

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press, 1995.
3. WTO Analytical Index: Guide to WTO Law and Practice. 1st ed. Geneva: WTO Publications, Lanham, Md: Bernan. 2003. In Two volumes.
4. **Ralph H. Folsom, International Business Transactions. 2nd ed.** Practitioner Treatise Series. St. Paul, Minn: West· Group, 2002 with updates.
6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle. .Jr. International Trade and investment in Nutshell 2nd ed., St. Paul, Minn
8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.
9. .Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The world Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997). Thompson Canada Ltd. 1997.
10. Anwarul Huda, Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices. Cambridge: CambridgeUniversity, (2001.).
11. **www.** wto.org.
12. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

SEMESTER - III

PAPER IX - PRIVATE LAW OF INTERNATIONAL TRADE

UNIT-I

International Trade-Need & importance of international trade- Theories of International trade-international sales contract: elements and performance of the law of sales contract, uniform law on formation of sales contracts; Types of international sale of contracts, types of international sale contracts.

UNIT-II

Vienna convention on contracts for the international sale of goods, 1980, UN Convention on the limitation period in international sale of goods, 1973-Rome Regulation-I.

UNIT-III

Contract of carriage: carriage of goods by Sea-Bill of lading or charter party, Indian carriage of Goods by sea Act,1925(amended in 1993), multi-modal Transportation of goods Act,1993, commercial practices covering bill of lading, charter party on liner practices,1972, (Indian) Bill of Lading Act,1856,

UNIT-IV

International convention on the unification of certain rules relating Bills of Lading, Hague Rules, Visby protocol, 1968, Additional Protocol, 1979-Financing of international sales: contract of credit: legal position and commercial practices, terms of payment and rights and duties of parties, documentary collection: Bills of Exchange/ Documentary Drafts, Documentary credits & letter of credit, ICC Bank guarantees and other contract guarantees, role of financial and Risk institutions in the negotiation of Documents, credit Risk coverage, Export Credit and Guarantees Corporation (ECGC), Realization of payments.

SUGGESTED READINGS:

1. Day, D.M. and Griffin, Bernadette, the law of international trade (Butterworths and Lexis Nexis, London,2003)
2. Dijck, pitol, Vom and Faber, germit, challenges to the new world trade organization (Kluwer Law international, The nietherlands,1996).
3. Gervais Daniel, the trips Agreement: drafting History and Analysis (sweet and Maxwell, London,2008)
4. Gupta, R.K; World trade organization-text(2vols)
5. Holnold, ohm, uniform law for international sales under the 1980 united nations sales convention (Kluwer law international, the hahue,19820)
6. Indira care, international trade law,5th edn (Routledge, cavendish,2013). international trade law and GATT/WTO Dispute settlement systems (Kluwer law international, The Hague,1997)
7. Joseph gold, interpretation: IMF and international law (Kluwer law international,1986).
8. Palmeter and mavroids, dispute settlement in the world trade organization (Kluwer law international,1999)

PAPER– X: LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education -Global &India-TraditionalContentbasedCurriculum-CurrentChallenges-Globalization,Pandemic&ShiftfromAdversarialtoDisputeResolutionModel-TransitiontoCapabilityframework-IntegratedModelswithTransferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – NewEvaluation&Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy-Electronic books- E-Books-Electronic Journals- E-Journals-Electronic Legal databases- E-Library-Power point Presentations

Suggested Readings

BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co.,1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd.,

Butterworths, London,1989).

9. S.K. Sharma, *Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients* (Rawat Publications, Jaipur,1984).
10. S.S. Sharma, *Legal Aid to the Poor: The Law and Indian Legal System* (Deep & Deep Publications, New Delhi,1993).
11. *Integrating Technology in the classroom* Shelly, Cashman, Gunter and Gunter publication.
12. *Essential of Educational Technology*, Madan Lal, Anmol Publication.
13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, *Legal Education in India - Past, Present and Future*, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 *Journal of the All India Law Teachers Association* (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 *Clinical Law Review* 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII *IBR*(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 *Journal of Bar Council of India*,(1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 *U. Det. Mercy L. Rev.*(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 *Clinical Law Review* 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishaq, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", *Mic. J. Int'l. L.*(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 *J.I.L.I.*(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 *Clinical Law Review* 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 *S.M.U. L.REV.* 1461 (1997- 1998).
12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 *SCC Jour.*(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII *IBR*(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) *IBR* (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, *IBR*(1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, *Bar Council Review*(1986)
17. Mohammad Ghose, "Legal Education in India: Problems and Perspective", (Book review) 19 *J.I.L.I.*(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 *JB Council of India* 105(1981).
19. *Place of Skills in Legal Education*, 43 *Columbia Law Review* 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 *Delhi Law Review*(1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 *Delhi Law Review* 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 *International Journal of Clinical Legal Education*(2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 *UMKC Law Review* 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 *Seattle Univ. L. R.* 1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 *Journal of the Bar Council of India* (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII *IBR*,(1995)

PAPER – XI: LAW RELATING TO FOREIGN TRADE

UNIT- I

International Trade- Need and importance of international Trade-Basic necessity for export and import in India -India's Foreign Trade policy-pre Liberalization and post Liberalization era in foreign trade, control by state over foreign trade in India, powers of Reserve Bank of India in controlling Foreign Trade, within India v. Automatic Approval scheme.

UNIT-II

State mechanisms to regulate foreign trade in India. Foreign Trade Development Regulation Act,1992, Director General of Foreign trade [DGFT]-Board of trade [BOT]-Central Excise Authority [CEA]-Export Import Bank of India-Export Credit Guarantee corporation of India Ltd., Currency Transfer-Borrowing & Lending of money in foreign currency repatriation & surrender of foreign securities- Investment in India Banks.

UNIT-III

Foreign trade -specialized sectors: Agriculture products, textiles & clothing, jewellery; joint venture-FII-NRI-FDI-ADR, GDR& FCCB, Service sector.

UNIT-IV

Customs & prevention of smuggling: The customs Act1962; The conservation of foreign exchange & prevention of smuggling activities Act, 1974(COFEPOSA)-Prohibition on importation & exportation of goods, money laundering, control of smuggling activities in import & export trade, levy of & exemption from customs duties, clearance of imported & to be exported goods, conveyance& warehousing of goods.

Suggested readings

1. Government of India, Handbook of import export procedures government of India import and export policy (1997-2002)
2. Foreign trade development and regulation Act,1992-Rules
3. Customs manual
4. International trade law and practice-lew, julton D.M and Clive stand brook (eds), Euro money publications, London,2009.
5. Export trade-the la and practice of international trade- schmothoff C.R,2008.

SEMESTER IV

PAPER –XII : INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common Paper for All the Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

- H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

PAPER-XIII –EMERGING TREND IN WORLD TRADE AND ECONOMY

UNIT-I

Right to Development - Trade and Environment - Social Clause -Economic Law and Human Rights.

UNIT - II

Competition Policy - International Commodity Agreements – The Common Fund for Commodities.

UNIT- III

International Sale of Goods - Lex Mercatoria - Liberalization – Need for Liberalization Implications of Liberalization Economic Restructuring through Trade - Economic Values and Frowning Consumerism.

UNIT - IV

International Commercial Arbitration - Types of International Commercial Arbitration - Prevention of Disputes - Resolution of Commercial Disputes Arbitration Tribunal, Composition, Jurisdiction, Powers and Duties - Arbitral Award - Enforcement of Arbitration Clause (UNCITRALModel)

Suggested Readings

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press,1995
3. WTO Analytical Index: Guide to WTO Law and Practice. 1sted. Geneva: WTO Publications, Lanham, Md: Bernan. 2003. In Two volumes.
4. Ralph H. Folsom, International Business Transactions. 2nded.Practitioner Treatise Series. St. Paul, Minn: West· Group, 2002 with updates.
6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle Jr. International Trade and investment in Nutshell 2nd ed., St. Paul, Minn
8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.
9. Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The world Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997).Thompson Canada Ltd. 1997.
10. Anwarul Huda, Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices. Cambridge: Cambridge University, (2001).
11. [www. wto.org](http://www.wto.org).
12. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

***** **THE END** *****

BRANCH-X :
LL.M. (CRIMINOLOGY AND CRIMINAL JUSTICE SYSTEM)

SEMESTER-I

PAPER-I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW
(Common Paper for All the Branches)

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism-Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist- Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engles; Sociological theories of law• Contribution of Ihering- Contribution of Ehrlich-Duguit's theory of Social Solidarity-Roscoe Pound's Social Engineering and Classification of Interests-American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law –Greek origins-Medieval period-View of St.Thomas Aquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories- Stammler and Natural Law with variable content-Fuller and the Morality of Law- Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

1. G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
2. R.W.M. Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt.Ltd.Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER-II : COMPARATIVE CRIMINAL LAW

UNIT -I

Principles of Liability - classification of offences kinds of punishments- General defence (Infancy, insanity consent, necessity and private defence)- abetment and attempt, recidivism and euthanasia

UNIT II

Culpable homicide and murder -rape and unnatural offences- theft and robbery - defamation- offences relating to marriage

UNIT- III

Hierarchy of criminal courts and their jurisdiction - police, power and functions -judicial officer in investigation - prosecuting agencies role of public prosecutor- Law of arrest and procedure - rights of arrested and accused - evidentiary value of statements - bail procedure sentencing process.

UNIT- IV

Accusatorial and inquisitorial system - presumption of innocence types of trial - speedy justice - role of judge, prosecution and defense attorney during trial - victims role in penal process- plea bargaining appeal procedure legal aid-public participation in criminal justice.

Bibliography:

1. Kenny's: Outline of Criminal Law, Edited by J.W. Cecil Turner, 19th Century (1966), Cambridge University Press, Reprint (1980) N.M. Tripathi Pvt. Ltd.
2. J.C. Smith and Brian Hogan: Criminal Law 5th Edn. (1984, ELBS/Butterworths & Co., London)
3. Glanville Williams: Text Book on Criminal Law, 2nd Edn. (1983), Stevens & Sons, London (Eastern Law House, N.M. Tripathi in India).
4. Hari Singh Gaur: The Penal Law of India (Vol. 1), 10th Edn., (1982), Law Publishers, Allahabad.
5. Nelsen's: The Indian Penal Code- Revised by S.N. Mulla & G.L. Gupta 7th Edn. (1981).
6. K.D. Gaur : Criminal Law : Cases and Material, 2nd Edn. (1985), N.M. Tripathi Pvt. Ltd. Bombay.
7. Ratanlal & Dhirajlal's: Law of Crimes, Revised by Justice D.A. Desai, Justice.
8. M.L. Jain and Dr. N.R. Madhava Menon, 23rd Edition (1995) Bharat Law House (Kautilyas Astasastra).
9. K.N. Chandrasekharan Pillai (e.d.). E.V. Kelkar's Outlines of Criminal Procedure (2000), Eastern Book Company, Lucknow.

PAPER –III : LAW AND SOCIAL TRANSFORMATION
(Common Paper for All the Branches)

Unit I: 1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. 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, Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II: 1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor : formation of linguistic states c. Constitutional guarantee to linguistic minorities d. Language policy and the Constitution ; Official language; multi language system e. Non-discrimination on the ground of language 2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III: 1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State. 2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.): Law and Society in Modern India (1997), Oxford.
2. Robert Lingat: The Classical Law of India (1998), Oxford
3. U. Baxi: The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi, (ed.): Law and Poverty Critical Essays (1988), Tripathy, Bombay
5. Manushi: A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
7. H. M. Seervai: Constitutional Law of India (1996)
8. D. D. Basu: Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshta: Law and Menace of Child Labour (2000) AnmolKiranDestha Publications, Delhi.
10. SavitriGunasekhare: Children, Law and Justice (1997), Sage
11. Indian Law Institute: Law and Social Change: Indo-American Reflections Tripathi (1988)
12. J. B. Kriplani: Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India
13. M.P. Jain: Outlines of Indian Legal History (1993), Tripathi, Bombay.
14. Agnes, Flavia: Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

PAPER-IV : LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II:

Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III:

Research tools and techniques for collection of data-Observation-Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▯ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▯ C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▯ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing Housing, Bombay- Delhi-Nagpur 1994.
- ▯ Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▯ B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- ▯ S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications, New Delhi, 1992

SEMESTER-II

PAPER-V: CRIMINOLOGY AND PRIVILEGED CLASS DEVIANCE

Unit-I

Theories of Crime Causation -Differential Association Theory of Crime- Biological, Environmental, Socio-Economic and Psychological factors affecting Crime- Schools of Criminology.

Unit-II

Different kinds of Criminals- Different Types of Crimes-Impact of Religion, Political parties, Media, Family etc. on Crime –Recidivism.

Unit- III

Different Forms of deviances -official deviance (deviance by legislators, judges and bureaucrats)- Professional deviance (Journalists, teachers, doctors, lawyers, engineers, architects and publishers) -Trade Union deviance (including teachers, lawyers and urban property owners) Landlord deviance (class/caste based deviance) - police deviance Deviance on electoral process (rigging, boot capturing, impersonation, corrupt practices)- Gender based aggression by socially, economically and politically powerful – official deviance-police deviance.

Unit- 1V

Response of Indian legal order to the deviance of privileged classes-vigilance commission- public Accounts Committee- ombudsman-commissions of Enquiry-Prevention of Corruption Act. 1947-The Antulay case.

Suggested Readings:

1. Sutherland and Cressey: Principles of Criminology, 6th Edn 1968: The Times of India press, Bombay.
2. W.A. Bongar : An introduction to Criminology, 1936, Methuen & Co., Ltd., London.
3. H.E.Barnes and N.K. Teeters: New Horizons in Criminology, 3rd Ed, 1966. Prentice Hall of India Pvt, Ltd, New Delhi.
4. Ahmed Siddiqui: Criminology, Problems and Perspectives, 3rd Ed., 1993, Eastern Book Company, Lucknow.
5. NV, Paranjape: Criminology and Penology, 9th Ed, 1996, Central Law Agency, Allahabad.
- 6.Katherine S Williams, Text Book on Criminology (1997), Blackstone, London.
7. Manheim, H. Comparative Criminology: A Text Book (1965).
8. J.M. Sethna, society and the Criminal (1980).
9. Upendra Baxi: The Crises of the Indian Legal System (1982). Law and Poverty Essays(1988), Liberty and corruption: The Antulay Case and beyond (1989).
10. A.G. Noorani: Minister's Misconduct (rev. 2nd ed., 1974).
11. B.B. Pande: "The Nature and Dimensions of Privileged class Deviance" in the other side of Development 136 (1987,K.S. Shukla ed.)

PAPER-VI : PENOLOGY AND CORRECTIONAL METHODS

Unit -I

Concept of Punishment: Its history and development, Religious and Punishment. Types and Forms of Punish and Ancient, Medieval and Modern India. Its classification whether death penalty is necessary? Its merits and demerits.

Unit -II

Theories of Punishment: Deterrence, Retributive, Expiation, Reprobation, Probation, Classical and utilitarian view on punishment. Punishment advantages and disadvantages: critical analysis in the righting in purpose scale and provisions of criminal law and pardon, social necessity of law and order.

Unit -III

History of penal system in development of India, Types of Prisons and Prisoners - Basic principles for the treatment of prisoners - National and International Rights of Prisoners under our Constitution and the Prisoners Act, 1900.

Unit -VI

Probation and Parole: Its nature, origin and advantages, The Provision of Probation of offenders Act, 1958 Comparison between Probation and parole: Its effects in Rehabilitation of Prisoners Power and jurisdiction of police under Cr.P.C. U/S 302, 55, 161, 36, 156, 160, 174, 102 and 166 Criminal Justice Process, Organizational structure of jails and police in India- Provisions related to custodial death, torture, etc.

Suggested Readings:

1. P.K.Sen- Penology old and new.
2. Gillian JL- Criminology and Penology.
3. Flexvor & Baldwani- Juvenile Court and Probation.
4. Bhattacharya-Prisons.
5. M.Ponnanian- Criminology and Penology.
6. J.C.Chaturvedi-Penology & Criminal Procedure Code.

PAPER-VII

LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self-governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

Unit – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

Unit - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality

- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References:

Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, "*Responsibility of International Organizations*" Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Indian Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chorine, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)

20. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
21. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
22. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge University Press, 2009).
23. World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All (2004).

PAPER-VIII

COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM

Unit - 1. Introductory

Notions of "force", "coercion", "violence" Distinctions: "symbolic" violence, "institutionalized" violence, "structural violence" Legal order as a coercive normative order Force - monopoly of modern law "Constitutional" and "criminal" speech: Speech as incitement to violence "Collective political violence" and legal order Notion of legal and extra-legal "repression"

Unit - 2. Approaches to Violence in India

Religiously sanctioned structural violence: Caste and gender based Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India, Gandhi's approach to non-violence -Discourse on political violence and terrorism during colonial struggle -Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period -Incidence of Atrocities Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities

Unit - 3. Agrarian Violence and Repression and communal violence

The nature and scope of agrarian violence in the 18-19 centuries India Colonial legal order as a causative factor of collective political (agrarian) violence - The Telangana struggle and the legal order - The Report of the Indian Human Rights Commission on Arwal Massacre

Unit - 4. Communal Violence

Incidence and courses of "communal" violence Findings of various commissions of enquiry - The role of police and para-military systems in dealing with communal violence -Operation of criminal justice system tiring, and in relation to, communal violence

Select bibliography

1. U. Baxi, "Dissent, Development and Violence" in R. Meagher (ed.) Law and Social Change: Indo-American Reflections 92 (1988)
2. U. Baxi (ed.), Law and Poverty: Critical Essays, (1988)
3. A.R. Desai, (ed.) Peasant Struggles in India, (1979)
4. A.R. Desai, Agrarian Struggles in India: After Independence (1986) A.R. Desai, Violation of democratic Rights in India (1986)
5. D.A. Dhangare, Peasant Movement in India: 1920-1950 (1983)
6. Ranjit Guha, Element any Aspects of Peasant Insurgency in Colonial India (1983) Ranjit Guba, (ed,) Subaltern Studies Vol. 1-6 (1983-1988)
7. T. Honderich, Violence for Equality (1980)
8. Mark Juergensmeyer, "The Logic of Religious Violence: The Case of Punjab" 22 Contributions to Indian Sociology 65 (1988)
9. Rajni Kothari, State Against Democracy (1987)
10. G. Shah, Ethnic Minorities and Nation Building: Indian Experience (1984)
11. K.S. Shukla, "Sociology of Deviant Behaviour," in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986)

SEMESTER III

PAPER – IX: VICTIMOLOGY AND VICTIM COMPENSATION

UNIT-I

Victims: Concept and Importance - Historical development of victimology- Scope and objectives of victimology- National and International thinking: United Nation, Amnesty International, National Human Right Commission, etc.

UNIT-II

Patterns of Criminal Victimizations - Role of victims in Criminal Occurrence Victim-Offendertelationship - Victim typologies- Victim of abuse of power Women and crime victimization- Children and crime victimization.

UNIT-III

Impact of Victimization- Physical and Financial -Physical and financial impact of victimization- Victimization: Impact on family- Psychological stress and trauma- Criminal, victimization, sense of security and socio Economic development.

UNIT-IV

Criminal Justice System and victim relationship: collaborator or evidence - Victim & Police: Lodging of FIR & recording of statement- Deposition & cross-examination in courts- NGO intervention: Victim-Witness Association, Victim Association- Concept, meaning & importance for society & criminal justice system- Restitution, ex-gratia payment & insurance- Compensation by public authorities as social obligation- Victim Compensation in India: Provisions under Cr.Pc, SC/ST Act, etc.

Suggested Readings:

1. Singh Makkar, S.P. 1993, Global perspectives in Victimology, ABC Publications, Jalandhar.
2. Rajan, V.N., 1981, Victimology in India: An Introductory study, Allied Publishers, New Delhi.
3. Chokalingam K, 1985, Readings in Victimology: Towards a Victim Perspective in Criminology, Ravi Raj Publications, Madras.

PAPER– X: LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education -Global &India-Traditional Content based Curriculum- Current Challenges - Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model – Transition to Capability frame work – Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demandfor Competitiveness in Information & Communication Technology – New Evaluation & Assessment Models– Role ofOnline teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy- Electronic books- E-Books-Electronic Journals- E-Journals- Electronic Legal databases- E-Library- Power point Presentations

Suggested Readings: BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research andTeaching.” Journal of Legal Education 59, no. 3 (2010): 432–49.<http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE ResearchPaper No. 24/09, Available atSSRN: <https://ssrn.com/abstract=1478726> or <http://dx.doi.org/10.2139/ssrn.1478726>
4. David J. McQuoid-Mason (Ed.), Legal Aid And Law Clinics In South Africa (School ofLaw, Howard College, University of Natal,1985).
5. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of theNew Pattern, Legal Education in India Status and Problems (BCI Trust, New Delhi1983).
6. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, AHandbook on Clinical Legal Education (Eastern Book Co.,1998).
7. S. Agrawala, Legal Education in India (West Publishing Company,1973).
8. S.P. Sathe, Access to Legal Education and the Legal Profession in India, (Rajeev DhavanEd., Butterworths, London,1989).
9. S.K. Sharma, Legal Profession in India, Sociology of Law and Legal Profession: A Studyof

Relations between Lawyers and their Clients (Rawat Publications, Jaipur,1984).

10. S.S. Sharma, Legal Aid to the Poor: The Law and Indian Legal System (Deep & Deep Publications, New Delhi,1993).

11. Integrating Technology in the classroom shelly, Cashman, Gunter and Gunter publication.

12. Essential of Educational Technology, Madan Lal, Anmol Publication.

13. Online Teaching Tools and Methods, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, Legal Education in India - Past, Present and Future, 3 S.C.C. (Jour.) 1(1998).

2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association (1968).

3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307(2000-2001).

4. D.A. Desai, "Role and Structure of Legal Profession", XXII IBR(1995).

5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 Journal of Bar Council of India,(1973).

6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 U. Det. Mercy L. Rev.(1994).

7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165(2006-2007).

8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", Mic. J. Int'l. L.(1990).

9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 J.I.L.I.(1986).

10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).

11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L.REV. 1461 (1997- 1998).

12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour.(1995).

13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII IBR(1995).

14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).

15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR(1995).

16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)

17. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Bookreview) 19 J.I.L.I.(1977).

18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).

19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).

20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)

21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).

22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education(2013).

23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65

24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R. 1.

25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).

26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

PAPER - XI: INTERNATIONAL NORMS ON TREATMENT OF PRISONERS

UNIT- I: The concept of prisoner rights- origin and development-United States of England-America-Prisoners Rights in India-International norms.

UNIT- II: Classification of prisoners-Mentally Disordered in Prisons- juvenile inside the Prisons- Female Prisoners-under trial prisoners-prohibited Discrimination.

UNIT- III: Prisoners' right - Contact with a lawyer - Right to Communication - Sex and Family Life in a Prison Setting – Access to Courts and Legal Service – Health of Prisoners – Recreational Facilities – Exercise of Religious Beliefs and Practices-psychiatric services.

UNIT- IV: Preparation for life after release-aftercare-Community-oriented prison life- Reintegration goal-Links with family-Contact with friends-Information about transfer-Placement near home-Letters and telephone calls–Visits-Intimate visits-Prison leave- remission and commutation- parole-Impact of indeterminate and prolonged imprisonment-refusal or restrictions on release from prisons. Prohibition of torture and other cruel inhuman or degrading treatment or punishment- international norms-legislative measures-judicial decisions.

Suggested Readings:

1. Andrew L-T Choo, *The Privilege Against Self-Incrimination and Criminal Justice*, Hart Publishing, US, 2013.
2. Bartram S. Brown, *Research Handbook on International Criminal Law*, Edward Elgar, USA, 2011.
3. Catherine S. Namakula, *Language and the Right to Fair Hearing in International Criminal Trials*, Springer, 2014.
4. Constantine Theophilopoulos, *The Right to Silence and the Privilege against Self-incrimination*, University of South Africa, 2001.
5. Denis Abels, *Prisoners of the International Community*, Springer, 2012.
6. Gerhard Werle, Florian Jessberger, *Principles of International Criminal Law*, OUP, 2015.
7. Ilaria Bottiglieri, *Redress for Victims of Crimes Under International Law*, Springer, 2004.
8. Ilias Bantekas, Susan Nash, *International Criminal Law*, Cavendish–Routledge, London, 2003.
9. J. L. Murdoch, *The Treatment of Prisoners: European Standards*, Council of Europe, 2006.
10. Nigel Rodley, Matt Pollard, *The Treatment of Prisoners under International Law*, OUP, 2009
11. Nigel Rodley, Matt Pollard, *The Treatment of Prisoners under International Law*, OUP, 2009.
12. R.H. Helmholz, *The Privilege Against Self-Incrimination: Its Origins and Development*, University of Chicago Press, 1997.
13. Ralph D. McPhee, *The Treatment of Prisoners: Legal, Moral Or Criminal?*, Nova Science Publishers Inc., US A, 2006.
14. Robert Cryer, *An Introduction to International Criminal Law and Procedure*, Cambridge University Press, 2010.
15. Robert Cryer, *Prosecuting International Crimes*, Cambridge University Press, 2005.
16. Róisín Mulgrew, Denis Abels, *International Penal System*, Edward Elgar, 2016.

SEMESTER-IV

PAPER –XII INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common Paper for All the Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment- Doctrine of publictrust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

- H. M. Seervai, Constitutional Law of India(in 2- Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes),Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

PAPER – XIII: EVIDENTIARY ISSUES RELATING TO THE USE OF MODERN TECHNOLOGY AND FORENSIC IN CRIMINAL TRIALS

UNIT-I

Crucial Role of Evidence in Criminal Trials -. Need for violent and admissible evidence in terms of the Indian Evidence Act, 1872 Admissibility of Expert Testimony in Criminal Trials - Need for investigation and prosecution agencies to appreciate the special value of use of modern technology in collection and presentation of evidence.

UNIT-II

Cyber Crimes and Modern Technology - Nature and Definition of Cyber Crime – offence and penalties under the IT Act, 2000 - Cyber Policing in India: Legal Status.

UNIT-III

Forensic Evidence and Criminal Trials - Kinds of Forensic -Evidence- Blood sample, saliva and other evidence from the person of victim and accused - finger prints - Ballistic evidence – Post mortem report- DNA-Narco analysis - Evidence- Probative value of Forensic Evidence -Processes involved in Collecting Forensic Evidence.

UNIT-IV

Technology as A Means of Better Crime Prevention- Intercepting potentially dangerous crime information - Use of Technology Tools in Neutralizing and rendering harmless actual designs of infiltration and attack- Preventing violation of Intellectual Property Rights by techniques of Passwords, Firewalls, Encryption, Digital Signature, Clipper Chip, Reuters and Gateways – Ensuring Data Safety.

Suggested Readings:

1. Dr. Jaishanker and Amin, Forensic Science and Criminal Investigation.
2. Sharma, Forensic Science in Criminal Investigation.
3. Harry Soderman & John O. Concll, Modern Criminal Investigation, Fung and Wangnalls Co. New York.
4. UN (1997) Manual on the Prevention and Control of Computer Related Crime, International Review of Criminal Policy No. 43 & 44, UN, New York.
5. Barkha and U Rammohan, Cyber Law and Crimes.
6. Albert J. Marcella & Robert S Greenfiled (Eds), Cyber Forensics, A Field Manual for Collecting, Examining and Preserving Evidence of Computer Crimes (2002).
7. Pease. K., "Crime Futures and Foresight: Challenging Criminal Behaviour in Information Age" in D. Wall (Ed) Crime and Internet, Routledge: London (2001).
8. McQuade, Sameul C, Understanding and Managing Cyber Crime, Allyn and Bacon

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

***** **THE END** *****

BRANCH –XI : LL.M. (HUMAN RIGHTS AND SOCIAL JUSTICE)

SEMESTER-I

PAPER-I : SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW (Common Paper for All the Branches)

UNIT-I: Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools- Salient features of Analytical, Historical, Philosophical and Sociological Schools.

UNIT-II: Meaning of Positivism-Analytical positivism of Bentham and Austin• Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism-Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

UNIT-III: Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist- Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engles; Sociological theories of law• Contribution of Ihering- Contribution of Ehrlich-Duguit's theory of Social Solidarity-Roscoe Pound's Social Engineering and Classification of Interests- American and Scandinavian Realism-Critical Legal Studies Movement.

UNIT-IV: Theories of Natural Law-Meaning of Natural Law-History of Natural law –Greek origins-Medieval period-View of St.Thomas Aquinas-Period of Renaissance/Reformation-Grotius and International Law• Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories- Stammler and Natural Law with variable content-Fuller and the Morality of Law- Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

Suggested Readings:

1. G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
2. R.W.M. Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt.Ltd.Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

PAPER-II : INTERNATIONAL HUMAN RIGHTS LAW

UNIT-1

Human Rights Concept, Nature, Origin and Development, Human Rights and Domestic Jurisdiction- classification of Human Rights-Third World Perspectives of Human Rights.

UNIT-II

UN Charter-United Nations Commission on Human Rights (Human Rights Council) Sub commission on Prevention of Discrimination and Protection of Minorities Commission on Status of Women-UN Centre for Human Rights & UN Commissioner for Human Rights- Office of UN High Commissioner for Human Rights -UN High Commissioner for Refugees-Role of UN in Protection and Promotion of Human Rights

UNIT-III

International Convention on Human Rights-Genocide Convention-Convention against Torture- CEDAW-Child Rights Convention-Convention on Stateless- Convention against Slavery- Convention on Refugees- International Conference on Human Rights(1968)-World Conference on Human Rights (1993).International Bill of Human Rights-Universal Declaration of Human Rights, 1948 Influence- Legal Significance -International Covenant on Civil and Political Rights, 1966- ICCPR- International Covenant on Economic, Social and Cultural Rights, 1966.

UNIT-IV

Regional Convention on Human Rights- Asian Human Rights Charter European Convention on Human Rights- American Convention on Human Rights Charter on Human and Peoples Rights (Banjul)- Arab Charter on Human Rights

Suggested Readings:

1. P.R. Gandhi (ed): Blackstone's International Human Rights Documents, Universal Law Publishing Co. Delhi.
2. Richard B. Lillich and Frank C. Newman: International Human Rights Problems of Law and Policy, Little Brown and Company, Boston and Toronto.
3. Fredrick Quinn: Human Rights and you, OSCE/ODIHR, Warsaw, Poland.
4. T.S. Batra: Human Rights-A Critique, Metropolitan Book Company Pvt.Ltd, New Delhi.
5. Dr.U.Chandra: Human Rights, Allahabad Law Agency Publications, Allahabad.
6. Agarwal, H.O., Implementation of Human Rights Covenants with special Reference to India (Allahabad: KitabMahal, 1983).
7. Alamn,Aftab, ed., Human Rights in India: Issues and Challenges(New Delhi: Raj Publications, 1999).
8. Alston, Phillip, the United Nations and Human Rights(London:Clarendon Press, 1995).
9. Bajwa, G.S. and D.K. Bajwa, Human Rights in India: Implementation and Violations (New Delhi: D.K. Publishers, 1996).
10. Bansal, V.K., Right to Life and Personal Liberty (New Delhi: Deep and Deep, 1986).

PAPER –III - LAW AND SOCIAL TRANSFORMATION

(Common Paper for All the Branches)

Unit I:

1. Law and Social Change: a. Relations between Law and Public Opinion b. Law as an instrument of social change c. 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, Sociological school and its applicability in India, Principles of Social Legislation.
2. Religion and the Law: a. Religion – its meaning and relationship with law b. Evaluation of Religion as a divisive factor c. Secularism as a solution to the problem d. Reform of the law on secular lines: Problems e. Freedom of religion and non-discrimination on the basis of religion f. religious minorities and the law

Unit II:

1. Language and the Law: a. Multi-linguistic culture and its impact on policy on nation b. Language as a divisive factor: formation of linguistic states c. Constitutional guarantee to linguistic minorities' d. Language policy and the Constitution; Official language; multi language system e. Non-discrimination on the ground of language
2. Community and the Law: a. Caste as a socio-cultural reality and role of caste as a divisive and integrative factor b. Non-discrimination on the ground of caste c. Acceptance of Caste as a factor to undo past injustices d. Protective discrimination; Scheduled Castes, tribes and backward classes e. Reservation: Statutory Commissions, statutory provisions.

Unit III:

1. Regionalism and the Law: a. Evaluation of Regionalism as a divisive and integrative factor b. Concept of India as one unit c. Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers d. Equality in matters of employment; the slogan “Sons of the soil” and its practice e. Admission to Educational Institutions; Preference to Residents of a State.
2. Women and the Law: a. Position and the Role of women in Indian society b. Crimes against women – Codified laws c. Gender injustice and its various forms, causes and remedies d. Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Unit IV: Modernization and the Law: a. Modernization as a value: Constitutional perspectives reflected in the fundamental duties b. Modernization of social institutions through law c. Reform of family law d. Agrarian reform – Industrialization of Agriculture e. Criminal Law: Plea bargaining; compounding and payment of compensation of victims f. Civil Law (ADR) Confrontation v., consensus; mediation and conciliation: LokAdalats g. Democratic decentralization and Local Self-government.

BIBLIOGRAPHY:

1. Marc Galanter (ed.): Law and Society in Modern India (1997), Oxford.
2. Robert Linga : The Classical Law of India (1998), Oxford
3. U. Baxi: The Crisis of the Indian Legal System (1982), Vikas, New Delhi
4. U. Baxi, (ed.): Law and Poverty Critical Essays (1988), Tripathy, Bombay
5. Manushi: A Journal about Women and Society.
6. Duncan Derret: The State, Religion and Law in India(1999), Oxford University Press, New Delhi
7. H. M. Seervai: Constitutional Law of India (1996)
8. D. D. Basu: Shorter Constitution of India (1996), Prentice Hall of India (P) Ltd., New Delhi
9. Sunil Deshta: Law and Menace of Child Labour(2000) AnmolKiranDestha Publications, Delhi.
10. SavitriGunasekhare: Children, Law and Justice (1997), Sage

11. Indian Law Institute: Law and Social Change : Indo-American Reflections Tripathi (1988)
12. J. B. Kriplani: Gandhi – His, Life and Thought (1970), Ministry of Information and Broadcasting, Government of India
13. M.P. Jain: Outlines of Indian Legal History (1993), Tripathi, Bombay.
14. Agnes, Flavia: Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

PAPER-IV - LEGAL RESEARCH METHODOLOGY

(Common Paper for All the Branches)

Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

Unit-II:

Finding the Law-Sources of legal material including e-sources-Law reporting in India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

Unit-III:

Research tools and techniques for collection of data-Observation - Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

Suggested Readings:

- ▯ Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
- ▯ C.R. Kothari: Research Methodology: Methods and Techniques, 2nd Edition, Wishwa Prakashan, New Delhi, 1995.
- ▯ Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9th Edition, Himalaya Publishing Housing, Bombay- Delhi-Nagpur 1994.
- ▯ Pauline V Young: Scientific Social Survey and research, 3rd Edition, Prentice Hall, New York, 1960.
- ▯ B.N. Ghosh, Scientific Method and Social Research; 4th Edition Sterling Publishers Private Limited, New Delhi, 1987.
- S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi, Hans Raj, Theory and Practice in Social Research; 4th Edition, Surjeet Publications.

SEMESTER-II

PAPER-V: HUMAN RIGHTS LAW AND NEW DIMENSIONS

UNIT-I

Women's Rights as Human Rights: History and Theory women's its origins as both a movement and a policy approach-Historical developments of the women's human rights movement and also a set of pre-requisite factors for attaining women's human rights-international and transnational dimensions of women's human rights-international laws and conventions governing women's human rights and the movements that' mobilized for these reforms-The last fifty years is, marked by Significant international legal reforms supporting. women's rights, yet Millennium Development Goal 5 of Gender Equality emphasizes there is still much work to be done-woman's Rights, Culture, Customs and religious practices .women rights and Indian Constitution.

Unit-II

The relationship between the Human and the Environment-UN Human system and other International recognition of Human Rights and Environment in Linkages- The Regional Human Rights System and institutional frame work on Environment - Human Rights Norms relating to protection of Environment- Implementation of Human Rights Approach to Environmental protection - Right to Healthy Environment as a Human Right - Vulnerable sections and Environment Sustainable Developmental Goals Environment and Protection of Human Rights.

UNIT-III

Human Rights and Religious Laws: Definition of Religion and Religious Philosophy of Hinduism, Buddhism, Jainism, Judaism, Islam and Christianity-Right to Freedom of Religion and International Human Rights Standards- Human Rights and the Worlds Major Religions-Religions and Gender Justice- Religions and Discrimination against deprived communities.

UNIT IV

Human rights and Developmental Laws - definition of development and Developmental Perspectives of Human Rights-international and National- Indian Economy and development- Constitution of India and Developmental Rights- Social Exclusion and development- gender Justice and Development- Health and Development- Social Legislation and Human Rights- Sustainable development and Human Rights- Corporate Social Responsibility and Development Social entrepreneurship and development.

Suggested Readings:

1. Ravi Kambur, 2001. 'Economic Policy,.Distribution and Poverty: The Nature of Disagreements.World Development, 29:6 pp.1083-1094.
2. Abu-Lughod, Lila (2002). 'Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and Its thers 'American Anthropologist105.3, p 783-790.
3. Kabeer, Naila. Globalisation,labour standards and women's rights: dilemmas of collective action in an interdependent world IDS Globalization and Poverty Research Programme.
4. Hertel, Shareen (2015) "Right to Food Advocacy in India: Possibilities, Limitations and Lessons Learned" chapter 11 in Fukuda-Parr and Taylor, eds . Food Security in South Africa: Human Rights and Entitlement Perspectives.
5. CESR (2012) Assessing Fiscal policies from a Human Rights Perspective, Women's Rights: Monitoring Government. (6) Elson, Diane (2006). 'Budgeting for Women's Rights: Monitoring Budgets for Compliance with CEDAW
7. 'Gauri, Varun and Daniel Brinks (2008), Introduction: The Elements of Legalization and the Triangular shape of Social and Economic Rights, chapter 1,Courting e Elements of Legalization clal and Economic Rights, chapter 1,Courting Justice Gauri and Brinks, eds. Cambridge University Press

PAPER-VI:
APPLIED HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM IN INDIA

UNIT- I

Human Rights and the Indian Constitution-Human Rights Commissions-Protection of Human Rights Act (1993)-National Human Rights Commission (NHRC)-State Human Rights Commissions (SHRCS).

UNIT-II

Human Rights of disadvantaged groups of people like women, children, SC/STs and minorities- Human, Rights and Enforcement Agencies like the Police and Excise"- Prevention of abuse of rights- Human Rights and the Judiciary-Human Rights and preventive laws like TADA and NDPs and POTA Act-The binding force of international conventions under the Indian constitution and the approach of the Supreme Court of India

UNIT-III

Concept of crime and criminal liability-Offences involving Human Rights-Role of Criminal Justice System-Human Rights Problems-Police Atrocities and Accountability-Violence against Women and Children SC, STs and Minorities-Caste and Communal Violence-Terrorism' and Insurgency-Rights of Accused-Ex post facto law-Double Jeopardy- Protection against Self Incrimination

UNIT-IV

Producing before Magistrate-Fair Trial: "Speedy Trial-Appeal-Rights of Inmates of Prison and Custodial. Homes-Protection and Reformative: home prison Rights to legal Aid and Access to justice – compensation to victims of crime Punishment and human Rights – Administration of criminal justice ordinary courts -Special Courts- District Human Rights Courts Nyaya Panchyats.

Suggested Readings:

1. Basu, D.D., Human Rights in Constitutional Law (New Delhi: Prentice Hall, 1994).
2. Datta, Manjula, Protection of Human Rights in Criminal Justice Administration: A Study of the Right of Accused in Indian' and Soviet Legal Systems (New Delhi: Deep and Deep, 1989).
3. Bava, Noorjahan, ed., Human Rights and Criminal Justice Administration in India (New Delhi: Uppal Publishing House, 2000).
4. Baxi, Upendra, Inhuman Wrongs & Human Rights (Delhi: Har Anand Publications, 1994).
5. Begum, S.M., ed., Human Rights in India: Issues and Perspectives (New Delhi: APH Publishing Co., 2000).
6. Bhagwati, P.N., Legal Aid as Human Rights (Dharwad: Jagrut Bharat, 1985).
7. Bhargava, G.S; and R.M.Pal, ed.; Human Rights of Dalits: Societal Violation (New Delhi: Gyan Publishing House, 2000).
8. Chandra, Shailja, Justice V.R.. Krishna Iyer on Fundamental Rights and Directive Principles (New Delhi: Deep and Deep, 1998).
9. Desai, A.R., ed., Violations of Democratic Rights in India(Bombay: Popular Prakashan, 1986).
10. Misra, Shailendra, Police Brutality: An Analysis of Police Behavior

PAPER-VII

LAW AND JUSTICE IN GLOBALIZATION

UNIT– I -Introduction

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
 - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self- governance, Trusteeship theory, Sarvodaya, Antyodaya
 - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards at State Socialisms.
 - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

UNIT – II - Globalization - its Process

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State Third World Perspectives.
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

Unit – III - The Doctrine of Law and Precedent – An Indian Perspective

- The Rule of Law in Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over - Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society

Unit - IV: International Organizations vis-a-vis Globalization

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR
- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Equality

- Feminism, Sexual Violence, UNO and Women Rights, CEDAW and Violence against Women Impact of globalization on free market and related notions
- Globalization vis-a-vis Environment and development

References: Books:

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2nd Edn, 1998, New Delhi.
5. Bimal N. Patel, "*Responsibility of International Organizations*" Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1st Edition Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.
8. Christine Chorine, Women and the Law, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., Human Rights and Indigenous Peoples, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., Indigenous Peoples, Sustainable Development and Human Rights, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). Globalisation and Decentralized Economic Development, New Delhi; Raj at Publications.
12. Devinder Sharma (1994). GATT and India. The Politics of Agriculture, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues, New Delhi: Academic Foundation.
14. . Falendra. K. Sudan (2005). Globalisation and Liberalization. Nature and Consequences, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, Development of International Law through the Political Organs of
17. Sixty Years of the Multilateral Trading System: Achievements and Challenges, published by WTO Publications.
18. The Future of Trade: The Challenges of Convergence (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications the United Nations (1963)
19. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
20. Upendra Baxi, The Future of Human Rights, Oxford University Press, 2002.
21. William Twining, General Jurisprudence: Understanding Law from a Global

- Perspective (Cambridge University Press, 2009).
22. World Commission on Social Dimension of Globalization, *A Fair Globalization: Creating Opportunities for All* (2004).
 23. Kenneth W. Abbott, *"The Law and Politics of International Organizations"* Edward Elgar Publishing.
 24. Rosalyn Higgins, *Development of International Law through the Political Organs of*
 25. *Sixty Years of the Multilateral Trading System: Achievements and Challenges*, published by WTO Publications.
 26. *The Future of Trade: The Challenges of Convergence* (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications the United Nations (1963)
 27. Tom Campbell and Alejandra Mancilla, "Theories of Justice" ASHGATE.
 28. Upendra Baxi, *The Future of Human Rights*, Oxford University Press, 2002.
 29. William Twining, *General Jurisprudence: Understanding Law from a Global Perspective* (Cambridge University Press, 2009).
 30. World Commission on Social Dimension of Globalization, *A Fair Globalization: Creating Opportunities for All* (2004).

PAPER-VIII
HUMAN RIGHTS AND CHALLENGES IN THE DIGITAL AGE

Unit-1:

Digital Technology-artificial intelligence-Biometric Recognition Systems - Credit Scoring Systems impact on the Protection of Human Rights-Technology and Ethical issues.

Unit-2:

Data Analysis and International Human Rights Law, Big Data-Data Analysis-Algorithms - International Human Rights Law and Data Protection Laws in Europe, UK, EU and USA

Unit-3:

Social Media and Human Rights Social Media and Privacy Rights-Human Rights-Socio-Political-Economical and Cultural Rights in the Digital Age

Unit-4:

Digital Discrimination and Human Rights Digital Discrimination and Human Rights in the Digital Age in Global South and Global North Countries

Reference:

Books and Articles

- 1)The right to Privacy in the digital age:A Meeting Report Geneva Academy 2014
- 2)Human Rights in the Digital Age:Human Rights Watch:2014
- 3)Human Rights challenges in the digital age:Judicial Perspectives:Michel O Boyle: 2020 European Court of Human Rights Press Room
- 4)Mathias Klang Andrew Murray:Human Rights in the Digital Age Routledge Taylor and Francis Group 2020
- 5)Human Rights in the Digital Age by Mashan Rajput Legal Services India E-Journal 20-0
- 6)Human Rights in the Digital Age:William Ham Bevan Cambridge University Press 2020
- 7)Can Human Rights survive in the digital age?Only if we do this things Access Now Org.2020
- 8)Human Rights in the Digital Age: Making Digital Technology work for Human Rights: GLION.ORG 2020
- 9)Human Rights in the Digital Age:T.M.C Asser Institute 2020
- 10) Privacy,Data and Technology:Human Rights Challenges in the digital age:Social Welbeing Agency:2020
- 11)North-South Imbalances in Global Arena Perspectives and Challenges by Dr.Gali. Vinod Kumar:Andhra Law Times: 2020
- 12)Human Rights in the Digital Age:Challenges and Prospects:Research Gate:2021
- 13)The implications for Human rights in the Digital Age:The RAND Blog.2021
- 14)Protection of Human Rights in the Digital Age: Fundamental Rights Forum 2022
- 15)Focus on the Digital Age:OECD.Org.2022

SEMESTER III

PAPER – IX: HUMAN RIGHTS AND SOCIAL JUSTICE

UNIT-I

Concept of Social Justice Origin and development- International and National Perspectives-Plato-Aristotle-John Rawls-Thomás Paine-Martin Luther. King-John, Debusky-Phuley – Periyar- Dr.B.R.Ambedkar-Professor. Amarthiyasen- Racism and Social. Racial Discrimination-Sexism- Heterosexism-Third. Gender Discrimination-Communalism-Poverty-Economic Casteism-Caste discrimination Political discrimination-Cultural discrimination.

UNIT-II

Concept of Affirmative action-Origin and its development-Affirmative action in South Africa-Asia- Malaysia-Sri Lanka-China-France-Finland-Taiwan-Germany Norway- Russia-Canada-USA-Brazil- UK.

UNIT-III

Concept of Reservation in India -its origin and development- Indian Constitution and Reservations- Reservations in Education and Employment-SC/ST Reservations in Politics- OBC Reservations in Education and Employment-EBC reservations for Upper caste poor- The concept of creamy lawyer and-application of creamy lawyer OBC and EBC-Reservations in Private Sector.

UNIT-IV

The Relationship, between Human Rights and. Social justice- The differences between Affirmative action and Reservations- the Impact, of Globalization, Privatization and Liberalization on Affirmative actions and Reservations.

Suggested Readings:

1. Bhatia, K.L. and others, Social Justice of Dr. B.R. Ambedkar. (New Delhi: Deep and Deep, 1995).
2. Borgohain, Bani, Human Rights: Social Justice and Political Change (New. Delhi: Kanishka Publishers, 1999)
3. Anderson, Terry H. (2004). The pursuit of fairness: a history of affirmative action. Oxford New York: Oxford University Press. ISBN 9780195157642.
4. Featherman, David L.; Hail, Martin; Krislov, Marvin, eds. (2010). The next twenty-five years: affirmative action in higher education in the United States -and South Africa. Ann Arbor: University of Michigan Press. ISBN 9780472033725. Forewords by: Máry Sue Coleman, President of the - University of Michigan and Njabulo Ndebele, Former Vice-Chancellor and Principal of the University of Cape Town. Details.
5. Golland, David Hamilton (2008). Constructing affirmative action: federal contract compliance and the building construction trades, . 1956– 1973 (Phi.D. thesis). City University of New York OCLC 279305174 Order No. DA3325474.
6. Vieth-Entus, Susanne (29 December 2008). Sozialquote: Berliner Gymnasien sollen mehr Schüler aus armen Familien aufnehmen. Der Tagesspiegel

7. Bossuyt, Marc (17 June 2002). "United Nations and Protection of Human Rights" UN Economic and Social Council. Archived from the original on 16 October 2015. E/CN.4/Sub.2/2002/21 Pdf.
8. Riccucci, Norma M. (2002). *Managing diversity in public sector workforces. Essentials of Public Policy and Administration Series*. Boulder, Colorado: Westview Press. ISBN 9780813399389.
9. Sheth, D. L. (14 November 1987). "Reservations Policy Revisited" *Economic and Political Weekly*. 22 (46): 1957-1962. JSTOR 4377730.
10. Jump up to: Laşkar, Mehabul Hassan. "Rethinking Reservation in Higher Education _ in India" (PDE). *ILI Law Review*. pp. 29-30. Archived from the original (PDF) on 25 April 2012.
11. Menon, V. P. (1957). *Transfer of Power in India* (Reprinted ed). Orient Blackswan. pp. 49-50. ISBN 978-81-250-0884-2.
12. "Human Development Report 2016" (PDF). UNDP. p. 119. Retrieved 21 March 2017.
13. Passin, Herbert (October 1955). "Untouchability in the Far East". *Monumenta*

PAPER-X- LEGAL PEDAGOGY AND ICT IN EDUCATION

UNIT-I-Legal Pedagogy

Introduction- Legal Pedagogy: Meaning, Traditional Legal Pedagogy methods and its limitations, Socratic-style, doctrine-heavy pedagogy, Changing Dimensions of Legal Pedagogy- Need for Integrated Pedagogy, Experiential learning: Participative Method, Clinical or Simulated practice: Clinical legal education, Real life Problem solving Method, Group Discussion Method, Case Study and Case analysis Method, Simulation and Role Play Method, Collaborative and cooperative Learning Teaching Method, Research- Interdisciplinary approach: Basic Research, Applied Research and Integrated Research, Legal writing, Advocacy, Fact finding, Client counseling, Negotiation.

UNIT-II- Teaching, Learning, Evaluation and Supervision in Legal education

Supervision, Research Papers and Research Projects, Inculcating Research Habits, Enhancing Research Skills, Inculcation of Good Practices- Research Ethics, Internships, Placements, Outcome Based Education, Curriculum Planning- Developing Teaching Plans, Developing Learning Outcomes (LOs) : Blooms Taxonomy: Six levels of learning,, Designing Programme Objectives (POs) and Course Objectives (COs), Aligning the Curriculum plan with COs and POs; COs and LOs

UNIT-III-ICT in Education

Concept, Need and importance of ICT in Education, Paradigm Shift due to ICT from ‘Teaching’ to ‘Learning’-Curriculum, Methods of Teaching, Role of Teacher, Classroom Environment, Evaluation Procedure, Education Management, Challenges and Barrier to integration of ICT in Indian schools classrooms, ICT skilled teacher, ICT skills and Qualities of ICT teacher. Safe use of ICT, Virus management, Net safety, Netiquettes, Legal and ethical issues.

UNIT-IV-ICT in Legal Education: Need and Importance of legal education

Design of Law Curriculum – Efforts to review Legal Education - Global & India- Traditional Content based Curriculum- Current Challenges- Globalization, Pandemic & Shift from Adversarial to Dispute Resolution Model- Transition to Capability framework- Integrated Models with Transferable generic and legally specific skills for Legal Profession- Demand for Competitiveness in Information & Communication Technology – New Evaluation & Assessment Models– Role of Online teaching. ICT tools in Legal pedagogy: Role and Application- ICT tools in legal pedagogy- Electronic books- E-Books- Electronic Journals- E-Journals- Electronic Legal databases- E-Library- Power point Presentations

Suggested Readings BOOKS

1. Dasgupta, Lovely. “Reforming Indian Legal Education: Linking Research and Teaching.” *Journal of Legal Education* 59, no. 3 (2010): 432–49. <http://www.jstor.org/stable/42894129>.
2. Choudhary, T. “Legal Education and Pedagogy in Contemporary Era” (2020)
3. Muntjewerff, Antoinette, ICT in Legal Education (September 25, 2009). CLPE

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4. David J. McQuoid-Mason (Ed.), *Legal Aid And Law Clinics In South Africa* (School of Law, Howard College, University of Natal, 1985).
5. Madhava Menon, *Legal Education for Professional Responsibility – An Appraisal of the New Pattern, Legal Education in India Status and Problems* (BCI Trust, New Delhi 1983).
6. N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education* (Eastern Book Co., 1998).
7. S. Agrawala, *Legal Education in India* (West Publishing Company, 1973).
8. S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, (Rajeev Dhavan Ed., Butterworths, London, 1989).
9. S.K. Sharma, *Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients* (Rawat Publications, Jaipur, 1984).
10. S.S. Sharma, *Legal Aid to the Poor: The Law and Indian Legal System* (Deep & Deep Publications, New Delhi, 1993).
11. *Integrating Technology in the classroom shelly*, Cashman, Gunter and Gunter publication.
12. *Essential of Educational Technology*, Madan Lal, Anmol Publication.
13. *Online Teaching Tools and Methods*, Mahesh Varma, Murari Lal & Sons.

ARTICLES

1. A.S. Anand, *Legal Education in India - Past, Present and Future*, 3 S.C.C. (Jour.) 1(1998).
2. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 *Journal of the All India Law Teachers Association* (1968).
3. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 *Clinical Law Review* 307(2000-2001).
4. D.A. Desai, "Role and Structure of Legal Profession", XXII *IBR*(1995).
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 *Journal of Bar Council of India*, (1973).
6. Frank J. Macchiarola, "Teaching in Law School: What are we doing and What More Has to be done?" 71 *U. Det. Mercy L. Rev.*(1994).
7. Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission For Clinical Legal Education: Cross-National Currents From India And The United States", 13 *Clinical Law Review* 165(2006-2007).
8. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United State", *Mic. J. Int'l. L.*(1990).
9. Jagat Narain, "Legal Aid – Litigational or Educational: An Indian Experiment", 28 *J.I.L.I.*(1986).
10. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 *Clinical Law Review* 167 (1995).
11. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 *S.M.U.*

L.REV.1461 (1997- 1998).

12. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities and Achievements", 5 SCC Jour.(1995).
13. Krishna Iyer, "Professions for the People: A Third World Perspective", XXIII BR(1995).
14. Madhava Menon N.R., "Bar Councils and Management of Legal Profession", XIII (3 & 4) IBR (1986).
15. Madhava Menon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR(1995).
16. Madhava Menon., "Legal Education for Professionals Responsibility – An Appraisal of the Five Year LL.B. Course", XII, Bar Council Review(1986)
17. Mohammad Ghose, "Legal Education in India: Problems and Perspective", (Bookreview) 19 J.I.L.I.(1977).
18. N. R. Madhava Menon, "Lawyer in the Adjudicative Process: An Appraisal of Section 30 of Advocates Act, 1961", 8 JB Council of India 105(1981).
19. Place of Skills in Legal Education, 43 Columbia Law Review 345(1945).
20. R.K. Gupta, "Legal Aid and Legal Education: Work Brain Teasers", 2 Delhi Law Review(1973)
21. Resolutions of the 12th All India Law Teachers Conference, 2 Delhi Law Review 291 (1973) (Resolution No.II).
22. Shuvro Prosun Sarker, "Empowering the Underprivileged: The Social Justice Mission for Clinical Legal Education in India", 19 International Journal of Clinical Legal Education(2013).
23. Steve Sheppard, "An Informal History of How Law Schools Evaluate Students, with a Predictable Emphasis on Law School Final Exams", 65 UMKC Law Review 65
24. Steven I. Friedland, "How We Teach: A Survey of Teaching Techniques In American Law Schools" 20 Seattle Univ. L. R.1.
25. Upendra Baxi, "Notes Towards Socially Relevant Legal Education: A Working Paper for the UGC Regional Workshop in Law", 51 Journal of the Bar Council of India (1975-76).
26. Upendra Baxi, "The Pathology of the Indian Legal Professions", XXII IBR,(1995)

PAPER-XI : INTERNATIONAL STANDARDS ON SENTENCING PROCEDURE

UNIT-I:

The sentencing Phase-Types of punishment-Corporal Punishment-Capital Punishment-Imprisonment-International norms controlling types of punishment-Considerations in Choosing a Penalty. Detention While Awaiting Sentence-restore liberty while awaiting sentencing-pretrial detention should not be automatic-Consideration of Time Spent on Remand-Non-Retroactivity of punishment.

UNIT- II:

Deprivation of liberty-a sanction of last resort - community sanctions - non- custodial measures-factors to be considered in making a sentencing decision.-rehabilitation of the offender- the protection of society-the interests of the victim-Uniformity in sentencing-Sentencing should non- discriminatory-reasoned decisions-relevant social information on the offender- sentences to be imposed by a judge-re-sentence investigation-reform and social re-adaptation of the offender-acceptability of deterrence and retribution-Sentencing courts discretion- individual characteristics of the offender-sentencing guidelines.

UNIT- III:

Alternatives to Incarceration-avoid the unnecessary use of imprisonment-Non-custodial dispositions-verbalsanctions-admonition-reprimand-warning-conditional discharge-statuspenalties-economic sanctions-monetary penalties-confiscation -expropriation order - restitution to the victim-compensation order-suspended or deferred sentencing- probation and judicial supervision-community service orders-referral to an attendance center-house arrest-modification or revocation of non-custodial treatment.

UNIT-IV:

Challenging a Sentence-Right to Appeal-right to legal representation- Right to Review of Legality-Executive Clemency-Considerations During Detention-Review by a Competent Tribunal-Right to Counsel-the right to defend one's self- the right to be informed of the right to counsel-the right to choose one's counsel – legal counsel appointed and paid for by the state-Right to Effective Participation-right to be present at a court hearing- right to an interpreter-adequate opportunity to prepare his case-right to equality of arms- ICC sentencing police – Rome's regulations, International virtual law.

Suggested Readings:

1. Terance D. Miethe, Hong Lu, Punishment: A Comparative Historical Perspective, Cambridge University, 2005.
2. M. A. DuPont-Morales, Michael K. Hooper, Judy H. Schmidt, Handbook of Criminal Justice Administration, Marcel Dekker Inc., New York, 2001.
3. Kenneth J. Peak, Introduction to Criminal Justice: Practice and Process, SAGE, 2015.
4. William A. Schabas, Nadia Bernazh, Handbook of International Criminal Law, Routledge, 2011.
5. William A. Schabas, Yvonne McDermott, Niamh Hayes, International Criminal Law, Ashgate, 2013.
6. R. H. Helmholz, The Privilege Against Self-Incrimination: Its Origins and Development, University of Chicago Press, 1997.
7. Constantine Theophilopoulos, The Right to Silence and the Privilege Against Self-Incrimination, University of South Africa, 2001.
8. Andrew L-T Choo, The Privilege Against Self-Incrimination and Criminal Justice, Hart Publishing, US, 2013.
9. Robert Cryer, Prosecuting International Crimes, Cambridge University Press, 2005.
10. Thorsten Bonacker, Christoph Safferling, Victims of International Crimes: An Interdisciplinary Discourse, Asser Press, Springer, Netherlands, 2002.
11. Vladimir Tochilovsky, Jurisprudence of the International Criminal Courts and the European Court of Human Rights, Martinus Nijhoff, London, 2008.
12. William A. Schabas, An Introduction to the International Criminal Court, Cambridge University Press, 2011.

SEMESTER IV

PAPER – XII : INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

(Common Paper for All the Branches)

UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes •Central- State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code- Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Hartal and Bandh.

UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation- Compensatory Jurisprudence-Right to Education-Right to Information- Right to wholesome environment-Doctrine of publictrust

UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post-independence era - Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti- defection Law

Suggested Readings:

- H. M. Seervai, Constitutional Law of India (in 2- Volumes), Universal Book Traders, NewDelhi.
- Granville Austin, Indian Constitution-CornerstoneNation, Clarendon Press,Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, NewDelhi.
- B.Shivan Rao, Framing of the Indian Constitution (in 5- Volumes), Indian Institute of Public Administration, NewDelhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co.,Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases &landmark judgments of Indian Higher Judiciary on the given topics.

PAPER XIII - SOCIAL JUSTICE AND NEW CHALLENGES FOR SOCIAL CHANGE

UNIT-I

The concept of social exclusion-economical exclusion political exclusion National and International Perspectives

UNIT-II

Theory of inclusiveness-Global and Regional Perspectives-Inclusive Growth through Constitutional Measures National and International Perspectives

UNIT-III

Human Rights Jurisprudence-Third World- Countries-Global Economy-The debt crisis of The Global South is significant factor contributing to current distribution of resources Worldwide

UNIT-IV

Concept of Human Rights and social change-its origin and Development Theories of social change National and International perspectives - comparative legal system and social change. International perspectives concept of law and legal system of social justice for social change.

Suggested readings:

1. Mádelay, J. (1999), Big business, Poor countries: The impact of trans nation corporations on the world's poor. New York; Zed Books.
2. "Social Justice in an Open World: The Role of the United Nations" The International forum for Social Development, Department of Economic and Social Affairs, Division for Social Policy and Development. ST/ESA/305" (PDF). New York: United Nations. 2006. Archived (PDF) from the original on 29 August 2017.
3. Banai, Ayelet; Ronzoni, Miiam., Schenmet, Christian (2011), Social Justice, Global Dynamics Theoretical and Empirical Perspectives. Florence: Taylor and Francis. 1SON 9100 203 81929 6.
4. Agartan, Kaan (2014). "Globalization and the Question of Social Justice" Sociology Compass. B (6): 903-915. doi:10.1111/soc4. 12162.
5. El Khoury, Ann (2015): Globalization Development and Social Justice propositional political approach). Florence: Taylor and Francis. pp. 1-20. ISBN 978-1-317-50480-1
6. Patil, Vijaykumar. "Caste system) hindering the goal of social justice, Siddaramaiah" Archived from the original on 4 September 2015.
7. "23h wCP: Plalo's Concept Or Justice: An Analysis" Archived from the original on 5 October 2016
8. Hunter. Lewis (14 October 2009). 'Sustainably,. The Complete Concept Environment, Healthcare. ad Economy" (PDF). Change This.
9. Sarah Kleęb; "Envisioning Emancipation: Kár Marx, Gustavo Gufferrez, and the Struggle of Liberation Theology Presented at the Annual Meeting of the Canadian Society for the Study of Religion (CSSR), Toronto, 2006. Retrieved 22 October 2012,4td
10. John Rawls, Political Liberalism 15 (Columbia University Press 2003)

11. Pogge, Thomas Pogge. WorldPoverty and HumanRights" thomaspogge.com. Archived from the original on 19 September 2015.
12. O'Neill, Ben (16 March 2011) The Injustice of Social Justice Archived 28,-October 2014 at the Way back Machine, Mises Institute
13. Anderson (Ed), Views from the South: Theeffects of globalization and the WTO on third world countries (pp54-90), Chicago': Food First Books and International: Forum on Globalization.
14. Chòmsky, N. (200), Rogúe States: The rule of force in world affairs. Cambridge, MA: South End Press, Chossudovsky, M (1999, May), Scrape metal jacket New Internationalist, pp 16-17.

PAPER- XIV: DISSERTATION

Introducing the component of conducting Research Design Seminar, in third semester after finalizing the topics for LL.M Students. In Fourth Semester Progress Seminar and Pre-Submission Seminar to be conducted for every candidate in respect of the topic allotted to him/her. Such Three seminars are to be conducted on the weekends during the III and IV semester, and the teaching workload for conducting such seminars during the LL.M IV semester will be two teaching periods per week. The seminars to be conducted as condition precedents i.e first Research Design seminar, **once it is satisfactorily conducted**, then followed by the progress seminar to appraise the progress of writing the thesis, and finally, the pre-submission seminar along with a plagiarism check report (with less than 25% Similarity). When the supervisor, the HOD and the Principal of the respective college sign on the dissertation, the same can be submitted to the University followed by the conduct of Viva-Voice as per the existing procedure. This change is recommended w.e.f the Academic Year 2024-2025 (even for those who will be submitting their dissertation during this year).

- **Note: All the three stages of the research to be satisfied one after the other, finally the candidate is allowed for viva voce.**

1. Allotment of topic in III semester
2. Research design in III semester
3. Progress Seminar in IV semester
4. Pre-Submission Seminar in IV semester
5. TA/DA to the examiners to be paid by the respective colleges.

***** **THE END** *****