

LL.M. DEGREE COURSE OF STUDY AND EXAMINATION

WHEREAS, it is necessary to reorient legal education by making provisions for instruction in new courses of study, extensive as well as intensive study of prescribed courses and for adequate practical training for diverse careers open to Law Graduates;

AND WHEREAS, with a view to reorient legal education as aforesaid and to provide sufficient opportunity for adequate instructions as well as training in Law from the Banaras Hindu University has already instituted a Three Year Six Semester LL.B. Degree Course of Study;

AND WHEREAS, with a view to further the process of reorientation of legal education and to provide sufficient opportunity for specialization in selected field of study as well as to develop research facilities, the Banaras Hindu University has decided to reorganize its LL.M. Degree Course of Study,

NOW, THEREFORE, the Banaras Hindu University frames these Ordinances.

1. THE DEGREE OF MASTER OF LAWS

The Banaras Hindu University may confer the Degree of Master of Laws on such candidates who, being eligible for admission to the LL.M. Degree Course, have received regular instruction in the prescribed courses of study, passed relevant examinations and being otherwise suitable by virtue of their character, have fulfilled such other conditions as may be laid down from time to time by the appropriate authorities.

2. THE CURRICULUM AND DURATION OF STUDIES

- A.** (i) The Curriculum of study for the LL.M. Degree shall comprise of the courses set out in Schedule A.
- (ii) The Board of Studies in Law shall prescribe the content of various courses of study from time to time and report the matter to the appropriate authorities.
- B.** The Curriculum of study for the LL.M. Degree shall be spread over Four Semesters.

Explanations:

- (i) The Four Semesters over which the Curriculum is spread shall, respectively, be called the First, the Second, the Third and the Fourth Semester.
- (ii) The Curriculum of study for each Semester shall ordinarily be spread over one Term of the Academic Year.
- (iii) There shall be two Terms in each Academic Year.
- (iv) The First term shall extend from the day of reopening of the University after Summer vacation to appointed day in December of the same year, and the Second term shall extend from an appointed day in December to the last working day of the concerned Academic Year.

3. REQUIREMENT FOR ADMISSION

A. Registration:

- (i) Candidates for LL.M. Degree shall first be admitted to the First Semester upon the reopening of the University after summer vacation.
- (ii) Subsequent Registration:
 - (a) A candidate, who fails to prosecute a regular course of study during any of the Second, Third and Fourth Semesters may be registered in the appropriate Term of any subsequent Year to the Semester concerned but within such time as enables him to complete the study of all Semesters comprising LL.M. Degree Course within a maximum period of four years from the date of his registration for the First Semester.
 - (b) Any candidate, whose name is struck off the rolls for non-payment of dues, may be registered in the same Semester on payment of prescribed fee.

B. Minimum Qualification for Admission:

- (i) Admission to the LL.M. Degree Course of study shall be open to those candidates who have passed the Three Year LL.B. Degree Examination of this University or such Examination of any other University or Institution after Graduation under 10+2+3 pattern; or Five Year LL.B. Degree Course under 10+2+5 pattern as is recognized by this University as equivalent for the purpose of LL.M. Degree Course and have secured not less than 50% marks in aggregate in the LL.B. Examinations.
- (ii) The Banaras Hindu University shall conduct Postgraduate Entrance Test (PET) for each academic session. Admission shall be made according to merit in the PET subject to the fulfillment of eligibility requirement as determined by the University and availability of seats in LL.M. Course.

C. Conditions of Admission:

- (i) No application for registration to the First Semester shall be entertained unless it is accompanied by:
 - (a) a duly certified transcript of scholastic record of the candidate, commencing from the High School or equivalent Examinations,
 - (b) Original Transfer Certificate of a candidate who has been a regular student in any Institution at any time prior to making application for registration in the Faculty of Law; and
 - (c) Original Migration Certificate if the candidate is not enrolled in this University, or, if enrolled, his enrollment has been cancelled.

Provided that if a candidate is unable to produce any of the documents other than the marks-sheet of the LL.B. Examination, at the time of seeking admission in the Faculty of Law, he shall undertake to submit them within one month or within such further period as the University authorities may prescribe; and the admission, if any, of such candidate shall, until the submission of the aforesaid documents, be deemed to be provisional.

- (ii) No application for registration shall be entertained unless the candidate gives a written undertaking that:
 - (a) He shall exclusively devote his time to the study of courses prescribed for LL.M. Degree and in particular he shall not offer any other course leading to a degree of any description whatsoever, nor shall he undertake any remunerative work, though with the prior permission of the Faculty he may join Certificate or Diploma course in any foreign language.
 - (b) He shall not undergo practical training in Law for the purpose of being enrolled as an Advocate during his studies to the Degree of Master of Laws; and
 - (c) He shall abide by the provisions of the Banaras Hindu University Act, Statutes, Ordinances, Regulation and Rules that are frame or may be framed there under and the orders of the Officers and Authorities of the University and the Faculty of Law from time to time.
- (iii) No application for registration shall be entertained unless the Parent or the guardian of the candidate gives a written undertaking that:
 - (a) the candidate shall abide by the undertaking given in the registration application and by the provisions of the Banaras Hindu University Act, Statutes, Ordinances, Regulations and Rules that are framed or may be framed there under and the Order of the Officers and the Authorities of the Faculty of Law and the University.;
 - (b) He shall be responsible for the payment of fees and other dues of any description whatsoever of the candidate; and
 - (c) He shall be responsible for the conduct of the candidate in and out side the Faculty and the University.
 - (d) The admission of a student shall be liable to be cancelled at any time in the event of breach of any of the undertakings given by the student or his guardian.

D. Foreign Students:

- (i) Foreign nationals and other candidates nominated by the Government of India for admission against reserved/open seats under various scholarship schemes may be admitted if they fulfill the prescribed minimum eligibility requirements, under the orders of the Vice-Chancellor.
- (ii) Self-supporting foreign nationals recommended by the Government of India/ Embassies or who may directly apply for admission may be admitted against open seats on merit basis.

4. FEES

The students pursuing the LL.M. Degree Course of Study shall have to pay fee as may be prescribed by the University from time to time.

5. REGULAR COURSE OF STUDY

A. Course of Study:

A candidate for the Degree of Master of Laws shall be required to :

- (i) Study **One** Compulsory course in each semester.

- (ii) Study **One** Optional Group in the First Semester, Second Semester and Third Semester from Schedule B. Each Optional Group shall consist of three papers.
- (iii) Write a Dissertation in the Third and Fourth Semester (one academic year) on a subject approved by the Dean, Faculty of Law in consultation with the Supervisor

B. Prosecution of Regular Course of Study:

Every student is expected to have full attendance, i.e., 100% and condonation up to 30% can be considered by the HOD/Dean of the Faculty for specified cogent reasons only on the following grounds:

- (e) Participation in N.C.C./N.S.C./N.S.O. camps, duly supported by a certificate.
- (ii) Participation in University or College/Faculty Team Games or Inter-University tournaments, duly supported by a certificate from the secretary of the University Athletic, Association concerned.
- (iii) Participation in Educational Excursions conducted on working days certified by the Principal/Dean of the College/Faculty or the Head of the Department. These excursions shall not include those organized for a class as a whole. No credit will be given for excursion conducted on holidays.
- (iv) University Deputation for Youth Festival certified by the Principal/Dean of the College/Faculty concerned.
- (v) Prolonged illness duly certified by the Medical Officer or the Superintendent, S. S. Hospital of Banaras Hindu University.

6. EXAMINATION

A. General :

- (i) There shall be a University examination at the end of the First, Second, Third and Fourth Semester and the candidate for the Degree of Master of Laws shall be required to pass in all the prescribed courses within a maximum period of four years from the year of his being admitted to the First Semester.
- (ii) Subject to the provisions of these Ordinances, the University Examination for the Degree of Master of Laws shall be held in Varanasi at such time and on such dates as the Academic Council may prescribe.
- (iii) (a) A candidate shall be examined in thirteen written papers, each paper carrying one hundred marks and covering prescribed courses of study.
 - (b) Examination shall be conducted by means of written papers, each carrying 80 marks and of three hours duration.
 - (c) In each paper 20 marks shall be reserved for award on the basis of performance in the class room.
 - (d) Dissertation shall carry 200 marks.
 - (e) The viva-voce Examination shall carry 100 marks and shall be held soon after the Fourth Semester Examination.

B. First Semester Course & Examination:

The candidates who have taken admission in LL.M. First Semester in a session can be put in the following two categories on the basis of their attendance in the session.

- (I) (1) Those who have put the required minimum percentage of attendance for appearing in First Semester examination and filled up examination form for appearing in the First Semester Examinations;
- (2) Those who did not put the required minimum percentage of attendance for appearing in the First Semester Examination or did not fill up examination form for appearing in the First Semester Examinations.

Candidates under Category (1) are eligible for appearing in examination of the First Semester while candidates under Category (2) are not allowed to appear in the examination of the semester.

The candidates under Category (2) may further be put in two sub-categories (2a) and (2b). The candidates whose attendance is 25% or above but below the prescribed percentage of attendance for appearing in the examination, will be put in category (2b) while those candidates whose attendance is below 25% will be put in category (2a). The candidates under category (2b) are eligible for re-admission in the same course in the subsequent session if otherwise eligible. Further candidates of category (2a) are not eligible for re-admission. However they will be allowed to appear in the Entrance Test of respective course in subsequent year(s).

- (II) After appearing in the examination of First Semester the candidates can be put in the following categories in the context of declaration of the result of First Semester Examination.
 - (a) Passed i.e. who have passed in all items of the examination of the semester.
 - (b) Promoted i.e. who have not passed in all the items of the examination of the semester.
- (III) Minimum Pass Percentage- 50% in each item of the examination.
- (IV) Promotion to Second Semester:

All candidates who have put the minimum required percentage of attendance in First Semester and filled up the examination form will be promoted to Second Semester.

C. Second Semester Course and Examination:

- (i) As in the First Semester Course, in all semesters all the candidates who have put the minimum percentage of attendance for appearing in the examination and filled in the form for appearing the semester examination will be allowed to appear in the respective examination. However, candidates who have not put the minimum percentage of attendance in any Semester will be allowed to take re-admission in that semester in subsequent year(s).
- (ii) Declaration of Result
 - (a) A candidate can be put in the following three categories on the basis of the marks obtained in the First and Second Semester Examinations (taken together):

Passed: A candidate who has passed in all items of examinations of LL.M. First and Second Semester.

Promoted: A candidate who has failed in not more than 1/2 of the total number of papers of LL.M. First and Second Semesters taken together.

Failed: A candidate who has failed or failed to appear in more than 1/2 of the total number of items of First and Second Semesters taken together

(b) Minimum Pass Percentage – 50 % in each item of the examination.

D. Promotion to Third Semester:

- (i) A candidate who comes under the category “Passed” is eligible to be promoted to Third Semester Class, if otherwise eligible.
- (ii) A candidate who comes under the category “Promoted” is also eligible to be promoted to the Third Semester, if otherwise eligible. Candidates of category “Promoted” will appear in the First/Second Semester examinations, as the case may be, as ex-candidate of subsequent year in failed items only after completing necessary formalities for appearing in an examination.
- (iii) A candidate under the category “Failed” will not be promoted to the Third Semester. However, such candidates will be allowed to appear as ex-candidate in the failed items only in the subsequent examinations of First/Second Semester, as the case may be.

E. Promotion to Fourth Semester:

- (i) All candidates who have put minimum percentage of attendance in the Third Semester and filled in the examination form will be promoted to the Fourth Semester.
- (ii) Declaration of Result
 - (a) A candidate can be put in the following two categories on the basis of the results of First, Second, Third and Fourth Semester examinations (taken together).

Passed: A candidate who has passed in all items of examinations of LL.M. First, Second, Third and Fourth Semesters.

Failed: All the candidates who have not PASSED will be categorized as “FAILED”. Such “FAILED” candidates may appear in subsequent Supplementary or Main examination(s) of LL.M Third/Fourth Semester course as ex-candidate, if otherwise eligible.

(b) Minimum Percentage of Marks – 50% in each item of the examination.

F. Registration:

- (i) A regular candidate shall apply to the Dean of the Law School on the prescribed form, together with the prescribed Examination fees, on or before the date that may be fixed in this connection, intimating his intention to appear at the specified Examination.
- (ii) An ex-candidate shall apply to the Registrar on the prescribed form, together with the prescribed Examination Fee, on or before the date that may be appointed in this behalf intimating his intention to appear at the specified examination.

D. Admit Card:

- (i) No candidate shall be admitted to the LL.M. Degree Examination unless he /she produces his/her Admit Card in respect thereof to the officer conducting the Examination or satisfies such officer that it will be subsequently produced.
- (ii) The Controller of Examination may, if satisfied that an Admit Card has been lost or destroyed, issue a duplicate Admit card on payment of prescribed fee.

H. LL.M. Examinations:

(i) Eligibility:

The LL.M. Degree Examination shall be open to a student who having been duly admitted to the LL.M. Degree course of Study, has prosecuted a regular course of study for the said examination.

(ii) Written Paper:

A candidate for the LL.M. Degree Examination shall be examined in thirteen papers as mentioned in Schedule A.

(iii) Dissertation:

- (c) Candidate shall be required to submit the Dissertation at least two weeks before the commencement of Fourth Semester Examination.
- (d) The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.
- (e) The Examiner shall either –
 - (i) Award at least 50% marks, or
 - (ii) Return the Dissertation for revision, or
 - (iii) Reject the Dissertation.
- (d) The candidate who's Dissertation is returned for revision may revise the dissertation and re-submit it within a period of two months. Failure to submit in time shall result in a declaration that the candidate has failed at the relevant LL.M. Examination.
- (e) A Dissertation can be revised only once. If the candidate fails to secure pass marks in the revised Dissertation he shall be declared failed in the LL.M. Examination.
- (f) The candidate whose Dissertation is rejected, may with the approval of the Faculty of Law write a Dissertation on another topic and submit it within a period of six months. And if he fails to secure pass marks in respect of this Dissertation also, he shall be declared failed at LL.M. Degree Examination.
- (g) A Dissertation shall be examined by a Board of two examiners at least one of them shall necessarily be an external examiner.
- (h) The evaluation of the two examiners shall be coordinated as hereunder:
 - (i) Each examiner shall award marks out of 100.

- (j) If the marks awarded by two examiners vary by 20 marks or more the Dissertation shall be examined by third examiner, whose decision shall be final.
- (k) If one of the examiners return the Dissertation for revision or rejects the Dissertation, his decision shall prevail provided that if one of the examiners has rejected the Dissertation and another examiner has returned it for revision, the Dissertation shall be deemed to be rejected.

(iv) Viva Voce Examination:

- (a) The Viva Voce Examination shall be conducted by a Board of Examiners.
- (b) The Board shall consist of three members; at least one of them shall be an external member.
- (c) The Viva-Voce Examination shall carry 100 marks.
- (d) The candidate shall be required to obtain a minimum of 50 marks to pass the Viva Voce Examination.

I. Re-Registration for Examination:

- (i) A candidate who having pursued a regular course of study in LL.M. First Semester or LL.M. Second Semester fails to appear at the main examination of the respective semester/semesters; or having appeared fails to pass in any of the papers comprising the said examination, may appear in subsequent examination of the concerned semester/semesters or paper or papers as the case may be along with the students of the next academic session within a period of four years from the date of his registration for the First Semester.
- (ii) A candidate who having pursued a regular course of study in LL.M. Third Semester or LL.M. Fourth Semester fails to appear at the main examination of the respective semester/semesters; or having appeared fails to pass in any of the papers comprising the said examination, may appear in any subsequent supplementary examination conducted for the said semester/semesters or paper or papers as the case may be, within a period of four years from the date of his registration for the First Semester.
- (iii) The supplementary examinations for Third and Fourth Semesters will normally be held after 30 days of the declaration of the results of the LL.M. Fourth Semester's main examination held for regular courses.
- (iv) The marks obtained by the candidate at any examination in respect of which he/she has secured less than minimum pass marks shall be substituted by the marks obtained by him in the subsequent examination or supplementary examination in respect of the concerned paper or papers.

J. Scale of Marks, Divisions and Distinction:

Minimum Marks in each Paper: 100

Minimum Pass Marks in –

- (i) Written Papers and Class-room performance: 50% in each paper;
- (ii) Dissertation: 50% in the aggregate;
- (ii) Viva Voce: 50%

First Division: 65% and above of the aggregate of marks.

Second Division: 50% and above of the aggregate marks.

Distinction: A student who secures an average of 75% or more marks in the aggregate shall be declared to have obtained distinction.

Merit: The Order of Merit shall be determined on the basis of aggregate marks obtained in the prescribed course of study for the LL.M. Degree Examination by the candidates, irrespective of their optional who passed in first attempt within a period of two years from the year of their being admitted to the First Semester.

7. REPEAL

The Ordinances governing Two Year (Annual Examination System) Degree Course of study shall cease to have effect from the date the Ordinance governing Two Year (Four Semester) LL.M. Degree Course of study and examinations come into effect.

8. TRANSITORY ORDINANCE

- (i) The students who were admitted in LL.M. First Year (Annual Examination System) of the Academic Year 2005-2006 or before and were either detained or failed in examinations of that concerned year, they shall be governed by old Ordinances subject to the condition that the candidates have to complete the study of both the years comprising LL.M. Degree course within a maximum period of four years from the date of their registration for the First Year.
- (ii) The students who were admitted in LL.M. Second Year (Annual Examination System) of the year 2005-2006 or before and were either detained or failed in the examination of that concerned year, they shall be governed by old Ordinances subject to the condition that the candidates have to complete the study of both the years comprising LL.M. Degree course within a maximum period of four years from the date of their registration for the First Year.

9. MISCELLANEOUS PROVISIONS

1. These Ordinances contained herein shall be deemed to have come into effect from the academic session 2006-2007 to the extent of its applicability.
2. Any provision contained in earlier Ordinances in this regard repugnant to the present Ordinance shall stand deleted.
3. The Dean of the Law School in consultation with the Departmental Council shall have the power to remove all difficulties in interpretation and/or application of these Ordinances, which shall be final.

SCHEDULE - A

Two Year 4 Semester LL.M. Degree Course of Study

First Semester: 400 marks

Compulsory: 1. Indian Constitutional Law: 100 Marks

2. One Group from the optional Groups I to XVIII: Three Papers- 100 marks each paper

Second Semester: 400 marks

1. Compulsory: Legal Education and Research Methodology: 100 marks

2. One Group other than the one offered and in I Semester from the optional Groups I to XVIII. : Three Papers – 100 marks each paper.

Third Semester: 400 marks

1. Compulsory: Law and Social Transformation in India: 100 Marks

2. One Optional Group other than the one offered and in First Semester and Second Semester from the optional Groups I to XVII. : Three Papers: 100 marks each Paper

3. Dissertation:

Fourth Semester: 400 marks

1. Compulsory: Judicial Process: 100 marks

2. Dissertation (continued): 200 marks

3. Viva – Voce: 100 marks

Note:

1. With the prior permission of the Dean, Faculty of Law, candidate shall be allowed to offer one of the optional groups in one semester for which teaching facilities are made available.

2. The provision for the teaching of an optional group shall not be available in both the semesters of the same Academic Year.

SCHEDULE B: OPTIONAL GROUPS

Group I: Constitutional Law:

Paper I: Constitutionalism and Constitutional Development in India and England

Paper II: Comparative and Cooperative Federalism

Paper III: Civil and Political Rights - Comparative Study of Select Constitutions

Group II: Family Law:

Paper I: Hindu Law including Hindu Jurisprudence

Paper II: Muslim Law including Muslim Jurisprudence

Paper III: Christian and Parsi Laws and Jews Laws

Group III: Torts:

Paper I: Development of Law of Torts and Tort actions generally

Paper II: Specific Torts I

Paper III: Specific Torts II

Group IV: Crimes:

Paper I: Criminology and Penology/ Drug Addiction Criminal Justice and Human Rights

Paper II: Criminal Law in India/ Privileged Class Deviance

Paper III: Crimes against Social and Economic Security and Problems of their Control/ Cyber Crimes/ Collective Violence and Criminal Justice System.

Group V: International Law:

Paper I: Law of Treaties/ Diplomatic and Consular Relations/ Law Relating to Outer Space

Paper II: International Court of Justice / Law of Seas/ International Arbitration

Paper III: India and International Law

Group VI: Contract and Insurance:

Paper I General Principles of Contract/ Law of Export & Import Regulation

Paper II: Specific Contracts/ Corporate Finance

Paper III: Insurance/ Banking Law

Group VII: Administrative Law:

Paper I: Administrative Law in India I

Paper II: Administrative Law in India II/ Local Self Government Law

Paper III: Comparative Administrative Law

Group VIII: Business Administration:

Paper I: Business Organization

Paper II: Business Management (Company Management & Administration)

Paper III: Law Relating to Multinational Corporation.

Group IX: Labour Management Relations:

Paper I: Regulation of Labour Management Relations/Comparative Study of the Law Relating to Trade Unions

Paper II: Law Relating to Employment and Non-Employment

Paper III: Law Relating to Terms of Employment and Conditions of Service

Group X: Taxation:

Paper I: Constitutional and Administrative Law Problems relating to Taxation

Paper II: Tax on Business and Industry

Paper III: Current Tax Problems/Tax Accountancy

Group XI: Regulated Economy

Paper I: Legal Regulation of Economic Enterprise

Paper II: Regulation of Labour Management Relations

Paper III: Corporate Finance/Tax Accountancy

Group XII: Administration of Justice

Paper I: Law relating to Jurisdiction and Systems of Courts in India

Paper II: Law relating to Procedure and Proof

Paper III: Law relating to Relief

Group XIII Human Rights

Paper I: International Law of Human Rights

Paper II: International Humanitarian Law/ Human Rights and the Refugees

Paper III: Human Rights in India

Group XIV: Environmental Law

Paper I: International Environmental Law

Paper II: Natural Resources and the Law in India

Paper III: Pollution Control Law in India

Group XV: Intellectual Property

Paper I: Copy Right: National and International Perspective

Paper II: Trade Marks, Designs and Geographical Indications

Paper III: Patents and Protection of Plant Varieties and Farmers' Rights

XVI: Law, Science and Technology

Paper I: Law, Technology, Biotechnology and Medicine

Paper II: Information Technology and Legal Order

Paper III: Nuclear Technology: Dilemmas of Legal Controls.

Group XVII: Jurisprudence

Paper I: Theories of Law (including Feminist Theory)

Paper II: Theories of Justice

Paper III: Theories of Rights

Group XVIII: New Economic Law: WTO in Context

Paper I: Development and Regulation of International Trade

Paper II: Legal Regulations of Economic Enterprises

Paper III: Legal Regulations of International Trade

Group XIX: Alternate Dispute Resolution System

Paper I: Domestic and International Commercial Arbitration.

Paper II: Enforcement of Foreign Award and Conciliation in India.

Paper III: Mediation, Lok Adalats and Consumer forum.

SCHEDULE A : COMPULSORY PAPERS

First Semester

Compulsory Paper: Indian Constitutional Law

1. **Indian Federalism:** Conceptual position of Federalism. Nature of the Indian Constitution. Cooperative Federalism. Relationship of trust and faith between center and state. Challenges before the Indian Federalism.
2. **Distribution of Legislative Powers:** The Scheme of the distribution of legislative powers in India the judicial approach and the present position. Recommendation of Sarkaria Commission & Venkatachaliah Commission.
3. **The Judiciary:** The Supreme Court of India. Jurisdiction and Powers. Its role as guardian of the Constitution.
4. **Right to Equality:** Scope of the right to Equality. New approach of Article 14. Equality of opportunity in matters of public employment and in admission to educational institutions.
5. **Freedom of Speech and Expression:** The area of freedom and its limitation. Freedom of Press and challenges of new scientific development.
6. **Emerging regime of new Fundamental Rights:** The changing dimension of right to life and Personal Liberty. Reading Directive Principles and Fundamental Duties into Fundamental rights.
7. **Right to Freedom of Religion:** The scope of the freedom and the State Control. Secularism and religious fanaticism.
8. **Working of the Constitution:** Achievements and failures. Areas of concern and challenges before the Constitution. The perception of National Commission to Review the Working of the Constitution.

Second Semester

Compulsory Paper: Legal Education and Research Methodology.

Part-A: Legal Education. (25%)

1. Objectives of Legal Education.
2. Lecture method of teaching. Merits and Demerits.
3. Discussion method and Seminar method of Teaching.
4. Examination system and problems in evaluation.

Part B: Research Methodology (75%)

1. Meaning and objectives of Research. Importance of Research Kinds of Research. Criteria of good research. Problems of Researchers in India.
2. Importance of Research Methodology. Procedural guidelines regarding the Research Process. Formulation of the Research problem. Different Steps.

3. Survey of the literature. Working Hypothesis. Determination of Sample Design. Collection of Data and its analysis. Test of Hypothesis.
4. Different Steps in writing of Research Report. Layout of Research Writing. Preliminary. Main Test. Conclusion and Observation.
5. Mechanics of writing a Research Report. Practical aspect. Physical design. Treatment of quotation. Footnotes. Documentation style. Abbreviations. Bibliography. Index etc.

Third Semester

Compulsory Paper on Law and Social Transformation in India.

1. Interaction of Law and Social Sciences
2. Impact of Social Development of Law
3. Law as an instrument of Social Change
4. Legal Idealism and the Sociological approach to Law
5. Social Morality and Legal Order
6. Role of Law, the individual and the welfare state
7. Role of Law and the function of lawyer
8. Economic, Social and Political Reforms and the Law: Modernization and the Law.

Fourth Semester

Compulsory Paper: Judicial Process

1. The concept of justice and relation between Law and Justice. the concept of 'Dharma' in Indian thought. 'Dharma' as the foundation of legal ordering. Various theories of justice in the Western thought.
2. The nature of Judicial Process. Judicial process as an instrument of social ordering. Judicial process and creativity in law. The tools and techniques of judicial creativity and precedents.
3. Judicial Process in India. Indian debate on the role of judges and on the notion of judicial review. Danger signals and New challenges before the Indian Judiciary.
4. Independence of judiciary and the nature of judicial process. Provisions of the Indian Constitution guaranteeing Independence of judiciary. Attitude of confrontation with the Legislature & Executive. Appointment & transfer of judges and its effect on independence of judiciary.
5. Judicial Activism and Constitutional obligations of the court. Evolution of the concept. Reasons in defense of judicial activism. Constitution of India and judicial activism. Role played by the Supreme Court of India. The tools and techniques of the judicial activism. Need for care and caution.
6. Decision making in the Supreme Court of India: Nature of participation- Dissent, concurrence, unanimity and voted with majority etc.

SCHEDULE B: OPTIONAL GROUPS

Optional Group I : Constitutional Law

Paper I: Constitutionalism and Constitutional Development in India and England.

1. What is a Constitution? Constitution, Constitutional Law and Constitutionalism. Concept of Limited Government and limitations on government power. Conventions of constitutionalism- Law and conventions. Historical evaluation of constitutional government in India and England.
2. Rule of Law. Concept and new horizons; Separation of powers. Concept and its applicability in India and England.
3. Sovereignty of British Parliament, Powers and Functions Privileges of the Parliament and Courts- Indian and British position.
4. The King of England. Prerogatives of the Crown. Position of the Kind in England. Cabinet System of government in India and England.
5. The Judicial system in England. Crown Proceeding Act 1947. Judicial Review and Constitutionalism in India. Prerogative writs.

Paper II: Comparative and Cooperative Federalism.

1. Concept of Federalism. Requisite conditions of federalism Patterns of federal government of U.S.A. and Australia. Federal Control v. State autonomy.
2. Indian Federal Constitution and its present shape.
3. The changing dimension of modern federal Constitutions New trends in federalism. National supremacy. Cooperative Federalism.
4. The scheme of the distribution of legislative powers in India and a comparative study of the scheme of U.S.A. and Australia. The specific legislative powers: Defence & External affairs.
5. Emergency provisions. Effect of Emergency on the federal structure. Judicial approach. Indian and American experiences.
6. Judicial Review for federal Umpiring. Scope of judicial review in the federal Constitutions. The approach of Indian & American Supreme Court.
7. Scope of Constituent power. Amending process and process in action. Judicial response. The direction of the Indian constituent power.

Paper III: Civil and Political Rights: Comparative Study of Select Constitution (India, United States of America and United Kingdom)

1. Constitutional basis for protection of Individual rights. Balance between individual liberty and social needs. To whom and against whom Rights are available. Suspension of Rights.
2. Right to Equality. General principles. Protective discrimination with special references to emerging judicial response to the problems of group inequalities. Comparative study of the decisions of the Indian and American courts.
3. Freedom of Speech and Expression: Special attention will be paid to the liberty of Press as interpreted by the Indian Supreme Court and to the interpretation of the freedom guaranteed by the First Amendment of the American Constitution.

4. Right to life and Personal Liberty: Judicial determination of the scope of the term “personal liberty”, “procedure established by law” and the American expressions “liberty” and ‘due process”. Radical changes in judicial thinking in this area.
5. Freedom of Religion Judicial interpretation of the freedom under the Constitution of India and of the United States.
6. Amendment of Rights: Adaptability of the Constitutional law to the changing needs of the society. Power and Procedure for amendments of these rights under the American and Indian constitution.
7. Elections and the Franchise: Constitutional foundation of the right to vote. The voting rights Acts. Judicial supervision of Elections.

OPTIONAL GROUP II- Family Law

Paper I: Hindu Law including Hindu Jurisprudence

1. Basic Principle of Hindu Jurisprudence
2. Sources of Hindu Law
3. Concept of Marriage under Hindu Law
4. Matrimonial Remedies
 - a) Nullity of Marriage
 - b) Restitution of Conjugal Rights
 - c) Judicial Separation
 - d) Divorce
5. Changing Concept of Adoption: From religious to secular
6. Inheritance
 - a) Historical perspective
 - b) Succession to property of a Hindu male dying intestate under the Hindu Succession Act, 1956.
 - c) Devolution of Interest in Mitakshara Coparcenary under the Hindu Succession Act.1966.
 - d) Succession of property of Hindu female dying intestate.
 - e) General principle of Succession.
7. Minority & Guardianship under the Minority & Guardianship Act, 1956.
8. Maintenance of wife, children, Parents.
9. Joint family & coparcenary

Paper II- Muslim Law including Muslim Jurisprudence

1. Basic Principle of Muslim Jurisprudence
2. Sources of Muslim Law
3. Schools of Muslim Law
4. Law of Marriage
5. Law of Dower

6. Maintenance
7. Divorce under Muslim Law
8. Dissolution of Muslim Marriage Act.
9. Paternity & legitimacy
10. Law of Inheritance
11. Uniform Civil Code

Paper III Christian & Parsi and Jews Laws

Christian & Parsi Law of Marriage , Divorce and Successions

1. Essentials of Marriage
2. Divorce
3. Nullity of marriage
4. Judicial Separation
5. Alimony
6. Custody of Children
7. Intestate succession of Parsis
8. Intestate succession other than Parsis

Optional Group III: Law of Torts

Paper I: Development of Law of Torts and Tort actions generally.

1. Evolution of Law of Torts
2. Definition, nature, scope and objects
3. Principles of liability in torts
4. Justification in Tort
5. Extinguishment of liability in certain situations
6. Standing
7. Vicarious liability
8. Doctrine of sovereignty and its relevance in India.
9. Absolute Strict liability
10. Legal Remedies

Paper II. Specific Torts- I

1. Assault, batter, mayhem False imprisonment
2. False imprisonment
3. Defamation
4. Malicious prosecution
5. Trespass to land, trespass to goods, detinue, conversion.
6. Injurious falsehood, misstatements, passing off

Paper III- Specific Torts II

1. Negligence:
 - (a) Basic concepts
 - (b) Theories of negligence
 - (c) Standards of care, duty to take care carelessness, inadvertence
 - (d) Doctrine of contributory negligence
 - (a) *Res ipsa loquitur* and its importance in contemporary law
 - (b) Liability due to negligence-different professionals.
 - (c) Liability of common causes for negligence.
2. Nervous shock.
3. Nuisance: definition, essentials and types
4. Acts which constitute nuisance-obstructions of highways, pollution of air, water, water, noise, and interference with light and air.
5. Liability due to negligence- different professions- under the consumer protection Act.
6. Liability of manufacturers and business houses for their products under the consumer Protection Act.

Group IV: Crimes:

Paper I: Criminology and Penology

- I. Criminology- Definition, Nature, Scope and utility
- II. Methods of Criminological Studies
- III. Schools of Criminology: Classical, Biological Cartographic, Sociological and Socialist.
- IV. Theorising Criminal aetiology : Lombroso and Neo- Lombrosian, Psycho-analysis, Differential Association, Anomie Tradition; Critical Criminology with reference to Labeling, Interactionism and Conflict Theory
- V. A brief discussion on Modern Trends in Criminology: Phenomenology, Postmodernism and Feminism Crime and Feminism.
- VI. Punishment: Concept and Theories
- VII. Death Sentence
- VIII. Treatment of offenders: Prison, Probation and Parole
- IX. Victimology.

OR

Paper I: DRUG ADDICTION, CRIMINAL JUSTICE AND HUMAN RIGHTS

1. **Introductory** :Basic conceptions, Drugs “narcotics” “psychotropic substances”, “dependence,” “addiction”, “Crimes without victims. “Trafficking” in “drugs” “Primary drug abuse”.
2. **How Does One Study the Incidence of Drug Addiction and Abuse?**
Self reporting, Victim-studies, Problems of comparative studies

3. **Anagraphic and Social Characteristics of Drug Users :** Gender, Age, Religiousness, Single individuals/cohabitation, Socio-economic level of family, Residence patterns (urban/rural/urban), Educational levels, Occupation, Age at first use, Type of drug use, Reasons given as cause of first use, Method of intake, Pattern of the – Use, Average Quantity and Coast, Consequences on addict's health (physical/psychic)

NOTE: Since no detailed empirical studies exist in India, the students should be sensitized by comparative studies. The principal objective of this discussion is to orient the students to a whole variety of factors, which interact in the 'making' of a drug addict.

4. **The International Legal Regime :** Analysis of the background, text and operation of the Single Convention on Narcotic Drugs, 1954, 1972, Analysis of the Convention on Psychotropic Substances, 1972, International collaboration in combating drug addiction. The SARC, and South-South Cooperation, Profile of international market for psychotropic substances
5. **The Indian Regulatory System:** Approaches to narcotic trafficking during colonial India, Nationalist thought towards regulation of drug trafficking and usage, The penal provisions (under the IPC and the Customs Act), India's role in the evolution of the two international conventions, Judicial approaches to sentencing in drug trafficking and abuse. the Narcotic Drugs and Psychotropic Substances Act, 1985, Patterns of resource investment in India: policing adjudication, treatment, aftercare and rehabilitation.
6. **Human Rights Aspects:** Deployment of marginalized people as carrier of narcotics, The problem of juvenile drug use and legal approaches, Possibilities of misuse and abuse of investigative prosecutory powers, Bail, The problem of differential application of the Ugal Regimes, especially in relation to the resource less.
7. **The Role of Community in Combating Drug Addiction :** Profile of Community initiatives in inhibition of dependence and addiction (e.g. de addiction and aftercare), The role of educational systems, The role of medical profession, The role of mass media, Initiatives for compliance with regulatory systems, Law reform initiatives.

Paper II: Criminal Law in India.

1. Crime and Criminal Law
2. Elements of Crime: External and Internal Intention, Recklessness, Negligence; Relevance of Motive; Strict Liability.
3. Joint and Constructive Liability
4. Preliminary offences: Attempt; Criminal conspiracy; Abetment
5. Defences:
 - i) Mistake
 - ii) Necessity
 - iii) Intoxication
 - iv) Unsoundness of mind
 - v) Consent
 - vi) Compulsion by Threat
 - vii) Superior order
 - viii) Private Defence

6. Offences Against Human Body
 - i) Culpable Homicide and Murder ii) Kidnapping and Abduction
7. Offences Against Property:
 - i) Theft ii) Robbery
8. Offences Against Marriage:
 - i) Bigamy ii) Adultery
9. Offence against Morals: Obscenity.
10. Offence against state: Sedition.

OR

Paper II: Privileged Class Deviance

1. Introduction:

1. Conceptions of white-collar crimes
2. Indian approaches to socio-economic offences
3. Notions of privileged class deviance as providing a wider categorization of understanding Indian development.
4. Typical forms of such deviance
5. Official deviance (deviance by legislators, judges, bureaucrats)
6. Professional deviance: journalists, teachers, doctors, lawyers, engineers, architects and publishers
7. Trade union deviance (including teachers, lawyers/urban property owners)
8. Landlord deviance (class/caste based deviance)
9. Police deviance
10. Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)
11. Gender-based aggression by socially, economically and politically powerful.

2. Official Deviance

1. Conception of Official deviance- permissible limit of discretionary powers.
2. The Chambal valley dacoit Vinoba Mission and Jai Prakash Narain Mission- in 1959 and 1971.
3. The Chagla Commission Report on LIC-Mundhra Affair
4. The Das Commission Report on Pratap Singh Kairon
5. The Grover Commission Report on Dev Raj Urs
6. The Maruti Commission Report
7. The Ibakkar-Natarajan Commission Report on Fairfax.

3. Police Deviance

1. Structures of legal restraint on police powers in India
2. Unconstitutionality of “third-degree” methods and use of fatal force by police.
3. “Encounter” killings

4. Police atrocities
5. The plea of superior orders
6. Rape and related forms of gender-based aggression by police and para-military forces.
7. Reform suggestions especially by the National Police Commission

4. Professional Deviance

1. Unethical practices at the Indian bar
2. The Lentin Commission Report
3. The Press Council on Unprofessional and Unethical journalism
4. Medical malpractice.

5. Response of Indian Legal Order to the Deviance of Privileged Classes

1. Vigilance Commission
2. Public Accounts Committee
3. Ombudsman
4. Commissions of Enquiry
5. Prevention of Corruption Act, 1947
6. The Antulay Case.

Paper III: Crimes Against Social & Economic Security and Problems of their Control.

1. The concept of Social and Economic Offences.

2. The Distinction between Traditional Offences and the Socio Economic Offences.

- a. Principles of Traditional Criminal Jurisprudence.
- b. Special features of Socio-Economic
- c. Offences. Socio Economic offences and white collar crimes.

3. Prevention of Socio Economic Crimes and Major constraints in the Implementation of Law Relating to Socio Economic Offences.

4. Dowry As a Social Evil.

- i. Origin and Social causes of Dowry in Indian Subcontinent.
- ii. Post Independence phenomenon. Expansion and growth of Dowry system in India.
- iii. Criminal off shoots of Dowry – Dowry Crimes.

5. The Dowry (Prohibition Act 1961.)

- i. Definition of Dowry
- ii. Offence of Giving and Taping Dowry
- iii. Offence of Demanding Dowry
- iv. Offences of Non-transfer of Dowry
- v. Dowry Agreements,
- vi. Nature of Dowry Offences under the Act.

6. Dowry Prohibition (Gift to Bride & Bride Groom) Rules 1985.

7. Problems of Control of Dowry System in India

- (1) Socio Economic Factors
- (2) Failure of Legislative Enactments.

OR

Paper III: Cyber Crimes

1. Meaning, Definition, Nature of Cyber crimes
2. Historical Genesis and Evolution of Cyber Crimes
3. Statutory Laws pertaining to Cyber Crimes in India:
 - a) Indian Penal Code
 - b) Indian Evidence Act.
 - c) Information Technology Act.
4. Cyber Crimes Laws of USA, U.K. and Canada: A Comparative Study.
5. Specific Cyber crimes
 - a) Cyber Stalking
 - b) Cyber Terrorism
 - c) Child Pornography
 - d) Computer viruses
6. Investigation and Jurisdiction over Cyber crimes.

OR

Paper III : Collective Violence and Criminal Justice System

1. Introductory

1. Notions of “force”, “coercion”, “violence”
2. Distinction: “Symbolic” violence, “Institutionalized” violence, “Structural violence”
3. Legal order as a coercive normative order
4. Force-monopoly of modern law
5. ”Constitutional” and “criminal” speech: Speech as incitement to violence
6. “Collective political violence” and legal order
7. Notion of legal and extra-legal “repression”

2. Approaches to Violence in India

1. Religiously sanctioned structural violence: Caste and gender based.
2. Ahimsa in Hindu , Jain, Buddhist, Christian, and Islamic traditions in India.
3. Gandhiji’s approach to non-violence

4. Discourse on political violence and terrorism during colonial struggle
5. Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period.

3. Agrarian Violence and Repression

1. The nature and scope of agrarian violence in the 18-19 centuries India.
2. Colonial legal order as a causative factor of collective political (agrarian) violence
3. The Telangana struggle and the legal order
4. The Report of the Indian Human Rights Commission on Arwal Massacre
5. Violence against the Scheduled Castes

4. Violence against the Scheduled Castes

1. Notion of Atrocities
2. Incidence of Atrocities
3. Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities
4. Violence Against Women.

5. Communal Violence

1. Incidence and courses of “communal” violence
2. Findings of various commissions of enquiry
3. The role of police and para-military systems in dealing with communal violence
4. Operation of criminal justice system tiring, and in relation to, communal violence.

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

Group V: International Law

Paper I: Law of Treaties

The course shall comprise:

Concept of treaty in International Law

Nature, Scope and Importance of treaty.

Historical Background of the Law of Treaty.

Capacity

Conclusion and Entry into Force.

Reservation

Problem of Unequal Treaty

Interpretation

Jus cogens

Amendment

Invalidity

Termination and Suspension

Rebus Sic Stantibus

Succession.

OR

Paper I: Diplomatic and Consular Relations

The course shall comprise of the following:

1. Meaning, definition, evolution and development of diplomatic and consular law.
2. The Vienna Convention on Diplomatic Relations, 1961.
 - (a) The inviolability of the premises of the diplomatic mission.
 - (b) Diplomatic immunities- personal and property.
 - (c) Waiver of immunity.
3. Consular privileges and immunities: The Vienna Convention on Consular Relations, 1963.
4. The Convention on Special Missions, 1969.
5. The Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character.
6. The Immunities of international organizations.
7. Internationally protected persons.
8. Diplomatic law and Indian State practice

OR

Paper I- Law Relating to Outer Space

The Course shall comprise of the following:

1. The concept, substance and subject matter of International space law.
2. The History and development of space law.
3. Sources of international space law.
4. Fundamental principles of International space law.
5. Legal status of space objects
6. Liability convention.
7. The Moon Treaty.
8. The regulation of various aspects of space activities include remote sensing, space communication, dire of television broadcasting satellites.
9. Protection of the outer space environment
10. Outer space law and India.

Paper II- International Court of Justice

1. International adjudication in a historical perspective.
2. International Court of Justice- a principal organ and principal judicial organ of the United Nations.
3. Organization and Structure of the ICJ.
4. The jurisdiction of the Court-general

5. Contentions jurisdiction voluntary of jurisdiction compulsory jurisdiction, reservation and reciprocity . Transferred jurisdiction, forum prorogatum.
6. Sources of law, propriety and legal interest.
7. Provisional measures, non-appearance, and third party intervention.
8. The advisory jurisdiction of the ICJ.
9. Enforcement of the judgments and advisory opinions.
10. The Role of the Court.

OR

Paper II: International Arbitration

1. Growth of the idea of international arbitration and justice, difficulties of its realization.
2. History of the institution of international arbitration (since 1875).
3. The composition of arbitral Tribunals, types of disputes submitted to arbitral tribunals, procedure and rules applied by arbitral tribunals, admissibility or in admissibility of appeal.
4. Diverse fields of arbitral awards: state territory, the individual, international delinquencies, treaties.
5. The efficacy of arbitral awards.
6. The Immunities of international Organizations.
7. Internationally protected persons.
8. Diplomatic Law and Indian State practice.

OR

Paper II Law of Seas

1. Evolution and Recent Developments
2. Territorial Sea and Contiguous Zone
3. Continental Shelf:
4. Exclusive Economic Zone (EEZ)
5. High Seas
6. Landlocked States
7. Exploration, Exploitation and Management of the Resources of the International Sea-bed Area
8. Protection and Preservation of Marine Environment

Paper III- India and International Law

The course is designed to acquaint the student with the Indian state practice on major aspects of international law. It comprises the following:

1. International law in ancient, medieval and British India.
2. Relationship between International law and municipal law.
3. Recognition.
4. Territorial and boundary disputes.
5. Human rights, humanitarian law and refugee protection.

6. International crimes including terrorism.
7. Use of force: validity of Indian's actions in Kashmir, Goa and Bangladesh.
8. India and WTO.

Group VI – Contract and Insurance

Paper I: General Principles of Contract.

1. Formation of Contract: A critical study of offer and acceptance.
2. Doctrine of Consideration and Privity of Contract
3. Capacity to contract: Nature of minor's agreements and the doctrine of restitution.
4. Consent: Meaning, importance and the factors vitiating free consent with special reference to Fraud and Misrepresentation.
5. Standard form Contracts.
6. Void Agreements: With special reference to agreements relating to restraint of trade and wagering agreements.
7. Discharge of contracts with special reference to the doctrine of frustration.
8. Relations resembling those created by contract.
9. Remedy in the form of compensation.

OR

Paper-I: Law of Export and Import Regulation

1. **Introduction:** State control over import and export of goods- from rigidity to liberalization, Impact of regulation on economy.
2. **The Basic Needs of Export and Import Trade:** Goods, Services, and Transportation
3. **International Regime:** WTO agreement, WTO and Tariff restrictions, WTO and non-tariff restrictions, Investment and transfer of technology, Quota restriction and anti-dumping. Permissible regulations, Quarantine regulation. Dumping of discarded technology and goods in international market, Reduction of subsidies and counter measures.
4. **General Law on Control of Imports and Exports:** General scheme Legislative control, Power of control : Central Government and RBI, Foreign Trade Development and Regulation Act 1992, Restrictions under customs law, Prohibition and penalties, Export-import formulation: guiding features, Control under FEMA, Foreign exchange and currency, Import of goods, Export promotion councils, Export oriented units and export processing zones.
5. **Control of Exports:** Quality control, Regulation on goods, Conservation of foreign exchange, Foreign exchange management, Currency transfer, Investment in foreign countries.
6. **Exim Policy:** Changing Dimensions: Investment Policy: NRIs, FIIs (foreign institutional investors), FDIs, Joint venture, Promotion of foreign trade, Agricultural products, textile and cloths, Jewellery, Service sector.

7. **Law Relating to Customs;** Prohibition on import and exportation of goods, Control of Smuggling activities in export-import trade, Levy of and exemption from, customs duties, Clearance of imported goods and export goods, Conveyance and warehousing of goods
8. **Regulation on Investment:** Borrowing and lending of money and foreign currency, Securities abroad- issue of, Immovable property- purchase abroad, Establishment of business outside, Issue of derivatives and foreign securities- GDR (global depositories receipts), ADR (American Depository receipts and Euro, Investment in Indian banks, Repatriation and surrender of foreign securities.
9. **Technology Transfer:** Restrictive terms in technology transfer agreements, Automatic approval schemes.

Paper II: Specific Contracts

1. Contract of Indemnity.
 - (a) Definition and nature of contract of indemnity
 - (b) Extent and commencement of liability
2. Contract of Guarantee
 - (a) Meaning and Essentials of Contract of Guarantee
 - (b) Extent of Surety's Liability
 - (c) Discharge of Surety's Liability
 - (d) Rights of Surety
3. Contract of Bailment & Pledge
 - (a) Meaning and Essentials of Contract of Bailment.
 - (b) Duties of Bailer and Bailee
 - (c) Rights of Bailee.
 - (d) Meaning and Essentials of Pledge and persons entitled to pledge.
4. Contract of Agency
 - (d) Nature and Essentials of Contract of Agency.
 - (e) Creation of Agency: Implied Agency and Agency of Necessity.
 - (f) Agency by Ratification.
 - (g) Termination of Agency.

OR

Paper II- Corporate Finance

1. **Introduction:** Meaning, importance and scope of corporation finance, Capital needs- capitalization- working capital – securities-borrowings-deposits debentures, Objectives corporation finance- profit maximization and wealth maximization, Constitutional perspectives- the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85 and 86 of List 1- Union List, entry 24 of List 11- State List.

2. **Equity Finance:** Share capital, Prospectus- information disclosure, Issue and allotment, Shares without monetary consideration, Non-opting equity shares
3. **Debt Finance:** Debenture, Nature, issue and class, Deposits and acceptance, Creation charges, Fixed and floating charges, Mortgages, Convertible debentures.
4. **Conservation of Corporate Finance:** Regulation by disclosure, Control on payment of dividends, Managerial remuneration, Payment of commissions and brokerage, Inter corporate loans and investment, Payback of shares, Other corporate spending.
5. **Protection of creditors:** Need for creditor protection, Preference in payment, Rights in making company decisions affecting creditor interests, Creditor self-protection, Incorporation of favourable terms in lending contracts, Right to nominate directors, Control over corporate spending.
6. **Protection of Investors:** Individual share holder right, corporate membership right, Derivative actions, Qualified membership right, Conversion, consolidation and re-organization of shares, Transfer and transmission of securities, Dematerialization of securities.

Paper III : Insurance

1. Nature and definition of Contract of Insurance.
 - (a) Definition of Contract of Insurance.
 - (b) Contract is 'Aleatory'
 - (c) Contract of utmost good faith.
 - (d) Contract of indemnity.
 - (e) Contract of Wager.
2. Insurable interest:
 - (a) Nature of insurable interest
 - (b) Time or duration of interest
 - (c) Insurable interest and Life insurance.
 - (d) Insurable interest and Fire insurance.
3. The Risk:
 - a) Meaning of risk
 - b) Scope of risk
 - c) Application of rule in various classes of insurance
 - d) The elements of risk
 - e) The alteration of the risk
4. The Insurance Regulatory and Development Authority:
 - a) Establishment
 - b) Composition
 - c) Duties, powers and functions.

OR

Paper-III: Banking Law

1. **Introduction:** Nature and development of banking. History of banking in India and elsewhere-indigenous banking-evolution of banking in India-different kinds of banks and their functions, Multi-functional banks- growth and legal issues.
2. **Law relating to Banking Companies in India:** Controls by government and its agencies. On management, On accounts and audit, Lending, Credit policy, Reconstruction and reorganization, Suspension and winding up, Contract between banker and customer; their rights and duties.
3. **Social Control over Banking:** Nationalization, Evaluation: private ownership, nationalization and disinvestments, Protection depositors, Priority lending, Promotion of under privileged classes.
4. **Deposit Insurance:** The Deposit Insurance Corporation Act 1961: Objects and Reasons, Establishment of Capital of DIC, Registration of banking companies insured banks, liability of DIC to depositors, Relations between insured banks, DIC the Reserve Bank of India.
5. **The Central Bank:** Evolution of Central Bank, Characteristic and functions, Economic and social objectives, The Central Bank and the State as bankers' bank, The Reserve Bank of India as the central Bank, Organizational structure, Functions of the RBI, Regulation monetary mechanism of the economy, Credit control, Exchange control, Monopoly of currency issue, Bank rate policy formulation, Control of RBI over non-banking companies, Financial companies, Non-financial companies.
6. **Relationship of Banker and Customer:** Legal character, Contract between banker and customer, Banker's lien, Protection of bankers, Customers, Nature and type of accounts, Special classes of customers-lunatics, minor, partnership, corporations, local authorities Banking duty to customers, Consumer protection: banking as service.
7. **Negotiable Instruments:** meaning and kinds, Transfer and negotiations, Holder and holder in due course, Presentment and payment, Liabilities of parties.
8. **Lending by Banks:** Good lending principles, Lending to poor masses, Securities for advances, Kinds and their merits and demerits, Repayment of loans: rate of interest, protection against penalty, Default and recovery, Debt recovery tribunal.
9. **Recent Trends of Banking System in India:** New technology, Information technology, Automation and legal aspects, Automatic teller machine and use of internet, Smart card, Use of expert system, Credit cards.
10. **Reforms in Indian Banking Law:** Recommendations of committees: a review

GROUP VII: Administrative Law

Paper I: Administrative Law in India

- (1) Importance and Scope of Administrative Law;
- (2) Rule of Law;
- (3) Separation of Powers;
- (4) Delegated Legislation:

- a. Constitutionality;
 - b. Judicial Control;
 - c. Parliamentary Control;
 - d. Procedural Control
- (5) Ombudsman in India
- (6) The Commission of Inquiry Act, 1952.

Paper II: Administrative Law in India-II

- (1) Judicial Review of Discretionary Power;
- (2) Writ of Mandamus;
- (3) Writ of Certiorari;
- (4) Writ of Prohibition
- (5) Writ of Quo-warranto
- (6) Nature Justice: Bias, Opportunity of Hearing;
- (7) Administrative Tribunals;
- (8) Domestic Inquiries;
- (9) Administrative Finality;
- (10) Role of Declaratory Decree as Public Law Remedy;
- (11) Role of Injunction as Public Law Remedy;

OR

Paper II: Local Self Government Law

- 1. Historical Perspectives: Early period, Gram Swaraj-the Gandhian concept
- 2. Constitutional Scheme: Directive Principles, Structure and powers of local bodies
- 3. Legislative Powers: Direct democracy and grass root planning, Municipalities and corporation, gram Sabha
- 4. Quasi-legislative Powers: Rule making power of the State Government, Regulations and Bye-laws
- 5. Financial Powers: Levying taxes, Licensing power, Financial resources and powers
- 6. Judicial and Quasi-judicial powers of the Local Bodies
- 7. Election to Local Bodies
- 8. Conduct of Meetings – Corporation, Municipal Council, Panchayat Committee and Gram Sabha
- 9. Institutional and Judicial Control

Paper III: Comparative Administrative Law

- (1) Merits of French Administrative Law, Remedies available under French Administrative Law;
- (2) Availability of Judicial Review in the United States-
 - a. Doctrine of Primary Jurisdiction;
 - b. Doctrine of Exhaustion of Administrative Remedies;
 - c. Doctrine of Standing;
 - d. Doctrine of Ripeness;

- (3) Government liability for torts committed by its employees in Great Britain, France and India;
- (4) Promissory Estoppel in Great Britain and India;
- (5) Right to Information Act, 2005.
 - a. State privilege to refuse Production of documents in Courts in Great Britain and India;
 - b. The Official Secrets Act, 1923 (Indian)
 - c. The Freedom of Information Act, 2002.
- (10) Doctrine of Legitimate Expectation in India and Great Britain.

Group VIII: Business Administration

Paper I: Business Organisation

1. Introduction: History of Company Legislation, Characteristic features of a company and Lifting the corporate veil.
2. Kinds of Companies
3. Promoter- Definition and his legal position and effects of Pre-incorporation Contracts.
4. Memorandum of Association: Contents and relation with Articles of Association, Alteration of Memorandum.
5. Prospectus; Meaning and consequences of Misstatements in prospectus.
6. Shares: Meaning, kinds and general principles and statutory provisions regarding Allotment of shares. Effect of irregular Allotment.
7. Membership of company.

Paper II: Business Management (Company Management & Administration)

1. Qualifications, Appointment and Removal of Directors, Managing Directors and Managers.
2. Remuneration of Directors, Managing Directors and Managers.
3. Legal position of Directors and Criminal Liability of the Officers of the Company.
4. Meetings of the Company- Statutory Meeting, Annual General Meeting and Extra-ordinary Meeting.
5. Division of powers between Company-in-General Meeting and Board of Directors. Remedies in cases of oppression and Mismanagement
 1. Investigations into the affairs of the Company.
 2. Company Secretary- Appointments and his Legal position.
 3. National Company Law Tribunal and Appellate Tribunal

Paper III: Law Relating to Multinational Corporation.

1. Meaning and Definition of Multinational Corporation: Problems of Definitions and Criteria of Determination.

2. Historical perspectives of MNC in India.
3. The Concept of Doctrine of Ultra-vires:
 - a) In India
 - b) In England and
 - c) U.S.A. – Consequences of Doctrine of Ultra-vires.
4. U.N. Commission on Transactional Corporation – 1975.
5. National Regulation of MNC in India.
 - a) Regulation through Company Law- 1956.
 - b) Regulation through Taxation Law
 - c) Regulation through FEMA-1999.

Group-IX: Labour Management Relations

Paper I: Regulation of Labour Management Relations.

1. Meaning, Nature and Philosophy of Labour Management Relations.
2. An Historical and Constitutional perspective of Labour Management Relations
3. State Regulatory process of Labour Management Relations in India.
4. Labour Management Regulatory processes in U.K. and USA- Its impact on India.
5. Labour Management Relations and collective Bargaining.
6. The New Economic policy and its impact on Labour Management Relations in India
7. Some recent trends to regulate the Labour Management Relations.

OR

Paper I: Comparative Study of the Law Relating to Trade Unions.

1. Meaning, Concept and Nature of Trade Unions.
2. Evolution origin and growth of Trade Unions
 - a) U.S.A.
 - b) U.K.
 - c) India
3. Legal Basis of Trade Unions
 - a) U.S.A.
 - b) U.K.
 - c) India
4. Collective Bargaining and its Status
 - a) U.S.A.
 - b) U.K.
 - c) India
5. Trade Unions and the Right to Strike
6. Recent Judicial trends in the Law Relating to Trade Unions
7. Globalisation, privatization and its impact on the working of the Trade Unions.

Paper II: Law Relating to Employment and Non Employment

1. Meaning and Concept of Employment
2. Wages and Conditions of Service

3. Termination of Employment
4. Termination of other than Dismissal
5. Dismissal for Misconduct

Paper III: Law Relating to terms of Employment and Conditions of Service

1. Meaning and concept of terms of Employment and conditions of service
2. The term of employment or the conditions of labour of any person.
 - a) continuity of service
 - b) per permanency of tenure of service
 - c) Transfer
3. Hours of Work
4. Work loads
5. Shifts
6. Promotions
7. Increments
8. Fringe benefits
9. Refusal benefits

Group X: Taxation

Paper I: Constitutional and Administrative Law Problems Relating to Taxation:

1. Distinction between Tax and Fee
2. Power to levy taxes on income
3. Power to levy Excise Duties
4. Taxes on Sale or Purchase of Goods
5. Residuary Power of Taxation Under Entry 97 of the Union List
6. Role of Taxation in achieving the Objectives of Directive Principles
7. Taxation and Right to Equality
8. Taxation and Freedom of Trade, Commerce and Intercourse
9. Distribution of Tax Revenues
10. Inter-Governmental Tax Immunities
11. Delegation of Taxing Powers
12. Judicial Review of the Orders of Tax Authorities.

Paper II – Tax on Business & Industry

- (1) Residence of Firms
- (2) Residence of Company
- (3) Business Connection
- (4) Profits and gains from business or Profession
- (5) Depreciation allowance
- (6) Business Expenditure Capital Gains

- (11) Income-tax authorities & their powers with special reference to search & Seizure
- (12) Procedure for assessment
- (13) Appeal & Revision.

Paper III- Current Tax Problems:

- (1) Assessment of Charitable Trusts
- (2) Service Tax
- (3) Tax on Agricultural income.
- (4) Cannons of Taxation & characteristics of a good tax system.
- (5) Tax evasion & Black money- Causes & effects of Tax Evasion, Tax evasion distinguished with Tax Avoidance and Tax Planning.
- (6) Problems of Double Taxation.
- (7) Sales Tax- its effect & desirability – Value Added Tax.

OR

Paper III: Tax Accountancy

- 1. Introduction:** Gross Total Income; Capital and Revenue Receipts; Methods of Accounting
- 2. Computation of Income under the head Salaries;**
 - (i) Meaning of salary
 - (ii) Deductions under Section 16
 - (iii) Valuation of Perquisites:
 - (a) Valuation of Rent free accommodations
 - (b) Valuation of Accommodation provided on concessional rates
 - (c) Valuation of Motor Car facilities provided by the employer
 - (iv) Perquisites and Allowances exempted from taxation
 - (v) Taxation of Gratuity and Terminal payments:
 - (a) Received by Government employees
 - (b) Received under the Payment of Gratuity Act, 1972.
 - (c) Compensations received under Industrial Disputes Act.
- 3. Computation of Income under the Head Income from House Property:**
 - (i) Determination of Annual Value
 - (ii) Concessions for newly constructed properties
 - (iii) Annual value of self occupied House Property.
 - (iv) Deductions from income from House Property.
- 4. Computation of Income under the head Profits and Gains of Business or Profession:**
 - (i) General principles governing assessment of business income
 - (ii) Basic principles governing admissibility of deductions under Sections 30 to 40 D
 - (iii) Computation of some specific deductions:

- (a) Rent, rates, taxes, repairs and insurance of building (S.30)
- (b) Repairs and insurance of machinery, plant and furniture (S.31)
- (c) Depreciation Allowance (S.32)
- (d) Rehabilitation Allowance
- (e) Expenditure on Scientific Research
- (f) Expenditure on acquisition of patent rights or copy rights.

5. Computation of Income under the head Capital Gains:

- (i) Computation of Long term and short term capital gains on transfer of capital assets.
- (ii) Exemptions from capital gains.

6. Computation of income under the head Income from other sources:

- (i) Receipts which are taxable under the head income from other sources
- (ii) Taxation of winning from lotteries, crossword puzzles, races, card games etc.
- (iii) Deductions under the head Income from other sources.

Group XI: Regulated Economy:

Paper I: Legal Regulation of Economic Enterprises

The course shall comprise with the following:

1. The Rationale of Government Regulation.

- 1. Constitutional Perspectives
- 2. The new economic policy- Industrial policy resolutions, declarations and statements
- 3. The place of public, small scale, cooperative, corporate, private and joint sectors in the changing context.
- 4. Regulation of economic activities
- 5. Disclosure of information
- 6. Fairness in competition
- 7. Emphasis on consumerism

2. Development and Regulation of Industries

3. Take-over of Management and Control of Industrial Units

4. Sici Undertakings: Nationalisation or Winding Up?

5. Licensing Policy and Legal Process- Growing Trends of Liberalization

6. Deregulation of essential commodities: developmental sign or a social mishap ?

7. Financial Services: Changing Techniques of Regulation.

8. Critical Issues Regarding the Capital Issues

- 1. Equity and debt finance
- 2. Global depositories
- 3. De-materialised securities

9. Problems of Control and Accountability: Regulation of Hazardous Activity.

- 1. Mass disaster and environmental degradation: legal liability and legal remedies.

2. Public Liability Insurance: adequacy
3. Issues in zoning and location of industrial units.

10. Special Aspects of Legal Regulation of Select Public Enterprises

(Universities may select some such representative public enterprises for transport, mining and energy).

1. Telecom Regulatory Authority
2. Insurance Regulatory Authority
3. Broadcasting Regulatory Authority

11. Legal Regulation of Multinationals

1. Collaboration agreements for technology transfer
2. Development and regulation of foreign investments
3. Investment in India: FDIs and NRIs
4. Investment abroad

Paper II: Regulation of Labour Management Relations.

1. Meaning, Nature and Philosophy of Labour Management Relations.
2. An Historical and Constitutional perspective of Labour Management Relations
3. State Regulatory process of Labour Management Relations in India.
4. Labour Management Regulatory processes in U.K. and USA- Its impact on India.
5. Labour Management Relations and collective Bargaining.
6. The New Economic policy and its impact on Labour Management Relations in India
7. Some recent trends to regulate the Labour Management Relations.

Paper III- Corporate Finance

1. Introduction: Meaning, importance and scope of corporation fiancé, Capital needs- capitalization- working capital securities-borrowings-deposits debentures, Objectives corporation fiancé- profit maximization and wealth maximization Constitutional perspectives- the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85 and 86 of List I- Union List, entry 24 of List 11- State List.
2. **Equity Finance:** Share; Capital, Prospectus information disclosure, Issue and allotment, shares without monetary consideration, non-opting equity shares.
3. Debenture, nature issue and class, Deposits and acceptance, Creation charges, fixed and floating charges, Mortgages, Convertible debentures.
4. Managerial remuneration, Payment of commissions and brokerage, Inter-corporate loans and investment, Pay-back of shares, Other corporate spending.
5. **Protection of creditors:** Need for creditor protection, Preference in payment, Rights in making company decisions affecting creditor interests, Creditor Self-protection, Incorporation of favourable terms in lending contracts, Right to nominate directors, Control over corporate spending.
6. **Protection of Investors:** Individual share holder right, Corporate membership right, Derivative

actions, Qualified membership right, Conversion, consolidation and reorganization of shares, Transfer and transmission of securities, Dematerialization of securities.

7. **Corporate Fund Raising:** Depositories- IDR (Indian depository receipts), ADR (American depository receipts), GDR (Global depository receipts) Public financing institutions IDBI, ICICI, IFC and SFC, Mutual fund and other collective investment schemes, Intutional investments LIC, UTI and Bank, FDI and NRI investment- Foreign institutional investments (IMF and World Bank)
8. **Administrative Regulation on Corporate Finance:** Inspection of accounts, SEBI, Central government control, Control by register of companies, RBI control.

OR

Paper III: Tax Accountancy

1. Introduction:

Gross Total Income; Capital and Revenue Receipts; Methods of Accounting

2. Computation of Income under the head Salaries;

- (j) Meaning of salary
- (ii) Deductions under Section 16
- (iii) Valuation of Perquisites:
 - (a) Valuation of Rent free accommodations
 - (b) Valuation of Accommodation provided on concessional rates
 - (c) Valuation of Motor Car facilities provided by the employer
- (iv) Perquisites and Allowances exempted from taxation
- (v) Taxation of Gratuity and Terminal payments:
 - (a) Received by Government employees
 - (b) Received under the Payment of Gratuity Act, 1972.
 - (c) Compensations received under Industrial Disputes Act.

3. Computation of Income under the Head Income from House Property:

- (i) Determination of Annual Value
- (ii) Concessions for newly constructed properties
- (iii) Annual value of self occupied House Property.
- (iv) Deductions from income from House Property.

4. Computation of Income under the head Profits and Gains of Business or Profession:

- (i) General principles governing assessment of business income
- (ii) Basic principles governing admissibility of deductions under Sections 30 to 40 D
- (iii) Computation of some specific deductions:
 - (a) Rent, rates, taxes, repairs and insurance of building (S.30)
 - (b) Repairs and insurance of machinery, plant and furniture (S.31)
 - (c) Depreciation Allowance (S.32)

- (d) Rehabilitation Allowance
- (e) Expenditure on Scientific Research
- (f) Expenditure on acquisition of patent rights or copy rights.

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- (i) Computation of Long term and short term capital gains on transfer of capital assets.
- (ii) Exemptions from capital gains.

6. Computation of income under the head Income from other sources:

- (i) Receipts which are taxable under the head income from other sources
- (ii) Taxation of winning from lotteries, crossword puzzles, races, card games etc.
- (iii) Deductions under the head Income from other sources.

Group XII: Administration of Justice:

Paper I: Law Relating to Jurisdiction and Systems of Courts in India.

1. Administration of Justice in Madras, Bombay and Calcutta up to 1726.
2. Mayor's Court, 1726.
3. Adalat System and its Re-organization.
4. Supreme Court created under the Regulating Act, 1773.
5. High Courts created under the Indian High Courts Act, 1861.
6. Privy Council
4. Federal Court under the Govt. of India Act, 1935.
5. High Court and Supreme court under the Constitution of India.
6. Sub-ordinate Civil Judicature and Criminal Judicature.
7. Village Panchayat Courts
8. Revenue Courts
9. New Dispute Redressal Machinery: Lok-Adalats, Family Courts and Tribunals. e.g. CAT

Paper II: Law Relating to Procedure and Proof:

A. Civil:

1. Jurisdiction of Civil Courts and Place of Suing
2. Res Sub-judice, Res Judicata and Foreign Judgment
3. Suit – Institution of, Essentials of, Parties of; Representative Suit and Special Suits e.g. against Government, Minors lunatics and indigent
4. Pleadings – Complaint and Written Statement
5. Issue – Meaning, Framing, kinds and importance
6. Withdrawal and Compromise of Suits
7. Effect of Death, Marriage and Insolvency of Parties
8. Trial, Judgment, Decree and its execution
9. Appeal, Reference, Review and Revision
10. Inherent Powers of Courts

B. Criminal :

1. General principles relating to Fair Trial
2. Classes of Criminal Courts and Powers
3. Arrest, Search and seizure
4. Investigation by Police
5. Local Jurisdiction of Courts and cognizance
6. Bail
7. Withdrawal of Criminal Case
8. Charge and Trial
9. Appeal, Reference and Revision
10. Execution, Suspension, Remission and Commutation of Sentence

C. Proof:

1. Nature and Function of Law of Evidence
2. Relevancy of Facts and Admissibility
3. Proof and Burden of Proof

Paper III: Law Relating to Relief

1. Constitutional Relief: writs- Habeas, corpus, Mandamus, certiorari Prohibition and Quo-warranto.
2. Recovery of Possession- Movable and immovable property.
3. Specific Performance of Contract
4. Rescission of contract
5. Rectification & cancellation of Instruments
6. Declaration Decree
7. Preventive Relief- Injunctions
7. Damages: Types, Remoteness and Measure of Damages
8. Bar on Relief: General Law relating to limitation

GROUP XIII: Human Rights

Paper I: International Law of Human Rights

The course shall comprise of the following:

1. **International Concern:** Protection of Individual in International Law; League of Nations; War Crime Trials.
2. Human Rights and the United Nations Charter:
 - (a) Normative and Institutional Framework of the UN
 - (b) Role of the permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights
3. Universal Declaration on Human Rights:
 - (a) History of the Declaration
 - (b) Structure of the Declaration

- (c) Legal Significance
- 4. International Covenants: ICCPR and ICESCR
 - (a) Nature and Characteristic
 - (b) Optional Protocols
- 5. Regional Instruments
 - (a) European Convention on Human Rights
 - (b) American Convention on Human Rights
 - (c) African Charter on Human and People's Rights
 - (d) Asia and Human Rights

Paper II: International Humanitarian Law

The course shall comprise of the following:

1. **Introduction** : Nature, Basic Principles; Historical Development since 1899
2. Protection of Victim of War- Wounded, Sick; Shipwrecked; and Prisoners of War
3. Implementation of International Humanitarian Law
4. Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law.

OR

Paper II: Human Rights and the Refugees

The course shall comprise of the following:

1. **Introduction** : Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967.
2. Human Rights of the Refugees
3. Solution to Refugee Problem:
 - (a) Resettlement in Third Country
 - (b) Local Integration
 - (c) Voluntary or Forced Repatriation
 - (d) Comprehensive Responses
4. Contemporary Developments in Refugee Law
 - (a) International Burden Sharing
 - (b) International Safe Countries Burden
 - (c) Temporary Protection
 - (d) Environmental refugees
 - (e) Safety Zones
5. Internally Displaced Persons: UN Guiding Principles on Internal Displacement 1998.
6. Refugee Law and Policy in India.

Paper III: Human Rights in India

1. History and Development of Human Rights in Indian Constitution. Constitutional Philosophy. Preamble, Fundamental Rights- General.

2. Right to Equality: Gender Justice and Empowerment of Women. Special provisions for Weaker Sections of society Reservation Policy under the Constitution.
3. Freedom of Speech and Expression. Freedom of Press. Limitations, Right to Information.
4. Right to Life and Personal Liberty. New Dimension. Judicial approach.
5. Right to Freedom of Religion. Secularism. Protection to Minorities under the Constitution.
6. Implementation and Enforcement Mechanism of Human Rights in India. Remedies provided by the Judiciary and National Human Rights Commission.
7. Fundamental Duties. Article 51-A of the Constitution concept and need of Fundamental Duties. Enforcement and Effectuation of Fundamental Duties.
8. Emerging regime of new human rights in India. Taking guidance from Directive Principles of State Policy and Fundamental Duties. New Approach.

Group XIV: Environmental Law

Paper I International Environmental Law

1. Basic features of International Environmental Law and its evolution.
2. The landmarks in International Environmental Law- a Journey from Stockholm to Johannesburg
3. Important conventions concerning Protection and Conservation of Environment: Vienna Convention and Protocol on the Depletion of Ozone Layer, Convention and Protocol on Climate Change, Chemical Weapons convention, Basel Convention, , and Regulation of Hazardous Waste Convention on Biological Diversity
4. Regulation of Transboundary pollution with special reference to Industrial Accidents and Air Pollution.
5. Impact of International Environmental Law on Indian Law with special reference to Principles of Environmental Protection.

Paper II: Natural Resource and the Law in India

1. Protection of Wild Life- with special reference to authorities, sanction and remedies under Wild Life (Protection) Act, 1972.
2. Protection and conservation of Forest- with special reference to Authorities, sanctions and remedies under Forest Act, 1927 and Forest Conservation Act, 1980.
3. Conservation of Fresh water and Ground water. Coastal Zone Management under the Environment (Protection) Act, 1986 and other relevant Statutes.
4. Protection and Conservation of Biodiversity with special reference to Biodiversity Act 2002.
5. The scope and Limit of PIL to protect the natural resources- (Special emphasis shall be placed on directions issued by the Supreme Court of India from time to time).

Paper III: Pollution Control Laws in India

1. Constitutional Mandate and Environment with special reference to Article 32 and 226. (emphasis shall be given on use of PIL as a tool to provide environmental justice)
2. Comparative Study of Water Act, 1974, the Air Act, 1981 and the Environment (Protection) Act, 1986 with special reference to authorities mechanism and sanctions

3. Efficacy of Remedies – Section 133 Criminal Procedure Code, Public Liability Insurance Act, 1991, National Environmental Tribunal Act, 1995, National Environment Appellate Authority Act, 1997, Citizens’ Suit provisions, remedies under Civil Procedure Code, 1908.
4. Specific Environmental Problems and Legal Responses- special emphasis shall be placed on rules and notification framed under the Environment (Protection) Act, 1986. (Rules and Notifications shall be prescribed each year)
5. Environment Impact Assessment and People’s Participation, EIA and Public Hearing under the Environment Protection Act, 1986.

Group XV: Intellectual Property

Paper I. Copy Right: National and International Perspective

1. Aims, Objectives and Range of Copy Right
2. Works in which Copy Right Subsists
3. Infringement of Copy Right
4. Property Rights and Exploitation
5. Copy Right: particular cases
6. Statutory Laws in India
7. International Conventions.

Paper 2. Trade Marks, Design and Geographical Indications

1. Underlying Themes
2. Historical Development
3. The purpose of protection
4. Common Law Liability
5. Registration, its procedure, its implications
6. Statutory Laws in India
7. International Conventions

Paper 3. Patents and Protection of Plant Varieties and Farmers’ Rights

1. Growth and Purpose
2. Grant and Content
3. Validity
4. Scope of Monopoly
5. Property Rights and Exploitation
6. Statutory Laws in India
7. International Conventions

Group XVI: Law Science and Technology

Paper I: Law, Technology Biotechnology and Medicine

1. Interface of science and technology with law, Frontiers of New Technologies
2. Science, Technology and Human Rights.

3. Legal aspects of Medicine and Medical Technology
 - (a) Organ Transplantation
 - (b) Medical Termination of Pregnancy.
 - (c) Surrogate motherhood
 - (d) Euthanasia
 - (e) Sex- determination Techniques.

4. Law and Biotechnology

Bio- technology and Human Health

1. Genetic Markers: Diagnostic biotechnology
2. Conquest of disease
3. Genetic screening: Prevention of genetic disease and mental retardation
4. Genetic screening: Uses and abuses of amniocentesis
5. Cloning of human beings.
6. Obsolescence and resilience of law.

Legal Regulation of Biotechnology

1. Regulation of government sponsored research
2. Regulation of Private R & D
3. Regulation of deliberate release of genetically mutated micro-organisms
4. Regulation of accidental release of genetically mutated micro-organisms
5. Comparative perspective
6. U.S.A.

5. Law and Medicine

Paper II : Information Technology and Legal Order

The Course shall comprise with the following:

1. Introductory:
 1. Interface between laws information technology
 2. Printing, Radio & Television.
 3. Remote Sensing
 4. Growth of Computer Science and Television.
2. Artificial intelligence and Human Resources
3. The Law: Intellectual Property
 1. Law relating to protection of computer software
 2. Information Technology Act.
 3. Law Relating to patenting of hardware
 4. Regulation of Transfer of computer technology (Unfair Means, Restrictive Trade Practices)

5. Computer Systems and Liability Issues
6. Computer fraud
7. Computer non-feasance and liability for damages
8. Computer Systems and Renovation of Legal Order

Paper III- Nuclear Technology: Dilemmas of Legal Controls.

The course shall comprise with the following:

1. Introduction
 1. Nuclear Fission/Fusion.
 2. Radioactivity
 3. Fission product and half-life measure
 4. “Thermal” and “Fast” reactors
 5. Heavy-water reactors.
 6. Nuclear fuel
1. Development in Civilian Uses of Nuclear Energy
 1. “Atoms for Peace” and International Atomic Energy Commission (IAEA)
 2. The European Atomic Energy Community (EUROTAM)
 3. Development of nuclear industry at a global level.
2. India’s Atomic Energy Programme
 1. India’s overall energy needs and planning
 2. India’s Nuclear Energy Programme
 3. The Atomic Energy Commission Act
 4. Technology transfer and India’s nuclear programme
3. Hazard Aspects of Nuclear Power
 1. Plant Location: Problems of Sites
 2. Uranium mining associated hazards
 3. Accidents Potential: e.g. fuel failure recirculation pump failures, control valve leaks, failure of shut-down device, metal failure, of electronic monitoring and control systems.
 4. Containment facilities
 5. Occupational hazards for workers at research institutes and nuclear plants
4. The Regime of legal liability including:
 1. Right to information as to levels of radioactivity
 2. Right to compensation
 3. Right to meaningful “rehabilitation”
5. **Other Associated Hazards and Other Management**
 1. The nature and magnitude of nuclear wastes

2. Reprocessing
3. Entombment
4. Low level wastes and High Level Wastes
5. Reprocessing of wastes
6. Vitrification
7. Dumping

6. Legal Aspects

1. Secrecy
2. Minimum public participation
3. Right to information
4. Regimes of liability for mass disasters and personal injuries
5. Environmental: Law regulation of the hazardous aspects of nuclear energy production.

Group XVII: Jurisprudence

Paper I. Theories of Law (including Feminist Theory)

The course shall comprise of the following:

1. Definition, nature and scope of legal Theory Importance of the study of legal theory.
2. Analytical positivism- Austin: Kelsen and Hart
3. Savigny's Theory of Volk-geist, and Maine's Theory of status to contract
4. National Law theory
5. Philosophical theory- Kant and Hegel
6. A Theory of social engineering
7. American Realism
8. Relationship between law and morality
9. Feminist theories- liberal, socialist and Radical feminism.
10. Marxian theory of law.

Paper II: Theories of Justice

The course shall comprise of the following:

1. The concept of justice: Meaning, Nature and varieties of justice- views of Marx, Austin, Kelsen, Allen and Karl Renner
2. The basis of justice: The liberal Contractual tradition, the liberal utilitarian tradition- the liberal moral tradition, the socialist tradition.
3. Relation between law and justice:
 - (a) Equivalence theories
 - (b) Dependency theories
 - (c) The Independence on Justice theories

Paper III Theories of Rights

The course shall comprise of the following:

1. Classification and categorization of Rights types of rights, correlation of rights with duties
2. History of legal discourse on rights
3. Nature of rights: views of Dworkin, David Lyons, Robert Nozick, Allen Buchnon. Concepts of natural and absolute rights.
4. Structure of rights; correlation of rights with other legal concept, generation of rights.
5. The basis of rights.

Group XVIII: New Economic Law: W.T.O. in Context

Paper I Development and Regulation of International Trade

1. W.T.O. Its Birth and Background
2. W.T.O. The Structural Dimension
3. W.T.O. Dispute Settlement Mechanisms
4. Legal Frame Work of GATT 1994.
5. W.T.O. Agreement on Agriculture
6. W.T.O. Agreement on Textile and Clothing
7. Agreement on Sanitary and Phyto sanitary Measures.
8. Agreement on Technical Barriers to Trade
7. TRIPS Agreement
8. General Agreement on Trade in Service

Paper II: Legal Regulation of Economic Enterprises

The course shall comprise with the following:

1. The Rationale of Government Regulation.

1. Constitutional Perspectives
2. The new economic policy- Industrial policy resolutions, declarations and statements
3. The place of public, small scale, cooperative, corporate, private and joint sectors in the changing context.
4. Regulation of economic activities
5. Disclosure of information
6. Fairness in competition
7. Emphasis on consumerism

2. Development and Regulation of Industries

3. Take-over of Management and Control of Industrial Units

4. Sic Undertakings: Nationalisation or Winding Up?

5. Licensing Policy and Legal Process- Growing Trends of Liberalization

6. Deregulation of essential commodities: developmental sign or a social mishap ?

7. Financial Services: Changing Techniques of Regulation.

8. Critical Issues Regarding the Capital Issues

1. Equity and debt finance
2. Global depositories
3. De-materialised securities

9. Problems of Control and Accountability: Regulation of Hazardous Activity.

1. Mass disaster and environmental degradation: legal liability and legal remedies.
2. Public Liability Insurance: adequacy
3. Issues in zoning and location of industrial units.

10. Special Aspects of Legal Regulation of Select Public Enterprises

One or two Authorities shall be prescribed each year from the following:

1. Telecom Regulatory Authority
2. Insurance Regulatory Authority
3. Broadcasting Regulatory Authority

11. Legal Regulation of Multinationals

1. Collaboration agreements for technology transfer
2. Development and regulation of foreign investments
3. Investment in India: FDIs and NRIs
4. Investment abroad

Paper III : Legal Regulations of International Trade

1. W.T.O. Competition Policy
2. W.T.O. and Labour Standards
3. Trade and Environment Issues in the WTO
4. WTO Trade and Investment
5. Agreement on Import-Licensing Proceeding
6. Agreement on Pre-shipment Inspection
7. Developing Countries in the GATT/WTO

Group XIX: Alternate Dispute Resolution System

Paper I: Domestic and International Commercial Arbitration.

- (i) Existing Justice Delivery System in India- Effectiveness and Menances
- (ii) Reform in the Legal System for Achieving Effective and Speedy Resolution of Dispute.
- (iii) Historical Background of the Arbitration Arbitration Agreement
- (iv) Composition & Jurisdiction of Arbitral Tribunal
- (v) Conduct of Arbitral Proceedings
- (vi) Making of Arbitral Award and Termination of Proceedings

- (vii) Recourse Against Arbitral Award.
- (viii) Finality & Enforceability of Arbitral Award.
- (ix) Appealable Orders & Miscellaneous provisions.

Paper II: Enforcement of Foreign Award and Conciliation in India.

- (i) Enforcement of Foreign Award under New York Convention Award.
- (ii) Enforcement of Foreign Award under Geneva Convention Award.
- (iii) Meaning of Conciliation Commencement of Conciliation Proceedings and appointment of Conciliator.
- (iv) Statements to Conciliation(s)
- (v) Role of Conciliator(s)
- (vi) Conduct of Conciliation Proceeding
- (vii) Settlement agreement & its Status and Effect.
- (viii) Protection for conciliation Proceeding
- (ix) Public Interest Litigation.
 - (a) Liberalization of Locus Standi Doctrine
 - (b) Dilution of Ubi Jus Ibi Remidium Doctrine

Paper III: Mediation, Lok Adalats and Consumer Forums etc.

- (i) Various Modes and Processes of Alternative Dispute Resolution System.
- (ii) Meaning of Mediation- Distinction between Arbitration, Conciliation and Mediation and negotiation. Interest Based Versus Right Based Mediation.
- (iii) Conduct of Mediation Proceeding
 - (a) Opening Statement of Mediator
 - (b) Opening Statement of Party.
 - (iv) Mediation Agreement or Termination of Mediation Proceeding.
 - (v) Common Error of Mediation Advocacy.
 - (vi) Lok Adalats: Temporary and Permanent.
 - (a) Constitution, Jurisdiction, Powers
 - (b) Procedure Remedy Provided.
- (vii) Consumer Forums under the Consumer Protection Act.
 - (a) Constitution, Jurisdiction, Power and Procedure.
 - (b) Remedy Provided.
- (viii) Administrative Tribunals.