



**UNIVERSITY OF RAJASTHAN
JAIPUR**

SYLLABUS


MASTER OF LAW (LL.M.)

(SEMESTER SCHEME)

I & II SEMESTER 2015-2016

III & IV SEMESTER 2016-2017

Proposed by


Asstt. Registrar (Acad-D)
University of Rajasthan
JAIPUR

Eligibility: A candidate who has passed the Bachelor of Laws (three years or 5 years B.A., LL.B. or 5 years B.A., LL.B. (Hons.) degree examination of the University or an examination of some other University recognized by the Syndicate as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds the degree of Bachelor of Laws (three years or 5 years B.A., LL.B. or 5 years B.A., LL.B. (Hons.) or has also passed any of the Diploma courses of this University in the Faculty of Law with 55% marks in the aggregate at the Diploma Examination shall be eligible for admission to LL.M.-I Semester Examination.

2. Scheme of Examination:

- (1) Each theory paper at EoSE shall carry 100 marks. The EoSE will be of 3 hours duration. Part 'A' of theory paper shall contain 10 Short Answer Questions of 20 marks in one or two sentences each, based on knowledge, understanding and applications of the topics/tests covered in the syllabus. Each question will carry two marks for correct answer.
- (2) Part 'B' of paper will consist of Four questions with internal choice (except in cases where a different scheme is specifically specified in the syllabus) of 20 marks each. The limit of answer will be five page.
- (3) Each EoSE will involve viva-voce on recent legal developments in respective subject and dissertation with presentation thereon.

3. Course Structure:

The details of the courses with code, title and the credits assign are as given below.

Abbreviations Used

Course Category

CCC: Compulsory Core Course

ECC: Elective Core Course

OEC: Open Elective Course

SC: Supportive Course

SSC: Self Study Core Course

SEM: Seminar

PRJ: Project Work

RP: Research Publication

Contact Hours

L: Lecture

T: Tutorial

P: Practical or Other

S: Self Study

Relative Weights

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IA: Internal Assessment (Attendance/Classroom Participation/Quiz/Home Assignment etc.)

ST: Sessional Test

EoSE: End of Semester Examination

FIRST SEMESTER (LL.M.)

| S.No. | Sub. Code | Course Title | Course Category | Credit | Contact Hours Per Week | | | EOSE Duration Hrs. | |
|-------|-----------|------------------------------------|-----------------|--------|------------------------|---|---|--------------------|---|
| | | | | | L | T | P | Thy. | P |
| 1. | LL.M. 101 | Legal Theory I | CCC | 8 | 6 | 2 | | 3 | |
| 2. | LLM 102 | Legislation Principle I | CCC | 8 | 6 | 2 | | 3 | |
| 3. | LLM 103 | Legal Research Methodology- I | CCC | 8 | 6 | 2 | | 3 | |
| 4. | LLM 104 | Constitutional Law of India -I | CCC | 8 | 6 | 2 | | 3 | |
| 5. | LLM 111 | Recent Legal Development and Cases | CCC | 4 | | | 6 | | 4 |

SECOND SEMESTER (LL.M.)

| S.No. | Sub. Code | Course Title | Course Category | Credit | Contact Hours Per Week | | | EOSE Duration Hrs. | |
|-------|-----------|---|-----------------|--------|------------------------|---|---|--------------------|---|
| | | | | | L | T | P | Thy. | P |
| 1. | LL.M. 201 | Legal Theory II | CCC | 8 | 6 | 2 | | 3 | |
| 2. | LLM 202 | Legislation Methods and Interpretation-II | CCC | 8 | 6 | 2 | | 3 | |
| 3. | LLM 203 | Legal Research Methodology II | CCC | 8 | 6 | 2 | | 3 | |
| 4. | LLM 204 | Constitutional Law of Law II | CCC | 8 | 6 | 2 | | 3 | |
| 5. | LLM 211 | Recent Legal Development and Cases - II | CCC | 4 | | | 6 | | 4 |

ELECTIVE PAPERS

| S.No. | Sub. Code | Course Title | Course Category | Credit | Contact Hours Per Week | | | EOSE Duration Hrs. | |
|-------|-----------|-----------------|-----------------|--------|------------------------|---|---|--------------------|---|
| | | | | | L | T | P | Thy. | P |
| 1. | | Core Elective 1 | ECC | 8 | 6 | 2 | | 3 | |
| 2. | | Core Elective 2 | ECC | 8 | 6 | 2 | | 3 | |
| 3. | | Core Elective 3 | ECC | 8 | 6 | 2 | | 3 | |

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|----|------------|-----------------|-----|----|---|---|----|---|---|
| 4. | | Core Elective 4 | ECC | 8 | 6 | 2 | | 3 | |
| 5. | | Core Elective 5 | ECC | 4 | | | 6 | | 4 |
| 6. | | Core Elective 6 | ECC | 8 | 6 | 2 | | 3 | |
| 7. | | Core Elective 7 | ECC | 8 | 6 | 2 | | 3 | |
| 8. | | Core Elective 8 | ECC | 8 | 6 | 2 | | 3 | |
| 9. | | Core Elective 9 | ECC | 8 | 6 | 2 | | 3 | |
| 10 | LLM 421 | Dissertation | PRJ | 12 | | | 18 | | 1 |

Specialization Clusters

- A. CONTRACT, BUSINESS & CORPORATE LAW (CBC) /
- B. TORT & CRIME (TC)
- C. PERSONAL LAW (PL)
- D. CONSTITUTIONAL LAWS (CL)
- E. INTERNATIONAL LAW (IL)
- F. LABOUR LAW (LL)

| Elective Course Code | Specialization | Paper Title | Prerequisite | Semester |
|----------------------|----------------|---|--------------|----------|
| LLM A 01 | CBC | General Principles of Contract-I | | III |
| LLM A 02 | CBC | Special Contracts I | | III |
| LLM A 03 | CBC | Corporate Law I | | III |
| LLM A 04 | CBC | Law Relating to Negotiable Instrument Act | | III |
| LLM A 05 | CBC | Recent Legal Development in Contract, Business & Corporate Law | | III |
| LLM A 06 | CBC | General Principle of Contract-II | | IV |
| LLM A 07 | CBC | Special Contract II | | IV |
| LLM A 08 | CBC | Corporate Law II | | IV |
| LLM A 09 | CBC | Law Relating to Bankruptcy | | IV |
| LLM BO 1 | TC | General Principles of Torts | | III |
| LLM BO 2 | TC | General Principles of Crimes and Offences relating to State and Public tranquillity, morality | | III |
| LLM BO 3 | TC | Comparative Criminal Procedure | | III |
| LLM BO 4 | TC | Law Relating to Rehabilitation and Treatment of Offenders (I) | | III |
| LLM BO 5 | TC | Recent Legal Development in Tort & Crime | | III |
| LLM BO 6 | TC | Specific Wrongs | | IV |

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I
 Dissertation
 SA Paper

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|---------|----|---|-------------------|
| LLM BO7 | TC | I law Relating to Specific offences under the Indian Penal Code | IV |
| LLM BO8 | TC | Law Relating to Rehabilitation and Treatment of Offenders (II) | IV |
| LLM BO9 | TC | Law Relating to Special Penal Legislations Relating to Women | IV |
| LLM CO1 | PL | Hindu Jurisprudence and Law Relating to Joint Family | III |
| LLM CO2 | PL | Gender Justice Hindu Law Relating to Adoption and Maintenance | III |
| LLM CO3 | PL | Muslim Jurisprudence and Matrimonial Laws | III |
| LLM CO4 | PL | Personal Laws relating to Indian Christian, | III |
| LLM CO5 | PL | Recent Legal Developments in personal Law | III |
| LLM CO6 | PL | Un-Codified and Codified Hindu Law relating to Marriage | IV |
| LLM CO7 | PL | Hindu Law relating to Minority, Guardianship and Succession | IV |
| LLM CO8 | PL | Muslim Law relating to Property | IV |
| LLM CO9 | PL | Laws relating to Civil Marriages, Foreign Marriages and will. | IV |
| LLM DO1 | CL | Constitution, constitutional law and Rule of Law | III |
| LLM DO2 | CL | Administrative Law Basic Principles and Applications | III |
| LLM DO3 | CL | Constitutional Law of USA | III |
| LLM DO4 | CL | Law and Social Transformation | III |
| LLM DO5 | CL | Recent Development in Constitutional Law | III |
| LLM DO6 | CL | Constitution, constitutional Law and Rule of Law | III IV |
| LLM DO7 | CL | Administrative Law Basic principles and Applications | IV |
| LLM DO8 | CL | Constitutional Law of England | IV |
| LLM DO9 | CL | Law and Social Transformation | IV |
| LLM EO1 | IL | Protection of Human Rights under International | III |
| LLM EO2 | IL | Public International Law I | III |
| LLM EO3 | IL | Private International Law I | III |
| LLM EO4 | IL | International Organization I | III |
| LLM EO5 | IL | Recent Legal Developments in International Law | III |
| LLM | IL | International Humanitarian Law | |

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|-------------|----|--|--|-----|
| EO 6 | | | | IV |
| LLM EO 7 | IL | Public International Law II | | IV |
| LLM EO 8 | IL | Private International Law II | | IV |
| LLM EO 9 | IL | International Organization II | | IV |
| LLM FO 1 | LL | Labour Law and Labour Management in India and Industrial Adjudication Part I | | III |
| LLM FO 2 | LL | Comparative Labour Law and Labour Management I | | III |
| LLM FO 3 | LL | Legislation and Practice Relating to Social Security, Labour Welfare and Wages | | III |
| LLM FO 4 | LL | International Labour Organization, Central Organization of Trade Unions : Indian Tripartite System | | III |
| LLM FO 5 | LL | Recent Legal Developments in Labour Law | | III |
| LLM FO 6 | LL | Labour Law & Labour Management in India and Industrial Adjudication Part II | | IV |
| LLM FO 7 | LL | Comparative Labour Law and Labour Management II | | IV |
| LLM FO 8 | LL | Legislation and Practice Relating to Social Security, Labour Welfare and Wages II | | IV |
| LLM FO 9 | LL | International Labour Organisation, Central Organisation of Trade Unions: Indian Tripartite System | | IV |

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LLM 101-Legal Theory -I


Nature, Sources and Schools

Suggested Readings:

1. Holmes : The Common Law
2. Austin : Lecture on Jurisprudence
3. Allen : Law in the Making
4. Holland : Jurisprudence
5. Salmond : Jurisprudence
6. Paton : A Text Book of Jurisprudence
7. Julius Stone : The Province & Function of Law
8. Pound : An Introduction to the Philosophy of Law
9. Goodhart : Modern Theories of Law
10. Vinegradoff : Common sense in Law
11. Jethre Brown : The Austinain Theory of Law
12. Goodhart : English Law and the Moral Law
13. Friendmann : Legal Theory
14. Jaipur Law Journal from Volume I to Latest-Articles concerning Jurisprudence
15. Henry Maine : Ancient Law
16. Dias : Jurisprudence
17. Dhyani, S.N. : law, Morality and Justice Indian Development
18. Lon Fuller : Morality of Law
19. Hart HLA : The Concept of Law, 1961
20. Bodinheimer E Jurisprudence, 1962
21. Julious Stone : Human Law and Human Justice
22. Julious Stone : Social Dimensions of Law and Justice
23. Julious Stone : Legal System and Lawers Reasoning
24. Llyod : Introduction to Jurisprudence
25. John Rawls : Theory of Justice
26. Finch : Introduction to Legal Theory
27. Dworkin : Taking Rights seriously

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LLM 102- Legislation-Principles -I

Suggested Readings:

1. Bentham : Theory of Legislation
2. Jethrow Brown : Underlying Principles of Modern legislation
3. Dicey : Law and Public Opinion in England
4. Illbert : Legislative methods and Forms
5. Illbert : Mechanism of Law making
6. Ginsberg : Law and Public Opinion in England in the 20th Century

LLM 103-Legal Research Methodology- I

Part I General

- i. Nature and Scope of Legal Research
- ii. Formulation of research problem
- iii. Survey and legal research
- iv. Research design : Facts and hypothesis, problem of objective

II Methodology

- i. Methodological orientation and logic of enquiry
- ii. Dialectic materialism
- iii. Comparative Methods
- iv. Historical method
- v. Analytical method
- vi. Field work
- vii. Inductive and deductive methods
- viii. Other research methods.

Suggested Readings:

1. S.K. Agarwal, Legal Education in India (1973)
2. N.P. Madhava Menon, A hand book of clinical legal education
3. M.O. Price, Elective legal research
4. Pauline V.Y., Scientific social survey and research
5. Payne, The art of asking questions
6. Erwin C. Surrency, A guide to legal research
7. Morris L. Cohan., Legal research in nutshell
8. ILI Publication, Legal research and methodology
9. R.M. Deepak Kumar, Social Research Methodology
10. Jaya Prakash, Research Methodology
11. H.N. Tiwari, Legal Research methodology
12. C.R. Kothari Research Methodology, Methods and Techniques

LLM- 104- Constitutional Law of India: New Challenges -I

The Constitution of India is an organic, developing and changing system established over five decades ago. Through the years it has been in force the constitutional law enacted through the Constitution has shown adaptability to the changing new social order and the institutions of national life. The processes of judicial interpretation precedents, amendment, conventions, political change have interacted to provide necessary catalysts for growth of the constitutional jurisprudence. The paper encourages the post graduate student to study, analyze and articulate the essential features and principles, rules of the basic frame work of the constitutional system.

I. Basic Framework : Essential features:

1. Kesavananda Bharati v. State of Kerala, A.I.R. 1973 S.C.146 : (1973) 4 S.C.S. 225

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2. Indira Gandhi V. Raj Narain, A.I.R. 1975 S.C. 2299

II. Quasi Federalism :

1. State of Rajasthan v. Union of India, A.I.R. 1977 S.C. 1361
2. State of Karnataka v. Union of India A.I.R. 1978 S.C. 58
3. M. Karunanidhi v. Union of India, A.I.R. 1979 S.C. 898

III. Fundamental Rights, Duties and Directive Principles:

1. I.C. Goak Nath v. State of Punjab, A.I.R. 1967, S.C. 1643
2. Kesavanand Bharti v. State of Kerala, A.I.R. 1973, S.C. 1461
3. R.C. Cooper v. Union of India, A.I.R. 1970, S.C. 564

Equality

1. Indira Gandhi v. Raj Narain, A.I.R. 1975 S.C. 2299
2. In-re-Reference Special Bill, A.I.R., 1979, S.C. 585
3. R.K. Dalmia v. Justice Tendokkar, A.I.R. 1958, S.C. 538
4. Budhan Chaudhary v. State of Bihar, A.I.R. 1955, S.C. 191
5. Lachmandas Kawlaram v. State of Bombay, A.I.R. 1952 S.C. 235
6. D.N. Chanchala v. State of Mysore, A.I.R. 1971 S.C. 1762
7. M.R. Balaji v. State of Mysore, A.I.R. 1963 S.C. 649
8. M. Thomasa v. State of Kerala, A.I.R. 1976 S.C. 490

Freedom of Speech, Expression (Press)

1. Bennet Coleman v. Union of India A.I.R. 1973 S.C. 186
2. K.A. Abbuse v. Union of India A.I.R., S.C. 481
3. E.M.S. Namboodripad v. T.N. Nembiar. A.I.R. 1971 S.C. 2115

Personal Liberty :

1. Maneka Gandhi v. Union of India A.I.R. 1978 S.C. 597
2. Bhut Nath v. W.B., A.I.R. 1974 S.C. 806
3. S.N. Sarkar v. W.B., A.I.R., 1973 S.C. 1425
4. Fagu Shah v. W.B., A.I.R. 1974 S.C. 613
5. Sunil Batra v. Delhi Administration, A.I.R. 1978 S.C. 1675

Religious Freedom :

1. Commr. Of Hindu Religious Endowment D.L.T. Swamiar, A.I.R. S.C. 282
2. Durgah Committee v. Syed Hussain Ali, A.I.R., 1961 S.C. 1402
3. Syodna Tahee Saifuddin v. State of Bombay, A.I.R. 1962, S.C. 853
4. Yulitha Myde v. State of Orissa, A.I.R. 1973 Orissa 116

Minority Rights : Cultural & Educational

1. Bombay v. Bombay Education Society, A.I.R. 1954 S.C. 561
2. Pradeep Jain v. Union of India, A.I.R. 1984 S.C. 1420
3. Azeez Basha v. Union of India, A.I.R. 1968 S.C. 662
4. St. Xavier's College v. State of Gujarat, A.I.R., 1974, S.C. 1389

Property :

Article 300a

Suggested Readings:

1. H.M. Seervai : Constitutional Law of India (2nd Edition 1975) N.M. Tripathi Ltd.
2. Jain M.P. : Constitutinal Law, N.M. Tripathi Ltd.
3. Kagzi, M.C.J. : The Constitution of India, Metropolitan Book Co.
4. Jagzi, M.C.J. : Segregation and Untouchability Abolition, Metropolitan Book Co.
5. Shukla, V.N. : Commentaries on the Constitution of India (Ed. D.K. Singh 1972) Eastern Book Co.

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6. D.D. Basu : Commentaries on the Constitution of India
7. Kagzi M.C.J. Kesavananda's Case
8. Basu : Shorter Constitution of India
9. Ville Austin : Indian Constitution
10. Ville Austin : Cornerstone of a Nation
11. Anville Willams : Working a Democratic Constitution-The Indian Experience

LLM- 111- Recent Legal Development and Cases -I

LLM 201- Legal Theory II

Concept of Law

Suggested Readings:

1. Holmes : The Common Law
2. Austin : Lecture on Jurisprudence
3. Allen : Law in the Making
4. Holland : Jurisprudence
5. Salmond : Jurisprudence
6. Paton : A Text Book of Jurisprudence
7. Julius Stone . The Province & Function of Law
8. Pound : An Introduction to the Philosophy of Law
9. Goodhart : Modern Theories of Law
10. Vinegradoff : Common sense in Law
11. Jethre Brown : The Austinain Theory of Law
12. Goodhart : English Law and the Moral Law
13. Friendmann : Legal Theory
14. Jaipur Law Journal from Volume I to Latest-Articles concerning Jurisprudence
15. Henry Maine : Ancient Law
16. Dias : Jurisprudence
17. Dhyani, S.N. : law, Morality and Justice Indian Development
18. Lon Fuller : Morality of Law
19. Hart HLA : The Concept of Law, 1961
20. Bodinheimer E Jurisprudence, 1962
21. Julious Stone : Human Law and Human Justice
22. Julious Stone : Social Dimensions of Law and Justice
23. Julious Stone : Legal System and Lawers Reasoning
24. Llyod : Introduction to Jurisprudence
25. John Rawls : Theory of Justice
26. Finch : Introduction to Legal Theory
27. Dworkin : Taking Rights seriously

LLM -202-Legislative Methods and interpretation-II

Suggested Readings

1. Maxwell : The interpretation of Statutes
2. Beal : Rules of Interpretation
3. Odges : Interpretation of Statutes
4. Narasimhan : Interpretation of States in British, India
5. Wigmore : Panorama of World Legal System
6. Eraskine May : Parliamentary Practice

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7. Prof. T. Bhattacharya : Interpretation of Statutes
8. Kaul & Shakdhar : Practice and Procedure of Parliament
9. Subhash Kashyap : Parliamentary Procedure-Law, Privileges, Practice and Precedents
10. Caries : Statute Law
11. G.P. Singh : Principles of Statutory interpretation
12. Bindra, N.S. : Interpretation of Statutes
13. Swaroop Jagdish : Legislation and Interpretation

LLM 203-Legal Research Methodology-II

Part I Techniques of Data Collection

- i. Types
- ii. Sources
- iii. Techniques of data collection observation, interview, questionnaire interview schedule
- iv. Case study method
- v. Content analysis
- vi. Data analysis : Classification, tabulation, graphic representation

Part II

- i. Analysis of data-Processing of data-classification of data
- ii. Interpretation of data-Necessity of interpretation-Methods of interpretation
- iii. Research report-Legal thesis writing-Steps in thesis writing-Layout of thesis-chapter arrangement.

Suggested Readings:

1. S.K. Agarwal, Legal Education in India (1973)
2. N.P. Madhava Menon, A hand book of clinical legal education
3. M.O. Price, Elective legal research
4. Pauline V.Y., Scientific social survey and research
5. Payne, The art of asking questions
6. Erwin C. Surrency, A guide to legal research
7. Morris L. Cohan., Legal research in nutshell
8. ILI Publication, Legal research and methodology
9. R.M. Deepak Kumar, Social Research Methodology
10. Jaya Prakash, Research Methodology
11. H.N. Tiwari, Legal Research methodology
12. C.R. Kothari Research Methodology, Methods and Techniques

LLM 204-Constitutional Law of India: New Challenges -II

I. Union/State Constitution

In re-The Gujarat Legislative Assembly, A.I.R. (1974) 2 S.C. 33

1. The President and the Council Minister :

- i. S.K. Singh v. V.V. Giri, A.I.R., 1970 S.C. 2097
- ii. U.N. Rao v. Indira Gandhi, A.I.R. 1971 S.C. 1002
- iii. Shamsher Singh v. State of Punjab, A.I.R. 1974 S.C. 2192
- iv. Mahabir Prasad v. P.C. Ghose A.I.R. 1969 Cal. 198

2. Parliament

- i. In re-Reference, (UP Assembly, Allahabad, H.C.) A.I.R. 1965 S.C. 745
- ii. M.S.M. Sharma v. Sri Krishan A.I.R. 1959 S.C. 1574
- iii. T.K. Jain v. S. Reedy etc. A.I.R. 1970 S.C. 1574
- iv. In re-Delhi Laws Act, A.I.R. 1951,332

3. The Judiciary, Supreme Court :

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- i. Union of India v. Jyoti Prakash, A.I.R. 1971 S.C. 1093
 - ii. ART 131 State of Bihar v. Union of India, A.I.R. 1970, S.C. 1446
 - iii. ART 132-State of Kerala v. Union of India, A.I.R. 1978 S.C. 54
 - iv. ART 134- Tarachand Pemu v. State of Maharashtra, A.I.R. 1962 S.C. 130
 - v. 136- Dhakeshwari Cotton Mills Ltd. v. C.I.T. A.I.R. 1965 S.C. 65
 - vi. Pritam Singh v. State of Punjab, A.I.R. 1960 S.C. 160
 - vii. Mangal Das v. State of Maharaashtra, A.I.R. 1966 S.C. 2156
 - viii. Reghubir Singh v. State of U.P. A.I.R., 1971, S.C. 2156
4. **Inter-state Trade, Commerce :**
 - i. Automobile Transport Rajasthan Ltd. v. State of Rajasthan, A.I.R., 1962 S.C. 1406
 - ii. Ariabari Tea Co. Ltd. v. State of Assam, A.I.R. S.C. 232
 5. **Emergency :**
 - i. Rao Birendraa Singh v. Union of India, A.I.R. 1958, P & H 441
 - ii. State of Rajasthan v. Union of India, A.I.R. 1977 S.C. 1361
 - iii. Makhan Singh v. State of Punjab, A.I.R. 1964 S.C. 381
 - iv. A.D.M. Jabalpur v. State of M.P., A.I.R. 1976 S.C. 1207
 6. **Creation of New States, Democratic Process:**
 - i. Nexus of Politics with criminals and business
 - ii. Electoral reforms
 - iii. Coalition Government, Stability, Durability, Corrupt practices
 - iv. Grass-root democracy
 7. **Constitutional Power : Amèndments**

Suggested Readings:

1. H.M. Seervai : Constitutional Law of India (2nd Edition 1975) N.M. Tripathi Ltd.
2. Jain M.P. : Constitutinal Law, N.M. Tripathi Ltd.
3. Kagzi, M.C.J. : The Constitution of India, Metropolitan Book Co.
4. Jagzi, M.C.J: Segregation and Untouchability Abolition, Metropolitan Book Co.
5. Shukla, V.N. : Commentaries on the Constitution of India (Ed. D.K. Singh 1972) Eastern Book Co.
6. D.D. Basu : Commentaries on the Constitution of India
7. Kagzi M.C.J. Kesavananda's Case
8. Basu : Shorter Constitution of India
9. Ville Austin : Indian Constitution
10. Ville Austin : Cornerstone of a Nation
11. Anville Willams : Working a Democratic Constitution-The Indian Experience

5.

LLM 211-Recent Legal Development and Cases -II

LLM A01- General Principles of Contract-I

Section 1 to 36 - Indian Contract Act, 1872

Suggested Readings:

1. Leak : Contract
2. Pollock: Indian Contract and Specific Rèlief Acts
3. Salmond : Principles of the Law and Contract
4. Anson : Law of Contract
5. Odgers : Introduction to the Law of Contract
6. Street : Introduction to the Law of Contract

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7. Pollock & Mulla: Indian Contract and Specific Relief Acts
8. Treitel-Law of Contracts
9. Slesenchengar : Formation of Contract
10. Venkata Iyer – Law of Contract
11. Avtar Singh – Law of Contract

LLM A02-Special Contracts-I

- (a) Indian Contract Act, 1872 Section 124 to end
- (b) Indian Partnership Act, 1932

Suggested Readings:

1. Benjamin : On Sale of Goods Act
2. Blackburn : On Sale
3. Beal : The Law of Bailments
4. Story : Bailments
5. Bowstead : A digest of the Law of Agency
6. Lindley : partnership
7. Pollok and Mulla : Sale of Goods and Partnership
8. Desai : Contracts Sale of Goods and partnership
9. Iyer : Sale of Goods
10. Dutt : Law of Contract
11. Goel : Law of Contract
12. Desai – Contracts Sale of Goods and Partnership

LLM A03-Corporate Law-I

Corporate Personality, Registration & Incorporation Memorandum of Association, Articles of Association, Prospectus, Promoters, Shares, Share Holders & Members, Share Capital Dividends, Accounts & Audit, Borrowing, Lending, Investments and Contracts, Debentures.

Suggested Readings:

1. K.M. Gosh : Indian Companies
2. Palmer on Company Law
3. Gower : Principles of Company Law
4. Dutt : Company law

LLM A04- Law Relating to Negotiable Instrument Act

Suggested Readings:

1. Byles : Bill of Exchange
2. Chalmers: Negotiable Instrument
3. Bhashyam and Adiga : The Negotiable Instrument Act
4. Legal and e-commerce Environment Today
5. Sen Gupta : Negotiable Instrument Act

LLM A05-Recent Legal Development in Contract, Business & Corporate Law

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LLM A06- General Principles of Contract-II

Section 37 to 75

Suggested Readings:

1. Leak : Contract
2. Pollock: Indian Contract and Specific Relief Acts
3. Salmond : Principles of the Law and Contract
4. Anson : Law of Contract
5. Odgers : Introduction to the Law of Contract
6. Street : Introduction to the Law of Contract
7. Pollock & Mulla: Indian Contract and Specific Relief Acts
8. Treitel-Law of Contracts
9. Slesenchengar : Formation of Contract
10. Venkata Iyer – Law of Contract
11. Avtar Singh – Law of Contract

LLM A07- Special Contract II

(a) Limited Liability Partnership Act, 2008

(b) Sale of Goods Act 1930

Suggested Readings:

1. Benjamin : On Sale of Goods Act
2. Blackburn : On Sale
3. Beal : The Law of Bailments
4. Story : Bailments
5. Bowstead : A digest of the Law of Agency
6. Lindley : partnership
7. Pollok and Mulla : Sale of Goods and Partnership
8. Desai : Contracts Sale of Goods and partnership
9. Lyer : Sale of Goods
10. Dutt : Law of Contract
11. Goel : Law of Contract
12. Desai – Contracts Sale of Goods and Partnership

LLM A08-Corporate Law II

Directors, Meetings, Majority Powers & Minority Rights, Prevention of Oppression and Mismanagements, Investigation Company Law Board & Company Courts, Kinds of Company, Reconstruction & Amalgamation, Defunct Companies Winding up, Miscellaneous.

Suggested Readings:

1. K.M. Gosh : Indian Companies
2. Palmer on Company Law
3. Gower : Principles of Company Law
4. Dutt : Company law

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LLM A09-Law Relating to Bankruptcy

Suggested Readings:

1. Williams on Bankruptcy
2. Mulla : The Law of Insolvency in India
3. P.S. Narayan : Recovery of Debts due to Banks
4. Srivastava : Debt Recovery Law
5. Bansal, B.L. : Debt Recovery Law

LLM B01- General Principles of Torts

Definition and nature; foundation of tortious liability; general conditions of liability in tort; mental elements in law of torts; general exceptions to liability in tort; discharge of tort; remedies for torts; doctrine of remoteness of damages and nervous shock; joint tort feors and vicarious liability.

Suggested readings:

1. Clerk and Lindsell: The Law of Torts.
2. Street : Torts
3. Pollock: on Torts
4. Salmond: The law of Torts
5. Winfield: A text book of Law of Torts
6. Winfield: Province of the Law of Torts
7. Restatement of the Law of Torts
8. Harper: The Law of Torts
9. Ramaswami Iyer: The Law of Torts
10. Rattan Lal & Dhiraj Lal: Law of Torts
11. Dias & Markensisis : Tort Law
12. Gandhi, B.M. : Torts
13. Row C.M. : Law of Damages and Compensation
14. Jagdish Singh: Medical Negligence and Compensation
15. Charlesworth: Negligence
16. Daret: Laaw of Nuisance

LLM B02- General Principles of Crimes and offences relating to State and Public tranquility, morality.

Suggested Readings:

1. Bhattacharya T.B. Indian penal Code
2. Harris : Principles & Practice of the criminal Law
3. Ratan Lal & Dhiraj Lal : Law of Crimes
4. Ejaz Ahmed : The Law of Crimes
5. Raghvan : Law of Crimes
6. Basu N.D. : Indian Penal Code
7. Gaur : Penal Law of India
8. Gaur K.D. : Criminal Law Cases and Material

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LLM B03- Comparative Criminal Procedure

Organization of Courts and Prosecuting Agencies: Hierarchy of Criminal Courts and their Jurisdiction, Nyaya Panchayats in India. Panchayats in tribal areas, Organization of Prosecuting agencies for prosecuting criminal cases: prosecutors and the police, withdrawal of prosecution.

Preventive Measures in India: Provisions in the Criminal Procedure Code, Special enactments, Public Interest Litigation: Directions for Criminal Prosecution.

Pre-trial Procedures: Arrest and questioning of the accused. The rights of the accused. The evidentiary value of statements/articles and the judicial officer in the Police, Right to counsel, Roles of the prosecutor system of trial and the inquisitorial system, role of the judge, the judge, the prosecutor or and defense attorney in the trial. Admissibility and inadmissibility of evidence, expert evidence, Appeal of the Court awarding appropriate punishment, plea-bargaining.

Suggested Readings:

1. Ceylia Hampton: Criminal Procedure
2. Wikins and Cross : Outline of the Law of Evidence
3. Archbold, pleading; Evidence and Practice in Criminal cases (2000) Eastern, Lakhnowl
4. Sankar : Law of Evidence
5. K.N. Chandrasekhran Pillai (ed): R.V. Kelkar's : Outlines of Criminal Procedure
6. Patric Devlin : The Prosecution in England
7. American Series of foreign Panel Codes Criminal Procedure Code of People's Republic of China.
8. John N: Fedice: Criminal procedure (1996), West Sanders & Young : Criminal Justice (1994)
9. Christian Van den Syngart : Criminal Procedure Systems in European Community Joel Samaha
10. Criminal Procedure (1997), West Criminal Procedure Code 1973

LLM B04- Law Relating to Rehabilitation and Treatment of offenders (I)

Introductory Definitions of Penology, Theories of Punishment: Retribution, Utilitarian Prevention: Deterrence, Utilitarian: Intimidation, Behavioral prevention: Incapacitation, Rehabilitation, Expiation, Classical Hindu and Islamic approaches to punishment, The Problematic of Capital punishment.

LLM B05- Recent Legal Development in Tort & Crime

LLM B06- Specific Wrong (Law of Torts)

1. Negligence, Contributory Negligence
2. Defamation

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3. Strict and Absolute liability
4. Nuisance
5. Assault Battery False imprisonment
6. Tort of Malicious Abuse of Legal Process
7. Tort Relating to immovable
8. Tort Relating to Movable Property
9. Tort Affecting contractual and Business Relations
10. Tort of Injurious falsehood.

LLM B07-Law Relating to Specific Offences under the Indian Penal Code

Offences against human body, offences against human property; offences against marriage; offences relating to defamation.

Suggested Readings: As mentioned before Paper II

LLM B08-Law Relating to Rehabilitations and Treatment of offenders (II)

Punishment : Constitutionality of Capital Punishment, Judicial Attitudes through the statute law and case law towards capital punishment in India-An inquiry, Law Reforms Proposals.

Approaches to Sentencing: Alternatives to Imprisonment Probation, Corrective Labour, Fines, Collective fines, Reparation of the offenders by the court.

Sentencing : Principle to sentencing, Main types of sentences in the Penal Code and Special laws, sentencing for white collar crime, Pre-sentence hearing, sentencing for habitual offender, summary punishment, plea bargaining.

Suggested Readings for Paper IV and VII:

1. Chabra : The Quantum of Punishment in Criminal (1970)
2. H.L.A. Hart : Punishment and Responsibility (1968)
3. Harbert L. Packer : The Limits of Criminals Senction (1968) Alfross: On Guilt Responsibility and Punishment (1975)
4. A Siddique : Criminology (1984) Eastern, Lakhnow
5. Law Commission of India, Forty-Second Report, Ch. 3 (1971)
6. K.S. Shukla : Sociology of Deviant Behaviour in 3 ICSSR Survey of Sociology and Social Anthropology 1969-179 (1986)
7. Tapas Kumar Benerjee : Back-round to Indian Criminal Law (1990), R Cmpajary & Co. Kolkata

LLM B09- Law Relating to Special Penal Legislations Relating to Women

Dowry Prohibition Act Protection of Women on Domestic Violence Act. Prevention of Commission of sati Act.

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LLM C01- Hindu Jurisprudence and Law Relating to Joint Family

Sources, Schools and Application of Hindu Law; Coparcenery, Coparcenery Property, its Incidents, Management and Alienation – Karta and its Powers; Partition; and Religious and Charitable Endowments.

Suggested Reading:

1. Raghvachariar : Hindu Law
2. Sahary H.K. : Law of Marriage and Divorce
3. Paras Diwan : Modern Hindu Law
4. Mitra Principles of Hindu Law
5. Mulla ; The Principles of Hindu Law
6. G.S.S. Sastri and Bhular : Hiindui Law
7. Manu's Institutes : Chapter i, III, VII, VIII and IX (Sacred Books of the East)
8. Yagnavalkya Smriti with Mitakshara, Book I, II, III
9. Vyavahara Majukha
10. Smriti Chandrika
11. The Dayabagha
12. P.V. Kane : History of Dharmasastras
13. Ganganath Jha : Hindu Law in its Sources
14. Maynes : Treatise on Hindu Law and Usage
15. West and Bhuler : Hindu Law
16. Sen, P.N. : Hinidu Jurisprudence
17. Sharma B.K. : Law of Divorce
18. Kesri U.P.D. : Hindu Law

LLM C03- Gender Justice Hindu Law Relating to Adoption and Maintenance

Adoption: Its meaning, nature and essential conditions and effects.

Maintenance : Various grounds for separate Residence and Maintenance of a Hindu Wife, Widowed Daughter-in-Law and Children in and Infirm or Aged parents.

Suggested Reading:

1. Paras Diwan : Modern Hindu Law
2. Mitra : Hindu Law
3. Mulla : The Principles of Hindu Law
4. Dattak Mimansa
5. Dattak Chandrika
6. G.S.S. Sastri and Bhular : Hindu Law
7. Ganganath Jha : Hindu Law in its sources
8. Mynes : Treatise on Hindu Law & Usage
9. West & Bhuller : Hindu Law
10. Derrett Duncan : Essay on classic and Modern Hindu Law
11. All Acts of the Indian Legislature
12. Tagore Law Lectures on Marriage, Adoption and Stridhana

LLM C03- Muslim Jurisprudence and Matrimonial Laws

Various phases and development of Muslim Law; sources, schools and application of Muslim Law; Marriage; Dower; Dissolution of marriage; Guardianship and Custody of minor children; Acknowledgement of paternity and Legitimacy of Children.

Suggested Reading:

1. Tyabji : Mohammedan Law
2. Ameer Ali : Mohammedan Law
3. Abdur Rahim : The Principle of Mohammedan Jurisprudence
4. Sharma Bharu Sarkar : Mohammedan Law
5. B.R. Verma : Mohammedan Law
6. Mulla : Mohammedan Law
7. Fyzee AAA : outlines of Mohammedan Law
8. Schächt : Islamic Jurisprudence
9. Tahir Mehmood : Muslim Law

LLM C04- Personal Laws relating to Indian Christian, Parasi and Jews

The Indian Christian Marriage Act, 1872; Indian Divorce Act, 1869; Parsi Marriage and Divorce Act. 1936. Customary Laws of the Jews relating to marriage and Matrimonial causes.

Suggested Reading:

1. Commentaries and cases of the Supreme Court and High Court of India
2. Diwan Paras : Family Law, Vol. I and II
3. Desai Kumud : Indian Law of Marriage and Divorce
4. Beri B.P. : Law of Marriage and Divorce in India.
5. Relevant Legislative Enactments

LLM C05- Recent Legal Development in Personal Law

LLM C06- Un-Codified and Codified Hindu Law relating to Marriage

Nature of Hindu Marriage; Essential Conditions and Solemnization of a valid Hindu Marriage; Nullity of Marriage Restitution of Conjugal Rights, Judicial Separation and Divorce- its various theories and grounds; Maintenance a pendent and Permanent Alimony.

Suggested Reading:

1. Raghvachair : Hindu Law
2. Saharary H.K. : Law of Marriage and Divorce
3. Paras Diwan : Modern Hindu Law
4. Mitra : Principles of Hindu Law
5. Mulla : The Principles of Hindu Law
6. G.S.S. Sastri and Bhular : Hindu Law
7. Manu's Institutes : Chapter I, III, VII, VIII and IX (Sacred Books of the East)

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8. Yagnavalkya Smriti with Mitakohara; Book, I, II, III
9. Vyarahara Majukha
10. Smriti Chandrika
11. The Dayabhaga
12. P.V. Kane : History of Dharmasastras
13. Ganganth Jha : Hindu Law in its sources
14. Sankhla U.C. Fundamental of Divorce Law
15. Majnes : Treatise on Hindu Law and Usage
16. West & Bhullers: Hindu Law
17. Derrett Ducan : Essays on Classic and Modern Hindu law; and Death of a Marriage Law
18. All Acts of the Indian Legislature.
19. Tagore Law Lecture on Marriage, Adoption and Stridhana
20. Sen, P.N. : Hindu Jurisprudence
21. Jaipur Law Journal from Volume I latest articles concluding
22. Sharma B.K. : Law of Divorce
23. Kesri UPD : Hindu Law

LLM C07- Hindu Law relating to Minority, Guardianship Succession :

Minority and Guardianship- Definition of Hindu Minor and Guardianship; Kinds and Powers of Guardians

Succession, Meaning of Succession, Devolution of Mitakshasa Coparcener Property. Succession in respect of the separate property of a Male Hindu during intestate- Heirs and Distribution of property among them. Hindu Women Property; Succession in respect of Female Hindu during intestate. Heir and Distribution of Property among them; General Rules relating to succession and Disqualification of heirs.

Suggested Reading:

1. Paras Diwan : Modern Hindu Law
2. Mitra : Hindu Law
3. Mulla : The Principles of Hindu Law
4. Dattak Mimansa
5. Dattak Chandrika
6. G.S.S. Sastri and Bhular : Hindu Law
7. Ganganath Jha : Hindu Law in its sources
8. Majnes : Treatise on Hindu Law and Usage
9. West & Bhuller : Hindu Law
10. Derrett Duncan : Essays on classic and Modern Hindu Law
11. All Acts of the Indian Legislature
12. Tagore Law Lectures on Marriage Adoption and Stridhana

LLM C08- Muslim Law relating to Property

Pre-Emption; Hiba; Will; Wakf; Inheritance

Suggested Reading :

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Asstt. Registrar (Lead-I)

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1. Tyabji : Mohammedan Law
2. Ameer Ali : Mohammedan Law
3. Abdur Rahim : The Principles of Mohammedan Jurisprudence
4. Sharma Bharan Sarkar : Mohammedan Law
5. B.R. Verma : Mohammedan Law
6. Mulla: Mohammedan Law
7. Fyzee AAA: outlines of Mohammedan Law
8. Schacht : Islamic Jurisprudence
9. Tahir Mehmood: Muslim Law

LLM C09-Laws relating to Civil Marriages,foreign Marriages and Will

Suggested Readings :

1. Commentary and cases of Supreme Court and High Court of India
2. Diwan Paras : Family Law Vol. I & II
3. Desai Kumud ; Indian Law of Marriage and Divorce
4. Ben B.P. ; Law of Marriage and Divorce in India
5. Relevant legislative Enactments.

Paper III : Constitutional law of United State of America

American Constitutional System: An Introduction to American Constitutionalism. The Origins of American Constitutionalism The Federalist and Jeffersonian Eras. The Jacksonian Era Civil War and Reconstruction The Constitution and the Rise of Industrial Capitalism. The New Deal and the Birth of Modern Constitutionalism in USA.

The sources of constitutional law ; constitution, institutional laws, ordinary laws, other legislative and executive acts, international and internal treaties, judicial precedents, constitutional traditions and customs, prevailing in American Constitutional Law.

Constitutional Formation system around the globe: American, Rule of law and Separation of Power Models in Constitutional Law of U.S.A.

Selected Bibliography

1. D.D. Basu's World Constitutions
2. Bhagabati Prosad Banshees World Constitutions
3. B.M. Gandhi: World Constitutions
4. Ralph A.: American Constitutional law
5. Original Meanings: politics and Ideas in making of the constitution by Jack N, Remove.
6. Constitutional Law in changing America: Institutional Powers and constraints by Lee Espetain.
7. Constitutional law in America, Vol 1 and Vol2 by David Schultz.
8. Judicial process in USA 7th Edition, by Robert A. Crap
9. Schward and Wade-the Manner to control the Government in America 2013 Edition.

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Asstt. Registrar (Legal)
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Paper I : Constitution, Constitutionalism and Rule of Law : Principles and Applications

The Concept of Constitutionalism

Essential Principles of Constitutionalism, Constitutionalism and Rule of Law, Dimensions of Rule of Law and Constitutionalism. Constitutionalism in the Indian Legal Order

Federalism as an aspect of Constitutionalism

The Federal principle : Classical and Modern An overview of the Canadian and American Position Main features of Indian federalism Federalism and Constitutionalism. Various aspects of constitutionalism.

New challenges to Constitutionalism: some social issues

Equality and Affirmative actions (Dalits, and Backward Class and Minorities -Religious and Linguistic) Human Rights of the Marginalized Groups. An Evaluation of Role of Courts. Principle of Judicial Review.

Justice Delivery System In India

PIL movement : Promises and Perils

Independence of Judiciary.

Judicial Reforms.

Selected Bibliography:

1. C. H. Mell Wain, (1947). Constitutionalism: Ancient and Modern .
2. A. V. Dicey, (1982) Introduction to the Study of Law of the Constitution. Edition
3. Lary Alexander (ed). .(1998) Constitutionalism: Philosophical Foundation: Cambridge
4. M. P. Singh 'Constitution of India. (2008) 11th Ed. , Eastern Book Co.
5. K. C. Wheare. (1963) Federal Government. Ch. 1 & 2, 4th Edition
6. V.N. Shukla (2005) Constitutional Law of India
7. M. P. Singh. (1998) Federalism, Democracy and Human Rights.

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Act of 1/26 to Independence Act, 1947

Suggested Readings:

- A.B. Keith : Constitutional History of India
- C.H. Alexandrowica : Constitutional developments
- A.C. Banerjee : Indian Constitutional Documents
- M.P. Jain : Outline of Indian Legal History
- Tasawell-Langmead : English Constitutional History
- Dunning : Freedom under the Law

Semester III : D 02

Paper III: Administrative Law : Basic Principles and comparative analysis

Evolution and significance of Administrative Law in various systems of governance-from ancient to modern.

- a) England and USA
- b) France
- c) Other systems

Rule of Law: Changing dimensions, Regulation of administrative process.

Delegated Legislation: Problems, Process and Control, Judicial Review of delegated legislation.

Processual Fairness: Evolution and Significance of Natural Justice, England: Judicial Process,

Doctrine of fairness and doctrine of legitimate expectation. U.S.: Due process and judicial decision, India : Through judicial decision-Doctrine of Fairness (Art.14, 19, 21)-Doctrine of Legitimate Expectation, Privilege against disclosure, official secrecy, Access to information and Right to Information Act.

Select Bibliography

1. Pater H. Schunk, (1994) Foundation of Administrative Law,
2. Friedman, The State and Rule of law in a mixed Economy.
3. Ivor Jennings, Law & the Constitution
4. Schwartz and Wade, Legal Control of Government
5. De Smith, 1998 Judicial Review of Administrative Action,
6. D.D.Basu, 1998 Comparative Administrative Law,
7. K.S.Shukla and S.S.Singh, , 1988 A Socio-Legal Study
8. Jain & Jain, Principles of Administrative Law

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Paper III: Constitutional law of United State of America

American Constitutional System :An Introduction to American Constitutionalism. The Origins of American Constitutionalism The Federalist and Jeffersonian Eras_ The Jacksonian Era Civil War and Reconstruction The Constitution and the Rise of Industrial Capitalism_ The New Deal and the Birth of Modern Constitutionalism in USA.

The sources of constitutional law: constitution, institutional laws, ordinary laws, other legislative and executive acts, international and internal treaties, judicial precedents, constitutional traditions and customs, prevailing in American Constitutional Law

Constitutional Formation system around the globe: American, Rule of law and Separation of Power Models in constitutional Law of U.S.A.

Selected Bibliography

1. D.D.Basu's World Constitutions
2. Bhagabati Prosad Banahee World Constitutions
3. B.M. Gandhi : World Constitutions
4. Ralph A.: American Constitutional Law
5. Original Meanings : Politics and Ideas in making of the constitution by Jack N. Rakove.
6. Constitutional Law in changing America : Institutional Powers and Constraints by Lee Espetein
7. Constitutional law in America, Vol1 and Vol2 by David Schultz
8. Judicial Process in USA 7th Edition, by Robert A. Carp
9. Schward and Wade- The Manner to control the Government in America 2013 Edition.

SEMESTER III : DO4

Paper- IV: LAW AND SOCIAL TRANSFORMATION IN INDIA-I

Law and Social Change:

Law as an instrument of social change: A Jurisprudential Discussion of Sociological approach to Law Law as the product of traditions and culture.

Role of law in bringing social change: success and failure

(a) Pre-Constitutional laws

(b) Post- Constitutional law

The Constitution of India and Social Transformation:

Preamble and the Rights of People in the constitution

Directive Principles of State Policy

Modernization as a value reflected in Fundamental duties

Public Interest litigation as a tool of social change.

Economic, Social and Political Reforms and the Law.

Modern Indian Approaches to law

M K Gandhi's Approach and B. R. Ambedkar's Approach

Socialist thought on law and justice

Indian Marxist critique of law and justice.

Modernisation of social institutions through law

Industrial reform: Free enterprise and State regulation - Industrialisation and environmental protection.

Reform of court processes.

Criminal law: Plea bargaining; compounding and payment of compensation to victims.

Civil law: (ADR) Confrontation v. consensus; mediation and conciliation; Lok adalats.

Democratic decentralisation and local self-government.

Select Bibliography:

1. Marc Galanter , 1977 (ed.) Law and Society in Modern India Oxford Press
2. Robert Lingat, 1998 The Classical Law of India,
3. U. Baxi, 1982 The Crisis of the Indian Legal System,
4. H.M.Seervai, 1996, Constitutional Law of India, U. Baxi(Ed.), Law and Poverty : Critical Essays (1988).
5. Indian Law Institute, (1988). Law and Social Change : Indo-American Reflections, Tripathi
6. P. Ishwar Bhat, (2009) Law and Social Transformation, EBC

Semester III : D 05

Recent Legal Development in Constitutional Law in India

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Asst. Registrar
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Paper I : Constitution, Constitutionalism and Rule of Law : Principles and Applications

Federalism: Creation of new states, Allocation and share of resources -distribution of grants-in-aids , The inter-state disputes on resources, Rehabilitation of internally displaced persons, The issue of special status of the states, Centre's responsibility and internal disturbance within states, Direction of the Centre to the State under Article 356 and 365, Federal Comity-Relationship of trust and faith between Centre and State.

The Statehood In Indian Constitution The Executive : Constitutional status, Powers and functions of the President vis-a vis form of Government.

The Legislature : Parliamentary/Legislative Privilege: Nature, Extent, Scope and Limitation on privileges.

The Judiciary : Status, Power, functions and contemporary developments, Power of judicial review.

Emerging regime of new rights and remedies. . Reading Directive Principles and Fundamental Duties into Fundamental Rights. Secularism: Religious freedom and right of minorities to establish and administer educational institutions of their choice Implementation of International Obligation: Human Rights, Environmental protection and International trade,

Selected Bibliography

- 1.. H.M. Seervai: The Constitutional law of India
2. A. V. Dicey, (1982) Introduction to the Study of Law of the Constitution. 2nd Edition.
3. Lary Alexander (1998)(ed). Constitutionalism: Philosophical Foundations . Cambridge.
4. M. P. Singh . 2008 'Constitution of India. 11th Ed, Eastern Book Co.
5. K. C. Wheare. 1963. Federal Government. Ch. 1 & 2, 4th Edition
6. M. P. Singh. (2005) Federalism, Democracy and Human Rights.

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Semester IV : D 07

Paper-VI: Administrative Process and Judicial Control

Administrative process: Nature and Meaning, the role of civil service, the role of administrative agencies, Constitutional standards: Doctrine of Police Power, Doctrine of Eminent Domain, taxing power, Responsibility and accountability

Judicial Review of Administrative action in India: Historical development, power of Supreme Court, Powers of High Courts, Role of Subordinate Courts. Jurisdiction

Ground of Judicial Review: Doctrine of Ultra vires, Unreasonable discretionary power: discretion and Justifiability, violation of fundamental rights, Extraneous consideration and /or irrelevant ground, delegation acting under dictation, Malafides and Bias, Lack of rationality and proportionality, oppressing decision.

Limits of Judicial Review: Locus standi and PIL, Laches, Resjudicata, alternative remedies, Remedies Writs, injunction and declaration

Select Bibliography

1. Pater H. Schunk, 1994 Foundation of Administrative Law,
2. Friedman, The State and Rule of law in a mixed Economy.
3. Ivor Jennings, Law & the Constitution
4. Schwartz and Wade, Legal Control of Government
5. De Smith, 1998 Judicial Review of Administrative Action,
6. D.D.Basu, 1998 Comparative Administrative Law,
7. Jain & Jain, Principles of Administrative Law

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Jaipur

Semester IV : D08Paper III: British Constitutional Law

Historical Background of British Constitutional Law

Development of British Constitutional Law

British Constitutional System and its analysis : The system of constitutional law in England and its impact and analysis. The System of governance in England and Westminster Model and its impact. Magna Carta 1215 Petition of Rights 1628, Habeas Corpus Act 1679, Bill of Rights 1689 Crown Proceeding Act 1947

The principles of Rule of Law, Parliamentary Superimacy and Constitutional Conventions in England.

V

Selected Bibliography

1. Bhagabati Prosad Banahee World Constitutions
2. B.M. Gandhi : World Constitutions
3. Ralph A. : American Constitutional Law
4. A. V. Dicey : The Law and the Constitution, Oxford University Press.
5. A basic guide to English constitutional Law principles and governance
6. Constitutional Law- Administrative Law : An Interaction by Ian Laveland.
7. Judicial Process in England 7th Edition, by Robert A. Carp

(D) G. T. W. S.

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 JAIPUR

Religion and the law

Religion as a divisive factor.

Secularism as a solution to the problem.

Reform of the law on secular lines: Problems.

Freedom of religion and non-discrimination on the basis of religion.

Religious minorities and the law.

Community and the law

Caste as a divisive factor

Social Inequality and the Law

Non-discrimination on the ground of caste.

Protective discrimination: Scheduled castes, tribes and backward classes.

Reservation; Statutory Commissions., Statutory provisions.

Woman and Law:

Gender justice and social transformation: National and International perspective

The Protection of Women from Domestic Violence Act, 2005

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Children and Law:

Children and education

Child labor, exploitation and abuse

The Protection of Children from Sexual Offences Act, 2012 (POCSO)

Selected Bibliography:

1. Marc Galanter (1997) (ed.), Law and Society in Modern India Oxford,
2. Robert Lingat, (1998) The Classical Law of India Oxford
3. U. Baxi, (1982). The Crisis of the Indian Legal System Vikas, New Delhi.
4. U. Baxi (1988. ed.), Law and Poverty Critical Essays Tripathi, Bombay.
5. Duncan Derret, (1999) The State, Religion and Law in India Oxford University Press, New Delhi.
6. H.M. Seervai, (1996), Constitutional Law of India
7. D.D. Basu, Shorter Constitution of India (1996), Prentice - Hall of India (P) Ltd., New Delhi.
8. Sunil Deshta and Kiran Deshta, (2000) Law and Menace of Child Labour Armol Publications,
9. Delhi.Savitri Gunasekhare, (1997), Children, Law and Justice Sage
10. Indian Law Institute, (1988) Law and Social Change: Indo-American Reflections, Tripathi
11. J.B. Kripalani, Gandhi: His Life and Thought, (1970) Ministry of Information and Broadcasting, Government of India
12. M.P.Jain,, (1993), Outlines of Indian Legal History Tripathi, Bombay.
13. Agnes, Flavia, (1999), Law and Gender Inequality: The Politics of Women's Rights in India Oxford
14. P. Ishwar Bhat, (2009) Law and Social Transformation, EBC
15. Prahlad Rai and Manju Rai, (2012) Violence Against Women, Aadi Pub.
16. Valerian Rodrigues, 2007. The Essential Writings of B R Ambedkar, Oxford Paper Backs,

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Faculty of Law
University of Rajasthan, Jaipur

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Administrative, Legislative, Political and International matters

Suggested Readings:

1. H.M. Seervai : Constitutional Law of India
2. Jain M.P. : Constitutional Law
3. Kagzi MCJ : Segregation and Untouchables Abolition
4. Kagzi MCJ : Commentaries on the Constitution of India
5. Shukla V.N. : Commentaries on the Constitution of India
6. D.D. Basu : Commentary on the Constitutional of India
7. Kagzi MCJ : Kesavananda's Case
8. DD Basu-Shorter Constitution of India
9. Glanville Austin-Indian Constitution
10. Glanville Austin-Cornerstone of a Nation
11. Glanville Williams-Working a Democratic Constitution-The Indian Express

LLM E01- Protection of Human Rights under International Law

Human Rights-Concept, Historical Development and Classification, Customary International Law and Human Right, Human Rights and the Charter of the United Nations, International human Rights Declaration and Conventions.

The United Nations System for Implementation of Human Rights, The Regional Protection of Human Rights, Human Rights in Indian Constitutional framework and Implementation Mechanism.

LLM E02- Public International Law

Definition, Nature and History of International Law
Sources of International Law, Subject of International Law
The Relation between International Law and Municipal Law
Recognition of States and Governments
Territory of States,
Jurisdiction of States,
The Law of the Sea,
The Law of Air and Space
International Environmental Law,
The Law of Treaties,
Diplomatic and Consular Relations and International Economic and Trade Law

LLM E03- Private International Law

Definitions, Nature and scope of Private International Law,
Historic Development and current theories,

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Classification, the Indent questions,
Renvoi,
Application and Exclusion of Foreign Law
Domicile, Nationality and Residence,
Jurisdiction of Courts,
Enforcement of Judgement

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LLM E04-International Organization

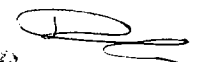
Origin and Development of International Organisations,
Classification of International Organisation, Legal Personality,
Law-making by International Organization,
The League of Nations
The United Nations : Origin, The preamble, Purpose and Principles, Doctrine of
Sovereign Equality, The Obligations of Non-Members,
Principles of Domestic Jurisdiction, Membership of the U.N., Organs of the U.N., The
General Assembly, The Security Council, The Economic and Social Council, The
International Court of Justice, The Secretariat.

LLM E05- Recent Legal Development in International Law

LLM E06- International Humanitarian Law

International Humanitarian Law-Origin and Development,
Principle of International Humanitarian Law,
Implementation Mechanism in Humanitarian Law,
International Refugee Law-Origin and Development,
Protection Mechanism for Refugees,
Human Rights Vulnerable groups; Women, Children, Old-age person,
Minority, Disabled person, aboriginal and tribes,
International System for Protection of Vulnerable groups.

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LLM E08- Private International Law-II

Family Law: Marriage, Matrimonial Causes, Legitimacy and Legitimation, Adoption, Guardianship and Custody of Children.

Law of Property: The Distinction between movables and immovable Property, the Transfer of Tangible and Movables, the Assignment of Intangible Movables, Insolvency succession.

Law of Obligation: Contract, Torts, Negotiable Instruments, Restitution.

Law of Person: Corporation.

LLM E09-International Organization-II

Specialized Agencies of the United Nations, Regional Organisations, International Non-Governmental Organisations, International Corporate Organization, International Judicial Institutions-Permanent Court of International Arbitration, International Court of Justice, International Crime Court, The International Tribunal for Law of the sea, Regional Courts and Tribunals.

LLM F01- Labour Law and Labour Management in India and Industrial Adjudication-Part I


- Concept and aspects of Industrial Relations
- Definition of Industrial Relations – Aspects, Content and Objectives of I.R. – Historical View of I.R. – Indian outlook.
- Concepts – Importance – IR problems in public sector-growth of trade unions codes of conduct.
- Participants in IR – Change in the Role – Management organizations, worker's Union and the Government – Requirements of Successful IR – Nature of employment organizations – The Hawthorne Studies.
- The Industrial disputes Act 1947 – Object of the Act – Authorities under the Act- Conciliation machinery – Procedures, powers and duties of authorities – Strikes and Lock Outs – Lay off, Retrenchment, Transfer Unfair Labour practise.
- Disputes-Impact-Causes-Strikes-Prevention-industrial peace-Government machinery-Conciliation-Arbitration-Adjudication.

LLM F02- Comparative Labour Law and Labour Management

- Relations of the United States, U.K. Australia and India with special reference to Public Policy and practice relating to the Trade Unions, Strikes, Collective Bargaining, Voluntary Arbitration Dispute resolution machinery.

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LLM F03- Legislation and Practice Relating to Social Security, Labour Welfare and Wages

- Concept – Objectives – Scope – Need- Voluntary welfare measures – Statutory welfare measures – Labour – Welfare funds.
- Causes of accidents – Prevention – Safety provisions – industrial Health and Hygiene-Importance-Problems-Occupational Hazards-Diseases-Counselling-Statutory provisions.

Special Group of Labour: Child Labour – Female Labour – Contract Labour- Construction Labour – Agricultural Labour – Disabled – Social Security – Implications.

The Factories Act, 1948: Factory – Definitions – Health, Safety and Welfare Measures – Holidays – Employment of young persons. Women – Annual leave with wages – Penalties and Procedures.

LLM F04- International Labour Organisation, Central Organisation of Trade Unions: Indian Tripartite System

- I.L.O. aim and objection, I.L.O. standard setting process, I.L.O. on human Rights. Labour Welfare, Social Security, Forced Labour, working conditions etc. and impact on Indian Labour Legislation.

LLM F05-Recent Legal Development in Labour Law

LLM F06- Labour Law and Labour Management in India and Industrial Adjudication Part II

- Definition - Principles, Significance, objective and functions of Trade Unions. History of Trade Union in Indian Context.
- Introduction – Characteristic features, significance and Objectives – prerequisites for successful Collective Bargaining – practices and procedures of collective Bargaining.
- Meaning of worker's participation in Mgt- Forms of participation – Objectives of worker's participation – worker's participation in Mgt. In India
- Employee Grievances – causes & its effects – Handling Grievances – steps – Do's and Don'ts in Grievance Handling.

LLM F07- Comparative Labour Law and Labour Management

- I.L.O. Convention and Recommendation relating to Labour-Management relations in India and Relations of the United States, U.K. Australia and India with Special Reference to Public Policy and practice relating to the Trade Unions, Strikes, Collective Bargaining, Voluntary Arbitration Dispute resolution machinery.

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LLM F08- Legislation and Practice Relating to Social Security, Labour Welfare and Wages

- The Payment of Wage Act, 1936 : Applications of the Act-Definitions-Rules for payment of wages-Deduction from Wages-penalty for offences
- The Minimum Wages Act, 1948: Object of the Act-Definitions-Fixation and Revision of wages-Advisors board-Safeguards in payment of minimum wages-Offences and penalties.
- The Payment of Bonus Act, 1965: Meaning of bonus-Object of the Act-Establishing for bonus-Disqualification for bonus—Determination of bonus.
- The Workmen Compensation Act, 1923: Scope and coverage of the Act-Rules regarding the workmen's compensation-Amount of compensation-Distribution of compensation.
- The Payment of Gratuity Act, 1972-Meaning of Gratuity-Payment of Gratuity-forfeiture of Gratuity-Determination of Gratuity-Recovery-Penalties and offences.
- The Employees Provident Fund & Misc. Act, 1952- Application of the Act-PF Schemes-Determination of Money due from Employers-Inspectors-Powers.

LLM F09-International Labour Organisation, Central organisation of Trade Unions: India Tripartite System

- Central Trade Union's Organisation: Aims and Objectives, Philosophies and their role in Trade Union Movement in India : Role of ILO Industrial Democracy, Indian Tripartite Systems, Human Rights, Environmental protection etc.

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