

**CHAUDHARY BANSI LAL UNIVERSITY  
BHIWANI**



**SCHEME OF EXAMINATION OF LL.M.  
(TWO YEAR COURSE)  
Under Choice Based Credit System (CBCS)**

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**Department of Law**  
**Chaudhary Basnisi Lal University, Bhiwani**

**Scheme and syllabus for LL.M. 2-Year Degree Course under Choice  
Based Credit System**

**Credit Matrix for LL.M. 2-Year Programme**

SEMESTER	CORE COURSES	DISCIPLINE SPECIFIC ELECTIVE COURSES	OPEN ELECTIVE COURSES	FOUNDATION COURSE	MAX. MARKS	TOTAL CREDITS
I	4 (100 Marks each)	NIL	NIL	NIL	400	20
II	3 (100 Marks each)	1(100 Marks)	1(100 Marks)	1( 50 Marks)	550	25
III	3 (100 Marks each)	1 (100 Marks)	1(100 Marks)	NIL	500	26
IV	3(100 Marks each)	1(100 Marks)	NIL	NIL	400	20
<b>TOTAL</b>	<b>13</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1850</b>	<b>91</b>

Total Core Courses in LL.M. 2-Year Degree Course = 13(12+1(Dissertation))  
 Total Foundation Courses in LL.M. 2-Year Degree Course = 01  
 Total Discipline Centric Courses in LL.M. 2-Year Degree Course = 03  
 Total Open Elective Courses in LL.M. 2-Year Degree Course = 02 (As per the list of the open elective courses supplied by the other Faculties)



## SEMESTER-WISE SCHEME OF LL.M. 2-Year Degree Course

LL.M. is a Two Years duration course consisting of four semesters. Semester-I & II for first year and Semester-III & IV for second year. In Semester-I, there shall be Four Core Courses of 5 Credits each. In Semester-II, there shall be three Core Courses of 5 Credits each, One Foundation Course of 02 Credits & of maximum 50 marks and One open elective course of three credits also. In Semester-III, there shall be three Core Course of 5 Credits each, One Discipline Specific Elective Courses of 5 Credits. (The students are required to opt any one group out of the groups mentioned in the syllabus. The group opted by the student in Semester-III shall not be changed at subsequent stage) and there shall also be One Open Elective Course of 3 Credits and of Maximum 100 Marks (This course shall be opted out of the list of Open Elective Courses supplied by the other Faculties) and there shall also be one Discipline Specific Elective Course of 5 credits. In Semester-IV there shall be Three Core Courses of 5 credits each. The students are required to opt the same group which they have opted in semester- III and there shall also be one discipline specific elective course of five credits. Out of the groups mentioned in the syllabus for the purpose of Discipline Centric Elective Courses as he opted in Semester-III) and there shall also be One Open Elective Course of 3 Credits and of Maximum 100 Marks (This course also shall be opted out of the list of Open Elective Courses supplied by the other Faculties).

- Note:**
1. The medium of Instructions shall be in English only however students are at liberty to answer in Examinations either in English or Hindi.
  2. Only those groups shall be opened by the Department in which there is faculty arrangement for teaching in the Department of Law.
  3. The group opted by the student in Semester-III shall not be allowed to change at subsequent stage.

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## Scheme of Papers

Each course except Dissertation, Foundation Course and Open Elective Courses shall be of 100 Marks/ 5 Credits (Internal Assessment of 20 Marks and Theory Examination of 80 Marks/ 1+4 =5 Credits) and each theory course shall be of three-hour duration.

The Entire Syllabus of the theory examination has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (question number 9). This question shall consist of eight part (Two Parts from each units). Each part of the Question shall carry 2 marks(2x8).

### Internal Assessment – 20 Marks

**20 Marks** of Internal Assessment will be divided into **10 Marks for Minor Test, 05 Marks for Written Assignment/Seminar/Presentation** and **05 Marks for Attendance along with conduct & discipline** with the following break up:

(i)	85% and above	05 marks
(ii)	80% to less than 85%	04 marks
(iii)	75% to less than 80%	03 marks
(iv)	65% to less than 75%	02 marks*

**Distribution of internal assessment marks in case of 50 marks paper is as under:**

Minor Test	05 marks
Assignment/presentation	02 marks
Attendance	03 marks**

\*\*Marks for Attendance (50 marks paper) will be given as under:

(i)	85% onwards	03 marks
(ii)	80% to less than 85%	02 marks
(iii)	75% to less than 80%	1.5 marks
(iv)	65% to less than 75%	01 marks*

### Theory Examination – 80 Marks

The Entire Syllabus of the theory examination has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. The student will be required to attempt **any eight parts/questions from this unit**. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

### Instructions to Paper Setters

#### **Theory Examination – 80 Marks**

The Entire Syllabus of the theory examination has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**. Each question shall carry 16 Marks. Therefore, you are requested to set two questions from each unit for unit **I** to **IV**.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. You are requested to set **eight parts** (two parts from each unit of the syllabus) for **unit V**. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

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*Rudgil*

*Palmit*

*Upa*

*R*

*Rajul  
Bharti*

*W/m*

### SCHEME OF EXAMINATION LL.M. FIRST SEMESTER

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total Marks	Time
1	Indian Constitutional Law and the New Challenges	Core	20LLM21C1	80	20	4:1:0	100	3 Hrs
2	Administrative Law	Core	20LLM21C2	80	20	4:1:0	100	3 Hrs
3	Jurisprudence & Legal Theory	Core	20LLM21C3	80	20	4:1:0	100	3 Hrs
4	Transparency Law (RTI, Lokpal, Citizen Charter, Prevention of Corruption Act.)	Core	20LLM21C3	80	20	4:1:0	100	3 Hrs
5	Total Credits					20		

### SCHEME OF EXAMINATION LL.M. SECOND SEMESTER

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total Marks	Time	
1	Principles of Statutory Interpretation	Core	20LLM22C1	80	20	4:1:0	100	3 Hrs	
2	Research Methodology	Core	20LLM22C2	80	20	4:1:0	100	3 Hrs	
3	Environment and Development: Law and Policy	Core	20LLM22C3	80	20	4:1:0	100	3 Hrs	
*4	Law & Social Transformation or Judicial Process	Discipline Specific Elective	20LLM22D1 Or 20LLM22D2	80	20	4:1:0	100	3 Hrs	
**5	Foundation Elective	To be chosen from the pool of papers provided by the University					02	50	3 Hrs
6	Open Elective	To be chosen from the pool of papers provided by the University					03	100	3 Hrs
	Total Credits					25			

\*Available to the students as optional paper.

\*\*The candidate has to select one of the Foundation Elective paper provided in the University Pool.

## SCHEME OF EXAMINATION LL.M. THIRD SEMESTER

*A student has to choose one of the following groups:*

### Group-A (Business Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Law of Contracts in India & England	Core	21LLM23GA1	80	20	4:1:0	100	3 Hrs
2.	Law of Corporate Management & Partnership	Core	21LLM23GA2	80	20	4:1:0	100	3 Hrs
3	Dissertation	Core	21LLM23GA3			8	100	
*4.	Law of Export-Import Regulations OR Competition Law	Discipline Specific Elective	21LLM23DA1 Or 21LLM23DA2	80	20	4:1:0	100	3 Hrs
**5.	Open Elective	To be chosen from the pool of open elective papers provided by the University				3	100	3 Hrs
	Total credits					26		

\*Available to the students as optional paper.

\*\*The candidate has to select one of the Open Elective paper provided in the University Pool.

### Group-B (Criminal Law)

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	History and Principles of Criminal Law	Core	21LLM23GB1	80	20	4:1:0	100	3 Hrs
2.	Comparative Criminal Procedure (India & England)	Core	21LLM23GB2	80	20	4:1:0	100	3 Hrs
3	Dissertation	Core	21LLM23GB3			8	100	
*4.	Criminology & Juvenile Delinquency OR Terrorism & Organised Crimes	Discipline Specific Elective	21LLM23DB1 Or 21LLM23DB2	80	20	4:1:0	100	3 Hrs
**5.	Open Elective	To be chosen from the pool of open elective papers provided by the University				3	100	3 Hrs
	Total credits					26		

\*Available to the students as optional paper.

\*\*The candidate has to select one of the Open Elective paper provided in the University Pool.

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*Prakash*

**SCHEME OF EXAMINATION LL.M. FOURTH SEMESTER**

**Group-A (Business Law)**

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Law of Corporate Finance & the S.E.B.I. Act, 1992	Core	21LLM24GA1	80	20	4:1:0	100	3 Hrs
2.	Law of Negotiable Instruments, banking & Insurance	Core	21LLM24GA2	80	20	4:1:0	100	3 Hrs
3.	Law of Industrial and Intellectual Property	Core	21LLM24GA3	80	20	4:1:0	100	3 Hrs
*4.	International Trade Law OR International Disputes Settlement	Discipline Specific Elective	21LLM24DA1 Or 21LLM24DA2	80	20	4:1:0	100	3 Hrs
Total credits						20		

\*Available to the students as optional paper.

**Group-B (Criminal Law)**

Sr. No.	Name of Paper	Type	Code	Written	Internal	Credits L-T-P	Total marks	Time
1.	Penology & Victimology	Core	21LLM24GB1	80	20	4:1:0	100	3 Hrs
2.	Crimes Against Social And Economic Security	Core	21LLM24GB2	80	20	4:1:0	100	3 Hrs
3.	Collective Violence and Criminal Justice System	Core	21LLM24GB3	80	20	4:1:0	100	3 Hrs
*4.	Drug Addiction Criminal Justice & Human Rights OR Money Laundering and White Collar Crimes	Discipline Specific Elective	21LLM24DB1 Or 21LLM24DB2	80	20	4:1:0	100	3 Hrs
Total credits						20		

\*Available to the students as optional paper.



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BHIWANI**



**SYLLABUS OF LL.M. (TWO YEAR COURSE)  
Under Choice Based Credit System (CBCS)**

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**LL.M. FIRST SEMESTER EXAMINATION**  
Indian Constitutional Law and the New Challenges (Code 20LLM21C1)

**Course Outcomes:**

- CO1 Provide a strong foundation to the students about various activities of Indian Constitution.  
CO2 Will be able to analyze & compare the basic concepts of Fundamental Rights of the Constitution of various countries.  
CO3 The students will be aware of the different dimensions of the constitution of different countries in general & Constitution of India in particular

MM : 80 Time:  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

The Executive- Union & States Parliamentary/Presidential form of Governments-Suitability. President/Governor & Council of Ministers-Relationship. Parliament & State Legislatures Composition of Legislature, Elections, Corrupt Practices. Independence of Judiciary, Appointment, Removal of the Judges, Power of Judicial Review, Writ Jurisdiction & other powers of the court.

**Unit-II**

Fundamental Rights, Definitions of State and Law. Right to Equality, Reverse discrimination. Political Freedoms of the citizen reasonableness of restrictions. Right to life & personal liberty, various dimensions of the right to life and personal liberty.

**Unit-III**

Socio-economic rights, Directive principles of state policy-enforcement by the state relationship between directive principles & fundamental rights. Doctrine of eminent domain, right to property Parliamentary Privileges & Fundamental Rights. Fundamental duties of the citizen.

**Unit-IV**

Federalism, Co-operative federalism. Legislative and Administrative relations. Distribution of financial resources, Inter-State trade and commerce. Amendment of the Constitution, Basic structure theory.

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**Books Recommended:**

- Seervai, H.M. : Constitutional Law of India ( 3 Volumes).  
Jain, M.P. : Indian Constitutional Law  
Shukla, V.N. : Constitution of India  
Basu, D.D. : Constitution of India  
Bar Council of India : Constitution of India  
(Edited by Hidayatulla)  
Ex. C.J. of India  
Dr. Pal, Chander : Centre-State Relation and Co-operative Federalism.  
Gupta, R.K. : Centre State Fiscal Relation under the Indian Constitutional Law  
Wheare, K.C. : Federal Government (1963)  
Kumar, Narender : Constitutional Law of India  
J.N. Pandey : Constitutional Law of India

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Kumar  
Pandey  
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**LL.M. FIRST SEMESTER EXAMINATION**  
Administrative Law (Code 20LLM21C2)

**Course Outcomes:**

- CO1 Asquint the students about control of government for ensuring the exercise of public power according to the constitution and rule of law.  
CO2 To understand the various remedies under Administrative Law.  
CO3 The students will demonstrate understanding and relevancy of Administrative Law in present time as administrative law deals with important organs of the government of the Remedies available to the common man.

MM:80

Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**UNIT-I**

Meaning, Nature and Scope of Administrative Law: its reasons for growth and relation with constitution; Doctrine of Rule of Law and Separation of Power; Administrative functions: its distinction from Judicial, Quasi Judicial and Legislative Functions; Delegated Legislation: its meaning, necessity, scope and its control i.e Judicial and Legislative control: Excessive delegation, Permissible and impermissible Delegation, conditional and Sub-delegation

Leading Case: Indira Nehru Gandhi vs Raj Narain AIR 1975 SC2299

**UNIT-II**

Administrative Discretion: its Control, Principles of Natural Justice, Administrative Tribunals: its reasons for growth-Concept, Composition, Powers, Procedure and Constitutional Validity,

Distinction between Court and Tribunal, Administrative Tribunals How far Bound by Rule of Evidence.

Leading Cases: L.Chandra Kumar vs Union of India and others, AIR 1997 SC 1125

**UNIT-III**

Writ Jurisdiction under Article 32 and Article 226: Habeas Corpus-Mandamus-Certiorari- Prohibition and Quo Warranto; Judicial Control of Administrative Actions: Constitutional Remedies and other statutory remedies, Rule related to Locus Standi, Doctrine of Ultra Vires, Public Interest Litigation, Public Undertakings.

Leading Case: Transport Corporation Vs DTC Mazdoor Congress AIR 1991 SC 101

**UNIT-IV**

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Privileges and Immunities of the Administration, Tortious Liability of State and Public Authority, Contractual Liability of the State: Doctrine of Promissory Estoppel, Institution of Ombudsman: Lokayukt - Lokpal, Central Vigilance Commission.

LEADING CASES: Ramakrishna Hegde Vs State AIR 1993 KNT-54

### Books Recommended

- M.P. Jain. *Principles of Administrative Law* (Lexis Nexis, 6<sup>th</sup> Ed.)
- I.P. Massey. *Administrative Law*, (Eastern Book Company, 9<sup>th</sup> Ed., 2017)
- C.K. Takwani. *Lectures on Administrative Law*, (Eastern Book Company, 6<sup>th</sup> Edition, 2017)
- U.P.D Kesari. *Administrative Law*, (Central Law Publication 21<sup>st</sup> Ed. 2016)
- H.W.R Wade. *Administrative Law*, (Oxford, 11<sup>th</sup> Ed., 2014)

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Sudhanshu  
Judges  
Pohit  
Gupta  
Bhambhani  
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**LL.M. FIRST SEMESTER EXAMINATION**  
Jurisprudence and Legal Theory (Code 20LLM21C3)

**Course Outcomes:**

- CO1 The students will demonstrate the understanding of evolution of Law with reference to various theories and school of Law.
- CO2 The students will be enriched with the knowledge of various sources of law and persons legal rights and duties.
- CO3 The students will study the nature and various Schools of Law, Sources of law and Legal Rights and Obligation.

MM : 80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from each **unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

Nature, Value and Province of Jurisprudence

Positivism:

Bentham and Positivism

John Austin and Analytical Jurisprudence

Modern Positivism

Kelsen's Pure Theory of Law

Hart's Concept of Law

Dworkin's Criticism of Positivism and his theory of Law

**Unit-II**

Historical Jurisprudence:

(a) Savigny and the Historical School

(b) Henry Maine and the Anthropological School

Natural Law

Revival of Natural Law

Lon L. Fuller- Morality of Law

Stammler- „Natural Law with a variable content“

The Theory of Precedent in India

**Unit-III**

Modern Realism.

Sociological Jurisprudence:

Ihering, Ehrlich and Duguit

Roscoe Pounds' Social Engineering

Indian Approach to socio-economic justice

**Unit-IV**

Legal Concepts:

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B. K. S.  
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Legal Rights and Duties  
Legal Personality  
Possession and Ownership

### Books Recommended

- N.V. Paranjape : Studies in Jurisprudence and Legal Theory  
John Austin : Lecturers on Jurisprudence  
Holland : Jurisprudence  
Salmond : Jurisprudence  
Dias RWM : Jurisprudence  
Friedman : Legal Theory  
Hart, HLA : The Concept of Law  
Alen, C.K. : Law in the Making  
Roscoe Pound : Outline of Jurisprudence  
Roscoe Pound : Philosophy of Law & Morals  
Newman(ed.) : Essay in Jurisprudence in Honour of Roscoe Pound  
Stone, J. : a) Social Dimension of Law & Justice  
: b) Legal System of Lawyers Reasoning  
: c) Human Law and Human Justice  
  
Llyod Dennis : Introduction of Jurisprudence  
Holmes : Common Law  
Pollock & Wright : Possession  
Fuller : Morality of Law  
  
Dhyani, S.N. : Law, Morality and Justice  
Cordozo : Growth of Law  
Stone : The Province and Function of Law  
Hohfield : Fundamental Legal Conceptions  
Vinogradoff : Outlines of Historical Jurisprudence  
Basu : Modern Theories of Law (ILL)

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**LL.M. FIRST SEMESTER EXAMINATION**  
Transparency Law (RTI, Lokpal, Citizen Charter, Prevention of Corruption Act)  
(Code 20LLM21C4)

**Course Outcomes:**

- CO1 Students will get comprehensive knowledge of RTI Act, Prevention of Corruption Act etc.  
CO2 Use these laws to solve a variety of Social problems.  
CO3 The students will study Citizen Charter, Prevention of Corruption Act, RTI & Lokpal etc.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

**Citizen charter:**

Objective of the Citizens' Charter, Components of Citizen Charter, Plans of citizen charter, Problems faced in implementing the Charters, Deficiencies in the Existing Citizens' Charters, Guidelines for the Citizens' Charters in India.

**Unit-II**

**Prevention of corruption Act:**

Prevention of Corruption Act, 1988 - Objects and Reasons of the Act, Definitions - Public duty, Public Servant; Power to appoint special judges, cases triable by special judges, Procedure and Powers of special judges; Offences and Penalties - Public Servant taking gratification other than legal remuneration in respect of an official Act, Criminal misconduct by a Public Servant.

**Unit-III**

**Right to information:**

Right to Information Act, 2005: Historical Background: Colonial and Post Independent; Significance of Right to Information in Democracy Constitutional basis of RTI with special reference to Art. 19 and 21 of the Constitution; Right to Information and obligations of public authorities Central Information Commission, State Information Commission, Powers and Functions of Information Commissions, Appeals and Penalties; Press and NGO's Role in RTI Public awareness and public participation in RTI, Supreme Court on Right to Information

**Unit- IV**

**Lokpal:** Historical Background, meaning, Scope of Lokpal in India; Laws Relating to Lokpal in India; Power and Functions of Lokpal and Limitation; Lokpal and Lokayukt: A comparative study

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### Books Recommended:

1. Dr. Niraj Kumar: Treatise on Right to Information Act, 2005
2. Dheera Khandelwal & Krishan K. Khandelwal: Right to Information Act, 2005
3. P.K. Das: Right to Information Act
4. N.K Jain: Right to Information Concept Law & Practise
5. K.Rao (Advocate): Commentary on the Prevention of Corruption Act, 1988
6. P.V.Ramakrishna, revised by D.M.Rao (Advocate): Handbook on Prevention of Corruption Act, 1988
7. Aravinda K. Sharma & Indu Sharma: Inducing Client Focus in Bureaucracy – The Citizen's Charters in India
8. M. V. Kamath : Corruption and the Lokpal Bill

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**LL.M. SECOND SEMESTER EXAMINATION**  
Principles of statutory interpretation (Code 20LLM22C1)

**Course Outcomes:**

- CO1 The students will about various strategies and aids of interpretation.
- CO2 The students can enrich their knowledge through various principles and rules of interpretation.
- CO3 The students will have the knowledge of various strategies, rules and aid which are used in the interpretation and construction of various kinds of statutory enactments and Constitution.
- CO4 Further, the students are made aware about the Principles applied by the legislature in enacting various laws.

MM : 80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

Basic Principles of Interpretation:

Meaning of Interpretation, Interpretation and Construction, Intention of Legislature, Statute must be read as a whole in its context, Presumption in favour of constitutionality of a statute. If meaning plain, effect must be given to it irrespective of consequences.

Rule of Literal Construction.

Golden Rule of Construction.

Mischief Rule of Construction

**Unit-II**

Internal Aids to Construction:

Short Title, long title, Preamble, Headings, Marginal Notes, Punctuations, Illustrations, Interpretations Clause, Proviso, Explanation, Schedules.

Maxims:

(i) Ejusdem Generis (ii) Expressio Unius Est Exclusio Alterius

(iii) Noscitur A Sociis

Interpretation of Constitution.

**Unit-III**

External Aids to Construction

Parliamentary History, Historical Facts and Surrounding Circumstances, Dictionaries, Text-books, Use of Foreign Decisions, Statutes in Pari-materia.

Codifying and Consolidation Statutes.

Commencement and Repeal of Statutes.

**Unit-IV**





Mandatory and Directory Provisions.  
Beneficial and Liberal Construction.  
Construction of Remedial and Penal Statutes.  
Construction of Taxing Statutes.

### Books Recommended

Maxwell : Interpretation of Statutes.  
Craies : Statute Law.  
Sutherland : Statutory Construction.  
Singh, G.P. : Principles of Statutory Interpretation.  
Swarup, Jagdish : Legislation and Interpretation.  
Sarathi, V.P. : Interpretation of Statutes.  
Bindra : Interpretation of Statutes.

*Swarup* *Judgi*  
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*W.P.*  
*Bindra*

**LL.M. SECOND SEMESTER EXAMINATION**  
Research Methodology (Code 20LLM22C2)

**Course Outcomes:**

- CO1 The students can know about various concepts like research problems, hypothesis etc.  
CO2 They can get to know about the writing of footnotes.  
CO3 The students learn about various techniques used in data collection.

MM : 80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

Meaning; Objectives and Scope of Legal Research.  
Socio-legal Research in India  
Kinds of Legal Research, Doctrinal and non-doctrinal legal research  
Legal Research and law Reform  
Legal Reasoning: Use of Deductive and inductive method.

**Unit-II**

Legal knowledge- Meaning of Law, Sources of Law and where to find law.  
Major steps involved in doing legal research  
Identification & Formulation of Research Problem.  
Survey of available literature and bibliography.  
Legislative materials including subordinate legislation, notification and policy statement.  
Decisional material  
Juristic Writings, compilation of list of reports or special studies.  
Hypothesis: Meaning, Importance, Characteristics, Types, sources and its Formulation

**Unit-III**

Legal Research Design  
Meaning of Research Design, Aspects to be considered in Research design, Contents, Steps, Characteristics, Need Significance of good research Design Types of Research Design.  
Sampling Design for Legal Research- Census and sampling methods, Merits and Demerits of Sampling, Characteristics of a good sampling unit, procedure to select a sample, size of a sample and types of sampling, sampling error and standard error.  
Data to collection and its Methods.  
Use of observation studies, questionnaires and schedules.  
Interview techniques  
Surviving method  
Case study method  
Scaling techniques  
Project Technique

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Analysis and Interpretation of legal Research DATA  
Unit-IV

Generalization in Legal Research  
Sociometry in Socio-Legal Research  
Preparing Legal Research Report  
Report Writing  
Computer Application and Legal Research

**Books Recommended**

- Price, M.O. Bitner, H. and Bysiewiez : Effective Legal Research (1978)  
Young, Pauline V. : Scientific Social Survey and Research (1962)  
Grade, William J. and Paul, K. Hatt : Methods in social Research, McGraw-Hill Book Company, London  
Hyman, H.M. : Interviewing in Social Research (1965)  
Erwin, C. Surrency, B. Fieif and J. Cera : A Guide to Legal Research (1959)  
Morris, L. Cohan : Legal Research in Nuishelc (1996)  
West Publishing House Co.  
Havard Law Review Association, ILI Publication, Baxi, Upendra : Uniform System of Citations.  
: Legal Research and Methodology  
: Social Legal Research in India.

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**LL.M. SECOND SEMESTER EXAMINATION**  
Environment and Development : Law and Policy(Code 20LLM22C3)

**Course Outcomes:**

- CO1 The students get acquainted with various environment protection laws.  
CO2 The students learn to use these laws to control environmental degradation.  
CO3 The students are apprised about various general as well special laws passed by Indian Parliament as well as global concern in this behalf.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

Environmental Protection and its importance.

Constitutional Provisions and Environment Protection in India.

Sustainable Development and the role of Indian Judiciary in promoting it with special reference to "Precautionary Principle" and "Polluter Pays Principle"

The National Green Tribunal Act, 2010: Object and Purpose of the Act; Preliminary (Section 1-2), Establishment of the Tribunal (Section 3-13); Powers and Proceedings of the Tribunal (Section 14-25), Penalty (Section 26-28)

**Unit-II**

Environment Pollution; Meaning of Environment and Environment Pollution

Different Kinds of Environment Pollution.

Legislative Measures for Prevention and Control of Environment Pollution in India,

The Environment Protection Act, 1986; Definitions (Section 2), General Powers of Central Govt.

(Sections 3-6), Prevention, Control and Abatement of Environment Pollution (Section 7-17),

Miscellaneous (Section 18-26)

**Unit-III**

Remedies for Environment Protection; Civil, Criminal and Constitutional.

Importance of Forest and Wildlife in Protecting Environment.

The Wild Life (Protection) Act, 1972; Definitions (Section 2), Authorities under the Act (Section 3-8), Hunting of wild Animals (Section 9-12), Sanctuaries, National Parks and Closed Areas (Section 18-38), Central Zoo Authority and Recognition of Zoos (Sections 38A-38J), Constitution of National Tiger Conservation Authority and its powers and functions (Sections 38-L and 38-O), Tiger and other Endangered Species Crime Control Bureau (Section 38y and 38z), Trade or Commerce in Wild Animals, Animals Articles and Trophies (Section 39-49). Prohibition of Trade or Commerce in Trophies etc. (Sections 49A-49C), Prevention and Detection of Offences (Section 50-58).

**Unit-IV**

Environmental Impact Assessment and Control of Hazardous Wastes.  
 Environment Protection and Law of Tort; The Water (Prevention and Control of Pollution) Act, 1974;  
 Definitions (Section 2), the Central and  
 State Boards for Prevention and Control of Water Pollution (Section 3-12), Joint Boards (Sections 13-  
 15), Powers and Functions of Boards (Section 16-18), Prevention and Control of Water Pollution  
 (Section 19-33A), Penalties and Procedure (Section 41-50).  
 The Air (Protection and Control of Pollution) Act, 1981; Definitions (Section 2), Central and State  
 Boards for Prevention and Control of Air pollution (Section 3-15), Powers and Functions of Boards  
 (Section 16-18), Prevention and Control of Air pollution (Section 9-31A), Penalties and Procedure  
 (Section 37-46).

### Books Recommended:

- |  |  |
|--|--|
| 1. Jaswal, P.S. &<br>Nistha                            | : Environmental Law  |
| 2. Dr. Naresh Kumar                                    | : Air Pollution and environment protection (1999)  |
| 3. Agarwal, S.   | : Legal Control of Environmental Pollution.  |
| 4. Armin Rosencrauz<br>Syam Divan<br>Marthal, L. Noble | : Environmental Law and Policy in India-Cases; Material and<br>Statements  |
| 5. Chaturvedi, R.G. &<br>Chaturvedi M.M.               | : Law on Protection of Environment<br>and Prevention of Pollution  |
| 6. Krishna Iyer, V.R.                                  | : Environmental Pollution and the Law, 1984<br>: Environmental Administration- Law and Judicial attitude,<br>Vols. I<br>& II, 1992 |
| 7. Paras Diwan   | : Protect Global Environment, 1994   |
| 8. Srivastava, A.B.                                    | : Introduction to Environment Law.   |
| 9. Shanthakumar, S.                                    | : <i>Environmental Law</i> , (Eastern Book Company, Ed. 2016)  |
| 10. Singh Gurdip,                                      | : <i>Environmental law</i> , (Central Publications, Allahabad, Ed. 2017)   |
| 11. Nanda, Sukanta K.                                  | : <i>Environmental Pollution &amp; Development</i> (Mittal Publication, Ed. 1999)  |
| 12. Chandra Pal,                                       | : <i>Environmental Law</i> , (Allahabad Law Agency Faridabad, Ed. 2017)  |
| 13. Dr. Tiwari H. N.                                   |  |

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**LL.M. SECOND SEMESTER EXAMINATION**  
Law & Social Transformation (Code 20LLM22D1)\*

**Course Outcomes**

- CO1 The students got to know about the evolution of law and its subsequent on social transformation.  
CO2 The students get acquainted about how social change and social reforms were brought about by Constitution of India.  
CO3 The students will study various aspect like meaning of social change and social reforms relating to women children and other vulnerable sections of the society.  
CO4 Main emphasis will be on impact of sociological School & Constitution of India as a tool of Social Engineering.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

**Law and Social Change**

Meaning and concept of Law, Social Change, Theoretic Models on Social change and their application- Inter play between law and social change, Relationship between law and morality, Social change in the context of democracy.

**Historical and Sociological Study on the role of law in bringing about social change**

Law and social change in ancient India-Social dimensions of law and social concern for justice-Role of family, associations and charitable institution, The Interpretation of Shruti, Smriti and Interaction between law and custom, Social control during the Muslim conquest-Social reform during the medieval period, Social reforms and Women, Children and others in modern India, Codification of Laws-Freedom of Movement and Social reform ideas.


**Unit-II**

**Constitution and Social Transformation**

Impact of Sociological school in India, Constitutional mechanism for social change, Basic structure theory as balancing continuity and change-The role of Governmental organs, Application of international law in the process of constitutional interpretation-Constitutionalism and social transformation.

**Auxiliary Efforts:**

Jurisprudence of Sarvodaya-Gandhiji, Vinoba Bhava, Jaya Prakash Narain-Concept of grama nyayalayas, law and justice, constitutional debates on the right to property, Indian Marxist critique of law and justice, Naxalists Movement-Causes and cure-Rise of Dalits and changing equations in social order in twenty first century.



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### Unit-III

#### Religion and Law

Religion as a divisive factor, secularism-Reform of the law on secular lines, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law.

#### Language and the Law

Formation of linguistic states, Constitutional protection to linguistic minorities, Non-discrimination on the ground of language.

#### Community

Acceptance of caste as a factor to undo past injustices, Protective discrimination-Scheduled castes, Tribes and Backward classes, Reservation: Statutory Commission, Statutory provisions.

#### Regionalism and the law

Equality in matters of employment-the slogan "sons of the soil" and its practice.

### Unit-IV

#### Modernization and law

Modernization as a value-fundamental duties, Reforms in family law, Agrarian reform-Industrialization of agriculture, Industrial reform-Free enterprise v. State regulation-Industrialization and environmental protection. Reform of court process-Criminal law-plea bargaining, compounding and payment of compensation to victim, Civil laws-(ADR) Confrontation v. Consensus, mediation and conciliation, Lok adalats, Prison reforms, Democratic decentralisation and local self-government.

#### Books Recommended:

1. Marc Galanter (ed.) Law and Society in Modern India, 1977 Oxford.
2. Robert Lingat, The Classical Law of India, 1998
3. U. Baxi, the Crisis of the Indian Legal System, 1982
4. Duncan Derret, The State, religion and Law in India, 1999
5. H.M. Seervai, Constitutional Law of India, 1996
6. P. Ishwar Bhatt, Social Transformation in India

\* Available to the students as optional paper.

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## LL.M. SECOND SEMESTER EXAMINATION

Judicial Process (Code 20LLM22D2)\*

### Course Outcomes

- CO1 The Students develop a clear understanding about the tools and techniques of judicial creativity.
- CO2 The students can enrich their knowledge about the concepts like judicial activism. They can also understand the problems faced in fixing accountability.
- CO3 The judicial Process is an instrument of social ordering. The students will be made aware of the tools and techniques of Judicial creativity.
- CO4 The students will also learn about the role of Constitutional adjudication, Judicial activism & various other aspects like problems faced in fixing accountability & law making by various organs of the Government.

MM:80

Time: 3 hours

### NOTE:

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from each **unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

### Unit-I

#### Nature of Judicial Process

Judicial Process as an instrument of social ordering, Judicial process and creativity in law common law Model-Legal Reasoning and growth of law-change and stability, the tools and techniques of judicial creativity and precedent, Legal development and creativity through legal reasoning under statutory and codified systems.

#### Special Dimensions of Judicial Process in Constitutional Adjudications:

Notions of judicial review, Role in Constitutional adjudication. Varieties of judicial and juristic activism, Problems of accountability and judicial law-making

### Unit-II

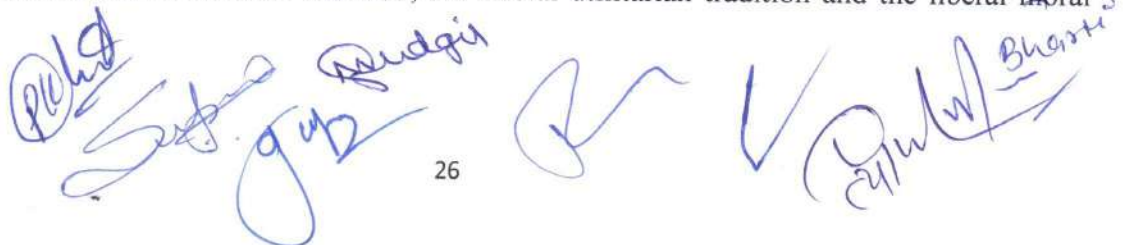
#### Judicial Process in India

Indian debate on the role of judges and on the notion of judicial review, the independence of judiciary and the political nature of judicial process, Judicial activism and creativity of the Supreme Court-The tools and techniques of creativity, Judicial process in pursuit of constitutional goals and values-New dimensions of judicial activism and structural challenges, Institutional liability of courts and judicial activism-Scope and limits.

### Unit-III:

#### The Concepts of Justice

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



#### Unit IV

##### Relation between Law and Justice

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

##### Books Recommended:

1. Julius Stone, The Province and Function of Law, 2000 Universal, New Delhi
2. Cardozo, The Nature of Judicial Process, 1995 Universal, New Delhi
3. Henry J. Abraham, The Judicial Process, 1998, Oxford.
4. J. Stone, Precedent and the Law-Dynamics of Common Law Growth, 1985
5. W. Friedmann, Legal Theory, 1960
6. Bodenheimer-Jurisprudence-the Philosophy and Method of the Law, 1997, Universal, New Delhi
7. J. Stone, Legal System and Lawyers', Reasoning's, 1999 Universal, New Delhi

\* Available to the students as optional paper.

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## LL.M. THIRD SEMESTER EXAMINATION

Law of Contract in India & England (Code 21LLM23GA1)

### Course Outcomes

- CO1 The students are skilled to understand the intricacies of various types of contracts and relevancy of digitalization of e-contracts.
- CO2 The students get an expertise in analyzing the basic difference in the laws of India and England in cases of breach of contract.
- CO3 The students will also get enriched with relevancy of digitalization in e-contracts and their effects in case of breach in Indian and English perspective.

MM:80

Time: 3 hours

### NOTE:

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

### Unit-I

Genesis and Philosophy of Contracts and its importance in a commercial developing society.

Freedom of Contract; Nature and basis of contractual obligation.

Formation of Contract- Agreement and Contract, Intention to create legal obligation; Requirements of valid contract.

Proposal and Acceptance- Essential elements, communication and revocation, proposal and invitation for proposal standing order, Tenders and Auction sale.

Standard Forms of Contract- Exclusion clauses and their effects.

Unilateral and bilateral contracts.

Capacity to Contract- Meaning and Scope, Contractual Capacity of a Minor, Corporation, Government, Consequences of Minor's Agreement and Stopple, Ratification.

Contract by a person of unsound mind- Legal effects.

Other Legal disabilities.

Free consent- Meaning and Scope: Vitiating elements- Coercion, Fraud, Misrepresentation, Undue influence and Mistake, Distinction between Fraud and innocent misrepresentation, Coercion and Duress, Mistake of Law and Mistake of Fact, Common, Mutual and Unilateral Mistake, Remedies available when agreement is vitiated by mistake.

### Unit-II

Consideration- *Nudum pactum*- Its need, meaning and essential; Adequacy of consideration, privity of contract and consideration- its exceptions; past; executed and executory consideration, Doctrine of Consideration and Promissory Estoppels; Essentiality of consideration with exceptions.

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Legality of objects and consideration- Unlawful consideration and objects; void, voidable and unlawful agreements and their effects. Concept of immoral and public policy, Heads against public policy.

Void Agreements, Agreement in restraint of Marriage, Agreement in restraint of Trade Agreement in restraint of legal proceedings, Uncertain Agreement and Wagering Agreement.

Contingent Contract- Meaning and scope, Reciprocal Promises.

Discharge of Contract- Meaning and modes of discharge; performance and Tender- place and time of performance, time as essence of contract performance of joint promises.

Discharge by Agreement- Novation Remission of performance, Accord and Satisfaction.

Discharge by Impossibility of performance and Frustration- Nature and scope of the doctrine of Frustration, Specific ground of frustration.

### Unit-III

Restitution;

Quasi-Contracts or certain relation resembling those created by contract.

Breach of contract and remedies, Meaning of breach and Anticipatory breach; Damages- Meaning and Nature, Kinds, Rule in Hadly v. Baxendale- Remotences of Damage.

Contract of Indemnity- Definition and Nature, distinction between Indemnity and Guarantee, Rights of the Indemnity Holder.

Contract of Guarantee- Definition and scope, Specific and Continuing Guarantee; Creditors Right against Principal Debtor and Surety, Discharge of Surety;

Surety's Rights against the principal debtor and Co-surety, Principal of Contribution by co-surety.

### Unit-IV

Bailment- Definition and Essential Features, Bailment for Reward and gratuitous Bailment, Right And duties of Bailor and bailee.

Finder of lost goods- Rights and Duties of finder; Rights and Liabilities of owner.

Pledge- Definition, Nature and Scope; who can pledge, Rights and duties of pawnor and pawnee.

Kinds of Agents- Factors, Brokers, Auctioneers, Del-Cordere agents, etc.

Agency- Nature, Distinction from other transactions; Contractual basis of Agency.

Modes of Creation of Agency- Express, implied, ratifications by operation of law.

Scope of Agent's Authority; Rights and Liabilities of the Agent as against principal and third party;

Rights and Liabilities of Principal and third party as against each other and as against agent.

Delegation by Agent- Sub-agent and substituted Agent- Distinction and Legal Effects.

Termination of Agency, modes of termination, Agency couple with interest.

### **Books Recommended:**

Dr. R.K. Bangia	: Law of Contract
Avtar Singh	: Law of Contract
Chaturvedi, A.N.	: Lectures on Indian Contract Act.
Cheshire and Fifoot	: The Law of Contract.
Anson Chitty	: On Contracts (General Principles).
Pollock and Mulla	: Indian Contract and Specific Relief Act.

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**LL.M. THIRD SEMESTER EXAMINATION**  
**Corporate Law and Management (Code 21LLM23GA2)**

**Course Outcomes:**

- CO1 The students become aware to understand various provisions of company law.  
CO2 The students will get command over various issues of corporate sector like holding of Boards meeting, Good Governance and Reconstruction, Merger and Winding up.  
CO3 In this subject the students will study in company law and various issues of corporate sector like holding of Boards meeting, Good Governance and Reconstruction, Merger and Winding up.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

History of jurisprudential aspects of company Legislation in India.  
Concept of corporate personality and limited liability advantages of Incorporation; Doctrine of Lifting the Corporate Veil, Corporation and Fundamental Right.  
Kinds of companies and other Forms of Business Organization.  
Registration and in-incorporation, Memorandum of Association, Doctrine of Ultra Vires, Articles of Association, doctrine of constructive notice and indoor management .  
Promoters- position, importance, duties and liabilities.  
National Company Law Tribunal-Constitution, Powers and Functions.

**Unit-II**

Prospectus; Liability for mis-statements.  
Shares- Meaning and Nature, Kinds, Allotment, Transfer and Transmission, Effects of irregular Allotment, Right issues, Bonus Shares, Purchase of its own shares, Borrowing Powers of Companies- Debentures, Kinds of Debentures, Charges, Classification of Charges, Regulation of Charges. Securities and Exchange Board of India Act,1992- Salient Features;  
Dividend- Meaning and Nature, power to pay dividend, mode of payments, Limitations on payments. Charitable and political contributions by companies.

**Unit-III**

Meetings- Meaning and kinds of meeting, Procedure and conduct of meeting- Notice; quorum, Voting Resolutions and Minutes.

Directors- Concepts of Directors and its evolution, Philosophy for the emergence of Board of Directors, Position and status of directors, kinds of directors, Appointment of Directors and their retirement.

Directors- qualifications, disqualifications, powers and duties including fiduciary obligations, removal of directors.

Managing Director, Whole-time Directors and Manager appointment, Powers and Functions, Managerial Remuneration; Statutory Limits and Restrictions.

Investigation and inspection-powers of Central Government and National Company Law Tribunal.

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#### Unit-IV

Control- Share-holders Control over the management and Government Control over management.

Majority powers and Minority rights, oppression and mismanagement.

Winding up and distribution- Meaning and scope, kinds of winding up :

Effects of Liquidation proceedings on the company and its organs, members, creditors and workers.

Liquidator and official liquidator- position, power and duties.

#### Books Recommended:

Paranjape, N.V.	: Company Law
Dr. Avtar Singh	: Company Law
Kapoor, N.D.	: Elements of Company Law
Thomson, J.M.	: Palmer's Company Law.
Gower, L.C.B.	: Principles of Modern Company Law.
Ramiya	: Guide to the Companies Act.
Devedasan, B.D. & Devedasan, T.S.V.	: Company Meetings and Resolution
Indian Law Institute	: Current Problems of Corporate Law
Shah, S.M.	: Lectures on Company Law
Topham and Ivamy	: Company Law
Ghosh, M.K.	: Indian Company Law
Arya	: Company Directors.
Sen, S.C.	: The New Frontier of Company Law
Sahgal, P.S.	: National and Multi-national Companies, Some Legal Issues.
Palmer's	: Company Law
Pennigton's	: Company Law

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**LL.M. THIRD SEMESTER EXAMINATION**  
Dissertation (Code 21LLM23GA3)

**Course Outcomes**

- CO1 Attracting students to new legal doctoral programs.  
CO2 The students can contribute a lot for the growth of Indian economy and society.  
CO3 The research scholars can help to eliminate deficiencies caused by public policies through their research work findings.  
CO4 A good research can contribute in resolving many socio-economic problems. Further, it can also lead to the enactment of new legislations and amendment of the existing ones.

MM : 100

- Attracting students to new legal doctoral programs.
- The students can contribute a lot for the growth of Indian economy and society.
- The research scholars can help to eliminate deficiencies caused by public policies through their research work findings.
- A good research can contribute in resolving many socio-economic problems. Further, it
- can also lead to the enactment of new legislations and amendment of the existing ones.

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## LL.M. THIRD SEMESTER EXAMINATION

Law of Export-Import Regulations (Code 21LLM23DA1)\*

### Course Outcomes

- CO1 The students will be able to understand the law of Export and Import along with its regulatory part.  
CO2 The students can get expertise on the International Regime like WTO agreements, General Law on Control of Imports and Exports and EXIM Policy.  
CO3 The students will study the International Regime like WTO agreements, General Law on Control of Imports and Exports and EXIM Policy.

MM:80  
Time: 3 hours

### NOTE:

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

### Unit-I

#### Introduction:

State control over import and export of goods - from rigidity to liberalization; Impact of regulation on economy; **The Basic Needs of Export and Import Trade:** Goods; Services; Transportation

### Unit-II

#### 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.

### Unit-III

#### General Law on Control of Imports and Exports: Control of Import:

General scheme; Legislative control; Power of control : Central government and RBL 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,

#### Control of Exports:

Quality control; Regulation on goods; Conservation of foreign exchange; Foreign exchange management; Currency transfer; Investment in foreign countries

### Unit-IV

#### 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,

#### Law Relating to Customs:

Prohibition on importation 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,

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**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 Uro; Investment in Indian banks; Repatriation and surrender of foreign securities,

**Technology transfer:** Restrictive terms in technology transfer agreements; Automatic approval schemes

**Books Recommended:**

Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)

Government of India Import and Export Policy (1997 -2002)

The Students should consult the relevant volumes of the Annual Survey of Indian Law, published by the Indian law Institute, New Delhi.

Foreign Trade Development and Regulation Act 1992 and Rules

Foreign Exchange Management Act 1999

Marine Products Export Development Authority Act 1972

Customs Manual (Latest edition)

Final Treaty of GATT, 1994.

**\* Available to the students as optional paper.**

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gupta, Singh, R, Bharti, and others.

## LL.M. THIRD SEMESTER EXAMINATION

Competition Law (Code 21LLM23DA2)\*

### Course Outcomes

- CO1 The students get enriched about development of Law of MRTP and Anti Competitive Agreements.  
CO2 The students will acquire clear understanding of the powers of CCI and role and functioning of Competition Appellate Tribunal etc.  
CO3 It also gives knowledge about the abuse of Dominant Positions, Rights of Consumers, Role of CCI, Role and Functioning of Competition Appellate Tribunal etc.

MM:80

Time: 3 hours

### NOTE:

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

### Unit-I

Introduction: Basic economic and legal principles; Restraint of Trade under Indian Contract Act; Monopolistic Trade Practices; Restrictive Trade Practices

### Unit-II

Development of Law from MRTP to Competition Act 2002: Aims, Objects and Salient features; Comparison between MRTP Act and Competition Act; Anti- Competitive Agreement; Abuse of Dominant position; Combination; protection of consumers

### Unit-III

Competition Commission of India: Structure and function of CCI; regulatory role

### Unit-IV

Competition Appellate Tribunal: Composition, Functions, Powers and Procedure; Award Compensation; Power to punish for contempt; Execution of orders

### Books Recommended

K.S. Anantaranan: Lectures on Company Law and MRTP

Dr. R.K. Singh: Restriction Trade Practices and Public Interest

Suzan Rab- Indian Competition Law- An International Perspective

S.M. Dugar's MRTP Law, Competition Law and Consumer Protection

Report of the Monopolies Inquiries Commission, Govt. of India 1965 (Dr. Hazari Report)

Sachar Committee Report, HighPowered Committee on MRTP Act & Company Act, 1980 and other related work

A.E. Rodrigues, Ashok Menon- The limits of Competition Policy, the shortcomings of Economics

Taxmann's competition Law and Practice

\* Available to the students as optional paper.

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**LL.M. THIRD SEMESTER EXAMINATION**  
History and Principles of Criminal Law (Code 21LLM23GB1)

**Course Outcomes:**

- CO1 The student get acquainted about evolution of criminal laws, various theories of criminality, various principles of crime, essentials of crime.
- CO2 The students get a comprehensive knowledge about joint and several liability, general defences etc.
- CO3 In this subject the students will be apprised about the various theories of criminality, various principles of crime, essentials of crime, joint and several liability, general defences etc.

MM : 80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit –I**

Nature and definition of crime, Distinction between Moral, Civil and Criminal Wrongs. Are Crimes and Torts Complementary? Elements of Crime and Theories of Criminal Liability Human Beings. *Mens rea* , *Actus reus*, Injury to human being, causation of crime , subjective and objective of theories of crimes.

Mental Element in Crimes – *The Maxim Actus Non Facit Reum Nisi Means Sit Rea*, Volition, Intention, Motive, Origin and Development of *Means rea* , *Means rea and Statutory Crimes*, *Exceptions to Means rea*, Modern Trends of *Means rea*, Applicability of *Means rea* in Indian Penal Laws, *Means rea* under Indian Penal Code.

**Unit – II**

Punishment – Nature, Kinds of Punishment , Theories of Punishment , Measure of Punishment, Modern View on Punishment and Penal Code, Individualization of Punishment , Compensation to the Victims , Executive Clemency, Commutation of Sentence , Suspension and Remission, Pardon.

Inchoate Crimes- Abetment, Criminal Conspiracy, Attempt.

Joint Liability, Vicarious Liability, Strict Liability and Liability of Corporations.

**Unit –III**

General Defences – Excusable, Ignorance (Mistake) of Fact, Executive and Judicial Acts, Accident, Necessity, Duress or Coercion, Infancy, Unsoundness of Mind, Intoxication, Consent, Triviality.

Justifiable – Right of private Defence of persons and property, provocation.

**Unit – IV**

Burden of Proof in relation to General Defences and crimes generally.  
Law Relating to Culpable Homicide.









### Books Recommended:

1. William , Glanville : Criminal Law (General Part)
2. Kennys : Outlines of Criminal Law (edited by J.W.C Turner)
3. Stuwart, S.W : A Modern View of the Criminal Law (Pergamon Press Ltd., Oxford, 1969)
4. Nigam, R.C. : Law of Crimes in India Vol. I (Principles of Criminal Law)
5. Gour, Hari Singh : Penal Law of India.
6. Bhatt, V.R. : Essays in Criminal Law (Karnataka University , Dharwar, 1979 )
7. Bhattacharya, B.K. : Insanity & Criminal Law (Eastern Law House, Calcutta).
8. Fitzgerlard, P.J. : Criminal Law & Punishment.
9. Colin, Howard : Strick Responsibility (Sweet & Maxwell Ltd., London,1963)
10. Law Commission of India, Reports: 29,42,43 and 47
11. Radzinowicz and Turner : Modern Approach to Criminal Law.
12. Edwards : Mens Rea in Statutory Offences.
13. Hall : General Principles of Criminal Law.
14. Stephen, James F. : History of Criminal Law (Vols. I,II & III).
15. Chaturvedi, A.N. : Rights of the Accused under the Indian Constitution(1984)
- 16 Rattan Lal and Dheeraj Lal : Law of Crimes

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## LL.M. THIRD SEMESTER EXAMINATION

Comparative Criminal Procedure (Code 21LLM23GB2)  
(India & England)

### Course Outcomes:

- CO1 The students will get knowledge about various legal systems to deal with crimes in India as well as in U.K.
- CO2 The students will also be able to analyze & interpret about the basic procedural difference of trial & appreciation of evidence in India & England.
- CO3 The students will come to know about the basic procedural difference of trial & appreciation of evidence in India & England.

MM : 80  
Time: 3 hours

### NOTE:

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

### Unit – I

#### Organization of Courts & Prosecuting Agencies

Hierarchy of Criminal courts and their jurisdiction .

Nyaya Panchyats in India.

Organisation of Prosecuting agencies for prosecuting criminals.

Prosecutors and Police.

Withdrawal of Prosecution.

### Unit – II

#### Pre-trial Procedures

Arrest and questioning of the accused.

The rights of the accused.

The evidentiary value of statements/article seized/collected by the police.

Right to council.

Role of the prosecutor and the judicial officer in investigation.

### Unit – III

#### Trial Procedure

The accusatory system of trial and inquisitorial system.

Role of the judge, the prosecutor and defence attorney in the trial.

(i) Admissibility and inadmissibility of evidence. (ii) Expert evidence

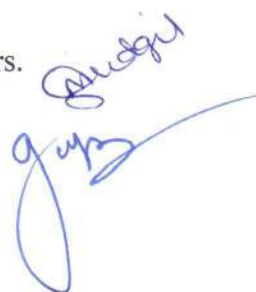
Appeal to the court in awarding appropriate punishment

Plea bargaining.

### Unit – IV

#### Correction and Aftercare Services

- i. Institutional Correction of the Offenders.



Bhaskar

- ii. Role of the Court in Correctional Programmers in India.
- iii. General Comparisons – Aftercare Services in India & France.

Preventive Measures in India.

- i. Provisions in the criminal procedure code.
- ii. Special enactments.
  - Public Interest Litigation
  - i. Directions for Criminal Prosecution

**Books Recommended:**

1. Hampton, Celia : Criminal Procedure.
2. Wilkins and Cross : Outlines of the Law of Evidence.
3. Archbold : Pleading, Evidence & Practice in Criminal Cases.
4. Sarkar : Law of Evidence.
5. Pillai, K.N. Chandra-sckharan (ed): : R.V. Kelkar's Outlines Criminal Procedure (2000) Ed.
6. Deevlin, Patric : The Criminal Procedure in England.
- American Series of Foreign Penal Codes, Procedural Code of People's Republic of China.
7. Ferdico, John N. : Criminal Procedure (1996), West.
8. Sanders & young : Criminal Justice (1994).
9. Criminal Procedure Code, 1973.
10. The French Code of Criminal Procedure.
11. 14<sup>th</sup> & 41 Reports of the Indian Law Commission
12. Rattanlal & Dhirajlal : The Code of Criminal Procedure.

**LL.M. THIRD SEMESTER EXAMINATION**  
Dissertation (Code 21LLM23GB3)

MM : 100

**Course Outcomes**

- CO1 Attracting students to new legal doctoral programs.
- CO2 The students can contribute a lot for the growth of Indian economy and society.
- CO3 The research scholars can help to eliminate deficiencies caused by public policies through their research work findings.
- CO4 A good research can contribute in resolving many socio-economic problems. Further, it can also lead to the enactment of new legislations and amendment of the existing ones.

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**LL.M. THIRD SEMESTER EXAMINATION**  
Criminology & Juvenile Delinquency (Code 21LLM23DB1)\*

MM:80  
Time: 3 hours

**Course Outcomes:**

- CO1 The students will acquire knowledge about crime, its origin, various theories, types of crime, provisions of Juvenile Justice Act, 2015.
- CO2 The students get ability to analyze & interpret various reasons of Juvenile Justice Act, 2015.
- CO3 In this subject, the students will be taught about crime, its origin, various theories, types of crimes, provisions of Juvenile Justice Act, 2015.

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

Definition of Criminology, Crime and Criminal Law, their theory and significance, Development of criminal law and criminology in India; Study of crime as behavior. Schools of Criminology:- Pre-classical, Classical and Neo-classical and their theories Baccaria and Bentham, The Positive school and their contributors C. Lambroso, R Garafellow and E Ferricriews of other schools i.e. cartographer sociological sociologist and clinical and multifactor's etc. and their contributors.

**Unit-II**

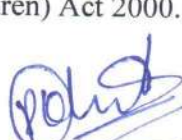
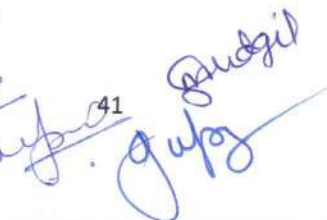
Types of Crimes and Criminals: Habitual, Sexual, Professional, Organized and white-collar. Terrorism Marginal and Victimless crimes, Modern and International crimes such as —cyber crime, Human organ crime, Hijacking, Feticide and Nuclear theft, crime against Women- Murder, Rape, Dowry-death, Torture, Kidnapping, abduction etc.


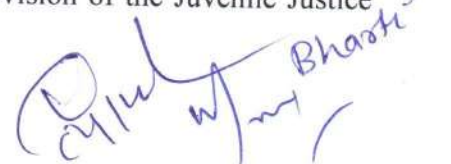
**Unit-III**

Cause of Crimes:- Individual, Mental, Physical, Economical, Psychological and Religious, Sexual, Harmonial abreoviability as a cause of crime Social disorganization, movibility, Theory of Differentiate association. Anomie, Labeling, Gang delinquency, Effect mass media and role of state and politician as crime causation.

**Unit-IV**

Juvenile Delinquency:- Its causes, Economic, Pressing, Gang culture, Differential association, Vagrancy, Truancy, Recidivism, Drug addiction, Tract went of Juvenile and their signification: Borsht system observation home Reformatories after care organization and Provision of the Juvenile Justice (care and protection of children) Act 2000.

  
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## Books Recommended

Sutherland & Crassly - Criminology  
Taft & England - Criminology  
Reckless W. - Criminology The Crime Problem  
Vole G.B. - Theoretical Criminology  
Mannheim - Compensation criminology  
Lolika Asrkar - Crime & Woman  
Upendra Baxi - Law & Poverty  
Pillai S. - Theory of Criminology  
Cycil Burt - Young Delinquents  
Gilliam J.L. - Criminology Penology  
Gluck - Delinquents in working  
A. Siddique - Criminology Problem & Perspective  
David Abrahanson - Crime & Human Maid  
Cove Land - The Emitters of Criminology  
Katherine S William - Text Book of Criminology  
Leon Radzeinoartz - Ideology of Crime  
W. Reckless - The Prevention of Juvenile Delinquency  
P.H. Kohen - Juvenile Offenders & The Law  
K.S. Shukla - Adolescent Offenders  
ILL (Delhi) - Habitual Offenders & The Law  
E. Sutherland - White Collar Crime  
M. Ponnianian - Criminology and Penology

\* Available to the students as optional paper.

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**LL.M. THIRD SEMESTER EXAMINATION**  
**Terrorism & Organised Crimes (Code 21LLM23DB2)\***

**Course Outcomes:**

- CO1 The students enrich their knowledge about the Terrorism and difference between Revolution and causes of terrorism.
- CO2 The students will have conceptual understanding about origin of crimes, drug trafficking, various provisions of NDPS Act, IT Act, Role of Judiciary and Extradition Treaty with examples.
- CO3 Further, the students will be apprised about origin of crimes, drug trafficking, various provisions of NDPS Act, IT Act, Role of Judiciary and Extradition Treaty with examples.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

**Terrorism and Organised Crime:**

Definition and Scope; Characteristics of organized crime; Types of organized crime; Causes of organized crime

**Unit-II**

**Classification of Organized Crimes:**

International Perspective: Transnational organized crime; Illicit Firearms trafficking; Drug trafficking; Money laundering scams and frauds

Indian Perspective: Smuggling, Money Laundering and Hawala; Terrorism; Counterfeiting of Currency; Drug trafficking; NDPS Act penal provisions; Cyber Crimes, IT Act, 2000 (Sec. 65, 66 & 67)

**Unit-III**

**Profiles of Criminal Gang/Investigation and Prosecution:**

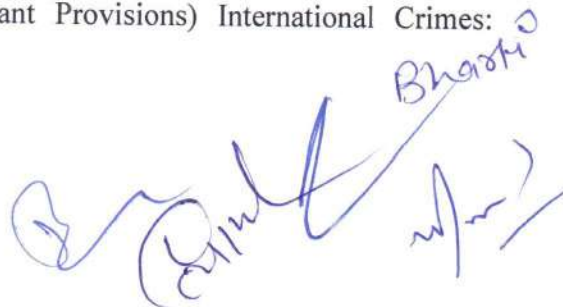
Criminal Intent and Mensrea in such Crimes; Modus operandi of organized crime; Role of Police in Investigation of organized crime; Role of Judiciary, Trial and Sentencing in organized crime; Relevant Provisions under IPC and Indian Evidence Act

**Unit-IV**

**Laws relating to Transnational Organized Crime:**

Organised Crime and United Nations; Naples Declaration and Global Action Plan 24 Dec. 1994 (Salient features); United Nations Conventions Against Organized Crime 15 Dec. 2000 (Salient features); Extradition Treaty: Extradition Act 1962 (Relevant Provisions) International Crimes:





Emerging Crimes of International Nature; Objective of International Criminal Law; Salient features of International Criminal Court.

**Books Recommended:**

**Bare Acts:**

1. Narcotic Drugs and Psychotropic Substances Amendment (Act) 2001
2. Immoral Traffic (Prevention) Act, 1956
3. Maharashtra Control of Organized Crimes Act 1999
4. Naples Declaration and Global Action Plan, 1994
5. Extradition Treaty & Extradition Act, 1962

**Books:**

1. Mathur K.M., Crime, Human Rights and National Securities, Gian Publishing House, New Delhi-02
2. Nadan Kamat, Computer and Information Technology Law
3. Attra Chand, Terrorism Political Violence Security of Nation, Gian Publishing House, New Delhi-3
4. William A Schabas, International Criminal Court, 1 Edition 2001, Cambridge University Press.

\* Available to the students as optional paper.

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**LL.M. FOURTH SEMESTER EXAMINATION**  
Law of Corporate Finance and the SEBI Act, 1992 (Code 21LLM24GA1)

**Course Outcomes**

- CO1 The students enrich their knowledge about the Corporate Finance & Role of SEBI in this regard.
- CO2 The students understood the concept like inter-corporate loans & restrictions imposed by Company's Act, Ministry of Company's Affair & SEBI.
- CO The students will get the knowledge about the powers of various Regulators like Reserve Bank of India, SEBI, and Company's Act & Ministry of company Affairs etc.

MM:80

Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I to IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from each **unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**UNIT-I**

Meaning, Importance and scope of Corporate Finance, Capital needs, capitalisation, working capital, securities borrowings, deposits, debentures, Share capital, issue and allotment, shares without monetary consideration, Non-opting equity shares, Payment of Commission and brokerage, Buy back of shares, New Financial Instruments

**UNIT-II**

Debentures and its types, Creation of Charges, Fixed and floating charges, , Inter Corporate loans and investments, Individual share holders rights, Corporate Membership Rights, Conversion, Consolidation and re-organisation of shares, Transfer and Transmission of Securities, Dematerialisation & Rematerialisation of Securities.

**UNIT-III**

Need for creditor Protection, Creditor self protection, Rights in making company decisions affecting creditors interests, Preference in payment, Incorporation of favourable terms in lending contracts, Right to nominate directors, Indian depository receipts(IDR) American depository receipts(ADR) Global Depository receipts(GDR), Mutual Fund and other collective investment schemes, Institutional investments (LIC, UTI, Banks, IMF, World Bank)

**UNIT-IV**

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Securities and Exchange Board of India Act, 1992; Basic Features, Establishment of SEBI, Powers and Functions of SEBI, Registration of Capital Market Intermediaries, Offences and Penalties, powers and jurisdiction of securities Appellate Tribunal.

### Books Recommended:

- Dr. Jaswant Saini, *Corporate Finance*, (University Publication, Jaipur, 1<sup>st</sup> Ed. 2017.)
- Dr. Jaswant Saini, *Investor Protection in India*, (Eclat Imprints, USA, 1<sup>st</sup> Ed. 2015.)
- Dr. Jaswant Saini, *Financial Mechanism of Corporate Bodies in India*, (Eclat Imprints, USA, 1<sup>st</sup> Ed. 2016.)
- Ravi M. Kishor, *Financial Management*, (7<sup>th</sup> Ed. Taxman's, 2009)
- Sanjiv Aggarwal, *Investor Guide to stock Market*, (2<sup>nd</sup> Edition, 2001)
- Chandershakher Krishnamurti. S.R. Vishwanath, *Advanced Corporate Finance*, (PHI Learning Pvt. Ltd., New Delhi Ed. 2010)
- R. Ramaiya. *Guide to the Companies Act* (16<sup>th</sup> Ed. 2016)
- Altman and Subrahmanyam. *Recent Advances in Corporate Finance* (LBC 2<sup>nd</sup> Ed. 1985)
- S.C. Kuchhal. *Corporation Finance: Principles and Problems* (1<sup>st</sup> Ed. 2009)
- V.G. Kulkarni. *Corporate Finance* (9<sup>th</sup> Ed. 2003)
- V.D. Kulshreshta. *Government Regulation of Financial Management of Private Corporate Sector in Indian* (13<sup>th</sup> Ed. 1986)
- A.K. Majumdar. *Company Law and Practice* (Taxman Latest Ed. 2017)
- G.K. Kapoor and A.P. Suri. *Corporate Laws* (Taxman 3<sup>rd</sup> Ed. 2015)
- Taxman's Company Law Manual (by Finance Act 2017)
- G.K. Kapoor and Sanjay Dhamija. *Taxman Corporate Law* (Taxman Ed. 2015)
- Sanjeev Aggarwal. *Investor Guide to Depositories* (Bharat Publication House, 1<sup>st</sup> Ed. 2000)
- K.S. Anand Kanchan. *Lecture on Company Law* (Lexis and Nexis, 10<sup>th</sup> Ed. Reprint 2016)
- L.S. Sealy. *Cases & Materials in Company Laws* (Lexis and Nexis 5<sup>th</sup> Ed. 1992)
- V.K. Aggarwal, Consumer Protection- Law and Practice.
- S.R. Myeni Corporate Law-II
- Sharma, Gokulesh financial and Economic Laws
- Cherunilam Francis Business Environment
- SEBI Act. 1992.

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**LL.M. FOURTH SEMESTER EXAMINATION**  
Law of Banking and Negotiable Instruments (Code 21LLM24GA2)

**Course Outcomes:**

- CO1 This subject enables the students to understand the meaning & concepts of Negotiable Instruments, Banking & Insurance.
- CO2 The students will acquire practical knowledge of Banking Law and powers of RBI in fraud prevention.
- CO3 Furthermore, the course also provides for Principle of Insurance and its various types along with the statutory remedies

MM:80

Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

Nature and Development of banking; Nationalization of Bank, Relationship of Banker and customer; Banking Business; Banker's Lien, Type of Accounts. Social control of Banking Institution.  
Banking Regulation Act, 1949- Applicability to Banking Companies and Public Sector Banks; Business of Banking Companies; Control over Management; Prohibition of Certain Activities in Relation to Banking Companies Acquisition of the Undertaking of Banking Companies in certain cases.  
Winding up of Banking Companies; Special provision for speedy disposal of winding up proceedings.  
Banking Regulation Act as applicable to certain co-operative Banks.  
Social Control of Banking Institutions.

**Unit-II**

Reserve Bank of India Act, 1934- Purpose and scope, organizational structure of RBI; Powers and Functions of RBI: Incorporation, Capital, Management and Business, Central Banking Business, Provision relating to non-banking institutions receiving deposits and Financial Institutions, Prohibition of Acceptance of deposits by unincorporated bodies.  
State Bank of India Act, 1955- Objectives and purposes, Incorporation and Share Capital of SBI; Establishment of SBI, Authorized Capital, Issued Capital, Management; Business of State Bank of India- State Bank as agent of Reserve Bank, Business which SBI may or may not transact, Power of Acquisition of Business of other Banks.

**Unit-III**

The Negotiable Instruments Act- Purpose and object, Historical development of law relating to Negotiable Instruments.  
Definition, kinds of negotiable instruments, promissory note, kinds of crossing and their effect, holder and holder in due course; payment in due course; inland and foreign instruments; Ambiguous instruments, Inland and Foreign instruments,

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Parties to Negotiable Instrument, Capacity to make; Maker, drawer and acceptor principal; Negotiable Instrument without consideration; position of Minor, agency and Legal representative.

#### Unit-IV

Negotiation and Liability, Negotiation and assignment; Negotiation by delivery and by Indorsement; Kinds of Indorsement- Indorsement in blank and Indorsement in full, restrictive Indorsement, Indorsement sans recourse, conditional Indorsement, Partial. Indorsment, Liability of Parties- Liability of acceptor, maker, drawer, Drawee, Discharge from liability by cancellation, delay in presenting material alternation, negotiation back, allowing more than 48 hours to accept; Presentation for acceptance and payment, presentment to agent etc, Time and place of presentment, when presentment unnecessary, Dishonour and notice of dishonour, noting and protests, Acceptance and payment for honour and reference in case of need.

Special rules of evidence- Presumptions and estoppel, penalties for dishonour of certain cheques for insufficiency of funds in account.

#### Books Recommended:

Bhashyam & Adiga	: The Negotiable Instrument Act
Parthsarthy	: Cheques in Law and Practice.
Aggarwal, C.L.	: Law of Hundi and Negotiable Instruments.
Canygton	: Business Law
Smith and Keenan	: Essentail of Mecantile Law.
Tannan's	: Banking Law and Practice in India
Sethi	: Commentary on Banking Regulation Act,1949.

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Adiga*

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**Course Outcomes:**

- CO1 The students will demonstrate a basic understanding of the Indian legal regime.
- CO2 Students will demonstrate an understanding of the core doctrines of Intellectual Property Law.
- CO3 Students will demonstrate an ability to use legal authority and perform legal analysis.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I to IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

Meaning and concept of Intellectual property; National and International protection of intellectual property, an overview of TRIPS Agreement, WTO and WIPO.

Paris Convention for Protection of Industrial Property.

The Trade Marks Act, 1999- Object and scope of the Act; The concepts of mark, trade mark, registered trade mark; certification trade mark, deceptively similar mark; goods and services. Registration of trade mark- conditions for registration; procedure for registration and Duration of registration; fact of Registration, Assignment and Transmission of registered trade mark and unregistered trade mark; Infringement of trade mark and remedies.

**Unit-II**

Object and purpose of Copyright Law, International Conventions on Copyright; Berne Convention, WIPO Copyright Convention and Phonogram Treaty.

The Copyright Act, 1957 with the latest Amendments, Object and Scope of the Act; The concept of author, work, literary work, artistic work, musical work, Cinematography film, work of sculpture, reprography, computer programmer, copyright ; and adaptation Copyright office. Term of copyright; Registration of copyright, infringement of copyright and remedies.

**Unit-III**

Object and purpose of Patent Law; value of patent system; International character of patents, Advantage of Patent to Inventor; Rights and obligations of patental.

The Patents Act, 1970 with the latest amendments- Object and scope of the Act; Concept of patent, invention, patented article and patented process. Registration of patents; inventions not patentable' infringement of patents and remedies.

**Unit-IV**

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Unit-IV

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Industrial Design and Geographical Indications- Scope and purpose, subject matter of protection.

The Design Act,2000- Object and scope of the Act, Concept of design, proprietor of a new or original design; Registration of Design; Copyright in registered design, piracy of Designs and remedies.

Geographical Indications of Goods Act, 2002- object and scope of the Act; concept of Geographical Indications; conditions for registration; procedure and duration of Registration, Effect of Registration.

### Books Recommended:

Special attention should be given to literature of the U.N. System, WIPO and the UNESCO.

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| Terenee P. Stewart (ed.)                                       | :The GATT Uruguay Round: a Negotiating History (1986-1994) the End Game (Part-I) (1999), Kluwer. |
| Iver P. Cooper   | : Biotechnology and Law (1998), clerk Boardman Callaghan, New York.                              |
| David Bainbridge   | :Software Copyright Law (1999), Butterworths.  |
| Sookman  | : Computer Law (1998), Carswell.   |
| Patent Co-operation Treaty Handbook (1998), Sweet and Maxwell. |  |
| Cornish, W.R.  | : Intellectual Property Law (1999), Sweet and Maxwell  |
| Narayanan, P.  | : Intellectual Property Law  |
| Vashishth, Vikas   | : Intellectual Property in India- Law and Practice.  |
| Wadehra, B.L.  | : Law Relating to Patents, Trade Mark, Copyright and Designs.                                    |
| Bansal, Ashwani K.   | : Law of Trade Mark  |

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**LL.M. FOURTH SEMESTER EXAMINATION**  
International Trade Law (Code 21LLM24DA1)\*

**Course Outcomes:**

- CO1 The students learn about the scope of International Trade Law and its various elements like, Sale of Goods at International Level and Financing etc.
- CO2 Students will demonstrate the understanding of various conflicting issues of International Trade Law.
- CO3 The students will also its various elements like, Sale of Goods at International Level, Financing & Payment in International Trades, Transportation of Exports and Insurance of Marine & Aviation Exports etc.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

**International Sale of Goods:**

Special Trade terms in export sales — Definitions, kinds, Differences between Rights and duties of buyers and sellers; Standardization of terms in International Sales: Uniform Conditions of Export Sales — Role of UNCITRAL, International Chamber of Commerce Publications, Standard contract forms applied to specified international transactions; Offer and acceptance; Performance of contract; Rights of unpaid seller; Countertrade; Frustration of contract; conflict of laws; Unification of the Law of International Sales

**Unit-II**

**Financing and Payment in International Trade**

Meaning, types and control of foreign investment; Bill of Exchange — Meaning; Letters of Credit — Characteristics and kinds; Bank guarantees and other contract guarantees;

**Unit -III**

**Transportation of Exports**

Carriage of Goods by Sea- Unimodal and Multimodal Transport, Contract of Carriage by Sea, Bills of Lading, Charter party Liability of ship owner for loss or damage to goods; Container transport — Course of business in container Transport, Legal Problems of container transport; Carriage of Goods by Air; Carriage of Goods; Carriage of Goods by Land

**Unit-IV**

**Insurance of Exports — Marine and Aviation Insurance:**

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## Books Recommended:

1. Carr and Kidner — Statutes and Conventions on International Trade Law, 1993
2. Jason Chuah — International Trade Law, Cavendish Publishing Ltd., London, 1995
3. Motiwal and Awasthi International Trade, 1st edn., 1995. Bhowmik and co; New Delhi.
4. Clive M. Schmitthoff, Schmitthoff's, Export Trade, 8 Edn., 1986, Stevens and Sons, London.
5. Law of International Trade Transactions — ed. Rahmatullah Khan, Tripathi Pvt. Ltd., Bombay, 1973
6. UNCITRAL Year Book, 1970-1995, United Nations, New York.
7. Dicey, Conflict of Laws.
8. Justice Kochu Thomen — Bill of Lading.
9. Payne and Ivamy — Carriage of goods, 12 Edn., Butterworth.
10. M.C. Vaish, Sudama Singh: International Economic Law, 4 Edn. Oxford and IBH Publishing Co.
11. New Directions in International Trade Law, Vol.-I & II, Oceana Publications Inc.
12. B.C. Mitra — Law Relating to Bills of Lading and Charter party (Air, Land and Sea) 1998.
13. Avtar Singh Law of Carriage (Road, Rail, Air and Sea) 3 Edn. Eastern Book Co.

\* Available to the students as optional paper.

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Pleasant Singh  
Sudama Singh  
Avtar Singh  
Bhaskar Singh  
M.C. Vaish

**LL.M. FOURTH SEMESTER EXAMINATION**  
International Dispute Settlement (Code 21LLM24DA2)\*

**Course Outcomes:**

- CO1 The Students will demonstrate an understanding of the substantive and procedural law related to litigation and Dispute Resolution.
- CO2 The Students will be capable of applying the skills of problem solving, collaboration, counselling and negotiation in litigation context.
- CO3 Students will be made aware of various concepts, like. International Courts & Tribunals, Adjudication. Further, the students will be imparted instructions in respect of regulatory mechanism like International Decision, Recognition & Enforcement.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit -I**

**International Courts and Tribunals:**

Dispute adjudication and arbitration; International Court of Justice; Permanent Court of Arbitration; Human Rights Courts and Commissions; International Criminal Court; International Tribunal for the Law of Sea.

**Unit-II**

**Admissibility and Justice ability:**

Distinction between jurisdiction and admissibility; Absence of a necessary third party; Diplomatic protection: nationality of claims and exhaustion of local remedies; Investment treaty arbitration: contracts claims and treaty claims.

**Unit-III**

**International Adjudication:**

Characterization; Law applicable to substantive issues; Jurisdiction and admissibility; Arbitration clause; Procedure; Capacity of parties; Issues of state responsibility; Remedies in international adjudication; Three forms of reparation: restitution, compensation, and declaratory judgments.

**Unit-IV**

**International Decisions, Recognition and Enforcement:**

Interpretation and revision; Challenges before the International Court of Justice (ICJ); Challenges before the Municipal Courts at the seat of the arbitration; Special case for an International Centre for Settlement of Investment Disputes (ICSID); Annulment proceedings; New York Convention on the Recognition and Enforcement of arbitral awards.

**Books Recommended:**

1. French, Duncan, Saul, Matthew and White, Nigel D.; International Law and Dispute Settlement; Hart Publishing
2. Tams, Christian J and Tzanakopoulos, Antonios; The Settlement of International Disputes; Hart Publishing
3. Hurd, Ian; International Organizations: Politics, Law, Practice; Cambridge University Press
4. Merrills, J.G; International Dispute Settlement; Cambridge University Press
5. Gupta, S.P; International Organizations; Allahabad Law Agency

\* Available to the students as optional paper.

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Chit Budge  
Sudhanshu  
Chit Bhatt  
Sudhanshu  
Sudhanshu

**LL.M. FOURTH SEMESTER EXAMINATION**  
Penology and Victimology (Code 21LLM24GD1)

**Course Outcomes:**

- CO1 The students will demonstrate the understanding of the concepts & theories of penology and victimology, various theories of punishment, views of various jurists to compensate the victim in India.
- CO2 The students will be able to analyze & interpret the methods of minimising the graph of crime rate in India.
- CO3 The students will also be apprised the role of the state to deal with increasing graph of crime.

MM:80

Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit – I**

Definition, nature and scope of Penology.

Theories of Punishment.

Capital Punishment.

- (a) Constitutionality of Capital Punishment.
- (b) Judicial Attitudes towards Capital Punishment.
- (c) Law Reform Proposals.
- (d) Retention or Abolition of Capital Punishment.

**Unit – II**

The Sentencing of offenders.

- (a) Kinds of Sentences.
- (b) Judicial Discretion in Sentencing Offenders.
- (d) Habitual Offenders and Enhanced Punishment.
- (e) Plea – Bargaining

Probation

Parole

Release from Prison.

- (a) Pardon
- (b) Indeterminate Sentence
- (c) Good time Laws

**Unit – III**

Prison System

- (a) The State of India's Jails Today .
- (b) The Disciplinary Regime of Indian Prisons.
- (c) Classification of Prisoners.
- (d) Rights of Prisoner and Duties of Custodial Staff.

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- (e) Deviance by Custodial Staff.
- (f) Open Prisons.
- (g) Judicial Surveillance –Basis – Development Reforms.

Recidivism

Prevention of Crime.

#### Unit – IV

Concept and Scope of Victimology,

Concept of Compensation and Rehabilitation of Victims of crimes

Statutory Provisions and Judicial Decisions on Compensation and Rehabilitation of Victims in India.

#### Books Recommended:

- |                           |   |
|---------------------------|---|
| 1 Chhabra , S.            | : The Quantum of Punishment in Criminal Law(1970)   |
| 2 Hart, H.L.A             | : Punishment and Responsibility (1968)  |
| 3 Packer, Herbert L.      | : The Limits of Criminal Sanction (1968).   |
| 4 Ross, Alf               | : On Guilt , Responsibility and Punishment (1975)   |
| 5 Siddique, A.            | : Criminology (1984), Eastern, Lucknow.   |
| 6 Sutherland and Cressey  | : Principles of Criminology.  |
| 7 Law commission of India | : Forty , Second Report Ch. 3 (1971)  |
| 8 Shukla, K.S.            | : 'Sociology of Deviant Behaviour' in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986). |
| 9 Banerjee, Tapas Kumar   | : Background to Indian Criminal Law (1990), R. Company & Co., Calcutta.                                     |
| 10 N.V. Paranjape         | : Criminology, Penology, Victimology  |
| 11 N.V. Paranjape         | : Criminology & Penology(Central law Publication, Ed. 2017)   |

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**LL.M. FOURTH SEMESTER EXAMINATION**  
**Crimes Against Social And Economic Security**  
(Code 21LLM24GD2)

**Course Outcomes:**

- CO1 The students will demonstrate their practical knowledge about the socio- economic offences & Felonious Torts.
- CO2 The students will enrich their knowledge regarding various socio-economic problems in India
- CO3 A students will acquire the knowledge of various Acts like Prevention of corruption Act, 1988, Prevention of Food Adulteration Act, The Dowry Prohibition Act, 1961 etc.

MM:80

Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

- Concept of Socio-Economic Offences.  
Distinction between Traditional and Socio-Economic Offences.  
White Collar Crime  
Requirement of mens rea

**Unit-II**

- Dowry Prohibition Act, 1961 as amended in 1984, 1986 etc.
- A. Definition of Dowry
  - B. Offence of taking/giving dowry and penalties.
  - C. Offences of Demanding Dowry and Penalties
  - D. Dowry to be for the benefit of Bride and penalties for non- transfer of Dowry.
  - E, Agreement for giving and taking Dowry to be void.
  - F. Cognizance of the Offences.
  - G. Offences to be cognizable for certain purposes and nature of offences and the act- non-bailable and non-compoundable.

**Unit-III**

- Prevention of Food Adulteration Act, 1954.
- A. Definitions.
  - B. Machinery for implementation
  - C. Penalties.
  - D. Defences available on prosecution.
  - E, Cognizance and trial of offences.
  - F. Application of probation of offenders Act, 1958 and Section 360 of Criminal Procedure code.
  - G. Power of Central Government to give direction.

**Unit-IV**

- Prevention of Corruption Act, 1988
- A. Offences and penalties
  - B. Appointment of special judges
  - C. Investigation of cases under the Act.

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Supra  
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- D. Sanction for prosecution and other miscellaneous provisions
  - E. Law relating to Trap
  - F. Accomplice -
- Offences against SC and ST.

✓

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**LL.M. FOURTH SEMESTER EXAMINATION**  
Collective Violence and Criminal Justice System (Code 21LLM24GD3)

**Course Outcomes:**

- CO1 The students will demonstrate their understanding about various kinds of violence such as religious violence, political violence & communal violence and will learn various preventive measures in this regard.
- CO2 The students will be able to analyze the impact of violence on society.
- CO3 The students will demonstrate the knowledge about the issue like refugee problems, effects of violence and its impact on Human Rights.

MM:80

Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM**

**Unit-I**

**Introductory**

Notions of "Force", "Coercion", "Violence"

Distinctions: "Symbolic" violence, "Institutionalized" violence, "structural violence"

Legal order as a coercive normative order

Force-Monopoly of Modern Law

"Constitutional" and "Criminal" speech: Speech as incitement to violence

"Collective Political Violence" and Legal Order

Notion of Legal and Extra-Legal "Repression"

**Unit-II**

**Approaches to Violence in India**

Religiously sanctioned structural violence: Caste and gender based.

Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India.

Gandhiji's approach to non-violence

Discourse on political violence and terrorism during colonial struggle

Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period.

**Unit-III**

**Violence against the Scheduled Castes**

Notion of Atrocities

Incidence of Atrocities

Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities

Violence Against Women

## Unit-IV

### Communal Violence

Incidence and Courses of 'Communal' violence

Findings of various commissions of enquiry

The role of police and para-military systems in dealing with communal violence

Operation of criminal justice system tiring, and in relation to, communal violence

### BOOKS RECOMMENDED

U. Baxi : "Dissent, Development and Violence" in R. Meagher(ed.) Law and Social Change: Indo-American Reflections 92 (1988).

U. Baxi(Ed.) : Law and Poverty: Critical Essays, (1988)

A.R. Desai, (Ed.) : Peasant Struggles in India, (1979)

A.R. Desai : Agrarian Struggle in India: After Independence (1986) .R.

Desai, Violation of democratic Rights in India (1986)

D.A. Dhangare : Peasant Movement in India: 1920-1950(1983)

Ranjit Guha : Element any Aspects of Peasant Insurgency in Colonial

India (1983) Rajnit Guba, (ed.) Subaltern Studies Vol. 1-6 (1983-1988) T.

Honderich : Violence for Equality (1980)

Mark Juergensmeyer : The Logic of Religious Violence: The Case of Punjab"

22 Contributions to Indian Sociology 65 (1988) Rajni Kothari : State Against

Democracy (1987)

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

K.S. Shukla : "Sociology of Deviant Behaviour", in 3 ICSSR Survey of

Sociology and Social Anthropology 1969-1979 (1986)

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Rajni Kothari  
Gudgil  
Supro  
Bhanti  
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**LL.M. FOURTH SEMESTER EXAMINATION**  
**Drug Addiction Criminal Justice & Human Rights (Code 21LLM24DB1)\***

**Course Outcomes:**

- CO1 The students will show basic understanding about the kinds of drugs, their impact on Human Health and various international steps to control their use.
- CO2 The students enrich their knowledge about the menace of Drug abuse & its impact on society.
- CO3 The role of mass media and NGO's to combat the menace of drug is also included in the course contents.

MM:80  
Time: 3 hours

**NOTE:**

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**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

**Introductory**

Basic conceptions; Drugs' narcotics" "psychotropic substances"; 'Dependence," "addiction"; "Crimes without victims; "Trafficking" in "drugs"; "Primary drug abuse"; **How Does One Study the Incidence of Drug Addiction and Abuse?:** Self-reporting; Victim-studies; Problems of comparative studies; **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; Types of drug use; Reasons given as cause of first use; Method of intake; Pattern of the — Use; Average Quantity and Cost; Consequences on addict's health (physical/psychic)

**Unit-II**

**The International Legal Regime:**

Analysis of background, text and operation of the Single Convention on Narcotic Drugs, 1961, 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

**Unit-III**

**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 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

## Unit-IV

### 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 prosecutor powers; Bail; The Problem of differential application of the Ugal Regimes, especially in relation to the resource less;

### 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

### Books Recommended

H.S. Becker, *Outsiders: The Studies in Sociology of Deviance* (1966)

J.A. Incard, C.D. Chambers, (eds.), *Drugs and the Criminal Justice System* (1974)

R. Goeken, *Drug Abuse and personality in Young Offenders* (1971)

G. Edwards Busch (ed.) *Drug Problems in Britain: A Review of Ten Years* (1981)

P. Kondanram and Y.N. Murthy, "Drug Abuse and Crime: A Preliminary Study" 7 *Indian Journal of Criminology*, 65-68 (1979)

P.R. Rajgopat *Violence and Response: A Critque of the Indian Criminal System* (1988)

United Nations, *Economic and Social Reports of the Commission on Narcotic Drugs*, United Nations

Social Defence, Research Institute (UNSDRT) *Combating Drug Abuse and Related Crimes* (Rome, July 1984, Publication No. 21).

Lok Sabha and Rajya Sabha Debates on 1986 Bill on Psychotropic Substances. Useful Journals in this area are:

- (i) *The Law and Society Review* (USA)
- (ii) *Journal of Drug Issues* (Tallahassee Florida)
- (iii) *International Journal of Addictions* (New York)
- (iv) *British Journal of Criminology*
- (v) *Journal of Criminal Law, Criminology and Police Science* (Baltimore, Md)
- (vi) *Journal of Criminal Law and Criminology* (Chicago, III)
- (vii) *International Journal of Offender Therapy and Comparative Criminology* (London)
- (viii) *Bulletin on Narcotics* (United Nations)

\* Available to the students as optional paper.

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**LL.M. FOURTH SEMESTER EXAMINATION**  
**Money Laundering and White Collar Crime (Code 21LLM24DB2)\***

**Course Outcomes**

- CO1 The students will demonstrate their knowledge of bankers' role in controlling money Laundering, framework of various International and National bodies.
- CO2 The students will be able to analyze the concepts like White Collar Crimes & measures for their prevention & control.
- CO3 The course also includes the contents like various types of white collar crimes and preventive measures for their prevention and control.

MM:80  
Time: 3 hours

**NOTE:**

The question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Each question shall carry 16 Marks.

**Unit V** of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts/questions**, which will cover **two parts/questions** from **each unit** of the syllabus. Every part of this unit shall be of 2 Marks and this unit shall be of 16 Marks.

**Unit-I**

**Money Laundering:**

Origin - Definition - Techniques Impact on Banks - Structuring; Integration, Preventive Legislations - International Co-operation - UK; USA; India - Basel Committee - PMLA Objectives - RBI Guidelines - System Adequacy to Combat Money Laundering - Antiterrorism finance - Financial Intelligence Unit (FIU) The Financial Action Task Force (FATF) - IBA Working Group - Software for AML Screening : Money Laundering and Correspondent Banking - Exchange Companies - Foreign Branches.

**Unit-II**

**White Collar Crime:**

Emergence of White-Collar Crime; Concept and Nature of White-Collar Crimes; Sutherlands, view on white-collar crimes and it's analysis.

**Unit-III**

Causes of White-Collar Crimes; Distinguish between White-Collar Crimes and Blue-Collar Crimes; Implications of white collar crimes, Courts and white collars crime in India.

**Unit-IV**

White Collar Crimes in India; Hoarding, Black Marketing and Adulteration; White Collar Crimes in certain Professions - Medical Profession, Legal profession, Educational Institutions, Engineering; White Collar Crimes in business deals; Fake Employment Placement Rockets; Remedial Measures.

**Books Recommended:**

- Mahesh Chandra : Socio- Economic Crimes  
Marshal B. Clinard : Crime in Developing Countries  
N.V. Pranjape : Criminology and Penology

Prevention of Corruption Act, 1988  
47th Report of Law Commission of India  
Trial and Punishment of Socio-Economic Offences.  
Annual Report Criminal Law Review.

**\* Available to the students as optional paper.**