

Murshidabad University



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No – MU (R)/ 176/2021-2022

Date:13/09/2021

NOTIFICATION

It is notified for information of all concerned that Murshidabad University in its meeting, held on 09/09/2021 approved the ad-hoc syllabus, M.A/M.Sc. course of study in Law under CBCS in the Postgraduate dept. of the University.

The above shall be effective from academic session 2021-2022.

REGULATIONS FOR 2 YEARS LL.M.
COURSE

MURSHIDBAD UNIVERSITY

Department of Law

Syllabus as per Choice Based Credit System (C.B.C.S.)

Effective from the Year 2021-2023

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REGULATIONS

1. Title: The title of the courses will be LL.M in Criminal Law and LL.M in Constitutional Law and Legal Order.

2. Affiliation: The proposed programme shall be governed by the Department of Law, Faculty of Law, Murshidabad University, Berhampore West Bengal.

3. Preamble: The Department of Law, Murshidabad University, one of the emerging academic Departments of the Murshidabad University, which came into existence in the year 2021 The Department focuses on innovative teaching and research in law through the On-Campus Two Year Master of Law (LL.M) programme. Besides the traditional classroom lectures, the Department also uses diverse pedagogy of teaching, like interactive, tutorial, remedial, group discussions, seminars, simulation case law and case study methods. Currently, there are two branches of specializations offered on Choice Based Credit System (CBCS) for producing the

excellent educators in the field of law in future the courses will equip the students with skills and adequate knowledge. Two specializations viz: A) Criminal Law, and B) Constitutional Law and Legal Order have been introduced as specializations in this branch of study.

4. Definitions In these Regulations, unless the context otherwise requires –

- a. ‘Departmental Committee’ means the Committee constituted under these Regulations;
- b. ‘Academic Session’ means four consecutive (two odd + two even) Semesters;
- c. ‘Choice Based Credit System’ (CBCS) provides choice for students to select from the prescribed courses as offered by the University.
- d. ‘Course’ is a component of a programme. All courses need not carry the same weight. Courses define learning objectives and learning outcomes. A course may be designed to comprise lectures / tutorials / clinical work / field work / outreach activities / project work / vocational training / viva / seminars / term courses / assignments / presentations / self-study etc. or a combination of some of these.
- e. ‘Core course’ means a course that the student admitted to a particular programme must successfully complete to receive the Degree and which cannot be substituted by any other course. For this purpose, all course other than Specialization / Choice Based Electives, are considered as Core course;
- f. ‘Credit Based Semester System’ (CBSS) prescribes the requirement for awarding a degree certificate in terms of number of credits to be completed by the students.
- g. ‘Credit Point’ is the product of grade point and number of credits for a course.
- h. ‘Cumulative Grade Point Average’ (CGPA) is a measure of overall cumulative performance of a student in all semesters. The CGPA is the ratio of total credit points secured by a student in various courses in all semesters and the sum of the total credits of all courses in all the semesters. It is expressed up to two decimal places.
- i. ‘Major Elective Course’ means a course other than a core course. Major Elective course may be ‘Generic Elective’ focusing on disciplines which may add generic proficiency to students or ‘Discipline Centric Elective’ which enables students to achieve proficiency in a specialized legal discipline
- j. ‘Minor Elective/Open Elective’ which may be chosen from an unrelated discipline.
- k. ‘Grade Point’ is a numerical weight allotted to each letter grade on a ten-point scale.

l. 'Letter Grade' is an index of the performance of students in a course. Grades are denoted by letters O, A+, A, B+, B, C, P and F.

m. 'Programme' means the Master of Laws (LL.M.) programme conducted by the Murshidabad University

n. 'Semester Grade Point Average' (SGPA) is a measure of performance of work done in a semester. It is the ratio of total credit points secured by a student in various courses registered in a semester and the total course credits taken during that semester. It shall be expressed up to two decimal places.

o. "Semester" means 18 weeks of academic work following a five-day week pattern. The odd semester commences in July and ends in December and the even semester commences in January and ends in June.

p. 'Grade Card' based on grades earned shall be issued to all the registered students after every semester. The grade card will display the details of courses studied (code, title, number of credits, grade secured) along with SGPA of that semester and CGPA

5. Structure of the Courses: To achieve these objectives the proposed curriculum would have the following structure:

A. Core Courses

B. Soft Skill Development (Seminar Paper)

C. Major Electives (Specialization)

D. Minor Elective/Open Elective Course (Optional Course)

5 (A) Core Courses: These courses of the curriculum are designed to promote common educational efficiency without which a particular discipline cannot be taught. They are compulsory as they facilitate the students to take up more specialized course of their choice later on). These are compulsory courses (UGC has not prescribed any subject for Law so we follow the UGC guidelines for other disciplines and CDC report which include subjects of interdisciplinary as well as discipline centric).

5(B) Soft Skill Development: This course is designed as Seminar Presentation by using synchronies and asynchronies mode of e-platform for the skill development of the students of LL.M so that they can work in the global platform of academia. Seminar Presentation will be based on the topics from core courses and specialized courses of every semester.

5 (C) Major Elective Courses: These are optional course to be selected by a student for each specialization. For each specialization two courses are offered as disciplined specific and interdisciplinary in nature respectively in every semester.

5(D) Minor Elective/Open Elective : An elective course which is designed in such a manner that any student from any faculty including faculty of Law may opt this course with intention to seek exposure.

6. PROGRAMME STRUCTURE:

Semester I

LL.M in Criminal Law

Course Code	Course Title	Course type	Credit	Marks	Hours	L:T:P	CA	ESE
LMCC-1.1	Law and Social Transformation in India	Core	5	100	100	4:1:0	20	80
LMCC-1.2	Legal Education and Research Methodology I	Core	5	100	100	4:1:0	20	80
LMSSDC1.3	Seminar Paper	Soft Skill	5	100	100	1:2:4	20	80
LMMJEC1.4.1	General Principles of Criminal Law	Major Elective	5	100	100	4:1:0	20	80
LMMJEC1.5.1	Law and Organised Crime	Major Elective	5	100	100	4:1:0	20	80
		Total	25	500	500			

Semester I**LL.M in Constitutional Law and Legal Order**

Course Code	Course Title	Course type	Credit	Marks	Hours	L:T:P	CA	ESE
LMCC-1.1	Law and Social Transformation in India	Core	5	100	100	4:1:0	20	80
LMCC-1.2	Legal Education and Research Methodology I	Core	5	100	100	4:1:0	20	80
LMSSDC-1.3	Seminar Paper	Soft Skill	5	100	100	1:2:4	20	80
LMMJEC-1.4.2	Indian Constitution and its Working	Major Elective	5	100	100	4:1:0	20	80
LMMJEC1.5.2	Comparative Constitutional Law	Major Elective	5	100	100	4:1:0	20	80
Total			25	500	500			

Semester II, Criminal Law

Course Type	Course Title	Course type	Credit	Marks	Hours	L:T:P	CA	ESE
LMCC2.1	Indian Constitutional Law: New Challenges	Core	5	100	100	4:1:0	20	80
LMCC2.2	Research Methodology-II (Law Teaching and Clinical Work)	Core	5	100	100	4:0:2	20	80
LMSSDC2.3.	Seminar Paper	Soft Skill	5	100	100	1:2:4	20	80
LMMJEC-2.4.1	Penology: Treatment of Offenders	Major Elective	5	100	100	4:1:0	20	80
LMMJEC-2.5.1	Scientific Techniques in Criminal Investigation	Major Elective	5	100	100	3:1:2	20	80
LMMEC2.6.	Human Rights and Indian Legal System	Minor Elective	4	50	50	4:1:0	10	40
Total			29		550			

Semester II, Constitutional Law and Legal Order

Course Type	Course Title	Course type	Credit	Marks	Hours	L:T:P	CA	ESE
LMCC2.1	Indian Constitutional Law: New Challenges	Core	5	100	100	4:1:0	20	80
LMCC2.2	Research Methodology-II (Law Teaching and Clinical Work)	Core	5	100	100	4:0:2	20	80
LMSSDC2.3	Seminar Paper	Soft Skill	5	100	100	1:2:4	20	80
LMMJEC-2.4.2	Civil and Political Rights (Comparative Study of India, UK and USA)	Major Elective	5	100	100	4:1:0	20	80
LMMJEC-2.5.2	Mass Media Laws	Major Elective	5	100	100	4:1:0	20	80
LMMEC2.6	Human Rights and Indian Legal System	Minor Elective	4	50	50	4:1:0	10	40
			29	550				

SEMESTER-III, Criminal Law

Course Type	Course Title	Course type	Credit	Marks	Hours	L:T:P	CA	ESE
LMCC3.1	Judicial Process	Core	5	100	100	4:1:0	20	80
LMCC3.2	Jurisprudence	Core	5	100	100	4:1:0	20	80
LMSSDC3.3	Seminar Paper	Soft Skill	5	100	100	1:2:4	20	80
LMMJEC2.4.1	Comparative Criminal Procedure	Major Elective	5	100	100	4:1:0	20	80
LMMJEC3.5.1	Victimology	Major Elective	5	100	100	4:1:0	20	80
LMMEC3.6.	Human rights and Judicial Activism	Minor/open Elective	4	50	50	3:1:0	10	40
			Total	29	550	550		

SEMESTER-III, Constitutional Law and legal Order

Course Type	Course Title	Course type	Credit	Marks	Hours	L:T:P	CA	ESE
LMCC3.1	Judicial Process	Core	5	100	100	4:1:0	20	80
LMCC3.2	Jurisprudence	Core	5	100	100	4:1:0	20	80
LMSSDC3.3	Seminar Paper	Soft Skill	5	100	100	1:2:4	20	80
LMMJEC-3.4.2	Public Utilities Law	Major Elective	5	100	100	4:1:0	20	80
LMMJEC3.5.2	Human Rights Law	Major Elective	5	100	100	4:1:0	20	80
LMMEC3.6.	Human rights and Judicial Activism	Minor /Open Elective	4	50	50	3:1:0	10	40
Total			29	550	550			

SEMESTER-IV, Criminal Law

Course Type	Course Title	Course type	Credit	Marks	Hours	L:T:P	C A	ESE
LMCC4.1	Dissertation	Core	10	200	200	5:5:0	50	150
				10	200			

SEMESTER-IV, Constitutional Law and Legal Order

Course Type	Course Title	Course type	Credit	Marks	Hours	L:T;P	C A	ESE
LMCC4.1	Dissertation	Core	10	200	200	5:5:0	50	150
				10	200			

Total Marks: 1800, Credit: 93

Code Description: LM: Master of Law, CC: Core Course, MJEC: Major Elective Course, MEC: Minor Elective, CA: Continuous Assessment, ESE; End Semester Examination

7) Duration and Scheme: -

a. The programme for the Master of Laws (LL.M.) Degree of the University is of two academic year consisting of four semesters. Each semester will be comprising of six months out of which 18 weeks' duration classroom teaching, library work, tutorial, clinical, seminars and research followed by End semester Examination conducted by the University.

b. A student has to earn 25 credits in each semester till third semester. One credit is equivalent to one hour of teaching per week or two hours of practical work / field work per week. Credits successfully completed over and above the mandatory requirement for the degree shall not be reflected in the calculation of either SGPA or CGPA at the request of the student in writing at the end of each semester at an appropriate time after the declaration of results and before the issuance of mark-list /grade card and degree certificate.

c. A student for every branch in LL.M. shall, in the course of four semesters undergo instruction in Six Core / Compulsory courses and at least Eight Elective Major courses which Optional courses is leading to specialization in a discipline, apart from the Dissertation and Viva-Voce as per the curriculum. Student also undergoes instruction in two Minor /One Elective Open course which is also Optional and may be chosen from an unrelated discipline.

8) Eligibility: The candidate should have completed 5-year B.A.LL.B. / 3-year LL.B. (Bachelor Degree of Law) and its equivalent degree. General candidates who have obtained at least 50% marks in 5-year B.A., LL. B or 3-year LL. B and for SC and ST who have obtained 45% marks will be eligible for application. Candidates having LL. B (honours) degree will be given preference. For admission BCI, rules will be followed in strict sense with the rules framed by the University if any.

9)Admission: Admissions will be given as per the selection procedure in accordance with the conditions laid down by the Murshidabad University from time to time. The reservation rules governing admission to 2-year LL.M. Course made by the Government of West Bengal shall be followed in its strict sense.

10) Intake: There shall a basic intake of forty (40) students.

12) General Instructions for the Students: The students seeking admission to Master of Law course is hereby informed that they are supposed to adhere to the following rules:

a. A minimum of 75 % attendance for lectures / practical is the pre-requisite for grant of Semester.

b. The students are supposed to attend all the Assignment Activities, Workshops/ Seminars / Training Programme / Symposia/ Study tour organized by the Department.

c. The students may choose the optional groups from the list approved by the University, based on the availability of infrastructure, faculty and other facilities at the commencement of every academic year and intimate the same to the University.

11) Examination and Evaluation:

a. Every core paper and major elective paper shall carry 100 marks out of which 80 marks are for End Semester Examination and 20 marks for Continuous Assessment except the core course of dissertation and Minor/Open Elective Courses. For Dissertation 50 Marks is for Continuous Assessment in form of Viva-voce Test based on the topic of Dissertation in presence of an External Expert not below the rank of Associate Professor and 150 marks will be assessed as an end semester examination of the thesis written by the students. For Minor/Open elective course, 10 marks will be for continuous Assessment while 40 marks will be allocated for end semester examination

b. Students shall be required to actively participate in the class during the class hours. A maximum of five marks shall be awarded at the end of each semesters in each course by the teacher concerned based on the degree and depth of participation in the class by the student during that semesters.

C. Qualifying Marks: There shall be no qualifying marks for Internal assessment but the candidates shall have to appear at the said part of the examinations. The qualifying marks for each course shall be 45% and in the aggregate of Sem I to Sem IV it shall be 50% of the total marks i.e., 1000. If a candidate fails to secure qualifying marks of each paper in a particular semester examination his/her result will be declared as 'SNC' (i.e., Semester Not Cleared). Final Semester will not be cleared till other Semester is cleared. To qualify for position in the merit list a candidate shall have to pass all the semesters in his/her due first original chances. The back papers of the first semester shall only be cleared with the regular semester examinations in the next academic session. A student shall be allowed a maximum of consecutive four years to complete the 2-year LL.M Course of the University. The result of semester IV examination shall be kept withheld unless a candidate has cleared all the semesters within the prescribed chances. He/she would be declared to have passed the Final Examinations in the year in which he/she clears his/her all semesters. i) After the gain of minimum number of credits towards a completion of a PG programme, a student will get a grade sheet with total grades earned and a grade point average.

12. Course Content Semester Wise:

LL.M. IN CRIMINAL LAW

SEMESTER I

COURSE CODE: LMCC-1.1

COURSE TITLE: LAW AND SOCIAL TRANSFORMATION IN INDIA

CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Module-I. Law and Social Change

- i) Law as an instrument of social change.
- ii) Law as the product of traditions and culture: Criticism and evaluation in the light of Colonization, introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.

Module-II. Divisive Factors and the Law

- i) Religion, Language, Caste, Regionalism,

Module-III. Modernization and the Law

- i) Modernisation as a value: Constitutional perspectives reflected in the fundamental duties.
- ii) Modernisation of social institutions through law.
- iii) Reform of family law
- iv) Agrarian reform - Industrialisation of agriculture.
- v) Industrial reform: Free enterprise v. State regulation - Industrialisation v. Environmental protection.

- vi) Reform of court processes, Criminal law: Plea bargaining; compounding and payment of compensation to victims.
- vii) Civil law: (ADR) Confrontation v. consensus; mediation and conciliation; Lok Adalats.
- viii) Prison reforms

Module-IV. Democratic Decentralization and Local Self-government

- i) Alternative approaches to law
- ii) The jurisprudence of Sarvodaya--- Gandhiji, Vinoba Bhave; Jayaprakash Narayan
- iii) Surrender of dacoits: Concept of Grama Nyayalayas.
- iv) Socialist thought on law and justice: An enquiry through Constitutional debates
- v) The right to property.
- vi) Indian Marxist critique of law and justice.
- vii) Naxalite movement: causes and cure.

Module- V. Classification on the ground of Sex: Women, Children and Others.

Suggested Readings:

1. Marc Galanter (ed). *Law and Society in Modern India*. (1997). Oxford, New Delhi.
2. Baxi, Upendra. *The Crisis of Indian Legal System*. (1982). Vikas Publication.
3. Baxi, Upendra (ed). *Law and Poverty: Critical Essays*. (1988). Tripathi, Bombay.
4. Manushi, A Journal About Women and Society.
5. Duncan Derret. *The State, Religion and Law in India*. (1999). Oxford. New Delhi.
6. M.P.Singh, *Constitution of India* (2008). 11th Ed. Eastern Book Co., Lucknow.
7. Sunil Deshta and Kiran Deshta. *Law and Menace of Child Labour*. (2000). Anmol Publications, New Delhi.
8. Savitri Gunasekhare. *Children, Law and Justice* (1997) Sage Publications.
9. Indian Law Institute, *Law and Social Change: Indo-American Reflections*. Tripathi, (1988).
10. M. P.Jain. *Outlines of Indian Legal History*. (1993). Tripathi, Bombay.
11. Agnes Flavia, *Law and Gender Inequality: The Politics of Women's Rights in India* (1999) Oxford, New Delhi.

12. Ved Kumari, *Offences Against Women in Kamala Sankaran and Ujjwal Kumar Singh* (ed) Towards Legal Literacy an Introduction to Law in India PP.78-94 (2008) Oxford, New Delhi.
13. Virendra Kumar: *Dynamics of Reservation Policy: Towards a More Inclusive Social Order* 50, Journal of the Indian Law Institute PP 478-517 (2007).
14. Virendra Kumar, '*Minorities' Right to Run Educational Institutions*: T.M.A Pai Foundation in Perspective 45, Journal of the Indian Law Institute PP 200-238 (2003)

SEMESTER I

COURSE CODE: LMCC-1.2

COURSE TITLE: LEGAL EDUCATION AND RESEARCH METHODOLOGY-I

CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Module-I. Legal Education:

- i) Objectives of Legal Education
- ii) Historical Evolution of Legal Education
- iii) Modes and law Teaching in India: Critical Evaluation

Module-II. Clinical Legal education

- i) Clinical Legal Education, legal aid & legal literacy in the period of pre-globalisation and post globalisation
- ii) The role of BCI & National Law Universities in development of legal education in India

Module-III. Legal Research Methodology

- i) Meaning and characteristic of research and legal research
- ii) Indian background of legal research
- iii) Methods/tools of legal research: Doctrinal and Non-doctrinal research
- iv) Research Design
- v) The nature and type of legal research

Module- IV. Research Methods

- i) Identification and Formulation of Research Problem: Identification and Formulation of Research Problem

- ii) Developing hypotheses and research questions
- iii) Sampling design
- iv) Source of data: primary and secondary

Module- V. Citation

- i) ILI
- ii) APA
- iii) Soft skill in law: Software Packages, practical exercises

Suggested Readings:

1. Goode, W. J. & Hatt, P. K. (1962) *Methods of Social Research*, McGraw Hill, New York.
2. S. N. Jain, *Legal Research & Methodology* I.L.I.(1983) Publication, Ed., Tripathi Pvt. Ltd., Bombay.
3. S.K. Agrawal (edn) , *Legal Education in India* (1973).
4. Upendra Baxi, '*Socio-Legal Research in India – A Program Schriff*, ICSSR, Occasional Monograph, 1975.
5. S.K. Verma and M. Afzal Wani (Eds.) *Legal Research and Methodology*, Indian Law Institute (2001) 2nd Edition.
6. Swati Sinha, *Legal Education in India: New Horizons* (Manav Prakashan, Kolkata)

LL.M. IN CRIMINAL LAW
SEMESTER I
COURSE CODE: LMSSDC1.3
COURSE TITLE: SEMINAR PAPER
CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Evaluation will be based on submission of research papers and presentation on topic from the 2 Core subjects and 2 Major elective papers of the syllabus.

LL.M. IN CRIMINAL LAW

SEMESTER I

COURSE CODE: LMMJEC1.4.1

COURSE TITLE: GENERAL PRINCIPLES OF CRIMINAL LAW

CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Module-I: Introduction

- i) Nature and Definition of Crime
- ii) Aims of Criminal Law
- iii) Principles of legality
- iv) Harm principle of J.S. Mill
- v) Test of Criminality
- vi) Presumption of innocence
- vii) Traditional and modern approach to crime

Module-II: Constituent Elements of Crime

- i) Human being
- ii) *Actus reus*: External element of crime
- iii) *Mens rea*: concept and relevance
- iv) Mens rea in the Indian Penal Code
- v) Causation in crime
- vi) Principles of Ordinary Hazard
- vii) Principle of Reasonable Foresight

Module-III: Criminal Responsibility

- i) Basis of responsibility
- ii) Prospective and retrospective responsibility
- iii) Criminal responsibility and citizenship

- iv) Criminal responsibility for thoughts, emotion, character, intended and expected outcomes, risks: Foreseen and unforeseen, omission
- v) Strict liability, Vicarious liability and Joint liability
- vi) Corporate criminal responsibility

Module-IV: Specific Offences

- i) Attempt
- ii) Abetment
- iii) Criminal conspiracy
- iv) Culpable homicide and murder
- v) Offences against women and children: Dowry Deaths, Sexual Offences, Human Trafficking
- vi) Offences against property: theft, Extortion, Robbery, and Dacoity, Cheating

Module-V: General Defences

- i) Insanity
- ii) Infancy
- iii) Mistake
- iv) Necessity
- v) Consent
- vi) Self-defence.

Suggested Readings:

1. R A Duff, *Answering for Crime (Responsibility and Liability in Criminal Law)*, (Hart Publishing)
2. Francis G. Jacobs, *Criminal Responsibility*, (London School of Economics and Political Science.)
3. K.I. Vibhute, *PSA Pillai's Criminal Law*, (Lexis Nexis Butterworth)
4. Baker Denis J., *Glanville Williams, Text Book of Criminal Law*, (Universal Law Publishing Co. Pvt. Ltd.)

5. Smith and Hogan, *Criminal Law* (Oxford University Press)
6. Turner, *Kenny's Outline of Criminal Law*, (Universal Law Publishing Co. Pvt. Ltd.)
7. KD Gaur, *Criminal Law: Cases and Materials*, (Lexis Nexis, Butterworth)
8. KD Gour, *Criminal Law And Criminology*, (Deep & Deep Publication, Delhi)
9. Russell on Crimes (in two vols.), (Universal Law Publishing co. Pvt. Ltd.)
10. K.N.C. Pillai, *General Principles of Criminal Law*, (Eastern Book Company)

LL.M. IN CRIMINAL LAW

SEMESTER I

COURSE CODE: LMMJEC1.5.1

COURSE TITLE: LAW AND ORGANISED CRIME

CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Law and Organised Crime

Module-I: Introduction

- i) Concept of Organised Crime
- ii) Characteristics of organised crime
- iii) Types of organised crime
- iv) Criminal politician-nexus
- v) Modus operandi of organised crime
- vi) Organised crimes in India

Module-II: Terrorism

- i) Definition of 'Terrorism' and International Law: Radiological, Biological, Chemical and Nuclear Terrorism
- ii) Terrorism and general principles of International Law
- iii) International measures to counter Terrorism
- iv) National measures to counter Terrorism

Module-III: Child Paedophilia

- i) Background, causes and Impact of Child Paedophilia
- ii) International legal framework and Child Paedophilia
 - a) UN Convention on the Rights of the Child, 1989 (Arts. 1, 19, 34, 35, 43 &44)

- b) Optional Protocol on the sale of Children, Child Prostitution and Child Pornography (Protocol to CRC)
- c) Worst Forms of Child Labour Convention, 1999
- iii) National legal framework to combat child paedophilia: Indian Scenario
 - a) Indian Penal Code
 - b) The Protection of Children from Sexual Offences Act, 2012

Module-IV: (a) Communal Violence

- i) Problems of Communal Violence
- ii) Role of police and communal violence in India
- iii) Communal Violence and the Criminal Justice System
- iv) Communal Violence – causes and cures

(b) Trafficking in Persons

- i) Defining trafficking in persons v. smuggling of migrants
- ii) UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children
- iii) National legal framework to combat trafficking

Module-V: Cyber Crime

- i) Describing Cyber Crime
- ii) Development and typology of Cyber Crime
- iii) Impact of Cyber Crime offences
- iv) Challenges in fighting Cyber Crime: General and Legal
- v) Cyber Crime and the Criminal Justice System
- vi) Cyber Crime Prevention: National and International strategies

Suggested Readings

1. C. K. Gandhirajan, Organized Crime, APH Publishing House, Tamil Nadu (2003);
2. Prarick. J. Ryan, Understanding Organized Crime in Global Perspective: A Reader, Sage Publications, California (1997);

3. Russell, *On Crime*, Universal Law Publishing Company, New Delhi (2012);
4. P. M. Nair, *Combating Organized Crime*, Konark Publishers, New Delhi;
5. Dr. M. Ponnaian, *Criminology and Penology*, (PR Books)
6. Pablo Antonio Fernández-Sánchez (ed.), *International Legal Dimension of Terrorism*, (2009).
7. SMA Qadari, Ahamad Siddique's *Criminology and penology* (Eastern Book Company)
8. Genevieve Lennon, Clive Walker, *Routledge Handbook of Law and Terrorism*, (Routledge)
9. Jessica Elliott, *The Role of Consent in Human Trafficking*, (Routledge)
10. UN comprehensive study on Cyber-crime (2013)
11. Karen Evans, *Community and the Problem of Crime*, (Routledge)
12. Shlomo Giora Shoham, Paul Knepper & Martin Kett (Ed.), *International Handbook of Criminology* (CRC Press)
13. Ram Ahuja, *Criminology* (Rawat Publication)
10. Jonathan Clough, *Principles Of Cyber Crime*, (Routledge)

LL.M. IN CONSTITUTIONAL LAW AND LEGAL ORDER
SEMESTER I
COURSE CODE: LMCC-1.1
COURSE TITLE: LAW AND SOCIAL TRANSFORMATION IN INDIA
CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Module-I. Law and Social Change

- iii) Law as an instrument of social change.
- iv) Law as the product of traditions and culture: Criticism and evaluation in the light of Colonization, introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.

Module-II. Divisive Factors and the Law

- ii) Religion, Language, Caste, Regionalism,

Module-III. Modernization and the Law

- ix) Modernisation as a value: Constitutional perspectives reflected in the fundamental duties.
- x) Modernisation of social institutions through law.
- xi) Reform of family law
- xii) Agrarian reform - Industrialisation of agriculture.
- xiii) Industrial reform: Free enterprise v. State regulation - Industrialisation v. Environmental protection.
- xiv) Reform of court processes, Criminal law: Plea bargaining; compounding and payment of compensation to victims.

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

xvi) Prison reforms

Module-IV. Democratic Decentralization and Local Self-government

viii) Alternative approaches to law

ix) The jurisprudence of Sarvodaya--- Gandhiji, Vinoba Bhave; Jayaprakash Narayan

x) Surrender of dacoits: Concept of Grama Nyayalayas.

xi) Socialist thought on law and justice: An enquiry through Constitutional debates

xii) The right to property.

xiii) Indian Marxist critique of law and justice.

xiv) Naxalite movement: causes and cure.

Module- V. Classification on the ground of Sex: Women, Children and Others.

Suggested Readings:

1. Marc Galanter (ed). *Law and Society in Modern India*. (1997). Oxford, New Delhi.
2. Baxi, Upendra. *The Crisis of Indian Legal System*. (1982). Vikas Publication.
3. Baxi, Upendra (ed). *Law and Poverty: Critical Essays*. (1988). Tripathi, Bombay.
4. Manushi, A Journal About Women and Society.
5. Duncan Derret. *The State, Religion and Law in India*. (1999). Oxford. New Delhi.
6. M.P.Singh, *Constitution of India* (2008). 11th Ed. Eastern Book Co., Lucknow.
7. Sunil Deshta and Kiran Deshta. *Law and Menace of Child Labour*. (2000). Anmol Publications, New Delhi.
8. Savitri Gunasekhare. *Children, Law and Justice* (1997) Sage Publications.
9. Indian Law Institute, *Law and Social Change: Indo-American Reflections*. Tripathi, (1988).
10. M. P.Jain. *Outlines of Indian Legal History*. (1993). Tripathi, Bombay.
11. Agnes Flavia, *Law and Gender Inequality: The Politics of Women's Rights in India* (1999) Oxford, New Delhi.
12. Ved Kumari, *Offences Against Women in Kamala Sankaran and Ujjwal Kumar Singh* (ed) Towards Legal Literacy an Introduction to Law in India PP.78-94 (2008) Oxford, New Delhi.
13. Virendra Kumar: *Dynamics of Reservation Policy: Towards a More Inclusive Social Order* 50, Journal of the Indian Law Institute PP 478-517 (2007).

14. Virendra Kumar, '*Minorities' Right to Run Educational Institutions*: T.M.A Pai Foundation in Perspective 45, Journal of the Indian Law Institute PP 200-238 (2003)

LL.M. IN CONSTITUTIONAL LAW AND LEGAL ORDER

SEMESTER I

COURSE CODE: LMCC-1.2

COURSE TITLE: LEGAL EDUCATION AND RESEARCH METHODOLOGY-I

CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Module-I. Legal Education:

- iv) Objectives of Legal Education
- v) Historical Evolution of Legal Education
- vi) Modes and law Teaching in India: Critical Evaluation

Module-II. Clinical Legal education

- iii) Clinical Legal Education, legal aid & legal literacy in the period of pre-globalisation and post globalisation
- iv) The role of BCI & National Law Universities in development of legal education in India

Module-III. Legal Research Methodology

- vi) Meaning and characteristic of research and legal research
- vii) Indian background of legal research
- viii) Methods/tools of legal research: Doctrinal and Non-doctrinal research
- ix) Research Design
- x) The nature and type of legal research

Module- IV. Research Methods

- v) Identification and Formulation of Research Problem: Identification and Formulation of Research Problem
- vi) Developing hypotheses and research questions
- vii) Sampling design
- viii) Source of data: primary and secondary

Module- V. Citation

- iii) ILI
- iv) APA
- iii) Soft skill in law: Software Packages, practical exercises

Suggested Readings:

7. Goode, W. J. & Hatt, P. K. (1962) *Methods of Social Research*, McGraw Hill, New York.
8. S. N. Jain, *Legal Research & Methodology* I.L.I.(1983) Publication, Ed., Tripathi Pvt. Ltd., Bombay.
9. S.K. Agrawal (edn) , *Legal Education in India* (1973).
10. Upendra Baxi, '*Socio-Legal Research in India – A Program Schriff*, ICSSR, Occasional Monograph, 1975.
11. S.K. Verma and M. Afzal Wani (Eds.) *Legal Research and Methodology*, Indian Law Institute (2001) 2nd Edition.
12. Swati Sinha, *Legal Education in India: New Horizons* (Manav Prakashan, Kolkata)

LL.M. IN CONSTITUTIONAL LAW AND LEGAL ORDER

SEMESTER I

COURSE CODE: LMSSDC1.3

COURSE TITLE: SEMINAR PAPER

CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Evaluation will be based on submission of research papers and presentation on topic from the 2 Core subjects and 2 Major elective papers of the syllabus.

LL.M. IN CONSTITUTIONAL LAW AND LEGAL ORDER

SEMESTER I

COURSE CODE: LMMJEC-1.4.2

COURSE TITLE: INDIAN CONSTITUTION AND ITS WORKING

CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Module-I

- i) Constitution: 1935-1950, Concept and Analysis
- ii) Constitutional Law: Concept
- iii) Constitutionalism: Law and Politics

Module-II

Historical evolution of Constitutional Governance in Indian: From 1935 to till date

Module-III

Rule of law and the working of limited government in India

Module-IV

- i) Judicial System and Constitutional Governance
- ii) Judicial Appointment
- iii) Judicial Activism
- iv) Writ Jurisdiction.

Module-V

Emergency provisions and the working of Indian Constitution.

Suggested Readings:

1. Durga Das Basu, *Commentary on the Constitution of India* (in Ten Volumes), (Lexis Nexis Butterworth)
2. H.M Seervai, *Constitutional Law of India* (In Three Volumes), (Universal Law Publishing)
3. Prof. MP Jain, *Indian Constitutional Law*, (Wadhwa)
4. TK Tope's, *Constitutional Law of India*, (Eastern Book Company)
5. VN Shukla, *Constitution of India* (Eastern Book Company)
6. Granville Austin, *Indian Constitution: The cornerstone of a nation* (Oxford University press)

LL.M. IN CONSTITUTIONAL LAW AND LEGAL ORDER

SEMESTER I

COURSE CODE: LMMJEC-1.5.2

COURSE TITLE: COMPARATIVE CONSTITUTIONAL LAW

CREDIT: 5, MARKS: 100 (ESE-80, CA-20)

Module-I

- i) Constitutionalism, Classification of Constitutions
- ii) Conventions in Constitutional Law
- iii) Parliamentary and Presidential Democracy

Module-II

- i) Comparative Study of the Fundamentals of the Constitutions of India, USA, Canada, UK and Australia
- ii) Comparative Study of Federalism in India, USA Canada, Australia.
- iii) The changing dimension of modern Federal Constitution: New Trends in Federalism. National Supremacy. (USA, INDIA)

- iv) Cooperative Federalism. (India with other countries)
- v) Federal Control v. State Autonomy: India and USA

Module-III

The scheme of the distribution of powers: India, USA and France

Module-IV

Scope of the Constitutional Power: Amending process in action; Judicial response (India, USA and Australia)

Module-V

- i) State and Citizens: India & USA with special reference to balancing of power and rights
- ii) Affirmative Actions in India and USA

Suggested Readings:

1. Durga Das Basu, *Commentary on the Constitution of India* (in Ten Volumes), (Lexis Nexis Butterworth)
2. Durga Das Basu, *Comparative Constitutional Law* (Wadhawa)
3. D.D.Basu, *Comparative Federalism* (Lexis Nexis, 2007).
4. M.P. Singh, *Comparative Constitutional Law* (Eastern Book Company, 2011).
5. Vicki C. Jackson, Mark V. Tushnet, *Comparative Constitutional Law* (2nd ed. Foundation Press, 2006).
6. Dr. Subhash C Kashyap, *Framing of Indian Constitution* (Universal Law, 2004).

(Students should attempt 5 questions out of 10 questions)

