**IIMT UNIVERSITY**

**IIMT NAGAR, ‘O’ POCKET, GANGA NAGAR, MEERUT**

**(COLLEGE OF LAW)**

**SYLLABUS FOR (LL.M.) 2 YEAR**

**(FOUR SEMESTER) COURSE**

AS APPROVED BY THE BOARD OF STUDIES

**IIMT UNIVERSITY**

**SYLLABUS FOR LL.M. 2 YEAR (FOUR SEMESTER) COURSE**

**SCHEME OF EXAMINATION**

**SEMESTER – I (COMPULSORY PAPERS): (TOTAL: 500 MARKS)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **SL. NO.** | **PAPER NO** | **CODE** | **SUBJECT** | **EVALUATION SCHEME** | | |
| **INTERNAL** | **EXTERNAL** | **TOTAL** |
| 1. | PAPER-I | LM-101 | CONSTITUTION OF INDIA | 30 | 70 | 100 |
| 2. | PAPER-II | LM-102 | ADMINISTRATIVE LAW | 30 | 70 | 100 |
| 3. | PAPER-III | LM-103 | JURISPRUDENCE AND LEGAL THEORY | 30 | 70 | 100 |
| 4. | PAPER-IV | LM-104 | RIGHT TO INFORMATION ACT 2005 & CONSUMER PROTECTION ACT, 1986 | 30 | 70 | 100 |
| 5. | PAPER-V | ECC-111 | SEMINAR/INTERNSHIP/ PRESENTATION ON THE REPORT OF VISITS |  | | 25 |
| 6. | PAPER-VI | ECC-112 | UNIVERSITY SOCIAL RESPONSIBILITY |  | | 25 |
| 7. | PAPER-VII | ECC-113 | SPOKEN TUTORIAL CERTIFICATION |  | | 25 |
| 8. | PAPER -VIII | ECC-114 | MOOCS/ SWAYAM |  | | 25 |

**SEMESTER – II (COMPULSORY PAPERS): (TOTAL: 500 MARKS)**

|  |  |  |  |  |  |  |
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| **SL. NO.** | **PAPER NO** | **CODE** | **SUBJECT** | **EVALUATION SCHEME** | | |
| **INTERNAL** | **EXTERNAL** | **TOTAL** |
| 1. | PAPER-I | LM-201 | PRINCIPLES OF LEGISLATION AND INTERPRETATION OF STATUTES | 30 | 70 | 100 |
| 2. | PAPER-II | LM-202 | LEGAL RESEARCH AND RESEARCH METHODOLOGY | 30 | 70 | 100 |
| 3. | PAPER-III | LM-203 | ENVIRONMENTAL LAWS | 30 | 70 | 100 |
| 4. | PAPER-IV | LM-204 | LAW AND SOCIAL JUSTICE | 30 | 70 | 100 |
| 5. | PAPER-V | ECC-211 | SEMINAR/INTERNSHIP/ PRESENTATION ON THE REPORT OF VISITS |  | | 25 |
| 6. | PAPER-VI | ECC-212 | UNIVERSITY SOCIAL RESPONSIBILITY |  | | 25 |
| 7. | PAPER-VII | ECC-213 | SPOKEN TUTORIAL CERTIFICATION |  | | 25 |
| 8. | PAPER -VIII | ECC-214 | MOOCS/ SWAYAM |  | | 25 |

**SEMESTER – III (BUSINESS LAW GROUP): (TOTAL: 400 MARKS)**

|  |  |  |  |  |  |  |
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| **SL. NO.** | **PAPER NO** | **CODE** | **SUBJECT** | **EVALUATION SCHEME** | | |
| **INTERNAL** | **EXTERNAL** | **TOTAL** |
| 1. | PAPER-I | LM-301 | LAW OF CONTRACT IN INDIA | 30 | 70 | 100 |
| 2. | PAPER-II | LM-302 | LAW OF CORPORATE MANAGEMENT | 30 | 70 | 100 |
| 3. | PAPER-III | LM-303 | INTERNATIONAL TRADE LAW | 30 | 70 | 100 |
| 4. | PAPER-IV | ECC-321 | SEMINAR/INTERNSHIP/ PRESENTATION ON THE REPORT OF VISITS |  | | 25 |
| 5. | PAPER-V | ECC-322 | UNIVERSITY SOCIAL RESPONSIBILITY |  | | 25 |
| 6. | PAPER -VI | ECC-323 | SPOKEN TUTORIAL CERTIFICATION |  | | 25 |
| 7. | PAPER -VII | ECC-324 | MOOCS/ SWAYAM |  | | 25 |

**SEMESTER – III (CRIMINAL LAW GROUP): (TOTAL: 400 MARKS)**

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| **SL. NO.** | **PAPER NO** | **CODE** | **SUBJECT** | **EVALUATION SCHEME** | | |
| **INTERNAL** | **EXTERNAL** | **TOTAL** |
| 1. | PAPER-I | LM-304 | PRINCIPLES OF CRIMINAL LAW | 30 | 70 | 100 |
| 2. | PAPER-II | LM-305 | ADMINISTRATION OF CRIMINAL JUSTICE | 30 | 70 | 100 |
| 3. | PAPER-III | LM-306 | PRIVILEGED CLASS DEVIANCE AND INTERNATIONAL CRIMES | 30 | 70 | 100 |
| 4. | PAPER-IV | ECC-321 | SEMINAR/INTERNSHIP/ PRESENTATION ON THE REPORT OF VISITS |  | | 25 |
| 5. | PAPER-V | ECC-322 | UNIVERSITY SOCIAL RESPONSIBILITY |  | | 25 |
| 6. | PAPER-VI | ECC-323 | SPOKEN TUTORIAL CERTIFICATION |  | | 25 |
| 7. | PAPER -VII | ECC-324 | MOOCS/ SWAYAM |  | | 25 |

**SEMESTER – IV (BUSINESS LAW GROUP): (TOTAL: 500 MARKS)**

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| **SL. NO.** | **PAPER NO** | **CODE** | **SUBJECT** | **EVALUATION SCHEME** | | |
| **INTERNAL** | **EXTERNAL** | **TOTAL** |
| 1. | PAPER-I | LM-401 | THE LAW OF CORPORATE FINANCE AND SECURITIES REGULATIONS | 30 | 70 | 100 |
| 2. | PAPER-II | LM-402 | INDUSTRIAL AND INTELLECTUAL PROPERTY LAWS | 30 | 70 | 100 |
| 3. | PAPER-III | LM-403 | DISSERTATION AND VIVA | 50 | 150 | 100 |
| 4. | PAPER-IV | ECC-421 | SEMINAR/INTERNSHIP/ PRESENTATION ON THE REPORT OF VISITS | 25 | | 25 |
| 5. | PAPER-V | ECC-422 | UNIVERSITY SOCIAL RESPONSIBILITY |  | | 25 |
| 6. | PAPER-VI | ECC-423 | SPOKEN TUTORIAL CERTIFICATION |  | | 25 |
| 7. | PAPER -VII | ECC-424 | MOOCS/ SWAYAM |  | | 25 |

**SEMESTER – IV (CRIMINAL LAW GROUP): (TOTAL: 500 MARKS)**

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| **SL. NO.** | **PAPER NO** | **CODE** | **SUBJECT** | **EVALUATION SCHEME** | | |
| **INTERNAL** | **EXTERNAL** | **TOTAL** |
| 1. | PAPER-I | LM-404 | CRIMINAL PROCEDURE: A COMPARATIVE STUDY OF U.K. AND USA | 30 | 70 | 100 |
| 2. | PAPER-II | LM-405 | CRIMINOLOGY, PENOLOGY AND TREATMENT OF OFFENDERS | 30 | 70 | 100 |
| 3. | PAPER-III | LM-406 | DISSERTATION AND VIVA | 50 | 150 | 200 |
| 4. | PAPER-IV | ECC-421 | SEMINAR/INTERNSHIP/ PRESENTATION ON THE REPORT OF VISITS | 25 | | 25 |
| 5. | PAPER-V | ECC-422 | UNIVERSITY SOCIAL RESPONSIBILITY |  | | 25 |
| 6. | PAPER-VI | ECC-423 | SPOKEN TUTORIAL CERTIFICATION |  | | 25 |
| 7. | PAPER -VII | ECC-424 | MOOCS/ SWAYAM |  | | 25 |

**IIMT UNIVERSITY**

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**DETAILS OF** **SYLLABUS FOR LL.M. 2 YEAR**

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AS APPROVED BY THE BOARD OF STUDIES

(SEMESTER-II)

**PAPER-I**

**PRINCIPLES OF LEGISLATION AND INTERPRETATION OF STATUTES**

**(PAPER CODE: LM-201)**

LEGISLATION IS THE MAJOR SOURCE OF LAW OF THE MODERN ERA. LEGISLATURES ENACT LAWS AFTER MUCH DELIBERATION. NO DOUBT IN THIS PROCESS THEY HAVE TO TAKE INTO ACCOUNT THE PRESENT AND FUTURE NEEDS OF THE PEOPLE. WITH THE EMERGENCE OF LEGISLATION, INTERPRETATION OF STATUTES BECAME A METHOD BY WHICH JUDICIARY EXPLORES THE INTENTION BEHIND THE STATUTES. JUDICIAL INTERPRETATION INVOLVES CONSTRUCTION OF WORDS, PHRASES AND EXPRESSIONS. IN THEIR ATTEMPT TO MAKE OLD AND EXISTING STATUTES CONTEXTUALLY RELEVANT, COURTS USED TO DEVELOP CERTAIN RULES, DOCTRINES AND PRINCIPLES OF INTERPRETATION. JUDICIARY PLAYS A HIGHLY CREATIVE ROLE IN THIS RESPECT. WHAT ARE THE TECHNIQUES ADOPTED BY COURTS IN CONSTRUING STATUTES? HOW FAR ARE THEY SUCCESSFUL IN THEIR STRATEGY?

**UNIT-I PRINCIPLES OF LEGISLATION**

1. LAW-MAKING:
   1. THE LEGISLATURE
   2. THE EXECUTIVE
   3. THE JUDICIARY
2. METHODS OF LEGISLATION
3. RELEVANCE OF JOHN RAWLS AND ROBERT NOZICK: INDIVIDUAL INTEREST TO COMMUNITY INTEREST
4. OPERATION OF THESE PRINCIPLES UPON LEGISLATION
5. DISTINCTION BETWEEN MORALITY AND LEGISLATION

**UNIT-II INTERPRETATION OF STATUTES**

1. INTRODUCTION
   1. MEANING OF THE TERM ‘STATUTES’
   2. COMMENCEMENT, OPERATION AND REPEAL OF STATUTES
   3. PURPOSE OF INTERPRETATION OF STATUTES
2. AIDS TO INTERPRETATION

INTERNAL AIDS; TITLE; PREAMBLE; HEADINGS AND MARGINAL NOTES; SECTIONS AND SUBSECTIONS; PUNCTUATION MARKS; ILLUSTRATIONS, EXCEPTIONS, PROVISOS AND SAVING CLAUSES; SCHEDULES; NON-OBSTANTE CLAUSE; EXTERNAL AIDS; DICTIONARIES; TRANSLATIONS; TRAVAUX PREPARATIORES; STATUTES IN PARI MATERIA; CONTEMPORANEA EXPOSITO; DEBATES, INQUIRY COMMISSION REPORTS AND LAW COMMISSION REPORTS

**UNIT-III RULES OF INTERPRETATION OF STATUTES**

1. PRIMARY RULES
   1. LITERAL RULE
   2. GOLDEN RULE
   3. MISCHIEF RULE (HEYDON’S CASE)
   4. RULE OF HARMONIOUS CONSTRUCTION
2. SECONDARY RULES
   1. NOSCITUR A SOCIIS
   2. EJUSDEM GENERIS
   3. REDDENDE SINGULA SINGULIS
3. MAXIMS OF INTERPRETATION OF STATUTES
   1. DELEGATUS NON-POTEST DELEGATE
   2. EXPRESSIO UNIUS EXCLUSIO ALTERIUS
   3. GENERALIA SPECIALIBUS NON DEROGANT
   4. IN PAN DELICTO POTIOR EST CONDITIO POSSIDENTIS
   5. UTRES VALET POTIOR QUAMPAREAT
   6. EXPRESSUM FACIT CESSARE TACITURN
   7. IN BONAM PARTEM
4. INTERPRETATION WITH REFERENCE TO THE SUBJECT MATTER AND PURPOSE
   1. RESTRICTIVE AND BENEFICIAL CONSTRUCTION
   2. TAXING STATUTES
   3. PENAL STATUTES
   4. WELFARE LEGISLATION
   5. INTERPRETATION OF SUBSTANTIVE AND ADJUNCTIVE STATUTES
   6. INTERPRETATION OF DIRECTORY AND MANDATORY PROVISIONS
   7. INTERPRETATION OF ENABLING STATUTES
   8. INTERPRETATION OF CODIFYING AND CONSOLIDATING STATUTES
   9. INTERPRETATION OF STATUTES CONFERRING RIGHTS
   10. INTERPRETATION OF STATUTES CONFERRING POWERS

**UNIT-IV PRINCIPLES OF CONSTITUTIONAL INTERPRETATION**

1. HARMONIOUS CONSTRUCTION
2. DOCTRINE OF PITH AND SUBSTANCE
3. COLOURABLE LEGISLATION
4. ANCILLARY POWERS
5. PRINCIPLE OF ‘OCCUPIED FIELD’
6. RESIDUARY POWER
7. DOCTRINE OF REPUGNANCY

**SUGGESTED READINGS:**

MAXWELL : INTERPRETATION OF STATUTES

SARATHI : INTERPRETATION OF STATUTES

G.P. SINGH : PRINCIPLES OF STATUTORY INTERPRETATION

SWARUP : LEGISLATION AND INTERPRETATION

CRAIES : STATUTE LAW

W. TWINING : HOW TO DO THINGS WITH RULES: A PRIMER OF INTERPRETATION

INDIAN LAW : THE DRAFTING OF LAWS

P.M. BAKSHI : LEGISLATIVE DRAFTING

**PAPER-II**

**LEGAL RESEARCH AND RESEARCH METHODOGY**

**(PAPER CODE: LM-202)**

RESEARCH IS A DESIRE TO SEARCH OR TO FIND OUT OR TO EXPLORE AN UNKNOWN AREA IN ORDER TO FIND AN ANSWER. IT IS A QUEST FOR ACQUIRING KNOWLEDGE. RESEARCH IS A CAREFUL INVESTIGATION OR INQUIRY ESPECIALLY THROUGH SEARCH FOR NEW FACTS IN ANY BRANCH OF KNOWLEDGE. THE OBJECTIVE MAY BE TO DISCOVER NEW FACTS OR TO VERIFY THE EXISTING FACTS, TO PROPOUND A NEW LEGAL CONCEPT OR TO ANALYZE EXISTING LAW AND GIVE SUGGESTIONS FOR A NEW LAW. IN ORDER TO CARRY OUT A RESEARCH TO COMPLETION SUCCESSFULLY A RESEARCHER MUST BE AWARE OF THE RESEARCH METHODS I.E. THE METHOD OF DOING RESEARCH. A RESEARCH METHOD IS A SYSTEMATIZED INVESTIGATION TO GAIN NEW KNOWLEDGE ABOUT THE PHENOMENA OR PROBLEMS. IT IS THE TECHNIQUE OF CONDUCTING RESEARCH AND STUDY OF THE TECHNIQUE OF DOING RESEARCH IS RESEARCH METHODOLOGY. IN A BROADER SENSE THE RESEARCH METHODOLOGY INCLUDES THE RESEARCH METHODS AS WELL AS THE PHILOSOPHY AND PRACTICE OF THE WHOLE RESEARCH PROCESS. A GOOD RESEARCH METHOD IS CRUCIAL FOR CONDUCTING PROPER RESEARCH AND GETTING USEFUL RESULTS. THIS COURSE IS DESIGNED TO GIVE AN INSIGHT INTO THE MEANING AND SIGNIFICANCE OF RESEARCH METHODS FOR LEGAL RESEARCH TO THE LAW STUDENTS IN CONTEMPORARY TIMES.

**UNIT-I**

**INTRODUCTION**

1. DEFINITION AND MEANING OF RESEARCH – OBJECTIVES- MOTIVATION – SIGNIFICANCE- INTERRELATION BETWEEN RESEARCH AND KNOWLEDGE- LEVELS AND TYPES OF KNOWLEDGE

2. TYPES OF RESEARCH – DESCRIPTIVE VS. ANALYTICAL, APPLIED VS. FUNDAMENTAL, QUANTITATIVE VS. QUALITATIVE, CONCEPTUAL VS. EMPIRICAL, AND OTHER TYPES LIKE HISTORICAL AND ACTION RESEARCH

**UNIT-II**

**LEGAL RESEARCH**

1. DEFINITION AND MEANING OF LEGAL RESEARCH- OBJECTIVES- MOTIVATION- SIGNIFICANCE

2. OBJECTIVES & RESEARCH PROCESS TYPES- EVALUATIVE, EXPLICATIVE, IDENTIFICATORY, PROJECTIVE, COLLATIVE, IMPACT ANALYSIS, INTERACTIVE, INTERPRETATIVE C. SOCIAL VALUE AND RESEARCH, LOGIC AND RESEARCH, SCIENTIFIC METHOD AND RESEARCH

**UNIT-III**

**RESEARCH METHODS**

1. DOCTRINAL OR TRADITIONAL RESEARCH METHODS- MEANING, CHARACTERISTICS, MERITS AND DEMERITS

2. NON-DOCTRINAL OR EMPIRICAL RESEARCH- MEANING, CHARACTERISTICS, MERITS AND DEMERITS

3. SOCIO- LEGAL RESEARCH METHODS: NEED AND SIGNIFICANCE

4. INDUCTION AND DEDUCTION RESEARCH METHODS

**UNIT-IV**

**RESEARCH METHODS IN LEGAL RESEARCH**

1. RESEARCH METHOD AND RESEARCH METHODOLOGY- DEFINITION, MEANING, SIGNIFICANCE

2. DOCTRINAL RESEARCH METHOD AND THE VARIOUS STEPS

3. NON-DOCTRINAL RESEARCH METHOD AND THE VARIOUS STEPS

4. QUALITIES OF A GOOD RESEARCHER

5. CRITERIA FOR A GOOD RESEARCH

6. OBSTACLES TO GOOD RESEARCH IN INDIA

**SUGGESTED READINGS:**

1. INDIAN LAW INSTITUTE, LEGAL RESEARCH AND METHODOLOGY (2ND ED) EDITED BY

S.K. VERMA AND AFZAL WANI.

2. L. BHATIA AND S. C.SRIVASTAVA, LEGAL METHOD, REASONING AND RESEARCH

METHODOLOGY, REGAL PUB. DELHI (2014)

3. LEGAL METHOD, REASONING AND RESEARCH METHODOLOGY, K.L. BHATIA AND S.C.

SRIVASTAVA, REGAL PUBLICATION, DELHI (2014)

4. CRAIES: STATUTE LAW

5. W.TWINING : HOW TO DO THINGS WITH RULES : A PRIMER OF INTERPRETATION

6. INDIAN LAW: THE DRAFTING OF LAWS

7. P.M. BAKSHI: LEGISLATIVE DRAFTING

8. LAW DICTIONARIES

9. LEGAL SITES

10. DIGESTS

**PAPER-III**

**ENVIRONMENTAL LAWS**

**(PAPER CODE: LM-203)**

**UNIT-I INTRODUCTION**

ENVIRONMENTAL LAW REFERS TO THAT SET OF ENFORCEABLE RULES AND PRINCIPLES REGULATING THE ACTIVITIES OF PERSONS, NATURAL OR LEGAL, WHICH HAVE IMPACT ON ‘ENVIRONMENT. TO BE PRECISE, ENVIRONMENTAL LAW IS AN INSTRUMENT TO PROTECT AND IMPROVE THE ENVIRONMENT AND CONTROL OR PREVENT ANY ACT OR OMISSION POLLUTING OR LIKELY TO POLLUTE THE ENVIRONMENT. TO UNDERSTAND THE LEGAL FRAMEWORK FOR CONTROLLING THE ENVIRONMENT POLLUTION IT IS NECESSARY TO UNDERSTAND THE FOLLOWING CONCEPTS:

**a)**  MEANING AND CONCEPT OF ENVIRONMENT

**b)** COMPONENTS OF ENVIRONMENT

**c)**  MEANING AND CONCEPT OF POLLUTION

**UNIT-II ENVIRONMENT PROTECTION AND INDIAN CULTURAL TRADITION**

PRESENT DAY CONSENSUS REFLECTS THREE FOUNDATIONAL ASPIRATIONS. FIRST, HUMAN BEINGS SHOULD BE ABLE TO ENJOY A DECENT QUALITY OF LIFE, SECOND, THAT HUMANITY SHOULD BECOME CAPABLE OF RESPECTING THE FINITENESS OF THE BIOSPHERE AND BIODIVERSITY, AND THIRD, THAT NEITHER THE ASPIRATION FOR GOOD LIFE, NOR THE RECOGNITION OF BIOPHYSICAL LIMITS SHOULD PRECLUDE THE SEARCH FOR GREATER JUSTICE IN THE WORLD.

**a)**  PROTECTION OF ENVIRONMENT IN ANCIENT INDIA

**b)**  PROTECTION OF ENVIRONMENT IN MEDIEVAL INDIA

**c)** PROTECTION OF ENVIRONMENT DURING BRITISH PERIOD

**d)** PROTECTION OF ENVIRONMENT DURING POST INDEPENDENCE PERIOD

**UNIT-III CONSTITUTIONAL MANDATES AND ENVIRONMENT**

IN PURSUANCE OF THE UNITED NATIONS CONFERENCE ON HUMAN ENVIRONMENT CONVENED AT STOCKHOLM IN 1972, THE NATIONS OF THE WORLD DECIDED TO TAKE APPROPRIATE STEPS TO PROTECT AND IMPROVE HUMAN ENVIRONMENT. THIS CONFERENCE HAS TRANSFORMED THE ENVIRONMENTAL JURISPRUDENCE OF INDIA. IN INDIA 42ND AMENDMENT TO THE INDIAN CONSTITUTION INSERTED PART IV-A OF THE CONSTITUTION WHICH ENUMERATES CERTAIN FUNDAMENTAL DUTIES UNDER ARTICLES 48-A AND 51-A (G).

**a)**  CONSTITUTION AND 42ND AMENDMENT ACT OF 1976

**b)**  DIRECTIVE PRINCIPLES OF STATE POLICY

**c)**  FUNDAMENTAL DUTIES

**d)**  RIGHT TO POLLUTION FREE ENVIRONMENT

**e)** SUSTAINABLE DEVELOPMENT

**f)**  PRECAUTIONARY PRINCIPLE

**g)** POLLUTER PAY PRINCIPLE

**h)**  PUBLIC TRUST DOCTRINE

**UNIT-IV ENVIRONMENT PROTECTION LEGISLATION**

THE PROTECTION OF ENVIRONMENT AND MAINTENANCE OF THE ECOLOGICAL EQUILIBRIUM IS NECESSARY FOR THE BETTER LIVING OF HUMAN BEINGS. TO COMBAT WITH THE PROBLEM OF ENVIRONMENTAL POLLUTION AND FOR PROTECTION OF ENVIRONMENT, DIFFERENT LEGAL MEASURES WERE TAKEN BY THE GOVERNMENT OF INDIA.

1. NATIONAL GREEN TRIBUNAL ACT, 2010: AN APPRAISAL
2. THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT OF 1974
3. THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT OF 1981
4. THE ENVIRONMENT PROTECTION ACT (EPA) OF 1986

**SUGGESTED READINGS:**

1. VERMA, SNEH LATA ENVIRONMENTAL PROBLEMS: AWARENESS AND ATTITUDE; 2007; ACADEMIC EXCELLENCE PUBLISHERS & DISTRIBUTORS; DELHI
2. SAXENA, KARUNESH AND NITYESH BHATT (ED.) ENVIRONMENT MANAGEMENT PRACTICES: AN INDIAN OUTLOOK; 2007;HIMANSHU PUBLICATIONS, DELHI
3. ROSENCRANZ, ARMIN AND SHYAM DIVAN ENVIRONMENTAL LAW AND POLICY IN INDIA:CASES, MATERIALS AND STATUTES 2001; OXFORD UNIVERSITY PRESS, NEW DELHI
4. UBEROI, N.K. ENVIRONMENTAL MANAGEMENT; 2004; EXCEL BOOKS, DELHI
5. KUMAR, MUKUL, MITRA PRASENJIT SARKAR ET AL (EDS.) ENVIRONMENTAL CHANGE AND ITS IMPACT

**RELEVANT STATUTES**

* 1. THE ENVIRONMENT (PROTECTION) ACT, 1986

1. THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981
2. WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974
3. THE INDIAN WILDLIFE (PROTECTION) ACT, 1972
4. THE INDIAN FOREST ACT, 1927

**PAPER-IV**

**LAW AND SOCIAL JUSTICE**

**(PAPER CODE: LM-204)**

**UNIT-I INTRODUCTION**

1. SOCIAL TRANSFORMATION BY LAW
2. POSITIVE CONTRIBUTION OF LAW IN SOCIAL CHANGE
3. SOCIAL ORDER, SOCIAL CONFLICTS AND THE LAW
4. ADVANTAGES OF LAW IN BRINGING SOCIAL JUSTICE
5. LAW AS AN INSTRUMENT OF SOCIAL CHANGE: WELFARE STATE
6. UPLIFTMENT OF DOWNTRODDEN SOCIETY THROUGH THE MEANS OF LAW

**UNIT-II THE ORGANIZATION OF LAW**

1. FORMAL AGENCIES:
   1. ORGANIZATION OF CIVIL AND CRIMINAL COURTS
   2. ALTERNATIVE DISPUTE RESOLUTION IN INDIA: ARBITRATION; CONCILIATION AND MEDIATION
   3. ADMINISTRATIVE AGENCIES
   4. LEGAL PROFESSION AND SOCIETY
   5. LAW ENFORCEMENT AGENCIES
2. INSTITUTIONAL AGENCIES:
   1. MARRIAGE
   2. DOMESTIC INSTITUTIONS
   3. CHEQUE ROS POUND

**UNIT-III LAW, JUSTICE AND FREEDOM**

* 1. MEANING OF JUSTICE
  2. ADMINISTRATION OF JUSTICE
  3. DISTRIBUTIVE AND CORRECTIVE JUSTICE
  4. JUSTICE AND EQUALITY
  5. JUSTICE AS FAIRNESS--- RAWLS
  6. THEORY OF ADJUDICATION BY DWORKIN
  7. NATURAL LAW AND NATURAL JUSTICE

**UNIT-IV LAW AND SOCIAL ORDER**

**a)** LAW AND LANGUAGE

**b)** LAW AND RELIGION

**c)** COMMUNITIES AND LAW

**d)** REGIONALISM AND LAW

**e)** WOMEN AND LAW

**f)** CHILD AND LAW

**g)** CONCEPT OF SARVODAYA

**SUGGESTED READINGS:**

1. RAMA JOIS: HUMAN RIGHTS IN ANCIENT INDIA

2. U. BAXI: THE RIGHT TO BE HUMAN

3. F. KAZMI: HUMAN RIGHTS

4. J. SAWRUP: HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

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**DETAILS OF** **SYLLABUS FOR LL.M. 2 YEAR**

**(FOUR SEMESTER) COURSE**

AS APPROVED BY THE BOARD OF STUDIES

(SEMESTER-IV)

**PAPER-I**

**THE LAW OF CORPORATE FINANCE AND SECURITIES REGULATIONS (PAPER CODE: LM-401)**

**UNIT-I INTRODUCTION**

1. BASICS OF CORPORATE LAW
2. MEANING, IMPORTANCE AND SCOPE OF CORPORATE FINANCE

**UNIT-II CORPORATE FINANCE**

1. CONCEPTS OF CORPORATE FINANCE:
   1. RELATIONSHIP BETWEEN RISK AND RETURN
   2. TIME VALUE OF MONEY
2. OBJECTIVES OF CORPORATE FINANCE
   1. PROFIT MAXIMIZATION
   2. WEALTH MAXIMIZATION
3. VARIOUS INSTRUMENTS FOR RAISING FINANCE
4. CAPITAL INVESTMENT: NEEDS AND FACTORS EFFECTING CAPITAL INVESTMENT

**UNIT-III SECURITIES LAWS**

1. SECURITIES CONTRACTS (REGULATION) ACT, 1956
2. SEBI ACT, 1992:
   1. OBJECTIVE; POWER AND FUNCTIONS OF SEBI
   2. SECURITIES APPELLATE TRIBUNAL
3. DEPOSITORIES ACT, 1996
   1. ROLE AND FUNCTIONS OF DEPOSITORY
   2. DEPOSITORY PARTICIPANTS
   3. ADMISSION OF SECURITIES
4. THE COMPANIES ACT, 2013
   1. ISSUE OF SECURITIES
   2. RESPONSIBILITY OF DIRECTORS AND CORPORATE GOVERNANCE
5. SEBI (SUBSTANTIAL ACQUISITION OF SHARES AND TAKEOVER) REGULATIONS, 2011
   1. ACQUISITION OF SHARES
   2. TAKEOVER CODE
6. SEBI (PROHIBITION OF INSIDER TRADING) REGULATIONS, 2015
7. FEMA REGULATIONS

**UNIT-IV INTERNATIONAL LEGAL ORDER ON SECURITIES**

1. SECURITIES LAWS OF UK AND US
2. INTERNATIONAL CAPITAL MARKET: NATURE & CONCEPT
3. COMPARATIVE STUDY OF THE INSIDER TRADING REGULATIONS IN UK AND US
4. LIABILITIES FOR SECURITIES LAWS VIOLATIONS IN UK AND US
5. ACQUISITION OF SHARES AND TAKEOVER CODES IN UK AND US
6. INTERNATIONAL STOCK MARKET CRISIS
7. GLOBAL DEPOSITORY RECEIPTS: REGULATORY MECHANISM

**SUGGESTED READINGS:**

1. GOWER’S PRINCIPLES OF COMPANY LAW, SWEET & MAXWELL THOMSON, 2006
2. SMITH AND KEENON’S COMPANY LAW, PEARSON EDUCATION LTD., 2009
3. SUMAN GUPTA: SHAREHOLDER’S DEMOCRACY: FACT OR FICTION, PUBLICATION DIVISION, UNIVERSITY OF DELHI, 1992
4. COMPANIES ACT, 2013
5. VERMA J.C., CORPORATE MERGERS, AMALGAMATIONS & TAKEOVERS, BHARAT LAW HOUSE, 2008

**PAPER-II**

**INDUSTRIAL AND INTELLECTUAL PROPERTY LAWS**

**(PAPER CODE: LM-402)**

**LL.M. IVTH SEMESTER**

**UNIT-I INTERNATIONAL COPYRIGHT PROTECTION**

1. **INTERNATIONAL CONVENTIONS**
2. BERNE CONVENTION FOR THE PROTECTION OF LITERACY AND ARTISTIC WORKS 1886 AND ITS AMENDMENTS.
3. ROME CONVENTION FOR THE PROTECTION OF PRODUCERS OF PHONOGRAMS AND BROADCASTING ORGANIZATIONS 1961
4. GENEVA CONVENTION FOR THE PROTECTION OF PRODUCERS OF PHONOGRAMS AGAINST UNAUTHORIZED DUPLICATION OF THEIR PHONOGRAMS, 1971.
5. BRUSSELS CONVENTION RELATING TO THE DISTRIBUTION OF PROGRAMME – CARRYING SIGNALS TRANSMITTED BY SATELLITES, 1974
6. **INDIAN COPYRIGHT ACT, 1957**
7. RIGHTS OF AUTHORS
8. OWNERSHIP IN COPYRIGHT
9. RIGHTS CONFERRED UNDER COPYRIGHT LAW
10. RIGHTS OF BROADCASTING ORGANIZATIONS AND OF PERFORMERS
11. ASSIGNMENT
12. INFRINGEMENT OF COPYRIGHT

**UNIT-II TRADE AND MERCHANDISE MARKS ACT, 1958**

1. TRADE MARKS REGISTRY AND REGISTER OF TRADE MARKS
2. PROPERTY IN A TRADE MARK AND REGISTRATION OF TRADE MARKS
3. DECEPTIVE SIMILARITY
4. ASSIGNMENT AND TRANSMISSION
5. LICENSING OF TRADE MARKS AND REGISTERED USERS
6. RECTIFICATION OF REGISTER
7. INFRINGEMENT OF TRADE MARKS
8. GOOD WILL
9. PASSING OFF
10. OFFENCES AND PENALTIES

**UNIT-III PATENT ACT, 1970 AND PATENTS (AMENDMENT) ACT, 1999**

1. MEANING OF PATENT
2. PROCEDURE TO OBTAIN A PATENT
3. OPPOSITION TO GRANT OF PATENT
4. REGISTER OF PATENTS AND PATENT OFFICE
5. RIGHTS AND OBLIGATIONS OF A PATENTEE
6. TRANSFER OF PATENT RIGHTS
7. COMPULSORY LICENSES
8. REVOCATION AND SURRENDER OF PATENTS
9. INFRINGEMENT OF PATENTS AND PENALTIES

**UNIT-IV INDUSTRIAL DESIGNS ACT, 2001**

1. NATURE OF INDUSTRIAL DESIGNS
2. SUBJECT MATTER OF INDUSTRIAL DESIGNS
3. RIGHTS CONFERRED BY INDUSTRIAL DESIGNS
4. TERMS OF INDUSTRIAL DESIGNS
5. REMEDIES FOR INFRINGEMENTS

**SUGGESTED READINGS:**

1. SPECIAL ATTENTION SHOULD BE GIVEN TO LITERATURE OF THE U.N. SYSTEM, WIPO AND THE UNESCO.
2. TERENEE P. STEWART (ED. BY KLUWER) THE GATT URUGUAY ROUND : A NEGOTIATING HISTORY (1986-1994) THE END GAME (PART-I) (1999)
3. IVER P. COOPER, BIOTECHNOLOGY AND LAW (1998), CLERK BOARDMAN CALLAGHAN, NEW YORK

**PAPER-I**

**CRIMINAL PROCEDURE: A COMPARATIVE STUDY OF U.K. AND USA**

**(PAPER CODE: LM-403)**

**UNIT-I INTRODUCTION TO CRIMINAL JUSTICE PROCESS**

1. HISTORICAL EVOLUTION OF CRIMINAL JUSTICE SYSTEM
2. COMMON LAW SYSTEM V. CIVIL LAW SYSTEM
3. ADVERSARIAL MODEL V. INQUISITORIAL SYSTEM
4. HIERARCHY OF CRIMINAL COURTS AND THEIR JURISDICTION
5. PROSECUTORS IN INDIA AND THEIR COUNTERPARTS

**UNIT-II ROLE OF POLICE AND PROSECUTION OF CASE**

1. **ROLE OF POLICE:**
2. ROLE OF POLICE AND ITS OBLIGATIONS UNDER THE CRPC
3. POLICE POWERS IN U.K.: POWER TO STOP; POWER OF ENTRY; POWER OF ARREST; POWER OF DETENTION
4. POLICE POWERS IN U.S.A.: 4TH AMENDMENT TO 14TH AMENDMENT OF THE CONSTITUTION; RIGHTS OF THE ARRESTEE; POWERS OF POLICE: (TO STOP; TO SEARCH; TO SEIZE; TO FRISK; TO ARREST)
5. **INVESTIGATION AND PROSECUTION OF CASE:**
6. FRAMING OF CHARGE UNDER THE CRIMINAL PROCEDURE CODE OF INDIA
7. CHARGING PROCESS AND CASE MANAGEMENT UNDER THE UK SYSTEM
8. CHARGING PROCESS IN THE USA: ROLE OF THE PROSECUTOR; CHARGING DECISION

**UNIT-III TRIAL PROCEDURE**

1. TRAIL PROCESS IN INDIA UNDER THE CRPC
2. TRIAL PROCESS IN THE UK: JURY SYSTEM
3. TRIAL PROCESS IN US: PRELIMINARY HEARING; GRAND JURY HEARING; ARRAIGNMENT

**UNIT-IV SENTENCING AND CORRECTIONAL ADMINISTRATION**

1. PROBATION AND PAROLE
2. PRE-SENTENCE INVESTIGATION
3. APPLICATION OF DETERMINATE SENTENCING GUIDELINES IN THE UK AND US

**SUGGESTED READINGS:**

1. LAW OF COMMISSION OF INDIA, FORTY-SECOND REPORT CH. 3 [1971]
2. MALIMATH COMMITTEE REPORT 2004
3. PATRIC DEVLIN THE CRIMINAL PROSECUTION IN ENGLAND
4. SANDERS AND YOUNG CRIMINAL JUSTICE [ 1994 ]
5. P D SHARAM POLICE AND CRIMINAL JUSTICE SYSTEM IN INDIA

**PAPER-II**

**CRIMINOLOGY, PENOLOGY AND TREATMENT OF OFFENDERS**

**(PAPER CODE: LM-404)**

**UNIT-I CRIMINOLOGY**

1. **INTRODUCTION TO CRIMINOLOGY:**
   1. DEFINITION, NATURE, SCOPE AND IMPORTANCE OF CRIMINOLOGY
   2. THE CONCEPT OF CRIME AND CHARACTERISTICS OF CRIMINAL LAW
   3. WHETHER CRIMINOLOGY IS A SCIENCE?
   4. ROLE OF CRIMINOLOGY IN PUBLIC POLICY
2. **SCHOOLS OF CRIMINOLOGY:**
   1. PRE CLASSICAL SCHOOL
   2. CLASSICAL SCHOOL
   3. NEO-CLASSICAL SCHOOL
   4. POSITIVIST SCHOOL
3. **IDENTIFICATION OF THE CAUSES OF CRIME:**
   1. MENTAL DISORDER AND CRIMINALITY
   2. PHYSIOLOGICAL APPROACH
   3. PSYCHOPATHIC APPROACH
   4. ANTHROPOLOGICAL APPROACH

**UNIT-II PENOLOGY**

1. **INTRODUCTION TO PENAL SYSTEM**
   1. THEORY OF PUNISHMENTS (DETERRENT; RETRIBUTIVE; REFORMATIVE; PUNITIVE; PREVENTIVE)
   2. MODES OF PUNISHMENT
   3. CAPITAL PUNISHMENT AND ROLE OF INDIAN JUDICIARY
2. **POLICE AND PRISON SYSTEM**
   1. ROLE OF POLICE
   2. NATIONAL POLICE COMMISSION
   3. MALIMATH COMMITTEE REPORT
   4. HISTORY OF PRISONS
   5. TYPES OF PRISONS
   6. PRISON WORK, EDUCATION, PRISON REFORM (SCHOOLS AND REFORMATIONS)
   7. RIGHTS OF PRISONERS AND CONTRIBUTION OF THE APEX COURT

**UNIT-III TREATMENT OF OFFENDERS**

* 1. CONDITION AND IMPROVEMENT OF PRISONS IN INDIA
  2. TREATMENT OF WOMEN PRISONERS
  3. PAROLE AND PROBATION
  4. ALTERNATE SENTENCING
  5. OPEN PRISONS

**UNIT-IV JUVENILE JUSTICE IN INDIA**

1. LAW ON JUVENILE JUSTICE
2. REFORMATION OF JUVENILE OFFENDERS
3. WORKING OF CORRECTIONAL HOMES

**SUGGESTED READINGS:**

1. ALF ROSS, ON GUILT, RESPONSIBILITY AND PUNISHMENT
2. BARNES AND TETTERS, NEW HORIZAN IN CRIMINOLOGY
3. BAXI, UPENDRA, LAW AND POVERTY : ESSAYS
4. BAXI, UPENDRA, THE CRISES OF INDIAN LEGAL SYSTEM
5. CHHABBRA, S., THE QUARILUM OF PUNISHMENT
6. RAFAEL GAROFALO, CRIMINOLOGY PART I, II, III
7. HART, H.L.A., PUNISHMENT AND RESPONSIBILITY
8. SHUKLA, K.S., SOCIOLOGY OF DEVIANCE BEHAVIOUR
9. FITZGERALD , PUNISHMENT
10. OPPENHEIMER, RATIONALE OF PUNISHMENT
11. SIDDIQUI A., CRIMINOLOGY
12. SUTHERLAND, E. AND CRESSY, PRINCIPLES OF CRIMINOLOGY
13. HERBERT L. PACKER, THE LIMITS OF THE CRIMINAL SANCTION
14. BARNES AND TEETERS, HORIZONS OF NEW CRIMINOLOGY
15. WALTER C. RECKLESS, THE CRIME PROBLEM