

# BANASTHALI VIDYAPITH

**Master of Laws (Business Laws)**  
**Master of Laws (Intellectual Property Laws)**  
**Master of Laws (Constitutional and Administrative Law)**  
**Master of Laws (Criminal Law)**



## Curriculum Structure

First Semester Examination, December, 2020  
Second Semester Examination, April/May, 2021

**BANASTHALI VIDYAPITH**  
**P.O. BANASTHALI VIDYAPITH**  
**(Rajasthan)-304022**

July, 2020

64

**No. F. 9-6/81-U.3**

**Government of India  
Ministry of Education and Culture  
(Department of Education)**

New Delhi, the 25th October, 1983

## **NOTIFICATION**

In exercise of the powers conferred by Section 3 of the University Grants Commission Act, 1956 (3 of 1956) the Central Government, on the advice of the Commission, hereby declare that Banasthali Vidyapith, P. O. Banasthali Vidyapith, (Rajasthan) shall be deemed to be a University for the purpose of the aforesaid Act.

Sd/-

**(M. R. Kolhatkar)**

Joint Secretary of the Government of India

## **NOTICE**

Changes in Bye-laws/Syllabi and Books may from time to time be made by amendment or remaking, and a Candidate shall, except in so far as the Vidyapith determines otherwise, comply with any change that applies to years she has not completed at the time of change.

## CONTENTS

<b>S.No.</b>	<b>Curriculum Structure</b>	<b>Page No.</b>
1.	Master of Laws (Business Laws)	17
2.	Master of Laws (Intellectual Property Laws)	19
3.	Master of Laws (Constitutional and Administrative Law)	21
4.	Master of Laws (Criminal Law)	23
	<b>Course Name</b>	
5.	Comparative Public Law	28
6.	Competition Law	31
7.	Intellectual Property Rights Law	34
8.	Law and Justice in a Globalizing World	36
9.	Research Methods and Legal Writing	38
10.	Corporate Law	41
11.	International Trade Law	44
12.	International Intellectual Property Law and Policy	47
13.	Law of Patents	51
14.	Law of Copyright	53
15.	Law of Trademarks	55
16.	Centre-State Relations and Constitutional Governance	57
17.	Fundamental Rights, Duties and Directive Principles of state Policy	59
18.	Local Self Government Law	62
19.	General Principles of Administrative Law	65
20.	Crime and Administration of Criminal Justice	68
21.	Comparative Perspective of Criminal Law	70
22.	International Criminal Law	74
23.	Criminology and Penology	77

**Discipline Elective**

24.	Bio-Diversity Protection	80
25.	Plant Variety and Framers Right	81
26.	Principles of Taxation	84
27.	Securities and Investment Law	86
28.	Law of Geographical Indications and Plant Varieties	89
29.	Working of Indian Constitution	91
30.	Service Law	93
31.	Health Laws in India	95
32.	Public Policy and Development	98
33.	Crime, Investigation and Evidence in Digitized World	100
34.	Victimology	103
35.	Privileged Class Deviance	106
36.	Human Rights under Criminal Law	108

**Reading Elective**

37.	ADR and IP Disputes	112
38.	Emerging Forms of IPR	113
39.	Green Technology and IPR	115
40.	Traditional Knowledge, Traditional Cultural Expression and Genetic Resources	116
41.	Law Relating to Media	119
42.	History of Indian Constitution	120
43.	Right to Information	121
44.	Crimes Against Women	123
45.	Crimes Against Children	125
46.	Cyber Crimes	126
47.	Crime and Religion	128

## **LL.M. (Business Laws)**

### **Programme Educational Objectives**

The Vidyapith has long history of nurturing women leaders in all walks of life. Of late its IT, Management and Technology graduates/post graduates have won accolades for themselves and their alma mater. In consonance with the value education imparted at Banasthali Vidyapith, it conceptualized an all women's Law School to nurture Legal professionals of the highest order from the academic year 2013-14. Further, in order to strengthen this academic leadership in the area of law and prepare legal experts with strong conceptual and research skill, Vidyapith offered LL.M. in the emerging areas of Business Laws and Intellectual Property Laws from the academic session 2018-19.

The one year LL.M. programme designed amidst the five-fold education model of Vidyapith would comprise a unique mix of foundational and variety of disciplinary courses in field of Business Law to enable the students to find a new career perspectives and play a leading role in growing corporate world.

The main objectives of LL.M. (Business Law) programme are:

1. To provide holistic development of the students by providing a combination of technology and value based traditional education.
2. To develop critical understanding of existing as well as emerging areas in the field of Business Law with an analytical and comparative approach.
3. To train women law graduates as legal experts with strong conceptual and research skill and to provide a centre where scholars might contribute to an understanding of law and participate creatively in its growth and improvement.
4. To demonstrate how the legal rules have developed, the reasons underlying them and to make them understand the nexus between legal and social history.
5. To inculcate the principles underlying the existing legal rules and to point the right road for future development and preparing the students to take up leadership roles in their specialised areas.

## Programme Outcomes

- PO1: Knowledge:** The students with pre-developed understanding for basic legal principles will be able to analyse and evaluate the intricacies involved in Business and IP laws.
- PO2: Planning abilities:** The students will be equipped with different legal abilities after the completion of the course by which they can deal with the different legal issues associated with the corporate world.
- PO3: Problem Analysis:** They will be able to understand the real nature of issues and problems related to Business Laws and can suggest various alternatives to issues by applying their analytical skills.
- PO4: Modern Tool Usage:** Case analysis, Debates, Alternate Dispute Resolution methods, etc. will be used to improve their argumentative and writing skills.
- PO5: Leadership Skills:** Today legal education is getting redefined in terms of information technology, globalisation, environment and start-ups, the focus of this programme is on developing professional leaders among women in consonance with value education imparted at Banasthali Vidyapith with traditional as well as modern approach.
- PO6: Professional Identity:** Legal profession is a noble profession and it is not limited to the technical knowledge of legal rules. The prescribed course will help in nurturing the students in a way so that they can meet the standards of different avenues opening in legal profession.
- PO7: Ethics:** The learner will be imbibed with the ethical standards of legal profession & the values nurture at the Vidyapith that are required for practical and impartial behaviour of a law student.
- PO8: Communication:** Students will be able to express complex ideas effectively and accurately in every wake of life whether it is professional or social.
- PO9: Local and Global Citizenship:** Students will be able to assess the way in which legislation and government policies are formed and influenced the social, economical and legal order in national as well as global context. They will be able to understand and

empathise cultural differences and practices required to work effectively in multi-cultural environment.

**PO10: Environment and sustainability:** Learners will involve in various co-curricular activities related to society and environment, at departmental as well as institutional level to gain practical exposure that will help them in adapting the socio-economic, legal and political environment.

**PO11: Life Long Learning:** The habit of continuous learning & life-long useful practical skills developed and acquired through the course that will motivate the students for further researches in the field of law, performing different professional roles, ultimately for leading a successful life.

## **LL.M. (IP Laws)**

### **Programme Educational Objectives**

The Vidyapith has long history of nurturing women leaders in all walks of life. Of late its IT, Management and Technology graduates/post graduates have won accolades for themselves and their alma mater. In consonance with the value education imparted at Banasthali Vidyapith, it conceptualized an all women's Law School to nurture legal professionals of the highest order from the academic year 2013-14. Further, in order to strengthen this academic leadership in the area of law and prepare legal experts with strong conceptual and research skill, Vidyapith offers LL.M. in the emerging areas of Business Laws and Intellectual Property Laws from the academic session 2018-19.

The one year LL.M. programme designed amidst the five-fold education model of Vidyapith comprises a unique mix of foundational and variety of disciplinary courses in field of Corporate Law to enable the students to explore emerging career perspectives and play a leading role in growing corporate world.

The main objectives of **LL.M. (IP Laws)** programme are:

1. To provide holistic development of the students by providing a combination of technology and value based traditional education.
2. To develop critical understanding of existing as well as emerging areas in the field of Intellectual Property Laws with an analytical and comparative approach.
3. To train women law graduates as legal experts with strong conceptual and research skills in domain of copyright, patent and other IPRs and to provide a centre where scholars might contribute to an understanding of law and participate creatively in its growth and improvement.
4. To demonstrate how the legal rules have developed, the reasons underlying them, and to make them understand the nexus between legal and social history.
5. To inculcate the principles underlying the existing legal rules and to point the right road for future development and preparing the students to take up leadership roles in their specialised areas.

## Programme Outcomes

- PO1: Knowledge:** The students with pre-developed understanding for basic legal principles will be able to analyse and evaluate the intricacies involved in Corporate and IP laws.
- PO2: Planning abilities:** The students will be equipped with different legal abilities after the completion of the course by which they can deal with the different legal issues associated with the corporate world.
- PO3: Problem Analysis:** They will be able to understand the real nature of issues and problems related to IP Laws and can suggest various alternatives to issues by applying their analytical skills.
- PO4: Modern Tool Usage:** Case analysis, Debates, Alternate Dispute Resolution methods, etc. will be used to improve their argumentative and writing skills.
- PO5: Leadership Skills:** Today legal education is getting redefined in terms of information technology, globalisation, environment and start-ups; the focus of this programme is on developing professional leaders among women in consonance with value education imparted at Banasthali Vidyapith with traditional as well as modern approach.
- PO6: Professional Identity:** Legal profession is a noble profession and it is not limited to the technical knowledge of legal rules. The prescribed course will help in nurturing the students in a way so that they can meet the standards of different avenues opening in legal profession.
- PO7: Ethics:** The learner will be imbued with the ethical standards of legal profession & the values nurture at the Vidyapith that are required for practical and impartial behaviour of Law students.
- PO8: Communication:** Students will be able to express complex ideas effectively and accurately in every wake of life whether it is professional or social.
- PO9: Local and Global Citizenship:** Students will be able to assess the way in which legislation and government policies are formed and influenced the social, economical and legal order in national as well as global context. They will be able to understand and

empathise cultural differences and practices required to work effectively in multi-cultural environment.

**PO10: Environment and sustainability:** Learners will involve in various co-curricular activities related to society and environment at departmental as well as institutional level to gain practical exposure that will help them in adapting the socio-economic, legal and political environment.

**PO11: Life Long Learning:** The habit of continuous learning & life-long useful practical skills developed and acquired through the course that will motivate the students for further researches in the field of law, performing different professional roles, ultimately for leading a successful life.

## **LL.M (Constitutional and Administrative Law)**

### **Programme Educational Objectives**

The Vidyapith has long history of nurturing women leaders in all walks of life. Of late its IT, Management and Technology graduates/post graduates have won accolades for themselves and their alma mater. In consonance with the value education imparted at Banasthali Vidyapith, it conceptualized an all-women's Law School to nurture Legal professionals of the highest order from the academic year 2013-14. Further, in order to strengthen this academic leadership in the area of law and prepare legal experts with strong conceptual and research skill, Vidyapith offered LL.M. in the emerging areas of Business Laws and Intellectual Property Laws from the academic session 2018-19.

The one-year LL.M. programme designed amidst the five-fold education model of Vidyapith would comprise a unique mix of foundational and variety of disciplinary courses in field of Constitution and Administrative Law to enable the students to find a new career perspective and play a leading role in growing corporate world.

The main objectives of LL.M. (Constitutional & Administrative Laws) programme are:

1. To provide holistic development of the students by providing a combination of technology and value based traditional education.
2. To develop critical understanding of existing as well as emerging areas in the field of Constitution and Administrative Laws with an analytical and comparative approach.
3. To train women law graduates as legal experts with strong conceptual and research skill and to provide a centre where scholars might contribute to an understanding of constitutional law and participate creatively in its growth and improvement.
4. To demonstrate how the legal rules have developed, the reasons underlying them and to make them understand the nexus between legal and social history.
5. To inculcate the principles underlying the existing legal rules and to point the right road for future development and preparing the students to take up leadership roles in their specialised areas.

## Programme Outcomes

- PO1: Knowledge:** The students with pre-developed understanding for basic legal principles will be able to analyse and evaluate the intricacies involved in Constitution and Administrative Laws.
- PO2: Planning abilities:** The students will be equipped with different legal abilities after the completion of the course by which they can deal with the different legal issues associated with the administrative world.
- PO3: Problem Analysis:** They will be able to understand the real nature of issues and problems related to Constitution and Administrative Laws and can suggest various alternatives to issues by applying their analytical skills.
- PO4: Modern Tool Usage:** Case analysis, Debates, Alternate Dispute Resolution methods, etc. will be used to improve their argumentative and writing skills.
- PO5: Leadership Skills:** Today legal education is getting redefined in terms of information technology, globalisation, environment and start-ups, the focus of this programme is on developing professional leaders among women in consonance with value education imparted at Banasthali Vidyapith with traditional as well as modern approach.
- PO6: Professional Identity:** Legal profession is a noble profession and it is not limited to the technical knowledge of legal rules. The prescribed course will help in nurturing the students in a way so that they can meet the standards of different avenues opening in legal profession.
- PO7: Ethics:** The learner will be imbued with the ethical standards of legal profession & the values nurtured at the Vidyapith that are required for practical and impartial behaviour of a law student.
- PO8: Communication:** Students will be able to express complex ideas effectively and accurately in every walk of life whether it is professional or social.
- PO9: Local and Global Citizenship:** Students will be able to assess the way in which legislation and government policies are formed and influenced the social, economical and legal order in national as well as global context. They will be able to understand and empathise cultural differences and practices required to work effectively in multi-cultural environment.

**PO10: Environment and sustainability:** Learners will involve in various co-curricular activities related to society and environment, at departmental as well as institutional level to gain practical exposure that will help them in adapting the socio-economic, legal and political environment.

**PO11: Life Long Learning:** The habit of continuous learning & life-long useful practical skills developed and acquired through the course that will motivate the students for further researches in the field of law, performing different professional roles, ultimately for leading a successful life.

## **LL.M (Criminal Law)**

### **Programme Educational Objectives**

The Vidyapith has long history of nurturing women leaders in all walks of life. Of late its IT, Management and Technology graduates/post graduates have won accolades for themselves and their alma mater. In consonance with the value education imparted at Banasthali Vidyapith, it conceptualized an all-women's Law School to nurture Legal professionals of the highest order from the academic year 2013-14. Further, in order to strengthen this academic leadership in the area of law and prepare legal experts with strong conceptual and research skill, Vidyapith offered LL.M. in the emerging areas of Constitutional & Administrative Laws and Criminal Law from the academic session 2020-21.

The one-year LL.M. programme designed amidst the five-fold education model of Vidyapith would comprise a unique mix of foundational and variety of disciplinary courses in field of Criminal Law to enable the students to find a new career perspective and play a leading role in growing corporate world.

The main objectives of **LL.M. (Criminal Law)** programme are:

1. To provide holistic development of the students by providing a combination of technology and value based traditional education.
2. To develop critical understanding of existing as well as emerging areas in the field of criminal law and administration of criminal justice with an analytical and comparative approach.
3. To train women law graduates as legal experts with strong conceptual and research skills in domain of criminal law and to provide a centre where scholars might contribute to an understanding of law and participate creatively in better administration of criminal justice.
4. To demonstrate how the legal rules have developed, the reasons underlying them, and to make them understand the nexus between legal and social history.
5. To inculcate the principles underlying the existing legal rules and principles in criminal law and to point the right road for future development and preparing the students to take up leadership roles in their specialised areas.

## Programme Educational Outcomes

- PO1: Knowledge:** The students with pre-developed understanding for basic principles will be able to analyse and evaluate the intricacies involved in Criminal Law.
- PO2: Planning Abilities:** The students will be equipped with different legal abilities after the completion of the course by which they can deal with the different legal issues associated with criminal justice administration.
- PO3: Problem Analysis:** The students will be able to understand the real nature of issues and problems related to criminal laws and can suggest various alternatives to different issues by applying their analytical skills.
- PO4: Modern Tool Usage:** Case analysis, Debates, Alternate Dispute Resolution methods, etc. will be used to improve their argumentative and writing skills.
- PO5: Leadership Skills:** Today legal education is getting redefined in terms of information technology, globalisation, environment and start-ups, the focus of this programme is on developing professional leaders among women in consonance with value education imparted at Banasthali Vidyapith with traditional as well as modern approach.
- PO6: Professional Identity:** Legal profession is a noble profession and it is not limited to the technical knowledge of legal rules. The prescribed course will help in nurturing the students in a way so that they can meet the standards of different avenues opening in legal profession.
- PO7: Ethics:** The learner will be imbued with the ethical standards of legal profession & the values nurtured at the Vidyapith that are required for practical and impartial behaviour of a law student
- PO8: Communication:** Students will be able to express complex ideas effectively and accurately in every walk of life whether it is professional or social.
- PO9: Local and Global Citizenship:** Students will be able to assess the way in which legislation and government policies are formed and influenced the social, economical and legal order in national as well as global context. They will be able to understand and empathise cultural differences and practices required to work effectively in multi-cultural environment.

**PO10: Environment and sustainability:** Learners will involve in various co-curricular activities related to society and environment, at departmental as well as institutional level to gain practical exposure that will help them in adapting the socio-economic, legal and political environment.

**PO11: Life Long Learning:** The habit of continuous learning & life-long useful practical skills developed and acquired through the course that will motivate the students for further researches in the field of law, performing different professional roles, ultimately for leading a successful life.

**Curriculum Structure**  
**Master of Laws (Business laws)**  
**First Year**

**Semester - I**

<b>Course</b>	<b>Code</b>	<b>Course Name</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C*</b>
LAW	619	Comparative Public Law	5	0	0	5
LAW	620	Competition Law	5	0	0	5
LAW	625	Intellectual Property Rights Law	5	0	0	5
LAW	628	Law and Justice in a Globalizing World	5	0	0	5
LAW	634	Research Methods and Legal Writing	5	0	0	5
<b>Semester Total:</b>			<b>25</b>	<b>0</b>	<b>0</b>	<b>25</b>

**Semester - II**

<b>Course</b>	<b>Code</b>	<b>Course Name</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C*</b>
LAW	621	Corporate Law	5	0	0	5
LAW	627	International Trade Law	5	0	0	5
LAW	622D	Dissertation	0	0	18	9
		Discipline Elective	5	0	0	5
		Open Elective	5	0	0	5
		Reading Elective	0	0	4	2
<b>Semester Total:</b>			<b>20</b>	<b>0</b>	<b>22</b>	<b>31</b>

**List of Discipline Elective**

<b>Course Code</b>	<b>Course Name</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C*</b>
LAW 618	Bio-Diversity Protection	5	0	0	5
LAW 633	Plant Variety and Farmers Right	5	0	0	5
LAW 701	Principles of Taxation	5	0	0	5
LAW 702	Securities and Investment Law	5	0	0	5

**List of Reading Elective**

<b>Course Code</b>	<b>Course Name</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C*</b>
LAW 617R	ADR and IP Disputes	0	0	4	2
LAW 623R	Emerging Forms of IPR	0	0	4	2
LAW 624R	Green Technology and IPR	0	0	4	2
LAW 635R	Traditional Knowledge, Traditional Cultural Expression and Genetic Resources	0	0	4	2

\* **L - Lecture hrs/week; T - Tutorial hrs/week;  
P-Project/Practical/Lab/All other non-classroom academic activities,  
etc. hrs/week; C - Credit Points of the Course**

Student can opt open (Generic) elective from any discipline of the Vidyapith with prior permission of respective heads and time table permitting.

Every Student shall also opt for:

Five Fold Education: Physical Education I, Physical Education II,  
Five Fold Education: Aesthetic Education I, Aesthetic Education II,  
Five Fold Education: Practical Education I, Practical Education II  
one each semester

## Curriculum Structure

### Master of Laws (Intellectual Property Laws)

#### First Year

##### Semester - I

Course	Code	Course Name	L	T	P	C*
LAW	619	Comparative Public Law	5	0	0	5
LAW	626	International Intellectual Property Law and Policy	5	0	0	5
LAW	628	Law and Justice in a Globalizing World	5	0	0	5
LAW	631	Law of Patents	5	0	0	5
LAW	634	Research Methods and Legal Writing	5	0	0	5
<b>Semester Total:</b>			<b>25</b>	<b>0</b>	<b>0</b>	<b>25</b>

##### Semester - II

Course	Code	Course Name	L	T	P	C*
LAW	629	Law of Copyright	5	0	0	5
LAW	632	Law of Trademarks	5	0	0	5
LAW	622D	Dissertation	0	0	18	9
		Discipline Elective	5	0	0	5
		Open Elective	5	0	0	5
		Reading Elective	0	0	4	2
<b>Semester Total:</b>			<b>20</b>	<b>0</b>	<b>22</b>	<b>31</b>

### List of Discipline Elective

Course	Code	Course Name	L	T	P	C*
LAW	618	Bio-Diversity Protection	5	0	0	5
LAW	633	Plant Variety and Farmers Right	5	0	0	5
LAW	621	Corporate Law	5	0	0	5
LAW	630	Law of Geographical Indications and Plant Varieties	5	0	0	5

### List of Reading Elective

Course	Code	Course Name	L	T	P	C*
LAW	617R	ADR and IP Disputes	0	0	4	2
LAW	623R	Emerging Forms of IPR	0	0	4	2
LAW	624R	Green Technology and IPR	0	0	4	2
LAW	635R	Traditional Knowledge, Traditional Cultural Expression and Genetic Resources	0	0	4	2

\* **L - Lecture hrs/week; T - Tutorial hrs/week;**  
**P-Project/Practical/Lab/All other non-classroom academic activities,**  
**etc. hrs/week; C - Credit Points of the Course**

Student can opt open (Generic) elective from any discipline of the Vidyapith with prior permission of respective heads and time table permitting.

Every Student shall also opt for:

Five Fold Education: Physical Education I, Physical Education II,  
 Five Fold Education: Aesthetic Education I, Aesthetic Education II,  
 Five Fold Education: Practical Education I, Practical Education II  
 one each semester

**Curriculum Structure**  
**Master of Laws (Constitutional and Administrative Law)**  
**First Year**

**Semester - I**

<b>Course Code</b>	<b>Course Name</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
LAW 619	Comparative Public Law	5	0	0	5
LAW 636	Centre-State Relations and Constitutional Governance	5	0	0	5
LAW 628	Law and Justice in a Globalizing World	5	0	0	5
LAW 645	Fundamental Rights, Duties and Directive Principles of State Policy	5	0	0	5
LAW 634	Research Methods and Legal Writing	5	0	0	5
<b>Semester Total:</b>		<b>25</b>	<b>0</b>	<b>0</b>	<b>25</b>

**Semester - II**

<b>Course Code</b>	<b>Course Name</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
LAW 652	Local Self Government Law	5	0	0	5
LAW 646	General Principles of Administrative Law	5	0	0	5
LAW 622D	Dissertation	0	0	18	9
	Discipline Elective	5	0	0	5
	Open Elective	5	0	0	5
	Reading Elective	0	0	4	2
<b>Semester Total:</b>		<b>20</b>	<b>0</b>	<b>22</b>	<b>31</b>

### List of Reading Electives

Course Code	Course Name	L	T	P	C
LAW 651R	Law Relating to Media	0	0	4	2
LAW 648R	History of Indian Constitution	0	0	4	2
LAW 655R	Right to Information	0	0	4	2

### List of Discipline Electives

Course Code	Course Name	L	T	P	C
LAW 658	Working of Indian Constitution	5	0	0	5
LAW 656	Service Law	5	0	0	5
LAW 647	Health Laws in India	5	0	0	5
LAW 654	Public Policy and Development	5	0	0	5

\* **L - Lecture hrs/week; T - Tutorial hrs/week;**  
**P-Project/Practical/Lab/All other non-classroom academic activities,**  
**etc. hrs/week; C - Credit Points of the Course**

Student can opt open (Generic) elective from any discipline of the Vidyapith with prior permission of respective heads and time table permitting.

Every Student shall also opt for:

Five Fold Education: Physical Education I, Physical Education II,  
 Five Fold Education: Aesthetic Education I, Aesthetic Education II,  
 Five Fold Education: Practical Education I, Practical Education II  
 one each semester

**Curriculum Structure**  
**Master of Laws (Criminal Law)**  
**First Year**

**Semester - I**

<b>Course Code</b>	<b>Course Name</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
LAW 619	Comparative Public Law	5	0	0	5
LAW 638	Crime and Administration of Criminal Justice	5	0	0	5
LAW 637	Comparative Perspective of Criminal Law	5	0	0	5
LAW 628	Law and Justice in a Globalizing World	5	0	0	5
LAW 634	Research Methods and Legal Writing	5	0	0	5
<b>Semester Total:</b>		<b>25</b>	<b>0</b>	<b>0</b>	<b>25</b>

**Semester - II**

<b>Course Code</b>	<b>Course Name</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
LAW 650	International Criminal Law	5	0	0	5
LAW 643	Criminology and Penology	5	0	0	5
LAW 622D	Dissertation	0	0	18	9
	Discipline Elective	5	0	0	5
	Open Elective	5	0	0	5
	Reading Elective	0	0	4	2
<b>Semester Total:</b>		<b>20</b>	<b>0</b>	<b>22</b>	<b>31</b>

### List of Reading Electives

Course Code	Course Name	L	T	P	C
LAW 642R	Crimes Against Women	0	0	4	2
LAW 641R	Crimes Against Children	0	0	4	2
LAW 644R	Cyber Crimes	0	0	4	2
LAW 639R	Crime and Religion	0	0	4	2

### List of Discipline Electives

Course Code	Course Name	L	T	P	C
LAW 640	Crime, Investigation and Evidence in Digitized World	5	0	0	5
LAW 657	Victimology	5	0	0	5
LAW 653	Privileged Class Deviance	5	0	0	5
LAW 649	Human Rights under Criminal Law	5	0	0	5

\* **L - Lecture hrs/week; T - Tutorial hrs/week; P-Project/Practical/Lab/All other non-classroom academic activities, etc. hrs/week; C - Credit Points of the Course**

Student can opt open (Generic) elective from any discipline of the Vidyapith with prior permission of respective heads and time table permitting.

Every Student shall also opt for:

Five Fold Education: Physical Education I, Physical Education II,  
 Five Fold Education: Aesthetic Education I, Aesthetic Education II,  
 Five Fold Education: Practical Education I, Practical Education II  
 one each semester

## Evaluation Scheme and Grading System

Continuous Assessment (CA) (Max. Marks)					End-Semester Assessment (ESA) (Max. Marks)	Grand Total (Max. Marks)
Assignment		Periodical Test		Total (CA)		
I	II	I	II			
10	10	10	10	40	60	100

In all theory, laboratory and other non classroom activities (project, dissertation, seminar, etc.), the Continuous and End-semester assessment will be of 40 and 60 marks respectively. However, for Reading Elective, only End semester exam of 100 marks will be held. Wherever desired, the detailed breakup of continuous assessment marks (40), for project, practical, dissertation, seminar, etc shall be announced by respective departments in respective student handouts.

Based on the cumulative performance in the continuous and end-semester assessments, the grade obtained by the student in each course shall be awarded. The classification of grades is as under:

Letter Grade	Grade Point	Narration
O	10	Outstanding
A+	9	Excellent
A	8	Very Good
B+	7	Good
B	6	Above Average
C+	5	Average
C	4	Below Average
D	3	Marginal
E	2	Exposed
NC	0	Not Cleared

Based on the obtained grades, the Semester Grade Point Average shall be computed as under:

$$SGPA = \frac{CC_1 * GP_1 + CC_2 * GP_2 + CC_3 * GP_3 + \dots + CC_n * GP_n}{CC_1 + CC_2 + CC_3 + \dots + CC_n} = \frac{\sum_{i=1}^n CC_i * GP_i}{\sum_{i=1}^n CC_i}$$

Where  $n$  is the number of courses (with letter grading) registered in the semester,  $CC_i$  are the course credits attached to the  $i^{\text{th}}$  course with letter grading and  $GP_i$  is the letter grade point obtained in the  $i^{\text{th}}$  course. The courses which are given Non-Letter Grades are not considered in the calculation of SGPA.

The Cumulative Grade Point Average (CGPA) at the end of each semester shall be computed as under:

$$CGPA = \frac{CC_1 * GP_1 + CC_2 * GP_2 + CC_3 * GP_3 + \dots + CC_n * GP_n}{CC_1 + CC_2 + CC_3 + \dots + CC_n} = \frac{\sum_{i=1}^n CC_i * GP_i}{\sum_{i=1}^n CC_i}$$

Where  $n$  is the number of all the courses (with letter grading) that a student has taken up to the previous semester.

Student shall be required to maintain a minimum of 4.00 CGPA at the end of each semester. If a student's CGPA remains below 4.00 in two consecutive semesters, then the student will be placed under probation and the case will be referred to Academic Performance Review Committee (APRC) which will decide the course load of the student for successive semester till the student comes out of the probationary clause.

To clear a course of a degree program, a student should obtain letter grade C and above. However, D/E grade in two/one of the courses throughout the UG/PG degree program respectively shall be deemed to have cleared the respective course(s). The excess of two/one D/E course(s) in UG/PG degree program shall become the backlog course(s) and the student will be required to repeat and clear them in successive semester(s) by obtaining grade C or above.

**After successfully clearing all the courses of the degree program, the student shall be awarded division as per following table.**

Division	CGPA
Distinction	7.50 and above
First Division	6.00 to 7.49
Second Division	5.00 to 5.99
Pass	4.00 to 4.99

**CGPA to % Conversion Formula: % of Marks Obtained = CGPA \* 10**

## **LL.M.**

### **One Year Programme**

**(i) Business Laws (ii) Intellectual Property Laws**

**(iii) Constitutional and Administrative Law (iv) Criminal Law**

While the Vidyapith has been nurturing women for leadership role in all walks of life over the last eight glorious decades, there was a need felt to provide opportunities to women who wish to venture in the field of Law. To prepare law professional with a difference, the Vidyapith commenced a Five Year UG Law programme from the academic year 2013-14. In order to strengthen the academic leadership in the area of law and prepare legal experts with strong conceptual and research skills, Vidyapith LL.M. in the emerging areas of Business Laws and Intellectual Property Laws from the academic session 2018-19.

Banasthali Vidyapith offer LL.M. programme may be offered in four specializations;

- (i) Business Laws
- (ii) Intellectual Property Laws
- (iii) Constitutional and Administrative Law
- (iv) Criminal Law

**Duration:** The programme shall be of two semesters duration spread over one year.

The course matrix shall consist of three types of courses:

- (i) Foundation Courses (3)
    - a. Research Methods and Legal Writing
    - b. Comparative Public Law
    - c. Law and justice in a Globalizing world
  - (ii) Specialization Courses (6)
  - (iii) Dissertation
-

## **Master of Laws (Business Laws)**

### **First Semester**

#### **LAW 619 Comparative Public Law**

<b>Max. Marks : 100</b>	<b>L T P C</b>
<b>(CA: 40 + ESA: 60)</b>	<b>5 0 0 5</b>

#### **Learning Outcomes:**

After Completion of the course student will able to:

- Understand the similarities and differences between leading legal traditions in key areas like separation of powers, protection of rights and the role of judiciary.
- Get familiar with the methodology of comparative public law.
- Use comparative methodology in public law analysis.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### **Section A**

Meaning and Idea of Constitution, Nature and Goals, Living Constitution, Constitution as Supreme Law, Relevance Problems and Concerns in Using Comparison, Supremacy of Legislature in Law Making, Rule of law- Dicey's Concept of Rule of Law, Position of Rule of Law under the Indian Constitution, Modern Concept of Rule of Law, Social and economic rights as part of rule of law, Separation of Powers, Checks and Balances - Meaning & Concept, Montesquieu's theory of Separation of Powers; Models of Separation of Powers & Checks & Balances- USA & India.

#### **Section B**

Meaning & Concept of Governance, Forms of Government- Federal and Unitary Forms· Features, Advantages and Disadvantages. Models of Federalism- USA, India and Concept of Quasi-federalism, Role of Courts in Preserving Federalism. Parliamentary and Presidential Forms of Government- Features, Advantages & Disadvantages, Models of Parliamentary and Presidential forms of Government - UK, India & USA.

#### **Section C**

Concept and Origin of Judicial Review. Methods of Constitutional Review- Judicial and Political Review, Concentrated and Diffused Review, Anticipatory and Successive Review, Limitations on Judicial Review, Various Methods of Amendment, Limitations on Amending Power: Comparative Perspective, Theory of Basic Structure: Origin and Development

**Suggested Readings:**

1. Dicey, A. V., & Wade, E. C. S. (2016). *Introduction to the study of the law of the constitution*. London: Macmillan and Co., Limited.
2. Forsyth, C. F., Elliott, M. C., Jhaveri, S., Ramsden, M., Scully-Hill, A., & Oxford University Press. (2010). *Effective judicial review: A cornerstone of good governance*. Oxford: Oxford University Press.
3. Strauss, D. A. (2010). *The living Constitution*. Oxford: Oxford University Press.
4. Giussani, E. (2008). *Constitutional and administrative law*. London: Sweet & Maxwell.
5. Basu, D. D. (2008). *Comparative constitutional law*. New Delhi: Wadhwa and Company.
7. In Choudhry, S., In Khosla, M., & In Mehta, P. B. (2017). *The Oxford handbook of the Indian Constitution*.
8. Chemerinsky, E. (2015). *Constitutional law--principles and policies*.
9. Shiva, R. B., Menon, V. K. N., Kashyap, S. C., Iyengar, N. K. N., & Indian Institute of Public Administration. (2004). *The framing of India's Constitution: Select documents*. New Delhi: Indian Institute of Public Administration.
10. Jennings, I. (1944). *The law and the constitution: 3.ed., rev. & enlarged. Reprint*. London.
11. In Tushnet, M. V., In Fleiner-Gerster, T., & In Saunders, C. (2015). *Routledge handbook of constitutional law*. Abingdon, Oxon: Routledge.

12. Jain, M. P., Jain, S. N., & In Dharmadhikari, D. M. (2017). *Principles of administrative law: An exhaustive commentary on administrative law and constitutional principles, with Indian & foreign case-law references.*
13. Jain, M. P. (1994). *Cases & materials on Indian administrative law.* Agra/Nagpur: Law Publishers.
14. Devins, N., & Fisher, L. (2015). *The democratic constitution.* New York, New York: Oxford University Press.
15. Bingham, T. H. (2011). *The rule of law.* London: Penguin Books
16. Amar, V., & Tushnet, M. V. (2009). *Global perspectives on constitutional law.* New York: Oxford University Press.
17. Jaffe, L. L. (1965). *Judicial control of administrative action.* Boston: Little, Brown.
18. Shukla, KamlaShanker & Singh, S. S. (SheoShanker) (1988). *Lokayukta (Ombudsman in India): a socio-legal study.* Indian Institute of Public Administration, New Delhi
19. Singh, Mahendra Pal. (1989). *Comparative constitutional law.* Eastern Book Co, Lucknow
20. Pylee, M. V. (MoolamattomVarkey) (2002). *Select constitutions of the world (2002).* Universal Law Pub. Co, Delhi
21. Ray, S. N. (SamirendraNath) (1974). *Judicial review and fundamental rights.* Eastern Law House, Calcutta
22. Bignami, F. (January 01, 2012). *Comparative administrative law. The Cambridge Companion to Comparative Law, 145-170.*
23. Swamy, K. Sudhir. (2009). *Democracy and constitutionalism in India - A Study of the Basic Structure Doctrine.* Oxford University Press.

**Suggested E-Learning Material:**

1. Ehrlich, L. (1921). *Comparative Public Law and the Fundamentals of Its Study. Columbia Law Review, 21(7), 623-646.* doi:10.2307/1112768

2. Paleker, S. (2006). Federalism: A Conceptual Analysis. *The Indian Journal of Political Science*, 67(2), 303-310. Retrieved from <http://www.jstor.org/stable/41856217>
3. Beshara, C. (2015). Basic Structure Doctrines and the Problem of Democratic Subversion: Notes from India. *Verfassung Und Recht in Übersee / Law and Politics in Africa, Asia and Latin America*, 48(2), 99-123. Retrieved from <http://www.jstor.org/stable/26160109>
4. Kumar, V. (2007). Basic structure of the Indian Constitution: Doctrine of Constitutionally Controlled Governance [From Kesavananda Bharati to I.R. Coelho]. *Journal of the Indian Law Institute*, 49(3), 365-398. Retrieved from <http://www.jstor.org/stable/43952120>
5. Tewari, M., & Saxena, R. (2017). The Supreme Court of India: The Rise of Judicial Power and the Protection of Federalism. In Aroney N. & Kincaid J. (Eds.), *Courts in Federal Countries: Federalists or Unitarists?* (pp. 223-255). Toronto; Buffalo; London: University of Toronto Press. Retrieved from <http://www.jstor.org/stable/10.3138/j.ctt1whm97c.12>

## LAW 620 Competition Law

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

After the completion of the course student will be able to

- Students will be able to understand various aspects of Competition Law and how it emerged on national and international level.
- Understand the recent issues of Competition Law which will encourage the students for further research

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

## **Section A**

### **Introduction, Emergence of Competition Law in India:**

Historical development of competition law, Socialism and competition law, Competition and common law, Classical and neoclassical competition law, Economic rationale for competition law, Goals of competition law, Monopolies and Restrictive Trade Practices Act, 1969, Failure of the MRTP Act, The Competition Act, 2002, objectives and application of the Act

## **Section B**

### **Anti-competitive Agreements, Abuse of Dominant Position and Control over Combinations:**

Rationale for prohibition, Types of anti-competitive agreements, Exemptions, Meaning of dominant position, What is abuse of dominant position, Assessing relevant market, Instruments of abuse, Remedies, Definition of Combination, Different types of merger and acquisition, , Analysis of Acquisitions and Mergers, Regulation of Combinations

## **Section C**

### **Competition Law, IPR, International Trade and Competition Authorities:**

TRIPS and competition issues, Application of section 3 of the Competition Act, 2002, International effects of cartels and competition law, Extraterritorial application of US, EU and Indian competition law, Competition policy at the international level, Competition Commission of India (CCI), Composition of CCI, Functions of CCI, Competition Appellate Tribunal.

### **Suggested Readings:**

1. Abir, R. & Jayant, K. (2008). *Competition Law in India*. Kolkata: Eastern Law House.
2. Ramappa, T. (2006) *Competition Law in India: Policy, Issues, and Developments*. New Delhi: Oxford University Press.
3. Mittal, D.P. (2011) *Taxmann's Competition Law & Practice* (3rd Edition). New Delhi, Taxmann Publication.

4. Dhall, V. (Ed.). (2007) *Competition Law Today: Concepts, Issues, and the Law in Practice*. New Delhi: Oxford University Press.
5. Cortés, S. (Ed.) (2002). *From Negotiation to Antitrust Clearance: National and International Mergers in the Third Millennium*. The Hague: Kluwer Law International.
6. Mark,F. (2004). *Competition Law of EC and UK*. New York: Oxford University Press.
7. Rowley, J. W. & D.L. Baker. (Eds.) (2001) *International Mergers: The Antitrust Process*, London: Sweet &Maxwell.

**Suggested E-Learning Material:**

1. Chauhan, B.S. (2012). Indian Competition Law: Global Context. *Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/44782475>
2. Mansingh, S. (2006). India and China: competition & cooperation. *Foreign Policy Association*. Retrieved from <https://www.jstor.org/stable/43682457>
3. AdélNémeth. (2006). Trade And Competition Policy Reforms. *AkadémiaiKiadó*. Retrieved from <https://www.jstor.org/stable/40729773>
4. Ramaswamy, K.V. (2006). Competition Policy And Practice In Canada: Salient Features And Some Perspectives For India. *Economic and Political Weekly*. Retrieved from <https://www.jstor.org/stable/4418213>
5. Amarnath, A. B. (2013). The Oligopoly Problem: Structural And Behavioural Solutions Under Indian Competition Law. *Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/43953671>
6. Sethi, R. & Dhir, S. (2013). Anti-Competitive Agreements Under the Competition Act, 2002. *Student Advocate Committee*. Retrieved from <https://www.jstor.org/stable/44283760>
7. Vickers, J. (2005). Abuse of Market Power. *Wiley on behalf of the Royal Economic Society*. Retrieved from <https://www.jstor.org/stable/3590440>

8. Pandey, B. N. & Saha, P.K. (2015). Competition Flexibilities In The Trips Agreement: Implications For Technology Transfer And Consumer Welfare. *Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/44782491>
9. Handoll, J. (2015). Establishing Breach of Section 3 Of The Competition Act, 2002 "The Indian Bid Rigging Cases". *Student Advocate Committee*. Retrieved from <https://www.jstor.org/stable/44283654>

## **LAW 625 Intellectual Property Rights Law**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

After the completion of the course student will be able to

- The learners will be able to use the principles of various IP laws while analyzing a problem related to IPR.
- Learners will further be able to assess the ways in which legislation and global policy influence the socio-economic environment in India and abroad.
- Proficiency with the ability to engage in competitive exams like CLAT, Patent Attorney, Bar Council of India, and other higher education and specialized courses will be developed.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Introduction to IPR and its Philosophical Justification:**

Concept & Meaning of Intellectual Property, Nature and Characteristics of Intellectual Property, Origin and Development of Intellectual Property, Kinds of Intellectual Property, Importance of Intellectual Property Rights and the need for their Legal Protection Western Theories on Private and IP, Locke's Labour Theory of Property , Hegel's Personality Theory of

Property, Marxian Theory on Private Property and IP. Indian Theory on Private Property

### **Section B**

#### **Intellectual Property Rights: International Relevance:**

Constitutional Aspects of Property, Constitutional Protection of Property and IP, Paris Convention for the Protection of Industrial property, 1883, The Berne Convention, 1886, TRIPS Agreement, 1994- - basic principles and minimum standards - limits of one- Size-fit for all -flexibilities under TRIPS, International Institutions Concerned with Intellectual Property

### **Section C**

#### **Intellectual Property: Issues and Challenges and its Contemporary Trends:**

Copyright protection with reference to performer's rights and Artist rights, Global governance towards Patents, Trade Marks: Legal recognition, Comparative analysis in India, EU and USA, Trade secrets: Legal recognition, Comparative analysis in India, EU and USA, Benefit sharing and contractual agreements - International Treaty on Plant Genetic Resources for Food and Agriculture - issues on patent policy and farmers' rights- CBD, Nagoya Protocol and Indian law, UNESCO - protection of folklore/cultural expressions, Developments in WIPO on traditional knowledge and traditional cultural expressions

#### **Suggested Readings:**

1. Ahuja, V. K. (2016). *Law Relating to Intellectual Property Rights*. (2nd Edition) Gurgaon, LexisNexis
2. Narayana, P. (2017). *Intellectual Property Law*. (3<sup>rd</sup> Edition Revised). Kolkata, Eastern Law House.
3. Sreenivasulu, N. S. (2018), *Law Relating to Intellectual Property*. (2<sup>nd</sup> Edition) Gurgaon: Universal Law Publishing
4. Steward, S. M. (1983). *International Copyright and Neighboring Rights*. London: Butterworth.
5. Wadhwa, Dr. B. L. (2018). *Law Related to Intellectual Property Right*. (5<sup>th</sup> Edition). New Delhi: Universal Publisher.

#### **Suggested E-Learning Material:**

1. Trade Related Aspects of Intellectual Property Rights (2018, January 15). <[https://www.wto.org/english/docs\\_e/legal\\_e/27-trips\\_01\\_e.htm](https://www.wto.org/english/docs_e/legal_e/27-trips_01_e.htm)>
2. What is intellectual Property? (2017, December 26) <<https://www.wipo.int/about-ip/en/>>
3. Traditional Knowledge and IPR (2018, January 15) <[https://www.wipo.int/pressroom/en/briefs/tk\\_ip.html](https://www.wipo.int/pressroom/en/briefs/tk_ip.html)>
4. Ludwig, S. Peter & Gogoris, Adda C. (1998) The GATT-TRIPS agreement—What it is and how it has changed the playing field for all applicants for United States patents, <<https://www.sciencedirect.com/science/article/pii/S0167450198800289>>

## **LAW 628 Law and Justice in a Globalizing World**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

After the completion of the course student will be able to:

- Find solutions to pressing problems of globalization in the domain of global justice
- Familiarize themselves with the multiple dimensions of the theoretical literature in relation to globalization.
- Critically evaluate the liberal, republican, and discursive democratic thoughts in relation to globalization.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Introduction and its Legal Theories:**

Meaning, Significance & Dimensions of Globalization; Concept of Justice in a Globalized world-Globalization and Universal Values, Concept of Global Justice, Cosmopolitanism, Models to Achieve Global justice- Social justice/Distributive justice-John Rawls Theory of Justice; Gandhian model

of justice, The concept of justice and its relation to law in Western and Indian Legal thought and concept of Dharma as a legal tradition. The relation between law and justice, Normative Jurisprudence, the western heritage, classical utilitarianism, Benthamite and modified Benthamite utilitarianism.

### **Section B**

#### **Globalisation: Legal Theory and Central Challenges Global Justice:**

Globalization and legal theory, the need for the study of concept of law from a global perspective, Basic concepts of law in western legal thought. A brief analysis of positivist, normative and realist theories of law in western tradition, Impact on sovereignty of States, on federalism and Democratic Law making, Impact on Environment & Natural Resources- Displacement for Development, Impact of globalization on Human Rights and Trade Law

### **Section C**

#### **Globalization and Economic Development in India and Reforms in Justice Delivery System in India:**

Economic development and economic justice, Impact of WTO and TRIP's on Indian Economy- WTO & Indian Agricultural Challenges, Industrial Reforms: - Free enterprise versus State regulation., Concept of Plea Bargaining , Justice to victims of crime shift from adversarial system to accusatorial & inquisitorial system, ADR's UNCITRAL Model

#### **Suggested Reading:**

1. Helpman,E.( 2018).*Globalization and Inequality*. Cambridge, Harvard University Press.
2. Verma M. *Globalisation, Environment and Social Justice*, Abingdon: Taylor & Francis Inc.
3. Goldman M. (2005). *Imperial Nature – The World Bank and Struggles for Social Justice in the Age of Globalisation*, New Haven, Yale University Press.
4. Marc Coicaud J., Doyle M. (2003). *The Globalization of Human Rights*. Tokyo; United Nations University Press.

5. Baylis J, Smith S. ( 2008) *The Globalization of World Politics: An Introduction to International Relations*.Oxford ;Oxford University Press.
6. Solanki R.S.(2015), *Law & Financial Reforms*, New Delhi, Regal publishers

### **Suggested E- Learning Material:**

1. Pierrick G. (2007)., “Global Law: A Legal Phenomenon Emerging from the Process of Globalization”, 14 Indian Journal of Global Legal Studies 119.Retrieved from [https://www.researchgate.net/publication/236792361\\_Global\\_Law\\_A\\_Legal\\_Phenomenon\\_Emerging\\_from\\_the\\_Process\\_of\\_Globalization](https://www.researchgate.net/publication/236792361_Global_Law_A_Legal_Phenomenon_Emerging_from_the_Process_of_Globalization)
2. Chimni B.S. (2004) *International Institutions Today: An Imperial Global State in the Making* European Journal of International Law Volume 15 Number 1 ; Retrieved from [www.ejil.org/pdfs/15/1/334.pdf](http://www.ejil.org/pdfs/15/1/334.pdf)
3. Kingsbury B, Krisch N. (2005). *The Emergence of Global Administrative Law*; Law and Contemporary Problems Journal ; Retrieved from [https://www.researchgate.net/publication/30503833\\_The\\_Emergence\\_of\\_Global\\_Administrative\\_Law](https://www.researchgate.net/publication/30503833_The_Emergence_of_Global_Administrative_Law)
4. Marks S, (2011) *Human Rights and Root Causes*; 74 (1) Modern Law Review 57-78 (January). Retrieved from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1736880](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1736880)

## **LAW 634 Research Methods and Legal Writing**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

After the completion of the course student will be able to

- Understand various intricacies associated with research
- Acquire knowledge related tool and techniques of research in Law.
- Make research proposal, research design, research report and thesis

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Meaning, objectives, kinds of Research and research design:**

Meaning and objectives of research, Legal Research - Meaning, scope and purpose. Relation between law and society, Research methods vis a vis Research Methodology, Types/kinds: Doctrinal and Non-Doctrinal (empirical), Research Design, Various Steps in Research: Research Process, Research Problem: Identification and Formulation, Hypothesis - Formulation of Hypothesis - Its Importance and Kinds, Use of Library, Database for Legal Research: Legislations, Judicial Decisions, Juristic Writings and Traditional and Online Database.

### **Section B**

#### **Research Techniques and Data Processing Report Writing:**

Use of Modern Technology/ Computer Assisted Research, Tools and Techniques for Collection of Data· Primary and Secondary Sources, Literature Review· Observation Method· Questionnaire· Interview· Case study Sampling· Jurimetrics, Data Analysis and Interpretation -Use of Deductive and Inductive Methods in Research, Report Writing, Supervision, Guidelines for researchers , Research Ethics

### **Section C**

#### **Legal Writing:**

Essentials of Good Legal Writing, Structured Legal Writing: Organization of Legal Materials, Framing of Write Up: Research Question, Title, Identifying relevant areas of law, Identifying Literature and Case Laws, Analysis, Discussion, Recommendations and Conclusion, Kinds: Informative, Persuasive; Writing for Individual Purposes; Writing for Academic Purpose; Writing for Court Purposes: Briefs, Plaints etc.; Writing for Publication: reviews, articles, books etc.; Judicial writing, Citation, Reference and Footnoting, Editing and Proof reading, Writing of Research Proposal, Dissertation/ Thesis Writing

#### **Suggested Readings:**

1. L BERG, B. R. U. C. E. (2001). Qualitative research methods for the social sciences.
2. McConville, M. (Ed.). (2017). *Research methods for law*. Edinburgh University Press.
3. Kothari, C. R. (2004). *Research methodology: Methods and techniques*. New Age International.
4. Forcese, D., & Richer, S. (1970). *Stages of social research: contemporary perspectives*. Prentice Hall.
5. Thakur, D. (2012). *Research methodology in social sciences*. Deep & Deep Publications pvt. Limited.
6. Hicks, F. C. (1923). *Materials and Methods of Legal Research with Bibliographical Manual*. Lawyers Co-operative Publishing Company.
7. Goode William, J. (1952). *Methods In Social Reseaech*. Mcgraw-Hill Book Company; New York; Toronto; London.
8. Galtung, J. (1967). *Theory and methods of social research*. Universitetsforlaget.
9. Creswell, J. W., & Creswell, J. D. (2017). *Research design: Qualitative, quantitative, and mixed methods approaches*. Sage publications.
10. Gupta, V. K. (1995). *Decision Making in the Supreme Court of India: A Jurimetric Study*. Kaveri Books.
11. Watt, R., & Johns, F. (2009). *Concise legal research*. Federation Press.
12. Young, P. V., & Schmid, C. F. (1966). Scientific social surveys and research. An introduction to the background, content, methods, principles and analysis of social studies. *Scientific social surveys and research. An introduction to the background, content, methods, principles and analysis of social studies*.

**Suggested E-Learning Material:**

1. Basics of Doctrinal Legal Research by Prof Shashikala Gurpur  
<https://www.youtube.com/watch?v=YYUxGnKntYU>

2. Legal research by P Chynoweth (2019, Jan 30). Retrieved from [http://www.csas.ed.ac.uk/\\_\\_data/assets/pdf\\_file/0005/66542/Legal\\_Research\\_Chynoweth\\_-\\_Salford\\_Uni..pdf](http://www.csas.ed.ac.uk/__data/assets/pdf_file/0005/66542/Legal_Research_Chynoweth_-_Salford_Uni..pdf)
3. Jurimetrics: The Methodology of Legal Inquiry (2019, Jan 30). Retrieved from <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=2945&context=lcp>
4. Jurimetrics: the science of law(2019, Jan 30). Retrieved from <https://www.youtube.com/watch?v=0WU2E2sKk3I>

## **Second Semester**

### **LAW 621 Corporate Law**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

#### **Learning Outcomes:**

After Completion of the course student will able to

- Develop an understanding on the working of Indian Corporates.
- Understand various provisions of the Company Law and other related legislations.
- Develop an analytical view of the subject and are updated with latest amendments in law & landmark judgment

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### **Section A**

#### **Company Nature and its Incorporation:**

Structure of Corporate Management in India with Comparative Study of England and USA, Kinds of Company and their incorporation, Corporate Personality, Corporate veil & its lifting, Constitutional documents of a Company: MOA & AOA, Clauses in Memorandum of Association, Approval of Name, Alteration in MOA and AOA, Effect of Incorporation, The Doctrine of Ultra Vires, Constructive Notice & Indoor Management,

Importance of Promoters: Position, Duties & Liabilities, Prospectus: Meaning, Consequences of Misstatements in Prospectus.

### **Section B**

**Corporate Capital Unit and Management and Control of Companies:** Capital, Kinds of Capital; Shares, Modes of Capital Raising, Procedure for issue of Shares & Share Certificates; Procedure for increase and reduction of Share Capital; Debt Capital; Meaning and Kinds of Debt; Charge: Creation of Charges, Secured and Unsecured borrowings, Floating charge and Fixed charge; Debentures: Issue of Debentures, Kinds of Debentures, Rights of Debenture Holders, Loan from directors and Loan to directors; Restriction on borrowing powers of the company; Corporate Guarantees; Inter-Corporate Loans and Guarantees; Directors: Kinds, Appointment & Removal; Legal position of directors; powers of directors and restrictions thereof; Contract with directors; duties and liabilities of directors; Meetings; Kinds of Meetings of Directors, Majority rule and minority Rights; Protection of Minority Shareholders; Oppression and Mismanagement and remedies in case of Oppression & Mismanagement, Class Action Suit, National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT).

### **Section C**

**Corporate Governance, Social Responsibility and Corporate Crimes and Law Relating to Multinational Corporations:**

Importance of Corporate Governance, Legislative framework for Corporate Governance under the Companies Act, 2013, Case Study: Enron and Satyam, Corporate Crimes and Criminal Liability of the officers of the Company, Insider Trading, Price Sensitive Information, Legal Reforms of Corporate Governance in India, Corporate Social and Environmental Responsibility, Meaning and Definition of Multinational Corporation, Problems of definitions and criteria of Determination, Regulation of MNC's.

#### **Suggested Readings:**

1. Singh, A. (2018). *Company Law*. Lucknow: Eastern Book Company.
2. Taxman (2019), *A Compendium of Companies Act 2013 along with Relevant rules*, New Delhi: Taxman

3. Chandratre, K. R. (2018), *Compendium of Key Issues under Corporate Law*; New Delhi: Bloomsbury India.
4. Jain, D.K. (2018), *Company Law Ready Reckoner*, New Delhi: Bharat Law House.
5. Garg, K. (2018), *Corporate Social Responsibility With Companies (Corporate Social Responsibility Policy) Rules, 2014*, New Delhi: Bharat Law House.

**Suggested E-Learning Material:**

1. Gelfond S, Schwenkel R. and Cohen H. (2017), Private Company Boards, *The Journal of Private Equity* Vol. 20, No. 3. Retrieved from <https://www.jstor.org/stable/44397520?>
2. Derek F , Christopher R, Stephen W. Mayson, *French & Ryan on Company Law*, Retrieved from [https://searchworks.stanford.edu/articles/nlebk\\_\\_678144](https://searchworks.stanford.edu/articles/nlebk__678144)
3. Szabo, Gergely D. and Engsig K. (2018), Corporate Governance Codes and Groups of Companies: In Search of Best Practices for Group Governance , *European Company and Financial Law Review* , Retrieved from [https://searchworks.stanford.edu/articles/edsgao\\_\\_edsgcl.564646255](https://searchworks.stanford.edu/articles/edsgao__edsgcl.564646255)
4. Lawrence L., *Impact of CSR mandate on Indian companies*. Retrieved from [http://www.academia.edu/7492295/Impact\\_of\\_CSR\\_mandate\\_on\\_Indian\\_companies](http://www.academia.edu/7492295/Impact_of_CSR_mandate_on_Indian_companies)
5. Choudhury B. & Petrin M. , Corporate governance that ‘works for everyone’: promoting public policies through corporate governance mechanisms, *Journal of Corporate Law Studies*, Retrieved from <https://www.tandfonline.com/doi/full/10.1080/14735970.2017.1414984>

## **LAW 627 International Trade Law**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

- The students will be able to understand the basic practicalities of International Trade.
- Students understanding about the various aspects of International Trade Law and all the steps taken on domestic and International level will be developed.
- Analytical skills will be developed among the students in relation to International Trade.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Introduction to International Trade Law and different organizations:**

Definitions: international trade, commerce and development, International trading system: liberalization of trade and commerce , History and Development of International Trade Law, International legal framework for the international trade, International Trade and Economic Theories Mercantilism, Adam Smith, David Ricards, Heckschler Ohlin, Paul Krugman, Brief Role of International Organisation in the Development of the International Trade - World Bank, International Finance Corporation, Asian Development Bank (ADB), Organization for Economic Co operation and Development(OECD), Organization for the Petroleum Exporting Countries (OPEC), Federation of International Trade Association (FITA), International Chamber of Commerce (ICC)

### **Section B**

#### **Unification of international trade Law, GATT and WTO:**

Role of Conventions, Treaties and Agreements for the Unification of International Trade Law, Role of Regional Trading Blocks and Organizations for the Unification of International Trade Law (UNIDROIT, UNCITRAL, UNCTAD), Association of South East Asian Nation

(ASEAN), European Coal and Steel Community (ECSC), South Asian Association for Regional Co Operation (SAARC), SAARC Chamber of Commerce and Industry (SCCI) Bretton Woods System, General Agreement on Tariffs and Trade, 1947-1994 (Uruguay Round), World Trade Organisation (WTO), Structure, Scope and Functions of WTO, Dispute Settlement in WTO, Principle of MFN and corresponding legal regime of trade, Principle of national treatment and corresponding regime of trade, Discriminatory regimes in international trade. GATT/WTO and the principles of free trade, Regional Trade Agreements and WTO

### **Section C**

#### **International Sale of Goods, International trade, ICC INCOTERMS, Foreign Trade:**

Role of UNCITRAL and UNIDROIT in International Sale of Goods, Introduction to the United Nation's Convention on Contracts for the International Sale of Goods, Definitions, General Principles, Fundamental Breach, Rule of Avoidance, Rule of Specific Performance, Modification and Termination of Contract, Formation of Contract under CISG, Sale of Goods under CISG, Obligation of the Seller and the Buyer under CISG, Remedies under CISG (For Seller, Buyer and for both), Passing of Risk under CISG, Damages under CISG, the limits of liability and the force majeure and other exception clauses; Principles of international commercial contracts (UNIDROIT, 1994), General characteristics of INCOTERMS, Characteristics of the groups of terms (Group E, Group F, Group C, Group D), EXW, FCA, FOB, FAS, CIF, CFR, CIP, CPT, DES, DEQ, DDP, DAF etc., Foreign Trade in India, Policies and Issues.

#### **Suggested Readings:**

1. Carr, I. (2005). *International Trade Law* (3<sup>rd</sup>ed.). Routledge-Cavendish.
2. Boscche, P. (2017). *The Law and Policy of WTO* (4<sup>th</sup>ed.). Cambridge University Press
3. Vij, N. (2016). *International Trade Law*. Universal Law Publishing Co.
4. Myneni, S.R. (2017). *International Trade Law* (3<sup>rd</sup>ed.). Allahabad: Allahabad Law Agency.

**Suggested E-Learning Material:**

1. Pillai, P. N. (1977). Review of International Trade Law by K.W. Ryan: *National University of Singapore (Faculty of Law)*. Retrieved from <https://www.jstor.org/stable/24863262>
2. Simmons, P. (1999). Reviewed Work(s): Principles of International Trade Law by Indira Carr. *Cambridge University Press on behalf of the British Institute of International and Comparative Law*. Retrieved from <https://www.jstor.org/stable/761753>
3. Hoya, T.W. (1973). Comecon and the Unification of International Trade Law. *Cambridge University Press*. Retrieved from <https://www.jstor.org/stable/25660478>
4. Foster, C. (2000). The Jurisprudence of the GATT and the WTO: Insights on Treaty Law and Economic Relations by John H. Jackson. *Cambridge University Press on behalf of Editorial Committee of the Cambridge Law Journal*. Retrieved from <https://www.jstor.org/stable/4508726>
5. American, S. (1861). Foreign Trade. *Scientific American, a division of Nature America, Inc.* Retrieved from <https://www.jstor.org/stable/10.2307/24957249>
6. Duhl, G. (2012). International Sale of Goods. *American Bar Association*. Retrieved from <https://www.jstor.org/stable/23526821>

## **Master of Laws (Intellectual Property Laws)**

### **First Semester**

#### **LAW 626 International Intellectual Property Law and Policy**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

#### **Learning Outcomes:**

After the completion of the course student will be able to:

- Understand the basics understand of international intellectual property right law.
- Get adequate knowledge of various International Treaties related to IPR accustom with the international perspective of IP law, their dispute redressal mechanism and various issues attached with the International IP law.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### **Section A**

##### **WIPO**

World Intellectual Property Organisation (WIPO), 1967 - Object of the WIPO, Function, Membership, Organs of the WIPO, Relation between WIPO and WTO.

#### **Section B**

##### **Trade Related Aspects of Intellectual Property (TRIPS), 1994**

General Provisions And Basic Principles Part

TRIPS and Intellectual Property Conventions

Standards Concerning The Availability, Scope And Use Of Intellectual Property Rights: Copyright And Related Rights, Trademarks, Geographical Indications,. Industrial Designs, Patents, Layout-Designs (Topographies) Of Integrated Circuits, Protection Of Undisclosed Information.

Relation of TRIPS to other WTO Agreements

Trade Related Aspects of Intellectual Property (TRIPS), 1994

- i. Enforcement Of Intellectual Property Rights
- ii. Acquisition And Maintenance Of Intellectual Property Rights And Related Inter-Partes Procedures Part
- iii. Despute Prevention And Settlement
- iv. Transitional Arrangements Part
- v. Institutional Arrangements

### **Section C**

#### **Various International Treaties related to IPR**

Paris Convention for the protection of Industrial Property, 1983

Hague Agreement Concerning the International Deposit of Industrial Designs, 1934 and 1960.

Budapest Treaty on International Recognition of the Deposit of Micro-organisms for the purpose of Patent Procedure, 1977

International IP Disputes & Mechanism post-WTO:

- i. Dispute Settlement Understanding
- ii. RIPs, Vienna Convention and DSU
- iii. Role of WIPO
- iv. Reporting to TRIPs Council and compliance issues
- v. anti-dumping Agreement
- vi. Software and IPR
- vii. International competition regime in IP matters
- viii. Out of court settlement and competition issues

#### **Suggested Readings:**

1. "Hand Book on WIPO on Intellectual Property Rights", 2nd Edition, WIPO publication, Geneva, 2004.
2. Hugh C. Hansen, International Intellectual Property Law & Policy, Juris Publication.
3. Matthew Kennedy, WTO Dispute Settlement and the TRIPS Agreement, Cambridge University Press, 2016.

4. Melville B. Nimmer - Copyright and other Aspects of literary , musical and Artistic Works, 2nd Edn.
5. Baxi, U.The Law of Intellectual Property : Copyright law in India (1989)
6. P. Narayanan - Copyright and Industrial Design, 2nd Edn. 1995.
7. P. Narayanan - Trademark, Trade name and Passing off Cases 2nd Edn. Vol.I & II, 1997.
8. Thairani, K- Copyright: The Indian Experience (1987).
9. Lal's Copyright Act, 3rd Edn. 1995 Law Publications
10. Report on an Analysis of the Economic/Legal Literature on Intellectual Property (IP) Rights: A Barrier to Entry? Committee on Development & Intellectual Property, World Intellectual Property Organization, Available on [http://www.wipo.int/edocs/mdocs/mdocs/en/cdip\\_8/cdip\\_8\\_inf\\_6\\_corr.pdf](http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_8/cdip_8_inf_6_corr.pdf)
11. Valentine Korah, "An Introductory Guide to EC Competition Law and Practice", 8th Edition, Oxford & Portland, Oregon, 2004, Chapter 10, 291-313
12. MahevM.Dabbah, "EC & UK Competition Law, Commentary, Cases & Materials", 1st Edition, 2004, Cambridge University press, Chapter 6, pp. 199-231
13. Mark Furse, "Competition Law of the EC & UK", 4th Edition, Oxford University Press, Oxford, Chapter 14, pp. 259-262.
14. Nuno Piresde Carvalho, "The TRIPs Regime on Patent Rights", 2nd Edition, Kluwer Law International, The Hague, Netherlands, 2005, Preamble, pp.48-51, Part - V, pp. 401-416
15. Palmeter and Mavroidis, "Dispute Settlement in WTO : Practice and Procedure", 2nd Edition, Cambridge University Press, Newyork, 2004
16. Ravindra Pratap, "India at the WTO Dispute Settlement System", 1st Edition, Manak Publications Private Limited, New Delhi, 2004

17. "Hand Book of WIPO on Intellectual Property Rights", 2nd Edition, WIPO Publication, Geneva, 2004, Chapter - V, pp. 241-366
18. "WTO Dispute Settlement Procedures : A Collection of the Relevant Legal Test", 2nd Edition, A WTO Secretariat Publication, Cambridge University Press, Newyork, 2004
19. "Resource Book on TRIPs and Development", UNCTAD-ICTSD, 1st Edition, Cambridge University Press, U.S.A., 2005, Part - V, pp.637-704
20. "Anti-dumping, subsidies, safeguards: contingencies, etc", Understanding the WTO: the Agreements, can be accessed from [https://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/agrm8\\_e.htm](https://www.wto.org/english/thewto_e/whatis_e/tif_e/agrm8_e.htm)
21. "Intellectual property: protection and enforcement" Understanding the WTO; can be accessed from [https://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/agrm7\\_e.htm](https://www.wto.org/english/thewto_e/whatis_e/tif_e/agrm7_e.htm)
22. Cornish.W.R & Llewelyn.D, Intellectual Property: Patents, Copyright, Trademarks and Allied Rights, Thomson Sweet & Maxwell, London, 2003
23. Chisum Donald S, Chisum on Patents, Matthew Bender Publications, New York, 2003
24. Elizabeth Verkey, Law of Patents, Eastern Book Company, Lucknow, 2005
25. Philip W. Grubb, Patents for Chemicals Pharmaceuticals and Biotechnology, Oxford University Press, New York, 2004.
26. Matsushita, Mavroidis, the World Trade Organisation, Law, Practice, and Policy, Oxford University Press, 2003.
27. Sheela Rai, Anti-Dumping Measures under GATT/WTO, Eastern Book Company, 2005.
28. Edwin Vermulst, The WTO Anti-Dumping Agreement, Oxford University Press, 2005.
29. Michael Blakeney, "Protection of Plant Varieties and Farmers' Rights", European Intellectual Property Review, 2004, 24(1), 9-19

**Suggested E – Learning:**

1. Seshia, "Plant Variety Protection & Farmers' Rights in India : Law-Making & the Cultivation of Varietal Control", <http://www.gapresearch.org/governance/EPWarticleShaila.pdf>
2. AnithaRamanna, "India's Plant Variety & Farmers' Rights Legislation : Potential Impact on Stake Holders Access to Genetic Resources", <http://www.igidr.ac.in/facu/anithar.htm>

\* Suggested Readings are not exhaustive. Need to be supplemented with additional readings.

**LAW 631 Law of Patents****Max. Marks : 100****L T P C****(CA: 40 + ESA: 60)****5 0 0 5****Learning Outcomes:**

After the completion of the course student will be able to:

- Understand the various aspect of Patents law in Indian context.
- Get adequate knowledge of Various International Treaties related to Patent Laws.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

**Section A****Patents and Patentable subject-matter:**

Overview , Historical development , Concepts: Novelty, Utility, Inventiveness/Non-obviousness, Patent Act 1970 - amendments of 1999, 2000, 2002 and 2005, Pharmaceutical products and process and patent protection ,Software Patents , Business Method , Protection of Plant Varieties and Farmers' Rights Act, 2001, Patenting of Micro-organism

**Section B****Procedure for Obtaining of Patents:**

Contents of a Patent Application. 3.2 Specification: Provisional 3.2.2 Complete, Disclosure aspects 3.4 Claims, Principal 3.4.2 Dependant 3.4.3

Omnibus, Examination of application, Opposition of Application, Sealing of Patents

### Section C

#### **Working of Patents - Compulsory License and Infringement:**

Commercialization of Inventions, Licence- Terms of License Agreement  
4.1.2 Assignment of patents, Revocation of Patents, Meaning of Infringement, Method of determination of Infringement, Infringer- Direct, Contributory, and Induced, Defences to Infringement - Research exemption , invalidity , misuse failure to mark, , laches and estoppels, and first sale doctrine.

#### **Suggested Reading:**

1. Nard, C. (2016). *The Law of Patents (4<sup>th</sup> ed.)*. Wolters Kluwer.
2. Merges, R. & Duffy, J. (2017) .*Patent Law and Policy (7<sup>th</sup> ed.)* .Carolina Academic Press
3. Mueller, J.M. (2012). *Patent Law (4<sup>th</sup> ed.)*. Aspen Publishers.

#### **Suggested E-Learning Material:**

1. Hargreaves, S. (2007). Novartis Pressured to Drop Patent Case. *British Medical Journal*. Retrieved from <https://www.jstor.org/stable/20506448>
2. Joshi, S. & Barker, R. (2005). Changes to India's Patent Law. *British Medical Journal*. Retrieved from <https://www.jstor.org/stable/25459558>
3. Lignac, A. (1969). Comparative Foreign Patent Procedure. *American Bar Association*. Retrieved from <https://www.jstor.org/stable/40704585>
4. Rangnekar, D. (2006). No Pills for Poor People? Understanding the Disembowelment of India's Patent Regime. *Economic and Political Weekly*. Retrieved from <https://www.jstor.org/stable/4417764>
5. Dale, S. (1915). Compulsory work of Patents. *Scientific American, a division of Nature America, Inc.*. Retrieved from <https://www.jstor.org/stable/10.2307/26023050>

## Second Semester

### LAW 629 Law of Copyright

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

**Learning Outcomes:**

- The students will be able to understand various complexities associated with copyright law.
- The students will be able to file an application for copyright.
- The students will acquire knowledge about the contemporary issues relating to copyright law.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### Section A

Concept of property, The economic importance of Copyright, Nature, Scope and Justification of copyright as an intellectual property, Historical development of copyright law, International Treaties: Berne Convention, Universal Copyright Convention, 1952 , Rome convention, TRIPs, Geneva Convention, 1971, WIPO Copyright Treaty, 1996 , International Copyright Order, 1999 and Beijing Treaty on Audiovisual Performances, 2012, Concept of Originality and Idea Expression, dichotomy fixation and other doctrinal requirement, Works Protected: Literary, Musical, Artistic, Dramatic works; Computer Programs and Database; Cinematography films, Sound recordings, UNESCO - protection of folklore/cultural expressions, Rights of the owner's of the Copyright: a. Economic Rights, The Right of Reproduction, Right to communicate the work to the public, Right to distribute the Work, Right of adaptation translation etc., Rights of Broadcasting organizations and of Performers, Moral Rights.

#### Section B

Authorship: Ownership & Licensing and Assignment of Copyrighted work: (a) who owns the work? (b) Duration of Copyright (c) Assignment of Copyright (d) Licensing of Copyright: Voluntary license (e) Statutory license (f) Compulsory license, Enforcement of Copyright at National and

International Level, Elements of infringement of Copyright ,Secondary liability of infringement; Exceptions; Fair dealing ,Remedies for infringement: Civil remedies, Criminal Remedies, Administrative remedies

### Section C

Procedure of Registration , Effect of Registration and its protection outside India, Termination of Copyright & its effects; Authorities; Copyright office, Copyright Board, Copyright Societies., Copyright: A human right and Free Speech implications , First Sale Doctrine, Exhaustion of Copyright and Doctrine of Fair Dealing, Copyright and Contract: Technological protection / Digital Rights Management (DRM) ,Concept of Orphan works, Developments in WIPO on traditional knowledge and traditional cultural expressions.

#### Suggested Readings:

1. Garnett, K., James, J. R. & Gillian. (2013). *Copinger and Skone James on Copyright*. London: Sweet & Maxwell.
2. P. Narayanan. (2007). *Copyright and Industrial Designs (3<sup>rd</sup> ed.)*. New Delhi: Eastern Law House.
3. Nimmer, D. (2010). *Nimmer on Copyright*. New Delhi: Lexis Nexis,.
4. Cornish, W.R. (2010). *Intellectual Property: Patents Copyright Trademarks and allied rights*. London: Sweet & Maxwell,.
5. Sivakumar, S. & Lukose, L.P. (2013) *Broadcasting Reproduction Right in India: Copyright and Neighboring Right Issues*. New Delhi: ILI.
6. Kaul, A.K. & Ahuja, V.K. (2001) *Law of Copyright: From Gutenberg's Invention to Internet*. Delhi: University of Delhi.
7. Padmanabhan, A. (2012). *Intellectual Property Rights Infringement and Remedies*. New Delhi: Lexis Nexis.
8. Rajan, M.S. (2011). *Moral Rights: Principles, Practice, and New Technology*. Oxford University Press.
9. Goldstein, P. (2012). *International Copyright: Principles, Law, and Practice*. Oxford University Press.

10. Netanel, N.W. (2011). *Copyright's Paradox*. Oxford University Press.

**Suggested E-Learning Material:**

1. Beer, J.D. (2013). Copyright Royalty Stacking. *University of Ottawa Press*. Retrieved from URL: <https://www.jstor.org/stable/j.ctt5vkcp.15>
2. Davidson, M.W. (2000). Copyright. *Music Library Association*. Retrieved from <https://www.jstor.org/stable/899643>
3. Goldstein, P. (1992). Copyright. *Duke University School of Law*. Retrieved from <https://www.jstor.org/stable/1191775>
4. Reese, R. A. What should copyright protect?. *ANU Press*. Retrieved from <https://www.jstor.org/stable/j.ctt1q1crjg.7>

**LAW 632 Law of Trademarks**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

**Learning Outcomes:**

After the completion of the course the student will be able to:

- Understand the basics of trademark law.
- Get adequate knowledge of Various International Treaties related to of trademark law.
- Accustom themselves with the Indian legislation on of trademark law.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

**Section A**

**An Introduction to Trademark:**

Historical development of the concept of trademark and trademark Law- National and International -- Introduction to Trademarks, Need for Protection of Trademarks, Kinds of Trademarks, International Legal Instruments on Trademarks, Well known Trademark.

**Section B**

**Registration of Trademarks:**

Grounds of refusal of registration, absolute grounds, Relative grounds, procedure for registration of Trademarks: application.-intent to use

,opposition, registration, rights of registered trademark owners, assignment and licensing of Trademarks

### Section C

#### **Infringement of Trademarks:**

Passing Off, defences, remedies for Infringement and Passing Off: Civil remedies & criminal remedies.

#### **Suggested Readings:**

1. W.R. Cornish, Intellectual Property, Sweet & Maxwell, London (2000)
2. Kerly's Law of Trade Marks and Trade Names, 14th Edition, Thomson, Sweet & Maxwell.
3. K. BanSal, Law of Trade Marks in India (2009 Edition) Institution of Constitutional and Parliamentary Studies and Centre for Law, Intellectual Property and Trade, New Delhi.
4. Christoher Wadlow, The Law of Passing Off, 1995
5. Marsha A. Echols, Geographical Indications for Food Products, International Legal and Regulatory Perspectives (2008), Wolters Kluwer.
6. N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property (2009), Eastern Book Company, Lucknow.

#### **Suggested E- Learning Material:**

1. Gerald D. O'Brien. (1967). The Role of Patents and Trademarks in International Trade. *American Bar Association*. Retrieved from <https://www.jstor.org/stable/40705195>
2. Lisa P. Lukose. (2015). Non-Traditional Trademarks: A Critique. *Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/44782501>
3. John R. Ewbank. (1958). What The General Practitioner Should Know About Trademarks And Copyrights. *American Bar Association*. Retrieved from <https://www.jstor.org/stable/25720487>

## **Master of Laws (Constitutional and Administrative Law)**

### **First Semester**

#### **LAW 636 Centre State Relations and Constitutional Governance**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

#### **Learning Outcomes:**

On the completion of the course the students will be able to

- Discuss the different forms of government and explain the features and the distinction between them.
- Trace the historical background of federalism in India.
- To explain the nature of Indian federalism.
- To discuss the Legislative relations, Administrative and financial relations between the Centre and the States.
- To understand the principles of interpretation of lists.
- To discuss the relations of Centre and the States during emergency.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### **Section A**

Traditional and Modern Concept of Federalism, Federal Government in USA, Australia and Canada, Indian Federalism, Creation of new states, Special status of certain States, Tribal Areas, Scheduled Areas, Judicial Perspective over the Indian federalism.

#### **Section B**

Legislative Relations between Centre and States, Administrative Relations and Cooperative Federalism, Common Civil Service and Impact on Autonomy of States, Financial Relations - Dependence of States on Centre.

#### **Section C**

Trade, Commerce and Intercourse, National Emergency, State Emergency, Financial Emergency.

**Suggested Readings:**

1. Basu, D. D., Roy, S. R., & Sen, G. S. P. (2011). *Indian constitutional law*. Kolkata: Kamal Law House.
2. Basu, D. D. (2008). *Comparative constitutional law*. New Delhi: Wadhwa and Company.
3. In Choudhry, S., In Khosla, M., & In Mehta, P. B. (2017). *The Oxford handbook of the Indian Constitution*.
4. Jain, M. P., Chelameswar, J., & Naidu, D. S. (2019). *Indian constitutional law*.
5. Jain, M. P. (2003). *Indian constitutional law*. New Delhi: Wadhwa and Co.
6. Rao, P. P., & In Malik, L. (2013). *Reclaiming the vision: Challenges of Indian constitutional law and governance*.
7. Venkata, S. G. C., & Koteswar, R. K. (1998). *Indian constitutional law*. Hyderabad, A.P: S. Gogia & Co.
8. Venkata, S. G. C., & Kalpakam, P. (1985). *Legislative powers in Indian constitutional law: A critical and comprehensive analysis of the Indian federal system, based upon a comparative study of Indian, American, English, and Commonwealth judicial precedents*. Hyderabad: Law Academy.

**Suggested E-Learning Material:**

1. Paleker, S. (2006). Federalism: A Conceptual Analysis. *The Indian Journal of Political Science*, 67(2), 303-310. Retrieved from <http://www.jstor.org/stable/41856217>
2. Akerlof, G. A. (2019). Centre-state fiscal relations in India. *Indian Economic Review*, 54(S1), 215-233. doi:10.1007/s41775-019-00061-6
3. Jeffrey, R. (1994). What's Happening to India? The Test for Federalism. *What's Happening to India?*, 182-205. doi:10.1007/978-1-349-23410-3\_8

4. Noorani, A. (1975). Centre-State Relations in India. *Verfassung in Recht und Übersee*, 8(3), 319-329. doi:10.5771/0506-7286-1975-3-319
5. Rao, M. G., & Singh, N. (2006). A Historical Review of Indian Federalism. *The Political Economy of Federalism in India*, 41-61. doi:10.1093/acprof:oso/9780195686937.003.0003
6. Rao, M. G., & Singh, N. (2006). Political and Economic Theories of Federalism. *The Political Economy of Federalism in India*, 13-40. doi:10.1093/acprof:oso/9780195686937.003.0002
7. Salient Features of the Indian Constitution. (n.d.). *Indian Government and Politics*, 1-34. doi:10.4135/9788132100584.n1

## **LAW 645 Fundamental Rights, Duties and Directive Principles of State Policy**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

On the completion of the course the students will be able to:-

- Contribute to higher reaches of legal academics and policy making in Constitutional Law - research and teaching. It will equip them to critically analyse constitutional issues.
- Have an in depth understanding of fundamental rights jurisprudence to complicated issues in the constitutional courts and contribute to evolving constitutional jurisprudence in India.
- Appreciate the critical interface between Fundamental Rights and Directive Principles of State policy and apply the rationale to emerging issues and challenges.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

Concept of Fundamental Rights: Justiciability of Fundamental Rights, State and Other Authorities, Personal Laws & Customs, Unconstitutionality of a Statute, Doctrine of Eclipse, Severability, Waiver of Fundamental Rights, Emergency and Fundamental Rights, Military Law and Fundamental Rights.

### **Section B**

Equality Principles: Concept of reasonable classification, Principles of non-discrimination and non-arbitrariness, Wednesbury Principle, Doctrine of proportionality and legitimate expectation, Equality of opportunity in public employment, Protective discrimination, Rights against Exploitation: Beggary, Forced Labour, Trafficking in Human Beings, Child Labour.

### **Section C**

Freedoms and Concept of Reasonable Restrictions, Rights of Accused and arrested persons and persons detained under the Preventive detention laws, Right to life and personal liberty, Procedure established by law versus Due process of law, Freedom of Religion, Cultural and Educational Rights, Safeguards to minorities, Right to Constitutional Remedies and Public Interest Litigation, Significance of directive principles of state policy and their unenforceability. Fundamental Duties: significance and Importance

### **Suggested Readings:**

1. Amar, V. (2009). *Global Perspectives on Constitutional Law*. New York, NY: Oxford University Press.
2. Austin, G. (2002). *The Indian Constitution: Cornerstone of a Nation*. NJ.
3. Austin, G. (2003). *Working a Democratic Constitution: A History of the Indian Experience*. New York, NY: Oxford University Press, USA.
4. Basu, D. D., Manohar, V. R., Banerjee, B. P., & Khan, S. A. (2008). *Introduction to the Constitution of India*.
5. Bhargava, R. (2008). *Politics and Ethics of the Indian Constitution*. New York, NY: Oxford University Press, USA.
6. De, R. (2018). *A People's Constitution: The Everyday Life of Law in the Indian Republic*. Princeton, NJ: Princeton University Press.

7. Devins, N., & Fisher, L. (2015). *The Democratic Constitution*. New York, NY: Oxford University Press, USA.
8. Ginsburg, T., & Huq, A. (2016). *Assessing Constitutional Performance*. Cambridge, NY: Cambridge University Press.
9. Jain, M. P. (2014). *Indian Constitutional Law*.
10. *Judiciary on Goals of Governance: Directive Principles of State Policy*. (2005). NY: Anamika Pub & Distributors.
11. Krishnaswamy, S. (2010). *Democracy and Constitutionalism in India: A Study of the Basic Structure Doctrine*. New York, NY: Oxford University Press.
12. Ray, S. N. (1974). *Judicial Review and Fundamental Rights*. NY.
13. Seervai, H. M. (1996). *Constitutional law of India: a critical commentary*.
14. Thiruvengadam, A. K. (2017). *The Constitution of India: A Contextual Analysis*. London, England: Bloomsbury Publishing.
15. Tushnet, M., & Khosla, M. (2015). *Unstable Constitutionalism*. Cambridge, NY: Cambridge University Press.
16. Vora, R., & Palshikar, S. (2003). *Indian Democracy: Meanings and Practices*. New Delhi, NY: SAGE Publications India.

**Suggested E-Learning Material:**

1. Jain, T. (2004). Influence of Universal Declaration on the Judicial Interpretation of Fundamental Rights and Directive Principles in the Constitution of India. *SSRN Electronic Journal*. doi:10.2139/ssrn.1087594
2. Pandey, K. (2011). Fundamental Rights V. Directive Principles: Minerva Mills Revisited. *SSRN Electronic Journal*. doi:10.2139/ssrn.1917290
3. Sharma, S. (2016). Relationship between fundamental rights and directive principles of state policy: An evaluation. *VIDHIGYA: The Journal of Legal Awareness*, 11(1), 69. doi:10.5958/0974-4533.2016.00008.7

4. Gautam, B. (2016). Part VI Rights—Structure and Scope, Ch.36 Directive Principles of State Policy. *The Oxford Handbook of the Indian Constitution*. doi:10.1093/law/9780198704898.003.0036

## Second Semester

### LAW 652 Local Self Government Law

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

#### **Learning Outcomes:**

On the completion of the course the students will be able to

- To give an insight into the introductory aspects, the historical and philosophical background for the Local Self –Government.
- To learn and familiarize the student about the Constitutional scheme for the local self-government.
- Understand about the structure, powers and functions of the urban local self government.
- To learn about addressing the issues of decentralization and grass-root planning of the local self-government.
- To give an insight into the modern dimensions of local self government.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### **Section A**

Historical Perspectives: Early period, Gram Swaraj-the Gandhian concept, Constitutional Scheme: Directive Principles, Structure and powers of local bodies

#### **Section B**

Legislative Powers: Direct democracy and grass root planning, Municipalities and corporation, gram Sabha, Quasi-legislative Powers: Rule making power of the State Government, Regulations, and Bye-laws

Financial Powers: Levying taxes, Licensing power, Financial resources and powers

### Section C

Judicial and Quasi-judicial powers of the Local Bodies, Conduct of Meetings- Corporation, Municipal Council, Panchayat Committee and Gram Sabha, Institutional and Judicial Control

#### Suggested Readings:

1. Dutta, S. (2009). *Democratic Decentralization and Grassroot Leadership in India*. NY: Mittal Publications.
2. Goel, S. R. (2009). *Panchayati Raj in India : Theory & Practice (2nd Rev. & Enlg. Edn.)*. NY: Deep and Deep Publications.
3. Jayal, N. G., Prakash, A., & Sharma, P. K. (2006). *Local Governance in India: Decentralization and Beyond*. New York, NY: Oxford University Press, USA.
4. Joshi, R. P., & Narwani, G. S. (2002). *Panchayat Raj in India: Emerging Trends Across the States*. NY.
5. Mookerji, R. (2018). *Local Government in Ancient India*. NY: Palala Press.
6. Nadkarni, M. V., Sivanna, N., & Suresh, L. (2017). *Decentralised Democracy in India: Gandhi's Vision and Reality*. Taylor & Francis.
7. Sivaramakrishnan, K.C. (2009). *Courts, Panchayats and Nagapalikas* (Academic
8. W. Thornhill (ed. 1971), *the Growth and Reform of English Local Self-government*. Weidenfeld and Nierlson, London

#### Suggested E-Learning Material:

1. J. B. D'Souza. (1999). Local Self-Government and Citizens. *Economic and Political Weekly*, 34(42/43), 2984-2986. Retrieved January 8, 2020, from [www.jstor.org/stable/4408524](http://www.jstor.org/stable/4408524)
2. AIYAR, M. (2010). Local Government in India and China. *The Brown Journal of World Affairs*, 17(1), 221-232. Retrieved January 8, 2020, from [www.jstor.org/stable/24590768](http://www.jstor.org/stable/24590768)

3. Srivastava, T. (2002). Local 'Self' Government and the Constitution. *Economic and Political Weekly*, 37(30), 3190-3198. Retrieved January 8, 2020, from [www.jstor.org/stable/4412421](http://www.jstor.org/stable/4412421)
4. Bharati, R. (2009). "Cosmopolitanism, Globalization And Local Administration In India". *The Indian Journal of Political Science*, 70(1), 65-75. Retrieved January 8, 2020, from [www.jstor.org/stable/41856496](http://www.jstor.org/stable/41856496)
5. Jha, G. (2018). Decentralization and Empowerment of Urban Local Self-Government: The Constitution Amendment. *Fragile Urban Governance*, 77-121. doi:10.4324/9780429439124-3
6. Jha, G. (2018). Implementation of 74th Constitution Amendment. *Fragile Urban Governance*, 197-233. doi:10.4324/9780429439124-6
7. KC, S. (2016). Part V Federalism, Ch.31 Local Government. *The Oxford Handbook of the Indian Constitution*. doi:10.1093/law/9780198704898.003.0031
8. Chhibber, P. (1999). *Democracy without Associations: Transformation of the Party System and Social Cleavages in India*. Ann Arbor: University of Michigan Press. Retrieved January 8, 2020, from [www.jstor.org/stable/10.3998/mpub.23136](http://www.jstor.org/stable/10.3998/mpub.23136)
9. Bharati, R. (2009). "Cosmopolitanism, Globalization And Local Administration In India". *The Indian Journal of Political Science*, 70(1), 65-75. Retrieved January 8, 2020, from [www.jstor.org/stable/41856496](http://www.jstor.org/stable/41856496)

## **LAW 646 General Principles of Administrative Law**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

On the completion of the course the students will be able to

- Identify the nature, scope, necessity, development and principles of Administrative Law.
- Analyse the working of the administrative adjudication system and control.
- Mechanism of administrative discretionary power.
- Provide a critique of the remedies available against administrative actions.
- Analyse the working of the administration vis-à-vis rights of citizens.
- Explain and examine the working of the doctrine of pleasure.
- The liabilities, privileges and immunities provided by administrative law.
- Do comparative analysis of Administrative Law.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

Definition, nature and Scope of Administrative Law, Droit Administratif Separation of Powers and Theory of Checks and Balances. Principle of Judicial Self Restraint Concept of Fairness: Rule of Law – Evolution, meaning and evaluation. Modern Concept of Rule of Law

### **Section B**

Principles of Natural Justice: Rule against Bias, Rule of Hearing including Post-decisional hearing and reasoned decision. Exclusion of Principles of Natural Justice, Doctrine of pleasure, Judicial Review of Administrative Action – Its Nature, Scope and Limitations Delegated Legislation:

Meaning, Constitutionality and Controls Retrospective Delegated Legislation Delegated Legislation v. Conditional Legislation ,Liability of Administration in Tort and Contract Privileges and Immunities of the Administration Promissory Estoppel and Legitimate Expectation Statutory Public Corporations: their nature, characteristics, liability, constitutionality and controls. Ombudsman – Evolution, Position and Development.

### Section C

Comparative Administrative Law: French concept of Separation of Powers and Administrative Courts · Droit Administratif · Administrative courts in France · Council d' etat, Scope of Judicial Review in UK ,Scope of Judicial Review in US, Public Interest Litigation in India and US, Global Administrative Law, Globalization and Global Governance, Players in Global Governance – Public, Private and Hybrid, Emergence of Global Administrative Law: Bottom - up and Top - down approach, Global Administrative Law: Perspectives of Developing Countries.

#### Suggested Readings:

1. Wade, H. W. (1988). *Administrative Law*. Oxford: Clarendon Press.
2. DeSmith (2007). *Judicial Review of Administrative Action* (6th ed.). London: UK Butterworths.
3. Jones, B.L., & Thompson, K (1996). *Garner's - Administrative Law* (8<sup>th</sup>ed.). London: Oxford.
4. Basu, D.D. (2012) *Comparative Administrative Law* Delhi: Universal Book Traders
5. Wade & Philips. (1977). *Constitutional Law and Administrative Law*. Bradley London: Longman.
6. Jain, M. P. & Jain, S. N. (2010). *Principles of Administrative Law*. Nagpur: LexisNexis Butterworths Wadhwa.
7. Jain, M. P. & Jain, S. N. (2013). *The Evolving Indian Administrative Law*. Nagpur: Lexis Nexis Butterworths Wadhwa.
8. Jain, M. P. (1994). *Cases and Materials on Administrative Law*. Nagpur: Lexis Nexis Butterworths.
9. Massey, I.P. (2011). *Administrative Law*. Lucknow: Eastern Book Company.

10. Singh, Dr. Devinder .(2007). Administrative Law. Faridabad: Allahabad Law Agency.

**Suggested E-Learning Material:**

1. Jain, S. (1968). Some Recent Developments In Administrative Law In India. *Journal of the Indian Law Institute*, 10(3), 531-538. Retrieved January 9, 2020, from [www.jstor.org/stable/43949988](http://www.jstor.org/stable/43949988)
2. Mohammed Imam. (1972). Regulating the Bureaucracy. *Economic and Political Weekly*, 7(22), 1057-1058. Retrieved January 9, 2020, from [www.jstor.org/stable/4361409](http://www.jstor.org/stable/4361409)
3. Aung, H. (1966). *Malaya Law Review*, 8(1), 138-139. Retrieved January 9, 2020, from [www.jstor.org/stable/24862419](http://www.jstor.org/stable/24862419)
4. MUKHARJI, P. (1958). Administrative Law. *Journal of the Indian Law Institute*, 1(1), 39-64. Retrieved January 9, 2020, from [www.jstor.org/stable/43952882](http://www.jstor.org/stable/43952882)

## **Master of Laws (Criminal Law)**

### **First Semester**

#### **LAW 638 Crime and Administration of Criminal Justice**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

#### **Learning Outcomes:**

- The students will develop understanding relating to basic principles of crime and criminal justice.
- The students will gain a critical outlook towards the concept of justice and various procedures of criminal justice administration.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### **Section A**

#### **Principles of Criminal Law; Conditions of Criminal Liability; Historical Development of Criminal Law**

Fundamental Principles of Criminal Law, Elements of Crime; Conditions of Criminal Liability Historical Development of Criminal Law & Indian Penal Code, 1860 (Influence of various schools in framing the IPC)

#### **Section B**

#### **Administration of Criminal Justice**

Concepts of Justice (Concept of justice or Dharma in Indian thought; Dharma as the foundation of legal ordering in Indian thought; concept and various theories of justice in the western thought); Various theoretical bases of justice (liberal contractual tradition, liberalutilitarian tradition and liberal moral tradition); Rule of Law and Due Process of Law; Witness protection – Hostile Witness – Perjury; Plea Bargaining – Preventive Detention Law

#### **Section C**

#### **Criminal Procedure**

Pre-Trial Procedure (Arrest and Questioning of the Accused, Evidentiary Value of Statements/ Articles seized/collected by the Police, Role of the

Prosecutor and the Judicial Officer in Investigation); Arrest–Interrogation–Rights of Accused –Right to Counsel –Right to Bail – Right against Double Jeopardy; Trial Procedure (Accusatory System of Trial and Inquisitorial System of Trial, Role of the Judge, the Prosecutor and Defence Attorney in the Trial, Admissibility and Inadmissibility of Evidence; Appeal of the Court in awarding appropriate punishment.

### **Suggested Readings:**

1. Ashworth, Andrew (1998). *The Criminal Process: An Evaluative Study*, Oxford University Press.
2. Ashworth, Andrew & Horder, Jeremy (2013). *Principles of Criminal Law*, Oxford University Press.
3. Ashworth, Andrew & Redmayne, Mike (2010). *The Criminal Process*, Oxford University Press.
4. Pillai, K N Chandrasekharan [ed.] (2000). *R V Kelkar's Outline of Criminal Procedure*. Eastern Book House.
5. Rajgopal, P. R. (1988). *Violence and Response: A Critique of Indian Criminal Justice System*. Uppal Publishing House.
6. Ranchhoddas, Ratanlal (1992). *Ratanlal & Dhirajlal's The Code of Criminal Procedure (Act II of 1974): With Exhaustive Notes, Comments, Case-law References, and State Amendments*. Wadhwa Publishers.
7. Rawls, John, (2009). *A Theory of Justice*, Harvard University Press.
8. Sanders, Andrew & Young, Richard (2007). *Criminal Justice*, Oxford University Press
9. Siddique, Ahmad, (1997). *Criminology: Problems and Perspectives*. Eastern Book Company.
10. Sutherland & Cressey, *Principles of Criminology*, 6<sup>th</sup> Edition. Surjee Publications
11. Swamy, Dr. N. Maheshwara(2013). *Criminology and Criminal Justice System*. Asia Law House.
12. Wilson, Geoffrey & McCoville, Michael (2002), *The Handbook on Criminal Justice Process*. Oxford University Press.

13. Law of Commission of India, 42<sup>nd</sup> Report Ch. 3 [1971]
14. Mallimath Committee Report, 2004

### **Suggested E-learning Material:**

1. Double Jeopardy. (1970). *The Journal of Criminal Law, Criminology, and Police Science*, 61(4), 508-518. doi:10.2307/1142036
2. Double Jeopardy. (1905). *Harvard Law Review*, 18(3), 216-217. doi:10.2307/1323243
3. Feeley, M. (1979). Perspectives on Plea Bargaining. *Law & Society Review*, 13(2), 199-209. doi:10.2307/3053249
4. Ginsberg, M. (1963). The Concept of Justice. *Philosophy*, 38(144), 99-116. Retrieved from [www.jstor.org/stable/3748508](http://www.jstor.org/stable/3748508)
5. Kane, J. (1996). Justice, Impartiality, and Equality: Why the Concept of Justice Does Not Presume Equality. *Political Theory*, 24(3), 375-393. Retrieved from [www.jstor.org/stable/191918](http://www.jstor.org/stable/191918)
6. Levmore, S., & Porat, A. (2011). Bargaining with Double Jeopardy. *The Journal of Legal Studies*, 40(2), 273-293. doi:10.1086/660840
7. Thomas, P. (1978). Plea Bargaining in England. *The Journal of Criminal Law and Criminology* (1973-), 69(2), 170-178. doi:10.2307/1142393

## **LAW 637 Comparative Perspective of Criminal Law**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

- The students will be able to understand the conditions under which individuals should be held morally and legally responsible for their (criminal) actions.
- The students will be able to understand whether or not there are any "fundamental principles" which underlie all criminal justice systems.

- The students will be able to develop an understanding the difference and similarities between various systems administering Criminal Justice.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

**Introduction to Criminal Justice Process-** Historical Evolution of Criminal Justice System, Common Law System v. Civil Law System, Adversarial model & Inquisitorial model, Hierarchy of criminal courts and their jurisdiction, Nyay Panchayat in India, Prosecutors in India and their counterparts

**Role of the Police and its powers-** Role of the Police and its obligations under the CrPC, Police Powers in England- Power of Stop, entry, search, arrest and detention, Police Powers in the USA-From 4th Amendment to 14th Amendment to the US, Constitutional Rights of the arrestee. Power to stop, frisk, search, seizure and arrest. Policing in Continental Countries

### **Section B**

**Investigation, Charging Process, Prosecution of Case -** Framing of Charge under the CrPC, Charging Process and case management under the UK system, Prosecution of a Criminal, case Charging Process in the USA. Role of the prosecutor and charging decision, Criminal Investigation in Continental Countries

### **Section C**

**Fair Trial Procedure and Stay of Prosecution-** Concept of Fair Trial under the Indian Constitution, Stay of proceedings under the CrPC, Abuse of Process and Stay of Prosecution under the UK System, Fair Trial Principles under US Constitution. Pre-Trial Motions

**Trial Procedure-** Trial Process in India under the CrPC, System of Courts in UK, Trial Process in UK, Jury system, Trial Process in US. Preliminary hearing, Grand Jury hearing, Arraignment.

### **Suggested Readings Books:**

1. Pillai, K. N. Chandrasekharan [ed.] (2000). R V Kelkar's Outline of Criminal Procedure. Eastern Book House.

2. Vibhute, K.I. [Ed.] (2004), *Criminal Justice*. Eastern Book Co.
3. Luis E. Chiesa. (2015). *Comparative Criminal Law*. The Oxford Handbook of Criminal Law.
4. Philip L. Reiche. [7th Edition] (2017). *Comparative Criminal Justice Systems: A Topical Approach*. Pearson.
5. Packer, Robert L. (1968). *The Limits of Criminal Sanction*. Stanford University Press.
6. Thompson, Inbau and Sowle, (1968). *Criminal Justice Vol. II*. Foundation Press
7. Blond, Neil C. [6th Revised ed.] (2009) *Criminal Procedure*. Aspen Publishers Inc.,U.S.
8. Bloom, Robert M., Brodin, Mark S. [6th ed.]. (2010) *Criminal Procedure: The Constitution and the Police*. Aspen Publishers.
9. Singer, Richard G. [2nd ed.] (2011) *Criminal Procedure II: From Bail to Jail*. Wolters Kluwer Law & Business.
10. Sen, Shanker. (2010). *Enforcing Police Accountability through Civilian oversight*. Sage Publication.

### **Reports :**

1. Law Commission of India, Fourteenth Report: Reform of Judicial Administration Vol.
2. (Government of India, New Delhi, 1958)
3. Law Commission of India, Thirty Seventh Report: The Criminal Procedure Code, 1898 (Sections 1-176) (Government of India, New Delhi, 1967)
4. Law Commission of India, Forty First Report: Code of Criminal Procedure, 1898 (Government of India, New Delhi, 1969)
5. Law Commission of India, Forty Eighth Report: Some Questions under the Code of Criminal Procedure Rules, 1970 (Government of India, New Delhi, 1972)
6. Report of the Expert Committee on Legal Aid (Government of India, New Delhi, 1973)
7. Law Commission of India, Seventy Seventh Reports on Delay and Arrears in Trial Courts (Government of India, New Delhi, 1978)

8. Law Commission of India, Eightieth Report: Article 20(3) of the Constitution and the Right to Silence
9. Law Commission of India, One Hundred Eighty Fifth Report: Report on Review of the Indian Evidence Act, 1872 (Government of India, New Delhi, 2003)
10. Government of India, Committee on Reforms of Criminal Justice System (Ministry of Home Affairs, New Delhi, 2003)

**Suggested E-Learning Material:**

1. Lueck, S. (1951). Pre-Sentence Examination of Offenders to Aid in Choosing a Method of Treatment. *Journal of Criminal Law and Criminology (1931-1951)*, 41(6), 717-731. doi:10.2307/3491271.
2. Gault, R., Bates, S., Sellin, T., Hooton, E., Anderson, J., Winnet, N., . . . Dession, G. (1951). "Unraveling Juvenile Delinquency": A Symposium of Reviews. *Journal of Criminal Law and Criminology (1931-1951)*, 41(6), 732-759. doi:10.2307/3491272.
3. Shapiro, H. (1951). Right to a Public Trial. *Journal of Criminal Law and Criminology (1931-1951)*, 41(6), 782-787. doi:10.2307/3491275.
4. Fondacaro, M. (2014). Rethinking the Scientific and Legal Implications of Developmental Differences Research in Juvenile Justice. *New Criminal Law Review: An International and Interdisciplinary Journal*, 17(3), 407-441. doi:10.1525/nclr.2014.17.3.407

## Second Semester

### LAW 650 International Criminal Law

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

#### **Learning Outcomes:**

- The students will get insights relating to the policies of international crimes, their criminal law and their implementing mechanisms.
- The students will also develop a critical outlook towards various emerging issues in international criminal law.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### **Section A**

##### **Development of International Criminal Law**

Concept and sources of International Criminal Law; Evolution of the Concept of Individual Criminal Responsibility; Objectives and policies of International Criminal Law (viz. amnesty, truth and justice); Principle of Liability and Participation in International Criminal Law International Military Tribunals (Nuremberg and Tokyo Tribunals)

#### **Section B**

##### **International Crimes and Criminal Tribunals**

Concept of International Crimes (Crime of Aggression; Genocide; Crimes against Humanity; War Crimes; Terrorism and Transnational Crimes); Role of the International Criminal Court and jurisdiction – The Rome Statute; Various International Criminal Tribunals (ICTY, ICTR, *etc.*)

Emerging issues in International Criminal Law; Mechanism in dealing cases related to International Crime; Rights of Accused and Protection of Victims and Witnesses; Obligation of State Parties and Non-Party States to International Criminal Court

#### **Section C**

### **Strategies for Prevention, Control and Correctional Actions**

Extradition Act 1962 (Relevant Provisions) and Extradition Treaty; International investigative agencies (Interpol etc), Adjudication authorities (including ad hoc and permanent criminal tribunals); Conflicting issues between International humanitarian law and International Crimes; Prosecution in International crime; Sentencing policy; Organized Crime in Transnational Jurisdiction (Features of transnational organized crime, Indian's perspective on transnational organized crime); Naples Declaration and Global Action Plan, 24 Dec. 1994; Role of United Nations in preventing International Crime.

### **Suggested Reading:**

1. Mark S. Ellis & Richard J. Goldstone (2008). *The International Criminal Court: Challenges to Achieving Justice and Accountability in the 21<sup>st</sup> Century*. International Debate Education Association.
2. Albanese, Jay & Reichel, Philip,(2013). *Organized Crime- An Overview from Six Continents*, Sage Publication.
3. Albanese, Jay & Reichel, Philip, (2013). *Handbook of Transnational Crime and Justice*, Sage Publication.
4. Boister, Neil, (2018). *An Introduction to Transnational Criminal Law*. Oxford University Press.
5. Cassese, Antonio,*et.al.*, (2011) *International Criminal Law: Cases and Commentary*. Oxford University Press.
6. Cryer, Robert, Friman, Hakan & Robinson, Darryl, (2010) *An Introduction to International Criminal Law and Procedure*, Cambridge University Press.
7. Luban David, O'Sullivan, Julie R., Stewart, David P. (2018). *International and Transnational Criminal Law*, Aspen publishers.
8. Sands, Philippe, (2003).*From Nuremberg to the Hague: The Future of International Criminal Justice*, Cambridge University Press.
9. Schabas,William A., (2016). *The International Criminal Court: A Commentary on the Rome Statute*. Oxford University Press.
10. Schabas, William A.,(2012) *An Introduction to the International Criminal Court*. Cambridge University Press.

**Suggested E-learning Materials:**

1. Amirthalingam, K. (2017). The Importance of Criminal Law. *Singapore Journal of Legal Studies*, 318-328. Retrieved from [www.jstor.org/stable/44986460](http://www.jstor.org/stable/44986460)
2. Convention on Extradition. (1934). *The American Journal of International Law*, 28(2), 65-69. doi:10.2307/2213406
3. Gilbert, G. (1993). Extradition. *The International and Comparative Law Quarterly*, 42(2), 442-448. Retrieved from [www.jstor.org/stable/761110](http://www.jstor.org/stable/761110)
4. Part IV. Extradition Procedure. (1935). *The American Journal of International Law*, 29, 158-213. doi:10.2307/2213621  
 united Nations: General Assembly Resolution on a Model Treaty on Extradition. (1991). *International Legal Materials*, 30(5), 1407-1418. Retrieved from [www.jstor.org/stable/20693623](http://www.jstor.org/stable/20693623)
5. Ristau, B., Zvekic, U., & Warlow, M. (1996). International Cooperation and Transnational Organized Crime. *Proceedings of the Annual Meeting (American Society of International Law)*, 90, 533-541. Retrieved from [www.jstor.org/stable/25659076](http://www.jstor.org/stable/25659076)
6. Sornarajah, M. (2004). Transnational Crimes: The Third Limb of The Criminal Law. *Singapore Journal of Legal Studies*, 390-413. Retrieved from [www.jstor.org/stable/24869487](http://www.jstor.org/stable/24869487)
7. Kumar, A. (2013). India. In Heinrich-Böll-Stiftung & Schönenberg R. (Eds.), *Transnational Organized Crime: Analyses of a Global Challenge to Democracy* (pp. 115-126). Bielefeld: Transcript Verlag. Retrieved from [www.jstor.org/stable/j.ctv1fxh0d.12](http://www.jstor.org/stable/j.ctv1fxh0d.12)
8. Zoglin, K. (2005). The Future of War Crimes Prosecutions in the Former Yugoslavia: Accountability or Junk Justice? *Human Rights Quarterly*, 27(1), 41-77. Retrieved from [www.jstor.org/stable/20069779](http://www.jstor.org/stable/20069779)

## LAW 643 Criminology and Penology

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcome:-**

- The students will be able to demonstrate an ability to use and interpret recorded crime statistics and victimization surveys
- The students will be able to know the predictive factors for criminal behavior.
- The students will be able to know the purpose of punishment and the importance of reformation of offenders.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

**Nature and scope of criminology** - Criminology Its Nature and Scope, Inter-relation between criminology, penology and criminal law ,Concept of Crime , Criminology and its importance , penology and its future , Psychology of Crime , Understanding the causes of crime: Major Schools of Criminology

**Causes of Criminal Behavior** - Nature of the Problem: Caste and community tensions: caste wars and communal riots-their causes and demoralizing effects, atrocities against schedule cadres.

**Theories of Criminology-** Pre-classical, Classical, and Neo-classical, Positivism in Criminology- Morphological theories, Biological theories, Anthropological theories, Endocrinological Approaches.

### **Section B**

**Sociological Theories-** Cartographic School, Culture Conflict Theory, Chicago School of Crime, Social Structure and Anomie theory, Social Learning – Differential Association Theory, Differential Opportunity, Differential Identification, Containment Theory

**Social Processes Theories-** Labelling Theory, Shame and Re-integrative Theory, Rational Choice Theory, Routine Activity Theory.

**Radical; Approach-** Development of Radical Criminology: Meaning, Scope and Relevance, Left Radical View, Critical Criminology, Multi-Factor Approach.

### Section C

**Penology-** Nature, concept and types of Punishment -Theories of punishment - Corporal and Capital Punishment; Attitude on Pros and Cons of Capital Punishment - Rights of Prisoners; Alternative approaches to Imprisonment & Community Based Correction - Sentencing-Process and Policies, Alternative Sentencing system

**Changing notions of panel policy-** The concept of parole, the object of parole, Parole in India, Condition of Parole and Parole violation , Judicial trend , Probation ,Probation in India ,The probation offenders act 1958 , Judicial trends

**Prison administration** - Prison system in India, The problem of prison discipline, Problem of criminality in prison, Bar against hand cuffing, Prison reforms, Custodial torture in prison

#### Suggested Readings:

1. Akers, Ronald. L and Sellers. Christine S. (2004). *Criminological Theories Introduction, Evaluation and application*, Roxbury Pub. Com.
2. Williams Katherine S. (2001), *Text Book of Criminology*, Universal Law Publishing Co. Pvt. Ltd.
3. Ahuja, Ram. (2000), *Criminology*, Rawat Publications.
4. Paranjape , N. V. (2009), *Criminology and Penology*, Central Law Publications.
5. Hagan, Frank E, 2008, *Introduction Criminology*, Sage Publications, Inc.
6. Mamoria, C.B. (1961), *Social Problems and Social Disorganization in India*, Kitab Mahal Allahabad.

7. Cullen, F. T. (2003), *Criminological Theories*, Roxbury Publications.
8. Schmallegger. Frank, 1999, *Criminal Justice today*, Prentice Hall, New Jersey.
9. Sutherland, E.H. (1968), *Principles of Criminology*, 6th Edition. Times of India Press, Bombay.

**Suggested E-Learnings:**

1. Hirtenlehner, H., & Farrall, S. (2014). Is the 'Shadow Of Sexual Assault' Responsible For Women's Higher Fear of Burglary? *The British Journal of Criminology*, 54(6), 1167-1185. Retrieved from [www.jstor.org/stable/43819247](http://www.jstor.org/stable/43819247)
2. Naughton, M. (2014). Criminologizing Wrongful Convictions. *The British Journal of Criminology*, 54(6), 1148-1166. Retrieved from [www.jstor.org/stable/43819246](http://www.jstor.org/stable/43819246).
3. Lightowlers, C., Elliot, M., & Tranmer, M. (2014). The Dynamic Risk of Heavy Episodic Drinking on Interpersonal Assault in Young Adolescence and Early Adulthood. *The British Journal of Criminology*, 54(6), 1207-1227. Retrieved from [www.jstor.org/stable/43819249](http://www.jstor.org/stable/43819249).
4. Xiao, E., & Tan, F. (2014). Justification and Legitimate Punishment. *Journal of Institutional and Theoretical Economics (JITE) / Zeitschrift Für Die Gesamte Staatswissenschaft*, 170(1), 168-188. Retrieved from [www.jstor.org/stable/24549051](http://www.jstor.org/stable/24549051).

## Discipline Elective

### LAW 618 Bio-diversity Protection

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

#### **Learning Outcomes:**

After the completion of the course student will be able to

- The learners will be able to know the importance of Biodiversity.
- Learners will further be able to acquaint themselves with legal and ethical issues relating to biodiversity.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

#### **Section A**

Meaning and Importance, Role of Flora and Fauna in Maintaining Biodiversity, Dependence of human life on the existence in flora and fauna, Utilization of flora and fauna for bio-medical purpose, Experimentation on animals: Legal and ethical issues, Genetic mutation of seeds and micro-organisms, Genetic engineering

#### **Section B**

Significance of wild life , Medicinal plants , Plant and micro-organism, Threats to Biodiversity, Need for Protection of Biodiversity, Biodiversity and Economic Valuation

#### **Section C**

Convention on Biological Diversity, 1992, The Biological Diversity Act, 2002, Legal mechanisms of control, Recognition of regional and local agencies, Development Projects and Destruction of Bio diversity

#### **Suggested Readings:**

1. Handbook of the Convention on Biological Diversity Paperback – Import, 1 Oct 2000 by Secretariat To The Cbd (Author)
2. Biological Diversity Act, 2002 along with Rules, 2004 Paperback – 2017 by Professional (Author)

3. Biodiversity : Concepts and Conservation Hardcover – 2016 by B.B. Hosetti (Author), S. Ramkrishna (Author)

**Suggested E- Learning Material:**

1. Vandana Shiva. (1993). Farmers' Rights, Biodiversity and International Treaties. *Economic and Political Weekly*. Retrieved from <https://www.jstor.org/stable/4399549>
2. Ashish Kothari and R. V. Anuradha. (1997). Biodiversity, Intellectual Property Rights, and GATT Agreement: How to Address the Conflicts? *Economic and Political Weekly*. Retrieved from <https://www.jstor.org/stable/4406014>

**LAW 633 Plant Variety and Farmers Right**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

**Learning Outcomes:**

After the completion of the course student will be able to

- Know the significance of plant varieties in agrarian economy.
- acquaint themselves with legal provision under Plant Verities act

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

**Section A**

What is Plat Variety, Agricultural research and new and novel varieties? Significance of plant varieties in agrarian economy.

Promotion of agricultural research and protection of plant variety system. Sui generis system for the protection of plant varieties.

Historical evolution of plat variety protection system. International developments on the protection of plant varieties: Conventions on Plant Genetic Resources and UPOV.

**Section B**

Types of plant Varieties, characteristics of Plant varieties, Sui generis system, historical background of sui generic system. The need for the protection.

Plant variety protection system in India

The objectives and silent features of The Plant Variety and Farmers rights, Protection Act: A brief overview.

### Section C

Concept of farmer's rights, Sui-generis protection for the protection of farmer's rights: A pecuniary requirement of agrarian countries.

Plant breeder's rights and Farmer's rights; Farmers Rights movement, UPOV and other international convention on farmer's rights.

The social angel in the protection of farmer's rights, protection for varieties produced and evolved by farmers. Varieties under the Seeds Act.

#### Suggested Readings:

1. Protection of Plant Varieties & Farmers Rights Act, 2001 along with Rules, 2003 & Regulations, 2006 Paperback – 2015 by Professional (Author)
2. Plant Varieties & Farmers' Rights by R.R. Hanchinal & Raj Ganesh | 1 January 2018 Hardcover
3. Plant Variety Protection Act: & Regulations & Rules of Practice Paperback – Import, 1 Jul 1999 by Marsha A. Stanton (Editor)

#### Suggested E- Learning Material:

1. Shaila Seshia. (2002). Plant Variety Protection and Farmers' Rights: Law-Making and Cultivation of Varietal Control. *Economic and Political Weekly*. Retrieved from [https://www.jstor.org/stable/pdf/4412328.pdf?ab\\_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3A6bf7a0f6860e6be0feba416b10b72adf](https://www.jstor.org/stable/pdf/4412328.pdf?ab_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3A6bf7a0f6860e6be0feba416b10b72adf)
2. K. Ravi Srinivas. (1994). Power without Accountability: Draft Bill on Plant Breeders' Rights. *Economic and Political Weekly*. Retrieved from [https://www.jstor.org/stable/pdf/4400991.pdf?ab\\_segments=0%252Fdefault-](https://www.jstor.org/stable/pdf/4400991.pdf?ab_segments=0%252Fdefault-)

2%252Fcontrol&refreqid=excelsior%3A7e412fcc0b71150e15fc0306a54f62a2

3. Suman Sahai. (2001). Plant Variety Protection and Farmers' Rights Law. *Economic and Political Weekly*. Retrieved from [https://www.jstor.org/stable/pdf/4411047.pdf?ab\\_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3Afd73cee723935d18b035846f904abb4c](https://www.jstor.org/stable/pdf/4411047.pdf?ab_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3Afd73cee723935d18b035846f904abb4c)
4. Suman Sahai. (1999). Protection of New Plant Varieties: A Developing Country Alternative. *Economic and Political Weekly*. Retrieved from [https://www.jstor.org/stable/pdf/4407726.pdf?ab\\_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3A61c0942d7c86848ba575f13ad72acf21](https://www.jstor.org/stable/pdf/4407726.pdf?ab_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3A61c0942d7c86848ba575f13ad72acf21)
5. Konstantinos Giannakas. (2002). Infringement of Intellectual Property Rights: Causes and Consequences. *American Journal of Agricultural Economics*. Retrieved from [https://www.jstor.org/stable/pdf/1244967.pdf?ab\\_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3A7579e283fb4b1d1f1e4c5330e4291247](https://www.jstor.org/stable/pdf/1244967.pdf?ab_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3A7579e283fb4b1d1f1e4c5330e4291247)
6. Suman Sahai. (1994). Government Legislation on Plant Breeders' Rights. *Economic and Political Weekly*. Retrieved from [https://www.jstor.org/stable/pdf/4401386.pdf?ab\\_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3Ad62e6a88027d995720bee164901ac652](https://www.jstor.org/stable/pdf/4401386.pdf?ab_segments=0%252Fdefault-2%252Fcontrol&refreqid=excelsior%3Ad62e6a88027d995720bee164901ac652)
7. Niranjan Rao. (2004). Indian Seed System and Plant Variety Protection. *Economic and Political Weekly*. Retrieved from <https://www.jstor.org/stable/4414678>

## **LAW 701 Principles of Taxation**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

After the completion of the course student will be able to

- The students will be able to define the procedure of tax assessment.
- The students will be imbued with the practical knowledge to compute total income and define tax complications and structure.
- The Students will get problem solving skills, proficiency in matters related to taxation law

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section - A**

Social welfare concept of taxation, History of Taxation in India, Basis of Charge, residential status, exempted income, heads of income, Clubbing of income, set-off & carry forward of losses, Deductions and exemptions from gross total income, Income tax authorities.

### **Section - B**

#### **Goods and Service Tax Law:**

Constitutional aspect; Levy and collection of CGST & IGST; Concept of supply; Charge of tax, Exemptions from tax, Provisions relating to electronic commerce, Administration of GST., Offences and penalties under the Goods and Services Tax Law

### **Section - C**

#### **Taxation of International Transactions and non-resident taxation:**

Provisions under Income tax Act, 1961 relating to non-residents; double taxation relief etc., Overview of Model tax Conventions - OECD and UN; Application and interpretation of Tax Treaties.

#### **Suggested Readings:**

1. Singhania, Vinod K. (2018) *Student Guide to Income Tax*, Taxman.
2. Rai Kailash. (2016). *Taxation Laws*. Allahabad Law Agency.
3. Myneni, S.R. (2018). *Law of Taxation*. Allahabd Law Series.
4. Ahuja, Girish. (2018). *Systematic Approach to IncomeTax*. Delhi: Bharat Law House Pvt. Limited
5. Palkivala, Nani. *Income Tax*. Lexis Nexis Butterworths Publications,
6. The Income Tax Act, 1961
7. Datey V. S. (2009). *Indirect Taxes Law and Practice*, Taxman.
8. The Central Goods and Services Act, 2017.

**Suggested E-Learning Material:**

1. Direct Taxation Group \_I study Notes- I by Icmαι. Retrieved from [http://icmai.in/upload/Students/Syllabus-2012/Study\\_Material\\_New/Inter-Paper7-Revised.pdf](http://icmai.in/upload/Students/Syllabus-2012/Study_Material_New/Inter-Paper7-Revised.pdf)
2. Direct Tax *Complete Theory* by Badlani classes. Retrieved from <https://www.badlaniclasses.online/copy-of-ay-17-18-income-tax>.
3. Agrawal, CS K.K. Fast Track Quick Revision Income Tax. Retrieved from <https://taxguru.in/wp-content/uploads/2014/04/FT-QR-IT.pdf>
4. Study Material of The Institute of chartered Accountants of India on Direct Tax. Retrieved from [https://www.icai.org/post.html?post\\_id=13752](https://www.icai.org/post.html?post_id=13752)
5. Study Notes of The Institute of chartered Accountants of India- Intermediate Paper- I on Indirect Taxation. Retrieved from <http://icmai.in/upload/Students/Syllabus2016/Inter/Paper-11-NEW-GST-Revised.pdf>
6. Reading Material on Indirect Taxation of the Institute of Company Secretaries of India. Retrieved from <https://www.icsi.edu/media/webmodules/Reading%20Material%20Indirect%20Tax.pdf>

## LAW 702 Securities and Investment Law

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### Learning Outcomes

After the completion of the course student will be able to

- An understanding about the various aspects of Securities Laws and all the steps taken to deal with stock exchange and listing of shares and investors protection will be developed.
- The students will get to know about the recent issues of Securities Laws in India.
- Analytical skills will be developed among the students in relation to Securities and Investment law

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### Section – A

#### Historical evolution of securities laws:

International perspective, Indian Perspectives- Preindependence period, Post- independence period, History of capital markets in India, Need for securities legislation and investor protection, Classification of Securities- Ownership instruments, Shares, Stocks, Debt instruments :Debentures and Bonds, Offered documents-Prospectus Norms of disclosure under :(a) The Companies Act, 1956,(b) The Securities Contract Regulation Act,1957,(c) The Securities Exchange Board of India Act,1988

### Section – B

#### Concept of Securities Market, Stock Exchange and Listing of shares:

Primary Market : Scheme of Primary Market, Advantages and Disadvantages to companies and investors, Players in Primary Market-Underwriters, Brokers to an issue, Managers to the issue, Bankers to the issue and Registrar to the issue, Secondary Market :Players in the Secondary Market, Brokers, Over the Country Exchange of India (OCTEL), The Companies Act, 2013, The Securities Exchange Board of

India Act, 1988, The Securities Contract Regulation Act, 1957, The Stock Exchange Act.

### Section – C

#### **Investors Protection and Principles of International Investment Law:**

Role and functions of SEBI Tribunal, Depositories Act, Dematerialisation, Advantages and Disadvantages. Investment in Mutual Funds: Investment by Financial Institutions & Foreign Financial Institutions, International treaties, Types of Investment contracts, Applicable law, Stabilization clauses, Renegotiation and adaptation

#### **Suggested Reading:**

1. Chandratre, K.R. (2010). *Bharat's SEBI Compendiu* (4th Ed.). New Delhi: Bharat Law House.
2. Eillis, F. (2008). *Principles of Corporate Finance Law*. Oxford: Oxford University Press.
3. Khilnani, D.T. (2007). *FEMA Ready Reckoner*. (12th Ed.). New Delhi: Snow White Publications Pvt.
4. Myneni, S.R. (2006). *Law of Investment and Securities*. Hyderabad: Asia Law House,
5. Puliani, R. (2007). *Bharat's Manual of SEBI Act, Rules, Regulations, Guidelines, Circulars, ETC*. New Delhi: Bharat Law House Pvt.
6. Ashok, S. (2008). *Bharat's Foreign Exchange Management Manual*. New Delhi: Bharat Law House.
7. Singh, A. (2004). *Company Law* (14th ed.) Lucknow: Eastern Book Company.
8. Taxman. (2011). *Taxman's Foreign Exchange Management Manual: With Foreign Exchange Laws Ready Reckoner* (18<sup>th</sup> ed.). New Delhi: Taxman Publications.

#### **Suggested E-Learning Material:**

1. Cambridge University Press. (1956). International Investment Law Conference. *Cambridge University Press*. Retrieved from <https://www.jstor.org/stable/2194597>

2. Mahoney, P.G. (2009). The Development of Securities Law in the United States. *Wiley on behalf of Accounting Research Center, Booth School of Business, University of Chicago*. Retrieved from <https://www.jstor.org/stable/25548022>
3. Chang, K.Y. (2005). The Effective Regulation of Transnational Securities Fraud in Global Markets. *Institute of International Affairs, Graduate School of International Studies, Seoul National University*. Retrieved from <https://www.jstor.org/stable/43107122>
4. Sebastian, B.J. (1989). The Role of the Securities Market in Mobilizing Resources for the Region. *Sir Arthur Lewis Institute of Social and Economic Studies, University of the West Indies*. Retrieved from: <https://www.jstor.org/stable/27864906>
5. Garbade, K.D. & Silber, W.L. (1976). Price Dispersion in the Government Securities Market. *The University of Chicago Press*. Retrieved from <https://www.jstor.org/stable/1831329>
6. McConnell, J.J & Sanger, G.C. (1987). The Puzzle in Post-Listing Common Stock Returns. *Wiley for the American Finance Association*. Retrieved from <https://www.jstor.org/stable/2328423>
7. Baker, H.K., Nofsinger, J. R. & Weaver, D.G. (2002). International Cross-Listing and Visibility. *Cambridge University Press on behalf of the University of Washington School of Business Administration*. Retrieved from <https://www.jstor>

## **LAW 630 Law of Geographical Indications and Plant Varieties**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

After the completion of the course student will be able to

- Understand the basics of geographical indications and plant varieties.
- Get adequate knowledge of Various International Treaties related to geographical indications and plant varieties.
- Accustom themselves with the Indian legislation on geographical indications and plant varieties.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Geographical Indications:**

Introduction, Objective, Justification for protection for Protection of GI, Higher Level of Protection of GIs and TRIPS, Article 23 Controversy, International treaties on GI; Lisbon Agreement, TRIPS Agreement

### **Section B**

#### **Geographical Indication of Goods (Protection & Registration) Act, 1999:**

Overview, Definition, Criteria, The Register and Conditions for Registration, Prohibition of Registration of Certain Geographical Indications, Registration of Homonymous Geographical Indications, procedure for *Registration*, renewal, effect of Registration, infringement, *Penalties and Remedies*, duration of Protection, *difference between Trademark and GI*, genericides of Geographical Indications

### **Section C**

#### **Protection of Plant Varieties : International Scenario and Registration and Duration of Plant Varieties**

Plant Variety Protection and Patent Act, new Varieties, Extent Varieties, farmers varieties, criteria for Protection under Indian Act - Novelty, Distinctiveness, Uniformity, stability, filing of Applications, Right of Priority, Examination of the Application, scope of the Breeder's Right, exceptions to the Breeder's, duration of the Breeder's Right

**Suggested Readings:**

1. Cornish, W.R. (2000) *Intellectual Property*. Sweet & Maxwell, London.
2. Marsha, E. A. (2008). *Geographical Indications for Food Products, International Legal and Regulatory Perspectives*. Wolters Kluwer.
3. Krishnan, N.S. & Agitha T.G. (2009). *Principles of Intellectual Property*. Lucknow: Eastern Book Company.

**Suggested E-Learning Material:**

1. Sahai, S. (1996). Of Basmati and Champagne: Protection under TRIPS. *Economic and Political Weekly*. Retrieved from <https://www.jstor.org/stable/4403852>
2. Deselnicu, O. & Costanigro, M. (2013). A Meta-Analysis of Geographical Indication Food Valuation Studies: What Drives the Premium for Origin-Based Labels?. *Western Agricultural Economics Association*. Retrieved from <https://www.jstor.org/stable/23496751>
3. Suh, J. & MacPherson, A. (2007). The Impact of Geographical Indication on the Revitalisation of a Regional Economy: A Case Study of 'Boseong' Green Tea. *Wiley on behalf of The Royal Geographical Society (with the Institute of British Geographers)*
4. Ahuja, V.K. (2004). Protection of Geographical Indications: National and International Perspective. *Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/43951907>

## LAW 658 Working of Indian Constitution

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### Learning Outcomes:

On the completion of the course the students will be able to

- Understand the need for judicial reform.
- Give an insight into the working of Indian Constitution through judicial reform, judicial review and electoral reform.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### Section A

Independence of Judiciary: Constitutional safeguards, Need for Judicial reform (appointment and removal of High Court and Supreme Court Judge), Judicial accountability.

### Section B

Judicial Review and Doctrine of Basic Structure, Supremacy of Parliament Vs Supremacy of the Constitution, Judicial Activism Vs Judicial over-reach.

### Section C

Electoral reform- NOTA and right to recall – Need for Change in representation of People Act, 1951, Institution of Lokpal and Lokayukta, Right to information Act and Open Government, Civil Services Rules and Constitutional Safeguards (309, 310 & 311)

### Suggested Readings:

1. Amar, V. (2009). *Global Perspectives on Constitutional Law*. New York, NY: Oxford University Press.
2. Austin, G. (2002). *The Indian Constitution: Cornerstone of a Nation*. NJ.
3. Austin, G. (2003). *Working a Democratic Constitution: A History of the Indian Experience*. New York, NY: Oxford University Press, USA.

4. Basu, D. D., Manohar, V. R., Banerjee, B. P., & Khan, S. A. (2008). *Introduction to the Constitution of India*.
5. Bhargava, R. (2008). *Politics and Ethics of the Indian Constitution*. New York, NY: Oxford University Press, USA.
6. De, R. (2018). *A People's Constitution: The Everyday Life of Law in the Indian Republic*. Princeton, NJ: Princeton University Press.
7. Devins, N., & Fisher, L. (2015). *The Democratic Constitution*. New York, NY: Oxford University Press, USA.
8. Ginsburg, T., & Huq, A. (2016). *Assessing Constitutional Performance*. Cambridge, NY: Cambridge University Press.
9. Jain, M. P. (2014). *Indian Constitutional Law*.
10. *Judiciary on Goals of Governance: Directive Principles of State Policy*. (2005). NY: Anamika Pub & Distributors.
11. Krishnaswamy, S. (2010). *Democracy and Constitutionalism in India: A Study of the Basic Structure Doctrine*. New York, NY: Oxford University Press.
12. Ray, S. N. (1974). *Judicial Review and Fundamental Rights*. NY.
13. Seervai, H. M. (1996). *Constitutional law of India: a critical commentary*.
14. Thiruvengadam, A. K. (2017). *The Constitution of India: A Contextual Analysis*. London, England: Bloomsbury Publishing.
15. Tushnet, M., & Khosla, M. (2015). *Unstable Constitutionalism*. Cambridge, NY: Cambridge University Press.
16. Vora, R., & Palshikar, S. (2003). *Indian Democracy: Meanings and Practices*. New Delhi, NY: SAGE Publications India.

#### **Suggested E-Learning Material:**

1. Austin, G. (2003). Redeeming the Web: The Kesavananda Bharati Case. *Working a Democratic Constitution*, 258-277.  
doi:10.1093/acprof:oso/9780195656107.003.0013
2. Abeyratne, R. (2017). Giving structure to the basic structure doctrine. *Indian Law Review*, 1(2), 182-189.  
doi:10.1080/24730580.2017.1384144

3. Sorabjee, S. J. (1999). Introduction to Judicial Review in India. *Judicial Review*, 4(2), 126-129.  
doi:10.1080/10854681.1999.11427060

## LAW 656 Service Law

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

On the completion of the course the students will be able to

- To understand the various concepts and principles which govern law relating to services.
- The students will be able to get insight to the structure and overall functioning of various authorities related to service matters.
- The student will be able to understand the role and significance of constitutional law in service matters.
- The student will be able to get insight to the various proceedings concerning service matters.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

Constitutional right of equality (Articles 14 to 16) in relation to service matters (including reservation in the services), Compassionate Appointment, Principles of equal pay for equal work Article 323-A of the Constitution, Administrative Tribunals, their Constitution, powers, jurisdiction and procedure under the Administrative Tribunals Act, 1985 along with the provisions of the Administrative Tribunal (Amendment) Act, 2006.

### **Section B**

Services under the Union and the States (Articles 309-311) including applicability of Article 311 to various categories of non-permanent employee and Article 320, compulsory retirement, probation, status and

rights of adhoc employees and daily wagers and their regularization, Suspension and subsistence allowance (with special reference to CCS (CCA) Rules 1965, Principles for determination of seniority including a) Seniority based on the date of confirmation, b) seniority as per statutory rules framed under Article 309 read with Article 16 (4) (a) of the Constitution.

### **Section C**

Annual Appraisal Performance Report, Deputation. Major and Minor Penalties, Conduct and procedure of disciplinary departmental enquiries (including charge sheet, inspection and supply of copies of documents, production of evidence, enquiry report, hearing if any on the question of penalty and final competent authority) (with special reference to CCS (CCA) Rules, 1965)

#### **Suggested Readings:**

1. Bhatnagar, A.S.(2005). Guide to Departmental Problems Enquiries, Punishment & Appeal(7th ed.). Hyderabad: Ashok Law House.
2. Singh, G.B.(2005). Law of Suspension, Penalties and Departmental Enquiries- Mrs. Baljit Kaur.
3. Swami, Muthu. (1993). Swami's Manual on Disciplinary Proceedings.(5th ed.). Swami Pub. Pvt. Ltd.
4. Ramchandaran, A.S.(2005). Law relating to Departmental Enquiries, Punishment & Appeal(7th ed.). Hyderabad: Ashok Law House.
5. Kumar,Narinder. (2003).*Law relating to Government Services and Management of DisciplineProceedings*. Faridabad: Allahabad Law Agency.

#### **Suggested E-Learning Material:**

1. Thulaseedharan, S. (2013). Right To Public Services In India-A New Legal Scenario. *Journal of the Indian Law Institute*, 55(1), 59-72. Retrieved January 9, 2020, from [www.jstor.org/stable/43953627](http://www.jstor.org/stable/43953627)
2. Joshi, K. (1986). Service Tribunals Under Administrative Tribunals Act. *Journal of the Indian Law Institute*, 28(2), 207-212. Retrieved January 9, 2020, from [www.jstor.org/stable/43951000](http://www.jstor.org/stable/43951000)
3. Saksena, R. (1995). Adjudication By Tribunals In India : Landmark In Field Of Natural Justice. *Journal of the Indian Law Institute*, 37(2),

222-230. Retrieved January 9, 2020, from [www.jstor.org/stable/43953228](http://www.jstor.org/stable/43953228)

4. Leelakrishnan, P. (2012). Reviewing Decisions Of Administrative Tribunal: Paternalistic Approach Of The Indian Supreme Court And Need For Institutional Reforms. *Journal of the Indian Law Institute*, 54(1), 1-26. Retrieved January 9, 2020, from [www.jstor.org/stable/43953523](http://www.jstor.org/stable/43953523)

## **LAW 647 Health Laws in India**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

On the completion of the course the students will be able to

- To understand the concept of health in the light of various determinants, indicators in India and in international perspective.
- The students will be able to get insight to various legislations concerning reproductive health and matters related to bio ethics in India.
- The students will able to have conceptual clarity regarding role of legislation and judiciary in regulating doctor-patient relationship in India.
- The students will be able to get insight to various legislations & regulations made for public health and people with disabilities in India.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

Meaning, Definitions & Historical Perspective of Health; Determinants, Indicators of Health& Levels of Health Care; Health as a Human Right under International Instruments; Constitutional framework of Right to health in India.

Reproductive Health Law & Bio Ethics: Reproductive Rights; Abortion & Medical Termination of Pregnancy Act 1971; Foeticide and The Pre-Conception & Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, Reproductive & Therapeutic Technology-Surrogacy; Organ Transplantation Technology & The Transplantation of Human Organs and Tissues Act 1994.

### **Section B**

Nature of Doctor-Patient Relationship-Informed Consent & Confidentiality; Duty of Care & Standard of Care; Code of Ethics in Medical Profession; Role of Indian Judiciary in Regulating Medical Profession; The Clinical Establishments(Registration & Regulation) Act 2010.

### **Section C**

Laws Relating to Public Health & Convenience:- Anti-Smoking Laws- The Cigarettes & Other Tobacco Products (Prohibition of Advertisements & Regulation of Trade & Commerce, Production, Supply & Distribution) Act 2003; The Epidemic Disease Act 1897 & Relevant Section of Chapter XIV of IPC 1860; The Food Safety & Standards Act 2006 & Relevant Provisions of Chapter XIV of IPC 1860; The Prohibition of 11 Employment as Manual Scavengers & their Rehabilitation Act 2013.

Health Laws for Specially Challenged Persons: The Rights of Persons with Disabilities (Equal Opportunities, Protections of Rights & Full Participation) Act 2016; The Mental Health Act 2017.

### **Suggested Readings:**

1. Basu, Durga Das. (2008) *Commentary on the Constitution of India*. Nagpur: LexisNexis
2. Butterworths Wadhwa.Davar, V. Bhargavi. (2001). *Mental Health from a Gender Perspective*. New Delhi: Sage Publications India Pvt. Ltd.
3. Dhanda, Amita. (2000) *Legal Order And Mental Disorder*. New Delhi: Sage Publication,.
4. Doyal, Lesley. (1995) *What makes women Sick-Gender and the Political Economy of Health*, London: Macmillan Press Ltd.
5. Gupta, M. C., (2002). *Health and Law*. New Delhi: Kanishka Publishers, Distributors,.

6. Jain, Ashok. K (2006) *Socio legal off shoots, The Sana of Female Foeticide in India*. Delhi Ascent Publication.
7. Kishore, J (2006). *National Health Programs of India*. New Delhi: Century Publications.
8. Kishwar, Madhu. (1999). *Off the beaten track rethinking gender justice for Indian women* New Delhi: Oxford University Press.
9. Kumar, Avansh. (2007). *Human Right to Health*. New Delhi: Satyam Law International.
10. Kumar, Narinder. (2005). *Constitutional Law of India*. Delhi: Pioneer Books. Maan, Jonathan. *Health and Human Rights: A Reader*, New York, Routledge: A Reader.
11. Parmanand, Desai's, (2004) *Law of Disability-medical & nonmedical*. Allahabad: Dwivedi & Company Law Publishers & Book sellers.

**Suggested E-Learning Material:**

1. ADDLAKHA, R., & MANDAL, S. (2009). Disability Law in India: Paradigm Shift or Evolving Discourse? *Economic and Political Weekly*, 44(41/42), 62-68. Retrieved January 9, 2020, from [www.jstor.org/stable/25663681](http://www.jstor.org/stable/25663681)
2. Law, A. (2008). The Public Health Declaration. In *Patents and Public Health: Legalising the Policy Thoughts in the Doha TRIPS Declaration of 14 November 2001* (pp. 156-185). Baden-Baden: Nomos Verlagsgesellschaft mbH. Retrieved January 9, 2020, from [www.jstor.org/stable/j.ctv941vg7.8](http://www.jstor.org/stable/j.ctv941vg7.8)
3. Law, A. (2008). The circumstances leading up to the Public Health Declaration. In *Patents and Public Health: Legalising the Policy Thoughts in the Doha TRIPS Declaration of 14 November 2001*(pp. 29-41). Baden-Baden: Nomos Verlagsgesellschaft mbH. Retrieved January 9, 2020, from [www.jstor.org/stable/j.ctv941vg7.6](http://www.jstor.org/stable/j.ctv941vg7.6)
4. Law, A. (2008). The circumstances leading up to the Public Health Declaration. In *Patents and Public Health: Legalising the Policy Thoughts in the Doha TRIPS Declaration of 14 November 2001*(pp. 29-41). Baden-Baden: Nomos Verlagsgesellschaft mbH.

Retrieved January 9, 2020, from  
[www.jstor.org/stable/j.ctv941vg7.6](http://www.jstor.org/stable/j.ctv941vg7.6)

## **LAW 654 Public Policy and Development**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

On the completion of the course the students will be able to

- To learn the nature and scope of concept of public policy and development.
- To learn the nature and scope of health care policy.
- To learn the nature and scope application of energy and environment policy.
- To learn the nature and scope of education policy in India.
- To learn the ambit and extent of application of economic and industrial policy.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

Significance of policy making & implications on society, Policy making process – formulation, adoption implementation and evaluation, Indicators for determining Issues (how widespread a problem, How troublesome, How long a problem, Costliness of the problem, What if the issue is kept off Public agenda) formulation, adoption implementation and evaluation- [Does the Policy make sense(Quantitative approach and qualitative approach)], Policy Advocacy- Surveying Policy making Landscape(Public officials, Mass Media, Interest Groups, Political Parties, Bureaucracy, Citizens as Individuals and in Small groups, Agenda building In Perspective), Goals underlying policy making - Equity, Efficiency, Welfare, Liberty and Security Means and methods of implementation-( Executive as Implementation Agents, Requirements for Implementation, Conditions for

discouraging Implementation, Bureaucrats as Public Policy makers), Domestic Policy v Foreign Policy

### **Section B**

Public Health Policy – Constitutional and statutory basis, Coverage of policy – Universal or selective Medicare and Medicaid, Law and public health policy, Policy reform and evaluation. Elements of Education Policy Right to education – scope and content , Adult education and women’s education, The Right to Education Act – An Appraisal, Commercialization of education: causes and consequences.

### **Section C**

Economic & Industrial Policy- Globalization and economic policy, Globalization and industrial policy, International Trade Policies and their impact on domestic policies, Legislative response to economic and trade policy, Judicial role in evaluation of economic and industrial policies. Foreign Direct Investment Policy, Information Technology Policy, Energy Policy – formulation and implementation, Energy crisis and protection of Natural resources, Environmental Policy – Elements, Concept of Development Sustainable development, Brundtland Report on Sustainable Development, Policy Initiatives of the State for development-Urban/Rural Development-73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments, Normative structure of environmental policy, Institutional functions of implementation of Environment policy.

### **Suggested Readings:**

1. Stone, Deborah. *Policy Paradox, The Art of Political Decision Making*
2. Anderson.J.E. (1990). *Public Policy Making*, Boston Houghton Mifflin.
3. Craft,Michael E.& Furlong. Scott. R. *Public Policy – Politics analysis and alternatives.*
4. Applebey, P.H. (1957)*Policy& Administration*. Alabama Univ.Press
5. Pankaja, P B, *Industrial Policies in India*, CLJ
6. Sapru, R.K. (1994). *Public Policy*.Delhi: Sterling.
7. Nagel, S.S. (1990)*Policy Theory and Policy Evaluation, Concepts Knowledge, Causes & Norms.*

Delhi: Greenwood Press.

8. Dror, T.D. (1984). *Understanding Public Policy Englewood's Cliffs NJ* Prentice hall.
9. Dunn, W. W. *Public Policy Analysis: An Introduction, Englewood's Cliffs NJ Prentice hall.*

**Suggested E-Learning Material:**

1. Kumar, C. (2013). Legal Education, Globalization, and Institutional Excellence: Challenges for the Rule of Law and Access to Justice in India. *Indiana Journal of Global Legal Studies*, 20(1), 221-252. doi:10.2979/indjglollegstu.20.1.221
2. SWAIN, A. (2014). India's Green Industrial Policy: Pursuing Clean Energy for Green Growth. *Economic and Political Weekly*, 49(9), 19-21. Retrieved January 9, 2020, from [www.jstor.org/stable/24479168](http://www.jstor.org/stable/24479168)
3. Atteridge, A., Shrivastava, M., Pahuja, N., & Upadhyay, H. (2012). Climate Policy in India: What Shapes International, National and State Policy? *Ambio*, 41, 68-77. Retrieved January 9, 2020, from [www.jstor.org/stable/41417390](http://www.jstor.org/stable/41417390)
4. George, M. (2015). Viewpoint: Re-instating a 'public health' system under universal health care in India. *Journal of Public Health Policy*, 36(1), 15-23. Retrieved January 9, 2020, from [www.jstor.org/stable/43288061](http://www.jstor.org/stable/43288061)

## **LAW 640 Crime, Investigation and Evidence in Digitized World**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

**Learning Outcomes:**

- The students will be able to develop insights towards various issues related to modern crime, investigation and evidence in digitized world.
- The students will develop a critical outlook towards various issues related to evidence and its applicability

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Criminal Justice System and Cyber Crime**

Cyber Crime Investigation (Technical Aspect: Information in the computer, confiscation, protection and packing, computer examination; Legal Aspect: power to investigate and procedure for investigation); Jurisdiction over Cyber-crimes; Applicability of Criminal Procedure Code over Cyber Crime; Challenges in investigation of Cyber Crime; Evidentiary regime and the internet; Admissibility of evidence, Burden of proof and Authenticity; Forensic computing

### **Section B**

#### **Law of Evidence**

Law of Evidence (Admissibility and Inadmissibility of Evidence, Expert Evidence, Confessions – Evidentiary Value of Statements / Article Seized); Presumptions; Rules relating to Burden of Proof; Evidence in Criminal Trials under Modern Technology; Role of Investigating Agencies

### **Section C**

#### **Forensic Sciences and Criminal Cases**

Role of Forensic Sciences in Criminal Cases—Kinds of Forensic Evidence; Basic question in investigation – *Qui Bono*; Probative Value of Forensic Evidence; Modern scientific Techniques & their constitutionality and relevance—DNA Fingerprinting; Narco-Analysis; Tests— Polygraph test, Brain Mapping Test, Hypnotism, Lie Detector Test & others.

#### **Suggested Readings:**

1. Keane, Adrian & McKeon, Paul (2014). *The Modern Law of Evidence*, Oxford University Press.
2. Susan W. Brenner, (2012). *Cybercrime and the Law: Challenge, Issues and Outcomes*, North-Eastern University Press.
3. Albert J. Marcellaa and Robert S. Greenfiled (Ed.) (2002) *Cyber Forensics, A Field Manual for collecting, examining and preserving evidence of computer crimes*, Auerbach Publications.

4. Deflem, Mathieu, and J. Eagle Shutt. (2006). *Law Enforcement and Computer Security Threats and Measures.* Pp. 200-209 in *The Handbook of Information Security, Volume 2: Information Warfare; Social, Legal, and International Issues; and Security Foundations*, edited by Hossein Bidgoli. Hoboken, NJ: John Wiley & Sons.
5. Hauben, Michael and Ronda Hauben (1997). *Netizens: On the History and Impact of Usenet and the Internet.* Wiley-IEEE Computer Society Press: New Jersey
6. K. Jaishankar, (2011). *Cyber Criminology; Exploring Internet Crimes and Criminal Behavior*, CRC Press,
7. McQuade, Samuel C (2005). *Understanding and managing cyber crime.* New Jersey: Allyn & Bacon.
8. Pease, K. (2001). *Crime futures and foresight: Challenging criminal behaviour in the information age.* In D. Wall (Ed.) *Crime and the internet.* London: Routledge.
9. Seymour Goodman and Abraham Soafer (Ed.) (2002) *The Transnational dimensions of cyber-crime.* Hoover Institution Press Washington.
10. Smith R, Grabosky P and Urbas G (2004). *Cyber criminals on trial.* Cambridge: Cambridge University Press pp 5-10
11. Wall, D. (2001). *Cyber-crimes and the Internet*, New York: Routledge.
12. Wall, David S. (2007). *The Transformation of Crime in the Information Age*, Polity Press.

#### **Suggested E-Learning Materials:**

1. Bharuka, D. (2002). Indian Information Technology Act, 2000 Criminal Prosecution Made Easy For Cyber Psychos. *Journal of the Indian Law Institute*, 44(3), 354-379. Retrieved from [www.jstor.org/stable/43951825](http://www.jstor.org/stable/43951825)
2. Goodman, W. (2010). Cyber Deterrence: Tougher in Theory than in Practice? *Strategic Studies Quarterly*, 4(3), 102-135. Retrieved from [www.jstor.org/stable/26269789](http://www.jstor.org/stable/26269789)

3. Kloosterman, A., Mapes, A., Geradts, Z., Van Eijk, E., Koper, C., Van den Berg, J., Van Asten, A. (2015). The interface between forensic science and technology: How technology could cause a paradigm shift in the role of forensic institutes in the criminal justice system. *Philosophical Transactions: Biological Sciences*, 370(1674), 1-10. Retrieved from [www.jstor.org/stable/24505157](http://www.jstor.org/stable/24505157)
4. Lipton, J. (2011). Combating Cyber-Victimization. *Berkeley Technology Law Journal*, 26(2), 1103-1155. Retrieved from [www.jstor.org/stable/24118683](http://www.jstor.org/stable/24118683)
5. T.G. (2018). Forensic Computing: Fraud Finders. *ASEE Prism*, 28(4), 13-13. doi:10.2307/26820144
6. United Nations (1997). United Nations Manual on the Prevention and Control of Computer-Related Crime, *International Review of Criminal Policy* Nos. 43 and 44, United Nations: New York, <http://www.uncjin.org/Documents/EighthCongress.html>

## LAW 657 Victimology

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

- The students will develop an understanding towards the concept of victims and victimology.
- The students will develop a critical outlook towards restorative justice and compensatory jurisprudence.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Introduction**

Concept and Scope of Victimology – Conceptual Overview; Impact of Victimization – Physical, Economical, Psychological; Historical Development; Victimology in India; Victim and Criminal Justice: Emerging Trends and Policies

Theories of Victimology - The Precipitation Theory; Life-style Theory; Deviant Place Theory; Routine Activity Theory

### **Section B**

#### **Restorative Justice**

Concept of Restorative Justice – Essential Elements of Restorative Justice (Restoration; Accountability; Community Protection; Skill Development); Programmes of Restorative Justice

### **Section C**

#### **Compensatory Jurisprudence**

Compensatory Jurisprudence; Compensatory Relief under General/Procedural Laws; Compensation under Special Laws like Compensation under the Probation of Offender Act, 1958&Compensation under the Motor Vehicles Act, 1988. Compensatory Reliefs under the Constitution of India; Compensation by Human Rights Commissions – (National Human Rights Commissions; State Human Rights Commissions)

#### **Suggested Readings:**

1. Bajpai, Prof. G. S. (1997) *Victims in the Criminal Justice Process*. Uppal Publishing House, New Delhi.
2. Galaway, Burt &Hudson, Joe (1996). *Restorative Justice: International Perspective*. Criminal justice Press.
3. Hall, Jerome, (1982). *Law, Social Science and Criminal Theory*. Colorado: Rothman.
4. Hudson, Joe & Galaway, Burt (1975). *Considering the Victim: readings in Restitution and Victim Compensation*. Thomas.
5. Karmen, Andrew (2016). *Crime Victims: An introduction to Victimology*, Cengage Learning (US).
6. Kirchengast, Tyrone (2016). *Victimology and Victim Rights: International comparative perspective*. Taylor & Francis.
7. Myneni, Dr. S. R. (2017). *Penology & Victimology*. Allahabad Law Agency.
8. Paranjape, Prof. N. V. (2017). *Criminology & Penology with Victimology*. Central Law Publication.
9. Siddique,Ahmad, (1997).*Criminology-Problems and Perspectives*,

10. Siddique, Ahmad & Qadri, Syed Mohammad Afzal, (2017). *Ahmad Siddique's Criminology, Penology & Victimology*. Eastern Book Company.
11. Sutherland and Cressey. *Principles of Criminology*. Sixth Edition. Surjeet Publications

**Suggested E-Learning Materials:**

1. Ashworth, A. (2002). RESPONSIBILITIES, RIGHTS AND RESTORATIVE JUSTICE. *The British Journal of Criminology*, 42(3), 578-595. Retrieved from [www.jstor.org/stable/23638882](http://www.jstor.org/stable/23638882)
2. Demogue, R. (1918). Validity of the Theory of Compensatory Damages. *The Yale Law Journal*, 27(5), 585-598. doi:10.2307/786215
3. Hudson, B. (2002). RESTORATIVE JUSTICE AND GENDERED VIOLENCE: Diversion or Effective Justice? *The British Journal of Criminology*, 42(3), 616-634. Retrieved from [www.jstor.org/stable/23638884](http://www.jstor.org/stable/23638884)
4. Miers, D. (1992). The Responsibilities and the Rights of Victims of Crime. *The Modern Law Review*, 55(4), 482-505. Retrieved from [www.jstor.org/stable/1096650](http://www.jstor.org/stable/1096650)
5. Morris, A. (2002). CRITIQUING THE CRITICS: A Brief Response to Critics of Restorative Justice. *The British Journal of Criminology*, 42(3), 596-615. Retrieved from [www.jstor.org/stable/23638883](http://www.jstor.org/stable/23638883)
6. Rao, S. (2006). Constitutional Rights Violations and Compensatory Jurisprudence in India and U.S.A.: Justifications and Critique. *Student Bar Review*, 18(1), 93-111. Retrieved from [www.jstor.org/stable/44306648](http://www.jstor.org/stable/44306648)

## LAW 653      Privileged Class Deviance

**Max. Marks : 100**

**L   T   P   C**

**(CA: 40 + ESA: 60)**

**5   0   0   5**

### **Learning Outcome:**

- The student will be able to analyse the issues of diversity, including but not limited to the gender, race, ethnic, cultural and class issues, in the administration of criminal justice.
- The students will be able to understand the reality of middle and upper; middle class deviance criminality in India.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Introductory**

Concept of Privileged Class Deviance, meaning, nature and pressures

Typical forms of deviance: -Official Deviance - deviance by legislators, judges, bureaucrats;

Professional deviance - journalists, teachers, doctors, lawyers, engineers, architects and publishers; Conceptions of white collar crimes - Hi-tech crime - Cyber Crime - Economic Crime - Politics and Crime; Response of Indian Legal Order to the Deviance of Privileged Classes - Vigilance Commission - Right to Information - Public Accounts Commission - Ombudsman -Commission of Enquiry - Prevention of Corruption Act - Information Technology Act.

### **Section B**

#### **Official deviance (deviance by legislators, judges, bureaucrats)**

Conception of Official deviance- permissible limit of discretionary powers. The Chambal valley dacoit Vinoba Mission and Jai Prakash Narain Mission- in 1959 and 1971, The Chagla Commission Report on LIC-Mundhra Affair, The Das Commission Report on Pratap Singh Kairon, The Grover Commission Report on Dev Raj Urs, The Maruti Commission Report, The Ibakkar-Natarajan Commission Report on Fairfax, Laws related to Lokpal/Lokayukta (The Lokpal and Lokayuktas Act, 2013).

### Section C

**Police Deviance** -Structures of legal restraint on Police powers in India- Unconstitutionality of 'third degree' method and use of fatal force by police - Encounter killings - Police atrocities - Custodial violence the plea of superior orders - rape and related forms of gender based aggression - National Police Commission – Reforms, The Antulay Case.

**Professional deviance**- Unethical practices at the Indian bar , The Lentin Commission Report, The Press Council on unprofessional and unethical journalism, Medical malpractice

#### Suggested Readings:

1. Baxi, Upendra. (1982). *The Crisis of the Indian Legal System*. Vikas Publishing House, New Delhi
2. Baxi, Upendra. (1989). *Liberty and Corruption: The Antulay Case and Beyond*, Eastern Book Co.
3. Dwivedi, Surendranath. and Bhargava, G.S. (1967) *Political Corruption in India*, Popular Book Services.
4. Desai, A.R. (ed.) (1986). *Violation of Democratic Rights in India*, Sangam Books Ltd.
5. Pande, B.B (1987, K.S. Shukla ed.). *'The Nature and Dimensions of Privileged Class Deviance' in The Other Side of Development* 136,
6. Shukla, K.S. (1986). *"Sociology of Deviant Behaviour" in 3 ICSSR Survey' of Sociology and Social Anthropology 1969-179*, Pearson Education India, 2009.

#### Suggested E-Learning:

1. Braithwaite, J. (1985). White Collar Crime. *Annual Review of Sociology, 11*, 1-25. Retrieved January 9, 2020, from [www.jstor.org/stable/2083283](http://www.jstor.org/stable/2083283)  
<http://www.ijsi.in/Archive/vol1iss3/18.02.014-20160103.pdf>.
2. Fischel, D., & Sykes, A. (1996). Corporate Crime. *The Journal of Legal Studies, 25*(2), 319-349. Retrieved January 9, 2020, from [www.jstor.org/stable/724509](http://www.jstor.org/stable/724509).

3. Cohen, M. (1990). Empirical Trends in Corporate Crime and Punishment. *Federal Sentencing Reporter*, 3(3), 121-125. doi:10.2307/20639306.
4. Cohen, M. (1990). Empirical Trends in Corporate Crime and Punishment. *Federal Sentencing Reporter*, 3(3), 121-125. doi:10.2307/20639306

## **LAW 649 Human Rights Under Criminal Law**

**Max. Marks : 100**

**L T P C**

**(CA: 40 + ESA: 60)**

**5 0 0 5**

### **Learning Outcomes:**

- The students will be able to understand various human rights issues under criminal law and to apply this body of law in professional set-ups.
- The students will be able to develop a critical outlook towards various areas of criminal law and its implementation mechanisms.

**Note:** The paper will contain three questions from every section aggregating nine questions. Candidates are required to attempt total of six questions, taking two questions from each section.

### **Section A**

#### **Concept and Development of Human Rights under Criminal Law**

History of Human Rights Civilization - *Magna Carta*; British Bill of Rights; American Declaration of Independence; Declaration of Rights of Man and Citizen; International Bill of Rights

### **Section B**

#### **International Human Rights Law under Criminal Justice System**

Geneva Convention, 1949; Geneva Convention, 2005; International Bills and Criminal Justice System; Universal Declaration on Human Rights(History of the Declaration, Structure of the Declaration, Legal Significance); Rights under Criminal Justice System and International Covenants: ICCPR and ICESCR; Optional Protocols

Rights under Criminal Justice System and Regional Instruments - European Convention on Human Rights; American Convention on Human Rights; African Charter on Human and People's Rights; Asia and Human Rights

### Section C

#### Human Rights Issues & its Implementation in India

History and Development of Human Rights in Indian Constitution: Constitutional Philosophy, Preamble, Human Rights Problems requiring the need of criminal justice *viz.* police atrocities.

Protection of Human Rights in Criminal Justice Administration – Art. 20 (Protection against *Ex-Post Facto* Laws, Protection against Double Jeopardy and Protection against Self Incrimination); Art. 21 (Impact of expansive interpretation on Criminal Jurisprudence); Right of Accused (Arrest, Hand-Cuffing, Bail, Speedy Trial, Torture, Custodial Violence, Compensation); Public Interest Litigation; Death Penalty in Light of Art. 21; Art. 22 (Protection to Accused in case of punitive detention, Protection against Preventive Detention)

Implementation of Human Rights in India - Role of NGO; Role of Judiciary; Role of NHRC; PIL

#### Suggested Readings:

1. Agarwal, H.O. (1993). *Implementation of Human Rights Covenants with Special Reference to India*. New Delhi: D.K. Publishers.
2. Aroras, Nirman, Custodial torture in Police Stations in India: A Radical Assessment, *Journal of Indian Law Institute*, vol.41, nos.3, and 4, 1999, pp. 513-29
3. Bag, R.K., (1997). Domestic Violence and Crime Against Women: Criminal Justice Response in India, *Journal of Indian Law Institute*, Vol. 39 (2- 4), pp.359- 75.
4. Bajwa, G.S. and Bajwa, D.K. (1996). *Human Rights in India: Implementation and Violations*. New Delhi: D.K. Publishers.
5. Batra, Manjula, *Protection of Human Rights in Criminal Justice Administration : A study of the right of Accused in Indian and Soviet Legal System* (New Delhi: Deep and Deep, 1989)

6. Bava, Noorjahan, ed.,(2000) *Human Rights and Criminal Justice Administration in India*, New Delhi: Uppal Publishing House,
7. Baxi, Upendra, “Clemency, Extradition and Death: The Judicial Discourse in Kehar Singh”, *Journal of Indian Law Institute*, vol.30, no.4, Oct- Dec. 1998, pp.501-86.
8. Baxi, Prof. Upendra and Batra, Manjula. (1989). *Protection of Human Rights in Criminal Justice Administration: a study of the rights of the accused in Indian and Soviet legal systems*. Deep & Deep Publications.
9. Bhargava, G.S.,(1999). National Human Rights Commission: An Assessment of Its Functioning, in K.P. Saksena, (ed.),*Human Rights: Fifty Years of India's Independence* New Delhi: Gyan Publishing House, pp.106-118.
10. Bhagwati, P.N. (1985), Human Rights in the Criminal Justice System, *Journal of the Indian Law Institute*, Vol. 27 (1). pp 1-22.
11. Blackshield, A.R.,(1979) Capital Punishment in India, *Journal of Indian Law Institute* Vol. 21 (2). pp 137-226.
12. Burgers, J.H. (1984), The Fights against Torture, *International Commission of Jurists*, Vol. 32,pp.47-48
13. Chitinis,Vijay,et.al (ed.) (1997).*Human Rights and the Law – Nationaland Global Perspective*. Ketan Thakkar for Snow White Publications Pvt. Limited
14. Jaswal, P.S. & Jaswal, N. (1991), Right to Personal Liberty and Handcuffing: Some Observations, *Journal of the Indian Law Institute*, Vol.33 (2), pp.246-53
15. Martin, Forest,et.al. (ed.) (1997) *International Human Rights Law and Practice–Cases, Treaties, Materials, Documentary Supplement*. Kluwer Law International.
16. Upadhyay, C.M., (1999).*Human Rights in Pre-trial Detention*. Ashish Publishing House.
17. Amnesty International, “Campaign for the Abolition of Torture”, *Philosophy and Science Action*, Vol.5 (3-4) 1984, pp.205-208.

### **Suggested E-Learning Materials:**

1. Bhatkoti, R. (2011). Human Rights And Judicial Activism In India. *The Indian Journal of Political Science*, 72(2), 437-443. Retrieved from [www.jstor.org/stable/42761429](http://www.jstor.org/stable/42761429)
2. David A. J. Richards. (1982). Human Rights and Criminal Punishment. *The University of Chicago Law Review*, 49(1), 235-248. doi:10.2307/1599443
3. Doak, J. (2005). Victims' Rights in Criminal Trials: Prospects for Participation. *Journal of Law and Society*, 32(2), 294-316. Retrieved from [www.jstor.org/stable/3557229](http://www.jstor.org/stable/3557229)
4. Noorani, A. (1991). India's International Accountability on Human Rights. *Economic and Political Weekly*, 26(35), 2035-2036. Retrieved from [www.jstor.org/stable/41498616](http://www.jstor.org/stable/41498616)
5. O'Mahony, D. (2009). *The British Journal of Criminology*, 49(4), 582-585. Retrieved from [www.jstor.org/stable/23639148](http://www.jstor.org/stable/23639148)
6. Oestreich, J. (2014). The United Nations and the Rights-based Approach to Development in India. *Global Governance*, 20(1), 77-94. Retrieved from [www.jstor.org/stable/24526182](http://www.jstor.org/stable/24526182)
7. Subramanian, K. (2006). Rights, Reforms and Justice: An Essential Handbook. *Economic and Political Weekly*, 41(7), 621-624. Retrieved from [www.jstor.org/stable/4417839](http://www.jstor.org/stable/4417839)
8. Sugunakararaju, S. (2012). SOCIAL MOVEMENTS AND HUMAN RIGHTS IN INDIA: AN OVERVIEW. *The Indian Journal of Political Science*, 73(2), 237-250. Retrieved from [www.jstor.org/stable/41856586](http://www.jstor.org/stable/41856586)
9. H. Suresh. (1996). Human Rights and Criminal Justice Functionaries. *Economic and Political Weekly*, 31(24), 1441-1444. Retrieved from [www.jstor.org/stable/4404259](http://www.jstor.org/stable/4404259)

## Reading Electives

### LAW 617R ADR and IP Disputes

**Max. Marks : 100**

**L T P C**

**(ESA: 100)**

**0 0 4 2**

#### **Learning Outcomes:**

After the completion of the course student will be able to

- Understand the role of ADR system in IP dispute settlement, so that they can help their clients and society by adopting just and humane methods.
- Get the knowledge about the response of Indian ADR system.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

#### **Course Content:**

1. Role of ADR system in IP dispute settlement
2. The WIPO Arbitration and Mediation Centre
3. Role of Mediation in IP dispute settlement
4. Arbitration and Expedited Arbitration
5. Response of Indian ADR system to IP dispute settlement

#### **Suggested readings:**

1. Tyler, M.C. (2008). *Intellectual Property Dispute Resolution: Leading Lawyers on Performing Due Diligence, Pursuing the Right ADR Approach, and Settling Infringement Claims*. Aspatore Books.

#### **Suggested E-Learning Material:**

1. WIPO. (2012). Guide to WIPO mediation center. *World Intellectual Property Organization*. Retrieved from [https://www.wipo.int/edocs/pubdocs/en/arbitration/919/wipo\\_pub\\_919.pdf](https://www.wipo.int/edocs/pubdocs/en/arbitration/919/wipo_pub_919.pdf)
2. WIPO. (2012). WIPO Alternative Dispute Resolution (ADR) for Intellectual Property Rights. *World Intellectual Property*

- Organization.* Retrieved from <https://www.wipo.int/amc/en/center/specific-sectors/ipoffices/>
3. WIPO. (2012). WIPO Guide on Alternative Dispute Resolution (ADR) Options for Intellectual Property Offices and Courts, Korean Intellectual Property Office. *WIPO Center*. Retrieved from [https://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_guide\\_adr.pdf](https://www.wipo.int/edocs/pubdocs/en/wipo_pub_guide_adr.pdf)
  4. Sweta, M. & Bindal, S. (2017). Alternative Dispute Resolution and the Law of Intellectual Property. *Singhania & Partners LLP*. Retrieved from <https://singhania.in/alternative-dispute-resolution-ip-law-india/>

## **LAW 623R Emerging Forms of IPR**

**Max. Marks : 100**

**L T P C**

**(ESA: 100)**

**0 0 4 2**

### **Learning Outcomes:**

After the completion of the course student will be able to

- Develop a critical approach towards the understanding of recent trends in IP laws.
- Know about the recent issues and domains of IPR to motivate further research.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

### **Course Content:**

1. Intellectual Property Rights and Human Rights.
  - Right to Health and IPR
  - Right to Food and IPR
  - Right of Impoverished Masses and IPR
  - Human Genomes and Human Rights.
2. Trade Secrets Protection and IP Laws.
3. Biotechnology and Bioethical Implication of IPR.
  - Moral Issues in Patenting Biotechnological Inventions.

- Human Genomes and Right to Privacy.
4. Trends and Technology challenges in current Patent laws
  5. Trademark and Differently-abled persons.

**Suggested Readings:**

1. Yadav, M. & Shahi, S. (2017). *Law Related to Trade Secrets and Technology Transfer*. Satyam Law International.
2. Islamoglu, R. (2012). *Bioethics and Biotechnology Related Bioethical Issues*. Ramazan Islamoglu.

**Suggested E-Learning Material:**

1. Geoffrey Tansey. (2002). Food for Thought: Intellectual Property Rights, Food, and Biodiversity. *Harvard International Review*, Vol. 24, No. 1 (SPRING 2002). Retrieved from <https://www.jstor.org/stable/42762789>
2. Mark J. Hanson. (1997). Special Supplement: Religious Voices in Biotechnology: The Case of Gene Patenting. *The Hastings Center*. Retrieved from <https://www.jstor.org/stable/3527723>
3. Robert L. Ostergard, Jr. (1999). Intellectual Property: A Universal Human Right? *The Johns Hopkins University Press*. Retrieved from <https://www.jstor.org/stable/762740>
4. Padrón, M.S., & Uranga, M.G. ( 2001). Protection of Biotechnological Inventions: A Burden Too Heavy for the Patent System. *Taylor & Francis, Ltd*. Retrieved from <https://www.jstor.org/stable/4227663>
5. Sengar, D.S. (2011). Protection of Trade Secrets and Undisclosed Information: Law and Litigation. *Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/43953505>
6. Aksan, A.M. (2013). Appropriate Health R&D and Intellectual Property Rights Reform in Developing Countries. *Wiley on behalf of The London School of Economics and Political Science and The Suntory and Toyota International Centers for Economics and Related Disciplines*. Retrieved from <https://www.jstor.org/stable/24029606>

7. Singh, K. (2008). Human Genome and Human Rights: An Overview. *Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/43952133>
8. Park, W. & Allred, B. (2007). Patent Rights and Innovative Activity: Evidence from National and Firm-Level Data. *Palgrave Macmillan Journals*. Retrieved from <https://www.jstor.org/stable/4540465>
9. Vasudha, P.K. (2000). Patenting Biotech Products: Complex Issues. *Economic and Political Weekly*. Retrieved from <https://www.jstor.org/stable/4409857>
10. Convention on Rights of Person with Disabilities. (2006). Retrieved from [https://www.ohchr.org/Documents/Publications/AdvocacyTool\\_en.pdf](https://www.ohchr.org/Documents/Publications/AdvocacyTool_en.pdf)

## **LAW 624R Green Technology and IPR**

**Max. Marks : 100**

**L T P C**

**(ESA: 100)**

**0 0 4 2**

### **Learning Outcomes:**

After the completion of the course student will be able to

- Understand the nature and characteristics of Traditional Knowledge.
- Get the knowledge of the interface between IPRs & Traditional Knowledge that can be used in practical way.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

### **Course Content:**

1. Meaning and scope of Green Technology.
2. Sustainable Development and IPR.
3. Innovation and Diffusion of Green Technologies: The Role of Intellectual Property and Other Enabling Factor.
4. Concept of Transfer of technology, issues relating to Transfer of technology and green technology.
5. Issues and Concerns of Developing Countries.

**Suggested Readings:**

1. Lane, E.L. (2001). *Clean Tech Intellectual Property: Eco-marks, Green Patents, and Green Innovation*. Oxford University Press, Inc.
2. Brown, A.E.L. (2013). *Environmental Technologies, Intellectual Property and Climate Change: Accessing, Obtaining and Protecting (Elgar Law, Technology and Society series)*. Edward Elgar Publishing.
3. Rimmer, M. (2011). *Intellectual Property and Climate Change: Inventing Clean Technologies*. Edward Elgar Publishing.

**Suggested E-Learning Material:**

1. Rai, A.K. (2004). "Green" Technology and IP: A Diverse Landscape. *Duke Law School*. Retrieved from <https://www.law.berkeley.edu/files/rai.pdf>
2. Srinivas, Ravi. (2012). A wide view of green technology and IP. *Journal of Intellectual Property Law & Practice*. Retrieved from <https://doi.org/10.1093/jiplp/jpr186>

## **LAW 635R Traditional Knowledge, Traditional Cultural Expression and Genetic Resources**

<b>Max. Marks : 100</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
<b>(ESA: 100)</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>2</b>

**Learning Outcomes:**

After the completion of the course student will be able to

- Understand the nature and characteristics of Traditional Knowledge.
- Get the knowledge of the interface between IPRs & Traditional Knowledge that can be used in practical way.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

**Course Content**

1. Meaning, Nature and Characteristics of Traditional Knowledge.

2. Need for the Protection of Traditional Knowledge, Traditional Cultural Expressions, and Genetic Resources.
3. Interface between IPRs & Traditional Knowledge
  - Issues Concerning Traditional Knowledge
  - Bio-Prospecting & Bio-Piracy
  - Need for A Sui Generis Regime
  - Traditional Knowledge Digital Library.
4. International Initiatives on Traditional Knowledge Protection
  - The Convention on Biological Diversity, 1992
  - Bonn Guidelines on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising out of their Utilization, 2002
  - UN Declaration on the Rights of Indigenous Peoples, 2007
  - Nagoya Protocol on access to Genetic Resources and Equitable Sharing of Benefits, 2010

**Suggested Readings:**

1. Antons, C. (2009). *Traditional Knowledge, Traditional Cultural Expressions and Intellectual Property Law in the Asia Pacific Region*. Kluwer Max Planck Series.
2. Antons, C. (2008). *Indigenous Heritage and Intellectual Property: Genetic Resources, Traditional Knowledge and Folklore (2<sup>nd</sup> ed.)*. Kluwer Law International.
3. Verkey, E. (2007). *Law of Plant Varieties Protection (2007 e.d.)*. Eastern Book Company.
4. Cooper, I.P. (2014). *Biotechnology and the Law*. Thomson Reuters South Asia Private Limited.
5. Brush, S.B, & Stabinsky, D. (1996). *Valuing Local Knowledge-Indigenous people and Intellectual Property Rights (1<sup>st</sup> e.d.)*. Island Press, Covelo, California.
6. Correa, C.M. (2001). *Traditional knowledge and Intellectual Property, Issues and Options Surrounding the Protection of Traditional Knowledge*. Quaker United Nations Office, Geneva.

7. Downes, D. (1997). *Using Intellectual Property as a Tool to Protect Traditional Knowledge: Recommendations for Next Steps*. Center for International Environmental Law, Washington, DC.
8. Lewinski, S.V. (2008). *Indigenous Heritage and Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore*. Kluwer Law International.
9. Watal, J. (2001). *Intellectual Property Rights in the WTO and Developing Countries*. Oxford University Press.
10. Cullet, P. (2005). *Intellectual Property Protection and Sustainable Development*. LexisNexis.

**Suggested E-Learning Material:**

1. C. Madegowda. (2009). Traditional Knowledge and Conservation. *Economic and Political Weekly*. Retrieved from <https://www.jstor.org/stable/40279037>
2. Morgera, E., Tsioumani, E., & Buck, M. (2015). Traditional Knowledge Associated with Genetic Resources. *Unraveling the Nagoya Protocol Brill*. Retrieved from <https://www.jstor.org/stable/10.1163/j.ctt1w76vvq.19>
3. Reid, J. (2009-2010). Biopiracy: The Struggle for Traditional Knowledge Rights. *American Indian Law Review, University of Oklahoma College of Law*. Retrieved from <https://www.jstor.org/stable/25684263>
4. Bowman, M.J.S. (1996). Biodiversity and Savanna Ecosystem Processes: A Global Perspective. *Journal of Tropical Ecology*. Retrieved from <https://www.jstor.org/stable/2560255>
5. Shiva, V. (2007). Bio prospecting as Sophisticated Bio piracy. *The University of Chicago Press*. Vol. 32, No. 2 (Winter 2007), pp. 307-313. Retrieved from <https://www.jstor.org/stable/10.1086/508502>
6. Hanson, M.J. (1997). Special Supplement: Religious Voices in Biotechnology: The Case of Gene Patenting. *The Hastings Center*. Retrieved from <https://www.jstor.org/stable/3527723>
7. Lotz, M. (2002). Colliding Worlds: Indigenous Rights, Traditional Knowledge, and Plant Intellectual Property. *Philosophy*

*Documentation Center.* Retrieved from <https://www.jstor.org/stable/27801290>

## **LAW 651R Law Relating to Media**

<b>Max. Marks : 100</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
<b>ESA:100</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>2</b>

### **Learning Outcomes:**

On the completion of the course the students will be able to

- Know the different dimensions of Right to Speech and Expression.
- Understand the concept of reasonable classification under Indian Constitution.
- Make a contrast between Right to privacy and Information.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

### **Course Content:**

1. Historical Framework of Speech and Expression.
2. Constitutional provision related to Speech and Expression.
3. Right to Press and Media under Indian Constitution.
4. Contrast between Hate Speech and Freedom of Speech.
5. Reasonable Classification Clause related to right to Speech.

### **Suggested Readings:**

1. *Law of Freedom of Press & Media in India: Contemporary Issues.* (2018).
2. NEELAMALAR, M. (2009). *MEDIA LAW AND ETHICS.* PHI Learning Pvt.
3. Prasad, K. (2011). *Media Law in India.*

### **Suggested E-Learning Material:**

1. THAKURTA, P. (2013). Curbing Media Monopolies. *Economic and Political Weekly*, 48(16), 10-14. Retrieved January 9, 2020, from [www.jstor.org/stable/23527252](http://www.jstor.org/stable/23527252)

2. Media Liability Lawsuits. (n.d.). *Electronic Media Law Electronic media law*, 219-234. doi:10.4135/9781452229843.n10
3. Media Ownership Rules. (n.d.). *Electronic Media Law Electronic media law*, 101-123. doi:10.4135/9781452229843.n5
4. Rammanohar Reddy, C. (2019). Media in Contemporary India. *Business and Politics in India*, 183-208. doi:10.1093/oso/9780190912468.003.0007

## **LAW 648R History of Indian Constitution**

**Max. Marks : 100**

**L T P C**

**ESA:100**

**0 0 4 2**

### **Learning Outcomes:**

On the completion of the course the students will be able to

- Have insight to the Modern Legal Development in India.
- Perceive Constitutional Provisions in Historical Perspective.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

### **Course Content:**

1. (i) The Charter Act of 1833 and 1853.  
(ii) The Government of India Act 1858.
2. Indian Councils Act 1861 and Indian Council Act 1909.
3. (i) The Government of India Act 1919:
  - a. Effects of the Act.
  - b. Various aspects of Diarchy System.
  - c. Members, Qualification, Powers and Defects of the Act.
 (ii) The Government of India Act 1935, Central Legislature ,  
Constituent Assembly.
4. (i) Cripps mission, Wavel Plan and Cabinet mission.  
(ii) The Indian independence Act, 1947.
5. The Constituent Assembly of India.

**Suggested Readings:**

1. Jain, M. P. (2014). *Outlines of Indian Legal and Constitutional History*. NY.
2. Austin, G. (2003). *Working a Democratic Constitution: A History of the Indian Experience*. New York, NY: Oxford University Press, USA.
3. Sharma, S. R. (1955). *A Constitutional History of India (1765 to 1954)*. NY: Atlantic Publishers & Distri.

**Suggested E-Learning:**

1. Patra, A. (1963). Landmarks In The Constitutional History Of India. *Journal of the Indian Law Institute*, 5(1), 81-131. Retrieved January 9, 2020, from [www.jstor.org/stable/43950332](http://www.jstor.org/stable/43950332)
2. Keith, A. (1939). *Journal of Comparative Legislation and International Law*, 21(1), 127-128. Retrieved January 9, 2020, from [www.jstor.org/stable/754561](http://www.jstor.org/stable/754561)
3. Sen, S. (1974). Constitutional Storm In India. *Verfassung Und Recht in Übersee / Law and Politics in Africa, Asia and Latin America*, 7(1), 33-43. Retrieved January 9, 2020, from [www.jstor.org/stable/43108354](http://www.jstor.org/stable/43108354)
4. Kapadia, S. (2012). Constitutional Ethos. *Journal of the Indian Law Institute*, 54(2), 153-159. Retrieved January 9, 2020, from [www.jstor.org/stable/43953535](http://www.jstor.org/stable/43953535)

**LAW 655R Right to Information****Max. Marks : 100****L T P C****ESA: 100****0 0 4 2****Learning Outcomes:**

On the completion of the course the students will be able to

- Know the different dimensions of Right to Information Act,2005.
- Understand the functions and Duties of various public authorities under the Right to Information Act,2005.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

**Course Content:**

1. Right to Information before Right to Information Act, 2005- Significance of RTI in democracy -Constitutional basis for RTI- Supreme Court on right to information.
2. Public Authority-Definition- Criteria for Determination-Public Authority- Main -Guidelines For Information Officers-Non – Applicability of the Act to certain State Organisations.
3. Public Information Officer- Duties and responsibilities.
4. Information Commission-Powers and Functions - The Role and Responsibilities of the Information Commissions.- The relevant provisions in the RTI Act dealing with Complaints to the Information.
5. RTI and Good Governance- Role of Civil Society Organisations and Media- Records Management for Effective Information, Excise Department, Local Authorities. The broad issues relating to the keeping, maintaining, managing and destructing.

**Suggested Readings:**

1. India. (2006). *Right to Information Act, 2005: A Primer*. New York, NY: Tata McGraw-Hill Education.
2. Naib, S. (2014). *The Right to Information in India*. New York, NY: Oxford University Press, USA.
3. Singh, S. (2007). *Right to Information Act, 2005: A Primer*. NY: NBT India.

**Suggested E-Learning Material:**

1. Thulaseedharan, S. (2009). *Journal of the Indian Law Institute*, 51(2), 280-281. Retrieved January 9, 2020, from [www.jstor.org/stable/43953446](http://www.jstor.org/stable/43953446)
2. Jain, A. (2012). Good Governance And Right To Information: A Perspective. *Journal of the Indian Law Institute*, 54(4), 506-519. Retrieved January 9, 2020, from [www.jstor.org/stable/43953611](http://www.jstor.org/stable/43953611)
3. Ishizaka, S. (2018). ‘The Right to Know Is the Right to Live’: The Right to Information Movement in India. *Law and Democracy in Contemporary India*, 131-145. doi:10.1007/978-3-319-95837-8\_6

4. Jha, H. (2019). Untangling global-local linkages: The case of the Right to Information Act in India. *India Review*, 18(1), 32-53. doi:10.1080/14736489.2019.1576986

## **LAW 642R Crimes Against Women**

**Max. Marks : 100**

**L T P C**

**( ESA: 100)**

**0 0 4 2**

### **Learning Outcomes:**

- The students will develop an understanding relating to crimes against women and human rights violation.
- The students will develop a critical understanding towards various issues related to such crimes.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

### **Course Content:**

1. Introduction to Crimes against Women; Form of Violence against Women; Causes of Crimes against Women;
2. International Instruments - CEDAW; Declaration on the Elimination of Violence Against Women, 1993;
3. Constitutional Protection for Women; Violence Against Women and Human Rights;
4. Domestic Violence – (IPC, Prevention of Domestic Violence Act, ); Sexual Violence (Provisions in IPC); Sexual Harassment (Prevention of Sexual Harassment at Workplace Act); Dowry Deaths; Cyber Crimes against women;
5. Judicial Responses towards Crimes against Women; Special Provision during Prosecuting Crimes against Children; Role of NCW in fighting crimes against women;

### **Suggested Reading:**

1. Crowell, Nancy A. & Burgess, Ann W. (Ed.) (1996). Understanding Violence Against Women. National Research I, Division of Behavioural and Social sciences and education,

- Commission on Behavioural and Social Sciences and Education, Panel on research on Violence Against Women. Washington: National Academy Press.
2. Halder, Debabrati & Jaishankar, K. (2016). *Cyber Crimes against Women in India*. New Delhi: SAGE Publications.
  3. Krantz G, Garcia-Moreno C. (2005). Violence against women. *Journal of Epidemiology & Community Health*. Vol. 59, pp. 818-821.
  4. Saxena, Shobha, (1995) *Crimes Against Women and Protective Laws*. Deep and Deep Publications.
  5. Welchman, Lynn & Hossain, Sara (2013). *Honour: Crimes, Paradigms, and Violence Against Women*. New York: Zed Books Ltd.

**Suggested E-Learning Materials:**

1. Baxi, P., Rai, S., & Ali, S. (2006). Legacies of Common Law: 'Crimes of Honour' in India and Pakistan. *Third World Quarterly*, 27(7), 1239-1253. Retrieved from [www.jstor.org/stable/4017752](http://www.jstor.org/stable/4017752)
2. Chandan Mukherjee, Preet Rustagi, & Krishnaji, N. (2001). Crimes against Women in India: Analysis of Official Statistics. *Economic and Political Weekly*, 36(43), 4070-4080. Retrieved from [www.jstor.org/stable/4411293](http://www.jstor.org/stable/4411293)
3. Ertürk, Y. (2009). Towards a Post-Patriarchal Gender Order: Confronting the universality and the particularity of violence against women. *Sociologisk Forskning*, 46(4), 61-70. Retrieved from [www.jstor.org/stable/20853687](http://www.jstor.org/stable/20853687)
4. Semahegn, A., Mengistie, B. (2015) Domestic violence against women and associated factors in Ethiopia; systematic review. *Reproductive Health* Vol. 12, pp. 78. doi:10.1186/s12978-015-0072-1
5. Snider, L. (1998). TOWARDS SAFER SOCIETIES: Punishment, Masculinities and Violence Against Women. *The British Journal of Criminology*, 38(1), 1-39. Retrieved from [www.jstor.org/stable/23638580](http://www.jstor.org/stable/23638580)

6. Violence against Women.(2010). *United Nations Human Rights*. Accessed from [https://www.ohchr.org/Documents/Issues/Women/WRGS/SexualHealth/INFO\\_VAW\\_WEB.pdf](https://www.ohchr.org/Documents/Issues/Women/WRGS/SexualHealth/INFO_VAW_WEB.pdf)

## **LAW 641R Crimes Against Children**

**Max. Marks : 100**

**L T P C**

**( ESA: 100)**

**0 0 4 2**

### **Learning Outcomes:**

- The students will develop an understanding relating to crimes against children and human rights violation.
- The students will develop a critical understanding towards various issues related to such crimes.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

### **Course Content:**

1. Introduction to Crimes against Children;
2. International Instruments protecting Child's Rights; Constitutional Guarantee towards protection of Child's Rights;
3. Crimes against Children and Human Rights;
4. Sexual Violence (Rape, Incest); Cyber-crimes against Children;
5. Judicial Response towards Crimes against Children; Role of NGO in protecting Child;

### **Suggested Readings:**

1. Finkelhor, David. (2008). *Childhood Victimization: Violence, Crime and Abuse in the Lives of Young People*. USA: Oxford University Press.
2. Maleszyk, Anna. (2001). *Crimes against Children: Prosecution and Defence*. Canada Law Book.
3. Singh, Bharat, (2004). *Crimes against Children*. Anmol Publications Pvt. Ltd.

**Suggested E-Learning Materials:**

1. Bloch, D. (1953). Sex Crimes and Criminals. *The American Journal of Nursing*, 53(4), 440-442. doi:10.2307/3459668
2. Fuchs, R. (1982). Crimes against Children in Nineteenth-Century France: Child Abuse. *Law and Human Behavior*, 6(3/4), 237-259. Retrieved from www.jstor.org/stable/1393760
3. Ledray, L. (1984). Victims of Incest. *The American Journal of Nursing*, 84(8), 1010-1014. doi:10.2307/3463585
4. Walsh, W., Wells, M., & Wolak, J. (2016). Challenges in Investigations and Prosecutions of Child Pornography Crimes. In Hessick C. (Ed.), *Refining Child Pornography Law: Crime, Language, and Social Consequences* (pp. 215-234). Ann Arbor: University of Michigan Press. doi:10.2307/j.ctt1gk08jr.12
5. Willner, D. (1983). Definition and Violation: Incest and the Incest Taboos. *Man*, 18(1), new series, 134-159. doi:10.2307/2801768

**LAW 644R Cyber Crimes****Max. Marks : 100****L T P C****( ESA: 100)****0 0 4 2****Learning Outcomes:**

- The students will develop an understanding relating to cyber-crimes and their prevention method.
- The students will develop a critical understanding towards various issues related to prosecution of such crimes.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

**Course Content:**

1. Cyber Crimes – Meaning; Difference with Contravention
2. Crimes against Women; Crimes against Children; (Privacy & Obscenity)
3. Crimes against State (Cyber Terrorism).
4. Penalties for Cyber Crimes;

5. Issues related to Prosecution of Cyber-Crimes and Cyber Jurisdiction;

**Suggested Readings:**

1. Chaubey, R.K., (2008). *Cyber Crime and Cyber Law*. Kolkata: Kamal Law House.
2. Halder, Debabrati & Jaishankar, K. (2016). *Cyber Crimes against Women in India*. SAGE Publication India.
3. Jain, Rohit Arvind (2018). *Cyber Crime and Laws: An Overview on Securing Cyber Space*. Evincepub Publishing.
4. Reyes, Anthony, *et.al.* (2011). *Cyber Crime Investigations: Bridging the Gaps between Security Professionals, Law Enforcement and Prosecutors*. Elsevier.
5. Sharma, Vakul, (2011). *Information Technology Law*. Universal Law Publishing.

**Suggested E-Learning Materials:**

1. Kshetri, Nir (2010). Diffusion and Effects of Cyber-Crime in Developing Economies. *Taylor & Francis, Ltd.* Retrieved from <https://www.jstor.org/stable/27896600>
2. Bharuka, D. (2002). Indian Information Technology Act, 2000 Criminal Prosecution Made Easy For Cyber Psychos. *Journal of the Indian Law Institute*, 44(3), 354-379. Retrieved from [www.jstor.org/stable/43951825](http://www.jstor.org/stable/43951825)
3. Dass, Poonam (2010). Legal Dimensions of Cyber Crimes and Preventive Laws with Special Reference To India. *Journal of the Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/44782481>
4. Lipton, J. (2011). Combating Cyber-Victimization. *Berkeley Technology Law Journal*, 26(2), 1103-1155. Retrieved from [www.jstor.org/stable/24118683](http://www.jstor.org/stable/24118683)
5. Singh, Yatindra (2019) Cyber Laws. *Journal of the Indian Law Institute*. Retrieved from <https://www.jstor.org/stable/43951808>

## LAW 639R Crime and Religion

**Max. Marks : 100**

**L T P C**

**( ESA: 100)**

**0 0 4 2**

### Learning Outcomes:

- The students will develop an understanding towards the relation between crime and religion.
- The students will develop a critical understanding towards various issues related to such crimes.

**Note:** The Question paper will contain eight questions and candidate will be required to attempt any five questions.

### Course Content:

1. Introduction to Crime in Religion; Religion and Criminality – Relationship;
2. Theories behind Religion and Crime;
3. Hate crimes; Religious Persecution & Human Rights
4. Religion and Violence against Women; Witchcraft;
5. Issues relating in dealing with such crimes.

### Suggested Readings:

1. Johnson, Andy J. (Ed.) (2015). *Religion and Men's Violence Against Women*. Springer
2. Kerley, Kent R. (2018). *Religion and Crime: Theory, research and Practice*. USA:MDPI
3. Sadique, Kim & Stansilas, Perry (2016). *Religion, Faith and Crime: Theories, Identities and Issues*. Springer.

### Suggested E-Learning Materials:

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  7. Williams, M., & Tregidga, J. (2014). HATE CRIME VICTIMIZATION IN WALES: Psychological and Physical Impacts Across Seven Hate Crime Victim Types. *The British Journal of Criminology*, 54(5), 946-967. Retrieved from [www.jstor.org/stable/43819230](http://www.jstor.org/stable/43819230)
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