

# CALCUTTA UNIVERSITY

## COURSE STRUCTURE

### LL.M. PART-I

PAPERS	TITLES
1.	Advance Jurisprudence
2.	Judicial Process
3.	Trends in Indian Constitutional Law
4.	Legal Education and Research Methodology
5.	Law and Society in India
6.	Practical Paper (Research methodology, Clinical Work, Law Teaching)

### LL.M. PART-II

PAPERS	TITLES
1.	Corporate Law
2.	Law of Industrial and Intellectual Property
3.	Banking Law
4.	Insurance Law
5.	Constitution of India
6.	Human Rights and Constitution of India
7.	Constitutional Law of Canada, UK and USA
8.	Administrative Law in India
9.	Tort Law
10.	Criminology
11.	Penology
12.	Principles of Criminal Law
13.	Law of International Organisations
14.	International Law of the Sea
15.	International Humanitarian Law
16.	Private International Law

L.L.M. Part - I

Paper - I

ADVANCE JURISPRUDENCE

1. Nature and Sources of Law? —
2. Schools of Jurisprudence -- Positivism, Natural Law Theory, Sociological Jurisprudence.
3. Rights and Duties.
4. Concepts of Possession & Ownership.
5. Legal Personality.
6. The Law of Property ←
7. Post-Modern Jurisprudence & Critical Legal Studies. ←
8. Feminist Jurisprudence. → ↘

Books Recommended

1. Jurisprudence - Dias, R.W.M.
2. The Nature & Sources of Law -- Grey, J.C.
3. A Text-Book of Jurisprudence -- Poton, G.W.
4. Legal System and Lawyers Reasonings - Stone, J.
5. Social Dimensions of Law & Justice - Stone, J.
6. Law in the making - Allen C.K.
7. Legal Theory - Friedmann, W.
8. Introduction to Jurisprudence - Lloyd, Denis.
9. The Morality of Law - Fuller.
10. Province of Jurisprudence Determined -- Austin.
11. Law and Morals - Pound.
12. Ancient Law - Maine.
13. The Concept of Law - Hart, H.L.A.
14. Marx and Justice - Upendra Baxi.
15. Essays on Indian Jurisprudence - Sharma, G.S.

Paper – II

JUDICIAL PROCESS

1. Nature and Concept of Judicial Process.
2. Judicial Process and application of the law of Precedent in India.
3. Judicial Contribution in bringing Social Change.
4. Dimensions of Writ Jurisdiction remedies through Writs Jurisdiction.
5. Bail Jurisprudence in Indian Criminal Justice Process.
6. Critical Appraisal of Appeal Jurisdiction in Civil Justice.
7. Relation between Law and Justice.
8. Judicial Activism, creativity and Accountability.

Books Recommended

1. Casdoy : Nature of Judicial Process
2. Henry J. Abraham : The Judicial Process
3. Friedmann : Legal Theory
4. Dennis Lloyd : Jurisprudence
5. S.D. Sharma : Administration of Justice in Ancient India
6. S.P. Sathe : Administrative Law
7. Edward Mc. Whinny : Judicial Review
8. U. Baxi : The Indian Supreme Court and Pol?
9. Rajeev Dhavan : The Supreme Court of India
10. D.D. Basu : Limited Government and Judicial Review
11. C.K. Allen : Law in the making
12. Friedmann : Law in a changing Society
13. D.D. Basu : The Commentaries of Constitution of India
14. J.N. Pandey : Constitutional Law of India.
15. Ratan Lal & Dhiraj Lal : Criminal Procedure Code
16. Mulla : Civil Procedure Code.

TRENDS IN INDIAN CONSTITUTIONAL LAW

1. Preamble - its importance
2. Protective discrimination : From Quantum test to creamy layer doctrine the march from Balaji to Indira Sehani and after
3. Freedom of Speech and expression
4. New Dimension of right to life : Maneka Gandhi and onwards.
5. Reading Directive Principles into Fundamental Rights.
6. Basic Structure Doctrine.
7. Emergency
8. Amendment of Constitution of India.

Books Recommended

1. D. Basu : Shorter Constitution of India
2. S.M. Seervi : Constitution of India
3. V.M. Shukla : Constitutional Law of India
4. M.P. Jain : Constitutional Law of India.
5. S.K. Verma : Fifty years of Supreme Court of India, I.L.I. Publication.
6. D.D. Basu : Introduction to the Constitution of India.
7. Constitutional Rights and Limitations - R.L. Chaudhuri?
8. Preamble of the Constitution of India - Chaturvedi & Chaturvedi
9. Constitutional Rights of Prisoners - Naresh Kumar
10. Directive Principles of State Policy in the Indian Constitution - K.C. Markandan.

Paper – IV

LEGAL EDUCATION AND RESEARCH METHODOLOGY

PART – I LEGAL EDUCATION

1. OBJECTIVES

Objectives of Legal Education and Systematic Instructional Design.

2. DEVELOPMENT

Present Status of Legal Education in India with reference to existing system & curriculum; Development of Legal Education in India;

Prospects of Legal Education – Role of Bar Council of India.

3. PEDAGOGY OF LAW TEACHING

Clinical Legal Education: Concept and Concern

Clinical Method of Law Teaching.

Case Method/Adversary Method of Law Teaching -- Case law Technique.

Lecture Method of Law Teaching – Advantages and Disadvantages.

4. LAW EXAMINATIONS

Measurement, Assessment and Evaluation of Law Examination - Problems and perspectives. Examination Reform of LL.B & LL.M. courses.

PART – II.

RESEARCH METHODOLOGY

1. RESEARCH METHODOLOGY : AN INTRODUCTION

Meaning of Research; Objectives of Research; Criteria of Good Research; Types of Research -- Doctrinal and non doctrinal; Applied research; empirical research; Descriptive and analytical research. Quantitative and Qualitative research.

2. IDENTIFICATION OF RESEARCH PROBLEM AND PREPARATION OF RESEARCH DESIGN

What is a research Problem? Necessity of defining the research Problem; Technique of selecting and defining a Problem; Illustrations in the area of legal research; Research on Crime; Criminals and Victims; Meaning – need for Research Design; Features of a Good research design – Important concepts relating to developing a Research Design or plan. Concepts concerning Hypothesis and procedure of Hypothesis testing.

### 3. SAMPLING DESIGN AND FUNDAMENTALS

Steps in Sampling Design; Criteria for Selecting a Sampling Procedure; Characteristics of a Good Sample Design; Fundamental Definitions relating to Samplings; Random Sampling Design Determination of Sample size.

### 4. METHODS AND ANALYSIS OF DATA COLLECTION

Primary and Secondary Data; Collection of Primary and Secondary Data: various methods – Data collection through Questionnaire and interview schedule; Processing of data and; Types of analysis; statistics in Research; Evaluation and presentation of Research Findings; Editing the final draft

### Books Recommended

1. N.R. MADHAVA MENON : Clinical Legal Education
2. KAUL AND AHUJA (Ed) Legal Education in India in 21<sup>st</sup> Century.
3. P.L. MEHTA and SUSHIMA GUPTA : Legal Education and Profession in India.
4. GLANVILLE WILLIAMS : Learning the Law
5. S.K. VERMA AND M. AFZAL WANI : Legal Research And Methodology, L.L.I Publication.
6. DR. S.R. MYNINI : Research Methodology.
7. TIWARI : Research Methodology
8. VICTOR TWINKEL : Legal Research
9. DAVID STOTT : Legal Research
10. C.R. KOTIARI : Research Methodology

PAPER V

LAW AND SOCIETY IN INDIA

Chapter I - Law and Social Change in Jurisprudential Perspective

- (a) Function of Law in contemporary society
- (b) The changing role of law in Interdependent Society
- ~~(c) The Interplay of State action and Public Opinion.~~
- ~~(d) Democracy and Legal change~~

Chapter II - Social change and Interpretation of Constitution

- ~~(a) Right to Property, →~~
- (b) Right of Development →
- ~~(c) Right of Privacy~~
- (d) Rights of subordinated people →
- ~~(e) Right to Information~~
- ~~(f) PIL -~~

Chapter III - Social change & family Law

- (a) The Role of family in changing society →
- (b) The changing concept of Family Ideology
- ~~(c) The changing concept of Family Property~~
- ~~(d) Equality of sexes and control of Infanticide and Feticide~~

Chapter IV - Social change and Labour Law

- ~~(a) Role of Law in organized and unorganized labour~~
- (b) Equality and Employment Laws

Chapter V - Social change and Crime

- (a) Social values and change of criminal law in Post Independent India with special reference to - (i) Women (ii) Children
- (b) Social conflicts and Indian Legislation on Socio-economic offences.
- ~~(c) Economic Crimes and Legal Reform~~
- ~~(d) Human Rights and Administration of Criminal Justice~~

~~Chapter VI - Tort, Insurance and Social Responsibility~~

- (a) Judicial widening of Tort Responsibility
- (b) The shift of Liability from Tort to Insurance
- (c) Some Reform Proposals

~~Chapter VII - The changing function of contract~~

- Social causes of Transformation of contract with Special Reference to Standardization, Collective Bargaining Consumerism.

4 Chapter VIII – The Growth of Administrative Function and Law Reform in India  
Administrative Remedies in Democratic Countries.  
Public Power and Individual, Ombudsman Remedy

BOOKS RECOMMENDED

- 1)- Social Dimensions of Law and Justice : by Julius Stone – Delhi – Universal Law Publishing House.
- 2)- Law, Justice and Social Change : by D. R. Saxena – N.Delhi – Deep and Deep 1996
- 3)- Law in a Changing Society : by W. Friedmann – 2<sup>nd</sup> ed- Delhi Universal Book Traders.
- 4)- Law Society and Collective Conciousness : V.R. Krishna Iyer – Calcutta. Allied Publishers – 1982.
- 5)- Distributive Justice under Indian Constitution with reference to right to Property and Equality : by S. K. Sharma
- 6)- Law and Society in Modern India : Marc Galanter – Delhi
- 7)- Administrative Law : by D.D. Basu – 5<sup>th</sup> ed – Kamal Law House 1998
- 8)- Ombudsman (Lokpal) : Redress of citizen's grievances in India /D.R. Saxena . New Delhi, Deep & Deep
- 9)- Public Interest Litigation : P.M.Bakshi – Ashoka Law House 1999
- 10)- Law Relating to custodial death and Human Rights /R. S. Verma I.B.S.Thakchen – Delhi Verma Publications 1998.
- 11)- Human Rights and Social Justice : Gokulesh Sharma – New Delhi , Deep & deep 1997.
- 12)- Right to Property – A Constitutional Right / by T. D. Mudliar
- 13)- Freedom of Informations – V. R. Krishna Iyer – Eastern Book – Lucknow.
- 14)- Women Law and Social Change : by Shamsuddin Shams – New Delhi
- 15)- Crime Against Women and Protective Laws : Shobha Saxena – New Delhi – Deep & Deep 1999.
- 16)- Children and Legal Protection : Paras Diwan-New Delhi- Deep & Deep.
- 17)- Privacy and Press Freedom : Raymond Wacks – London Blacstone
- 18)- Law and Changing Society : L.41 ed. By Manju Saxena – Manish Chandra – New Delhi – Deep & Deep 1999
- 19)- Fifty Years of the Supreme Court of India grasp and reach ed. By S. K. Verma Oxford
- 20)- Winfield - Tort

PAPER VI  
PRACTICAL PAPER

**1. Research Methodology**

**(i) Doctrinal Research ( 25 marks)**

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5 – 7 days can be set apart for carrying out this assignment in the library. The materials indicated or collected during the assignment shall be evaluated by a group of faculty members.

**(ii) Non-doctrinal research ( 25 marks )**

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social , economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed by a team of faculty members.

**2. Clinical work (25 marks )**

The modalities can be evolved by the Departmental Committee. One method is that the legal aid clinic of the Department can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organization, tackling of labour disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual work turned out by him shall be assessed by the faculty.

**3. Law Teaching ( 25 marks )**

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes. Where LL.B. programme co-exists with LL.M. programme, the students may be asked to teach the LL.B. students. They can select any of the methods of teaching.

U.M PART - II

GROUP - A

BUSINESS LAW

PAPER - I

CORPORATE LAW

1. Nature of Corporate Personality and lifting of corporate veil.
2. Registration, Incorporation and formation of a company liability of promoters and pre-incorporation contracts, prospectus liability for misstatement in prospectus.
3. Memorandum of Association, Doctrine of Ultra vires, Articles of Association and doctrine of Indoor Management.
4. Shares, share holders and members, share capital and debentures.
5. Directors – their qualifications and disqualifications, positions, powers and their duties.
6. Company Meetings, Reconstruction and Amalgamation of Companies.
7. Winding up – voluntary winding up, winding up under court's order and voluntary winding up under court's supervision. Power and duties of the liquidator in winding up of companies.
8. Securities & Exchange Board of India Act, 1992 and securities contracts (Regulation) Act, 1956. ✓

BOOKS RECOMMENDED :

1. Principles of Modern Company Law – Gower, L.C.B.
2. Company Law – Palmer
3. Lecture on Company Law – Shah, S.M.
4. Indian Companies Act – Sethna
5. Company Law – Ramaiya
6. Company Law – Avtar Singh
7. Company Law – Pennington.

## PAPER - II

### LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY

1. ✓ Trademarks and Consumer Protection,
2. The Legal regime of unfair trade practices and of Intellectual / Industrial Property.
3. Special problems of the status of computer software in copyright and designs Law : A Comparative Study.
4. ✓ Bio-Technology Patents.
5. ✓ Patents Search, examination and records.
6. Special Problems of proof of Infringement.
7. Intellectual Property and Human Right. ✓
8. Industrial Designs.

### BOOKS RECOMMENDED :

1. K. Roy Chowdhury & Saha Roy – Intellectual Property Law.
2. Narayanan – Intellectual Property Law.
3. Wadethra , B.L. – Law Relating to patents, Trade Marks, Copyright & Designs.
4. Cornish W.R. (ed) : Cases and Materials on Intellectual Property.
5. Cornish W.R. (ed) : Cases and materials on – Intellectual Property : Patents, Copyright, Trade marks and Allied Rights.
6. David I. Bainbridge : Cases and Materials in Intellectual Property Law.
7. Merges, Robert P. : Intellectual Property in the new Technological Age.
8. Prabuddha Ganguli : Garing up for Patents – the Indian Scenario.
9. Watal, Jayashree : Intellectual Property Rights in the WTO and Developing Countries.

PAPER - III

BANKING LAW

- ✓ 1. The Nature and Development of Banking.
2. Law Relating to Banking Companies in India. (Banking)
- ✓ 3. Law Relating to Negotiable Instruments.
4. Lending by Banks ✗
- ✓ 5. Central Banks : The Reserve Bank of India and the State Bank of India.
6. (Foreign Exchange Control) and Banking for Non-resident Indians. ✗
7. Development Banking ✗
- ✓ 8. Reforms in Indian Banking Law.

SELECT BIBLIOGRAPHY

- E.L.Gupta, Finance & Economic Growth in Developing Countries (1984).
- R. Ambedkar, History of Indian Currency and Banking, Bombay (1947).
- Naba Gopal Das, Banking and Industrial Finance in India (1936).
- C. Gupta, Changing Structure of Industrial Finance in India (1969).
- V. Khan, Indian Financial System : Theory and Practice (1980).
- S.K.Basu, Review of Current Banking Theory and Practice 1971.
- Schrab R. Davar, Law and Practice of banking (4<sup>th</sup> ed. 1976).
- S.N.Ghoshal and M.D. Sharma, Economic Growth and Commercial Banking in Developing Economy (India as a case study ), (1965).
- Bimal C. Ghose, Introduction to Banking Principles Practice and Law (3<sup>rd</sup> ed. 1954).
- K.C.Shekhar, Banking Theory and Practice (1<sup>st</sup> Rev. ed. 1976).
- L.M.shingvi, Bank Nationalisation and the Supreme Court Judgement, (1971).
- S.P.M. Sundharam, Modern Banking with special reference to India ( 3<sup>rd</sup> ed. 1973).
- S.N.Maheswari, Banking Law and Practice (3<sup>rd</sup> Rev. ed. 1983).
- Report on Development Banking in India (1982).
- P.Goyal, Financial, Institutions and Economic Growth of India 1979.
- Industrial Development Bank in India, Development Banking in India (1984).
- M.R.Tokhi and D. P. Sharam, Rural banking in India (1975).

PAPER - IV

INSURANCE LAW

1. General principles of Law of Insurance.
2. Indian Insurance Law : General.
3. Life Insurance .
4. Marine Insurance.
5. Insurance against accidents.
6. Property Insurance.
7. Insurance against Third party risks.
8. Social Insurance in India.

SELECT BIBLIOGRAPHY

- R.S. Sharma : Insurance Principles and Practice 1949.
- E.J. Macaillivray and Denis Browxe, Insurance Law Relating to all risks other than Marine ( 2<sup>nd</sup> ed. 1937).
- Villiam O. Winter, Marine Insurance its Principles and Practice (3<sup>rd</sup> ed. 1952 ).
- Fredrick Templeman and C.T.Krenacre : Marine Insurance , its Principles and Practice (4<sup>th</sup> ed. 1934).
- Rebert I. Mehr, Life Insurance : Theory and Practice (Rev. ed. 1977).
- International Labour Office, Administration Practice of Social Insurance 1985.
- International Labour Organisation, Introduction to Social Security (1984).
- E.R. Hardy Ivamy, General Principles of Insurance Law ( 1<sup>th</sup> ed. 1979).
- K.S.N. Murthy, Modern Law of Insurance in India (1978).

GROUP - B  
CONSTITUTIONAL AND ADMINISTRATIVE LAW  
PAPER - I  
CONSTITUTION OF INDIA

1. Essential Features of Indian Constitution
2. Fundamental Rights and Duties
3. Judiciary under the Constitution of India
4. Parliament and State Legislature
5. President and Prime Minister and Governor
6. Role of Public Interest Litigation
7. Writ Jurisdiction
8. Working of Indian Constitution – Issues and perspective.

BOOKS RECOMMENDED :

1. Constitutional Law of India (Relevant Chapters) by M.P.Jain
2. Constitutional Law of India (Relevant Chapters) by H.M.Seervai
3. V.N.Shukla's Constitution of India (Relevant chapters) Revised by Prof. M.P.Singh
4. Commentaries on the Constitution of India (Relevant chapters) by D.D.Basu
5. Fundamental Rights in India by A. Gledhill
6. Constitutional Rights and Limitations by R.L.Chaudhury
7. The Concept of Secularism in Indian Constitution by R.L.Chaudhury
8. Role of Supreme Court in Indian Constitution by M.P.Dube
9. Communalism and Constitution by Anirvan Kashyap
10. The Indian Parliament and Fundamental Rights by P.B. Gajendragadkar
11. Amendment of Fundamental Rights in India by S.P. Sathe
12. Constitutional Problems of Federal India by K.N.Haskar & K.M. Panikkar
13. Constitutional Rights and Limitations by R.L.Chaudhury
14. Does India need a New Constitution? by B. L. Hansana
15. Role of Supreme Court in India by M.P.Dube
16. Directive Principles of the State Policy in India by K.C. Markandan
17. Constitution of India and Amendment Acts by S.M.Mehta

PAPER - II  
HUMAN RIGHTS AND CONSTITUTION OF INDIA

1. Concept and Development of Human Rights and the Constitution of India.
2. Civil and Political Rights under Indian Constitution.
3. Economic, Social and Cultural Rights under Indian Constitution.
4. Right to Development.
5. Special Protection of Marginalised groups – Women, Children, Minorities and Refugees.
6. Special Protection for Minorities, SC and ST under Indian Constitution.
7. Implementation of Human rights in India, Role of Indian Judiciary, National and State Human Rights Commission.

BOOKS RECOMMENDED :

1. Human Right under the Indian Constitution :  
The Philosophy and Judicial Gerrymandesing by P.L.Mehta – New Delhi, Deer & Deep.
2. Human Rights and the Law – Universal and Indian by Paras Divan.
3. Judgment on Minority Rights - Supreme Court of India and High Court by  
Vallanattam Mami Jacob..
4. Human Rights and Refugees – Problems, Laws and Practices, by Manik Chakraborty.  
Deep and Deep.
5. Global Source Book on Human Rights by P.C.Sinha, New Delhi.
6. Human Rights in developing society by S. Sen – New Delhi.
7. The Dialectics & Dynamics of Human Rights in India – Yesterday, To-day and  
to-morrow – by V.R. Krishna Iyer – Calcutta Eastern Law House.
8. Women and Human Rights by S.K.Pachauri – New Delhi A.P.M. Publishing
9. Women, Social Justice and Human Rights by V.V. Denasia, Leelamma Devasia.
10. Women and the Human Rights by S.K.Khanna – Commonwealth Publisher.
11. Constitutional Safeguards for weaker sections and the minorities in India by Pathak  
Bindeohwae – B.N. Srivastava – New Delhi.
12. Children and Human Rights – By S.K.Pachauri – New Delhi.

13. Tribals and the Law Problems , perspectives and rights of aboriginals – by D.R.Saxena – New Delhi
14. Public Interest Litigation and human rights in India – by Madhusudan Saharay.
15. Human Rights and Inhuman Wrongs – Iyer , V.R.Krishna.
16. Text Book of Human rights by Jayant Choudhuri.
17. Democracy, Human rights and rule of Law essays in honour of Nani Palkhiwala by Venkat Iyer – New Delhi – Butterworths.
18. Civil Liberties – Cases and Materials. by S.M.Bailey, D. M. Manis, B.L. Jones, - London – Butterworths.

### PAPER - III

#### CONSTITUTIONAL LAW OF CANADA, U.K., AND U.S.A.

1. Concept of Federalism : Nature and Pre-requisites of a Federation, Salient features of Federal Constitution.
2. Salient Characteristics of the Constitution of the U.K. , the U.S.A. and Canada ; the doctrine of separation of powers, Rule of Law.
3. The scheme of distribution of the powers and its working under the constitution of the U.S.A. and Canada.
4. The role of judiciary in the U.S.A., Canada and England to protect basic rights of citizens.
5. The Executive powers of the Crown in the U.K. , the President in the U.S.A. and the Governor General in Canada.
6. Role of Union and units in amending the Constitution of Canada and the U.S.A.
7. Location of Warpower : impact of its exercise on Federalism in Canada and the U.S.A. ; Martial Law in the U.K.

## BOOKS RECOMMENDED

1. An Introduction to the study of the law of the Constitution by A.V. Dicey
2. Law and the Constitution by Jenning.
3. Cases in Constitutional Law by Keir and Lawson.
4. Constitutional Law by S. A. DeSmith.
5. Comparative Constitutional Law by Mahindra P. Singh.
6. World Constitution by Vishno Bhagwan and Vidya Bhushan.
7. Constitutional & Administrative Law by Stanley De Smith and Rodney Brazier.
8. Constitution of U.S.A. by Wills.
9. Constitutional Law of the United States by W. W. Willoughby.
10. An Introduction to the Legal System of the United States by E. Allan Fransworth.
11. The American Constitution by Alfred H. Kelly, Winfred A. Harbison and Herman Belz.
12. The American Constitution by B. Swartz.
13. The American Constitution by Mason and Beary.
14. From Marshall to Mukherjee by W. O'Douglas.
15. The Supreme Court and the American Democracy by John Agnesto.
16. The Supreme Court State Craft by Wallace Mendelson.
17. Constitution of Canada by A.H.F. Lefroy.
18. The Government of Canada by Dawson.
19. Federal Government by K.C. Whare.
20. Constitution of Canada by B. Laskin.
21. Constitution of Canada by Kennedy.

PAPER IV  
ADMINISTRATIVE LAW IN INDIA

1. Origin, history and development ; definition, scope and general rule, characteristics of Administrative Law in India.
2. Administrative agencies ; Rule of Law; Doctrine of separation of powers.
3. Delegated Legislation and its constitutionality; Parliamentary procedure and judicial control of delegated legislation.
4. Administrative Actions.
5. Natural Justice ; the extent of its application, possible restrictions ; Exclusion of judicial review.
6. Judicial control of Administrative action through Writs.
7. Tribunals.
8. Public Corporation.

BOOKS RECOMMENDED

1. Judicial control of administrative Action in India – A study in methods by A.T. Markose.
2. The Indian Administrative Law by M.C. Kagzi.
3. Administrative Law in India by S.P.Sathe.
4. Administrative Law in India by V.G.Ramchandran.
5. Administrative Law in India by Jain & Jain.
6. Delegated Legislation in India by Indian Law – Institute Publication.
7. Judicial Review of Administrative Action by S.A. DeSmith.
8. Administrative Law by R. Dayal.
9. Administrative Law by D.D. Basu.
10. Treatise on Administrative Law by M.P.Jian.
11. Commentary on the Administrative Tribunals Act, 1985 by M. Rama Jois.
12. Administrative Tribunal Act by K.N. Goyal.

GROUP - C

TORT AND CRIME

PAPER - I

TORT LAW

1. Nature and Definition of Tort.
2. General Principles of Tortious Liability.
3. General Defences to an action of Tort.
4. Vicarious Liability.
5. Specific Torts – Negligence, Nuisance, Defamation.
6. Absolute Liability, emerging trends in India.
7. Consumer Protection – Evolution of Consumer Rights and Redressal of Consumer Grievances.
8. Substitution of Law of Torts by Law of Insurance.

BOOKS RECOMMENDED

- |                         |   |               |
|-------------------------|---|---------------|
| 1. Salmond              | : | Law of Torts. |
| 2. Dias                 | : | Tort Law      |
| 3. Winfield             | : | Law of Tort.  |
| 4. Street               | : | Law of Tort.  |
| 5. Ratanlal & Dhirajlal | : | Law of Torts. |
| 6. Bangia               | : | Law of Torts. |
| 7. Desai                | : | Law of Torts. |

PAPER - II  
CRIMINOLOGY

1. INTRODUCTORY

Notions of Crime and Deviance ;

2. THEORIES OF CRIMINALITY

Bio-Anthropological Theories – Lombroso and other – Influences of physical factors and genetics on criminality ; Psychological theories of crime causation ; Sociological theories;

3. CRITICAL CRIMINOLOGY

Value of Comparative Criminology; Criminological Critique of Penal Reform ; Radical Criminology—

4. CONFLICT CRIMINOLOGY

Crime , Poverty and economic Inequality; Marxist Criminology – Bonger and others.

5. ORGANIZED CRIME

Characteristics ; Economic, syndicated and Political Crime; Organised transnational crime ; Organised crime in India.

6. DEVELOPMENT AND DEVIATIONS

Development without disorder – Cyber Crime & Computer Crime.

7. WHITE COLLAR CRIME

Nature and definitions; Growth of white collar criminality; Anti-white Collar Crime Legislation – Problem of enforcement ; Judicial Attitude; Explanation – Differential Association of Sutherland; White Collar Crimes in India.

8. CRITICAL VICTIMOLOGY

Perspectives on Victimology, Key concepts in Victimology; Victims and the Criminal Justice Process;

BOOKS RECOMMENDED

1. Vold & Bernard : *Theoretical Criminology*.
2. Mannle and Hisschel – *Fundamentals of Criminology*.
3. Ahmed Siddique - *Criminology Problems and Perspectives*.
4. Reid - *Crime and Criminology*.

5. R.I. Mowby & S. Walklate - *Critical Victimology*.
6. Sandra Walklate - *Victimology*.
7. K.S. Shukla (Ed.) - *The Other Side of Development*.
8. Berlow : *Introduction to Criminology*.
9. Katherine and Williams - *Text Book on Criminology*.
10. Vetter & Silverman - *Criminology and Crime*.
11. Renevan Swamingen - *Critical Criminology*.
12. Thoman & Hexburn - *Crime, Criminal Law and Criminology*.
13. G.S. Bajpai - *Development without Disorder*.
14. Sutherland & Cressey - *Criminology*.
15. Burner & Titters - *Criminology*.
16. W. P. Tappan - *White Collar Crime*.

PAPER - III

PENOLOGY

I. INTRODUCTORY

Penology – A Correctional Science? Different Theories of Correction; Distinction between Crime Prevention and Control ;

II. THEORIES OF PUNISHMENT

Retributive; Utilitarian; Deterrent ; Reformative & Rehabilitative; Preventive.

III. SENTENCING

Sentencing Process – discretion – Principal types of sentences under Penal Code and Special Laws – Pre-sentence Hearing – Sentencing of Habitual Offenders.

IV. THERAPEUTIC APPROACH – PRISON REFORM

The State of India's Jails to-day; Rights of Prisoners and Duties of Custodian Staff; Prison as Institution of Correction – Parol; Open Prison; Problem of undertrial prisoners; Agenda of Prison Reforms.

*Ranajapa*

## V. PROBATION SYSTEM

Efficiency Dimension of Probation as alternatives to imprisonment; Role of various agencies implementing Probation of Offenders Act 1958; A critical appraisal of the Probation Services in India.

## VI. JUVENILE JUSTICE

Delinquent Juvenile and Neglected Juvenile ; Problem of Children in India – Crimes by and against children ; Determining Factors of Juvenile Delinquency – Differential Association, Anomic, Economic pressure, Peer group influence, Gang sub-culture; Legislation in India – The Juvenile Justice (Care and Protection of Children) Act 2000 and its implementation process.

## VII. ADMINISTRATION OF CRIMINAL JUSTICE

Salient Judicial Decisions concerning criminal justice administration in India; Constitutional aspects of CJS ; International Co-operation in Criminal Justice Administration in perspective of transnational crime.

## VIII. SOCIAL DEFENCE

Criminal Justice System and Social Defence ; Planning for Social Defence ; Classification, Diagnosis and Treatment of children in various Children Homes ; Police and Social Defence ; Problems and Programmes of Treatment of Drug Addicts ; Rehabilitation of victims of Immoral Traffic ; Beggar Problems in India – Social Control; Social attitude to Social Defence.

## BOOKS RECOMMENDED :

(In addition to Books prescribed in Criminology )

1. Ahmed Siddique : *Criminology.*
2. N.K.Chakrabarti : *Administration of Criminal Justice The Correctional Services (Vol - II to V).*
3. N.K.Chakrabarti : *Probation System in the Administration of Criminal Justice.*
4. Reid : *Crime and Criminology*
5. S.K. Bhattacharyya : *Social Defence.*
6. Abadinsky : *Probation and Parole.*
7. Paranjape : *Criminology and Penology.*
8. P.N.Scen : *Penology - Old and New.*

LL.M. PART II

PAPER - IV

PRINCIPLES OF CRIMINAL LAW

1. Origin and development of criminal Law – Key Concepts – Meaning, nature, essentials and stages of crime.
2. Principles of General exemption from Criminal Liability.
3. Punishment in Indian Penal Code and its application by the Supreme Court of India.
4. Offences against State.
5. Constructive Liability and Criminal Conspiracy.
6. Administration of Criminal Justice – Principles behind Penal Reform.
7. Offences against the Property and Human body.
8. Offences against women.

SUGGESTED READINGS :

- 1) H.S. Gour : *Penal Law of India.*
- 2) G. Williams : *Criminal Law.*
- 3) Thomas and Hepburn - *Crime, Criminal Law and Criminology.*
- 4) Rohinton Melita - *Crime and Criminology.*
- 5) Essays on Indian Penal Code - *Indian Law Institute Publication.*
- 6) Stephen : *History of Criminal Law.*
- 7) Harris : *Principles and Practice of Criminal Law.*
- 8) Ratanlal and Dhirajlal : *Law of crimes.*
- 9) R. Pillai : *Indian Penal Code.*
- 10) K. D. Gaur : *Criminal Law - Cases and Materials.*

LL.M. PART II

GROUP D  
INTERNATIONAL LAW  
PAPER - I

LAW OF INTERNATIONAL ORGANISATIONS

Syllabus

1. Development of the concept of international organization.
2. The United Nations : structure, membership, privileges and immunities, legal personality.
3. Organisations of the UN system : United Nations Secretariat, programmes & funds, specialized agencies.
4. International peace and security.
5. Economic and social development .
6. Judicial institutions .
7. Role of International Organisations in developing International Law.

SELECT BIBLIOGRAPHY

- D.W. Bowett, *Law of International Organisations* (1<sup>st</sup> ed. 1963 (1982)).  
Ingrid Detter, *Law Making by the International Organisations* 1965.  
Stephen S. Goodspeed, *Nature and Function of International Organisation*. (2<sup>nd</sup> ed. 1967).  
Wilfred Jenks, *The Proper Law of International Organisations* 1962.  
E.P. Walters, *History of League of Nations* 1965  
D. W. Bowett, *United Nations Forces : A Legal Study* (1969).  
Leland M. Goodrich, *Charter of the United Nations* (3<sup>rd</sup> ed. 1969)  
Leland M. Goodrich, *United Nations in a Changing World* (1974).  
Rosalyn Higgins, *Development of International Law through Political Organs of the United Nations* (1963).  
Hans Kelson, *Law of the United Nations* (1954).  
Rahamatullah Khan, *Implied Powers of the United Nations* (1970).  
Edward Mcwhinney, *United Nations Law Making* (1984).  
M.S. Rajan, *United Nations and Domestic Jurisdiction* (2<sup>nd</sup> ed. 1961).

PAPER II

INTERNATIONAL LAW OF THE SEA

Syllabus

1. History & sources of the Law of the Sea.
2. Maritime Zones & Jurisdiction of coastal State, including baselines, territorial sea & innocent passage, straits, archipelagos, continental shelf, fishery zone, exclusive economic zone, internal waters.
3. High Seas : definition, legal status. Freedom, jurisdiction on the high seas, conservation & management of living resources of the high seas.
4. Deep Sea Bed : system of exploration and exploitation .
5. Landlocked and geographically disadvantaged area .
6. Protection and preservation of marine environment .
7. Marine scientific research .
8. Settlement of disputes .

SELECT BIBLIOGRAPHY

- R.P. Anand, *Law of the Sea ; Caracas and Beyond* (1978).
- D.W. Bowett, *Law of the Sea*.
- John Columbus, *International Law of the Sea* ( 1962).
- D. P. P'Connel, *International Law of the Sea, Vols. I & II* (1982).
- Harris International thro' Cases (1987).

PAPER III

INTERNATIONAL HUMANITARIAN LAW

Syllabus

1. Historical, social, ethical – formative factors .
2. The law of armed conflict and humanitarian law .
3. The United Nations and Humanitarian Law including International tribunals, International Criminal Court, Humanitarian action .
4. International protection of minorities, refugees .
5. Prohibition of slavery or slavery-like-practices, slave traffic and forced labour .
6. Implementation of right to self-determination .

SELECT BIBLIOGRAPHY

- C. Hosoya, N. Ando, Y. Onuma, R. Minear, *The Tokyo War Crimes Trial* (1986)
- G. Tunkin, *Theory of International Law* (1974).
- G. Schwarzenberger, *The Law of Armed Conflicts* (Vol. II).
- J. Stone, *Legal Controls of International Conflicts* (1959).
- R. Falk, 'The Shimoda Case' 69 *Am. J. Int. Law* (1965).
- T. Taylor, *Nuremburg and Vietnam : An American Tragedy* (1971).

PAPER IV

PRIVATE INTERNATIONAL LAW

Syllabus

1. Definition, nature and scope of Private International Law.
2. General Principles & Theory : classification, the incidental question, the time factor, renvoi, exclusion of foreign law, recognition & enforcement of foreign judgments, domicile & residence.
3. Family Law : marriage, matrimonial causes, children, legitimacy, legitimation & adoption.
4. Law of property : movables and immovable.
5. The Law of obligations : contracts, negotiable instruments, torts.

BOOKS RECOMMENDED :

1. Cheshire, G. C. - *Private International Law*
2. Dicey, A. V. - *Conflict of Laws*.
3. Foote - *A concise Treaties on Private International Law*.
4. Graveson - *Conflict of Laws*.
5. Morris - *Cases on Private International Law*.
6. Westlake - *A Treaties on Private International Law*.
7. Wolfe - *Private International Law*.
8. Schmitthoff - *Conflict of Laws*.