

# BERHAMPUR UNIVERSITY

Syllabus  
for

Master of Laws (LL.M)  
(2 Year Programme)



Department of Law  
Berhampur University  
Berhampur -760007(Odisha)

2023

# **Course Curriculum & Syllabi-2020**

## **P.G. DEPARTMENT OF LAW, BERHAMPUR UNIVERSITY**

### **Introduction**

#### **About the P.G. Department of Law-**

The Post Graduate Department of Law, Berhampur University was commenced in the year 1985. Research oriented intensive full time LL.M. studies is the focus of the Department. The distinction in LL.M studies lies in its fundamental characteristics of being a full time research oriented Post Graduate course compared to other branches of P.G. studies in India. The course curriculum is prepared in tune with the UGC Model Curriculum (CBCT Pattern) and revised from time to time in accordance with indigenous requirements including student interest and market needs. Since its inception, the Department has expanded appreciably in terms of research activities and specialized course structure. The P.G. Department of Law has been imparting Master Degree in Law with specialization in Business Law, Human Rights Law and Administrative Law. Apart from Master of Laws , P.G. Department of Law offers Ph.D and LL.D programmes.

Besides, the Department has successfully conducted different certificate and diploma courses viz. (i) UGC sponsored certificate course on Human Rights and Duties Education (ii) UGC sponsored P.G. Diploma Human Rights and Duties Education (iii) P.G. Diploma in Disaster Management. The P.G. Department of Law has attained an esteemed position with continuous effort taken for providing quality based legal education and research. Further, the Department has organized various National Seminars and legal awareness programmes to inculcate the knowledge of law among students, academia and common masses. The Legal Aid Clinic of the Department established under the aegis of District Legal Services Authority, Ganjam, Berhampur caters the needs of the people of the vicinity in terms of legal assistance and advice. The Department has brought many laurels in the past years. The students and researchers of the Department are well placed in corporate sector academics, judiciary, civil services and other Government services.

#### **Facilities in P.G. Department of Law:**

The P.G. Department of Law has a Computer Lab for the use of the Students and Researchers. The R.P. Padhi Library has a good stock of reference books and text books on various subjects of Law. Further, the library provides subscribed e resources like ProQuest, J-Gate data base, Oxford University Journals , Cambridge University Journals etc. Apart from these, students and researchers can access various Online Educational Resources (OER) by using University's internet service.

## **About the Syllabus-**

The syllabus is designed on Choice Based Credit system in accordance with the guidelines provided by the University Grants Commission and the Curriculum Development Centre of U.G.C. It is aimed to develop the legal acumen in-abreast with contemporary legal development and train the LL.M. students for future research.

Master of Laws (LL.M.) course is a fulltime two-academic years programme with four semesters. The first semester shall cover the period from June to December and Second semester from January to May in the first academic session. The Third semester shall commence from June to December and Fourth Semester from January to May in the second academic session.

The uniform nature of credits specified for the LL.M. programme describes the equitable weightages of various courses of the programme. The number of credits along with grade points that a student satisfactorily completed, measures the performance of the student. Satisfactory progress and completion of course is subject to a students maintaining of a minimum cumulative Grade Point Average (CGPA), as well as minimum grades in different subjects of the programme.

A full time two-academic year's programme with four semesters, LL.M. course shall comprise core course including Dissertation and core elective courses.

### **General Course Framework and Structure-**

- Total Number of Semesters – 04
- Total Papers of all Semester –20 (with one specialization Group and Dissertation )
- Total marks per paper - 100 marks.
- Each paper comprise of -04 credits
- Total no. of credit- 80 credits
- Core Courses are mandatory.
- Core Electives in each semester are meant for specialization and Department intends to offer specialization in Business Law and Human Rights Law. The students are required to opt any one specialization group and continue the same till third semester.
- However, offering of specialization is subject to availability of teachers and their respective specializations. The decision of staff council in this regard shall be final and binding upon the students. In case only one Regular Faculty member or no Regular Faculty Member exists, the decision of the Coordinator/Head of the Department shall be final in this regard.
- Any one Choice Based Credit Transfer (CBCT) can be chosen by Interdepartmental candidates.
- Each of the theory paper shall have mid-semester examination carrying 20 marks and end-semester examination of 80 marks.
- The duration of mid-semester examination is One hour for each paper and the Duration of End Semester examination for each paper shall be of Three hours.
- Passing of Mid-semester examination is mandatory for fill-up of form for the final semester.

## Programme Outcomes of LL.M Course:

The programme outcomes of LL.M Course are-

- Inculcate critical thinking to carry out legal research and teaching
- Equip the students with skills to analyze problems
- Prepare students for pursuing legal research in varied fields
- Imbibe effective scientific and/or technical communication in both oral and writing.

Semester	Core Course	Core Elective Course / Choice Based Credit Transfer Course (CBCT)/Add on Course	Total Credits	Marks
First Semester	LAWM C101- Law and Social Transformation in India  LAWM C102- Indian Constitutional Law: the New Challenges  LAWM C103 Law Relating to Women	<b>Business Law:</b> LAWM.-E104- Law of Industrial and Intellectual Property LAWM.-E105- Legal Regulation of Economic Enterprises <b>Human Rights Law :</b> LAWM.-E106- Concept and Development of Human Rights LAWM.-E107- Human Rights and International Order	4 credits for each paper =20 Credits	500 (100 Marks each Course/Paper)
Second Semester	LAWM C201-Judicial Process LAWM C202-Legal Education and Research Methodology LAWM C203- Administration of Criminal Justice	<b>Business Law:</b> LAWM.-E204- Law of Export - Import Regulation LAWM.-E205- Banking Law  <b>Human Rights Law:</b> LAWM.-E206- Protection and Enforcement of Human Rights in India LAWM.-E207- Human Rights of Disadvantaged Groups  LAWM-VAC1- Local Self – government Law (Non Credit Course)	4 credits for each paper =20 Credits	500(100 Marks each Course/Paper)
Third Semester	LAWM C301- Comparative Public Law  LAWM C302- Laws Relating to Education	<b>Business Law</b> LAWM.-E303-Insurance Law LAWM.-E304- Corporate Finance <b>Human Rights Law</b> LAWM.-E305- International Humanitarian Law LAWM.-E306- Science, Technology and Human Rights. <b>CBCT Course:</b> LAWM. CT 300 Right to Information  (Note-CBCT courses are meant for students other than LL.M students.	4 credits for each paper =20 Credits	500(100 Marks each Course/Paper)

		<p>The LL.M students shall opt one CBCT course among the CBCT courses offered by other Departments of the University)</p> <p>LAWM-VAC2- Public Authorities and Power Holders: Controls on Maladministration (Non Credit Course)</p>		
Fourth Semester	<p>LAWM C401-Media Law</p> <p>LAWM C402- Dissertation</p> <p>LAWM C403. Drug Addiction, Criminal Justice &amp; Human Rights</p> <p>LAWM C404- Health Law</p> <p>LAWMC405- Fundamentals of Administrative Law</p>	<p>Add on Course: LAWM AC406- Cultural Heritage of South Odisha (Non Credit Course)</p>	<p>4 credits for each paper =20 Credits</p>	
			<p>Total 80 Credits</p>	<p>2000</p>

Course No- LAWM C101

Course Name- Law and Social Transformation in India

Course Outcome : This course is designed to give a comprehensive idea about the Indian approaches in dealing with various social and economic problems by means of Law. Further, how law can be a tool of social change in wake of modernization is also discussed.

Unit 1 15 Hours

Law and social change, Law as an instrument of social change, Law as the product of traditions and culture, British colonial System and the introduction of common law system and institutions in India

Unit 2 15 Hours

Religion and the law, Religion as a divisive factor, Secularism as a solution to the problem, Reform of the law on secular lines: Problems, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law.

Unit 3 15 Hours Language and the law, Language as a divisive factor: formation of linguistic states, Constitutional guarantees to linguistic minorities, Language policy and the Constitution: Official language; multi-language system, Non-discrimination on the ground of language.

Unit 4 15 Hours Community and the law, Caste as a divisive factor, Non-discrimination on the ground of caste, Acceptance of caste as a factor to undo past injustices, Protective discrimination: Scheduled castes, tribes and backward classes, Reservation; Statutory Commissions., Statutory provisions.

#### Suggested Reading

1. Marc Galanter (ed.), Law and Society in Modern India (1997 ) Oxford,
2. Robert Lingat, The Classical Law of India (1998), Oxford
3. U. Baxi, The Crisis of the Indian Legal System (1982). Vikas, New Delhi.
4. U. Baxi (ed.), Law and Poverty Critical Essays (1988). Tripathi, Bombay.
5. Duncan Derret, The State, Religion and Law in India (1999). Oxford University Press, New Delhi.
6. M.P.Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay.
7. Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford
8. P. Ishwara Bhat, Law and Social Transformation, (2012) Eastern Book Company
9. K.P Malik and Raval, Law and Social Transformation in India (2019), Allahabad Law Agency

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 Course No- LAWM C102

 Course Name- Indian Constitutional Law: the New Challenges
 

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Course Outcome: The present course is designed to give an insight into the new challenges and perspectives of Indian Constitution. The ever evolving living document called Constitution has been interpreted by judiciary to meet the never ending social, economic and political problems. The study of the course shall expose them meaningful understanding of the legal system and processes.

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Unit 1 15 Hours Organs of the Government, The Executive : Constitutional status, Powers and functions of the President vis-a vis form of Government, The Legislature, Parliamentary/Legislative Privilege, Nature, Extent, Scope and Limitation on privileges, The Judiciary : Status, Power, functions and contemporary developments, Power of judicial review.

Unit 2

15 Hours

'State'-Need for widening the definition in the wake of liberalization. Right to equality: Privatization and its impact on affirmative action. Empowerment of Women, Freedom of Press and Challenges of new scientific development

Unit 3 15 Hours Federalism, Creation of new states, Allocation and share of resources - distribution of grants in aid, The inter-state disputes on resources, Rehabilitation of internally displaced persons, Centre's responsibility and internal disturbance within States, Directions of the Centre to the State under Article 356 and 365, Federal Comity : Relationship of trust and faith between Centre and State, Special status of certain States, Tribal Areas, Scheduled Areas

Unit 4

15 Hours

Emerging regime of new rights and remedies, Reading Directive Principles and Fundamental Duties into Fundamental Rights, Compensation jurisprudence, Right to education, Commercialisation of education and its impact, Brain drain by foreign education market.

#### Suggested Readings

1. Seervai, Constitutional Law of India, Fourth Edition, Universal Law Publishers
2. M P Jain, Indian Constitutional Law, 8<sup>th</sup> Edition, 2018, Lexis Nexis
3. Uday Raj Rai, Constitutional Law- I Structure, EBC, 2016 Edition
4. G. P. Tripathi, Constitutional Law-New Challenges, 2018, Central Law Publications

First Semester	Credits- 4 Credits	Core/Elective Course – Core Course
Course No- LAWM C103		Course Name- Law Relating to Women
Course Outcome: The course intends to give a deep insight into the laws relating to women in India with International inputs. It covers various aspects of laws relating to women .		

Unit-1-Position of Women in .Pre- Independent India, Social and Legal inequality, Social Reform Movements in India and women, Position of Women in Post-independence period,Preamble of the constitution, Equality provisions in Fundamental Rights and Directive Principles of State Policy, Uniform Civil Code towards Gender Justice, Participation of woman in democratic government

Unit 2. Status of Women in International Level, Protection under Civil and Political Rights, Protection under Social and Cultural rights.

Unit 3- Protection and Safeguard of Women under Personal Laws- Provisions for Marriage and Divorce, Law on Guardianship and women, Gender inequality in Inheritance Rights

Unit 4. Protection and Safeguards under Criminal Law- Offences Affecting Public Decency & Morals, Offences against human body (marital rape),Offences related to marriage &cruelty, Criminal intimidation, Reforms under The Criminal Law (Amendment) Act, 2013, 2018, Law related to Dowry Prohibition & Domestic violence, Prevention of immoral Trafficking and women, Cyber Crime and the Victimization of Women, Termination of pregnancy and related privacy concerns

#### Suggested Readings

1. Mamta Rao, Law Relating to Women and Children, EBC, 2019 edition
2. Flavia Agnes, Law and Gender Inequality: The Politics of Women's Rights in India (Law in India), Oxford University Press, 2001 Edition
3. Nuzhat Parveen Khan, Women and the Law Paperback, Universal Law Publishing, 2016 Edition



First Semester

Credits- 4 Credits

Core/Elective Course – Core Elective Course

Course No- LAWM.-E104

Course Name- Law of Industrial and Intellectual Property

Course Outcome: This course is framed to acquaint the students with the in-depth understanding of Intellectual Property Rights.

Unit 1- IPR and International Perspectives, Role of WIPO, Trademarks and Consumer Protection, UNCTAD reports

Unit 2- The Legal Regime of Unfair Trade Practices and of Intellectual Industrial Property, United Nations approaches (UNCTAD, UNCITRAL),EEC approaches, Position in U.S.A, Position in India.

Unit 3. Special Problems of the Status of Computer Software in Copyright and Patent Law: A Comparative Study, intellectual Property and Human Right, Freedom of speech and expression as the basis of the regime of intellectual property right - copyright protection on internet - WCT (WIPO Copyright Treaty, 1996), Human right of the impoverished masses intellectual property protection of new products for healthcare and food security, Traditional knowledge - protection- biodiversity convention- right of indigenous people.

Unit 4. Biotechnology Patents, Nature and types of biotechnology patents, Patent over new forms of life : TRIPS obligations, Plant patenting, Sui generis protection for plant varieties, Multinational ownership, Regulation of environment and health hazards in biotechnology patents, Indian policy and position

#### Suggested Readings

1. Terence P. Stewart (ed.), The GATT Uruguay Round: A Negotiating History (1986-1994) the EndGame (Part - 1)(1999), Kluwer
2. Iver P. Cooper, Biotechnology and Law (1998), Clerk Boardman Callaghan, New York.
3. David Bainbridge, Software Copyright Law (1999), Butterworths
4. Sookman, Computer Law (1998), Carswell
5. Carlos M. Correa(ed.), Intellectual Property and International Trade (1998), Kluwer
6. Elizabeth Verkey,Intellectual Property , EBC , 2020
7. M. K. Bhandari, Law Relating to Intellectual Property Rights, Central Law Publication 2019

First Semester	Credits- 4 Credits	Core/Elective Course – Core Elective Course
Course No- LAWM E105		Course Name- Legal Regulation of Economic Enterprises
Course Outcome: The liberalization and globalization process has a profound impact on the economy of the country. The socialistic perspective of the Constitution creates a dilemma in the wake of adoption of globalization and liberalization. This course is framed to acquaint the students of the eco-legal perspectives and implications of such developments.		

Unit 1 15 Hours  
 The Rationale of Government Regulation, Constitutional perspectives, The new economic policy - Industrial policy resolutions, declarations and statements, The place of public, small scale, co-operative, corporate, private and joint sectors -in the changing context, Regulation of economic activities, Disclosure of information, Fairness in competition, Emphasis on consumerism

Unit 2 15 Hours Development and Regulation of Industries, Take-over of Management and Control of Industrial Units, Sick Undertakings: Nationalisation or Winding Up, Licensing Policy and Legal Process - Growing Trends of Liberalisation, Deregulation of essential commodities: developmental sign or a social mishap, Financial Services : Changing Techniques of Regulation.

Unit 3 15 Hours  
 Critical Issues Regarding the Capital Issues, Equity and debt finance, Global depositories, De-materialised securities

Unit 4 15 Hours Problems of Control and Accountability: Regulation of Hazardous Activity, Mass disaster and environmental degradation : legal liability and legal remedies, Public Liability Insurance : adequacy, Issues in zoning and location of industrial units 15 Hours

#### Suggested Readings

1. S.Aswani Kumar, The Law of Indian Trade Mark (2001), Commercial Law House, Delhi.
2. Industrial Policy Resolutions of 1948,1956, 1991
3. Industrial Licensing Policy 1970,1975
4. Industrial Policy Statements 1973,1977, 1980
5. Reports of Committees on Public Undertakings of Parliament.
6. Industries (Development and Regulation) Act, 1951
7. U. Baxi (ed.), Inconvenient Forum and Convenient Catastrophe The Bhopal Case, (1986)
8. U. Baxi & T. Paul (eds.), Mass Disasters and Multinational Liability (1986)
9. U. Baxi & A. Dhandba, Valiant Victims and Lethal Litigation: The Bhopal Case (1989)
10. Indian Law Institute, Law of international Trade Transactions, (1973)

Semester - First Semester	Credits- 4 Credits	Core/Elective Course – Core Elective Course
Course No- LAWM E106	Course Name- Concept and Development of Human Rights	
Course Outcome This course is intended to acquaint the students with the concept of human rights, their evolution and their importance in society. Further, connection of human rights with privatisation, globalisation and liberalization is discussed.		

Unit 1 15 Hours

Human Rights: Concept, Human rights in Indian tradition: ancient, medieval and modern, Human rights in western tradition, Development of natural rights, Human rights in international law and national law

Unit 2 15 Hours Classification of Human Rights, First Generation Rights, Second Generation Rights, Third Generation Rights, Historical Development

Unit 3 15 Hours

Human Rights: Politics and Society, Colonisation, imperialism and human rights, Power, practices, accountability and transparency, Liberalization, privatization and globalization, Human duties: responsibilities and obligations

Unit 4 15 Hours Human Rights and Judicial Process, Judicial activism, Evolution of PIL and Liberalization of Locus standi, Landmark and recent cases on Human Rights

#### Suggested Readings

1. Angela Hegarty, Siobhan Leonard, Human Rights an Agenda for the 21st Century (1999)
2. Rama Jois, Human Rights: Bharatiya Values, (1998).
3. David P. Forsythe, Human Rights in International Relations.
4. Lon L. Fuller, The Morality of Law
5. John Finnis, Natural Law and Natural Rights, (1980).
6. Julius Stone, Human Law and Human Justice, (2000), Universal, New Delhi.
7. M.G.Chitkara, Human Rights: Commitment and Betrayal, (1996).
8. V.D. Kulshreshtra, Landmarks in the Indian Legal and Constitutional History, (1995)
9. Robert Lewngat, The Classical Law of India (1998), Oxford.
10. H.O Agarwal, Human Rights, 2018, Central Law Publication
11. V.K. Ahuja, Human Rights: Contemporary Issues, 2019, Eastern Book Company.

Semester - First Semester	Credits- 4 Credits	Core/Elective Course – Core Elective Course
Course No- LAWM E107		Course Name- Human Rights and International Order
Course Outcome: Human rights are universal in nature. Since of the adoption of Universal Declaration of Human Rights in 1948, the international human rights law has gain momentum. The paper is an attempt to acquaint the students with International Human Rights laws. Further , the role of the international human rights organizations.		

Unit 1 15 Hours

Development of the Concept of Human Rights Under International Law, Role of International Organization and Human Rights, Universal Declaration of Human Rights (1948), Covenant on Political and Civil Rights (1966) Covenant on Economic, Social and Cultural Rights (1966), I L O and other Conventions and Protocols dealing with human rights

Unit 2 15 Hours

Role of Regional Organizations-I, European Convention on Human Rights, European Commission on Human Rights, European Court of Human Rights.

Unit 3 15 Hours

Role of Regional Organizations-II, American Convention on Human Rights, African Convention on Human Rights, South Asian Association for Regional Cooperation, Other regional Conventions.

Unit 4 15 Hours

Protection agencies and mechanisms, International Commission of Human Rights, Amnesty International, Non-Governmental Organizations (NGOs), U.N. Division of Human Rights, International Labour Organization, UNESCO, UNICEF, Voluntary organizations, National and State Human Rights Commissions

#### Suggested Readings

1. Benedetto Conforti and Francesco Francioni, Enforcing International Human Rights in Domestic Courts, (1997).
2. Francisco Forrest Martin, International Human Rights Law and Practice, (1997).
3. Luck Clements, European Human Rights Taking a Case under the Convention, (1994).
4. Evelyn A. Ankumah, The African Commission on Human Rights and People's Rights, (1996).
5. R.K.Sinha, Human Rights of the World,(1997).
- 6.Philip Alston, The United Nations and Human Rights A Critical Appraisal, (1992).
7. R.S.Sharma and R.K.Sinha, Perspectives in Human Rights Development, (1997).
8. The Human Rights Watch Global Report on Women's Human Rights, (2000), Oxford.
9. B.P.Singh Seghal, Human Rights in India, (1996).
- 10.Chandan Bala, International Court of Justice: Its Functioning and Settlement of International Disputes, (1997).

Semester – Second Semester	Credits- 4 Credits	Core/Elective Course –Core Course
Course No- LAWM C201	Course Name- Judicial Process	
Course Outcome: The master degree students of law are expected to competent to analyse and evaluate the legal process from a wider juristic perspective. The prime objective of the course is to study the nature of judicial process as an instrument of social ordering .		

Unit 1 15 Hours

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

Unit 2 15 Hours

Special Dimensions of Judicial Process in Constitutional Adjudications, Notions of judicial review ' Role' in constitutional adjudication - various theories of judicial role, Tools and techniques in policy-making and creativity in constitutional adjudication, Varieties of judicial and juristic activism, Problems of accountability and judicial law-making.

Unit 3 15 Hours

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

Unit 4 15 Hours The Concepts of Justice, The concept of justice or Dharma in Indian thought, Dharma as the foundation of legal ordering in Indian thought, The concept and various theories of justice in the western thought, Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

#### Suggested Readings

1. Julius Stone, The Province and Function of Law, Part II, Chs. 1. 8-16 (2000), Universal, New Delhi.
2. Cardozo, The Nature of Judicial Process (1995) Universal, New Delhi
3. Henry J. Abraham, The Judicial Process (1998), Oxford.
4. J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworths
5. W. Friedmann, Legal Theory (1960), Stevens, London
6. Bodenheimer, Jurisprudence - the Philosophy and Method of the Law (1997), Universal, Delhi
7. J. Stone, Legal System and Lawyers' Reasonings (1999), Universal, Delhi
8. U. Baxi, The Indian Supreme Court and Politics (1980), Eastern, Lucknow.
9. Rajeev Dhavan, The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques (1977), Tripathi, Bombay.
10. John Rawls, A Theory of Justice (2000), Universal, Delhi
11. Edward H. Levi, An Introduction to Legal Reasoning (1970), University of Chicago.
12. A. Lakshminath, Judicial Process and Precedent, 2016 Eastern Book Company.
13. Anirudh Prasad, Judicial Power and Judicial Review, 2012, Eastern Book Company
14. G. P. Tripathi, Judicial Process, 2018, Central Law Publications

Semester – Second Semester	Credits- 4 Credits	Core/Elective Course –Core Course
Course No- LAWM C202	Course Name- Legal Education and Research Methodology	
Course Outcome: A post-graduate student of law should get an insight into the objectives of legal education. He should have an exposure to programmes like organisation of seminars, publication of law journals and holding of legal aid clinics. The aim of the course is to familiarize and expose the students to different tools and techniques of learning such as case methods, problem method, discussion method, seminar method and a combination of all these methods.		

Unit 1 15 Hours Objectives of Legal Education, Lecture Method of Teaching - Merits and demerits, The Problem Method, Discussion method and its suitability at postgraduate level teaching, The Seminar Method of teaching

Unit 2 15 Hours  
Examination system and problems in evaluation, External and internal assessment, Student participation in law school programmes, Organisation of Seminars, publication of journal and assessment of teachers, Clinical legal education - legal aid, legal literacy, legal survey and law reform.

Unit 3 15 Hours  
Research Methods, Socio Legal Research, Doctrinal and non-doctrinal, Relevance of empirical research Induction and deduction. Identification of Problem of research, What is a research problem? Survey of available literature and bibliographical research, Legislative materials including subordinate legislation, notification and policy Statements, Decisional materials including foreign decisions;

Unit 4 15 Hours Preparation of the Research Design, Formulation of the Research problem, Devising tools and techniques for collection of data : Methodology, Methods for the collection of statutory and case materials and juristic literature, Use of historical and comparative research materials, Use of observation studies, Use of questionnaires/interview, Use of case studies, Sampling procedures - design of sample, types of sampling to be adopted, Use of scaling techniques, Jurimetrics

#### Suggested Readings

1. High Brayal, Nigel Dunean and Richard Crimes, Clinical Legal Education: Active Learning in your Law School, (1998) Blackstone Press Limited, London
2. S.K.Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.
3. N.R. Madhava Menon, (ed) A Handbook of Clinical Legal Education, (1998) Eastern Book Company, Lucknow.
4. M.O.Price, H.Bitner and Bysiewiez, Effective Legal Research (1978)
5. Pauline V. Young, Scientific Social Survey and Research, (1962)
6. William J. Grade and Paul K. Hatt, Methods in Social Research, Mc Graw-Hill Book Company, London
7. H.M.Hyman, Interviewing in Social Research (1965)
8. Payne, The Art of Asking Questions (1965)
9. Erwin C. Surrency, B.Fielf and J. Crea, A Guide to Legal Research (1959)
10. Morris L. Cohan, Legal Research in Nutshell, (1996), West Publishing Co.
11. Havard Law Review Association, Uniform System of Citations.
12. ILI Publication, Legal Research and Methodology.

Semester - Second Semester	Credits- 4 Credits	Core/Elective Course –Core Course
Course No- LAWM C203	Course Name- Administration of Criminal Justice System	
Course Outcome: The course is designed to acquaint students with the components of Indian Criminal Justice system providing adequate inputs on the practical realities and challenges		

Unit 1 15 Hours

Components of Criminal Justice Administration, Police, Prosecution, Criminal Courts, Prison and Correctional system Constitutional and Human rights aspect, Fair trial, Right against self-incrimination, Double jeopardy, Presumption of innocence, standard of proof and burden of proof.

Unit 2 15 Hours

Crime prevention and policing, Reporting of crime, Complaint, FIR and NCR - Crime reporting in India and Crime statistics, Custodial torture in India, Law of arrest, Rights of arrested persons

Unit 3 15 Hours

Bail in India; Anti poor, Bail in bailable offences and non-bailable offences, Anticipatory bail, Right to bail u/s 436 & 436A CRPC, Power of higher courts to grant bail in non-bailable offences .

Unit 4 15 Hours

Sentencing, Sentence hearing, Sentencing policy and judicial discretion, Plea-bargaining -Constitutional validity Limitations in India, Probation

#### Suggested Readings

1. K.N.Chandrsekharan Pillai (Rev.), R. V. Kelkar's Criminal Procedure, (5th Edn., 2008)
2. K.N.Chandrsekharan Pillai (Rev.), R. V. Kelkar's Lectures on Criminal Procedure, (5th Edn., 2008)
3. Essays on the Indian Penal Code - Prof. K.N. Chandrasekharan Pillai & Shabistan Aquil, Indian Law Institute (2005)
4. K.I. Vibhute, Criminal Justice: A human rights perspective of the Criminal Justice Process in India, (1st Edn., 2004) EBC.

Semester - Second Semester	Credits- 4 Credits	Core/Elective Course –Core Elective Course
Course No- LAWM E204		Course Name- - Law of Export - Import Regulation
Course Outcome :Export and import are the basic economic activities of any economy. Exports and Imports are regulated by Foreign Trade Policy and laws of the Country. This course is designed to acquaint the students about the parameters of legal controls on imports and exports.		

Unit 1 15 Hours Introduction, State control over import and export of goods - from rigidity to liberalization, Impact of regulation on economy.

Unit 2 15 Hours  
The Basic Needs of Export and Import Trade, Goods, Services, Transportation

Unit 3 15 Hours  
International Regime, WTO agreement, WTO and tariff restrictions, WTO and non-tariff restrictions, Investment and transfer of technology, Quota restriction and anti-dumping, Permissible regulations, Quarantine regulation, Dumping of discarded technology and goods in international market, Reduction of subsidies and counter measures.

Unit 4 15 Hours  
General Law on Control of Imports and Exports, General scheme, Legislative control, Power of control : Central government and RBI, Foreign Trade Development and Regulation Act 1992, Restrictions under customs law, Prohibition and penalties, Export-Import formulation : guiding features, Control under FEMA, Foreign exchange and currency, Import of goods, Export promotion councils, Export oriented units and export processing zones

#### Suggested Readings

1. Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)
2. Government of India Import and Export Policy (1997 -2002)
3. The Students should consult the relevant volumes of the Annual Survey of Indian Law, Published by the Indian law Institute, New Delhi.
4. Foreign Trade Development and Regulation Act 1992 and Rules
5. Foreign Exchange Management Act 1999
6. Marine Products Export Development Authority Act 1972
7. Customs Manual (Latest edition)
8. Final Treaty of GATT, 1994.



Semester - Second Semester	Credits- 4 Credits	Core/Elective Course – Core Elective Course
Course No- LAWM E205		Course Name- Banking Law
Course Outcome: This course is designed to familiarize the students with the conceptual and operational parameters of banking law, the judicial interpretation and the new and emerging dimensions of the banking system		

Unit 1 15 Hours Introduction, Nature and development of banking, History of banking in India and elsewhere - indigenous banking-evolution of banking in India - different kinds of banks and their functions, Multi-functional banks - growth and legal issues

Unit 2 15 Hours  
Law Relating to Banking Companies in India, Controls by government and its agencies- On management, On accounts and audit, Lending, Credit policy, Reconstruction and reorganization, Suspension and winding up, Contract between banker and customer: their rights and duties

Unit 3 15 Hours  
Social Control over Banking, Nationalization, Evaluation: private ownership, nationalisation and disinvestment, Protection of depositors, Priority lending, Promotion of under privileged classes, Deposit Insurance, The Deposit Insurance Corporation Act 1961: objects and reasons, Establishment of Capital of DIC, Registration of banking companies insured banks, liability of DIC to depositors, Relations between insured banks, DIC and Reserve Bank of India.

Unit 4 15 Hours  
The Central Bank, Evolution of Central Bank, Characteristics and functions, Economic and social objectives, The Central Bank and the State - as bankers' bank, The Reserve Bank of India as the Central Bank, Organisational structure, Functions of the RBI, Control of RBI over non-banking companies, Financial companies, Non-financial companies

#### Suggested Readings

1. Basu, A. Review of Current Banking Theory and Practise (1998) Macmillan
2. M. Hapgood (ed.), Pagets' Law of Banking (1989) Butterworths, London
3. R. Goode, Commercial Law, (1995) Penguin, London.
4. Ross Cranston, Principles of Banking Law (1997) Oxford.
5. L.C. Goyle, The Law of Banking and Bankers (1995) Eastern
6. M.L. Tannan, Tannan's Banking Law and Practice in India (1997) India Law House, New Delhi, 2 volumes
7. K.C. Shekhar, Banking Theory and Practice (1998) UBS Publisher Distributors Ltd. New Delhi.
8. Bimal N. Patel, Dolly Jabbal and Prachi V. Motiyani, BANKING LAW, 2014, Eastern Book Company.
9. Bimal N. Patel, Banking Law and Negotiable Instruments Act, 2015, Eastern Book Company.

Semester - Second Semester	Credits- 4 Credits	Core/Elective Course –Core Elective Course
Course No- LAWM E206	Course Name- Protection and Enforcement of Human Rights in India	
Course Outcome: This course aims at acquainting the students with the judicial activism in protecting human rights and enables them to evaluate the adequacy of the methods of enforcement.		

Unit 1 15 Hours  
 History and Development of Human Rights in Indian Constitution, Constitutional Philosophy – Preamble, Fundamental Rights, Directive Principles of State Policy, Fundamental Duties

Unit 2 15 Hours  
 Judicial Activism and Development of Human Rights Jurisprudence, Meaning- Landmark and Recent cases on Human Rights Jurisprudence

Unit 3 15 Hours  
 Enforcement of Human Rights, Formal enforcement mechanisms, Role of Supreme Court, Role of High Courts, Role of Civil and Criminal Courts, Statutory Tribunals, Special Courts

Unit 4 15 Hours Role of India in implementing international norms and standards, UDHR,ICCPR,ICESCR, UNCAT, CEDAW

#### Suggested Readings

1. D.D.Basu, Human Rights in Indian Constitutional Law, (1994).
2. Vijay Chitnis,(et.al.). Human Rights and the Law: National and Global Perspectives, (1997).
3. B.P.Singh Seghal, Law, Judiciary and Justice in India, (1993).
4. James Vadakkumchery, Human Rights and the Politics in India, (1996).
5. D.R.Saxena, Tribals and the Law, (1997).
6. H.O Agarwal, Human Rights, 2018, Central Law Publication
7. V.K. Ahuja, Human Rights: Contemporary Issues,2019, Eastern Book Company.

Semester - Second Semester	Credits- 4 Credits	Core/Elective Course –Core Elective Course
Course No- LAWM E207	Course Name- Human Rights of Disadvantaged Groups	
Course Outcome: This course aims at acquainting the students with the problems faced by the disadvantaged groups. The human rights violations of these group is concern for all nations. How law can be a tool to tackle the problems faced by these groups is sought to be taught.		

Unit 1 15 Hours Women and the Law, International Norms, Constitution and Special Laws in India for the Protection of Women, Crimes against women, Gender Injustice and its Various Forms, Women’s Commission, Empowerment of women : Role of Judiciary and NGO’s.

Unit 2 15 Hours

Children and the Law, International Norms, Constitution and Special Laws in India for the Protection of Child, Child labour , Sexual exploitation, Adoption and related problems, Children and education, Role of Judiciary and NGO’s.

Unit 3 15 Hours

SCs, STs ,OBCs and Law: Indian Constitution and Protection for SCs/STs and OBCs, Protection of Civil Rights Act 1955, Scheduled Castes and Scheduled Tribes, Prevention of Atrocities Act 1989, The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act ,2013, National Commissions, State Commissions, Role of Judiciary and NGO’s.

Unit 4 15 Hours

Aged , Disabled and Law: .International Norms, Constitution and Special Laws in India for the Protection of Aged and Disabled, Special Protection Through Reservations, Major Issues of Barrier-Free Access to Public Places, and Development of Special and Appropriate Technologies, Institutional Mechanisms for Protection of the Aged and the Disabled, Role of Judiciary, Role of NGO’s.

### Suggested Readings

1. Agnes, Flavia, Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford
2. Saxena, Shobha, Crimes against Women and Protective Laws (New Delhi: Deep and Deep, 1999).
3. The Human Rights Watch Global Report on Women’s Human Rights (1995).
4. Geraldine Van Bueren, The International Law on the Rights of the Child, (1998)
5. Bhargava, G.S. and R.M.Pal, ed., Human Rights of Dalits: Societal Violation (New Delhi: Gyan Publishing House, 2000).
6. Bhatia, K.L. and others, Social Justice of Dr. B.R. Ambedkar (New Delhi: Deep and Deep, 1995).
7. G.S. Bhargava and R.M. Pal, Human Rights of Dalit Societal Violation, (1999)
8. B. S. Aswal ,Tribal and Human Rights – An Analytical Study (2012).
9. S. K. Verma & S. C. Srivastava , Rights of Persons with Disabilities (2002).
10. Alam, Aftab, ed., Human Rights in India: Issues and Challenges (New Delhi: Raj Publications,1999)

Semester - Second Semester Credits- Non Credit Course Core/Elective Course –Value added Course (Non Credit Course )

Course No- LAWM-VAC1

Course Name- Local Self –Government Law

Course Outcome: With the introduction of the Constitution seventy third and seventy fourth amendments, India is moving towards the ideal of direct democracy endowing the local bodies with powers of administration in matters of regional and local importance. This change has added new vistas of Indian democracy and it offers an opportunity to translate the Gandhian concept of Gram Swaraj into practice. Necessarily, a person specializing in administrative law has to be equipped with the knowledge on the working of early systems, the present constitutional scheme, the legislative powers of the State transferring responsibility to local bodies and on the increasing regulatory and financial powers of the local bodies. The nature of the democratic functioning of these elected bodies and the scope of administrative control as well of the judicial control over them are challenging areas for students of administrative law to evaluate and help formulation of new and pragmatic working methods. The course shall comprise about 4 units of one-hour duration to be spread out to a period of one semester.

Unit 1. Historical Perspectives	15 Hours
1.1. Early period	
1.2. Gram Swaraj: the Gandhian concept	
Unit 2. Constitutional Scheme	15 Hours
2.1. Directive Principles	
2.2. Structure and powers of local bodies	
Unit 3. Legislative Powers	15 Hours
3.1. Direct democracy and grass root planning	
3.2. Municipalities and corporation	
3.3. Gram Sabha	
Unit 4. Quasi-legislative Powers	15 Hours
4.1. Rule making power of the State Government	
4.2. Regulations and Bye-laws	

#### Suggested Readings

1. Radhakumud Mookerji, Local Government in Ancient India (1985), Daya Publishing Delhi.
2. M. Venketarangaiya & M. Pattabhiram, Local Government in India (1969) Allied, New Delhi.

Semester – Third Semester	Credits- 4 Credits	Core/Elective Course –Core Course
Course No- LAWM C301	Course Name- Comparative Public Law	
Course Outcome - This paper aims to prove the students with analytical and theoretical understanding of Public laws in a comparative setting .		

Unit 1	15 Hours
Introduction, Meaning and definition of Public Law, Concept of Public Law, Globalisation of Comparative Public Law, Tools of Comparative Public Law, Constitutional Law – Common Law, Civil Law, Legislative Mechanism - Common Law, Civil Law, Typology of Federalism – USA, India	
Unit 2	15 Hours
Public Interest Litigation – US, India, Locus standi, Judicial Activism, Judicial Accountability	
Unit 3	15 Hours
Comparative Criminal Law – Common law, Civil law, Domestic Violations – International, National, Provisions relating to Rape, Plea Bargaining – USA, India, White Collar Crimes, Juvenile Justice	
Unit 4	15 Hours
Ombudsman, Ombudsman in Scandinavian countries, International Scenario – Common law and Civil law, Indian Scenario, Lokpal (Ombudsman), Lokayukta	

#### Suggested Readings

1. Peter H. Schuck, Foundations of Administrative Law (1994), Oxford, New York.
2. Friedman, The State and the Rule of Law in a Mixed Economy
3. Neville L. Brown and J.F. Garner, French Administrative Law
4. Ivor Jennings, Law and the Constitution
5. Schwartz & Wade, Legal Control of Government
6. Davis, Discretionary Justice
7. De Smith, Judicial Review of Administrative Action (1995)
8. Neil Hawke and Neil Papworth, Introduction to Administrative Law (1996), Lawman, New Delhi.
9. D.D. Basu, Comparative Administrative Law, (1998).
10. The Handbook of Comparative Criminal Law, Stanford Law Books (2010)

Semester – Third Semester	Credits- 4 Credits	Core/Elective Course –Core Course
Course No- LAWM C302	Course Name- Laws Relating to Education	
Course Outcome - This course is designed to acquaint the students with the laws relating to education and judicial approach to the same.		

Unit 1 15 Hours  
 Human Right to Education, Role of education, International law and right to education, UNESCO: Convention and Recommendation against Discrimination in Education, 1960, Pune Declaration on Education for Human Rights in Asia 1999.

Unit 2 15 Hours Fundamental Rights and Directive Principles, Free and compulsory education, Equal opportunity of education Educational rights of minorities, Right to access higher education

Unit 3 15 Hours Rights Of Educational Institutions, Right to establish educational institutions, Right to administer educational institutions, Private educational institutions and Governmental Control, Minority educational institutions

Unit 4 15 Hours  
 Educational Laws, University Grants Commission Act, Laws related to Professional education, Judicial Pronouncements

#### Suggested Readings

1. M.P.Jain, Indian Constitutional Law
2. D.D.Basu, Commentary on the Constitution of India
3. A.P.Datar, Commentary on the Constitution of India
4. H.M. Seervai, Constitutional Law of India
5. M.P. Singh, Constitution of India
6. H.O. Agarwal, International law and Human Rights
7. B.M. Sankhdher, Encyclopaedia of Education System in India
8. P.L.Mehta, R.Poonga, Free and Compulsory Education
9. R.D.Agarwal, Law of Education and Educational Institutions
10. G.S.Sharma,(ed.),Educational Planning: Its Legal and Constitutional Implications in India

Semester – Third Semester	Credits- 4 Credits	Core/Elective Course –Core Elective Course
Course No- LAWM E303		Course Name- Insurance Law
Course Outcome - This course is designed to acquaint the students with the conceptual and operational parameters of insurance law		

Unit 1 15 Hours Introduction, Definition, nature and history of insurance, Concept of Insurance and law of contract and law of torts future of insurance in globalized economy, History and development of insurance in India, Insurance Regulatory Authority - role and functions.

Unit 2 15 Hours General principles of law of Insurance ,Contract of Insurance - classification of contract of insurance nature of various insurance contracts, parties thereto, Principle of good faith-non-disclosure-misrepresentation in insurance contract, Insurable interest, The risk, The policy, classification of policies-its form and contents, its commencement, duration, cancellation, alteration, rectification, renewal, assignment, construction Conditions of the policy Alteration of the risk, Assignment of the subject matter

Unit 3 15 Hours  
Life Insurance , Nature and scope of life insurance, definition, kinds of life insurance, the policy and formation of a life insurance contract, Event insured against life insurance contract, Circumstances affecting the risk, Amounts recoverable under life policy, Persons entitled to payment, Settlement of claim and payment of money.

Unit 4 15 Hours Marine Insurance, Nature and scope, Classification of marine policies, The Marine Insurance Act1963, Insurable interest, insurable value, Marine insurance policy - conditions - express warranties construction of terms of policy, Voyage – deviation, Perils of the sea, Partial loss of ship and of freight, salvage, general average, particular charges, Measure of indemnity, total valuation, liability to third parties

#### Suggested Readings

1. Singh, Bridge Anand, New Insurance Law (2000) Union Book Publishers, Allahabad.
2. Ivamy, Case Book on Insurance Law (1984), Butterworths.
3. Ivamy, General Principles of Insurance Laws (1993), Butterworths
4. John Birds, Modern Insurance Law (1988), Sweet and Maxwell
5. Sreenivasan. M.N., Principles of Insurance Law (1997), Ramaniya Publishers, Bangalore.
6. Avtar Singh, Law of Insurance,2018, Eastern Book Company
7. Sumeet Malik, J V N Jaiswal Law of Insurance (in 2 Volumes),2016, Eastern Book Company

Semester – Third Semester	Credits- 4 Credits	Core/Elective Course –Core Elective Course
Course No- LAWM.-E304		Course Name- Corporate Finance
Course Outcome - This course is designed to acquaint the students with the conceptual and operational parameters of Corporate Finance.		

Unit 1 15 Hours Meaning, importance and scope of corporation finance, Capital needs - capitalisation - working capital - securities-borrowings-deposits, Debentures, Objectives of corporation finance - profit maximisation and wealth maximization, Constitutional perspectives - the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85, and 86 of List I - Union List; entry 24 of List II - State List.

Unit 2 15 Hours Equity Finance, Share capital, Prospectus - information disclosure, Issue and allotment, Shares without monetary consideration, Non-opting equity shares

Unit 3 15 Hours  
Debt Finance, Debentures, Nature, issue and class, Deposits and acceptance, Creation of charges, Fixed and floating charges, Mortgages, Convertible debentures

Unit 4 15 Hours  
Protection of creditors, Need for creditor protection, Preference in payment, Rights in making company decisions affecting creditor interests, Creditor self-protection, Incorporation of favourable terms in lending contracts, Right to nominate directors, Control over corporate spending

#### Suggested Readings

1. Alastair Hundson, The Law on Financial Derivatives (1998), Sweet & Maxwell
2. Eil's Ferran, Company Law and Corporate Finance (1999), Oxford.
3. Jonathan Charkham, Fair shares: the Future of Shareholder Power and Responsibility (1999), Oxford.
4. Avtar Singh, Introduction to Company Law, 2019, Eastern Book Company
5. R.K Bangia, Company Law, 2018, Allahabad Law Agency



Semester – Third Semester	Credits- 4 Credits	Core/Elective Course – Core Elective Course
Course No- LAWM.-E305		Course Name- International Humanitarian Law
Course Outcome - This course is designed to acquaint the students with the conceptual framework of International Humanitarian Law.		

Unit I 15 Hours

International Movement for Humanization of Warfare, Contributions of classical writers; History of the Red Cross; Geneva conventions of 1864 for Amelioration of the Condition of wounded Soldiers in Land Army, St. Petersburg Declaration, 1868. The Hague Conventions of 1899 and 1907, Geneva Conventions of 1929 and 1949 on treatment of Prisoners of war, Wounded and Sick persons and Civilian Persons.

Unit 2 15 Hours International Efforts to Outlaw Slavery, Slave Trade, Practices Similar to Slavery, Forced Labour and Trafficking in Human Beings.

Unit 3 15 Hours

United Nations and Humanitarian Law, The Role of ECOSOC and ILO; Crusade against discrimination in respect of employment and occupation; Racial Discrimination, International Refugees, The UN Relief and Rehabilitation Administration and other International Refugee Organizations; Conventions relating to Status of Refugees and Stateless persons; Genocide Convention

Unit 4 15 Hours Implementation of the Right to Self- determination, Declaration on the grant of independence to colonial countries and people, Humanitarian treatment of peoples living under colonial rule and trusteeships.

#### Suggested Readings

1. C.Hosoya, N.Ando, Y.Onuma, R.Minear, The Tokyo War Crimes Trial (1986).
2. G.Tunkin, Theory of International Law (1974)
3. G.Schwarzenberger, The Law of Armed Conflicts (Vol.II)
4. J.Stone, Legal Controls of International Conflicts (1959)
5. R.Falk, "The Shimoda Case" 69 Am. J. Int. Law (1965)
6. T.Taylor, Nuremberg and Vietnam : An American Tragedy (1971)
7. Rene Provost, International Human Rights and Humanitarian Law, 2002, Cambridge University Press
8. Francisco Forrest Martin et al. International Human Rights and Humanitarian Law, Treaties, Cases and Analysis.

Semester – Third Semester	Credits- 4 Credits	Core/Elective Course –Core Elective Course
Course No- LAWM E306	Course Name- Science, Technology, and Human Rights	
Course Outcome - This course is designed to acquaint the students with the problems created by technology and laws to deal with such problems.		

#### Unit 1

15 Hours

Interrelationship of Science, Technology and Human Rights, Implication of Development of Science and Technology on Human Rights, Right to environment in the development of science and technology, Right to development in the advancement of science and technology, Right to human health and impact of developments in medical sciences

Unit 2 15 Hours Medicine and the Law, Organ transplantation, Experimentation on human beings, Euthanasia (mercy killing), Gene therapy

Unit 3 15 Hours Issue of Human Rights Ethics in Scientific and Technological Development, Sex determination test, Induced abortion, Reproductive technology, Cloning, In vitro fertilization, Artificial insemination, Surrogate motherhood

#### Unit 4

15 Hours

Impact of Scientific and Technological Progress on Human Rights: Normative Response of the International Community, Right to life, Right to privacy, Right to physical integrity, Right to information, Right to benefit from scientific and technological progress, Right to adequate standard of living

#### Suggested Readings

1. Diane Rowland, Elizabeth Macdonald, Information Technology Law, (1997).
2. Suresh T. Viswanathan, The Indian Cyber Law, (2000).
3. The International Dimensions of Cyberspace Law (2000), UNESCO Publication.
4. D.P. Mittal, Law of Information Technology (Cyber Law), (2000).
5. Michael Chissick, Alistair Kelman, Electronic Commerce, Law and Practice, (1999).
6. Edwin W. Patterson, Law in a Scientific Age, (1963)
7. Steve Jones, Borin Van Leon, Genetics for Beginners, (1993).
8. Weeramantry, C.G., Human Rights and Scientific and Technology Development, 1990
9. Kamenka, E., Ideas and Ideologies Human Rights (1978)
10. Galtung, Human Rights in Another Key, (1994)
11. Akbar, M.J., Riots After Riots, (1988)
12. Baxi, U. (ed.), Rights to be Human, (1986)
13. Kazmi, F., Human Rights, (1987)
14. Anubha Rastogi, Claiming Dignity: Reproductive Rights and the Law, 2009, HRLN
15. Richard Pierre Claude, Science in the Service of Human Rights, 2002, University of Pennsylvania Press

Semester – Third Semester	Credits- 4 Credits	Core/Elective Course – CBCT Course
Course No- LAWM CT 300	Course Name- Right to Information	
Course Outcome - This course is designed to give a in-depth understanding on right to Information.		

Unit 1 15 Hours  
Introduction of Right to Information Act 2005:, .History, Background, Objectives, Preamble of Right to Information Act 2005, Obligation of Public Authorities (Section 3 to 11)

Unit 2 15 Hours  
Right to Information in Global Perspective: United Nations and the Right to Information, The Commonwealth and the Right to Information, The Right to Information in USA, The Right to Information in UK, Rome Convention for the Protection of Human rights and Fundamental Freedoms, 1950

Unit 3 15 Hours Right to Information as Constitutional rights: Protection of Article 19(1) (a), Right to privacy, Contempt of Court, Public Interest vis-à-vis Information

Unit 4 15 Hours  
The Central Information Commission and The State Information Commissions: Constitutions, Eligibility criteria and Process of Appointment, Term of office and Condition of Service, Removal of Informational Commissioner

#### Suggested Readings

1. The Right to Information :Law-Policy-Practice By Rodney D Ryder
2. Handbook on The Right to Information Act By P.K.Das
3. Treaties on The Right to Information Act 2005 By Dr.Hiraj Kumar (2007)

Unit 1:	15 hours
1.0 Ombudsman	
1.1. The concept	
1.2. Comparative perspectives	
1.3. Evolving Indian models -Lokpal, Lokayukt institutions	
Unit 2:	15 hours
2.0 Commission of Inquiry	
2.1.Commissions of Inquiry Act,1952	
2.2.Law commission of India report on Commission of Inquiry Act,1952	
2.3.Lacunas and solutions	
Unit 3:	15 hours
3.0 State Vigilance Commissions	
3.1. Powers and Functions of State Vigilance Commissions	
3.2 Central Vigilance Commission	
3.3 Powers and Functions of Central Vigilance Commission	
Unit 4:	15 hours
4.0 Investigation Agencies : the CBI	
4.1 Inquiries by Legislative Committees	
4.2 Legislative Control	
4.3 Financial Control - Comptroller and Auditor General	
4.4 Judicial Inquiries	

#### Suggested Readings

1. K.S. Shukla and S.S.Singh, Lokayukta: a Social Legal Study (1988), Indian Institute of Public Administration, New Delhi.
2. Jain & Jain, Principles of Administrative Law (1986) Tripathi
3. Donald C. Rowat, The Ombudsman (1966), George Allan and Unwin Ltd., Toronto

Course No- LAWM C401

Course Name- Media Law

Course Outcome - This course is designed to acquaint the students with the major laws, regulations and court decisions affecting the media. Further, it provides a sound understanding of the theoretical debates media, law and ethics in the Indian context.

Unit 1 15 Hours Introduction, Evolution of Media, Types of media:(i) Print (ii) Electronic, E-Media – Free Flow of Information beyond boundaries and barriers, Difference between Visual and non- Visual Media - impact on People

Unit 2 15 Hours Freedom of Speech and Expression -Article 19 (1) (a), An introduction to Freedom of expression, Evolution of Freedom of Press, Restrictions under Constitution (i) Article 19 (2) (ii) Government Power to legislate - Article 246 read with the Seventh Schedule. (iii) Power to impose Tax -licensing and licence fee, Advertisement & Ethics: Misleading Advertisement vis-à-vis Consumers rights

Unit 3 15 Hours  
Law of defamation and obscenity, Defamation (i) Libel (ii) Slander, Obscenity, Sedition

Unit 4 15 Hours Development of laws relating to Mass Media vis a vis International regime, Censorship of films, Censorship under Constitution, Censorship under the Cinematograph Act, Pre-censorship of films

#### Suggested Readings

1. Madhavi Goradia Divan, Facets of Media Law- A mini encyclopaedia covering multiple dimensions of media law , 2018, Eastern Book Company
2. Umar Sama, Law of Electronic Media, 2017, Deep & Deep Publications
3. Sebastian Paul, Cross Currents Law and More Law, Ethics and the Media, 2015, Lexis Nexis
4. Bruce Michael Boys, "Film Censorship in India: A Reasonable Restriction on Freedom of
5. Rajeev Dhavan, "On the Law of the Press in India" 26 J.I.L.I. 288 (1984).
6. Rajeev Dhavan, "Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission" 26 J.I.L.I. 391 (1984).
7. Soli Sorabjee, Law of Press Censorship in India (1976).
8. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
9. D.D. Basu, The Law of Press of India (1980)

Semester – Fourth Semester	Credits- 8 Credits	Core/Elective Course – Core Course
Course No- LAWM C402		Course Name- Dissertation
Course Outcome - This course is designed to develop the research skill of the students before embarking in the field of M.Phil and Ph.D research.		

Semester – Fourth Semester	Credits- 8 Credits	Core/Elective Course – Core Course
Course No- LAWM C403		Course Name- Drug Addition, Criminal Justice and Human Rights
Course Outcome - This course is designed to give a inter connection between drug addition, criminal justice and human rights.		

#### Unit 1

Basic conceptions, Drugs, narcotics, psychotropic substance, Dependence, Crimes without victims, Trafficking in drugs – Primary drug abuse 15 Hours

#### Unit 2 15 Hours

International Legal Regime, Analysis of the Single Convention on Narcotic Drug 1961 and 1972, Analysis of the Convention on psychotropic Substance 1972, International collaboration in combating drug addiction – Role of SAARC.

#### Unit 3 15 Hours

Indian Regulatory system - Approaches to narcotic trafficking during colonial India, Penal provisions IPC and Customs Act, India's role in the evolution of the International Conventions, Judicial approach to sentencing in drug trafficking and abuse , The Narcotic and Psychotropic Substance Act, 1985

Unit 4 15 Hours Treatment, after care and rehabilitation of drug addicts, Human rights aspects, Problem of juvenile drug use and legal approaches, Role of educational system, medical profession and mass media, Initiatives for compliance with regulatory system – Law reform initiatives.

#### Suggested Readings

1. J.A. Incard – Drugs and Criminal Justice System.
2. P. R. Rajnat – Violence and Response: A Critical Study of Indian Criminal justice System.
3. United Nations – Economic & Social Reports of the Commission on Narcotic Drugs.
4. United Nations Social Defense Research Institute (UNSRDI) – Combating Drug Abuse and Related Crimes

Semester – Fourth Semester	Credits- 4 Credits	Core/Elective Course –Core Course
Course No- LAWM C404	Course Name- Health Law	
Course Outcome - The course aims to give a comprehensive understanding regarding public health, legal issues and solutions.		

Unit 1	15 Hours
Introduction, Concept of health, public health, Law and health – development of interrelationship, Health Law and Bio Ethics	
Unit 2	15 Hours
Legal aspects of Health Care, Role of WHO, Constitutional law- regulation of health, Important legislations dealing with law and medicine	
Unit 3	15 Hours
Medical Professional, Patient and the Law, Nature and concept of physician –patient relationship, Informed consent and confidentiality, Concept of duty of care, standard of care, Code of ethics in medical profession, Role of judiciary in regulating the medical profession	
Unit 4	15 Hours
Bioethics- Issues and challenges, Euthanasia and physician assisted suicide, Reproductive technology – surrogate motherhood, Medical termination of pregnancy, Prenatal diagnostic techniques	

#### Suggested Readings

1. Modi's Medical Jurisprudence and Toxicology, Lexis Nexis Butterworths Wadhwa Nagpur (2010)
2. S. V. Joga Rao, Current Issues in Criminal Justice and Medical Law: A Critical Focus, 1999, Eastern Law House
3. Lily Srivastava, Law & Medicine, 2010, Universal Law Publishing

Course Outcome - The objective of the course is to orient the students the new dimensions of administrative in the ever change society. The most vital concepts of administrative law are to be discussed in detail to give a better understanding of the subject.

Unit 1: 15 Hours  
 1.0 Fundamentals of Administrative Law  
 1.1. Evolution, definition, nature, scope and significance of Administrative Law in various system of governance from ancient to modern  
 1.2. Constitutional dimensions of administrative law and its relationship,  
 1.3. Role of administrative law in welfare state and relationship between constitutional and administrative law  
 1.4. Rule of law and separation of powers  
 Classification of power, delegation of legislative power and control

Unit 2: 15 Hours  
 2.0. Judicial Review of Administrative Action  
 2.1. Nature extent and limitation of Administrative action in India,  
 2.2. Judicial control over Administrative action- remedies for Administrative wrongs, Writs Remedies.  
 2.2.1. Limits of Judicial review-Locus standi and PIL  
 2.3. Res judicata  
 2.4. Doctrine of exhaustion of alternative remedies 2.5. Doctrine of Standing and Doctrine of Ripeness  
 2.6. Statutory Remedies – General and Specific statutory remedies for administrative action.  
 2.7. Administrative process- judicial control- Liabilities and accountabilities of the states- Administrative Tribunals

Unit-3: 15 Hours  
 3.0. Governmental privilege, official secrecy and access to Information  
 3.1. Governmental Privileges- withholding of documents and evidence-Official Secrets Act, 1923  
 3.2. Rebuttal of governmental privileges  
 3.3. Governmental Privileges position in England and India  
 3.4. Right to Information Act, 2005

Unit4: 15 Hours  
 4.0. Protections of civil servant  
 4.1. Constitutional protection of civil servants, need for protection of civil servants, Lacunae in the protection.  
 4.2. Terms and condition of service, tenure of office – the doctrine of pleasure its extent and limitations and exceptions,

#### Suggested Readings

1. Peter H. Schuck, Foundations of Administrative Law (1994), Oxford, New York.
2. Friedman, The State and the Rule of Law in a Mixed Economy
3. Neville L. Brown and J.F. Garner, French Administrative Law
4. Ivor Jennings, Law and the Constitution
5. Schwartz & Wade, Legal Control of Government
6. Davis, Discretionary Justice
7. De Smith, Judicial Review of Administrative Action (1995)
8. Neil Hawke and Neil Papworth, Introduction to Administrative Law (1996), Lawman, New Delhi.
9. D.D. Basu, Comparative Administrative Law, (1998).



Course Outcome- The teaching imparted to the P.G. students of Berhampur University on the various dimensions of the literary and cultural heritage of South Odisha will help them to acquire a valuable understanding of the same. They will be inspired adequately to take the positives learnt from the course and use them in future in their personal literary and cultural pursuits and thereby promote the literature and culture of Odisha on a global scale.

Unit-I: Literary works of Kabi Samrat Upendra Bhanja

Unit-II: Other Litterateurs of South Odisha

Unit-III: Cultural Heritage of South Odisha

Unit-IV: Folk and Tribal Traditions of South Odisha

#### Instructions regarding Dissertation:

- Dissertation shall comprise of 100 marks out of which 50 will be for write up and 50 shall be for viva voce
- The topics for dissertation shall be distributed among the students in the third semester itself and students shall be required to submit the Dissertation at least two weeks before the commencement of Fourth Semester Examination.
- The students have to submit 03 copies of dissertations in hard binding format. Further they shall submit a soft copy which will be subject to plagiarism checking by the concerned supervisor.
- The dissertation should be of tentatively 150 -200 pages. The recommended citation style is OSCOLA. Use of Citation Management Software like Zotero, Mendeley is encouraged.