



Master of Laws LL.M.

Semester – III

Paper: Core Course Code: LLM CC-301

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Human Rights

Course Outcomes:

C.O. 1 : Human Rights

C.O. 2 : human rights protection scheme

C.O. 3 : Human Rights Protection in International Order

Program Outcomes

To inculcate the value of protection of Human Rights.

Unit I : Panoramic View of Human Rights

(12 Lectures)

1. Human Rights in Non-Western Thought, Awareness of Human Rights during the nationalist movement, Universal Declaration of Human Rights, Constituent Assembly and Part III, drafting process,
2. Subsequent developments in International Law and the Position in India (e.g., Convention of Social Discrimination, Torture, Gender discrimination, Environment and the Two human right covenants.)
3. Fundamental Rights Jurisprudence as Incorporating Directive Principles The dichotomy of Fundamental Rights and Directive Principles, The interaction between Fundamental Right and Directive Principles, Resultant expansion of basic needs oriented human rights in India.

Unit II : Right not be Subject to Torture, Inhuman or Cruel Treatment (12 Lectures)

Conceptions of torture, third-degree methods, 'Justification' for it, Outlay of torture at international and constitutional law level, Incidence of torture in India, Judicial attitudes, Law Reform- proposed and pending. Minority Rights : Conception of minorities, Scope of protection, The position of minority 'Woman' and their basic rights, Communal Riots as involving violation of rights.

Unit III

(12 Lectures)

Rights to Development of Individuals and Nations : The U.N. Declaration on right to Development, 1987, The need for constitutional and legal changes in India from human rights standpoint. People's Participation in Protection and Promotion of Human Rights : Role of International NGOS, Amnesty International, Minority Rights Groups, International Bars Association, Law Asia, Contribution of these groups to protection and promotion of human rights in India.

Unit IV

(12 Lectures)

1. Development Agencies and Human Rights : Major International funding agencies and their operations in India,
2. World Bank lending and resultant violation/promotion of human rights,
3. Should development assistance be tied to observance of human rights (as embodied in various UN declarations)
4. Comparative Sources of Learning : EEC Jurisprudence,

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5. The Green Movement in Germany,
6. The International Peace Movement,
7. Models of Protection of the rights of indigenous peoples : New Zealand (Maoris), Australia, Aborigines and Canada (Indians).
8. Freedom : Free Press-its role in protecting human rights,
9. Right of association, Right to due process of law,
10. Access and Distributive justice.

Unit V

(12 Lectures)

1. Independence of Judiciary : Role of the Legal Profession,
2. Judicial appointments-tenure of judges,
3. Qualifications of judges,
4. Separation of judiciary from executive.
5. European Convention of Human Rights : European Commission/Court of Human Rights,
6. Amnesty International, PUCL, PUDR,
7. Citizens for Democracy,
8. Minorities Commission, Human Rights Commission,
9. Remedies Against Violation of Human Rights.

Select Bibliography

1. M.J. Akbar, Riots after Riots, 1988
2. U. Baxi (ed.) The right to be Human, 1986
3. U. Baxi, The Crisis of the Indian Legal System, 1982
3. F. Kazmi, Human Rights, 1987
4. L. Levin, Human Rights, 1982
5. H. Beddard, Human Rights and Europe, 1980
6. Nagendra Singh, Human Rights and International Co-operation, 1969
8. S.C. Kashyap, Human Rights and Parliament, 1978
7. Moskowitz, Human Rights and World Order, 1958
8. J.A. Andrews, Human Rights in International Law, 1986


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**Master of Laws LL.M.
Semester – III**

Paper: Core Course Code: LLM CC-302

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Public International Law

Course Outcomes:

- The paper focuses on international branch of public law and its fundamental principles and Application.
- The paper enables student to develop understanding and application of various concepts and Principles of Public International Law like recognition, state territory, succession and Intervention

UNIT-I: Definition , Scope and Sources of International Law (12 Lectures)

- Definition & Scope of International Law
- Nature of International Law
- International Law is a Weak Law
- Differences between Public & Private International Law
- International Customs, International Treaties, General Principles of Law, Judicial Decisions & Juristic Works
Resolutions of General Assembly

UNIT- II Subjects of International Law (12 Lectures)

- Status of International Organizations
- Place of Individuals in International Law
 - Holder of Rights
 - Duties of Individuals
 - Procedural Capacity of Individuals
- Relationship between International Law & Municipal Law

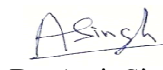
UNIT-III Recognition, Law of the Sea (12 Lectures)

- Meaning & Theories of Recognition
- De Facto & De Jure Recognition
- Express, Implied & Conditional Recognition
- Withdrawal & Retroactivity of Recognition
- Territorial Sea, Contiguous Zone, Continental Shelf & Exclusive Economic Zone, High Seas

UNIT-IV Extradition, Asylum , International Organizations (12 Lectures)

- Meaning definition and basic principle of extradition
- Consequence of no-extradition of political crimes


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- Meaning and definition of asylum
- Types of asylum; territorial & non- territorial
- Relationship between extradition and asylum

UNIT-V International Organizations

- The United Nations & its Organs
- The International Court of Justice
- International Criminal Court

Prescribed Books:

1. Oppenheim, International Law, Biblio Bazaar, LIC, 2010
2. James Crawford Brownlie, Principles of International Law, Oxford University Press, 2013
3. Starke, Introduction to International Law , Oxford University Press, 2013
4. Shaw, International Law, Cambridge University Press, 2008 (6th Edn)
5. A. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, 2007
6. R. P. Dhokalia, The Codification of Public International Law, United Kingdom: Manchester University Press, 1970
7. Mark Villiger, “The Factual Framework: Codification in Past and Present”, in Customary International Law and Treaties, Mark Villger, pp.63-113, The Netherlands: MartinusNijhoff, 1985
8. S.K. Kapoor, International Law, Human Rights, Central Law Agency, 2009
9. Brownlie, International Law and the Use of Force by States, Oxford: Clarendon Press, 1991
10. H.O. Agarwal, International Law & Human Rights, Central Law Agency 1st Ed. (Rep) 2014

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Master of Laws LL.M.

Semester – III

Paper: Elective **Course Code:** LLM EL-301 C

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: Criminology and Criminal Justice System

Course Objective

To acquaint students with concepts of psychological factors related to questions of social and criminal deviant behavior.

Programme Outcome

On completion of course, students will be able to develop the ability to analyze exact reasons for criminal activity/ behavior, means and ways to curb its rate.

Unit –I

Introduction: Nature and scope of criminology; Social, psychological and legal approaches; Relation with other social sciences; Relevance of criminology to contemporary society; School of Criminology; Classical, Biological Cartographic; Sociological and Socialist.

Unit –II

Concept of Crime: Definition & Nature; Crime in ancient medieval society; Crime in modern society; Crime and sense of security.

Unit –III

Impact on the Society: Social change; social deviance and social disorganization; Individual disorganization; Group disorganization; Community disorganization; Social control and crime prevention.

Emerging trends in Criminology: Phenomenology; postmodernism and Feminism Crime and Feminism.

Unit –IV

Human Rights and Criminal Justice System: Prison administration and Human Rights, Police accountability and Custodial Violence; Police Reforms and implementation; Judicial pronouncements.

Role of various Protection Agencies/Institutions: National Human Rights Commission, State Human Rights Commissions, Human Rights Courts; International Criminal Court, International norms on administration of criminal justice.

Unit –V

Jurisprudential Approach: Human Rights in correlation to the Reformatory theory of punishment; Human Rights of Prisoners and status of Custodial homes; Corrective Techniques adopted by Indian Criminal Justice System in light of Human Rights.

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Reference Books:

1. Sutherland Edwin H. and Cressey Donald R., *Principles of Criminology*, J.B. Lippincott Co., Philadelphia.
2. Siddique, Ahmad, *Problems and Perspective of Criminology*, Eastern Book Company.
3. Paranjape Dr.N.V., *Criminology and Penology*, Central Law publication.
4. Maniyar, Mridula, *Women criminals and their life-style*, Kaveri Books, New Delhi.
5. Swamy Dr. N. Maheshwara.: *Criminology and Criminal Justice System*, Asia Law House.
6. Burke Roger Hopkins, *An Introduction to Criminological Theory*, Routledge Taylor and Francis Group.
7. Williams Katherine S., *Textbook on Criminology*, Oxford University Press.
8. Coleman Clive and Norris Clive, *Introducing Criminology*, Willan Publication.
9. Lombroso Cesare; *Crime, Its cause and remedies*; Boston – Little, Brown and Company.
10. Gaur K.D., *Criminal Law and Criminology*; Deep and Deep Publication.

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Paper: Internship (Compulsory)
Course Code: LLM IN-303
Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Summer Internship

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Paper: Inter Departmental Course **Course Code:** LLM IER-301

Credit- 4 **Marks: 30 Internal + 70 End Sem**

Course Title: Cyber Law

Course Outcomes:

- C.O. 1 : To understand the dimensions of cyber space and its legal regulation.
- C.O. 2 : To be able to understand the legal issues in jurisdiction of cyber disputes.
- C.O. 3 : To understand the various cybercrimes.
- C.O. 4 : To be able to understand the role of intellectual property in cyber space.

Program Outcomes

To inculcate the value of inter-disciplinary study with reference to technology and law. To assess the importance of forensic investigation and adjudication.
To encourage to find out legal issues electronic governance and regulation. To train in comprehensive comparative legal research.

UNIT I: Cyber Space & Cyber Law

(12 Lectures)

1. Cyber Space& Legal Regulation
2. Cyber Law & UNCITRAL-Information Technology Act,
3. Definition: Electronic Data Interchange, computer, computer network, computer system, communication device, addressee, originator
4. Cyber Authorities & E-Commerce-E-Governance
5. Electronic Signature & Digital Signature

UNIT II: Cyber Adjudication

(12 Lectures)

1. Cyber Adjudication; Traditional Rule & Problems
2. Jurisdiction: Rule of International Law and private international law,
3. Party autonomy - Hague convention on Choice of court agreements, 2005;
4. Cyber Forensic
5. Cyber Adjudication

UNIT III: Electronic Contracts

(12 Lectures)

1. Concept of E-Contract
2. E-Contract: International Perspective
3. Formation of E-Contract
4. Enforcement of E-contract
5. Standard Form Contracts & Cryptanalysis

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UNIT IV: IPR & Cyber Law

(12 Lectures)

1. Copyright & Cyber Law
2. Trademark and Domain Name
3. Cyber Crimes
4. Obscenity and Pornography, Voyeurism & Stalking

UNIT V: Cyber War

(12 Lectures)

1. Freedom of Expression in Internet;
2. Privacy Issues – Information Privacy; interception, monitoring; Data Protection
3. Computer emergency response team (CERT)
4. Cyber Terrorism
5. Cyber War

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Master of Laws LL.M.

Semester – III

Paper: Elective Course Code: LLM EL-302 A

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Federalism and Comparative Power Sharing

Course Outcomes:

- C.O. 1 : to introduce federal structure.
- C.O. 2 : To Introduce the comparative federal structure.
- C.O. 3 : Different Federal Structure.

Program Outcomes

To understand and develop a comparative and collaborative federal structure.

UNIT I:

1. Conceptual position of federation and confederation.
2. Rights and Duties of the states in confederal union.
3. Nature and scope of cooperative federalism.
4. Is India quasi-federal?
5. Relationship of trust and faith between centre and state in federalism.

UNIT II:

1. Federalism in USA, Canada, Australia and Switzerland.
2. Views of Thomas Jafferson about federalism.
3. Comparative analysis of federalism of Government of India Act 1935 and Constitution of India.
4. Role of concurrent list in federal structure of India and Australia.
5. Lujan v. Defenders of wildlife, 504 U.S. 555(1992).
6. Analysis of United States v. Munoz-Flores, 495 U.S. 385, 394 (1990) with search light case.

UNIT III:

1. Concept of Checks and balances in India, USA, Canada and Australia.
2. Separation of powers is a corner-stone of federalism or not?

UNIT IV

1. Administrative relations of centre and state/cantons in India and Switzerland.
2. Allocation of Taxing powers in India, USA and Canada.
3. Concept of Grants-in-Aid.

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UNIT V:

1. The Official Languages Act, 1963 and the concern amendments.
2. Concept of Legislative relation between centre and state in South Asia.
3. Distribution of powers in USA, Canada, Australia and Switzerland.
4. Article 352 v. Article 356 (Indian Constitution).

BOOKS

1. Upendra Baxi, Law, Democracy and Human Right , 5 Lokayan Bulletin 4(1987).
2. V.M. Dandekar. Unitary Elements in a Federal Constitution, 22 E.P.W 1865,1988
3. Rajeev Dhavan, The Press and the Constitutional Guarantee of Free Speech and Expression, 28 JILI 299 (1986)
4. M.A .Fazal, Drafting a British Bill of Rights, 27 JILI 423,1985
5. M.P. Jain, Indian Constitutional Law (1994),Wadhwa
6. H.M. Seervai, Constitutional Law of India,(1993)

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**Master of Laws LL.M.
Semester – III**

Paper: Elective Course Code: LLM EL-301 A

Credit- 4 Marks: 30 Internal + 70 End Sem

Course Title: Mass Media Law

Course Outcomes:

- C.O. 1 :To develop media awareness.
- C.O. 2 : to apprise the students about media.
- C.O. 3 :to apprise the incumbents about digital rights.

Program Outcomes

To make students understand the role of media in constitutional governance.

Unit I : Mass media-Types of-Press Films, Radio and Television (12 Lectures)

1. Ownership pattern-Press-Private-Public, Ownership pattern-Films-Private, Ownership patterns Radio & Television, Public,
2. Difference between Visual and non-Visual Media-impact on People's minds.
3. Press-Freedom of Speech and Expression-Article 19 (1) (a)
4. Includes Freedom of the Press, Laws of defamation, obscenity, blasphemy and sedition.

Unit II

1. The law relating to employees' wages and service conditions,
2. Price and Page Schedule Regulation,
3. Newsprint Control Order,
4. Advertisement-is it included within freedom of speech and expression?
5. Press and the Monopolies and Restrictive Trade Practices Act.

Unit III : Films-How far included in freedom of speech and expression? (12 Lectures)

1. Censorship of films-Constitutionality,
2. The Abbas Case,
3. Difference between films and Press-why pre-censorship valid for films but not for the press?
4. Censorship under the Cinematograph Act.

Unit IV : Radio and Television-Government Monopoly (12 Lectures)

1. Why Government department? Should there be an autonomous corporation?
2. Effect of television on people,
3. Report of the Chanda Committee,
4. Government policy,
5. Commercial advertisement, Internal Scrutiny of serials etc. Judicial Review of Doordarshan decisions: Freedom to telecast.

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Unit V : Constitutional Restrictions

(12 Lectures)

1. Radio and Television subject to law of defamation and obscenity,
2. Power to legislate-Article 246 read with the Seventh Schedule.
3. Power to impose tax-licensing and licensing fee.

Select Bibliography

1. H.M.Seervai, Constitutional Law of India,
2. M.P.Jain, Constitutional Law of India,
3. John B.Howard, The Social Accountability of Public Enterprises,
4. Rajeev Dhavan, On the Law of the Press in India, 26 JILI 288 (1984)
5. Soli Sorabjee, Law of Press Censorship in India,
6. Justice E.S.Venkaramiah, Freedom of Press : Some Recent Trends, 1984
7. D.D.Basu, The Law of Press of India,
8. Rajeeve Dhavan, Legitimizing Government Rhetoric : Reflections on Some Aspects of the Second Press Commission, 26 JILI 391, 1984

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