

# SYLLABUS

## MASTER OF LAWS

**LL.M. (CBCS) IV-Semester 2020-21  
FOR FRESH, FAILURES &  
DUE/BACK PAPERS**



**JAI NARAIN VYAS UNIVERSITY  
JODHPUR**

## **IMPORTANT**

With a view to bring about greater reliability, validity and objectivity in the examination system and also for closer integration of teaching, learning and evaluation.

- (i) The syllabus has been divided into units. Questions will be set from each unit with provision for internal choice.
- (ii) In order to ensure that students do not leave out important portion of the syllabus, examiners shall be free to repeat the questions set in the previous examinations.

[Ref. Resolution No. 21 (c) of Academic Council dated 9-2-84]

The examinees be permitted to use their personal transistorised pocket battery operated calculators in the examinations. The calculator to be used by the candidates in the examinations should not have more than 12 digits, 6 functions and 2 memories and should be noiseless and cordless. A calculator belonging to one candidate shall not be allowed to be used by another candidate. The Superintendent of the centre will have complete discretion to disallow the use of a calculator which does not conform to the above specification.

[Ref. Res. No. 6/90 of Academic Council dated 20th July, 1990]

In Engineering and any other examinations where the use of calculators is already permitted, it shall remain undisturbed.

## **NOTIFICATION**

In compliance of decision of the Hon'ble High Court all students are required to fulfil 75% attendance rule in each subject and there must be 75% attendance of the student before he/she could be permitted to appear in the examination.

REGISTRAR  
(Academic)

**FACULTY OF LAW  
LIST OF TEACHING STAFF**

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<b>S.No.</b>	<b>Name</b>	<b>Designation</b>	<b>Qualification</b>
1.	Prof. (Miss) Chandan Bala	Professor, Head & Dean	LL.M., Ph.D.
2.	Dr. Sunil Asopa	Professor	LL.M., Ph.D.
3.	Dr. V.K. Bagoria	Assistant Professor	LL.M., Ph.D.
4.	Dr. S.P. Meena	Assistant Professor	LL.M., DCLL, Ph.D.
5.	Dr. Nidhi Sandal	Assistant Professor	LL.M., Ph.D.
6.	Dr. Dalpat Singh	Assistant Professor	LL.M., DCLL, Ph.D.
7.	Dr. P.K. Musha	Assistant Professor	LL.M., Ph.D.
8.	Dr. Kuchata Ram	Assistant Professor	LL.M., Ph.D.
9.	Dr. Vinod Kumar Meena	Assistant Professor	LL.M., Ph.D.

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## **A. LL.M. (Master of Law)**

For the purpose of admissions in LL.M. Programme of Faculty of Law, Jai Narain Vyas University will conduct **Law Entrance Tests** (hereinafter referred to as LET). Admissions will be made according to merit of the LET, eligibility requirements for entrance test and availability of seats are as under:

### **1. LL.M. (Two Year Scheme)** also known as regular course

**Duration of the Course:** Two years

**No. of Seats:** 60 (Regular)  
60 (Self Finance)

### **Minimum eligibility criteria**

3-Year LL.B. after Graduation under *at least* 10+2+3 pattern or five years LL.B. Integrated Course under 10+2+5 or LL.M. Three Year Course pattern recognized by the Bar Council of India securing a minimum of 55% marks (admission may be made at 50% marks of LL.B. in self financing Section) and 60% for the candidate who got the degree of LL.B. from the University other than the Universities of Rajasthan.

I) Candidates appearing in the Final Year of the Qualifying Examination may also apply and appear in the Test. However, the candidate will be required to produce the original mark sheet of the qualifying examination at the time of counseling for getting admission.

II) If the applicant has passed the qualifying Exam where grades are awarded and:

A) where the Grade Sheet does not mention the equivalent percentage of marks from grade points, the candidate should submit such a Certificate of conversion from the concerned Institution mentioning either the converted percentage, or the formula for the actual conversion of grade point average to percentage of marks;

B) where the Grade Sheet itself mentions the equivalent percentage of marks from grade points, or the formula for such conversion, the candidate should get both sides of the Degree/Grade Sheet photocopied showing the equivalent percentage of marks/conversion formula.

“**Aggregate** percentage of marks” will **also** include grace marks awarded to a candidate. **However, it will not** include the marks of those subjects where only pass marks are required such as compulsory language, compulsory environmental studies etc. and which do not contribute to the

total in the final (degree) mark sheet. Similarly marks of additional subject (if any) for improvement of aggregate percentage/division will not be considered for calculating the aggregate percentage for admission in the University. Decision of the University in regards to such calculation shall be final.”

No rounding off of percentage of marks will be permitted.

### **Reservation and Relaxation Rules**

Reservation and Relaxation in Minimum Eligibility for SC/ST/OBC/SOBC/Physically Challenged (PC) Candidates/University Wards etc. will be provided as per University Rules for Government Approved (Regular) Seats only. No relaxation in minimum eligibility that is 50% in LL.B. will be provided for admission on SFS Seats to SC/ST/OBC/SOBC /Physically Challenged (PC) Candidates/University Wards etc.

**Entrance Test Structure :** *There will be separate Test Paper for the admission in the Programme. Admission to the programme will be made on the basis of merit of LET.*

### **LL.M.**

There shall be one paper of 120 minutes duration carrying 300 marks containing 100 multiple-choice questions on Jurisprudence, Constitutional Law, Law of Contract, Company Law, Transfer of Property, Law of Torts, Law of Crimes, Environmental Law, Public International Law, Indian Evidence Act, Hindu Law and Muslim Law and laws related to IPR, Human Rights and Labour Laws.

**Entrance test Centre:** Jodhpur Only.

### **Evaluation & Result:**

Three marks shall be awarded for each correct answer while one mark shall be deducted for each incorrect answer. Unattempted question will be awarded zero mark. Candidate shall be selected in order of merit on the basis of aggregate marks secured in the Entrance Test (LET) provided he/she fulfils the minimum eligibility criteria i.e. at least 55% marks for GAS and at least 50% marks for SFS. Merit list of the candidates selected/waitlisted for admission, will be notified on the official notice board of the department and university website by the Head of the Department. The University will try to announce the result as soon as possible which will be notified on JNVU Website: [www.jnvu.edu.in](http://www.jnvu.edu.in).

**Entrance Test Fee:**

Entrance Test Fee for SC and ST is Rs. 1500/- and for others it is Rs. 2000/-  
Fee will be non refundable on non appearance in LET.

**Note : In matters not covered above the University rules will be followed.**

**IMPORTANT INFORMATION**

On 31.7.2019, the question paper and its key will be uploaded on the University website after validation by appropriate committee.

Grievances may be submitted from the candidates through online upto 03.8.2019 till 5:00 p.m.

**Note :-** Students may file their objection within 03 days from the date of examination with Rs. 50/- Fee. They must mention Question No. and supply supporting evidence to Dean Faculty of Law. If any objection is received by the University, their grievances will be considered by appropriate committee.

The students may down load their admission card from 21<sup>st</sup> July, 2019 at 10:00 a.m. onwards.

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The two year degree programme of LL.M. will consist of Four Semesters. One academic session of one year will be divided into two semesters. Candidate shall be admitted to LL.M. First Semester only and thereafter required to qualify all four semesters. In first semester and second semester, five core courses and one skill course will be taught in the academic session 2019-20.

In the third and fourth semester, the subject of specialization i.e. Human Rights and Business Law for the academic session 2020-21 will be taught. The candidate will have to choose one out of the two groups i.e. Business Law and Human Rights for his/her specialization. In semester III & IV, seven core courses and one skill course will be taught.

## **Details of CBCS system for LL.M. Two Years Programme to be effective from session 2019-20:**

GUIDELINES FOR CHOICE BASED CREDIT SYSTEM:

### **Definitions of Key Words:**

1. **Academic Year:** Two consecutive (one odd + one even) semesters constitute one academic year.
2. **Choice Based Credit System (CBCS):** The CBCS provides choice for students to select from the prescribed elective and skill courses. A student need to select **two elective papers** offered by the Department in which he/she is doing core course this shall be part of core programme during third and fourth semester. Each student has to complete **four skill courses:** two within the Department and two from other Department within JNV University or the Universities approved by JNV University
3. **Course:** Usually referred to, as 'papers' is a component of a programme. All courses need not carry the same weight. The courses should define learning objectives and learning outcomes. A course may be designed to comprise lectures/ tutorials/laboratory work/ field work/ project work/ self-study etc. or a combination of some of these.
4. **Credit Based Semester System (CBSS):** Under the CBSS, the requirement for awarding a degree is prescribed in terms of number of credits to be completed by the students.
5. **Credit Point:** It is the product of grade point and number of credits for a course.
6. **Credit:** A unit by which the course work is measured. It determines the number of hours of instructions required per week. One credit is equivalent to one period of teaching (lecture or tutorial) or two periods of practical work/field work per week.
7. **Cumulative Grade Point Average (CGPA):** It is a measure of overall cumulative performance of a student over all semesters. The CGPA is the ratio of total credit points secured by a student in various courses in all semesters and the sum of the total credits of all courses in all the semesters. It is expressed up to two decimal places.
8. **Grade Point:** It is a numerical weight allotted to each letter grade on a 10-point scale.
9. **Letter Grade:** It is an index of the performance of students in a said course. Grades are denoted by letters O, A+, A, B+, B, C, P and F.
10. **Programme:** An educational programme leading to award of the Postgraduate Degree in the Core subject in which he/she is admitted.
11. **Semester Grade Point Average (SGPA):** It is a measure of performance of work done in a semester. It is ratio of total credit points secured by a student in various courses registered in a semester and the total course credits taken during that semester. It shall be expressed up to two decimal places.
12. **Semester:** Each semester will consist of 15-18 weeks of academic work equivalent to 90 actual teaching days. The odd semester may be scheduled from July to November/ December and even semester from December/January to May.

**Odd semester University examination shall be during second/third week of December and even semester University examination shall be during second/third week of May.**

13. **Transcript or Grade Card or Certificate:** Based on the grades earned, a statement of grades obtained shall be issued to all the registered students after every semester. This statement will display the course details (code, title, number of credits, grade secured) along with SGPA of that semester and CGPA earned till that semester



## Fairness in Assessment

Assessment is an integral part of system of education as it is instrumental in identifying and certifying the academic standards accomplished by a student and projecting them far and wide as an objective and impartial indicator of a student's performance. Accordingly, the Faculty of Science resolves the following:

- a. All internal assessments shall be open assessment system only and that are based on Viva voce, term test, seminar, paper writing, paper presentation and for core courses of Dissertation/Thesis (Doctrinal) and Dissertation/Thesis (Non-Doctrinal), they will comprise of material collection and its interpretation.
- b. Attendance shall carry the prescribed marks in all papers and Practical examination CCA
- c. In each semester at least 40 percent of theoretical component University examination shall be undertaken by external examiners from outside the university conducting examination, who may be appointed by the competent authority

## Grievances and Redressal Mechanism

- a) The students will have the right to make an appeal against any component of evaluation. Such appeal has to be made to the Head/Principal of the College or the Chairperson of the University Department concerned as the case may be clearly stating in writing the reason(s) for the complaint / appeal.
- b) The appeal will be assessed by the Chairman and he/she shall place before the **Grievance Redressal Committee (GRC)**, Chaired by the Dean, Faculty of Law and two other teachers of the Faculty and if need be Course Teacher(s) be called for suitable explanation; GRC shall meet at least once in a semester and prior to CCA finalization.
- c) The Committee will consider the case and may give a personal hearing to the appellant before deciding the case. The decision of the Committee will be final.
- d) Each component marks will be added without rounding and the total thus obtained is ratio by a factor of six. This value shall be rounded.

Table 1: Grades and Grade Points

S.No.	Letter Grade	Meaning	Grade Point
1	'O'	Outstanding	10
2	'A+'	Excellent	9
3	'A'	Very Good	8
4	'B+'	Good	7
5	'B'	Above Average	6
6	'C'	Average	5
7	'P'	Pass	4.5
8	'F'	Fail	0
9	'Ab'	Absent	0

- i. A student obtaining Grade F in a paper shall be considered failed and will be required to reappear in the University End Semester examination.
- ii. For noncredit courses (Skill Courses) 'Satisfactory' or "Unsatisfactory" shall be indicated instead of the letter grade and this will not be counted for the computation of SGPA/CGPA

## Grade Point assignment

- = and > 95 % marks Grade Point 10.0
- 90 to less than 95 % marks Grade Point 9.5
- 85 to less than 90 % marks Grade Point 9.0
- 80 to less than 85 % marks Grade Point 8.5
- 75 to less than 80 % marks Grade Point 8.0
- 70 to less than 75 % marks Grade Point 7.5
- 65 to less than 70 % marks Grade Point 7.0
- 60 to less than 65 % marks Grade Point 6.5
- 55 to less than 60 % marks Grade Point 6.0
- 50 to less than 55 % marks Grade Point 5.5
- 45 to less than 50 % marks Grade Point 5.0
- 40 to less than 45 % marks Grade Point 4.5



### Computation of SGPA and CGPA:

- i. The SGPA is the ratio of sum of the product of the number of credits with the grade points scored by a student in all the courses taken by a student and the sum of the number of credits of all the courses undergone by a student,  
i.e.

$$\text{SGPA (Si)} = \frac{\sum (C_i \times G_i)}{\sum C_i}$$

Where  $C_i$  is the number of credits of the  $i$ th course and  $G_i$  is the grade point scored by the student in the  $i$ th course.

- ii. The CGPA is also calculated in the same manner taking into account all the courses undergone by a student over all the semesters of a programme,  
i.e.

$$\text{CGPA} = \frac{\sum (C_i \times S_i)}{\sum C_i}$$

where  $S_i$  is the SGPA of the  $i$ th semester and  $C_i$  is the total number of credits in that semester.

- iii. The SGPA and CGPA shall be rounded off to 2 decimal points and reported in the transcripts.

#### Illustration for SGPA

S.No.	Course	Credit	Grade letter	Grade point	Credit Point (Credit x Grade)
1	Course 1	4	B	6	4 x 6 = 24
2	Course 2	4	B+	7	4 X 7 = 28
3	Course 3	4	B	6	4X 6 = 24
4	Course 4	4	O	10	4 X 10 = 40
5	Course 5- Practical I	4	C	5	4 X 5 = 20
6	Course 6 – Practical II	4	B	6	4 X 6 = 24
	<b>Total</b>	<b>24</b>			<b>24+28+24+40+20+24 =160</b>

Thus,  $\text{SGPA} = 160/24 = 6.67$

#### Illustration for CGPA

	Semester- I	Semester-II	Semester-III	Semester-IV
Credit	24	24	24	24
SGPA	6.67	7.25	7	6.25

$$\text{CGPA} = \frac{(24 \times 6.67 + 24 \times 7.25 + 24 \times 7 + 24 \times 6.25)}{96}$$
$$652.08/96 = 6.79$$

Semester-wise Theory Papers/Practical / Skill component

**Semester IV Group-Business Law**

Type of course	Course code	Title of the Course	Lecture-Tutorial-Practical/Week	No. of credits	Continuous Comprehensive Assessment (CCA)	End-Semester Examination (ESE) [University Examination]	Total
Core course 25	LL.M. 401B	Law of industrial and Intellectual Property-II	6	6	30	70	100
Core course 26	LL.M. 402B	Legal Regulation of Economic Enterprises-II	6	6	30	70	100
Core course 27	LL.M. 403B	Law of Export Import Regulation-II	6	6	30	70	100
Core course 28	LL.M. 404B	Banking Law-II	6	6	30	70	100
Core course 29	LL.M. 405B	Insurance Law-II	6	6	30	70	100
Core course 30	LL.M. 406B	Corporate Finance-II	6	6	30	70	100
Core course 31	LL.M. 407B	Dissertation/Thesis (Non-Doctrinal)	6	6	30	70 Evaluation of Dissertation/Thesis and Viva Voce by one internal and one external examiner	100
Core course 31*	LL.M. 407B	Dissertation Preparation Doctrinal*	6	6	30	70 Viva Voce by one internal and one external examiner	100
Skill Course IV		Criminology, Penology & Victimology	2				
Total			44	42	180	490	700

**\* For Due / Back Papers students only.**

**Semester IV Group-Human Rights**

Type of course	Course code	Title of the Course	Lecture-Tutorial-Practical/Week	No. of credits	Continuous Comprehensive Assessment (CCA)	End-Semester Examination (ESE) [University Examination]	Total
Core course 32	LL.M. 401H	Concept and Development of Human Rights-II	6	6	30	70	100
Core course 33	LL.M. 402H	Human Right in International and Regional Perspective -II	6	6	30	70	100
Core course 34	LL.M. 403H	Human Right : Enforcement Mechanism-II	6	6	30	70	100
Core course 35	LL.M. 404H	Human Rights and Special Interest Groups : Children	6	6	30	70	100
Core course 36	LL.M. 405H	International Humanitarian Law and Refugee Law-II	6	6	30	70	100
Core course 37	LL.M. 406H	Science, Technology and Human Rights-II	6	6	30	70	100

Core course 38	LL.M. 407H	Dissertation/Thesis (Non-Doctrinal)	6	6	30	70 Evaluation of Dissertation/Thesis and Viva Voce by one internal and one external examiner	100
Core course 38*	LL.M. 407H	Dissertation Preparation Doctrinal*	6	6	30	70 Viva Voce by one internal and one external examiner	100
Skill Course IV		Criminology, Penology & Victimology	2				
Total			44	42	180	490	700

**\* For Due / Back Papers students only.**

The Department of Law shall offer one skill course per semester. They are as follows:

1. Skill Course-I- Interpretation of Statutes
2. Skill Course -II- Legal Aid, Para Legal Services and Public Interest Litigation
3. Skill Course- III- Administrative Law
4. Skill Course -IV- Criminology, Penology & Victimology

For Semester III & IV, for courses, 1-6 -there will be 6 lectures per week and for skill courses 2 lectures will be per week and for preparation for Dissertation/Thesis (Doctrinal) in the III semester and Dissertation/Thesis (Non-Doctrinal) in the IV semester – 6 periods per week will be allotted.

The duration of period will be 55 minutes.

All courses involve an evaluation system of students that has been the following two components:

1. Continuous Comprehensive Assessment (CCA) – Accounting for 30% of the final grade that a student gets in a course and practical i.e. Dissertation/Thesis (Doctrinal) and Dissertation/Thesis (Non-Doctrinal).
2. End Semester Examination (ESE) – Accounting for remaining 70% of the final grade that a student gets in a course.
3. Viva Voce and evaluation of Dissertation/Thesis (Doctrinal) and Dissertation/Thesis (Non-Doctrinal) – Accounting for 70 % of final grade that a student gets in a course (50 marks for evaluation of Dissertation/Thesis and 20 marks will be for Viva Voce examination).

Continuous comprehensive assessment will have the following components :

1. Term Test : One term test shall be arranged for each course prior to end semester examination. Examination duration shall be 3 hours.

Continuous Compressive Assessment for III & IV Semester for 1-6 courses shall be as follows:

A. Term Test	-	70 marks
B. Seminar Paper Preparation	-	50 marks
C. Seminar Paper Presentation	-	45 marks
D. Attendance	-	15 marks
Total=		180 marks (Reduced to 30)

For Dissertation/Thesis (Doctrinal) and Dissertation/Thesis (Non-doctrinal) in Paper-VII in III & IV Semester respectively the CCA will be as under:

A. Collection of material	-	85 marks
B. Interpretation and preparation of Dissertation/Thesis (Doctrinal) or Dissertation/Thesis (Non-Doctrinal) as the case may be	-	80 marks
C. Attendance	-	15 marks
Total =		180 marks (Reduced to 30)

Term test shall be arranged for each paper prior to end semester examination. Examination duration shall be 3 hours. Continuous Comprehensive Assessment shall be completed prior to term test for all papers. All students will have to attend a minimum of 75% lectures. Each student will have to attend a minimum of 75% lectures. A student having less than 75% attendance will not be allowed to appear in semester examination. The attendance marks will be awarded by following the system proposed below:

75% - 80%	-	3
80% - 85%	-	6
85% - 90%	-	9
90% - 95%	-	12
95% - 100%	-	15

**Each student's cumulative attendance shall be displayed in the Department Notice Board every month with a copy to the Dean, Faculty of Law.**

Condonation of Shortage of attendance shall be governed in accordance with the provisions in the Act and Statute of the University vide Ordinance 78 to Ordinance 80 as amended from time to time.

Skill course evaluation: Based on the performance of the candidate, the department shall declare the result as satisfactory or non-satisfactory. Each student need to get a minimum 3 (satisfactory) declaration for the course completion.

For the Term test and end semester examination – there will be two parts in the question paper. In the first part i.e. A Part, 10 questions will be asked selecting at least 2 questions from each unit. All the 10 questions will be compulsory and each question will carry 1 mark the word limit for answers will be 50 words each and in Part-B, 2 questions will be asked from each unit with internal choice and each question will carry 15 marks. The word limit for answer will be 500 words each.

Note: Students will appear in odd skill course in the Department of Law and in even skill course in other department of the University.

### **Qualifying for Next semester**

- 1. A student acquiring minimum of 40% in total of the CCA is eligible to join next semester.**
2. A student who does not pass the examination (CCA+ESE) in any course(s) (or due to some reason as he/she not able to appear in the ESE, other conditions being fulfilled, and so is considered as 'Fail'), shall be permitted to appear in such failed course(s) in the subsequent ESE to be held for the same semester.
3. A student who fails in one or more papers in a semester shall get three more chances to complete the same; if he/she fails to complete the same within the prescribed time, i.e. three additional chances for each paper; the student is ineligible for the Postgraduate degree in the Subject in which he/she is admitted. For additional chances examination fee shall be on additive basis.

A student, who does not pass the examination i.e. CCA + ESE in any course (S) or due to some reason as he/she is not able to appear in ESE other condition being fulfilled, and so is considered as "Fail" shall be permitted to appear in such failed courses or viva voce for III & IV semester in the subsequent ESE to be held. Every student shall have the opportunity to improve credit through university examination only.

### **Improvement Option:**

Every student shall have the opportunity to improve Credit thorough University Examination only. Improvement opportunity for each paper is only with two additional

chances; improvement examination fee shall be on additive basis; the Credit obtained in improvement examination shall be final.

**Result Declaration:**

The ESE (End Semester Examination/University Examination) results shall be declared as soon as possible. The Classes of even semesters shall begin from the next day of ESE; whereas odd semester classes shall commence after summer vacation. **A student will be declared passed only when he secures 40% marks in individual course including CCA and theory examination and 50% in aggregate in all the courses in each semester.**

**Students Failed in CCA:**

Any student declared “Not Eligible” by the Department based on CCA in Semester I, II, III or IV and accordingly did not appear in ESE; can be readmitted as an additional student in that Semester in the **following year only**. Such student need to deposit the annual university fee as prescribed for that academic year.

The Dissertation/Thesis (Doctrinal) in the III Semester and Dissertation/Thesis (Non-Doctrinal) in the IV Semester shall be submitted to the Registrar of the University through the Head of the Department positively 15 days before the commencement of the theory examination. The Vice-Chancellor on the recommendation of the Head of the Department shall appoint two examiners, one of whom shall be the Head of Department or any other teacher of the Department nominated by him and there will be one external examiner. The Examiners shall report to the Registrar their award on the Dissertation/Thesis (Doctrinal) and Dissertation/Thesis (Non-Doctrinal) within the time prescribed in that behalf. If there is difference of 20% in marking, the matter will be referred to third examiner.

The Head of the Department shall have power regarding interpretation of rules in case of any confusion.

## IV - SEMESTER

### GROUP A - BUSINESS LAW

#### LL.M. 401B : LAW OF INDUSTRIAL AND INTELLECTUAL

##### PROPERTY-II

- Unit 1 : Patent, patentable and non patentable inventions, procedure for obtaining patent, compulsory license, emerging issues in patent such as patent in the field of biotechnology, life form, human genome, infringement of patent and remedies thereof.
- Unit 2 : Patent Cooperation Treaty (PCT).  
Protection of plant varieties, and farmers' right. UPOV convention, principle of benefit sharing.
- Unit 3 : Intellectual Property and Human Rights, Protection of the rights of indigenous people, protection of human rights of impoverished masses, IPR protection and its impact on right to food security and public health, Environmental protection.
- Unit 4 : Protection of Bio-diversity and Traditional Knowledge-economic, social, cultural and ethical dimensions.

##### Important Acts

1. Patents Act, 1970 (As amended)
2. Protection of Plant Varieties and Farmer's Right Act, 2001 (As amended)
3. Geographical Indications of Good (Registration and Protection) Act, 1999 (As amended)
4. Biological Diversity Act, 2002 (As amended)

##### Suggested Readings

Intellectual Property and International Trade (1998), Kluwer Patent Cooperation treaty Hand Book (1998), Sweet and Maxwell Christopher Wadlow : The Law of Passing Off (1998). Sweet and Maxwell.

W.R. Cornish : Intellectual Property Law (1999), Sweet and Maxwell.

Elizabeth Verke : Law of Patents (2005) Eastern Book Company, Lucknow.

S.K. Verma and Raman Mittal (Ed.) - Intellectual Property Right : A Global Vision (2006) Indian Law Institute Publication, New Delhi.

Shiv Sahai Singh (Ed.)- The Law of Intellectual Property Right. (2004) Deep and Deep Publication, New Delhi.

Shahid Khan and Rangunath Mashelkar : Intellectual Property and Competitive Strategies in the 21st Century, (2006), Kluwer Law International.

P.S. Narayan : Intellectual Property Law in India. (2006) Gogia Law Agency, Hyderabad.



## LL.M. 402B :LEGAL REGULATION OF ECONOMIC ENTERPRISES-II

- Unit 1 : Regulatory Authorities  
Telecom/Broadcasting Regulatory Authority, Industrialization and Environmental Regulation:  
Environment Clearance  
Environment Audit
- Unit 2 : Environment Impact Assessment  
Public Liability Insurance Act  
Sustainable Development, New Dimensions of Environmental protection, role of the Judiciary.  
Competition Commission
- Unit 3 : Investment Scheme for NRI : portfolio investments for NRI, purchase and sale of shares/convertible debentures or other securities on Non-repatriation basis.
- Unit 4 : Foreign Institutional Investment. Foreign Direct Investment, Joint Venture and Transfer of Technology FEMA.

### Suggested Readings

- Mishra, Puri, Indian Economy, Himalaya Publishing House, 28th revised edition.
- S. Aswani Kumar: The Law of Indian Trade Mark: (2011), Commercial Law House, Delhi-
- Industrial Policy Resolution-, of 1948, 1956. 1991 Industrial Licensing Policy 1970. 1975 Industrial Policy Statements; 1973. 1977, 1980
- Reports of Committees on Public : undertakings of Parliament Industries (Development and Regulation) Act, 1951
- U.Baxi & A. Dhanda : Valiant Victims and Lethal Litigation : The Bhopal Case (1989)
- Indian Law Institute, Law of International Trade Transaction (1973)

## LL.M. 403B : LAW OF EXPORT IMPORT REGULATION-II

Unit 1 : Non Tariff Barriers, Export Import Bank of India, Export Credit Guarantee Corporation of India Limited

Unit 2 : Promotion of Foreign trade, agricultural products, textile and cloths.

Unit 3 : The custom Act, 1962 : Prohibition on importation and exportation of goods.

Unit 4 : The Conservation of Foreign Exchange and Preventions of Smuggling Activities Act-control of smuggling activities in export and import trade.

### **Suggested Readings**

Government of India. Handbook of Import Export Procedures Government of India Import and Export Policy (1997-2002)

Foreign Trade Development and Regulation Act 1992 and Rules Foreign Exchange Management Act 1999

Customs Manual (Latest edition)

Final Treaty of GATT, 1994

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## LL.M. 404B : BANKING LAW-II

- Unit 1 : Bank and Customer Relationship.  
Banking Operations Lending by Banks, Collection and Payments of Cheques.  
- Transformation of Banking Sector  
- E-Banking and E-Fraud  
- Responsibility of Banks in fraudulent transaction
- Unit 2 : Banking Process  
Negotiable Instrument & their characteristics, Cheques, Dishonor of Cheques,  
Appropriation of payments.  
Interference by third parties.  
Attachment, Mareva Injunctions, Bank and Garnishee, set off.
- Unit 3 : Social Banking  
Basal II norms  
Letter of Credit
- Unit 4 : Recovery of Debts Due to Banks.  
Banking Ombudsman Scheme 2002. Debt Recovery Tribunal Act.  
Recent Trends of Banking System in India.

### SELECT BIBLIOGRAPHY

- Basu, A. : Review of Current Banking Theory and Practice (1998) Mac Miilan  
M. Hapgood (ed.) : Paget's law of Banking (1989) Butterworths, London  
R. Goode : Commercial Law, (1995) Penguin, London  
Ross Cranston : Principles of Banking Law (1997) Oxford  
L.C. Goyle : The Law of Banking and Bankers (1995) Eastern  
M.L. Tannan : Tamnan's Banking Law and Practice in India (1997), India Law House. New  
Delhi, 2 Volumes  
K.C. Shekhar : Banking Theory and Practice (1998), UBS Publisher Distributors Ltd.. New  
Delhi  
M. Dasse, S. Isaacs and G. Pen ; E.G. Banking Law..(1994), Lloyds of London Press,  
London  
V. conti and Hamau (eds.) : Financial Markets Liberalization and the Role of Banks'  
Cambridge University Press, Cambridge (1993)  
J. Dermine (ed.) : European Banking in the 1990's (1993) Blackwell, Oxford  
K. Subrahmanyam Banking Reforms in India (1997), Tata McGraw Hill, New Delhi  
R.S. Narayanna : The Recovery of Debts due to Banks and Financial Institution Act, 1993  
(51 of 1993), Asia Law House, Hyderabad  
M.A. Mir : The Law Relating to Bank Guarantee in India (1992) Metropolitan Book, New  
Delhi  
Mitra : The Law Relating to Bankers' Letters of Credit and Allied Laws (1998), University  
Book Agency, Allahabad

## LL.M. 405B : INSURANCE LAW-II

- Unit 1: Insurance against Accidents : The Fatal Accidents Act, 1855, Objects and reasons. Assessment of compensation, Contributory negligence. Apportionment of compensation and liability, The Personal Injuries (Compensation insurance) Act 1963, Compensation payable under the Act, Compensation insurance scheme under the Act Compulsory, insurance. Property insurance: Fire Insurance,
- Unit 2: The Emergency Risks (Factories) Insurance, The Emergency Risks (Goods) Insurance, (policies covering risk of explosion, Policies covering accidental loss. damage to property, Policies covering risk of storm and tempest, Glass-plate policies, Burglary and theft policies, Live stock policies, Goods in transit insurance, Agricultural insurance
- Unit 3: Insurance against Third Party Risks : The Motor Vehicles Act, 1988, Nature and Scope, Effect of Insolvency or death on claims of insolvency and death of parties, certificate of insurance, Claims tribunal : Constitution, functions, application for compensation. procedure powers and award.
- Unit 4: Liability Insurance : Nature and kinds of such insurance, Public liability insurance. Professional negligence insurance. Miscellaneous Insurance Schemes: New Dimensions : Group life insurance, Mediclaim sickness insurance

### SELECT BIBLIOGRAPHY

- John Hanson and ChristopaisHenly : All Risks Property Insurance (1999), LLPAsia Hongkong
- Peter Mac Donald Eggers and PatricFoss : Good faith and Insurance Contracts (1998) LLP Asia, Hongkong
- Banjeree : Law of Insurance (1994). Asia Law House, Hyderabad Mtra, B.C. : Law Relating to Marine Insurance (1997), Asia Law House, Hyderabad
- Brids : Modern Insurance (1997), Sweet & Maxwell
- International Labour Office, Administration Practice of Social Insurance(1985)
- E.R. Hardy Ivamy : General Principles of insurance Law (1979) Edwin, W. Patterson : Cases and Materials On Law of (nsurance (1955)
- M.N. Sreenivasan : Law and the Life Insurance Contract (19 14)

## LL.M. 406B : CORPORATE FINANCE-II

- Unit 1 : Protection of Investors : Individual share holder right, Corporate membership right, Derivative actions, Qualified membership right.
- Unit 2 : Conversion, consolidation and reorganization of shares, Transfer and transmission of securities, Dematerialization of securities, prevention of oppression and mis-management, Role of SEBI.
- Unit 3 : Corporate Fund Raising: Depositories IDR (Indian Depository Receipts), ADR (American Depository Receipts). GDR (Global Depository Receipts), Public financing institutions IDBI, ICICI, IFC and SFC, Mutual Fund and other collective investment schemes.
- Unit 4 : Institutional investment-LIC, UTI and banks, FDI and NRI investment. Administrative Regulation on Corporate Finance : Inspection of accounts, SEBI, Central Government control, control by registrar of companies, RBI control. Copex plan and Corporate Fund Raising.

### SELECT BIBLIOGRAPHY

- Alastair Hundson : The Law on Financial Derivatives (1998), Sweet & Maxwell
- Eil'sFerran : Company Law and Corporate Finance (1999), Oxford Jonathan Charkham : Fair Shares : The Future of Shareholder Power and Responsibility ( 1999). Oxford
- RamaiyaA : Guide to the Companies Act (1998). Vol. I, II and III H.A.J. Ford and A.i'. Austen : Ford's principle of Corporations Law (1999). Butterworths
- J.H. Farrar and B.M. Hanniyan : Farrar's Company Law (1998), Butterworths
- Austen R.P.: The Law Of Public Company Finance (1986), LBC R.M. Goode : Legal Problems of Credit and Security (1988), Sweet and Maxewll
- Altman and Subrahmanyam : Recent Advances in Corporate Finance (1985), LBC
- Gilbert Harold: Corporation Finance (1956) Henry E. Hogland : Corporation Finance (1947)
- Maryin M. Kristein : Corporate Finance (1975) R.C. Osborn : Corporation Finance (1959)
- S.C. Kuchhal : Corporation Finance: Principles and Problems (6th ed. 1966)
- VG. Kulkarni : Corporate Finance (1961)
- Y.D. Kulshreshta : Government Regulation of Financial Management of Private Corporate Sector in India (1986)

**LL.M. 407B :DISSERTATION/THESIS (NON-DOCTRINAL) & VIVA – VOCE**

Dissertation/Thesis (Non-Doctrinal) : 30 Marks (CCA)

Evaluation of Dissertation/Thesis and Viva Voce : 70 Marks  
(50 Marks for evaluation of Dissertation/Thesis (Non-Doctrinal) and 20 Marks for Viva Voce Examination.)

The candidate will secure 40% marks aggregate in the Dissertation/Thesis (Non-Doctrinal) and Viva Voce examination in the III-semester.

**FOR DUE/BACK PAPERS STUDENTS**

**LL.M. 407B : DISSERTATION (DOCTRINAL) & VIVA – VOCE**

Dissertation (Doctrinal) : 30 Marks (CCA)

Viva Voce : 70 Marks

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### **Skill Course-IV - Criminology, Penology and Victimology**

Unit-I	Criminology : Definition, Nature and Scope, Methods of studying criminal behaviour , Crime : Definition and Nature
Unit-II	classification of crime, organised and professional crime, Control of Crime : Police and Law Courts, Prevention of crime
Unit-III	Theories of punishment. Relationship between criminology and penology, History of punishment. Kinds of Punishment, White collar criminals, Female offenders, Juvenile Delinquency
Unit-IV	Victimology : Definition and types of the victim, Persons vulnerable to victimization 1.Elderly, 2. Children, 3. Female. Compensation to victims.

### **SUGGESTED READINGS**

Barnes, H.B. and Tectors : New Horizons in Criminology  
Vold, G.S. : Theoretical Criminology  
Pillai, K.S. : Criminology  
R. Teft, Donald: Criminology  
Edwin, H. Sutherland and Donald R. Grussey : Principles of Criminology  
HormanMannhaim : Pioneers in Crimmology  
Hon-Barren, Mays: Crime and the Social Structures  
Ahmed Siddiqui : Criminology-Problems and Perspectives  
Lord Pakenham : Causes of Crime  
S. VenugopalaRao : Facts of Crime in India  
Komm, R.R. and Mogorble : Law-Criminology and Penology Grunhut : Criminal Justice and Reconstruction  
Madolm : Criminal Justice and Reconstruction  
Gorden Rose: The Struggle for Penal Reform  
LL.T. : Essays on Indian Penal Code  
Ben-Penology: Old and New-Tagore Law Lectures  
Clict : Conflicting Penal Theories in Statutory Criminal Law  
Shamsul Huda : Tagore Law Lectures on Criminal Law  
Lawburse : Crime, Its Causes and Remedies  
Dequires : Modern Theories of Criminology  
Gillin : Criminology and Penology  
Beccaria : Crime and Punishment  
The Criminal Procedure Code  
The Constitution of India



## **GROUP B :**

### **HUMAN RIGHTS LAW**

#### **LL.M. 401H :CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS-II**

**Unit 1 : Collective Rights :**

Are Collective rights as human rights?  
Right to Solidarity, Development and Peace.  
Balancing Collective rights and individual human rights.

**Unit 2 Role of Jurists**

Sociological/Functional Approaches in Jurisprudence, Realist Movement and Judicial Process : A study of selected ideas. Thomas Pain, Locke, J. S. Mill, Jeremy Bentham.

**Unit 3 A study of selected ideas- Laski, Dwarkin, Nozick and Gandhi**

Evolution of Human Rights  
Milestones in Development of Human Rights, Thought on International Plane  
Evolution of Human Rights Thinking, contributions of Ancient Civilizations, Magna Carta, The British Bill of Rights, French and American Declarations.

**Unit 4 Universal Declaration of Human Rights, 1948 (Article 29), UN General Assembly Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms 1999, UNESCO Declaration on the Responsibilities of the Present Generation Towards Future Generations 1997.**

**Suggested Readings :**

Angela Hegarty : Siobhan Leonard, Human Rights an Agenda for the 21st Century (1999)

Lalit Parmar : Human Rights (1998)

Rama Jis : Human Rights : Bhartiya Values (1998)

David P. : Forsythe, Human Rights in International Relations Lon L. Fuller, The Morality of Law

John Finnis : Natural law and Natural Rights (1980)

Julius Stone : Human Law and Human Justice (2000), Universal, New Delhi

M.G. Chitkara : Human Rights : Commitment and Batrayal (1966)

**LL.M. 402H : HUMAN RIGHTS IN INTERNATIONAL AND  
REGIONAL PERSPECTIVES-II**

Unit 1 Rights of Minorities and Disadvantaged groups

Rights of Ethnic, Religious or Linguistic Minorities:

Declaration on the Right of Persons Belonging to Ethnic, Religious and Linguistic Minorities, 1992.

Rights of the Elderly:

World Assembly on Ageing, Vienna, 1982

Rights of the Indigenous People:

Unit 2 UN Voluntary Fund for Indigenous populations, 1985, Declaration on the Indigenous People, 1995

Rights of Migrant Workers:

Convention on the protection of the Rights of All Migrant Workers and Members of their Families, 1990, ILO Convention on Migrant Workers

Rights of the Disabled:

Unit 3 UN General Assembly Declaration on the Rights of the disabled Persons, 1975, Declaration on the Rights of mentally retarded persons, 1971, Resolution on the rights of the disabled persons adopted by the Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, 1993.

Human Rights and Terrorism: UN General Assembly resolution 54/164 on Human Rights and Terrorism, 2000

Unit 4 Human Rights under regional charters

Asian charter

African charter

European charter

American charter

**Suggested Readings**

UN, Human Rights : A Compilation of international Instruments (New York : UN Publication Division, 1983).

UN Centre for Human Rights, International Human Rights standards for Law Enforcement (Geneva : World Campaign for Human Rights, 1996).

UN, The Standard Rules on the Equalization of Opportunities for Persons with Disabilities (New York : UN Publication division, 1994).

UN World Campaign for Human Rights. The African Charter on Human and people's rights (Geneva, 1990).

Aggarwal, Amita, "Human Rights of Women in India and International Standards", in M.P. Dube and Neeta Bora, eds, Perspectives on Human Rights (New Delhi : Anamika Publishers, 2000), pp. 97-106.

Jenks, W., Human Rights and international labour Standards (London :Stevens, 1960).

Ghai, Yash, "Human rights and Asian Values", Journal of Indian Law Institute, vol. 40, nos., 1-4, 1998, pp. 67-86

Gandhi, Sandy, "Spare the Rod : Corporal Punishments in Schools and the European Convention on Human Rights", International and Comparative Law Quarterly, vol. 33, no.2 , 1984, pp. 488-94.

The Rome Statute of the International Criminal Court (Oxford: Clarendon Press, 2000).

Cerna, Christina, M., "The Structure and Functioning of the Inter-American Court of Human Rights', British Yearbook of International Law, vol. 63, 1992, pp. 135-229.

Evans, Malcolm and Rod Mergan, "The European Convention for the Prevention of Torture: Operational Practice", International and Comparative Law Quarterly, vol.41, no.3, 1992, pp. 590-614.

"The European and American Conventions : A Comparison", Human Rights Law Journal, vol. 1, no.1, 1980, pp. 44-58.

Ghai, Yash, "Human Rights and Asian Values", Journal of Indian Law Institute , vol. 40, nos. 1-4, 1998, pp. 67-86.

Gittleman, Richard, "The African charter on Human and People's Rights : A Legal Analysis", Virginia Journal of international Law, vol. 22, no.4, 1982, pp. 667-714.

Madhusudhanana V., "European System for the protection of Human Rights (The Hague :MartinusNijhoff, 1977)

Mani, V.S., "The European unknown's Approach to Human Rights: Implications on India's Trade". In H.S. Chopra, ed., India and the European Unknown in the 21" Century (New Delhi: ICWA, 1998), pp. 134-53.

Padilla, Davidj., "the Inter-American System for the Promotion and Protection of Human Rights" Georgia Journal of International and comparative Law Quarterly, vol.20, no.2, 1990, pp. 407-12

Scherman, I.R. "The Inter-American Commission on Human Rights". American Journal of International Law, vol.64, no. 2, 1965, pp.335-48

## LL.M. 403H : HUMAN RIGHTS : ENFORCEMENT MECHANISM-II

- Unit 1 Human Rights: Implementation under the Regional Instruments  
European Commission of Human Rights.  
European Court of Human Rights  
Inter-American Commission on Human Rights.  
Inter-American Court on Human Rights.  
O.A.S. General Assembly and the Committee of Ministers.
- Unit 2 International Non-Governmental Organizations :  
Meaning of International Non-governmental Organizations  
Role of International Non-governmental Organizations in Implementation of Human Rights.  
Diplomatic Interventions and Mission by NGOs.  
Public discussions of Human Rights Violations  
Contribution to International Investigative Procedures.  
AIDS and Human Rights
- Unit 3 Human Rights : Implementation Mechanism in India and role of :  
Executive  
Legislature  
Judiciary.
- Unit 4 National Human Rights Commission, State Human Rights Commission(s), Other Commissions and Committees at Central and State level  
Human Rights Court.  
Information Media and Education  
Role of N.G.Os. in Promotion and Protection of Human Rights in India.  
Activities at Local levels for promotion of Human Rights

### **Suggested Readings:**

D.D. Basu : Human Rights in Indian Constitutional Law (1994)

Vijay Chitnis (et al.) : Human Rights and the Law : National and Global Perspectives (1997)

B.P. Singh Sehgal : Law, Judiciary and Justice in India (1993) James Vadakkumchery : Human Rights and the Politics in India (1996)

Saxena : Tribals and the law (1997)

Poornima Advani : Indian Judiciary : a Tribute (1997)

Justice Venkataramiah : Human Rights in the Changing World (1998);, Paramjit S. Jaiswal and Neshtha Jaiswal : Human Rights and the Law (1996)

## **LL.M. 404H : HUMAN RIGHTS AND SPECIAL**

### **INTERESTS GROUPS : CHILDREN-II**

- Unit-1 Philosophical and Social Perspectives of Status of Children in Contemporary Indian Society  
Impact of problems of Poverty and Illiteracy  
Social and Cultural practices regarding Girl Child: Foeticide, Child Marriage  
Child Labour in unorganized sectors, Forced labour, Sale of Children  
Child abuse inside and outside homes, trafficking in Children, Children and Custodial Crimes  
Street Children: Child and Crime  
International norms for Protection of Children  
ILO conventions on restrictions and prohibition on child labour including ILO Convention on Child Labour, 1999
- Unit-2 UN Convention on the Rights of the Child, 1989, Optional Protocol on the Involvement of Children in Armed conflict, and Optional Protocol on Sale of Children, Child Prostitution and Child Pornography, 2000. Declaration of Social and Legal Principles relating to the Protection and Welfare of Children with Special Reference to Foster, Placement and Adoption, 1986  
UNESCO: International Charter of Physical Education and Sports, 1978, Convention on Technical and Vocational Education, 1989. Convention and Recommendation against Discrimination in Education, 1960, Universal Declaration on the Human Genome and Human Rights, 1997. Declaration on the Responsibilities of the Present Generation towards Future Generations, 1997  
World Summit for Children: Declaration and Plan of Action  
Other relevant developments
- Unit-3
1. The Constitution of India and Status of Children  
Fundamental rights and Directive Principles under Indian Constitution  
Special Protection for the child: article 15(3), Article 24, Article 39 (e) & (f), Article 45  
Judicial Endeavor and Children
  2. Special Laws and Policies for Protection of the Child  
Child Labour (Prohibition and Regulation) Act, 1986, Children (Pledging of Labour) Act, 1933, Young Person's (Harmful Publications) Act, 1956, Child Marriage Restraint Act, 1929, Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994, Children's Act, 1960, Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960, Juvenile Justice (Care & Protection of Children) Act 2015.
- Unit-4 Other Laws relevant to protection of the Child  
Gaps between International norms and the Indian Law, if any  
Government Policies  
Institutional Mechanism for Protection of Child  
Constitutional Mechanisms: Legislature, Executive, Judiciary (Special contribution of judiciary)  
National Human Rights Commission, National Commission for Rights of the Child  
Non-Governmental organizations  
The Information Media  
Role of Education

## **Suggested Readings**

UN Centre for Human Rights, *The Rights of the child* (Geneva : World Campaign for Human Rights 1996).

UN High Commissioner for human Rights, *Sexual Exploitation of Children* (Geneva : UN Publication Division, 1996).

UN, *Convention on the Rights of the Child* (New York : UN Department of Public Information, 1999)

UNICEF, *The Child and the Law* (New Delhi : UNICEF, 1994).

UNICEF, *The Media and the Children's Rights : A Practical Introduction for Media Professionals* (New Delhi: UNESCO, 2000).

UNICEF, *The State of World's Children 2001* (New York: UNICEF, 2001).

Agarwal, S.P., *Handbook on Child* (New Delhi : Concept Publishing Company, 1992).

Dennis, Michael J., "Newly Adopted Protocols to the convention on the rights of the Child", *American Journal of International Law*, Vol. 94, 2000, pp. 789-96.

Diwan, Paras and Peeyushi Diwan, *Children and Legal protection* (New Delhi : Deep and Deep Publishers, 1994).

Gupta, Srinivas, "Rights of Child and Child Labour : A Critical Study". *Journal of Indian law Institute*, Vol. 37, No. 4, Oct. to Dec. 1995, pp. 531-42.

Khanna, S.K., *children and the Human Rights* (New Delhi: Commonwealth, 1998).

Kumar, Bindal, *Problems of Working Children* (New Delhi : APH Publications, 2000).

Mehta, P.L. and S.s. Jaswal, *Child Labour and the Law* (New Delhi : Deep and Deep Publications 19660.

Misra, Ranganath, "Rights of the Child", in K.P. Saksena, ed., *Human Rights : Fifty Years of India's Independence* (New Delhi : gyan Publishing House, 1999), pp. 38-46.

Pachauri, S.K. *Children and Human Rights* (New Delhi : APH Publishing Corporation, 1999).

Pal, R.M. "Wrong and Rights of the Child", in K.P. Saksena, ed., *Human Rights: Fifty years of India's Independence* (New Delhi : Gyan Publishing House, 1999), pp. 47-58.

Raina, B.K., "child and Human Rights : An Insight" in B.P. Singh Sehgal, ed., *Human Rights in India : Problem and Perspective* (New Delhi : Deep and Deep Publications, 1999), pp. 182-86.

Sachar, Rajinder, "Rights of the Child", *Wood Focus*, vol. 13, No. 3, March 1992, pp. 22-23.

Saksena, Anu, *Human Rights and Child Labour in Indian Industries* (New Delhi, Shipra Publications, 1999).

Saksena, K.P., "Recent Sypreme Court Judgement on Child Labour : A Critique", in K.P. Saksena, eds., Human Rights : Fifty years of India's Independence (New Delhi : Gyan Publishing House, 1999), pp. 73-78.

Saxen, Ira, "Needs of the Child : Education for Pleasure", in K.P. Saksena, ed., Human Rights in Asia : Problems and Perspective (New Delhi: HURITER, 1984), pp. 101-110.

Seth, Leila, "Rights of the Child", India International Centre Quarterly, vol. 20, no. 4, 1993, pp. 79-90. Shams, Shamusuddin, Women, Law and Social Change (1997).

Sharma, A.K., "Human Rights Violations of Street Children and Child Labour in India", in B.P. Singh Sehgal ed. Human Rights in India : Problem and Perspectives (New Delhi : Deep and Deep publications, 1995), pp. 187-91.

Weisner, The Child and the State in India (Delhi : Oxford University Press, 1991).

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## **LL.M. 405H : INTERNATIONAL HUMANITARIAN LAW AND REFUGEE LAW-II**

### Unit-1 Right of non-refoulment

Principle of non-refoulment  
Non-refoulment and its relation with admission and non rejection at the frontier,  
Extradition,  
Expulsion  
Illegal entry  
Measures not amounting to non-refoulment.  
Right to Asylum  
UNHCR and Refugee protection

### Unit-2 Loss and denial of Refugee status and its benefits

Voluntary acts of individual  
Change of circumstances  
Protection or assistance by other States or UN agencies  
Undeserving Cases

### Unit-3 Protection to Refugees in India

Protection without legislation and judicial determination: case law  
Status of refugees in India under UNHCR  
India and 1951 Convention  
Solution to Refugee Problem  
Resettlement in third country  
Repatriation: voluntary or Forced  
Local assimilation  
Protective zones

### Unit-4 International Law and Internally displaced Persons: UN Guiding Principles on

Internal displacement 1998  
Rights and Duties of the International Community  
Concept of burden sharing  
Finding durable solutions: roots of refugee problem

### **Suggested Readings**

Independent Commission on International Humanitarian Issues, Modern Wars : the Humanitarian Challenge, Report presented by Mohammed Bedjaoni (London : Zed Books, 1986)

International Committee of the Red Cross and Henry Dunant Institute, Bibliography of International Humanitarian Law Applicable in Armed Conflict (Geneva : International Committee of the Red Cross, 1987)

International Committee for the Red Cross and international federation of Red Cross and Red Crescent Societies, Handbook of the International red Cross and red Crescent movement (Geneva, 13th ed., 1994.)

International Committee for the Red cross, Fundamental Rules of International Humanitarian Law applicable in armed Conflict (1979).

UN Centre for Human Rights, Human Rights and Refugees (Geneva : World Campaign for Human Rights, 1993)

UN centre for Human Rights, international Humanitarian Law and Human Rights (Geneva,: World Campaign for Human Rights, 1992).

UN Centre for Human Rights, Spectal issue on Human Rights and Humanitarian Law and Human Rights and Refugee law (New York, 1992).

UNESCO, International Dimensions of Humanitarian Law (Paris : UNESCCO, 1988)

UNHRC, Collection of International Instruments, and other Legal tests Concerning Refugee and Displaced Persons (UNHRC, 1995)

UNHCR, The State of World's Refugee : A Humanitarian Agenda (1997-98).

Abi-Saab, Rozemary, "The Principles of Humanitarian Law according to the international Court Justice'. International Review of the Red Cross, no. 259, 1987, pp. 367-78.

Bankowski, I, ed. International Ethical Guidelines for Biomedical Research Involving Human Subjects (Geneva : WHO, 1993).

Bhagwati, P.N., "International Aspect of Rights to Life, peace and Development". Denver journal International Law and Policy vol. 19. no. 1, Fall 1990, pp. 67-76.

Bond, B.E. Harrel, Imposing Aid emergency Assistance to Refugees (Oxford University Press, 1985).

Carlier, Jean, Who is a Refugee" A Comparative Case Law Study (The Hague: Kluwar law International, 1971).

Cassese, Antonio, "Wards of national Liberation and Humanitarian Law", in Studies and Essays on International Humanitarian Law and Red Cross Principles in Honour of jean Pictet (The Hague :MartinusNijhoff, 1984), pp. 313-24.

Chakraborty, Manik, Human Rights and Refugees, Problems, Law and Practices (New Delhi : Deep and Deepa, 1998).

Chhangani, R.C., "Discrimination of Refugees Status in Nigeria", Indian Journal of International Law, vol. 34, 1994, pp. 455-56.

Chimni, B.S., International Refugee Law : A Reader (New Delhi : Sage Publications, 2000).

## LL.M. 406H : SCIENCE, TECHNOLOGY AND HUMAN RIGHTS-II

Unit-1 : Surrogate motherhood, Development in Information Technology and Human Rights

Unit-2 : Impact of Scientific and Technological Progress on Human Rights : Normative Response of the International Community

Unit-3 : Right to life, Right to privacy, Right to physical integrity, Right to information.

Unit-4 : Right to benefit from scientific and technological progress, Right to adequate standard of living

### SELECT BIBLIOGRAPHY

Suresh T. Viswanathan : The Indian Cyber Law (2000)

The International Dimensions of Cyberspace Law (2000), UNESCO publication

D.P. Mittal : Law of Information Technology (Cyber Law) (2000) Kamenka, E.: Ideas and Ideologies Human rights (1978)

Akbar, M.J. : Riots after Riots (1988)

Baxi, U. (ed.) : Rights to be Human (1986)

Kadhavirtha : Human Rights (1453)

Swarup, J.: Human Rights and Fundamental Freedoms (1975) Nagandra Singh : Human Rights and International Cooperation (1969)

Kashyap, S.C. : Human Rights and Parliament (1978)

Khare, S.C. : Human Rights and United Nations (1977)

Menon, I. (ed.) : Human Rights in International Law (1985)

Krishnalyer, V.R., Human Rights - A Judge's Miscellany (1995) Rama Jois M.: Human Rights: Bharatiya Values (1998)

**LL.M. 407H : DISSERTATION/THESIS (NON-DOCTRINAL) & VIVA-VOCE**

Dissertation/Thesis (Non-Doctrinal)	:	30 Marks (CCA)
Evaluation of Dissertation/Thesis and Viva Voce	:	70 Marks (50 Marks for evaluation of Dissertation/Thesis (Non- Doctrinal) and 20 Marks for Viva Voce Examination.)

The candidate will secure 40% marks aggregate in the Dissertation/Thesis (Non-Doctrinal) and Viva Voce examination in the IV-semester.

**FOR DUE / BACK PAPERS STUDENTS**

**LL.M. 407H : DISSERTATION (DOCTRINAL) & VIVA-VOCE**

Dissertation (Doctrinal)	:	30 Marks (CCA)
Viva Voce	:	70 Marks

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### **Skill Course-IV - Criminology, Penology and Victimology**

Unit-I	Criminology : Definition, Nature and Scope, Methods of studying criminal behaviour , Crime : Definition and Nature
Unit-II	classification of crime, organised and professional crime, Control of Crime : Police and Law Courts, Prevention of crime
Unit-III	Theories of punishment. Relationship between criminology and penology, History of punishment. Kinds of Punishment, White collar criminals, Female offenders, Juvenile Delinquency
Unit-IV	Victimology : Definition and types of the victim, Persons vulnerable to victimization 1.Elderly, 2. Children, 3. Female. Compensation to victims.

### **SUGGESTED READINGS**

Barnes, H.B. and Tectors : New Horizons in Criminology  
Vold, G.S. : Theoretical Criminology  
Pillai, K.S. : Criminology  
R. Teft, Donald: Criminology  
Edwin, H. Sutherland and Donald R. Grussey : Principles of Criminology  
HormanMannhaim : Pioneers in Crimmology  
Hon-Barren, Mays: Crime and the Social Structures  
Ahmed Siddiqui : Criminology-Problems and Perspectives  
Lord Pakenham : Causes of Crime  
S. VenugopalaRao : Facts of Crime in India  
Komm, R.R. and Mogorble : Law-Criminology and Penology Grunhut : Criminal Justice and Reconstruction  
Madolm : Criminal Justice and Reconstruction  
Gorden Rose: The Struggle for Penal Reform  
LL.T. : Essays on Indian Penal Code  
Ben-Penology: Old and New-Tagore Law Lectures  
Clict : Conflicting Penal Theories in Statutory Criminal Law  
Shamsul Huda : Tagore Law Lectures on Criminal Law  
Lawburse : Crime, Its Causes and Remedies  
Dequires : Modern Theories of Criminology  
Gillin : Criminology and Penology  
Beccaria : Crime and Punishment  
The Criminal Procedure Code  
The Constitution of India

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