

FIRST SEMESTER (5 PAPERS)

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

LLM401: Judicial Process

Course Outcome: This course is to study the nature of judicial process as an instrument of social ordering and to familiarize the student with the various theories, different aspects and alternative ways of attaining justice.

Module I : Nature of Judicial Process. Nature of Justice & relation between law and justice, various theories of Justice of the Western thought.

Module II : Judicial Independence and Accountability, Appointment and Removal of Judges, Judicial process as an instrument of Social ordering.

Module III : Interpretation of Statutes and Constitution, Judicial process in India, Indian debate and the role of the Judge and the Notion of Judicial review, Value Judgments in Law.

Module IV : Judicial Activism and Judicial Overreach, Constitutional Obligation of the court. Evolution of the concept, Constitution of India and Judicial Activism. Philosophy of the Judges and its impact on the Judicial Decisions.

Recommended Books

1. B.N. Cardozo, The Nature of the Judicial Process (1964).
2. A. Lakshminath, Precedent in Indian Law: Judicial Process (2009).
3. Martin Philip Golding, Legal Reasoning (2001).
4. Aharon Barak, Purposive Interpretation in Law (2005).



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COURSE STRUCTURE OF MASTER OF LAWS (LL.M)

Effective From Academic Session 2020-21

(Under Choice Based Credit System)

- Total Credits for two years (4 semesters) LLM programme is 80 credits
- Five core papers each in First semester & Second semester
- Choice based (open elective-from other Depts.) paper in 3rd semester
- Specialisation in 3rd & 4th semesters (with 2 groups)

1st Semester : 5 Papers (20 credits)

- LLM401 : Judicial Process
- LLM402 : Legal theory & Jurisprudence
- LLM403 : Administrative Law & Governance
- LLM404 : Law and Gender Justice
- LLM405 : Local Self Government in Arunachal Pradesh

2nd Semester : 5 Papers (20 credits)

- LLM406 : Law & Social Transformation in India
- LLM407 : International Law of Human Rights
- LLM408 : Human Rights and the Refugees
- LLM409 : Legislative Drafting & Interpretation of Statutes
- LLM410 : Environmental Laws

3rd Semester : 5 Papers (20 credits)

- LLM501 : Legal Research Methodology and Ethics
- : Choice paper/open elective

Group A Law of Crimes

- LLM502 : Criminology and Penology
- LLM503 : Cyber Crimes
- LLM504 : Socio Economic Offences

Group B Constitutional Laws

- LLM 505 : Fundamentals of Constitutional Law in India
- LLM 506 : Comparative Study of Federalism
- LLM 507 : Civil and Political Rights-Comparative Study of Selected Constitutions

Open Courses (any one course to be offered during the third semester)

- LLM-OE- 508 : Patents & Geographical Indication
- LLM-OE- 509 : Pollution control Laws in India

4th Semester : 5 Papers (20 credits)

- LLM 510 : Dissertation : 6 Credits - 150 marks
- LLM 511 : Viva Voce : 2 Credit - 50 Marks

Group A Labour Laws

- LLM 512 : Industrial Relations
- LLM 513 : Wage Structure & Laws
- LLM 514 : Social Security Laws and Management

Group B Alternative Dispute Resolution System

- LLM 515 : Domestic and International Commercial Arbitration
- LLM 516 : Enforcement of Foreign Award and Conciliation in India
- LLM 517 : Mediation, Lok Adalat and Fast Track Courts

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LLM403: Administrative Law & Governance

Full marks: 100

Term end: 80

Internal: 20

Total Credit: 04

Course Outcome: The course outcome is to acquaint the students of various processes of Administrative System and Governance in State and Central Government.

Module I : Fundamentals of Administrative Law, Evolution, definition, nature, scope and significance of Administrative Law in various system of governance from ancient to modern. Development of Administrative law in USA, UK and India, and Droit Administrative and Conseil d'Etat in France. Constitutional dimensions of administrative law and its relationship with constitutional law, Role of administrative law in welfare state and relationship between constitutional and administrative law.

Module II : Procedural fairness and Administrative Discretionary power, Evolution and significance of principle of Natural justice, Right to fair hearing – Audi Alteram Partem – Administrative cases – statutory hearing- reasoned decision and its exceptions: nemo iudex in causa sua -Rule against bias, Kinds of bias and exceptions.

Module III : Judicial review of Administrative action, Nature extent and limitation of Administrative action in India. Judicial control over Administrative action-remedies for Administrative wrongs, Writs Remedies. Limits of Judicial review- Locus standi and PIL- Laches- Resjudicata and Doctrine of exhaustion of alternative remedies – Doctrine of Standing and Doctrine of Ripeness, Statutory Remedies – General and Specific statutory remedies for administrative action.

Module IV : Protections of civil servant, Administrative Adjudication and Public undertakings and corporations, Constitutional protection of civil servants, need for protection of civil servants. Lacunae in the protection. Terms and condition of service, tenure of office –the doctrine of pleasure its extent and limitations and exceptions, Administrative Adjudication –Exclusion clause and Administrative Tribunals and Special Court Act – 1979. Nature, Constitution and powers of Public Undertakings and control over them. Privatization of public corporations and its impact in India on concept of state.

Recommended Books

1. Diwan Paras & Diwan Peeyushi: Administrative Law, Allahabad Law Agency, 4th edition (2016)
2. Massey I.P: administrative Law, Eastern Book Company, Lucknow, 7th edition (2008)
3. M.P. Jain & Jain S.N. : Principles of Administrative Law, Lex Nexis, 7th edition (2016)
4. Joshi, K.C.: Introduction to administrative Law, Central Law Publication, 1st edition, (2012)


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LLM402: Legal Theory & Jurisprudence

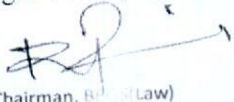
Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: This Paper introduces students to contemporary debates on jurisprudence and make familiar with various legal theories and legal systems involved in it.

- Module I** : Nature and scope of Jurisprudence, Classification of Jurisprudence into Schools-Salient features of Analytical, Historical, Philosophical and Sociological Schools.
- Module II** : Theories of Natural Law-Meaning of Natural Law-History of Natural law – Greek origins-Medieval period-View of St. Thomas Aquinas-Period of Renaissance/Reformation-Grotius and International Law- Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories-Stammler and Natural Law with variable content-Fuller and the Morality of Law-Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.
- Module III** : Meaning of Positivism-Analytical positivism of Bentham and Austin Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.
- Module IV** : Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist-Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engles; Sociological theories of law-Contribution of Ihering-Contribution of Ehrlich-Duguit's theory of Social Solidarity Roscoe Pound's Social Engineering and Classification of Interests American and Scandinavian Realism-Critical Legal Studies Movement.

Recommended Books

1. The Concept of Law by H.L.A. Hart
2. Jurisprudence-Legal theory by Dr. B.N Mani Trippathi
3. Jurisprudence by R.W.M. Dias
4. Salmond on Jurisprudence by P.J. Fitzgerald
5. Studies in Jurisprudence and legal Theory by N.V. Paranjape


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LLM405: Local Self Government in Arunachal Pradesh

Full marks: 100

Term end: 80

Internal: 20

Total Credit: 04

Course Outcome: The outcome of the paper is to familiarize the students about customary practices and local self administrative systems in Arunachal Pradesh

Module I :Traditional Self Governing Institutions, Nocte, Wancho, Khamti, Mema, Sherdupen, Nyishi, Adi, Mishmi

Module II : Panchayti Raj in Arunachal Pradesh:Dying Ering Committee Report, 1965, NEFA Froentier Regulation, 1967, Arunachal Pradesh Munciple Act, 2007

Module III : Arunachal Pradesh Panchayti Raj Act, 1997, Panchayat Raj and Rural Development, Functions of Formal Courts and Village Councils

Module IV :The Assam Frontier (Administration of Justice) Regulation, 1945, History of administration of justice in Arunachal Pradesh, Necessity of codification of customary laws with reference to inheritance and marriage

Recommended Books

1. Verrier Elwin, Philosophy for NEFA, 1969
2. Democracy in NEFA, published by Govt. of AP
3. P.N. Luthra, Constitutional and Administrative Growth of the Arunachal Pradesh, Published by Govt. of AP
4. N.N. Hina, The Customary Law of Tribes of Arunachal Pradesh, The Customary Laws of Thanyi Groups of Tribes of Arunachal Pradesh.
5. N.N. Hina, The Customary Laws of Nyishi Tribe of Arunachal Pradesh.



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LLM404: Law & Gender Justice

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: This course would make students aware of the issues relating to gender and sensitize them towards the rights of the women and LGBTQ community.

Module I : Women in India, Pre- Independence period, Social and Legal inequality, Social Reform Movements in India. 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

Module II :Protection and Safeguards under Law of Crimes: Offences Affecting Public Decency & Morals, Section 292 – Section 294 of Indian Penal Code, 1860.

Module III :Offences against human body (marital rape), Offences related to marriage & cruelty, Criminal intimidation, Reforms under The Criminal Law (Amendment) Act, 2013: An analysis. Law related to Dowry Prohibition & Domestic violence, Prevention of immoral Trafficking and Forced Prostitution,

Module IV : Cyber Crime and the Victimization of Women. Women and labour law – Requisite for special treatment, Sexual harassment of women in the workplaces, LGBTQ Community and their rights.

Recommended Books

1. Aggrawal Nomita: Women and Law in India, New Century Publication(2002)
2. Bhatnagar J. P. and Ahmad Ejaz: Law relating to women and Their Rights, Ashok Law House, 2nd Edition.
3. Tripathi S.C.: Women and Criminal Law, Central Law Agency, 2nd Edition (2014)



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SECOND SEMESTER (5 PAPERS)

LLM406: Law & Social Transformation

Full marks: 100

Term end: 80

Internal: 20

Total Credit: 04

Course Outcome: The course makes the students aware of the Indian approach to social and economic problems in the context of law as a means of social change.

Module I : Meaning and concept of Law- Law as a purposive device, Change or transformation-Social change-Value orientation in social change-Theoretic Models on Social change and their application-Inter play between law and social change-stability and social change, Relationship between law and morality-culture, social change and law, Law and development, Social change in the context of democracy.


Module II : Law and social change in ancient India-Social dimensions of law and social concern for justice-Role of family, associations and charitable institution in ancient India. Application of the Indian Law by the British Social reforms and Women, Children and other codification of Laws-Freedom of Movement and Social reform ideas Sociological perspective and social change.

Module III : Constitutional evolution and the Constitutional Assembly's role as a mechanism for social change; The Constitutional amendments and social transformation; The role of Governmental organs for social transformation.

Module IV : Religion as a divisive factor, secularism-Reform of the law on secular lines, Freedom of religion and non-discrimination on the basis of religion, Access to justice, Legal Aid to poor and indigent; judicial activism and public interest litigation.

Recommended Books

1. P. Ishwar Bhat, Law and Social Transformation
2. Baxi Upendra, Law and Poverty, Critical Essays, Vikas Publications (1982)
3. Deret, Duncan, The State, Religion and Law in India, OUP, New Delhi (1989)
4. Seervai, H.M., Constitutional law of India, Tripathi Publications, Bombay (1996)


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LLM407: International Law of Human Rights

Full marks: 100

Term end: 80

Internal: 20

Total Credit: 04

Course Outcome: The paper is to analyze the efficacy of the basic international law of human rights. Since all human beings are entitled to certain basic and natural rights that give equal dignity to all persons.

Module I : International Concern: Protection of Individual in International Law; League of Nations; War Crime Trials

Module II : Human Rights and the United Nations Charter: Normative and Institutional Framework of the UN, Role of the permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights

Module III : Universal Declaration on Human Rights; History of the Declaration; Structure of the Declaration and Legal Significance. International Covenants: ICCPR and ICESCR; Nature and Characteristic, Optional Protocols

Module IV : Regional Instruments; European Convention on Human Rights, American Convention on Human Rights, African Charter on Human and People's Rights and Asia and Human Rights

Recommended Books

1. Rout, Chintamani, Personal Liberty and Human Rights, Central Law Publication, Allahabad, 2014.
2. Batra T.S., Human Rights: A Critique, Metropolitan, New Delhi (1979)
3. Baxi Upendra (ed.), The Right to be Human, New Delhi, Lacer International (1987)
4. Gupta (ed.), Perspectives on Human Rights, Vikas, New Delhi (1976)
5. Krishna Iyer, V.R., The dialectics and dynamics of Human Rights in India, Eastern, Kolkata (2000)



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LLM409: Legislative Drafting & Interpretation of Statutes

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: This course will help the students the role of internal and external aids in the process of interpretation, the basic rules used for the interpretation with regard to the special legislation like taxing statute, penal statutes and constitution of India. The objective of this paper is to bring awareness to the students about the statute and the court system on interpretation of various laws and legislative intentions.

Module I : Legislative drafting, the process of legislation in both the houses of Parliament and the accent of the president. Introduction of the bill, reference to the standing committees, first reading, second reading & third reading.

Module II : General Rules of Interpretation: Presumptions, Internal Aids like title, preamble, heading and marginal notes, sections and sub-sections, punctuation marks, illustrations, exceptions, provisions, explanations & schedules.

Module III : Role of legislative history, intention, statement of objects, committee reports. Statutes in pari-materia, primary rules and secondary rules of interpretation,

Module IV : Interpretation of The Constitution, taxing statutes and penal statutes.

Recommended Books

1. Langan P. St. J: Maxwell on the Interpretation of Statutes, Lexis Nexis, Bomay, 12thEdn. (1969)
2. Singh Avatar: Introduction to interpretation of Statutes, Lexis Nexis (2014)
3. Singh G.P.: Principles of Statutory Interpretation, Lexis Nexis, 11thEdn. (2008)
4. Tandon M.P.: Interpretation of Statutes. Allahabad Law Agency, 11thEdn.



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LLM408: Human Rights and the Refugees

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: This paper introduces the students the problem of refugees and the existing international and national protections to them.

Module I : Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967. Human Rights of the Refugees

Module II : Solution to Refugee Problem; Resettlement in Third Country, Local Integration, Voluntary or Forced Repatriation, Comprehensive Responses

Module III : Contemporary Developments in Refugee Law; International Burden Sharing, International Safe Countries Burden, Temporary Protection, Environmental refugees, Safety Zones

Module IV : Internally Displaced Persons: UN Guiding Principles on Internal Displacement 1998; Refugee Law and Policy in India

Recommended Books

1. B S Chimni, International Refugee Law, sage Publications.
2. Nirman BC, The Legal Status of Refugees in India, ISIL, Vol 1 (2001)
3. ICRC and UNHCR, Singapore journal of international and comparative law, Vol 7 (2003)

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LLM503: Cyber Crimes

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: The study of cyber crimes and to assess the emergency of new problems and risks of hi-tech crimes and its control.

Module I : Introduction to the Cyber World and Cyber Law: The internet and online resources, Security of information. Nature of Cyber crimes, its meaning and definition & evolution of cyber crimes.

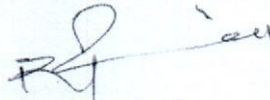
Module II : An Overview Cyber Law: Introduction about the cyber space, digital signature & cyber stalking. Cyber law in India with special reference to Information Technology Act, 2000

Module III : Cyber Crimes: Computer crimes and cyber crimes, cyber crimes and Related Concepts, Cyber forensic.

Module IV : Child Pornography and hacking. Regulation of cyber crimes: Issues relating to investigation, jurisdiction and evidence. Relevance of penal code and Evidence Act.

Recommended Books

1. Bagby and McCarty, Legal and Regulatory Environment of E-Business: Law for the Converging Economy, Thomson, USA (2003)
2. Ferrera, Gerald, R., Lichtenstein, Stephen D. et al., Cyber Law: Text & Cases, West, USA (2001)
3. Jain, Atul, Cyber Crimes: Issues, Threats & Management (2 Vols), Gyan Books Publishing, Delhi (2004)
4. Cyber Crime & Security, Offord University Press (1998)



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ONE CHOICE PAPER FROM OTHER DEPT.....

GROUP A: LAW OF CRIMES

LLM502: Criminology and Penology

Full marks: 100

Term end: 80

Internal: 20

Total Credit: 04

Course Outcome: The purpose of the course is to know the basic concepts and principles of criminological theories and to evaluate the psychology and behaviour of criminals and the punishment prescribed for it.

Module I :Definition, Nature, Scope and Importance of Criminology; Methods of Criminological Studies.Schools of Criminology; Future Directions in Criminology with Special Reference to Peacemaking Criminology, Postmodern Criminology and Feminist Criminology; Cause of Crime.

Module II :Theories of Criminology: Theory of Radical Criminology (Marxist Approach), Modern Conflict Theories, The Modern Theory of Criminology, Marxist Theory of Criminology,Bonger's Theory of Economic Criminality.

Module III :Concept of Punishment, Relationship between Criminology and Penology, Forms of Punishment -From Ancient to Modern, Theories of Punishment, Capital Punishment.

Module IV :Police and its Role in Crime Prevention, Concept of Treatment with Special Reference to Prison, Probation and Parole, NewDimensions of Penology - Compensation to the Victims of Crime.Punishment: Concept and theories, death sentence, treatment of offenders: prison, probation & payroll.

Recommended Books

1. Bruke, R.H., An Introduction to criminological Theory, Lawman (India), Delhi (2003)
2. Coleman, C., & Norris, C., Introducing Criminology, Lawman, Delhi (2003)
3. Paranjape, N.V., Criminology & Penology, CLP, Allahabad (2005)
4. Sirohi, J.P.S., Criminology & Penology, ALA, Faridabad (2004)

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GROUP B : CONSTITUTIONAL LAW

LLM 505: Fundamentals of Constitutional Law in India

Full marks: 100

Term end: 80

Internal: 20

Total Credit: 04

Course Outcome: The outcome of this course is to provide exposure to the students various models of pluralism and forms of constitutional government and federal structure.

Module I : Meaning of Constitution and Constitutional Law-Growth of modern Constitutions; Classification -Historical background- Constitution in India after 1857 - Government of India Acts, 1919 & 1935 – Indian Independence Act, 1947 -Framing of Indian Constitution.


Module II : Indian Constitution - Nature, Salient features, Preamble - Union and its territories -Citizenship-Fundamental Rights - Enforceability against State - General principles.

Module III : Relations between Union and States - General Principles - Legislative, Administrative and Financial Relations – Cooperative Federalism - Liability of State in Contracts and Torts - Right to Property.

Module IV : Trade, Commerce and intercourse within territory of India – Services under the Union and States - Tribunals - Elections - Emergency Provisions - Amendment of Constitution and Basic Structure Theory

Recommended Books

1. H.M. Seervai: Constitutional Law of India (in 2 volumes), Universal Book Traders, New Delhi.
2. Granville Austin: Indian Constitution - Cornerstone of a Nation, Clarendon Press, Oxford.
3. B. Shiva Rao (ed): Framing of the Indian Constitution (in 5 Volumes) Indian Institute of Public Administration, New Delhi.
4. V.N. Shukla: Constitution of India, Eastern Book Co., Lucknow
5. Constituent Assembly Debates (Official Report), in (5 books and 12 volumes) Lok Sabha Secretariat, New Delhi.
6. M.P. Jain: Constitutional Law of India, Wadhwa and Co., Nagpur


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LLM504: Socio Economic Offences

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: The objective of this paper to make aware the students about the socio economic offences and white collar and organised crimes.

Module I : Concept of socio economic offences, nature and definition. Tax evasion: Evasion of Excise Tax and Income Tax and Wealth Tax

Module II : Illicit Trafficking and Contraband goods, Illicit Drug Trafficking.

Module III : Cultural Objects: Theft, Fraudulent Bankruptcy, Bank Frauds

Module IV : Narco-Terrorism & Amino-Terrorism, Organised Crimes: Nature, Meaning & Forms. Problems of Identification and Procedure.

Recommended Books

1. Doherty, M., Criminsal Justice & Penology, Old Bailey Press, London (2000)
2. Hale, Hayward, Wahidin & Wincup (ed), Criminology, Oxford, New York (2005)
3. Qadri, S.M.A., Ahmed Siddique's Criminology: Problems and Perspectives, EBC, Lucknow (2005)

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LLM 507: Civil and Political Rights-Comparative Study of Selected Constitutions

Full marks: 100

Term end: 80

Internal: 20

Total Credit: 04

Course Outcome: This paper will give a scope to know the students about the civil and political rights of the citizens under the provisions of the constitutions.

Module I : Constitutional basis for Protection of Individual Rights, Balance between Individual liberty and social needs. Right to Equality, Rule of Law, Gender Principles, Protective discrimination with special references to emerging judicial response to the problems of group inequalities.

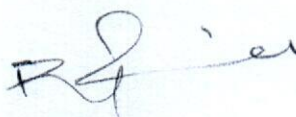
Module II : Freedom of speech and expression; freedom of press in India and United States of America; Right to life and personal liberty; judicial determination of the scope of the 'personal liberty'

Module III : Freedom of Religion and the concept of secularism; Judicial Interpretations of the Freedom under the Constitution of India and United States

Module IV : Elections and the Franchise; Constitutional Foundation of the right to vote, Adult Franchise; Role of an Independent Election Commission

Recommended Books

1. Amar Akhil Reed, America's Constitution: A select bibliography
2. Boqdanor Vernon, The New British Constitution
3. Hidayatullah M., Constitutional Law of India
4. Jain MP, Constitutional Law



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LLM 506: Comparative Study of Federalism

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: this course would apprise the students about the different structures of federalism, its division of powers between the national and state governments and to give a comparative study of different constitutions.

Module I : Classification of Constitutions-Federal and Confederal Constitutions- Principles of Federalism-Constitutionalism- Different types of federalism- Doctrine of Separation of powers - Theory of Checks and Balances -Doctrine of Judicial Review.

Module II : U.S. Constitution - Evolution - Salient and Federal features - Structure and Powers of Federal Executive, Legislature and Judiciary-Amendment of Constitution - Distribution of Legislative Powers.

Module III : Australian Constitution - Evolution - Salient features - Structure and powers of Commonwealth Legislature, Executive and Judiciary - Amendment of Constitution - Distribution of Legislature powers.

Module IV : Canadian Constitution - Evolution and Patriation of Constitution - Salient features - Structure and powers of Dominion Legislature, Executive and Judiciary - Charter of Rights and Freedoms - Distribution of Legislative Powers-Amendment of Constitution. The approach of Indian and American Supreme Court for judicial review of federal umpiring, scope of judicial review in federal constitution

Recommended Books

1. D.D.Basu: Comparative Constitutional Law, Prentice Hall of India, New Delhi.
2. K.C.Wheare: Federal Government, Oxford University Press, London.
3. A.C.Kapoor: Select World Constitutions, S.Chand and Company, New Delhi.
4. S.E.Finer, Comparing Constitutions, Clarendon Press, Oxford.
5. Edward S.Corwin: Constitution and What it means today. Princeton University Press

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LLM 509: Pollution Control Laws in India

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: The main outcome of course is to examine the efficacy and efficiency of the pollution and control laws and mechanism available in India for addressing environmental pollution.

Module I : Environmental Pollution; Sources, Causes, Effects of Water, Air, Land and Noise Pollution


Module II : Global Environmental Issues and their Legal Order; Climate Change, Oil Pollution, Ozone Layer Depletion, Trans-boundary Pollution, Pollution of Sea and Marine Resources, Food Pollution

Module III : Statutory Control of Environmental Pollution, Water (Prevention and Control of Pollution) Act, 1974; Air (Prevention and Control of Pollution) Act, 1981; Environment (Protection) Act, 1986 and Rules to Control Various Pollutions; National Green Tribunal Act, 2010; Wastes Management; Solid Waste, Hazardous Waste, Bio Medical Waste, e-Waste

Module IV : Remedies under Traditional Laws (Relevant Portion only); Indian Penal Code, 1860; Law of Torts: Vicarious Liability; Class Action: Order 1 Rule 8 of C.P.C. 1908; Public Liability Insurance Act, 1991

Recommended Books

1. Singh Gurdip, Environmental Law, (2016) Eastern Book Company
2. Shyam Diwan and Armin Rosencranz, Environmental Law and Policy in India – Cases, Materials and Statutes (2nd ed., 2001)
3. C. Shashtri, Environmental Law in India, Eastern Book Company, Lucknow (2015)
4. Kailash Thakur, Environmental Protection Law and Policy in India (1997), Deep & Deep publications, New Delhi.
5. Leelakrishnan, P, The Environmental Law in India (1999), Lexis Nexis Butterworths-India
6. Leelakrishnan, P, Environmental Law Case Book, (2006) Lexis Nexis Butterworths-India



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**OPEN COURSES (Any one Course to be offered
during the Third Semester)**

LLM 508: Patents and Geographical Indication

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: This course aims to discuss the basic concept of patent and geographical indication, their meaning in international perspective with the help of conventions and national laws.

Module I : Evolution of Patents in India; International Treaties on Patents Paris Convention, TRIPS, Budapest Treaty, PCT

Module II : Patentability and Procedures for Grant of Patents; Patentable and Non Patentable Inventions, Pre-requisites – Novelty, Inventive Step, Industrial Application, Prior Art, Anticipation, & Person Skilled in the Art, Procedures for Filing Application, Pre-Grant and Post Grant Opposition, Grant and sealing of Patents, Rights of Patentee, Term of Patent, Surrender and Revocation of patents.

Module III : Geographical Indications; Introduction, Evolution, Justification, International Treaties- Paris Convention, Madrid Agreement, Lisbon Agreement, TRIPS Agreement.

Module IV : Protection of GI at National Level, Geographical Indication of Goods (Protection & Registration) Act, 1999; Higher Level of Protection of GIs and TRIPS, Genericides of Geographical Indications.

Recommended Books

1. Feroz Ali Khader, The Law of Patents-With a Special Focus on Pharmaceuticals in India, Lexis Nexis, 2nd Edition (2011)
2. Elizabeth Verkey, Law of Patents, Eastern Book Company, 2nd Edition, 2012
3. Richard Miller, Guy Burkill, Hon Judge Birss, Douglas Campbell, Terrell on the Law of Patents, Sweet and Maxwell, 2010
4. Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, Lexis Nexis, 2005



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LLM 511: Viva-Voce : 2 Credit(50 Marks)

Guidelines:

- i) The viva-voce examination shall carry 50 marks.
- ii) The viva-voce examination shall be conducted by a board of examiners.
- iii) The board shall consist of three members (HoD, Supervisor and an External examiner).
- iv) The candidates shall be required to obtain a minimum of 25 marks to pass the viva-voce examination.



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4TH SEMESTER (5 PAPERS)

LLM 510: Dissertation : 6 Credits (150 marks)

Guidelines:

Each candidate shall be required to submit the dissertation (5 copies) to Dept. at least two weeks before the commencement of the fourth (End)semester examination. The candidate shall be required to secure at least 50% marks in the dissertation to pass the examination. The dissertation shall be examined by a board of two examiners (one Internal & one External). The Panel of Examiners (6 experts) would be submitted by the Dept. CoE.

- i) Each Examiner shall award marks out of 75 only
- ii) If the marks awarded by two examiners vary by 20 marks or more the dissertation shall be examined by the third examiner, whose decision shall be final.
- iii) If one of the examiner writes modification of dissertation or reject the dissertation then the another copy of dissertation may be sent to 3rd expert (out of panel) for evaluation.

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LLM 513: Wage Structure and Laws

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: The course will provide student an insight about intricacies of wage fixation and principles governing to wage structure.

Module I : Wages; concept, kind and principles of wage fixation, Wages under the Indian Constitution

Module II : The Minimum Wages Act, 1948

Module III : Payment of Wages Act, 1936

Module IV : The Payment of Bonus Act, 1965

Recommended Books

1. Ghosh Piyali: Industrial Relations and Labour Laws, McGraw Hill Education (2015)
2. Mishra, SN, Labour and Industrial Law, Central Law Agency, 2nd edn. (2013)
3. Singh Avatar: Introduction to Labour and Industrial Law, Lexisnexis(2013)
4. Srivastava S.C.: Industrial Relations and Labour Law, S.Chand & Sons Publications (2012)



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GROUP A : LABOUR LAWS

LLM 512: Industrial Relations

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: The purpose of this course is to apprise the student about the various aspects of industrial relations which ultimately governs the cordial relationship between employer and employee.

Module I : Foundation of Labour Law, ILO Conventions, General idea of Labour Jurisprudence, Classification of labour legislations.

Module II : Factories Act, 1948; meaning and definition of factory, other important definitions under the Act e.g. manufacturing process, occupier
The provisions relating to inspecting staff under the Act.

Module III : Provisions relating to health, safety and welfare under the Factories Act, 1948.

Module IV : Industrial Employment (Standing Order) Act, 1946.

Recommended Books

1. Ghosh Piyali: Industrial Relations and Labour Laws, Mcgraw Hill Education (2015)
2. Mishra, SN, Labour and Industrial Law, Central Law Agency, 2nd edn. (2013)
3. Singh Avatar: Introduction to Labour and Industrial Law, Lexisnexis, (2013)
4. Srivastava S.C.: Industrial Relations and Labour Law, S.Chand & Sons Publications, (2012)



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GROUP B: ALTERNATIVE DISPUTE RESOLUTION SYSTEM

LLM 515: Domestic and International Commercial Arbitration

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: The traditional court structure may not be sufficient to settle all disputes. The alternative dispute resolution helps to get speedy and less expensive justice. The aim of this paper is to discuss the role of domestic arbitration foreign award and their enforceability in India.

Module I : Emergency of ADR system, Different kinds of ADR system, Meaning of Arbitration, Conciliation, Mediation, Negotiation.

Module II : Alternative Dispute Resolution & Conciliation Act, 1986, Arbitration Agreement, Arbitral Tribunals, Jurisdiction & Implementations.

Module III : Meaning, Nature & Importance of Mediation, First Track Court & Lok Adalat.

Module IV : Public Interest Litigation, Liberalisation of Locus Standi Principles

Recommended Books

1. Chakraborty Anirban: Law and Practice in Alternative Dispute Resolution in India, LexisNexis (2015)
2. Gujar Suryakant Mahadev: Alternative Dispute Resolution and Arbitration and Conciliation (Lawmann Academic Series), Kamal Publication, New Delhi (2016)
3. Shridhan M: Alternative Dispute Resolution- Negotiation and Mediation, LexisNexis (2010)



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LLM 514: Social Security Laws and Management

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: This course is designed to make the students aware of various measures taken by the state in order to protect and safeguard the rights of workers.

Module I : Employees Provident Funds and Miscellaneous Provisions Act, 1952


Module II : Payment of Gratuity Act, 1972

Module III : Employees States Insurance Act, 1948; Historical Developments, objectives and Application of the Act.

Module IV : Benefits under the Employees States Insurance Act, 1948, Constitution, n and Powers of Employees State Insurance Court.

Recommended Books

1. Ghosh Piyali: Industrial Relations and Labour Laws, Mcgraw Hill Education (2015)
2. Mishra, SN, Labour and Industrail Law, Central Law Agency, 2nd edn. (2013)
3. Singh Avatar: Introduction to Labour amd Industrial Law, Lexisnexis (2013)
4. Srivastava S.C.: Industrial Relations and Labour Lw, S.Chand & Sons Publications (2012)


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LLM 517: Mediation, Lok Adalat and Fast Track Courts

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: In India there are many problems which need solution but the court system is help less for speedy justice. The aim of this court is to impart knowledge about the dispute resolution system other than the formal judicial system.

Module I : Various process of ADR system, meaning of mediation, distinction between Arbitration, Conciliation, Mediation & Negotiation.

Module II : Conduct of Mediation Proceedings, Mediation Agreement or Mediation Termination of Mediation Proceedings.

Module III : Lok Adalat: Constitution, Jurisdiction & Powers, Procedure any remedy provided.

Module IV : First Tract Courts, Multi Door Court System, Hybrid System & Negotiation, Administrative Tribunals.

Recommended Books

1. Garg, SK, Guide to Lok Adalats and Free Legal Services under Legal Services Authorities Act, Xcess Infostore Pvt. Ltd. (2014)
2. Rao, Mamta, Public Interest Litigation, legal Aid and Lok Adalat, 5th edn. 2018, Eastern Book Company.
3. Singh, Avtar, Law of Arbitration and Conciliation, Eastern Book Company, Lucknow, 2005



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LLM 516: Enforcement of Foreign Award and Conciliation in India

Full marks: 100
Term end: 80
Internal: 20
Total Credit: 04

Course Outcome: To study the conciliation and arbitration system in the global context

Module I : Enforcement of the foreign award under New York Convention Award
Enforcement of foreign award under Geneva Convention Award

Module II : Meaning of Conciliation, Conciliation proceedings, appointment of conciliator. The role of conciliators

Module III : Conduct of conciliation proceedings, settlement of agreement & status and effect.

Module IV : Termination of Conciliation proceedings, Recourse to the courts, Arbitration cost, difference between Arbitration and Conciliation.

Recommended Books

1. Madhusudan Saharay: Text Book on Arbitration and Conciliation with Alternative Dispute Resolution, Universal Law Publication, New Delhi, 3rd edn. (2015)
2. Shridhan M: Alternative Dispute Resolution- Negotiation and Mediation, LexisNexis (2010)
3. Triipathy, S. C, The Arbitration and Conciliation Act, Central Law Publication, Allahabad, 1996



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