

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**  
**Name of the Program : LL.M. ( Master of Laws)**

**Introductory Note**

This is an academic program of 2 yrs duration consisting of 4 Semesters. The purpose of this program is to impart knowledge to the students in regard to important areas of law which are useful for their career development and the society as well. The LL.M. students should be exposed to the new challenges and perspectives of constitutional development. They are also allowed to choose an area of specialization in particular field of law. The course also helps the students to have interaction between law, society and mass media. The students are given an opportunity to delve upon the operation and changing phenomena of comparative Administrative Law. This is an urgent need of the present era in the wake of Technological Revolution and its aftermath on the administration. A jurisprudential thrust has to be given to the students for the study of Comparative Criminal Procedure which helps them to develop and broaden their vision. Equally, the course opens new areas of profession, occupation, trade and business by studying the various fields of knowledge in law i.e. Commercial Law, Insurance Law, Intellectual Property Rights, Human Rights, etc. This course is helpful in transforming the students into good academicians, researchers and able and disciplined citizens for the development of the society and the country.

1. Name of the program: **LL.M.**
2. Duration of the program:
  - (a) Minimum duration 02 yrs. (4 Semester)
  - (b) Maximum duration 04 yrs.
3. Structure of the program:
  - (a) Number of Core Courses - 12 (3 in each Semester)
  - (b) Minimum number of Elective Courses to be opted by the student - 4 (1 in each Semester)
  - (c) Minimum number of Open Elective Courses (courses to be opted by the students from other departments of university) - 2 ( 1in Semester – III & 1 in Semester – IV)

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

**Session 2018 - 19**  
**LL.M. (Two Years Degree Course)**  
**Core Courses**

Semester	Core Course Code	Core Courses Title	Credits
<b>I Sem.</b>	LAW – CC - 121	Law and Social Transformation in India	05
	LAW – CC - 122	Concept and Development of Human Rights	05
	LAW – C C- 123	Mass Media and Law	05

**LL.M. (Two Years Degree Course)**  
**Elective Course**

Semester	Elective Course Code	Elective Courses Title	Credits
<b>I Sem.</b>	LAW – EC - 124	Administrative Process : Nature and Scope	04

**Department of Law**  
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Course Code
LAW- CC - 121

**LL.M. I SEMESTER**

COMPULSORY COURSE / CORE GROUP

L	T	P	C
5	0	0	5

**LAW AND SOCIAL TRANSFORMATION IN INDIA**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based
- (i) on any one or more of the following methods, consisting of 15 marks:
- a. Organised Classroom activities. (Group Discussion, etc.)
  - b. Presentation
  - c. Assignment
  - d. Quiz

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

(i)	75% and below	: 00 Mark
(ii)	>75% and upto 80%	: 01 Mark
(iii)	> 80% and upto 85%	: 02 Marks
(iv)	> 85% and upto 90%	: 03 Marks
(v)	> 90% and upto 95%	: 04 Marks
(vi)	> 95%	: 05 Marks

(C) Scheme of Examination:

(a) Mid Semester Examination	: 20 Marks
(b) Internal Assessment	: 20 Marks (15+5)
(c) End Semester Examination	: 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus** :

**Unit I**

**1. Law and Social Change**

**Lectures-15**

- Law as an instrument of social change.
- Law as the product of traditions and culture. Criticism and evaluation in the light of Colonization and the introduction of common law system and institutions in India and its Impact on further development of law and legal institution in India.

## **2. Religion and the Law**

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

## **Unit II**

**Lectures-15**

### **1. Language and the Law**

- Language as a divisive factor.
- Constitutional guarantees to linguistic minorities.
- Language policy and the Constitution: Official language ; multi language system.
- Non- discrimination on the ground of language.

### **2. Community**

- Caste as a divisive factor.
- Non - discrimination on the ground of caste.
- Acceptance of caste as a factor to undo past injustice.
- Protective discrimination: Scheduled caste, tribes and backward classes.
- Reservation; statutory commissions, Statutory provisions.

## **Unit III**

**Lectures-15**

### **Regionalism and the law.**

- Regionalism as a divisive factor.
- Concept of India as a one unit.
- Right of movement, residence and business; impermissibility of state or regional barriers.
- Equality in matters of employment the slogan “Sons of the soil” and its practice.
- Admission to educational institutions: preference to residents of a state.

## **Unit IV**

**Lectures-20**

### **1. Women and the Law**

- Gender injustice and its various forms.
- Women’s commission.
- Empowerment of women: Constitutional and other legal provisions.

### **2. Children and the Law**

- Child labour
- Sexual exploitation.
- Adoption and related problems.
- Children and education.

## Unit V

## Lectures-10

### Modernization and the Law

- Modernization as a value: constitutional perspectives reflected in the fundamental duties.
- Modernization of social institutions through law.
- Industrial reform: Free enterprise V/s State regulation – Industrialization Vs Environmental protection.
- Democratic decentralization and local self government.
- Socialist thought on law and justice. An enquiry through constitutional debates on the right to property.

**Note :** In addition to the above questions may be asked on aspects related with this paper.

### Selected Bibliography :

#### Essential Readings:

1. Marc Galanter (ed) Law and Society in Modern India
2. U.Baxi, The Crisis of the Indian Legal System (1982) Vikas, New Delhi
3. U.Baxi (ed) Law and Poverty Critical Essays (1988) Tripathi, Bombay
4. H.M. Seervai, Constitutional Law of India (1996) Tripathi
5. D.D.Basu, Shorter Constitution of India(1996) Prentice –Hall of India(P) Ltd, New Delhi
6. Dr. G.P. Tripathi : Law & Social Transformation
7. Bhat, P. Ishwara : Law and Social Transformation, Reprinted 2012 (Hardcover)
8. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (2000) Anmol Publications Delhi

#### Additional Readings:

1. Savitri Guneskhare, Children, Law and Justice (1997) Sagar
2. Indian Law Institute, Law and Social Change: Indo – American Reflections, Tripathi (1988)
3. J.B.Kriplani Gandhi : His Life and Thought, (1970) Ministry of information and Broadcasting, Government of India
4. M.P.Jain, Outlines of Indian Legal History (1993) Tripathi, Bombay
5. Agnes Flavia Law and Gender Inequality : The Politics of Women Rights of India (1999) Oxford
6. Robert Lingal, The Classical Law of India (1999) Oxford
7. Manushi, A Journal about women and society
8. Duncan Derret; The state, Religion and Law in India(1999) Oxford University, New Delhi

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- CC - 122

**LL.M. I SEMESTER**

L	T	P	C
5	0	0	5

COMPULSORY COURSE / CORE COURSE

**CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based

(i) on any one or more of the following methods, consisting of 15 marks:

- a. Organised Classroom activities. (Group Discussion, etc.)
- b. Presentation
- c. Assignment
- d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

(i)	75% and below	: 00 Mark
(ii)	>75% and upto 80%	: 01 Mark
(iii)	> 80% and upto 85%	: 02 Marks
(iv)	> 85% and upto 90%	: 03 Marks
(v)	> 90% and upto 95%	: 04 Marks
(vi)	> 95%	: 05 Marks

(C) Scheme of Examination:

(a) Mid Semester Examination	: 20 Marks
(b) Internal Assessment	: 20 Marks (15+5)
(c) End Semester Examination	: 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus :**

**Unit I :**

**1. Human Rights: Concept**

**Lectures-15**

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

**Unit II:** **Lectures-15**  
**Classification of Human rights – first, second and third generation: Historical Development.**

**Unit III:** **Lectures-15**  
**1. Human rights: Politics and society**

- Colonisation, imperialism and human rights
- Power, practices, accountability and transparency
- Liberalization, privatization and globalization.
- Human duties: responsibilities and obligations.

**Unit IV:** **Lectures-15**  
**1. Human rights and Judicial Process**

- Judicial activism

**Unit V:** **Lectures-15**  
**1. Human Rights Protection Agencies**

**Note : In addition to the above questions may be asked on aspects related with this paper.**

**Selected Bibliography :**

**Essential Readings:**

1. R.C.Hingorani : Human Rights
2. U.C. Srivastava : Human Rights
3. S.K.Kapoor : Human Rights
4. T.P. Tripathi : Human Rights
5. H.O.Agarwal : Human Rights
6. Lalit Parmer, Human Rights (1998)
7. M.G. Chitkara, Human Rights : Commitment and Betrayal,(1996).
8. V.D.Kulshrestha, Landmarks in the Indian Legal and Constitutional History, (1995).
9. Robert Lewnggat, The Classical Law of India,(1998) Oxford.

**Additional Readings:**

1. Human Rights - V.K. Anand
2. Human Rights under International Law and Indian Law - Dr. S.K. Kapoor
3. Human Rights - Myneni SR
4. Human Rights & Criminal Justice - Pandit Kamalakar
5. Angela Hegarty, Siobhan Leonard, Human Rights an Agenda for the 21<sup>st</sup> Century (1999)
6. Rama Jois, Human Rights : Bhartiya Values (1998)
7. David P.Forsythe, Human Rights in International Relations.

8. Lon L. Fuller, *The Morality of Law*.
9. John Finnis, *Natural Law and Natural Rights* (1980)
10. Julius Stone, *Human Law and Human Justice* (2000) Universal, New Delhi.



**Department of Law**  
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Course Code
LAW- CC - 123

**LL.M. I SEMESTER**

L	T	P	C
5	0	0	5

**COMPULSORY COURSE / CORE GROUP**  
**MASS MEDIA LAW**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
  - (i) on any one or more of the following methods, consisting of 15 marks:
    - a. Organised Classroom activities. (Group Discussion, etc.)
    - b. Presentation
    - c. Assignment
    - d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

- (i) 75% and below : 00 Mark
- (ii) >75% and upto 80% : 01 Mark
- (iii) > 80% and upto 85% : 02 Marks
- (iv) > 85% and upto 90% : 03 Marks
- (v) > 90% and upto 95% : 04 Marks
- (vi) > 95% : 05 Marks

(C) Scheme of Examination:

- (a) Mid Semester Examination : 20 Marks
- (b) Internal Assessment : 20 Marks (15+5)
- (c) End Semester Examination : 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus :**

**UNIT – I**

**Lectures-15**

**1. Mass media – Types of – Press Films, Radio, Television**

- Introduction
- Meaning of Media, Mass media
- Role and purpose of Mass Media
- Ownership patterns - Press – Films – Radio and Television
- Difference between visual and non-visual media – impact on peoples minds.

## **UNIT – II**

### **Lectures-15**

#### **1. Press – Freedom of speech and Expression- Articles 19 (1) (a)**

- Introduction
- Rights of Press - Includes Freedom of the Press.
- Restrictions applicable on Press
- Laws of defamation, obscenity, blasphemy, and sedition
- Price and Page Schedule Regulation
- Newsprint Control Order
- Advertisement – is it included within freedom of speech and expression?
- Press and the Monopolies and Restrictive Trade Practice Act.

## **UNIT – III**

### **Lectures-15**

#### **1. Films – How far included in freedom of speech and expression?**

- Introduction
- Censorships of films – constitutionality
- The Abbas Case
- Difference between Films and Press- why pre-censorships valid for films?
- Censorship under the Cinematograph Act

## **UNIT – IV**

### **Lectures-15**

#### **1. Radio and Television - Government monopoly**

- Why Government departments
- Should there be an autonomous corporation?
- Effect of television on people.
- Freedom of Expression vs. Right to telecast
- Freedom of Expression vs. State Monopoly over Telecasting Rights
- Report of the Canada Committee
- Government Policy.
- Commercial advertisement.
- Judicial Review of Doordarshan decisions: Freedom to telecast.

## **UNIT – V**

### **Lectures-15**

#### **1. Constitutional Restrictions**

- Radio and television subject to law of defamation and obscenity.
- Power to legislate – Article 246 read with the seventh schedule.

- Power to impose tax – licensing and license fee

**Note : In addition to the above questions may be asked on aspects related with this paper.**

**Selected Bibliography :**

**Essential Readings**

1. M.P.Jain, Constitutional Law of India (1994) Wadhwa
2. H.M. Seervai, Constitutional Law of India, Vol.1 (1991) Tripathi, Bombay.
3. John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies ( International center for Law in Development 1980)
4. Bruce Michael Boyd, Film Censorships in India : A Reasonable Restriction on Freedom of Speech and Expression 14 J.I.L.I. 501 (1972).
5. Rajeev Dhawan On the Law of the Press in India 26 J.I.L.I. 288 (1984).
6. Rajeev Dhawan Legitimizing Government Rhetoric : Reflections on some Aspects of the Second Press Commission 26 J.I.L.I. 391 (1984)
7. Soli Sorabjee, Law of Press of India (1980)
8. Justice E.S. Venkaramaih, Freedom of Press : Some Recent Trends (1984)
9. D.D.Basu, The Law of Press of India (1980)
10. Madhvi Goradia Divan – Facets of Media Law, Paperback-2006 Edi. with Suppl, 2010
11. S.R. Myneni – Media Laws along with RTI Act (2<sup>nd</sup> Edn.)
12. Media Law and Ethics - Neelamber K.

**Additional Readings:**

1. Law and Media - Tom Crone and Philip Albestat
  2. Mass Media Laws and Regulations - C.S. Rayadu & S.B. Nageshwer Rao
  3. The Indian Media Business - Vanita Kohli Khandekar
  4. Press Law and Journalists-Watchdog to Guidedog - S. Sivakumar
  5. izsl fof/k ¼fo'ofoky; izdk'ku] okjk.klh½ - MkW- uUnfd'kksj f=[kk
  6. Media Law - Sukanta K. Nanda
- Students should consult relevant volumes of the Annual Survey of Indian Law Published by the Indian Law Institute (Constitutional Law 1 & 11, Administrative Law and Public Interest Litigation.

**Department of Law**  
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Course Code
LAW- E C- 124

**LL.M. I SEMESTER**  
**ELECTIVE COURSE**

L	T	P	C
4	0	0	4

**ADMINISTRATIVE PROCESS: NATURE AND SCOPE**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based

(i) on any one or more of the following methods, consisting of 15 marks:

- a. Organised Classroom activities. (Group Discussion, etc.)  
b. Presentation  
c. Assignment  
d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

- |       |                    |            |
|-------|--------------------|------------|
| (i)   | 75% and below      | : 00 Mark  |
| (ii)  | >75% and upto 80%  | : 01 Mark  |
| (iii) | > 80% and upto 85% | : 02 Marks |
| (iv)  | > 85% and upto 90% | : 03 Marks |
| (v)   | > 90% and upto 95% | : 04 Marks |
| (vi)  | > 95%              | : 05 Marks |

(C) Scheme of Examination:

- |                              |                   |
|------------------------------|-------------------|
| (a) Mid Semester Examination | : 20 Marks        |
| (b) Internal Assessment      | : 20 Marks (15+5) |
| (c) End Semester Examination | : 60 Marks        |

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus :**

**Unit I :**

**Lectures-12**

**1. Administrative Process**

- Definition and Scope of Administrative Law.

- Reason for the Growth of Administrative Law.
- Classification of Administrative functions.
- The role of civil service
- The role of administrative agencies.

**2. Rule of Law**

- Changing dimensions
- Regulation of administrative process

**Unit II :** **Lectures-12**

**1. Separation of powers : From Rigidity and Flexibility**

**Unit III :** **Lectures-12**

**Delegated legislation: Problems, Process and Control**

**Unit IV:** **Lectures-12**

**1. Power and duty**

- Doctrine of police power
  
- Doctrine of eminent power
- Taxing power
- Responsibility and accountability

**Unit V:** **Lectures-12**

**1. Administrative Discretion**

**Note : In addition to the above questions may be asked on aspects related with this paper.**

**Selected Bibliography :**

**Essential Readings:**

1. Dicey, Introduction to the Law of the Constitution
2. Davis, Discretionary Justice
3. Jain & Jain, Principles of Administrative Law (1986) Tripathi
4. M.P.Jain, Cases and Materials on Administrative Law (1996) Vol. 1 Wadha, Nagpur.

**Additional Readings:**

1. Friedman, The State and the Rule of Law in a Mixed Economy.
2. De Smith, Judicial Review of Administrative Action (1995)

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

**LL.M. (Two Years Degree Course)**  
**Core Courses**

Semester	Core Course Code	Core Courses Title	Credits
<b>II Sem.</b>	LAW – CC - 221	Indian Constitutional Law : The New Challenges	05
	LAW –C C - 222	Legal Education	05
	LAW –C C - 223	Business Organisation	05

Semester	Elective Course Code	Elective Courses Title	Credits
<b>II Sem.</b>	LAW – E C- 224	Human Rights of Disadvantaged groups : Problems and Issues in the Protection and Enforcement	04

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**LL.M. (Two Years Degree Course)**  
**Elective Course**

Course Code
LAW- CC - 221

**LL.M. II SEMESTER  
COMPULSORY COURSES**

L	T	P	C
5	0	0	5

**INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
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- a. Organised Classroom activities. (Group Discussion, etc.)
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(iv)	> 85% and upto 90%	: 03 Marks
(v)	> 90% and upto 95%	: 04 Marks
(vi)	> 95%	: 05 Marks

(C) Scheme of Examination:

(a) Mid Semester Examination	: 20 Marks
(b) Internal Assessment	: 20 Marks (15+5)
(c) End Semester Examination	: 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus :**

**Unit I :**

**Lectures-15**

**1. Federalism :**

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

**Unit II :**

**Lectures-15**

1. "State" : Need for widening the definition in the wake of liberalization.
2. Right to equality: privatization and its impact on affirmative action.

**Unit III :**

**Lectures-15**

**1. Freedom of press and challenges of new scientific development.**

- Freedom of speech and right to broadcast and telecast.
- Right to strikes, hartal and bandh.

**2. Emerging regime of new rights and remedies.**

- Reading Directive Principles and Fundamental Duties into Fundamental Rights.
- Compensation Jurisprudence.
- Right to education
- Commercialization of education and its impact.

**Unit IV :**

**Lectures-10**

Right of minorities to establish and administer education institutions and state control.

**Unit V:**

**Lectures-20**

**1. Separation of powers: stresses and strain.**

- Judicial activism and judicial restraint.
- PIL: Implementation.
- Judicial independence.
- Appointment, transfer and removal of judges.
- Accountability: executive and judiciary.
- Tribunals.

**2. Democratic Process**

- Ñ Nexus of politics with criminal and the business.
- Ñ Election.
- Ñ Election commission status.
- Ñ Electoral Reforms.
- Ñ Coalition government's stability, durability, corrupt practice.
- Ñ Grass root democracy.



**Note :** In addition to the above questions may be asked on aspects related with this paper.

**Selected Bibliography:**

**Essential Readings:**

1. H. M. SEERVAI : CONSTITUTION OF INDIA
2. M.P.JAIN : CONSTITUTION OF INDIA
3. V.N. SHUKLA : CONSTITUTION OF INDIA
4. MAHAVIR SINGH : BHARAT KA SAMVIDHAN
5. KILASH RAI : CONSTITUTION OF INDIA
6. CHATURVEDI : CONSTITUTION OF INDIA
7. J.N. PANDEY : CONSTITUTION OF INDIA
8. CONSTITUTIONAL LAW-I - MYNENI SR
9. CONSTITUTIONAL LAW-II - MYNENI SR
10. Indian Constitutional Law-New Challenges - Dr. G.P. Tripathi
11. CONSTITUTIONAL LAW OF INDIA - DR. N.V. PARANJAPE
12. Constitution of India 12<sup>th</sup> Edition, 2013 Revised by Mahandra Pal Singh (P/B) - Shukla V.N.
13. Introduction to the Constitution of India English Edition - D.D. Basu
14. Introduction to the Constitution of India Hindi Edition - D.D. Basu
- 15.

**Additional Readings:**

1. Textbook on the Constitution of India - Bhansali, S.R.
2. The Indian Constitution and Social Resolution - V. Krishna Anauth
3. Hkkjr dk lafo/kku & MkW- t; ukjk;.k ik.Ms;
4. Hkkjr dk lafo/kku & MkW- ts-ts-vkj- mik;/k;
5. Constitutional Law - Rega Surya Rao (Dr.)
6. Judicial Review - Narayana Justice PS
7. lafo/kku % ,d leh{kk - lrh'k dqekj
8. M. C. J. KAGZI : CONSTITUTION OF INDIA
9. D.J. DEE : CONSTITUTION OF INDIA
10. Constitutional Law of India - Narender Kumar
11. Constitutional Justice & Judicial Process - Polo Koteswar Rao

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- CC - 222

**LL.M. II SEMESTER**

L	T	P	C
5	0	0	5

**COMPULSORY COURSE / CORE GROUP  
LEGAL EDUCATION**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

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- (i) on any one or more of the following methods, consisting of 15 marks:
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(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

(i)	75% and below	: 00 Mark
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(iii)	> 80% and upto 85%	: 02 Marks
(iv)	> 85% and upto 90%	: 03 Marks
(v)	> 90% and upto 95%	: 04 Marks
(vi)	> 95%	: 05 Marks

(C) Scheme of Examination:

(a) Mid Semester Examination	: 20 Marks
(b) Internal Assessment	: 20 Marks (15+5)
(c) End Semester Examination	: 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus** :

**Unit I:****Lectures-15**

1. History of Legal Education in India
2. Role of Bar Council of India regarding legal education under Advocate Act, 1961 [Sections 2(h), Sec. 6(gg), Sec. 7 (1) (h) (i), Sec. 10 (2)(b), Sec. 49(1)(af), Sec. 49(1) (d)]
3. Legal Education Rules, 2008 framed by Bar Council of India
4. Objectives of Legal Education.

**Unit II:****Lectures-15**

1. Lecture Method of Teaching – Merits and Demerits.
2. The Problem Method.

**Unit III:****Lectures-15**

1. Discussion Method and its suitability at postgraduate level teaching.
2. The Seminar Method of Teaching.

**Unit IV:****Lectures-15**

1. Examination system and problems in evaluation – external and internal assessment.
2. Student participation in law school programmes – organization of seminars, publication of journal and assessment of teachers.

**Unit V:****Lectures-15**

1. Clinical legal Education – legal aid, legal literacy, legal survey and law reform.
2. Reforms in Legal Education

**Note : In addition to the above questions may be asked on aspects related with this paper.**

**Selected Bibliography :****Essential Readings:**

1. S.K.Agrawal (ed) Legal Education in India (1973) Tripathi, Bombay
2. N.R. Mahava Menon (ed) a Handbook of Clinical Legal Education (1998) Eastern Book Company, Lucknow

**Additional Readings:**

1. Manohar Rao G : Legal Education in India-Challenges & Perspectives
2. High Brayal, Nigal Dunean and Recharad Crimes, Clinical Legal Education: Active Learning in your Law School, (1998) Blackstone Press Limited ,London

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- CC - 223

**LL.M. II SEMESTER**  
**COMPULSORY COURSE / CORE COURSE**  
**BUSINESS ORGANISATION**

L	T	P	C
5	0	0	5

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based
- (i) on any one or more of the following methods, consisting of 15 marks:
- a. Organised Classroom activities. (Group Discussion, etc.)
  - b. Presentation
  - c. Assignment
  - d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

(i)	75% and below	: 00 Mark
(ii)	>75% and upto 80%	: 01 Mark
(iii)	> 80% and upto 85%	: 02 Marks
(iv)	> 85% and upto 90%	: 03 Marks
(v)	> 90% and upto 95%	: 04 Marks
(vi)	> 95%	: 05 Marks

(C) Scheme of Examination:

(a) Mid Semester Examination	: 20 Marks
(b) Internal Assessment	: 20 Marks (15+5)
(c) End Semester Examination	: 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus**

**Unit I**

**Lectures-15**

- History: History of Company Legislation,

Ñ Introduction of new companies act and need of amendments

**Unit II:**

**Lectures-15**

Ñ Company: meaning, definition, Characteristic features of a company and Lifting the corporate veil and its Kinds

Ñ Promoter – Definition and his legal position, promoter liability and effects of Pre-incorporation contracts.

**Unit III:**

**Lectures-15**

• Formation of company

Ñ Memorandum of Association and Article of association: Contents and relation between them, Alteration.

Ñ Prospectus: Meaning, kind and consequences of Misstatements in prospectus.

**Unit IV:**

**Lectures-15**

• Shares: Meaning, kinds and general principles and statutory provisions regarding Allotment of shares, Effect of irregular Allotment.

• Membership of company

• Company directors

**Unit V:**

**Lectures-15**

• Social corporate responsibility

• National Company Law Tribunal (NCLT)

• Special Court related provision

**Note: In addition to the above questions may be asked on aspects related with this paper.**

**Selected Bibliography**

**Essential Readings:**

1. Companies Act, 2013
2. Avtar Singh : Mercantile Law
3. R.R.Maurya : Company Law
4. Palmer's : Company Law
5. Avtar Singh : Company Law
6. N.V.Paranjpe : Company Law
7. Kailash Rai : Company Law
8. Companies Act, 1956

9. Companies Act, 2013
10. Introduction to Company Law 11<sup>th</sup> Edition, 2014 (P/B) - Singh, Avtar
11. Business Law (Principles of Mercantile Law) 10<sup>th</sup> Edition, 2014 (P/B) - Singh, Avtar

**Additional Readings:**

1. Company Law - Krati Rajoria
2. New Company Law (The Companies Act, 2013) (18 of 2013) (1<sup>th</sup> Edn.) - S.C. Tripathi
3. THE NEW COMPANY LAW - DR. N.V. PARANJPE

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- EC - 224

**LL.M. II SEMESTER**  
**ELECTIVE COURSE**

L	T	P	C
4	0	0	4

**HUMAN RIGHTS OF DISADVANTAGED GROUPS : PROBLEMS AND ISSUES IN  
THE PROTECTION AND ENFORCEMENT**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based
- (i) on any one or more of the following methods, consisting of 15 marks:
- a. Organised Classroom activities. (Group Discussion, etc.)
  - b. Presentation
  - c. Assignment
  - d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

(i)	75% and below	: 00 Mark
(ii)	>75% and upto 80%	: 01 Mark
(iii)	> 80% and upto 85%	: 02 Marks
(iv)	> 85% and upto 90%	: 03 Marks
(v)	> 90% and upto 95%	: 04 Marks
(vi)	> 95%	: 05 Marks

(C) Scheme of Examination:

(a) Mid Semester Examination	: 20 Marks
(b) Internal Assessment	: 20 Marks (15+5)
(c) End Semester Examination	: 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus:**

**Unit I:**

**Lectures-12**

1. Concept of Disadvantaged Groups

**Unit II :**

**Lectures-12**

**1. Emerging Human Rights Jurisprudence and the Role of the Judiciary**

- Rights of Women
- Rights of the child
- Rights of the prisoners
- Rights of dalits
- The tribal and other indigenous people
- The mentally ill
- The stateless persons
- The unorganised labour
- Aids' victims
- Rights of minorities

**Unit III:**

Ñ Enforcement of Human Rights

**Lectures-12**

**Unit IV:**

Ñ Protection Laws of the Disadvantaged Groups :Problems and Issues

**Lectures-12**

**Unit V:**

Ñ Future Perspectives of the Human Rights of the Disadvantaged

**Lectures-12**

**Note:** In addition to the above questions may be asked on aspects related with this paper.

**Select Bibliography:**

**Essential Readings:**

1. . Bhargava and R.M. Pal, Human Rights of Dalit Societal Violation, (1999)
2. Geraldine Van Bueren, The International Law on the Rights of the Child, (1998)
3. Prabhat Chandra Tripathi, Crime Against Working Women, (1998)
4. Paras Diwan and Piyush Diwan , Women and Legal Protection.
5. N.K. Chandrabati, Juvenile Justice in the Administration of criminal justice, (1999)

**Additional Readings:**

1. Rebecca Wallace, International Human Rights Text and Materials, (1967)
2. Janaki Nair, Woman and Law in Colonial India, (1996)
3. Simon Creighton, Vicky King, Prisons and the Law, (1996)
4. Philip Aiston children, Rights and the law
5. Kelly D. Askin, Dorean M. Koenig Women and international Human Rights Law, (1999)



**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

<b>LL.M. III SEMESTER</b>					
<b>COURSE CODE</b>	<b>COURSE TITLE</b>	<b>CREDIT</b>			
LAW–CC - 321	Judicial Process:	L	T	P	C
		5	0	0	5
LAW–CC- 322	Comparative Criminal Procedure	L	T	P	C
		5	0	0	5
LAW–CC- 323	Dissertation and Viva- Voce	L	T	P	C
		0	0	0	5

<b>Elective Course</b>					
<b>COURSE CODE</b>	<b>COURSE TITLE</b>	<b>CREDIT</b>			
LAW–EC- 324	Public Authorities : Liabilities	L	T	P	C
		4	0	0	4

**OPEN ELECTIVE COURSE**

One open elective course of 2 credits of other departments of the University shall be pursued by a student.

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- CC - 321

L	T	P	C
5	0	0	5

LL.M. III SEMESTER  
COMPULSORY COURSES/CORE GROUP

**JUDICIAL PROCESS**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based
- (i) on any one or more of the following methods, consisting of 15 marks:
- a. Organised Classroom activities. (Group Discussion, etc.)
  - b. Presentation
  - c. Assignment
  - d. Quiz

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

- |       |                    |            |
|-------|--------------------|------------|
| (i)   | 75% and below      | : 00 Mark  |
| (ii)  | >75% and upto 80%  | : 01 Mark  |
| (iii) | > 80% and upto 85% | : 02 Marks |
| (iv)  | > 85% and upto 90% | : 03 Marks |
| (v)   | > 90% and upto 95% | : 04 Marks |
| (vi)  | > 95%              | : 05 Marks |

(C) Scheme of Examination:

- |                              |                   |
|------------------------------|-------------------|
| (a) Mid Semester Examination | : 20 Marks        |
| (b) Internal Assessment      | : 20 Marks (15+5) |
| (c) End Semester Examination | : 60 Marks        |

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**SYLLABUS :**

## Unit I :

Lectures-15

### Ñ Nature of Judicial Process :

- Ñ Judicial Process as an instrument of social ordering
- Ñ Judicial Process and creativity in Law - common Law model – Legal Reasoning and growth of Law – change and stability.
- Ñ The tools and techniques of judicial creativity and precedent.
- Ñ Legal development and creativity through legal reasoning under statutory and codified system.

## Unit II :

Lectures-15

### Ñ Special Dimensions of Judicial Process in Constitutional Adjudications

- Ñ Notions of judicial review
- Ñ 'Role' in Constitutional adjudication – various theories of judicial role

## Unit III :

Lectures-15

### Ñ Judicial Process in India

- Ñ Indian debate on the role of judges and on the notion of judicial review.
- Ñ The "Independence" of judiciary and the "Political" nature of judicial process.

- Ñ Judicial activism and creativity of the Supreme Court - the tools and techniques of creativity.
- Ñ Judicial process in pursuit of constitutional goals and values – new dimensions of judicial activism and structural challenges.
- Ñ Institutional liability of courts and judicial activism – scope and limits.

**Unit IV :**

**Lectures-15**

Ñ **The concepts of Justice**

- Ñ The concept of justice or Dharma in Indian thought.
- Ñ Dharma as the foundation of legal ordering in Indian thought.
- Ñ The concept and various theories of justice in the western thought

**Unit V :**

**Lectures-15**

Ñ **Relation between Law and Justice**

- Ñ Equivalence theories-justice as nothing more than the positive law of the stronger class.
- Ñ Dependency theories – For its realisation justice depends on law, but justice is not the same as law.
- Ñ The independence of justice theories – means to end relationship of law and justice – The relationship in the context of the Indian constitutional ordering.

**Note :** In addition to the above questions may be asked on aspects related with this paper.

**Recommended Source Material :**

### **Essential Readings:**

1. Benjamin N. Cardozo : The Nature of Judicial Process (1995) Universal, New Delhi.
2. Julius Stone : The Province and Function of Law, Part-II, Chs.1/8-16(2000), Universal, New Delhi.
3. Henry J.Abraham : The Judicial Process, (1998), Oxford.
4. Julius Stone : Precedents and the Law : Dynamics if Common Law Growth, (1985), Butterworths.
5. John Rawls : A Theory of Justice, (2000), Universal, Delhi.
6. Upendra Baxi : The Indian Supreme Court and politics, (1980), Eastern, Lucknow.
7. N.K.Jayakumar : Judicial Process in India : Limitations and Leeways

### **Additional Readings:**

1. Edward H. Levi, An Introduction to Legal Reasoning (1970) University of Chicago
2. Rajeev Dhavan : The Supreme Court of India – A Socio- legal Critique of its Juristic Techniques(1977), Tripathi , Bombay
3. Abhinav Chandrachud : Due Process of Law, Eastern Book Company, Lucknow (2011)
4. Bodenheimer, Jurisprudence- The Philosophy and Method of Law (1997), Universal, Delhi.
5. Julius Stone : Legal system and Lawyers Reasoning (1999), Universal, Delhi.
6. W. Friedmann : Legal Theory (1960), Stevens, London.

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- CC - 322

LL.M. III SEMESTER  
CORE COURSES

L	T	P	C
5	0	0	5

COMPARATIVE CRIMINAL PROCEDURE

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
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  - (i) on any one or more of the following methods, consisting of 15 marks:
    - a. Organised Classroom activities. (Group Discussion, etc.)
    - b. Presentation
    - c. Assignment
    - d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

- (i) 75% and below : 00 Mark
- (ii) >75% and upto 80% : 01 Mark
- (iii) > 80% and upto 85% : 02 Marks
- (iv) > 85% and upto 90% : 03 Marks
- (v) > 90% and upto 95% : 04 Marks
- (vi) > 95% : 05 Marks

(C) Scheme of Examination:

- (a) Mid Semester Examination : 20 Marks
- (b) Internal Assessment : 20 Marks (15+5)
- (c) End Semester Examination : 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**SYLLABUS:**

**UNIT I:**

**Lectures--15**

- **Organisation of Courts and Prosecuting**

### **Agencies**

- Hierarchy of criminal courts and their jurisdiction.
- Nyaya Panchayats in India
- Panchyats in tribal areas
- Organisation of prosecuting agencies for prosecuting criminals.
- Prosecutors and the police
- Withdrawal of prosecution

#### **UNIT II :**

**Lectures--15**

- **Pre-trial Procedures**

- Arrest and questioning of the accused
- The rights of the accused
- The evidentiary value of statements
- Right to counsel
- Roles of the prosecutor and the judicial officer in investigation

#### **UNIT III :**

**Lectures--15**

- **Trial Procedures**

- The accusatory system of trial and the inquisitorial system
- Role of the judge, the prosecutor and defence attorney in the trial
- Admissibility and inadmissibility of evidence
- Expert Evidence
- Appeal of the court in awarding appropriate punishment

- Plea bargaining

#### UNIT IV :

Lectures--15

- **Correction and Aftercare services**

- Institutional correction of the offenders
- After - care services
- The role of court in correctional programmes in India

#### UNIT V :

Lectures--15

- **Preventive Measures in India**

- Provisions in the Criminal Procedure Code
- Special enactments
- Public Interest Litigation

- **Select Bibliography :**

1. Celia Hampton, Criminal Procedure
2. Wilikins and Cross, outline of the Law of Evidence
3. Archbold Pleading, Evidence and Practice in Criminal Cases
4. Sarkar, Law of Evidence
5. K.N. Chandrasekharan Pilla (ed.) R.V. Kelkar's Outlines of Criminal Procedure (2000) Eastern Lucknow
6. Patric Devlin The Criminal Prosecution in England
7. American Series of Foreign Penal Codes Criminal Procedure Code of People's Republic of China.
8. John N. Ferdico, Criminal Procedure (1996) West



9. Sanders and Young Criminal Justice (1994)
10. Christina Van Den Wyngart, Criminal Procedure Systems in European Community Joel Samaha, Criminal Procedure (1997) West
11. Criminal Procedure Code, 1973
12. The French Code of Criminal Procedure 14<sup>th</sup> and 41<sup>st</sup> Reports of Indian Law Commission

The Paper will be taught with reference, wherever necessary, to the procedures in India, England, US, Germany and China.

**Note: In addition to the above questions may be asked on aspects related with this paper**

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- CC - 323

L	T	P	C
0	0	0	5

LL.M. III SEMESTER  
COMPULSORY COURSES  
**DISSERTATION & VIVA - VOCE**

The Dissertation will be of 60 marks.

The Viva – Voce will be of 40 marks. Viva-voce shall be conducted by One External Examiner from the School of Law and One Internal Supervisor.

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- EC - 324

L	T	P	C
4	0	0	4

LL.M. III SEMESTER

**ELECTIVE COURSES**

**Public Authorities: Liabilities**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based

(i) on any one or more of the following methods, consisting of 15 marks:

- a. Organised Classroom activities. (Group Discussion, etc.)
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- c. Assignment
- d. Quizzes

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- (iii) > 80% and upto 85% : 02 Marks
- (iv) > 85% and upto 90% : 03 Marks
- (v) > 90% and upto 95% : 04 Marks
- (vi) > 95% : 05 Marks

(C) Scheme of Examination:

- (a) Mid Semester Examination : 20 Marks
- (b) Internal Assessment : 20 Marks (15+5)
- (c) End Semester Examination : 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**SYLLABUS :**

**Unit I :**

**Lectures-12**

**The Citizens and Administrative Faults:**

- Ombudsman
- Development in India
- Central Vigilance Commission

**Unit II :**

**Lectures-12**

**Tortious Liability of the State**

- Sovereign and Non-sovereign functions.
- Sovereign immunity.
- Contractual Liability of the State.

**Unit III :**

**Lectures-12**

**Emerging Liability.**

- Public Accountability
- Compensatory Jurisprudence and right to life.

**Unit IV :**

**Lectures-12**

**Privilege Against disclosure**

- Right to information.
- Official Secrecy.

**Unit V :**

**Lectures-12**

**Promissory Estoppel**

- Legitimate Expectation.
- Constitutional dimensions.

**Note : In addition to the above questions may be asked on aspects related with this paper.**

**Recommended Source Material :**

1. Jain and Jain : Administrative Law
2. Basu : Administrative Law

3. Kagzi : Administrative Law
4. Sathe : Administrative Law
5. Kesari : Administrative Law
6. Kailash Rai : Administrative Law
7. Upadhyaya : Administrative Law
8. Jai Kumar : Administrative Law
9. Takwani : Administrative Law
10. Joshi : Administrative Law
11. Massey : Administrative Law

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

**LLM**

**(List of Courses Prescribed for IV Semester)**

**IV SEMESTER**

<b>Compulsory Courses</b>										
<b>COURSE CODE</b>	<b>COURSE TITLE</b>	<b>CREDIT</b>								
LAW – CC – 421	Insurance Law	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><b>L</b></td> <td style="text-align: center;"><b>T</b></td> <td style="text-align: center;"><b>P</b></td> <td style="text-align: center;"><b>C</b></td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">5</td> </tr> </table>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>	5	0	0	5
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LAW – CC – 422	Legal Research Methodology	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><b>L</b></td> <td style="text-align: center;"><b>T</b></td> <td style="text-align: center;"><b>P</b></td> <td style="text-align: center;"><b>C</b></td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">5</td> </tr> </table>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>	5	0	0	5
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LAW – CC - 423	<i>Law of Industrial and Intellectual Property</i>	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><b>L</b></td> <td style="text-align: center;"><b>T</b></td> <td style="text-align: center;"><b>P</b></td> <td style="text-align: center;"><b>C</b></td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">5</td> </tr> </table>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>	5	0	0	5
<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>							
5	0	0	5							

<b>Elective Course</b>										
<b>COURSE CODE</b>	<b>COURSE TITLE</b>	<b>CREDIT</b>								
LAW – EC – 424	Science, Technology and Human Rights	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><b>L</b></td> <td style="text-align: center;"><b>T</b></td> <td style="text-align: center;"><b>P</b></td> <td style="text-align: center;"><b>C</b></td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">4</td> </tr> </table>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>	4	0	0	4
<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>							
4	0	0	4							

**OPEN ELECTIVE COURSE**

One open elective course of 2 credits of other departments of the University shall be pursued by a student.

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- CC - 421

LL.M. IV SEMESTER

L	T	P	C
5	0	0	5

**INSURANCE LAW**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based
- (i) on any one or more of the following methods, consisting of 15 marks:
- a. Organised Classroom activities. (Group Discussion, etc.)
  - b. Presentation
  - c. Assignment
  - d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

(i)	75% and below	: 00 Mark
(ii)	>75% and upto 80%	: 01 Mark
(iii)	> 80% and upto 85%	: 02 Marks
(iv)	> 85% and upto 90%	: 03 Marks
(v)	> 90% and upto 95%	: 04 Marks
(vi)	> 95%	: 05 Marks

(C) Scheme of Examination:

(a) Mid Semester Examination	: 20 Marks
(b) Internal Assessment	: 20 Marks (15+5)
(c) End Semester Examination	: 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

## **SYLLABUS :**

### **UNIT I :**

**Lectures--15**

#### **● Introduction**

- Nature of insurance contract, various kinds of insurance, proposal, policy, parties, consideration, need for utmost good faith, insurable interest, and indemnity.

- Insurance policy law of contract and law of torts – future of insurance: need importance and place of insurance.
- Constitutional perspectives – the entries 24, 25, 29, 30, 47 of List 1 Union List; 23, 24 of List III.

## **UNIT II :**

**Lectures--15**

### • **General Principles of Law of Insurance**

- Definition, nature and history
- The risk – commencement, attachment and duration
- Assignment and alteration
- Settlement of claim and subrogation
- Effect of war upon policies

## **UNIT III :**

**Lectures--15**

### • **Indian Insurance Law: General**

- History and development
- The insurance Act 1938 and the insurance Regulatory Authority Act 2000
- Insurance Law Amendment Act, 2015
- Mutual Insurance Companies and cooperative life insurance societies.
- Double Insurance and re - insurance

## **UNIT IV :**

**Lectures--15**

### • **Life Insurance**

- Nature and scope
- Event insured against life insurance contract
- Circumstances affecting the risk



- Amounts recoverable under life policy
- Persons entitled to payment
- Settlement of claim and payment of money

## UNIT V :

## Lectures--15

- **Marine Insurance**

- Nature and scope
- Classification of marine policies.
- The Marine Insurance Act, 1963
- Marine Insurance
- Insurable Interest, insurable value
- Marine insurance policy – condition – express warranties construction of terms of policy
- Voyage – deviation
- Perils of the sea
- Assignment of policy
- Partial laws of ship and of freight salvage, general average, particular charges
- Return of premium

- **Select Bibliography :**

1. John Hanson and Christopals Henly, All Risks Property Insurance (1999), LLP  
Asia Hongkong.
2. Peter Mac Donald Eggers and Patric Foss, Good Faith and Insurance Contracts  
(1998) LLP
3. Asia, Hongkong

4. Benerjee, Law of Insurance (1994) Asia Law House, Hyderabad
5. JCB Gilmar and Mustil, Arnold on the Law of Marine Insurance (1981), Sweet and Maxwell
6. Birds, Modern Insurance Law (1997), Sweet and Maxwell
7. Colnvaux's Law of Insurance (1997), Sweet and Maxwell
8. O'Mary on Marine Insurance (1993), Sweet and Maxwell
9. International Labour Office, Administration Practise of Social Insurance (1985)
10. E.R. Hardy Ivamy, General Principles of Insurance Law (1979)
11. Edwin W. Patterson, Cases and Materials on Law of Insurance (1955)
12. M.N. Sreenivasan Law and the Life Insurance Contract (1914)

**Note : In addition to the above questions may be asked on aspects related with this paper.**

**Department of Law**  
**Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)**

Course Code
LAW- CC - 422

LL.M. IV SEMESTER  
LEGAL RESEARCH METHODOLOGY

L	T	P	C
5	0	0	5

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based
- (i) on any one or more of the following methods, consisting of 15 marks:
- a. Organised Classroom activities. (Group Discussion, etc.)
  - b. Presentation
  - c. Assignment
  - d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

(i)	75% and below	: 00 Mark
(ii)	>75% and upto 80%	: 01 Mark
(iii)	> 80% and upto 85%	: 02 Marks
(iv)	> 85% and upto 90%	: 03 Marks
(v)	> 90% and upto 95%	: 04 Marks
(vi)	> 95%	: 05 Marks

(C) Scheme of Examination:

(a) Mid Semester Examination	: 20 Marks
(b) Internal Assessment	: 20 Marks (15+5)
(c) End Semester Examination	: 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

## **SYLLABUS:**

### **UNIT I:**

**Lectures--15**

- **Introduction**

- Significance of Research

- Meaning and concept of research

## **UNIT II :**

**Lectures--15**

### **• Scientific Methods & Legal Research**

- The Science of research and scientific methodology (Theory, facts, definition and concepts variables etc. i.e. characteristics of scientific methodology)
- Socio – legal research and legal research models
- Doctrinal and nonm- doctrinal research.
- What is a research problem? Formulation of research problem.

## **UNIT III :**

**Lectures--15**

### **• Research Design and its components**

- Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources
- Major steps of preparation of research design

## **UNIT IV :**

**Lectures--15**

### **• Research Tools**

- Observation, Interview, Questionnaire (utility and limitations and methods of using these tools)

## **UNIT V :**

**Lectures--15**

### **• Research Techniques**

- Use of case study and surveys
- Sampling techniques
- Design of sample
- Its uses and advantages in research

- Random sampling, simple random, stratified random, systemic random
- Non-random sampling, haphazard, availability and purposive etc.

• **Selected Bibliography** :

1. Wilkinson Bhandarkar : Research Methodology
2. Young Pauline V. : Scientific Social Survey and Research
3. Berelson B : Content analysis in Communication Research.
4. Jain S. N. : Legal Research and Methodology
5. Earl Babi : Research Methodology
6. Good & Halt : Research Methodology ( And relevant Websites)

**Note : - In addition to the above questions may be asked on aspects related with this paper.**

**Department of Law**  
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Course Code
LAW- CC - 423

LL.M. IV SEMESTER

L	T	P	C
5	0	0	5

**LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.  
(B) Remaining internal assessment of 20 Marks will be based
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- a. Organised Classroom activities. (Group Discussion, etc.)
  - b. Presentation
  - c. Assignment
  - d. Quizzes

(ii) 5 marks are assigned for attendance. The marks for attendance shall be awarded as follows:-

- |       |                    |            |
|-------|--------------------|------------|
| (i)   | 75% and below      | : 00 Mark  |
| (ii)  | >75% and upto 80%  | : 01 Mark  |
| (iii) | > 80% and upto 85% | : 02 Marks |
| (iv)  | > 85% and upto 90% | : 03 Marks |
| (v)   | > 90% and upto 95% | : 04 Marks |
| (vi)  | > 95%              | : 05 Marks |

(C) Scheme of Examination:

- |                              |                   |
|------------------------------|-------------------|
| (a) Mid Semester Examination | : 20 Marks        |
| (b) Internal Assessment      | : 20 Marks (15+5) |
| (c) End Semester Examination | : 60 Marks        |

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

**Syllabus :**

**UNIT I :**

**Lectures--15**

- **I.P.R. and International Perspectives.**

## UNIT II :

Lectures--15

- **Trademarks and Consumer Protection (Study of UNCTAD report on the subject)**

## UNIT III :

Lectures--15

- **Special problems of the status of Computer Software in Copyright and Patent Law: A Comparative study.**

## UNIT IV :

Lectures--15

- **Special Problems of Proof of Infringement:**
- Status of intellectual property in transit – TRIPS Obligation – Indian position.
- The evidentiary problems in action of passing off.
- The proof of non-anticipation, novelty of inventions protected by patent law.
- Evidentiary problems in piracy :TRIPS obligation – reversal of burden of proof in process patent.
- Need and scope of Law Reforms

## UNIT V :

Lectures--15

- **Intellectual Property and Human Right**
- Freedom of Speech and expression as the basis of the regime of intellectual property right  
Copyright protection on internet – WCT (WIPO Copyright Treaty 1996).
- Legal status of hazardous research protected by the regime of intellectual property law.
- Human Right of the impoverished masses intellectual property protection of new products for healthcare and food security.
- Traditional knowledge –protection – biodiversity convention – right of indigenous people
- **Select Bibliography :**

1. Special attention should be to literature of the U.N. system WIPO and the UNESCO.
2. Terence P. Stewart (ed) The GATT Uruguay Round: A Negotiating History (1986-1994) the End Game (Part-1)(1999) Kluwer.
3. Iver P. Cooper, Biotechnology and Law (1998) Clerk Boardman Callaghan, New York.
4. David Bainbridge, Software Copyright Law (1999) Butterworths
5. Sookman, Computer Law (1998) Carswell.
6. Carlos M. Correa (ed) Intellectual Property and International Trade (1998) Kluwer
7. Patent Co-operation Treaty Hand Book (1998) Sweet and Maxwell.
8. Christopher Wadlow, The Law of Passing off (1998) Sweet and Maxwell.
9. W.R. Cornish Intellectual Property Law (1999) Sweet and Maxwell.

**Note : In addition to the above questions may be asked on aspects related with this paper**



**Department of Law**  
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Course Code
LAW- EC - 424

LL.M. IV SEMESTER  
ELECTIVE COURSE

L	T	P	C
4	0	0	4

**SCIENCE, TECHNOLOGY AND HUMAN RIGHTS**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
  - (i) on any one or more of the following methods, consisting of 15 marks:
    - a. Organised Classroom activities. (Group Discussion, etc.)
    - b. Presentation
    - c. Assignment
    - d. Quizzes

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(C) Scheme of Examination:

- (a) Mid Semester Examination : 20 Marks
- (b) Internal Assessment : 20 Marks (15+5)
- (c) End Semester Examination : 60 Marks

**Note:-** A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

- **SYLLABUS**

- **UNIT I :**

Lectures--12

- **Interrelationship of Science, Technology and Human Rights**

- Right to environment in the development of science and technology.
- Right to development in the advancement of science and technology.
- Right to human health and impact of developments in medical sciences.

**UNIT II :**

Lectures--12

- **Medicine and the Law**

- Organ transplantation.
- Experimentation on human beings
- Euthanasia (mercy killing)
- Gene therapy

**UNIT III :**

Lectures--12

- **Issue of Human Rights in Scientific and Technological Development.**

- Sex determination test
- Induced abortion
- Reproductive technology
- Cloning

- In vitro fertilization
- Artificial insemination
- Surrogate motherhood

#### UNIT IV :

Lectures--12

- **Development in Information Technology and Human Rights**

#### UNIT V :

Lectures--12

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

- Right to life
- Right to privacy
- Right to physical integrity
- Right to information
- Right to benefit from scientific and technological progress
- Right to adequate standard of living

#### Select Bibliography :

1. Diane Rowland, Elizabeth Macdonald, Information Technology Law (1997)
2. Suresh T Viswanathan, The Indian Cyber Law, (2000)
3. The International Dimensions of Cyber space Law (2000), UNESCO Publication.
4. D.P. Mittal, Law of information Technology (Cyber Law) (2000)
5. Michael Chissick, Alistair Kelman, Electronic Commerce Law and Practice (1999)
6. Adwin W. Patterson, Law in a scientific Age, (1963)

7. Steve Jones, Borin Van Leon, Genetics for Beginners, (1993)
8. Weeramantry, C.G. Human Rights and Scientific and Technology Development, 1990
9. Kamenka E. Ideas and Ideologies Human Rights (1978)
10. Galtung, Human Rights in Another Key, (1994)
11. Akbar, M.J. Riots After Riots, (1988)
12. Baxi U. (ed) Rights to be Human, (1986)
13. Kazmi F. Human Rights, (1987)

**Note : - In addition to the above questions may be asked on aspects related with this paper.**