



केरल केन्द्रीय विश्वविद्यालय
CENTRAL UNIVERSITY OF KERALA
TEJASWINI HILLS, PERIYE P.O, KASARGOD- 671 316

**MINUTES OF THE 21ST MEETING OF THE ACADEMIC COUNCIL
OF CENTRAL UNIVERSITY OF KERALA HELD AT 02.30 PM ON
23RD FEBRUARY, 2021**

The Honorable Vice Chancellor welcomed all the members of the Academic Council to the meeting.

Before the agenda items were taken up for discussion, the Honorable Vice Chancellor briefed the following developments:

The Central University will be launching a 4 years BS Finance Programme. Further there will be an integrated programme on BS or MS data programme. It was further pointed out the need for an expert either at the national or global level in each Department to improve upon the functioning of the Department. The Academic Council should be the builder of the mission and every faculty of this University should be aware of where we stand and where we should be. It was further observed that the last date for NAAC showcasing is 10th of March and there will be an Academic and Administrative Audit between 17/3/21 to 19/3/21 at the CUK as a prelude to NAAC visit. This will be followed by NAAC rehearsal.

The external expert, Prof.(Dr.) R.K Mishra deliberated the necessity to work in the dimensions of quality, multidisciplinary, research progress and global disciplines.

With this introduction, agenda items were taken up.

AC 21:01	<i>TO CONFIRM the Minutes of the meeting of the Academic Council held on 15.09.2020.</i>
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CONFIRMED the Minutes of the meeting of the Academic Council held on 15.09.2020.

AC 21:02	<i>TO APPROVE the Action Taken Report .</i>
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The Action Taken Report (ATR) of the last Academic Council Meeting held on 15.09.2020 was approved.

AC 21:03	<i>TO APPROVE the Minutes of the meeting of Board of Studies and Syllabus of various Departments.</i>
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On this agenda, the Honorable Vice Chancellor urged the need for an eminent and an accessible person in the BoS of each Department. He also stressed the need for skill component in each Department Syllabus. Regarding the age limit for PG admissions which is differing from professional to other PG courses, it was decided to leave the matter to the faculty council concerned based on whose decision, the age limit may be reviewed. The Academic Council perused the following Departments' BoS conducted, The Minutes of the BoS for revision of syllabus are received from the following Deaprtments.

(1.) **Dept. of Linguistics: -**

Approved the Minutes of the meeting of the Board of Studies of Department of Linguistics held on 24.08.2020.

(2.) **Dept. of Zoology: -**

Approved the Minutes of the meeting of the Board of Studies of Department of Zoology held on 07.10.2020.

(3.) **Dept. of Public Health and Community Medicine: -**

Approved the Minutes of the meeting of the Board of Studies of the Department of Public Health and Community Medicine held on 08.01.2021.

(4.) **Dept. of Mathematics: -**

Approved the Minutes of the meeting of the Board of Studies of Department of Mathematics held on 23.01.2021.

(5.) **Dept. of Commerce and International Business**

Approved the Minutes of the meeting of the Board of Studies of Department of Commerce and International Business held on 07.07.2020.

(6.) **Dept. of Computer Science: -**

Approved the Minutes of the meeting of the Board of Studies of Department of Computer Science held on 28.01.2021.



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(7). **Dept. of Physics:** -

Approved the Minutes of the meeting of the Board of Studies of Department of Physics held on 07.12.2020.

(8). **Dept. of Bio Chemistry and Molecular Biology:** -

Approved the Minutes of the meeting of the Board of Studies of Department of Bio Chemistry and Molecular Biology held on 12.02.2021.

(9). **Dept. of International Relations:** -

Approved the Minutes of the meeting of the Board of Studies of Department of International Relations held on 15.02.2021.

(10). **Dept. of English and Comparative Literature:** -

Approved the Minutes of the meeting of the Board of Studies of Department of English and Comparative Literature held on 12.02.2021.

(11). **Dept. of Law:** -

Approved the Minutes of the meeting of the Board of Studies of Department of Law held on 17.02.2021.

(12). **Dept. of Plant Science:** -

Approved the Minutes of the meeting of the Board of Studies of Department of Plant Science held on 12.02.2021.

(13). **Dept. of Chemistry:** -

Approved the Minutes of the meeting of the Board of Studies of Department of Chemistry held on 28.01.

AC 21:04

TO RATIFY the revised Academic Calendar of the University

Minutes of Board of studies meeting (Online) held on 18-08-2020
at 11:30 am

Present

- 1) Dr. Jayasankar K.I, Head of the Department : Chairperson - offline
- 2) Dr. K.C. Sunny, Vice Chancellor, NUALS Kochi : Special Invitee - Online
- 3) Prof. (Dr) David Ambrose, former HOD, Department of Madras : Members - Online
- 4) Prof. (Dr) Bismi Chopala Krishnan, HOD, SILT, MG University : Members - Online
- 5) Dr. Balakrishnan K - Associate Professor, NUALS, Kochi : Members - Online
- 6) Dr. Lekshmi G.R, Assistant Professor, Govt. Law college, Ernakulam : Members - Online
- 7) Dr. Gireesh Kumar J, Assistant Professor, Department of Law, CUK : Members - offline
- 8) Dr. Meera S, Assistant Professor, Department of Law, CUK : Invitee - Online
- 9) Mrs. Athira Raju, Assistant Professor, Department of Law, CUK : Invitee - Online

Board of Studies meeting of the Department of Law was conducted on 18-08-2020. Meeting commenced at 11:30 am. Dr. Jayasankar K.I, the Head of the Department and chairperson of the BOS chaired the meeting and welcomed all the esteemed members. In his introductory remarks, the chairperson described the agenda items.

The revised structure of LLM Programme and syllabus drafted by the drafting committee, consisting of Dr. Jayasankar K.I, Dr. Gireesh Kumar J, Dr. Meera S and Mrs Athira Raju

has been submitted before the Board of Studies for consideration. Dr. Jayasankar presented the overall substance of the revised structure of LLM programme and syllabus. The revised structure and syllabus and of course work of the PhD programme was also presented. It was pointed out that the Department of Law may offer courses out of seven specialisation w.e.f admissions of 2020-21. Constitutional Law and Criminal Law courses are kept for 2020-2021 admission with revised syllabus.

Item No. 1 : Revision of programme structure and syllabus of LLM

Remarks of the Members :

1) Dr. K.C. Sunny, Vice Chancellor, NUALS Kochi

Prof (Dr.) K.C. Sunny, has appreciated the revised syllabus and programme structure of LLM and expressed his approval with satisfaction. He has endorsed the fact that the revised syllabus and programme structure are drafted in the format accepted by the university.

Dr. K.C. Sunny has observed that there is no fundamental changes in subject. He has suggested that a detailed course plan will have to be made in the beginning of the semester for each papers. He has approved the revised syllabus and programme structure of PhD course work also.

2) Prof (Dr.) David Ambrase, former Head of the Department, Department of Law, University of Madras.

Prof (Dr.) David Ambrase in his remarks congratulated

tulated the drafting committee for revising the syllabus absorbing current trends in the subject. He has appreciated the role played by Dr. Jayasankar K.I and Dr. Gireesh Kumar in the responsibilities of Head of the department. He said that their contributions to Board of studies should be recorded with appreciation and approval. Prof (Dr.) David Ambrose opined that it would be advisable to approve the scheme and structure but syllabus approval is restricted to specialisation in constitutional law and criminal law.

(3) Dr. Balakrishnan K and Lekshmi G.R

Dr. Balakrishnan K and Dr. Lekshmi G.R explored the scope of electives that may be offered to the students of the 2020-21 admission.

* Resolution

The Board of studies resolved to unanimously approve the revised structure and syllabus for the LLM programme. The Board of studies also unanimously approves the content in the schedule of courses mentioned in part E and for the admissions of 2020-21 since the Department would be offering specialisation in constitutional and criminal law for the 2020-21 admissions.

The approved scheme and structure of the LLM Programme is appended as

Annexure - A

The approved syllabus of LLM programme is appended as

Annexure - B

The relevant extract highlighting the changes brought

in the syllabus of the LCM programme is appended as Annexure-c.

Item No. 2 - Revision of structure and syllabus of PhD Course work.

Remarks of the Members

The scheme of the PhD course work was explained to the members. It was pointed out that Paper 2 on ethics has been introduced as required by the new UGC guidelines. Prof. (Dr.) David Ambrose has sought clarification as to why paper 3 had only Constitutional Law and Criminal Law. Prof. (Dr.) K.C. Sunny observed that it can be left open for formulating it, specific to each candidate. Dr. B. Krishnan K suggested that it can be left to Doctoral Research Committee to formulate the syllabus with the approval of the Head.

* Resolution

The Board of Studies unanimously resolves to authorise the Doctoral Research Committee specific to the candidate to formulate an appropriate syllabus from the area of research as regards paper-3 of the PhD course work for that candidate. The scheme and syllabus of the course work is unanimously approved, subject to the authorisation mentioned above.

The approved scheme and syllabus of the PhD course work is appended as Annexure-D.

Item No. 3

No matter has been taken for consideration.

under item no. 3

The meeting ended with vote of thanks by Dr. Jayasank_{-ark}

ANNEXURE-B

SYLLABUS -SEMESTER WISE- (FOR 2020-2021 Admission)

**SCHEME AND STRUCTURE OF LLM
PROGRAMME
PART -A**

(2020-21 ONWARDS)

SL NO	COURSE TITLE	Contact Hours/Week				Credit	Maximum Internal Marks	Maximum Marks for End Semester Examination	Total Marks	Credit
		L	P	T	Total					
SEMESTER I										
01	LEGAL EDUCATION AND TEACHING PRACTICAL COMPULSORY CORE COURSE	2	1	1	4	4	20+50	30	100	4
02	LAW AND SOCIETY COMPULSORY CORE COURSE	3		1	4	4	40	60	100	4
03	SPECIALIZATION CORE COURSE S 1- Core Course-1	3		1	4	4	40	60	100	4
04	SPECIALIZATION CORE COURSE S 2- Core Course-1	3		1	4	4	40	60	100	4
05	ELECTIVE COURSE	1		1	2	2	20	30	50	2
	TOTAL	12		5	18	18	210	240	450	18
	TOTAL CREDITS	18								
SEMESTER II										
01	RESEARCH METHODOLOGY: THEORY AND PRACTICAL COMPULSORY CORE COURSE	2	1	1	4	4	20+50	30	100	4
02	JUDICIAL PROCESS COMPULSORY CORE COURSE	3		1	4	4	40	60	100	4
03	SPECIALIZATION CORE COURSE S 1 Core Course-2	3		1	4	4	40	60	100	4
04	SPECIALIZATION CORE COURSE S 2 Core Course-2	3		1	4	4	40	60	100	4

05	ELECTIVE COURSE	3		1	4	4	40	60	100	4
	TOTAL	14		5	20	20	230	270	500	20
	TOTAL CREDITS	20								
SEMESTER III										
01	SPECIALIZATION CORE COURSE S 1 Core Course-3	3		1	4	4	40	60	100	4
02	SPECIALIZATION CORE COURSE S 1 Core Course-4	3		1	4	4	40	60	100	4
03	SPECIALIZATION CORE COURSE S 2 Core Course-3	3		1	4	4	40	60	100	4
04	SPECIALIZATION CORE COURSE S 2 Core Course-4	3		1	4	4	40	60	100	4
05	ELECTIVE COURSE	1		1	2	2	20	30	50	2
Total						18	180	270	450	18
TOTAL CREDITS						18				
SEMESTER IV										
01	ELECTIVE COURSE	3		1	4	4	40	60	100	4
02	ELECTIVE COURSE	3		1	4	4	40	60	100	4
03	DISSERTATION AND VIVA VOCE					8		160+40	200	8
04	Total					16	80	320	400	16
	TOTAL CREDITS	16								
Total Credits for Core Courses (all 4 semesters)							48			
Total Credits for Elective Courses (all 4 semesters)							16			
Total Credits for Core and Elective Courses (all semesters)							64			
DISSERTATION							8			
Total Credits for the Programme							72			

Note: (a) L : Lecture, P : Practical, T : Tutorial

PART B

COMPULSORY CORE COURSES W.E.F 2020-21 ADMISSION

SL.NO	Course title	Contact hours/week				CREDIT
		L	P	T	TOTAL	
01	LEGAL EDUCATION	2	1	1	4	4
02	RESEARCH METHODOLOGY	2	1	1	4	4
03	LAW AND SOCIETY	3		1	4	4
04	JUDICIAL PROCESS	3		1	4	4
05	DISSERTATION AND VIVA				8	8

- Student has to undergo course in two specializations apart from compulsory core courses and elective courses. Student can chose combination of specialization course which will be offered by the department in the particular year.

PART -E
SCHEDULE OF COURSES
(SEMESTERWISE), 2020-21

[Compulsory Core Courses/ Specialization Core Courses /Elective Courses]

Course Code	Course title		Contact hours/week				CREDIT	Changed course title for 2020-21 Onwards
			L	P	T	TOTAL		
SEMESTER I								
LML5101	LEGAL EDUCATION	CCC	2		2	4	4	
LML5102	LAW AND SOCIETY	CCC	2		2	4	4	
LML5105	GENERAL PRINCIPLES OF CRIMINAL LAW	S1-SCC-1	2		2	4	4	
LML5106	FEDERALISM	S2-SCC-1	2		2	4	4	
LML5001	SEMINAR	EC	1		1	2	2	
SEMESTER II								
LML5201	RESEARCH METHODOLOGY	CCC	2		2	4	4	
LML5202	JUDICIAL PROCESS	CCC	2		2	4	4	
LML5205	SOCIO ECONOMIC OFFENCES	S1-SCC-2	2		2	4	4	
LML5206	CONSTITUTIONAL RIGHTS AND SOCIAL JUSTICE	S2-SCC-2	2		2	4	4	
LML5006	HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM	EC	1		1	2	2	
SEMESTER III								
LML5307	CRIME AGAINST WOMEN AND CHILDREN	S1-SCC-3	2		2	4	4	
LML5308	JURISPRUDENCE OF PUNISHMENT	S1-SCC-4	2		2	4	4	
LML5309	CENTRE STATE RELATIONS	S2-SCC-3	2		2	4	4	
LML5310	CONSTITUTION AND GOVERNANCE	S2-SCC-4	2		2	4	4	
LML5003	RIGHT TO LIFE AND LIBERTY	EC	1		1	2	2	

		SEMESTER IV						
LML5004	FUNDAMENTALS OF HUMAN RIGHTS	EC	2		2	4	4	
LML5007	COMPARATIVE CRIMINAL PROCEDURE	EC	2		2	4	4	
LML5401	DISSERTATION AND VIVA VOCE					8	8	

PART -F

GENERAL INFORMATION FOR THE STUDENTS

Duration of the Course: The LL.M course shall be of two years duration, full time, consisting of four semesters

Objectives: The LL.M Degree Programme offered in the Post Graduate Department of Law is intended to produce (i) law teachers (ii) researchers (iii) experts in law required for other institutions. The courses and transaction are designed to achieve these objectives

Programme Outcome

The learners completing the Masters Programme of the Central University of Kerala in Law will obtain knowledge and skills in the areas of critical thinking, creative thinking, oral and written communication in Law, demonstrate capacity for undertaking research, engage in professional and social interaction and ethical decision making, and develop the ability to synthesise local and global perspectives in one's thinking and behaviour.

Programme – Specific outcomes: Masters in Law

On completion of the Masters level programme in Law, the learners will be able to gain a critical insight into the main theories and concepts in law and justice, functioning of courts and other institutions, procedures, processes and values that shape the system of justice administration, demonstrate a sense of legal acumen, and apply the knowledge of law as well as the major analytic and theoretical frameworks in research. In addition, they will gain the ability to construct and evaluate analytical arguments, write logically and clearly in a language appropriate to law and build a strong foundation for careers in profession, administration, advocacy, policy formation, employment and research.

Specializations: The specializations offered in the Department are the following ones.

Administrative Law;(2) Commercial Law; (3)Constitutional Law; (4)Criminal Law; (5) Labour Law 6)Environmental Law 7) Intellectual Property Law. The Department may offer specializations in a particular year considering the availability of experts and facilities available in the Department. A student has to undergo Courses in two specializations apart from Compulsory Core Courses and Elective Courses. Students may elect any Course from the Schedule of Courses, other than the Compulsory Core Courses and the Core Courses of two Specializations they have chosen.

Number of Seats:Total number of seats in the Department shall be 50.

Eligibility :A candidate who has passed LL B Examination of a University recognized as equivalent by Central University of Kerala, securing not less than 50% of the marks in the aggregate shall be eligible to be considered for admission. Relaxation of minimum marks and reservation of seats will be according to the norms followed by Central University of Kerala.

Admission :Admission to the Programme shall be made as per the norms followed by Central University of Kerala.

Fees:The tuition fees, examination fees and other fees will be as prescribed by Central University of Kerala from time to time.

Evaluation:Evaluation of the courses shall be done by the teachers themselves on the basis of continuous internal assessment, and end-semester examinations, as per University norms.

Internal Assessment : The student's attendance and classroom performance as well as the feedback received from tests, and assignments shall form the basis for internal assessment. The marks for internal assessment for a course of 100 marks are 40, and marks for internal assessment for a course of 50 marks are 20. Any change from this scheme will be specifically indicated wherever required. The internal assessment marks shall be distributed as follows:

COMPONENTS	100 MARKS COURSES	50 MARKS COURSES
Presentation and submission of Assignments	15	5Marks
Test papers	15 Marks	10 Marks
Attendance	05 Marks	05Marks
Class Participation	05 Marks	Nil
Total	40 Marks	20 Marks

Five marks for attendance is distributed in the following method. One mark, each for every five percent of attendance above 75%, that is, the minimum attendance required for registration of end semester examination. However, for internal assessment for the part of Research Methodology Practical in the Course of **Research Methodology: Theory and Practical (Annexure- 3)**, Teaching Practical in the Course of **Legal Education and Teaching Practical, (Annexure-1)**, and Seminar Course, different norms will be followed as given below:

Research Methodology Practical

Collection and Organisation of Materials	15
Treatment of the Topic and Chapter Division	15
Preparation of Cards	20
Total	50

Teaching Practical

Written teaching plan and materials	20
Presentation	10
Response to questions and doubts	10
Methodology, Style, etc of teaching	10
Total	50

Seminar Course

Written Material	25
Presentation of the topic	15
Response to questions	10
Total	50

End-Semester Examination:The end-semester examination, which accounts for the remaining 60 marks or 30 marks as the case may be, will be as per the regular norms of the Central University of Kerala. The Dissertation, on a topic of current importance, submitted by the students shall be valued by two examiners, one, a Faculty Member from the Department, and the other, an external examiner, to be appointed by the Head of the Department from a panel approved by the Vice Chancellor. The Viva Voce at the end of the Programme, which accounts for 40 Marks, shall be conducted by a Board of Examiners constituted by the Department. The Board, in addition, will have an External Examiner from outside the University to be appointed by the Head of the Department from a panel approved by the Vice-Chancellor.

All other aspects will be governed by norms followed by Central University of Kerala.

Distribution of Courses:The Compulsory Core Courses and Core Courses of each of the specializations are given in the course structure. Students may choose appropriate Elective Courses from the Schedule of Courses given in the Course Structure , of course, with the approval of the Department.A student is not permitted to choose a course as elective that forms a core course of his/her specializations or compulsory core courses. The details regarding internal and external marks, and respective credits. are given in the Course Structure. The syllabus and other details of the courses are provided in respective Syllabus Annexures

FIRST SEMESTER

COMPULSORY CORE COURSES

01-LLM 5101-LEGAL EDUCATION AND TEACHING PRACTICAL (FOUR CREDITS)

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. This course consists of theory and practical. Fifty marks are allotted to theory paper on Legal Education, twenty marks on internal assessment and thirty marks for End Semester Examination, written examination of two hours duration. The remaining fifty marks are allotted to practicals, to be distributed as provided under general information for students. Teaching Practical is intended to impart practical training to the students in class room teaching, since one of the main objectives of LL.M Course is to produce good law teachers. Special emphasis will be given in this programme to the skill and techniques of effective communication and methodology of teaching. In this Course, a student will not be considered for Grading unless he/she appears for both theory and practical parts.

Learning Outcomes

The learners completing this course obtain knowledge and skills in the areas of critical thinking, creative thinking, oral and written communication in Law, demonstrate capacity for undertaking research, engage in professional and social interaction and ethical decision making, and develop the ability to synthesise local and global perspectives in one's thinking and behaviour.

Course Outcome

Students who complete this course will be able to:

Students who complete this course will be able to:

- Understand the objectives of legal education and the legal education system in India, UK and US.
- To analyse the role of various agencies in improving legal education and the implications of one year LL.M Programme
- Identify different methods of teaching for imparting legal education
- Identify distinct techniques for curriculum planning and evaluation system and supervision
- To assess the relation between legal profession and social justice- relation between bar, bench and academia- role of legal service authorities
- To understand issues and challenges in legal profession and the recent trends
- The Importance of clinical legal education and Legal Aid Clinic in colleges
- To impart practical training to the students in class room teaching and to develop skills and techniques of effective communication
- Students who complete this course will be able to understand the process of framing curriculums in law subjects and Develop capabilities in framing and formulating curriculums at different levels of legal learning.

Unit- 1. Fundamentals of Legal Education

Concept and objective of Legal Education in India - USA and UK- Status of Legal Education and Law Teachers - Role of Government, UGC and Bar Council of India in

improving the status of Legal education -Implication of Introduction of one-year LL.M programme.

Unit 2. Teaching Methods

Teaching Methods in Legal Education - Lecture Method - Case Method –Tutorial Method - Discussion Method- Seminar Method

Unit 3. Curriculum, Evaluation system and Supervision

Curriculum Planning and developing Teaching Plans - Evaluation system - Examination System - Methods of Evaluation -Continuous Evaluation and End term Exams and Assessment - Extension Services - Legal Aid and Legal Awareness - Internships -Placements

Unit 4. Legal Profession and Social Justice

Legal Profession and Ethics – Relation between Bar, Bench and Academia - Legal Profession in India: Issues, Challenges and Recent trends. Clinical legal education - Law Schools and Legal Aid Clinics - Legal Services Authorities

Suggested Reading:

S.P. Sathe, *Access to Legal Education and the Legal Profession in India* (Rajeev Dhavan Ed., Butterworths, London, 1989)

Packer and Ehrlich, *New Directions in Legal Education*, McGraw-Hill Book Company, New York (1972).

P.L. Mehta, Sushma Gupta *Legal Education and Profession in India* (2000)

N. R. Madhava Menon (ed.) *Clinical Legal Education: Concept and Concerns*, A Handbook on Clinical Legal Education (Eastern Book Co., 1998)

A.S. Anand, *Legal Education in India Past, Present and Future S.C.C (Jour.) 1* (1998)

Frank S. Bloch and M. R. K. Prasad, "Institutionalizing A Social Justice Mission for Clinical Legal Education: Cross-National Currents From India And The United States

Law Commission of India, 184th Report on The Legal Education and Professional Training and Proposal for Amendments to the Advocates Act 1961 and the University Grants Commission Act 1956

S.K. Agarwala (Ed.), *Legal Education in India*, N M Tripathi, Bombay (1973).

P K Tripathi, "In the Quest for Better Legal Education", (1968) J I L I 469

N R MadhavaMenon, Report of the Legal Education Reform Committee (2009), submitted to Government of Kerala

02-LLM5102-LAW AND SOCIETY [FOUR CREDITS]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

Course Outcome

Students who complete this course will be able to:

- Understand the basic concepts law, importance of legal systems and of various schools of thought.
- Identify the general principles of jurisprudence and the different dimensions of law, justice and human rights;
- Identify the Social Functions of Law- relation between Law and Social Change, Individual and Social Justice in Indian Context – Indian Constitution and Social Justice.
- To assess the relation between Law and Poverty –Globalization and Distributive Justice- Social status and Access to Justice etc.
- The Importance of Legal Aid to the Poor and Indigent people, Objectives and Programmes designed for generating Legal Literacy and Law Reforms.
- To analyse and appreciate the Role of Judiciary in Social Change- Affirmative Action and Social Justice etc.
- Students who complete this course will be able to develop capabilities to critically analyse the impact of new legislations on the society and also comprehend the process of evolution of law making in the context of societal change

Units

1 Social Functions of Law- Law and Social Change

2 Natural Law - Positivism -Law and Morality-Revived Natural Law- Idealist Schools - Marxian School.

3 Historical and Evolutionary Theories-Sociological Jurisprudence-Realist Jurisprudence-Feminist Jurisprudence.

3 Concept of Individual and Social Justice in Indian Context - Constitution and Social Justice - Preamble Fundamental Rights and Directive Principles under the Constitution.

4 Law and Poverty –Globalization and Distributive Justice-Access to Justice - Legal Aid to the Poor and Indigent, Objectives and Programmes - Legal Literacy and Law Reform.

5 Role of Judiciary in Social Change- Affirmative Action and Social Justice

The latest editions of the following books are the suggested readings

Roscoe Pound, *Introduction to Philosophy of Law*, Transaction Publishers (1954)

Roscoe Pound, *Jurisprudence*, West Publishing, St Paul, Minnassotta (1959)

Bodenheimer, *Jurisprudence: The Philosophy and Method of the Law*, Oxford University Press, London (1974)

W Friedmann, *Legal Theory*, Columbia University Press (1967)

W. Friedmann, *Law in a Changing Society*, University of California Press, Berkeley (1972)

Julius Stone, *Social Dimensions of Law and Justice*, Stevens & Sons, London (1966)

Cappelletti and Garth (Ed.), *Access to Justice*, (1978) Vol. I, Book I, Part I

B. Sivaramayya, *Inequalities and the Law*, Eastern Book Co, New Delhi (1984)

UpendraBaxi, *The crisis of Indian Legal System*, Vikas, New Delhi (1982)

UpendraBaxi, *Law and Poverty*, N M Tripathi, Bombay(1988)

Lon.L.Fuller, *The Morality of Law*, Yale University Press, New Haven (1995) Reprint

H.L.A.Hart, *The Concept of Law*, Clarendon Press, Oxford (1993)

M.D.A.Freeman, *Lloyd's Introduction to Jurisprudence*, Sweet and Maxwell, London (1994)

John Rawls, *A Theory of Justice*, The Belknap Press of Harvard University Press, 1971, revised in 1999

Otto A, Bird, *Idea of Justice*: Frederick A. Praeger, Pall Mall Press Ltd. New York and London (1967)

Tapas Kumar Banerjee, *Background to Indian Criminal Law*, R Cambray, Kolkata (1990)

Granville Austin, *The Indian Constitution: Cornerstone of a Nation*, Oxford University Press, Oxford (1999)

Patricia H. Smith, *Feminist Jurisprudence* (1993)

Dr. M. Kunhaman, *Globalization, A Subaltern Perspective* (2002)

S1-SPECIALIZATION CORE COURSE 1

CRIMINAL LAW CORE COURSE

LML 5105 -GENERAL PRINCIPLES OF CRIMINAL LAW

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

Course Outcome

Students who complete this course will be able to:

- Identify and define basic terms and concepts which are needed for advanced courses in criminal law; analyze the influence of various schools in the Penal Code
- state the general principles of crime; analyze the different types of offence against human body, mind, property and reputation;
- list the essentials of crime; demonstrate the application of *mens rea* in determining criminal responsibility; differentiate between crime and other wrongs and discuss the various stages of crime; compare the applicability of *mens rea* and *actus reus*; and analyse the inchoate offences - explain the elements, stages and theories of crime
- list the general exceptions to the criminal responsibility; demonstrate the exceptions by case analysis; differentiate, discuss and compare the theories and factors of criminality;
- compare the different female perspectives of criminality
- Appreciate the impact and influence of societal transformation in the development of criminal law and emergence of new crimes

Units

1. Concept of Crimes-Nature, Meaning, and Impact on Society-Elements- Criminal Jurisprudence and Elements of Crimes - *Actus reus* or the Harm Principle -Principles of Criminal Law- *Mens rea* or the Guilty mind or Blame worthiness principle- States of mind - External and Internal Intention, Recklessness, Negligence, Relevance of Motive, Strict Liability. Transferred Malice, Exclusion of *Mens Rea*-Statutory Crimes -Liability, Stages of Crimes-Influence of various schools in framing the Indian penal code 1860

2. Incomplete or Inchoate Crimes- Abetment - Conspiracy - Group or Joint Liability U/Ss 34 or 149 IPC - Attempts under the Indian Penal Code

3 General Exceptions of Criminal Responsibility - Excuses and Justifications-Right of Private Defense - Necessity - Accident Defense of Superior Orders - Executive and Judicial Acts – Consent-Defense -Mistake of Fact - Mistake of Law - Ignorance of Law - Infancy, Insanity - Alcoholic Insanity-Intoxication as a Defence-Irresistible Impulse

4 Psychological theories of crime & Psychological Factors Underlying Criminal Behavior- Behavioural Approach to Criminality -Pavlov, Skinner, Eyesench - Cognitive Approach -Tolman, Piaget, Kohlberg - Intelligence and Crime -Goddard, Hirshi, Hindclang-Mental Disorder and Crime - Neuroses, Psychosis

5 Female Perspectives of Criminality - Female Criminality -Lombroso -Cowie, Slater, Pollack -Thomas, Talcott Parsons -Feminist Critique of Traditional Criminology Feminist Criminology -Carol Smart, Maureen Cain and Susan Sharp

The latest editions of the following books are the suggested readings

George P. Fletcher, *Basic Concepts of Criminal Law*, Oxford University Press, Oxford (1998)

K.N.C.Pillai, *General Principles of Criminal Law Through Cases*, 2 ndedn, Eastern Book Co, Lucknow (2011)-

Ashworth, *General Principles of Criminal Law*, 7 thedn, Oxford University Press, Oxford (2012)C M V

Clarkson; H M Keating; Dr S R Cunningham, *Criminal Law: Text and Materials*, 7th Edition, Sweet & Maxwell, London (2010)

Alan Reed; Ben Fitzpatrick;PeterSeago, *Criminal Law: Sweet & Maxwell's Textbook Series* 4th edn, Sweet & Maxwell, London (2009)

Michael Allen; Simon Cooper, *Elliott & Wood's Cases and Materials on Criminal Law*, 11th Edition Sweet & Maxwell, London (2013)

Dr Dennis Baker, *Glanville Williams Textbook of Criminal Law*,3rd Edition, Sweet & Maxwell, London (2012)

Mark Findlay, *Criminal Law: Problems in Context*, Second Edition, Oxford University Press, Oxford (2006)

R. D. Mackay, *Mental Condition Defences in the Criminal Law*, Oxford University Press, Oxford (1995)

Janet Loveless, *Complete Criminal Law: Text, Cases, and Materials*, Fourth Edition, Oxford University Press, Oxford (2014)

Richard Card, *Card, Cross, and Jones: Criminal Law*, Twenty-first edition, Oxford University Press, Oxford (2014)

Heather Keating; Sally Kyd Cunningham;Mark Austin Walters; Tracey Elliott, *Criminal Law: Text and Materials*, 8th edn, Sweet & Maxwell, London (2014)

Christina McAlhone; Natalie Wortley, *Criminal Law: The Fundamentals*, 3rd edn, Sweet & Maxwell, London (2013)

James Chalmers; Dr Fiona Leverick, *Criminal Defences*, W. Green, London (2006)

Michael Allen, *Textbook on Criminal Law*, 12 thedn, Oxford University Press, Oxford 2013

David Ormerod, *Smith and Hogan Criminal Law: Cases and Materials*, Tenth Edition, Oxford University Press, Oxford (2009)

Victor Tadros, *Criminal Responsibility*, Oxford University Press, Oxford (2007)

Stephen Shute, Andrew Simester, *Criminal Law Theory: Doctrines of the General Part*, Oxford University Press, Oxford (2002)

Janet Dine, James Gobert (Eds), *Cases and Materials on Criminal Law*, 6 thedn, Oxford University Press, Oxford (2010)

Douglas Husak, *The Philosophy of Criminal Law: Selected Essays*, Oxford University Press, Oxford (2010)

David Ormerod, *Smith and Hogan's Criminal Law*, 13 thedn, Oxford University Press, Oxford (2011)

R.A. Duff, Lindsay Farmer, *The Boundaries of the Criminal Law*, Oxford University Press, Oxford
 Andrew Ashworth, Jeremy Horder, *Principles of Criminal Law*, 7th edn, Oxford University Press, Oxford (2013)
 R.A. Duff, Stuart Green, *Philosophical Foundations of Criminal Law*, Oxford University Press, Oxford (2013)
 R.A. Duff, Lindsay Farmer *The Constitution of the Criminal Law*, Oxford University Press, Oxford (2013)
 David Ormerod, Karl Laird, *Smith and Hogan Criminal Law: Text and Materials*, 11th edn, Oxford University Press, Oxford (2014)
 Larry Siegel, *Criminology*, 7th Edition, Wadsworth Pub., Australia 1999, pp. 162-176 2.
 Roger Hopkins Burke, *An Introduction to Criminological Theory*, 1st Edition, Lawman India Pvt. Ltd., New Delhi 2001, Chapter 6, pp. 77 - 95 3.
 Clive Coleman & Clive Norris, *Introducing Criminology*, 6th Edition, Willian Pub., USA 2000, pp 26 -54 4.
 Katherine S. Williams, *Textbook on Criminology*, 3rd Edition, Universal Law Pub., New Delhi 1997, Chapter 10 pp. 272-304
 Articles: 1. Alan Little, Professor Eysenck's Theory of Crime: An Empirical Test on Adolescent Offenders, Vol. 4 British Journal of Criminology (1964), p. 152 2. G Macdonald, B. Sheldon, and J. Gillespie, Contemporary Studies of Effectiveness of Social Work, Vol. 22 British Journal of Social Work (1992), p. 615.
 Roger Hopkins Burke, *An Introduction to Criminological Theory*, 5th Edition, Lawman India Pvt. Ltd., New Delhi 2001, pp. 158-170 2.
 Kerry Carrington and Russel Hogg, *Critical Criminology*, 1st Edition, Willan Publishing House, UK 2002, pp. 114 -1 37
 Articles : 1. Bruce Di Cristina, Durkheim's Latent Theory of Gender and Homicide, Vol. 26 British Journal of Criminology (2006), p. 212 2. Carol Smart, The New Female Criminal: Reality or Myth, Vol. 19 British Journal of Criminology (1979), p. 50

Journal of Criminal Law and Criminology Volume 37 | Issue 6 Article 2 1947 MelittaSchmideberg
 Howit, D., (2009), *Introduction to forensic and criminal psychology* (3rd ed) Harlow, UK, Pearson Education.
 Viding, E., Blair, R. R., Moffitt, T. E., &Plomin, R. (2005). Evidence for substantial genetic risk for psychopathy in 7-year-olds. *Journal Of Child Psychology & Psychiatry*, 46(6), 592-597. doi:10.1111/j.1469-7610.2004.00393.x
 Raine, A. (2008). From Genes to Brain to Antisocial Behavior. *Current Directions In Psychological Science* (Wiley-Blackwell), 17(5), 323-328. doi:10.1111/j.1467-8721.2008.00599.x
 Clarke, R. V., &Felson, M. (1993). *Routine activity and rational choice*. Piscataway, NJ US: Transaction Publishers
 Agnew, R. (1993). Why do they do it? An examination of the intervening mechanisms between "social control" variables and delinquency. *Journal Of Research In Crime & Delinquency*, 30(3), 245-266.
 Bonger, W. (1916) *Crime and Economic Conditions*. Boston. Little Brown.

S2-SPECIALIZATION CORE COURSE-1 CONSTITUTIONAL LAW CORE COURSE

LML5106-FEDERALISM

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

Course Outcome

Students who complete this course will be able to:

- Understand India's federal democracy combining centralism and federalism from ancient to present and to understand methods of promoting self-rule and shared rule and of balancing the interest of a nation with that of region
- Analyse a comparative approach of federalism with other countries
- Indian nature has complex diversities based on different religion, language, region etc and this course helps to identify and protect these pluralistic identities of Indian society in a balanced Centre state relation
- To assess the relation between centre and state in distribution of powers ie legislative, administrative and judicial
- To understand institutional devices designed to meet the needs of cooperation and coordination between Centre and state
- To analyse devolution of financial recourses to the states
- To comprehend the operational issues of cooperative, competitive and coercive federalism in the light of Law reforms and the new policy initiatives.

Units

1. Federalism – The Principle and the Essential Features – The Evolution of Federal Government in India – The Characteristic Features of Indian Federalism – A Comparison with Federal Governments in USA, Australia and Canada
2. Distribution of Legislative Powers – Special Features – Administrative Relations – Factors Responsible for Shifting the Balance in favour of the Union
3. Financial Relations – Distribution of Fiscal Powers – Scheme of Allocation of Taxing Power –Goods and Services Tax and the GST Council-Distribution of Tax Revenues.
4. Finance Commission – Planning Commission – National Development Council and Plan Grants

5 .Co-operative Federalism – Sarkaria Commission Report - Need for Reform in Union and State Relations- Judicial Review of Powers and Functions of the Speaker of State Legislative Assembly and the Governor.

The latest editions of the following books are the suggested readings

- 1.R.K. Gupta ,*Center State Relations under Indian Constitution*, Deep and Deep, New Delhi
- 2.M.C Setalvad, *Union and State Relations Under the Indian Constitution*, Eastern Law House, Kolkata (1974)
- 3.L.M.Singhvi (Ed), *Union State Relation In India* (1969)
- 4.Rambir Singh & A. Lakshmi Nath, *Fiscal Federalism: Constitutional Conspectus*,Wadhwa Nagpur (2005)
- 5.D.D. Basu ,*ComparativeFederalism*,Prentice-Hall of India, New Delhi (1987)
- 6.AsokKumar Chanda, *Federalism In India: A Study on Union State Relations*, G Allen and Unwin (1985)
- 7.M.J.C Vile, *Federalism in USA, Canada & Australia*, H M S O, London (1973)
- 8.K.C. Weheare ,*Federal Government*, Greenwood Press Publishers (1980)
- 9.Report of the Commission (Sarkaria) on Centre State Relations, submitted to Government of India.
- 10.V.D. Sebastian, *Indian Federalism: The Legislative Conflicts*Academy of Legal Publication, Trivandrum(1980)
- 11Joseph Francis Zimmerman,*Contemporary American Federalism: The Growth of National Power*, West Publishers, St Paul. Minn (1992)
- 12.David Cameron, *Disability and Federalism: Comparing Different Approaches to Full Participation*(2001)
- 13.Jan Erk, WilfriedSwenden,*New Directions in Federalism Studies*, Routledge, London (2010)
14. Yashwant Sinha, Vinay K. Srivastava*Indirect Tax Reform in India: 1947 To GST and Beyond - (2020)*
- 15.Shashishekhar Gopal Deogaonkar*Parliamentary System in India* (1997)

ELECTIVE COURSE-2

LML5001-SEMINAR COURSE[TWO CREDITS]

Course Outcome –

Students who complete this course will be able to:

- Understand the skills of presentation through classroom discussion, training sessions, and tutorials.
- Acquire the skill to prepare a seminar paper, present the paper, and the ability to defend the theme presented.
- Develop in respect of the Seminar Paper, the written submission, digital presentation etc. of the topic chosen in consultation with Course Teacher.
- Undertake the responsibility to organize the Seminars on different themes and manage the conduct of similar academic events.
- To develop critical thinking abilities and comprehending and identifying newer and emerging areas of legal research including the relevance of multidisciplinary approach to research.

This Course requires three hours per week in the semester. Transaction is through classroom discussion, training sessions, and tutorials. End Semester Examination is practical examination in which the student shall submit the seminar paper, present the paper, and shall defend the theme presented. In respect of the Seminar Paper, the topic shall be chosen in consultation with Course Teacher. It is the responsibility of the students to organize the Seminars on the dates fixed by the Course Teacher.

SECOND SEMESTER

COMPULSORY CORE COURSES

LML5201-RESEARCH METHODOLOGY: THEORY AND PRACTICAL [FOUR CREDITS]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. This course consists of theory and practical. Fifty marks are allotted to theory paper on Research Methodology, twenty marks on internal assessment and thirty marks for End Semester Examination, written examination of two hours duration. The remaining fifty marks are allotted to practicals, to be distributed as provided under Regulation 8. In this Course, a student will not be considered for Grading unless he/she appears for both theory and practical parts.

Course Outcome –

Students who complete this course will be able to:

- Identify role and importance of research in social science and helps to identify different kinds of research, its value and applicability of scientific method in socio-legal research
- To understand the value and need of socio-legal research using different sources and techniques in data collection
- Understand different steps in legal research and importance in formulating research design and hypothesis
- Analyze difference between doctrinal and non-doctrinal research and its applicability in legal research
- To assess the relevance of empirical study in legal research
- Helps to write their own articles in their academic discipline
- To develop critical thinking abilities and comprehending and identifying newer and emerging areas of legal research including the relevance of multidisciplinary approach to research
- To contribute their own articles across various academic disciplines.

1 Meaning of Research –Kinds of Research – Values of Research in Law – Applicability of Scientific Methods in Legal Research – Steps in Legal Research – Identification and Selection of a Research Problem

2 Hypothesis in Legal Research – Meaning and Importance of Hypothesis– Character of a Good Hypothesis – Method of Stating and Testing Hypothesis - Research

Design– Formulation of a Good Research Design

3 Methods in Doctrinal Legal Research – Nature and Need of doctrinal research – Sources and Techniques of Data Collection in Doctrinal Research.

4 Empirical or Scientific Legal Research - Meaning – Types of Socio-Legal Research – Impact Studies and Reform Studies – Need and Values of Socio – Legal Research – Sources and Techniques of Data Collection in Socio- Legal Research – Sampling and Survey Interview – Questionnaire – Case Study – Validity of a Tool –Objectivity and Reliability –

5 Writing of Research Report and Methodology-Style and Format of Legal Writing- Harvard Bluebook, Chicago Manual, etc.

The students are required to submit a term paper/ project report on topics suggested by the course teacher in respect of Practicals.

The latest editions of the following books are the suggested readings

Morris L. Cohen, *How to Find the Law*, 9 th edn, West Publishers, St Paul, Minn.(1976)

Morris L. Cohen, *Legal Research in a Nutshell*, West Publishers, St Paul, Minn. (1978)

Peter Goodrich, *Reading the Law: A Critical Introduction to Legal Method and Techniques*, Blackwell Publications (1986).

John A. Yogis, Innis M. Christie, Michael J. Iosipescu, *Legal Writing and Research Manual*, Butterworths, Toronto (1988)

Goode and Hatt, *Methods in Social Research*, Surjeet Publications, New Delhi

Pauline V Young, *Scientific Social Survey and Research*, Printice Hall (1956)

Indian Law Institute, *Legal Research and Methodology* (1982)

LML5202-JUDICIAL PROCESS [FOUR CREDITS]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

Course Outcome

- The course will make the learners aware about the nature and scope of judicial process, interpretive techniques, relevance of law to provide justice, role of judges social engineering helping the state to maintain law and order and shape contents of law with the passage of time.
- The course will become useful for the learners in learning the method to read and analyze the judgments, techniques of drawing the analogies by judges from the arguments of the counsels, application of legal principles and legal concepts to resolve the disputes for operationalizing the law.
- The course will help the learners to understand the intricacies of judicial process and growth of law through the judgments.
- It will sharpen the logic and enable the learners to evaluate the impact of the judgments on impact constituencies

1 Judicial Process – Meaning, Nature and Scope – Judicial Process and Legal

Reasoning as Tools of Legal Development – Judicial Process and Common Law

2 Doctrine of Precedent – Rule of Stare Decisis- Ratio Decedent and Obiter

Dicta – Rules of Determining Ratio and Their Analysis

3 Judicial Process and Creativity- Categories of Illusory References-Techniques of Judicial Creativity in Common Law – Judicial Process and Legal Development under Codified Systems – Judicial Process and Creativity Under Constitutional Systems – Scope and Limits of Creativity in Judicial Process.

4 Nature of Judicial Process - Search for the Legislative Intention - Methods of Judicial Interpretation - Role of Philosophy, History, Traditions, and Sociology - Judge as Legislator - Judicial Creativity and its Limitations.

5 Judicial Process in Indian Legal System-Operation of Precedent in India- Prospective Overruling - Basic Structure Theory- Judicial Activism - Judicial Self Restraint-Judicial Process in Constitutional Perspective.

The latest editions of the following books are the suggested readings

Cardozo, *Nature of Judicial Process* Yale University Press. New Haven

Rupert Cross and J. W. Harris, *Precedent in English Law*, 4th edn, Clarendon Press, London

Edward H. Levi, *An Introduction to Legal Reasoning*, University of Chicago Press, Chicago (1949)

Bodenheimer, *Jurisprudence: The Philosophy and Method of the Law*, Oxford University Press, London (1974)

Rajeev Dhavan, *The Supreme Court of India : A Socio-legal Critiques of its Juristic Techniques*, N M Tripathi, Bombay (1977)

Laxminath A, *Precedent in the Indian Legal System*, Eastern Book Co New Delhi 1990)

Von Mehren, *The Civil Law System: Cases and Materials*, Prentice-Hall, New York (1957)

M.D.A.Freeman, *Lloyd's Introduction to Jurisprudence* 6 th edn, Sweet and Maxwell, London (1994)

UpendraBaxi, *The Indian Supreme Court and Politics*, Eastern Book Co., Lucknow, (1980)

UpendraBaxi, *Courage, Craft, and Contention: The Indian Supreme Court in the Mid-Eighties*, N. M. Tripathi, Bombay (1985).

Arun Shourie, *Courts and Their Judgments: Premises, Prerequisites, Consequences*, Rupa and Co, New Delhi (2005)

Neil Duxbery, *Jurists and Judges: An Essay on Influence*, Hart Publishing (2001)

Julius Stone, *Legal Systems and Legal Reasoning*, Stanford University Press, Stanford (1964)

S1-SPECIALIZATION CORE COURSE-2

LML5205-SOCIO ECONOMIC OFFENCES

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

Course Outcome

- The students will demonstrate their practical knowledge about the Socio Economic offences
- The students will enrich their knowledge regarding various socio-economic problems in India.
- The students will acquire the knowledge of various Acts like Prevention of Corruption Act, 1988, Prevention of Food Adulteration Act, The Dowry Prohibition Act, 1961 etc

1. White Collar Crimes Explanations-Differential Association Theory-Scope, Extent and Limitation- Concept of socio economic offence and white collar crimes – Distinction –Causes and growth of socio-economic offences-mensrea - Need for deviation from general principles of criminal law.

2. Corporate Criminal Liability -mens rea – Liability of the corporation – Liability of individuals - punishment – Corporate Manslaughter-Environmental Damage-Fixation of Liability-Role of Criminal Law-

3. Banking and Credit Card Frauds –Introduction to Banking-Indian Financial System - Banking Regulations (including Codes & Ethic) - Anti Money Laundering Act 5. KYC norms Unit Frauds in Banking Sector - Credit Cards and Crimes related thereto - Credit Cards – Introduction and Types -Business Process- Payment Systems: Domestic and International ,Case Study-Types of Frauds in Property Insurance/Motor/Health

insurance -Potential types of Frauds with Case Studies-Money Laundering

4.Right of the Accused in Socio Economic Offences – Admissibility of confessions – Provisions for search and seizure – bail – Need for new investigative mechanism.Burden of proof – special rules of evidence – minimum punishment – mandatory imprisonment. Denial of parole-

5.Investigation, special machinery for investigation of socio-economic offences-Trial and punishment of socio-economic offences - special rules of evidence and treatment

6.Corruption among Public Persons-Response of Indian Legal Order to Deviance of Privileged Classes-Vigilance Commission-Ombudsman-Commissions of Inquiry- Statutory Response to Corruption-Prevention of socio-economic offences - role of judiciary, mass media and social organisation.

The latest editions of the following books are the suggested readings

Neal Shover, JohnPaul Wright, *Crimes of Privilege, Readings in White-Collar Crime*, Oxford University Press, Oxford (2000).

Stuart P. Green, *Lying, Cheating, and Stealing, A Moral Theory of White-Collar Crime*, Oxford University Press, Oxford (2007)

Upendra Baxi, *Liberty and Corruption: The Antulay Case and Beyond*, Eastern Book Co, Lucknow (1989)

SurendranathDwevedi and G.S. Bbargava, *Political Corruption in India* (1967)

Amanda Pinto, QC; Martin Evans, *Corporate Criminal Liability*, 3rd Edition, Sweet & Maxwell, London (2013)

Rudi Fortson, *Misuse of Drugs and Drug Trafficking Offences*, 6th edn, Sweet & Maxwell, (2012)

Paul H Cohen; Arthur Marriott, *International Corruption*, Sweet & Maxwell, London (2010)

Edwin H Sutherland, *White Collar Crimes*, Yale University Press, New York

M.MaheshChandra,*Socio – Economic Crimes*, N. M. Thripathi, Bombay

Michael L Benson & Sally S Simpson,*White Collar Crimes on Opportunity Perspective*, Routledge, New York

Lacy Wells and Quick,*Restructuring Criminal Law*, Cambridge University Press, Washington

Law Commission of India, 29th and 47th Reports

Chandra Mahesh, 1979, *Socio Economic Crime*, N.M. Tripathi Pvt. Ltd.

Blum Richard H, 1972, *Deceivers and Deceived*, Charles, C. Thomas Publishers.

Oughton, Frederick, 1971, *Fraud and White collar crime*, Eleck Bock Ltd.,

Lal Bhure, 2003, *Money Laundering: An insight into the dark world of Financial Frauds*, Siddharth Publications.

Anabui, Farhad and Kakabadse, Andrew, 2004, *Corporate sabotage*, Jaico Publishing House.

Bologna, Jack, 1984, *Corporate Fraud*, Butterworth Publishers. 7. Green Timothy, 1977,

S2-SPECIALIZATION CORE COURSE-2

LML5206 CONSTITUTIONAL RIGHTS AND SOCIAL JUSTICE

[4 CREDITS]

This Course requires **five** hours per week in the semester. Transaction is through lectures, assignments, and classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester examination is written examination of three hours duration

COURSE OUTCOME

Students who complete this course will be able to:

1. Understand the theoretical foundation of preamble and fundamental Rights and the concept of Social Justice reflectioned through Fundamental Rights and Directive Principles of State Policy
2. To analyse Judicial approach towards interrelationship between FR and DPSP and of Fundamental Duties
3. To identify the constitutional scheme for guaranteeing FR- Peculiar features of terminology in Part III
4. To analyse fundamental freedom under Article 19 and Reasonable Restrictions-
5. Understand the concept of Right to Life and Personal Liberty- Judicial activism in interpreting Article 21- Socio Economic Rights under Article 21 and Social Justice
6. Understand principles of Secularism and Freedom of Religion under Indian Constitution- Rights of the Minorities- Right to move SC for enforcement of FR- Impact of emergency in FR

UNITS

- 1) Indian Constitution and Social Revolution- Theoretical Foundation of Fundamental Rights- Preamble of the Constitution
- 2) Concept of Social Justice Reflectioned through Fundamental Rights and Directive Principles of State Policy- Judicial approach towards interrelationship between FR and DPSP- DPSP as basic policy choices- Significance of Fundamental Duties
- 3) Constitutional scheme for guaranteeing FR- Peculiar features of terminology in Part III- Right to equality, equity and social justice- Test to determine violation of equality- intelligible differentia rational nexus- Doctrine of Arbitrariness- equality and social justice through protective discrimination, Constitutional scheme and judicial approach
- 4) Fundamental Freedom under Article 19 and Reasonable Restrictions- Right to Life and Personal Liberty- Judicial activism in interpreting Article 21- Socio Economic Rights under Article 21 and Social Justice

5) Secularism and Freedom of Religion under Indian Constitution- Rights of the Minorities- Right to move SC for enforcement of FR- Impact of emergency in FR

Suggested Books

H.M Seervai ,*Constitutional Law of India* , Volume 1 and 2 (Universal Law Publishing Company, 2015) (Refer Volume 2 of pages 969-2021 and 2205-2240)

D.D Basu, *Commentaries of Constitution* 22nd ed., 2015 Chapter Fundamental Rights (Lexis NexisPublication)

REFERENCE BOOK

LauranceH.Tribe, *American Constitutional Law* (3rd ed., 2000) (Foundation Press)

A.V Dicey, *An Introduction to the Study of the Law of the Constitution*(10th ed., 1959) (Universal Law Publishing Co. Pvt Ltd)

Neal Devins and Louis Fisher, *Democratic Constitution* 133-325 (2nd ed., 2015) (Oxford University Press)

Austine Granville *Indian Constitution Corner Stone of a Nation*(Oxford University Press, 1999)

Avid A. Strauss ,*The Living Constitution* (Oxford University Press, 2010)

Austine Granville *Working a Democratic Constitution: A History of the Indian Experience* (Oxford University Press, 2003)

Comparative Constitutionalism in South Asia in Sunil Kulkarni, VikramRaghavan and ArunK.TiruVengadam in (Ed) (Oxford University Press, 2013)

*Feminist Constitutionalism- Global Perspective*inBeverly Baines, Daphne Barak Erez, TsviKahana in (Ed) (Cambridge University Press, 2012)

Arthur Ripstein, *Equality, Responsibility and the Law*(Cambridge University Press, 2001)

*Advancing the Human Right to Health*in Jose M. Zuniga , Stephen P. Marks, Lawrence O Gostin (Ed) (Oxford University Press, 2013)

Mark S. Eende ,*Constitutional Rights in Two Worlds South Africa and the United States* (Cambridge University Press, 2010)

David Luban ,*Legal Ethics and Human Dignity* (Cambridge University Press, 2009)

Howard Lesnick, *Religion in Legal Thought and Practice* (Cambridge University Press, 2010)

Alicia Ouellette, *Bioehics and Disability Towards a Disability- Conscious Bioethics* (Cambridge University Press, 2013)

Streling M. McMurrin ,*Liberty Equality and Law* (Cambridge University Press, 2011)

Patrick Birkinshaw, *Freedom of Information*(4th ed.,) (Cambridge University Press, 2010)

Chris ThornhillA *Sociology of Constitution* (Cambridge University Press, 2011)

Colin Turpin and Adam Tomkins *British Government and the Constitution* (7th ed., 2012) (Cambridge University Press)

Simon Caney, *Justice Beyond Borders* 1-148 (Oxford University Press, 2010)

ELECTIVE COURSE-2

LML5006 HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

Students who complete this course will be able to:

- Understand the major provisions of the Constitution of India dealing with the Division of powers between States and the Centre and Centre-State relations in matters connected with Criminal Justice Administration.
- Analyse the Organization of Criminal Courts in India and the hierarchy of lower judiciary, Special Courts, High Courts and the Supreme Court.
- Develop a clear idea about the Organizational set up of Police, police powers for prevention & investigation into crimes, the Role of courts in investigation and the Prosecution system.
- Understand the scheme of UNO and its agencies along with the International documents on Human Rights and Criminal Justice Administration.
- Appreciate the importance of Implementation of international human rights norms and the Constitutional machinery and Procedure for implementing international norms in India.
- Examine the Role of the Supreme Court and the High Courts in implementing human rights standards in Criminal Justice Administration in India.
- Analyse the Role of NGOs in popularizing international standards and to have a critical evaluation of the same.

UNITS

1. Constitution of India - Division of powers between States and the Centre - Centre-State relations in matters connected with Criminal Justice Administration
2. Organisation of Criminal Courts in India - The hierarchy of lower judiciary, Special Courts, High Courts and the Supreme Court
3. Criminal Jurisdiction of High Court and the Supreme Court - special features - The supervisory role of appellate courts
4. Organisational set up of Police - police powers for prevention & investigation into crimes - Role of courts in investigation - Prosecution system

5. Correctional and Rehabilitative techniques - institutional and non-institutional treatment of offenders
6. UNO and its agencies - UN Charter and India - International documents on Human Rights and Criminal Justice Administration
7. Implementation of international human rights norms - Constitutional machinery in India - Procedure for implementing international norms
8. Role of the Supreme Court and the High Court in implementing human rights standards in Criminal Justice Administration.
9. Role of NGOs in popularizing international standards - A critical evaluation.
- 10 Impacts of International Instruments on Criminal Procedure Law in India

The latest editions of the following books are the suggested readings

P. B. H. Birks, *Criminal Justice and Human Rights: Pressing Problems in the Law*, Vol 1, Oxford University Press, Oxford (1995)

Stephen Shute, John Gardner, *Action and Value in Criminal Law*, Oxford University Press, Oxford (1993)

Joel Feinberg, *The Moral Limits of the Criminal Law: Harm to Others*, Vol 1, Oxford University Press, Oxford (1987)

Joel Feinberg, *The Moral Limits of the Criminal Law: Offense to Others*, Vol 11, Oxford University Press, Oxford (1988)

Joel Feinberg, *The Moral Limits of the Criminal Law: Harm to Self*, Vol 111, Oxford University Press, Oxford (1989)

THIRD SEMESTER

S1-SPECIALIZATION CORE COURSE-3

5307-CRIME AGAINST WOMEN AND CHILDREN

This course requires five hours per week in the semester. Transactions are through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion and tutorials. End semester examination is written examination of three hours duration.

Course Outcome

- This course helps students to understand the various issues faced by women and children in the society.
- The alarming rate in crime against women and children reminds more concentration on the subject with due care
- To understand the comporary development in the area of women and children's Rights internationally and regionally
- To understand the situations of women's vulnerability and the causes for crime against women

Unit I- Pre and Post Independence Era

Ancient Period- Women's Movement- Freedom Movement --Post Colonial Period- Crime against women as an impediment to Women's empowerment- Origin and Development of theories of Feminism- Feminist Jurisprudence- Concept of Gender Justice

Unit II- Violence against Women and Children

Indecent representation of Women- Rape and Murder-War Crime against Women and children-Domestic Violence- Sexual harassment in Work Place-Honor Killing-Cyber Bullying-Acid Attack-Mothers in Prison and their Children- Violence relating to Dowry- Prostitution as a crime- Female Foeticide and Infanticide, PNDD

Unit III- Issues Relating to Children

Definition and Meaning of Child -Child Abuse-Child Labour- Child begging-Child in War and Armed conflicts- Child in Disaster-Child missing and Child trafficking- Girl Child- Child victims of Cyber Crimes- Child Pornography

Unit IV- Juvenile Delinquency

Definition and Meaning- Causes and Conditions-Theories of delinquency and Crime-Difference between crime and Juvenile Delinquency- Offences by delinquents- Role of

police, Probation officers, NGO's, Lawyers, Media- Judiciary and determination of the term 'Juvenile'- Bail-Special Home-Juvenile Justice Board

Unit V- Institutional Arrangements

National Human Rights Commissions-Women's Commission -National Commissions for the Protection of Child's Rights- Gender Sensitization- Role of Universities, UGC, other educational Institutions and NGOs

Suggested Readings

Desai, Neera and MaithreyKrishnaraj Women and Society in India: Ajantha, (1987)
Women in Contemporary India (Ed) Alfred De Souza, Ajantha (1987)
Women's Studies in India: A reader (Ed.) Mary John Penguin publications, New Delhi, 2008
Savitha Bhakray, Children in India and their Rights (NHRC publication, 2006)
Rosemary Tong, Feminist Thought – A Comprehensive Introduction Routledge; 4th edition (July 30, 2013)
Valerie Bryson Feminist Political Theory: An Introduction, Palgrave Macmillan; 2nd edition (September 6, 2003)
K.D Gaur, The Indian Penal Code, Universal Law Publishing (2009)
M.webb, Our Stories of Domestic Abuse, Magical moon (2002)
Mary L. Boland , Crime Victim's Guide to Justice (Self-Help Law Kit With Forms) Paperback– October 1, 1997 (Sourcebooks Inc, 1997)
Vera Anderson , A Woman Like You: The Face of Domestic Violence, Seal Press (1997)
Linda Fairstein Sexual Violence: Our War Against Rape, Berkley Books (1995)
Elaine Cassel and Douglas A. Bernstein Criminal Behavior Second EditionLawrenceEribaum Associates, London (2007)
Clayton A. Hartjen ,Youth, Crime, and Justice: A Global Inquiry Rutgers University Press (2008)
Justice for Kids: Keeping Kids out of the Juvenile Justice System By Nancy E. DowdNew York University Press, 2011

S1-SPECIALIZATION CORE COURSE-4

LML 5308

JURISPRUDENCE OF PUNISHMENT(4 CREDITS)-

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

COURSE OUT COME

After the completion of this course the students :

will be getting an exclusive understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications. It includes the areas on the problematic discretion in the sentencing experience of the developing societies, a focus normally absent in law curricula so far.

To understand how punishments have been evolved and the relationship between nature of crime with the nature of punishment need for correlations

Unit 1:

Concept of punishment – Origin of Punishment-Rationale of punishment-Need for punishment- Justification of Punishment- Authority of State to impose punishment-Imposition of Punishment by sovereign State and International Criminal Court-Punishment under common law and continental system

Unit 2

Jurisprudential Issues and Theories of Punishment-Transcendentalists' versus Utilitarians - Kelsonites versus Benthamites - Retribution - Limiting Retributivists - Rule Retributivists -Deterrence-General Deterrence and Specific Deterrence - Incapacitation: Behavior Prevention -Reformation and Rehabilitation-Traditional Hindu and Islamic Approaches- Expiation and Atonement-Western Ideas of Restorative Justice

Unit 3

Different forms of punishment-Corporal and Non-corporal Punishment- Death Penalty -Trend of Abolition world over -Retentionist Countries use it as a 'rarest of rare' sentence -Death Penalty and Judicial approaches -Imprisonment-Solitary Confinement

Unit 4:

Legislative and Judicial Regulation of Punishment -Right to Pre-sentence hearing – Limited Legislative Guidance on Sentencing -Maximum provided for a majority of offences- For few offences minimum also provided- Sentencing policy-Role of judges- Sentencing accords a wide discretion to judiciary without any kind of guidelines – Sentencing disparity – Subjective, judge-centric sentencing-Simple

Imprisonment, rigorous imprisonment and life imprisonment -

Unit 5:

Prison as an Agency of Punishment -Prison as a system- History and evolution of Indian Prisons -Prisoners rights and duties -Prison Reforms – Various kinds of Prisons - open prisons-Prison Labour-Contribution of Judiciary in prison reforms

Unit6:

Special Forms of Punishment/Sentencing- Probation-Probation under the Probation of Offenders Act 1958- Sections 3,4,6 &12- Probation under Cr.P.C.- Sections 360, 361, 256E(a) & (b)-Probation and Judicial Process

Suggested Readings

Michael Tonry, *The Handbook of Crime and Punishment*, Oxford University Press, Oxford (2000)

Franklin E. Zimring, *The Contradictions of American Capital Punishment: Studies in Crime and Public Policy*, Oxford University Press, Oxford (2003)

Andrew Ashworth, Martin Wasik, *Fundamentals of Sentencing Theory: Essays in Honour of Andrew von Hirsch-Oxford Monographs on Criminal Law and Justice*, Oxford University Press, Oxford (1998)

Matt Matravers, *Justice and Punishment: The Rationale of Coercion*, Oxford University Press, Oxford (2000)

R.A. Duff, Lindsay Farmer, *The Constitution of the Criminal Law*, Oxford University Press, Oxford (2013)

Rowan Cruft, Matthew H. Kramer *Crime, Punishment, and Responsibility: The Jurisprudence of Antony Duff*, Oxford University Press, Oxford (2011)

R.A. Duff, Lindsay Farmer, *The Structures of the Criminal Law*, Oxford University Press, Oxford (2011)

Douglas Thomson, *Prisons, Prisoners and Parole*, 2nd Edition, W. Green, London (2013)

Philip Whitehead, *Modernising Probation & Criminal Justice*, Sweet & Maxwell, London (2007)

Robert Banks, *Banks on Sentence*, Sweet & Maxwell, London (2013)

John Deigh, David Dolinko, *The Oxford Handbook of Philosophy of Criminal Law*, Oxford University Press, Oxford (2011)

Steven P. Lab, Marian Williams, *Explaining Criminal Justice*, Oxford University Press, Oxford (2007)

H.L.A. Hart, John Gardner, *Punishment and Responsibility: Essays in the Philosophy of Law*, 2nd edn, Oxford University Press, Oxford (2008)

Neil Corre, David Wolchover, *Bail in Criminal Proceedings*, 3rd edn, Oxford University Press, Oxford (2004)

Hugo Adam Bedau, *The Death Penalty in America: Current Controversies*, Oxford University Press, Oxford (1998)

Mike Maguire, Rod Morgan, Robert Reiner, *The Oxford Handbook of Criminology*, 5th edn, Oxford University Press, Oxford (2012)

Herbert L. Packer, *The Limits of Criminal Sanction*, 1968.

S. Chhabbra, *The Quantum of Punishment in Criminal Law*, 1970.

Siddique, *Criminology*, Eastern: Lucknow, 1984.

Andrew Ashworth, *The Sentencing Function*, OUP (2010)

Nigel walker, *Sentencing-Theory and Practice*, Butterworths London, 1996

Nigel walker, *Sentencing in a Rational Society*, 1972 Mehraj Uddin, Crime and Criminal Justice System in India, 1984

S2-SPECIALIZATION CORE COURSE-3

LML 5309-CENTRE STATE RELATIONS

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

COURSE OUTCOME:

- After the completion of this course the students will be able to understand structure of the Indian Polity and principles, procedures and practices adopted by Indian parliament.
- The students will get an insight into the federal features of the Constitution of India and focuses on the Legislative, Administrative and Financial relations between the Centre and the States, Role of the Governor and Impact of Emergency on Centre state Relations.
- To understand the power relationships between the centre and the state governments

Unit-1. General Features

- 1.1. Historical evolution of federal features in India
- 1.2 . Nature of Indian Federalism –Dominant features of the Union over the States
- 1.3. Judicial Perspective over the Indian federalism
- 1.4. Position of the Governor
- 1.4. All India Services

Unit-2.Legislative Relations

- 1.1.Doctrine of Territorial Nexus
- 2.2. Scheme of distribution of legislative powers between Union and States
- 2.3. Principles of interpretation of lists- Doctrine of Pith and Substance; Doctrine of Colorable Legislation; Doctrine of harmonious construction; Ancillary legislation
- 2.4. Residuary Powers
- 2.5. Parliament's power to legislate on the State List
- 2.6. Inconsistency between laws passed by Parliament and State legislature

Unit-3.Administrative Relations

- 3.1. Distribution of executive powers
- 3.2. Inter-governmental delegation of powers
- 3.3. Centre's directive to State & other Constitutional provisions
- 3.4. All India services
- 3.5. Co-operative federalism; disputes relating to waters, Inter-State Council

Unit-4.Financial Relations

- 4.1. Introduction to Allocation of taxing powers-Central taxes, State Taxes, Concurrent Taxes, No tax outside the tax entries

- 4.2. Funds-Consolidated and Contingency funds
- 4.3. Public Accounts
- 4.4. Tax and Fees
- 4.5. Restrictions on taxing powers
- 4.6. Inter-Government Tax immunities
- 4.7. Tax-sharing
- 4.8. Grants-Grants-in-lieu; Grants-in-aids; Specific Purpose Grants
- 4.9. Finance Commissions
- 4.10. Borrowing Powers

Unit V- Emergency Provisions

- 5.1. National Emergency
- 5.2. State Emergency
- 5.3. Financial Emergency
- 5.4. Imposition of President Rule In States

Text Books And Reference Books

- A.G. Noorani, (ed.), Centre State Relations in India, Bombay: Lesley Saehney Programme for Training, 1972.
- Ashok Chandra, Federalism in India.
- De Jatindra Ranjan, Development of Federalism in India, Gauhati :Bani Prakashani, 1974.
- Desai, Justice D.A. Prasad Anirudh, Centre And State Powers Under Indian Federalism.
- Dr. Subhash C. Kashyap, The Framing of India's Constitution- A study & Constitution making since 1950- An Overview.
- Dr. Subhash C. Kashyap, Constitution of India: Review and Reassessment.
- Dr. Subhash C. Kashyap, Indian Constitution-Conflicts and Controversies.
- Dr. Subhash C. Kashyap, Commentary on Constitution of India.
- Dr. Subhash C. Kashyap, Our Constitution-An Introduction to India's Constitution and Constitutional Law, 5th edition reprint 2014.
- G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
- Glanville Austin, The Indian Constitution: Cornerstone of a nation, Delhi; Oxford University Press.
- H.M. Seervai, Constitutional Law of India – Vol.I&II.
- K.C.Wheare, Federal Government.
- K.P. Krishna Shetty, the Law of Union-State Relations and Indian Federalism.
- K.Subba Rao, the Indian Federation.
- Kabbur, A.S. Centre-State Relations in India, New Delhi: Trust Books, 2004.
- Keith A.B. , Constitutional History of India.
- L.M Singhvi, Union-State Relations in India.
- M.P Jain, Outlines of Indian Legal History.
- M.P.Jain, Indian Constitutional Law.
- M.V Pylee, Constitutional History of India.
- Monica David, Indian Legal and Constitutional History, 1600-1949, Vimala Publications, 1968. New Delhi: Deep & Deep Publications, 1981.
- Seetalvad's Lectures on Constitutional law.
- Setalvad M.C, Constitutional History of India.
- Shubh Narayan Singh, Centre state relations in India: major irritants & post-Sarkaria review.
- Subba Rao G C V Indian Constitutional law.
- Subbarao's Lectures on Constitutional law.
- Telang's Lectures on Constitutional Law.
- Tope T K ,Constitutional law of India by Justice Sujata Manohar, Eastern book company.
- V.D. Sebastian, Indian Federalism: the Legislative Conflict

S2-SPECIALIZATION CORE COURSE-4

LML 5310 - CONSTITUTION AND GOVERNANCE

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

COURSE OUTCOME

Students who complete this course will be able to:

- Get an insight into the forms of government and basic principles governing organisation of government.
- The students will get the understanding on the organisation of legislature, executive and judiciary, judicial review and electoral reforms and decentralization
- To appreciate and understand the constitutional theme of governance and the power balances in the schemes

Unit I- Basic Principles of Organisation of Government and Forms of Government

- 1.1 Presidential and Parliamentary forms of Government
- 1.2 Government under the U.S. Constitution
- 1.3 Basic principles underlying Government in France
- 1.4 Nature of Government in U.K.
- 1.5 Comparative and differentiating features of governance in India, U.K., U.S.A. and France.
- 1.6. Rule of Law and Governance
- 1.7 .Separation of Powers

Unit II-Organisation of the Legislature and the Executive

- 2.1 Organization of Legislature
- 2.2 Nature of Legislative Process
- 2.3 Extent of Executive Powers
- 2.4 Emergency powers
- 2.5 Relation between Legislative and Executive powers

Unit III- Judiciary System

- 3.1. Organization of the judiciary
- 3.2. Independence and accountability of Judiciary
- 3.3. Appointment of and Removal Judges and Enquiry against Judges
- 3.4. Creative role of Judiciary

3.5 Evolution and functioning of Tribunals

Unit IV- Judicial Review

4.1. Significance of Judicial Review

4.2. Judicial Review of Legislation and Delegated Legislation

4.3. Judicial Review of administrative action

4.4. Judicial Review of Constitutional Amendments

3.5 .Parliamentary Privileges ,Fundamental Rights and Judicial Review

Unit V- Electoral Process and Democratic decentralization

5.1. Relevance of elections in Democracy

5.2. Constitutional Provisions Relating to Elections

5.3. Measures to prevent defection

5.4 .Concept of democratic Decentralisation

5.5.Constitution and Local Governance

Text Books and Reference Books

A.V.Dicey, Introduction to the Study of Constitution.

Brandt, E.M.; An Introduction to Constitutional Law ; Oxford University Press.

Bernard Schwartz Commentary on American Constitution.

BhagwanVishnoo, BhushanVidya, World Constitutions.

Cane, Peter; Administrative Law ; Oxford University Press.

Dauglus W.O, Studies in Indian and American Constitutional Law.

Finer, S.E.; Comparative Government ; Penguin Books.

Godfrey and Blondel, The French Constitution and Government.

Jain, M.P.; Indian Constitutional Law ; LexisNexis.

K.C.Wheare, Modern Constitutions.

Loughlin, Martin; The Idea of Public Law; Oxford University Press

Mason and Beany, American Constitutional law.

Rodney Brazier, Constitutional Practice.

Rotunda and Nowak, Treatise on American Constitution.

Singh, M. P.; V.N Shukla's Constitution of India; Eastern Book Company.

Tom Ginsburg, Rosalind Dixon, Comparative Constitutional Law.

H.M. Seervai, Constitutional Law of India (Fourth Edition, NM. Tripathi).

Vicki C. Jackson, Mark V. HYPERLINK

"<http://www.google.co.in/search?tbo=p&tbm=bks&q=inauthor:%22Mark+V.+Tushnet%22>"Tushnet, Comparative Constitutional Law.

ELECTIVE COURSE

LML5003-RIGHT TO LIFE AND LIBERTY[TWO CREDITS]

This Course requires three hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of two hours duration.

COURSE OUTCOME

- Understand the nature and concept of Life-Concept of Liberty- Constitutional and Human Rights Perspectives
- Analyse the Judicial Interpretation under Article 21- Expansion of Right to Life and Liberty
- Understand Law of the Land Concepts- Concept of Equity and Due Process and Procedure Established by law
- Identify the Interrelationships between Part III and Part IV of the Constitution.
- To appreciate the evolution of the concept of right to life under article 21 and the role of the judiciary in evolving an expansionist interpretation of right to life

1 Nature and Concept of Life-Concept of Liberty-Constitutional and Human Rights Perspectives

2 Judicial Interpretation under Article 21- Expansion of Right to Life and Liberty under Article 21-Environment, Health Care, Privacy, Shelter, Legal Aid, Employment, Compensation, and Right to Education.

3 Law of the Land Concepts- Concept of Equity, its Nature, and Scope- Due Process, its Scope, and Extent-Indian Reactions- Procedure Established by law and Due Process of Law-

4 Interrelationships between Part III and Part IV of the Constitution.

The latest editions of the following books are the suggested readings

Laurence H Tribe, *American Constitutional Law*, 3 rdedn, Foundation Press, Mineola, New York (2000).

M P Singh, *V N Shukla: Constitution of India*, 12 thedn, Eastern Book Co, Lucknow (2013).

M P Jain, *Indian Constitutional Law*, 5 thedn, Wadhwa, New Delhi (2003)

H M, Seervai, *Constitutional Law of India: A Critical Commentary*, 4 thedn N M Tripathi, Bombay (1993)

FOURTH SEMESTER

COMPULSORY CORE COURSE

03- LLM5401-DISSERTATION AND VIVA [EIGHT CREDITS]

Course Outcome

Students who complete this course will be able to:

- Imbibe a deeper understanding of the area of research selected by the students and develop the research aptitude
- Inculcate critical thinking and encourage students to evaluate literature in a critical perspective
- Improve the writing and analytical skill and develop the ability to compile and organize the thesis in a coherent manner
- Encourage the students to publish their work in reputed journals
- To Inculcate the Aspects Of Original Research
- To encourage creativity in research and originality of research and maintaining integrity and ethics in research.

Students may submit their dissertations on the date fixed by the Department. Students will be given appropriate training by the Department in preparing and writing dissertation, during third and fourth semester period. Selection of the topic of current importance and preparation of Synopsis must be completed in the Third Semester itself. The topic shall be approved by the Faculty Council. The dissertation shall be prepared by the student under the guidance of a member of the faculty or, in the case of subjects, which so demand, an external guide, to be decided by the Faculty Council. In this Course, a student will not be considered for Grading unless he/she submits the dissertation and appears for viva voce.

ELECTIVE COURSES

LML5004- FUNDAMENTALS OF HUMAN RIGHTS [FOUR CREDITS]

This Course requires three hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

COURSE OUTCOME

After studying this course, the students will be able to:

- understand the historical growth of the idea of human rights
- demonstrate an awareness of the international context of human rights and understand Concepts under International Instruments
- analyse and evaluate concepts and ideas of Rights to Life, Liberty, Dignity, and Equality.
- understand the importance Rights of Emerging Groups- Rights of LGBTQ
- To comprehend the international relevance OF basic rights of man and the evolution of human rights
- To understand the enforcement mechanism of human rights at international , regional and national level

Units

1 Rights of Man- Historical and Theoretical Roots- Human Rights –Meaning Nature and Evolution-Developments-Magna Carta to U N and other International Documents-Role of Regional Organisations

2 Justification and Basis of Human Rights-Theories- Generations of Human Rights

3 Human Rights and Natural Law –Concept and Evolution of Natural Rights-Natural Rights under Western Legal Thought-Utilitarian and Social Contract Theories

4 Concepts of Rights to Life, Liberty, Dignity, and Equality-Juristic Basis-

Constitutional Perspectives-Concepts under International Instruments- Judicial Approach

5 Human Rights Institutions- Enforcement of Human Rights- National and International

6 Terrorism and Human Rights- Rights of Refugees and Internally Displaced People

7 Right to Development- Rights of Emerging Groups- Rights of LGBTQ

The latest editions of the following books are the suggested readings

Mashood A Baderin, Robert McCorquodale, *Economic, Social and Cultural Rights in Action*, Oxford University Press, New York (2007)

W. Friedman, *Legal Theory*, Universal Book Traders, New Delhi.

George P Fletcher, *Basic concepts of Legal Thought*, Oxford University Press, New York (1996)

Arthur Ripstein, *Equality, responsibility and the Law*, Cambridge University Press, Cambridge (1999)

M. Rama Jois, *Legal and Constitutional History of India*, M.N Tripathi, Mumbai (1990)

Van der Heijden (Ed), *Reflections of UDHR*, Martinus Nijhoff Publishers, London (1998)

Robertson and Merrills, *Human Rights in the World*, Universal Law Publishing, New Delhi (2005)

D.D Basu, *Human Rights in Constitutional Law*, Prentice Hall, New Delhi (1994)

P. Van Dijk, Van Hoop, *Theory and Practice of European convention on Human Rights*, Kluwer Law International, London (2002)

Steiner, Alston, and Goodman, *International Human Rights in Context – Law, Politics and Morals*, Oxford University Press, New York (2008).

Adam McBeth, Justine Nolan, *The International Law of Human Rights*, Oxford University Press, Oxford (2012)

Theodor Meron, *Human Rights in International Law: Legal and Policy Issues*, Oxford University Press, Oxford (1986)

Arjun Sengupta, Archana Negi, Moushumi Basu - *Reflections on the Right to Development* (2005)

David J. Whittaker *Counter-Terrorism and Human Rights* (2014)

Anne Fruma Bayefsky, Joan M. Fitzpatrick, Arthur C. Helton, *Human Rights and Refugees, Internally Displaced Persons and Migrant Workers* (2006)

Susan Henneberg, *LGBTQ Rights* (2016)

LML5007-COMPARATIVE CRIMINAL PROCEDURE

[FOUR CREDITS]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

COURSE OUTCOME

Students who complete this course will be able to:

- Understand that the course in Comparative Criminal Procedure is designed to acquaint students with different systems of criminal law.
- Individual study, attendance and participation in the proposed training activities will enable the student to:
- Understand the differences between civil law and common law criminal systems;
- Understand that at present common law systems tend more and more to leave room for civil law and, at the same time, civil law systems to apply the principles of legal reserve and prohibition of analogy in a less rigorous way;
- Interpret and identify the main general criminal provisions present in the systems prevails in England India , France and China
- To make a comparative study of the criminal procedure codes in the common law and the continental law;
- To acquaint students with different systems of criminal law.
- To expose the students to training activities for acquiring practical knowledge of Criminal Procedure
- To understand the differences between civil law and common law criminal systems;
- To understand how each system tries to recognise and imbibe the best practices of the other systems
- To interpret and identify the main general criminal provisions present in the systems prevails in England India , France and China
- To make a comparative study of the criminal procedure codes in the common law and the continental law;

Units

1 Organisation of courts in England, India, France and China

2 Origin of various Criminal Trials – Jury trial

3 Rights of the accused - arrest and interrogation - evidentiary value of statements given to the police – Privilege against Self-incrimination-obligation to testify.

4 Role of police and prosecutor in criminal justice administration-prosecutors position in continental system-pooling of magistrates and prosecutors as same cadre in continental system.

5 Accusatory and inquisitorial trial - role of the judge and defence attorneys in trials – manner of selection and training of judicial officers in common law systems and continental systems-impact of sharing of common value by prosecutors and magistrates in continental system.

6 Preventive measures in comparative terms-bail and denial of bail

7 Admissibility of Evidence – Exclusion of Evidence. Basis of the Exclusionary Rules - Position in U.S., U.K., Canada, Australia and India-evidentiary rule in continental system.

Latest editions of the following books and the articles are the suggested readings.

John H.Langbein, *The Origins of Adversary Criminal Trial*, Oxford University Press, Oxford (2003)

CherifBassiouni M (Ed), *International Criminal Law: Cases and Materials*, Carolina Academic Press, (1996).

Patrick Devlin, *The Criminal Prosecution in England*, Oxford University Press, Oxford (1960)

Rawlings P, *Crime and Power: A History on Criminal Justice*, Longman, New York (1998)

K N C Pillai, *RV Kelkar's Lectures on Criminal Procedure*, Eastern Book Co, Lucknow (2003)

Tagore Law Lectures

John H. Langbein and Lloyd L. Weinreb, "Continental Criminal Procedure: Myth" and Reality", 87 Yale L J 1549 (1978)

Jayasankar.K.I, Role and Functions of Prosecutors-A Comparative overview', 2010CULR,p.108

Christine Van Den Wyngaert, *Criminal Procedure System in the European Community*

Kevin Jon Heller(Ed),*The Handbook of Comparative Criminal Law*, Stanford University Press (2011)

Christoph Safferling, *International Criminal Procedure*, Oxford University Press, Oxford (2012)

John H. Langbein, *The Origins of Adversary Criminal Trial*, Oxford University Press, Oxford (2003)

Van den Wyngaert, Christine with C. Gane, H.H. Kuhne and F. McAuley (eds), *Criminal Procedure Systems in the European Community*, Butterworths, London (1993)

Mary Ann Glendon, Michael W. Gordon & Christopher Osakwe, *Comparative Legal Traditions*, 2nd edn, West Publishing Co, St Paul Minn (1994)

Abraham Goldstein, "The Myth of Judicial Supervision on Three Inquisitorial Systems: France, Italy and Germany", 87 YaleL.J. 240 (1977)

Jayasankar.K.I 'Investigation into crimes-Supervision of Prosecutor' Nalsar Law Review 4NLR 2008-2009 page.121

Jayasankar.K.I "Criminal Trial Process and the Role of Prosecutors: A comparative Perspective", 2012 CULR


Glanville Williams, *The Proof of Guilt: A Study of the English Criminal Trial*, Hamlyn Lectures, Vol 7, Stevens, London (1963)

John D. Jackson, Sarah J. Summers (Ed),*The Internationalisation of Criminal Evidence: Beyond the Common Law and Civil Law Traditions*, Cambridge University Press, Cambridge (20

Minutes of the meeting of the Board of Studies in Law - held on 14-05-2019 in the Dept. of Law, Central University of Kerala, Trivandrum Campus at 10-AM.

Members present-

1) Dr. Gireesh Kumar. J - HoD - chair person

Signature


2) Prof (Dr.) K.L. Sunny - Professor - (Invitee)

3) Prof (Dr.) David Ambrose - Professor - (member)

U.A.B

4) Prof (Dr.) Bismi Gopalakrishnan (member)

Bismi

5) Prof (Dr.) - K. Balakrishnan (member)

K.B.

6) Dr. Letchmi G.R. (member)

Letchmi

Agenda

1) Revision and introduction of new courses and approval of syllabus for LLM curriculum from 2019 June Session onwards.

2) Revision and introduction of two new courses on IPR (1) Law of Patents and Plant Varieties Protection and (2) Law of Trade Marks and Geographical Indications and approval of the syllabus of the same.

3) Revision of syllabus of IPR - Paper on Introduction of Intellectual Property Rights (offered in the first semester) and Law of Copyright and Designs (offered in the second semester).

4) Any other item with permission of the chair

Deliberations.

- ▶ Dr. Girirath Kumar has welcomed the members and briefed the agenda which was agreed by everyone.
- * The minutes of the last meeting of the Board of Studies had been approved by the members present by endorsing their signature in it.

Agenda - 1

The House has perused the agenda - 1 and agreed to the necessity of revising the curriculum for UG - from June-2019 session onwards by revising some of the existing courses and by introducing some new courses. Accordingly Agenda - 1 is finished and approved.

Agenda - 2

In Agenda - 2 The House has examined the necessity of introducing two new courses on IPR as follows;

(i) Law of Patents and Plant Varieties: (3rd Sem)

Dr. David Ambrose and Dr. Leekshmi proposed several amendments to the syllabus placed before the BOS for approval.

Both Professors suggested for the inclusion of Plant Variety Protection under module (1) to history, elements, IPR regime etc) under 1st module.

They have also pointed out that certain terminologies

importing same meaning has to strike down.

Dr. Lekshmi + Dr. Ambrose proposed amendments to 2nd module & Topic such as national and international framework of Patent has to be included under this module.

Amendments to 4th module to include topics such as fair use and compulsory licensing and recent judicial approach

with respect to reading materials, both of the Professors identified certain essential books + materials as suggested readings.

Law of Trade Marks + Geographical Indications (3rd Sem)

Law of Trademark + Geographical Indications is the next item in the agenda. A few changes to the syllabus was made by Dr. Lekshmi + Dr. Ambrose. The changes are noted hereunder

- 1) The exclusion of well known and service marks in the 1st module
- 2) Trade mark protection in cyber space topic has to be included in the 2nd module
- 3) In the 3rd module topics such as "Defences" and "Recent judicial approaches" have to be included
- 4) 5th module has to encompass case studies related to G.I.

Both professors identified certain books which has to be included under the head of suggested readings

Accordingly this part of Agenda-2 is approved by the House by making the necessary additions and removals as mentioned above.

(ii) Law of Copyright and Designs:-Introduction to IP. (1st Semester)

While revising the existing syllabus on Introduction to Intellectual Property, Dr. Heleshani & Prof. Ambrose suggested to remove portions such as kinds of IP, Philosophical and Economic justifications of IP. Dr. Heleshani proposed amendments to 1st module. She suggested topics such as concept of property & its traditional notion which has to be included under the 1st module.

Dr. Ambrose proposed that kinds of IP that was provided in the 1st module has to be included in the second module.

Dr. Heleshani pointed out that module 3 should encompass not only basic treaties relating to ~~to~~ Patent and Copyright but also treaties relating to Geographical Indications, Trademarks and Plant Variety Protection which has to be placed under the same module.

Both Professors suggested the revision of 4th module by striking down certain terminologies which was repetitive. 5th module was revised to include IPR policy of India, Human Rights & IPR too.

Both Professors urged for including theoretical boxes on IP & WTO as suggested readings.

Accordingly this agenda part of Agenda-2 also is approved by making necessary additions and removals as suggested by the esteemed members as listed above.

Agenda - 3

The House has examined the need for revising two papers on IPR as follows;

- (i) Introduction of Intellectual Property (Offered in the first-SEM)
 has of Copyright + Industrial Designs + Integrated Circuit.

The following are the suggestions.

Prof Ambrose and Dr. Hekshari revised the 1st module by including the topic "protection of computer software". They ^{also} strike down certain portions from 1st module.

Topic titled International Copyright was deleted from 2nd module.

In the 3rd module both professors suggested to include the topic fair use.

Topic related to Semi-conductor Integral Circuits layout Design Act - standards terms and Procedure was added to 5th module.

~~Topic~~ In the 5th module the topic "nature of IP" was removed as they found it as repetitive.

Accordingly this part of Agenda-3 is approved by incorporating the necessary changes suggested by the esteemed members as above.

(ii) ~~Law of Copyright and Designs~~ (offered in the 2nd sem)

The following are the suggestions;

Prof Ambrose suggested to include the term federal states in the 2nd in the place "Other States (now it reads Distribution of Power in federal state)". Dr. Kaleshni also backed this suggestion (suggestion to 2nd module)

Dr. Balakrishnan struck down the topic Planning Commission which is provided in the 4th module.

Prof Ambrose has suggested that topics such as Inter State Trade & C.S.T Council should be covered under 4th module.

Dr. Balakrishnan also shared the same point of view.

Crimes against Women and children (3rd semester)

Dr. Balakrishnan pointed out that the topic Child in war and Armed Conflict has to be deleted as it comes under different aspect of criminal law.

Prof Ambrose backed the suggestions made by Dr. Balakrishnan.

Accordingly, this part of agenda-3 also is approved by incorporating the necessary suggestions made by the esteemed members as above.

Agenda - 4 - Any other items.

In this the House has agreed to the suggestion made by Dr. Gireesh Kumar. J, that the revised and newly - introduced with the approval of the previous meetings of the Board of Studies in 2016, 2017 and 2018 have to be added ^{as annexures} to the original curriculum prepared by the Consultative Committee at the time of the establishment of the Department in the year 2014.

Further, the House has noticed the progress of the department and the chances of establishment of new campus - with introduction of five year integrated LLB courses - by preparing a modernized curriculum - on obtaining approval etc. from the Bar Council of India.

Resolution

Accordingly the agenda items as mentioned hereinbefore are deliberated pointwise and approved with the necessary additions and modifications as detailed above with the recommendations to forward to the University for record.

Dr. K.C. Suman

Dr. Bismi Gopdeshwar

Dr. Gireesh Kumar. J

Dr. Balakrishna K.

Dr. A. David Amerson

Dr. Lakshmi. GR



Central University of Kerala

DEPARTMENT OF LAW

B S N L Arcade

Thiruvalla, Kerala 689101

Telephone Number: 0469 2638130

552
26/6/19

Ref No. CUK/ DOL/ 552/ 2019

Thiruvalla, 26-06-2019

The Registrar,
Central University of Kerala,
Kasaragod

Sub: Submission of the minutes of the Meeting of the Board of Studies in Law held on 13-05-2019 at the Dept. of Law, Central University of Kerala, Thiruvalla Campus.

Ref: Minutes of the Meeting of the Board of Studies in Law held on 13-05-2019 at the Dept. of Law, Central University of Kerala, Thiruvalla Campus.

Respected sir,

A meeting of the Board of Studies in Law was held on 13-05-2019 at 11 am at the Dept. of Law, Central University of Kerala, Thiruvalla Campus. The house has discussed the following agenda;

1. Revision of syllabus of Intellectual Property Rights, Criminal Law and Constitution for LLM Curriculum from 2019 June session onwards.
2. Taking preliminary steps for commencing five-year LL. B course in the Department
3. Including the approved papers as annexure in the original syllabus

In this regard, it is submitted that the BOS in Law has deliberated and approved the agenda items and made the necessary resolutions which are to be submitted to the University for placing it before the Academic Council for approval. Hence, the Minutes of the same detailing the necessary resolutions as approved by the Board of Studies in Law are hereby submitted for perusal and necessary action from your esteemed office.

Thanking you



Head of the Department (i/c)

डॉ. गिरीश कुमार जे / Dr. Gireesh Kumar J.
सहायक प्राध्यापक / Assistant Professor &
विभागाध्यक्ष / Head of the Department (i/c)
विधि विभाग, Central University of Kerala
केरल केन्द्रीय विश्वविद्यालय, थिरुवल्ला
तिरुवल्ला - Thiruvalla Campus - 689 101



Central University of Kerala
DEPARTMENT OF LAW

B S N L Arcade

Thiruvalla, Kerala 689101

Telephone Number: 0469 2638130

Minutes of the Meeting of the Board of Studies in Law is held on 13-05-2019 at the Dept. of Law, Central University of Kerala, Thiruvalla Campus at 11.00 am.

Present

1. Dr. Gireesh Kumar. J – Asst: Prof: HoD, Department of Law, CUK (Chairman)
2. Prof. K.C Sunny- Vice Chancellor, NUALS (invitee)
3. Dr. David Ambrose - (Member)
4. Dr. Bismi Gopalakrishnan (Member)
5. Dr. Balakrishnan K - (Member)
6. Dr. Lakshmi G.R - (Member)

Agenda of the meeting

1. Revision of syllabus of Intellectual Property Rights, Criminal Law and Constitution for LLM Curriculum from 2019 June session onwards.
2. Taking preliminary steps for commencing five year LL.B course in the Department
3. Including the approved papers as annexure in the original syllabus
4. Any other item with the permission of the chair

Deliberations

AGENDA 1

Dr. Gireesh Kumar J has welcomed all the members and briefed the agenda items to the house.

Dr. Gireesh Kumar J has detailed the first agenda item, i.e revision of syllabus of Intellectual Property Rights, Criminal Law and Constitution from 2019 June session onwards.



डॉ. गिरीश कुमार जे / Dr. Gireesh Kumar J.
सहायक प्राचार्य / Assistant Professor &
विभागाध्यक्ष / Head of the Department (i/c)
विश्वविद्यालय / Department of Law
केरल केन्द्रीय विश्वविद्यालय / Central University of Kerala
तिरुवल्ला पारसर / Thiruvalla Campus - 689 101

Name of the Course	Papers to be approved	Semester
Intellectual Property Rights	General Principles of Intellectual Property Law	First
	Law of Copyrights and Designs	Second
	Law of Patents and Plant Variety Protection	Third
	Law of Trademarks and Geographical Indications	Third
Constitutional Law	Federalism	First
Criminal Law	Crimes Against Women and Children	Third

Prof David Ambrose has suggested some modifications in the syllabus of Intellectual Property Rights, Federalism and Crimes against Women and Children.

Dr. Lekshmi G R pointed out that Law of Trademarks shall include certain other areas pertains to trademarks and also suggested for the inclusion of case studies on Geographical Indications

Prof. K.C Sunny has suggested for the inclusion of topics such as Inter- State Trade and GST council for the course Federalism

Prof Bismi has pointed certain modifications in the syllabus of Crimes against Women and Children and Intellectual Property Rights.

Dr. Balakrishnan made a suggestion for including topics such as Acid attacks, Honor Killings, juvenile in conflict with Law for the course Crime against Women and Children.

Dr. Gireesh Kumar highlighted the importance of the detailed analysis of judicial decisions within and beyond the prepared syllabus of the courses mentioned above to make the students more familiar with the judicial perspective.

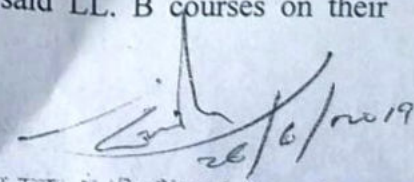
Resolution

The house has approved the syllabus and the modifications and suggestions put forward by the Board of Studies. Further the house resolved that the proposed courses and syllabus as modified by the suggestions of the esteemed members may be sent to the University for placing it before the Academic Council for approval.

AGENDA 2

Dr. Gireesh Kumar J has briefed the house about the university's intention to commence 5-year integrated BA LL. B and B com LL. B courses in the department, once the permanent campus for the Department is ready. He has further put forward the idea of introducing case method for teaching curriculum in the said LL. B courses on their




 डॉ. गिरीश कुमार, जे / Dr. Gireesh Kumar J.
 सहायक कुलपति, न्याय विभाग / 2
 विभागाध्यक्ष, न्याय विभाग (LLB)
 (LLB) विभाग / Department of Law
 केरल केन्द्रीय विश्वविद्यालय / Kerala University of Kerala
 तिरुवल्ला पारम्पर / Thiruvalla Campus, 686 001

commencement and stressed the need for preparing a draft regulation for the same. The members of the BOS have welcomed the proposal and directed the department to further proceed on the matter by incorporating the suggestions of the house in the draft regulations to be prepared and forwarded to the university.

Deliberations

Dr. Balakrishnan K has suggested that the Head of the department may undertake the task of preparing and finalizing the necessary regulation and related requirements for commencing the courses and submit the same to the university at the earliest.

Resolution

The BOS has resolved that the necessary regulation shall be prepared and finalized along with the related requirements for commencing the 5-year integrated BA LL. B and B com LL. B courses in the department and submit the same to the university at the earliest and directed the department to further proceed on the matter with the university.

AGENDA 3

Dr. Gireesh Kumar. J has briefed the house the requirement to include Labour Laws, Environmental law, Intellectual Property law, Constitutional Law and two more papers of criminal law which are approved in the BOS as annexure in the original syllabus of LLM.

Deliberations

The House deliberated on the agenda 3 and proposed to include the following courses as an Annexure to the original syllabus of LLM;

Courses; -

Labour Laws, Environmental law, Intellectual Property law, Constitutional Law and two papers of criminal law ie., Jurisprudence of punishment and Crime against women and children.

Resolution

The house has approved to include and add the above mentioned courses to the original syllabus of LLM and proposed to send to the University for placing it before the Academic Council for approval.

The meeting ended at 12.30 pm

Signed by the following in the original Minutes book

Dr. Gireesh Kumar J

Prof.(Dr.) K.C Sunny

Prof.(Dr.) David Ambrose

Dr. Balakrishnan K

Prof (Dr.) Bismi Gopalakrishnan

Dr. Lekshmi G.R

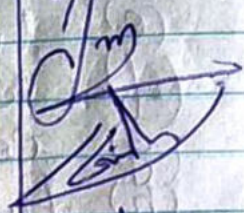
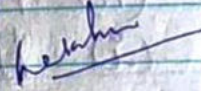


Dr. Gireesh Kumar J. / Dr. Gireesh Kumar J.
സഹായക അദ്ധ്യക്ഷ / Assistant Professor &
വിभागाध्यക്ഷ / Head of the Department (i/c)
നിയമ വിभाग / Department of Law
കേരള കേന്ദ്രീയ विश्वविद्यालय / Central University of Kerala
तिरुवल्ला പാँടसर / Thiruvalla Campus - 685 101

Meeting of the Board of Studies in Law held on
13-04-2018 at the Dept. of Law, Central University
of Kerala, Thiruvalla Campus at 11.00 am

- Members Present
1. Prof. (Dr) K.C Sunny, Prof. HoD + Dean
Chairperson
 2. Dr. Gireesh Kumar J, Asst. Professor
Member.
 3. Dr. Lekshmi G. R, Asst. Professor
Member.
 4. Dr. Balakrishnan K, Associate Professor
Member
 5. Dr. Anisul Cupalathiraman, Associate Professor
Member.

Signature

Bism
13 April 2018

Prof. David Ambrose intimated his inconvenience and the meeting is held in his absence.

Agenda

1. Preparation and approval of regulation, course structure and syllabus of Ph Diploma in NRI Law proposed to be introduced in the 2018-19 Academic Session
2. Revision and Introduction of new courses and approval of syllabus for LLH curriculum from 2018 June Session onwards.
3. Any other item with the permission of the chair

Deliberations

Agenda 1

- f. Prof. K. C. Sunny has welcomed all the members and briefed the agenda items to the house.
Dr. Viveesh Kumar J has detailed the first agenda item i.e. preparation and approval of regulation, course structure and syllabus of PG Diploma in NRI Laws with the following explanations.

→ Course Title - Post Graduate Diploma Programme - One year
Post Graduate Diploma in Law PGDI (NRI Laws)

→ Academic year - 2018-19.

→ Eligibility for admission - Any Degree

→ Intake - 40.

→ Course Structure - Two semesters having 26 credit with five papers.

→ Paper 1 : Introduction to Legal Process } For first
Paper 2 : Introduction to NRI Laws } Semester
Paper 3 : Immigration Laws.

→ Paper 4 : NRI and Family Laws } For second
Paper 5 : Laws Relating to NRI Investment } Semester
Paper 6 : Project work

The house has approved the rules, course structure and syllabus of the above PG Diploma and resolved to place it before the Academic Council.

Agenda 2

Prof. K. C. Sunny has briefed the house about the agenda item 2. i.e. revision and introduction of new courses and approval of syllabus for LLM curriculum from 2018 June session onwards.

Courses to be introduced to the LLH curriculum from 2018 June session onwards.

- 1) Intellectual Property Rights → General Principles of IP & Law of Copyright, Industrial Design + IC.
- 2) Centre - State Relations } As part of
- 3) Constitution & Governance } Constitutional Law.
- 4) Jurisprudence of Punishment } As part of
- 5) Crime against women & children } Criminal Law.

Dr. Bismi Chopalakeshnan has suggested some modifications in the syllabus of Centre-State relations and Intellectual Property rights.

Dr. Lekshmi C.R pointed out that since a course on IPR is introduced for the first time in the Department, it shall be made, but more light.

Dr. Sunay has suggested inclusion of Geographical Indications also within the component of Traditional Knowledge and IPR.

Dr. Bismi Chopalakeshnan has pointed out the need for inclusion of 'Emerging rights' in IPR also along with the area of Trademark.

Dr. Viveesh Kumar highlighted the importance of detailed analysis of judicial decisions within and beyond the prepared syllabus of the courses mentioned above particularly in the course on Centre state relations to make the students more familiar with the judicial perspective.

topics such as

Dr. Lekshmi made a suggestion for including prostitution, ^{prostitution} ~~assaults~~ and child pornography as ~~under~~ ^{under} Unit II and III respectively of the course 'crime against W+C'.
Dr. Bismi Chopalakrishnan suggested to include ^{under} feminist jurisprudence and concept of gender justice in 1st unit of the course 'crime against women and children'. She has also pointed out that topics such as 'assertion of rights of women in India' by looking into the ^{its} development from ancient period to pre and post independence era should also be included under the first unit of the course 'crime against W+C'.

Dr. Bismi made another suggestion regarding the inclusion of topics such as PNDT, female foeticide and infanticide under Unit II. An additional suggestion has also made by her regarding the inclusion of topics such as sensitisation regarding crimes against women - Role of Universities, UHC, other educational institutions + NGOs.

Resolutions

The house has approved the syllabus and course plans proposed to be introduced as above and the modifications and suggestions put forward by the respected members of BOS are also approved. Further the house resolved that the proposed courses and syllabus as modified by the suggestions of the esteemed members may be sent to the University for placing it before the

Academic Council for approval.

and the meeting ended at 12.50 pm

Prof. K.C. Sunny,

Dr. Viveesh Kumar,

Dr. Lekshmi,

Dr. Babalal Krishnan,

Dr. Bismi
Chopalakrishnan
13/ April/2018

has been submitted before the Board of Studies for consideration. Dr. Jayasankar presented the overall substance of the revised structure of LLM programme and syllabus. The revised structure and syllabus and of course work of the PhD programme was also presented. It was pointed out that the Department of Law may offer courses out of seven specialisation w.e.f admissions of 2020-21. Constitutional Law and Criminal Law courses are kept for 2020-2021 admission with revised syllabus.

Item No. 1 : Revision of programme structure and syllabus of LLM

Remarks of the Members :

1) Dr. K.C. Sunny, vice chancellor, NUALS Kochi

Prof (Dr.) K.C. Sunny, has appreciated the revised syllabus and programme structure of LLM and expressed his approval with satisfaction. He has endorsed the fact that the revised syllabus and programme structure are drafted in the format accepted by the university.

Dr. K.C. Sunny has observed that there is no fundamental changes in subject. He has suggested that a detailed course plan will have to be made in the beginning of the semester for each papers. He has approved the revised syllabus and programme structure of PhD course work also.

2) Prof (Dr.) David Ambrase, former Head of the Department, Department of Law, University of Madras.

Prof (Dr.) David Ambrase in his remarks congratulated

tulated the drafting committee for revising the syllabus absorbing current trends in the subject. He has appreciated the role played by Dr. Jayasankar K.I and Dr. Gireesh Kumar in the responsibilities of Head of the department. He said that their contributions to Board of studies should be recorded with appreciation and approval. Prof (Dr.) David Ambrose opined that it would be advisable to approve the scheme and structure but syllabus approval is restricted to specialisation in constitutional law and criminal law.

(3) Dr. Balakrishnan K and Lekshmi G.R

Dr. Balakrishnan K and Dr. Lekshmi G.R explored the scope of electives that may be offered to the students of the 2020-21 admission.

* Resolution

The Board of studies resolved to unanimously approve the revised structure and syllabus for the LLM programme. The Board of studies also unanimously approves the content in the schedule of courses mentioned in part E and for the admissions of 2020-21 since the Department would be offering specialisation in constitutional and criminal law for the 2020-21 admissions.

The approved scheme and structure of the LLM Programme is appended as

Annexure - A

The approved syllabus of LLM programme is appended as

Annexure - B

The relevant extract highlighting the changes brought



Central University of Kerala

DEPARTMENT OF LAW

B S N L Arcade

Thiruvalla, Kerala 689101

Telephone Number: 0469 2638130

Meeting of the Board of Studies in Law is held on 13-04-2018 at the Dept. of Law, Central University of Kerala, Thiruvalla Campus at 11.00 am.

Present

1. Prof. K.C Sunny- Professor and Dean , Department of Law, CUK (Chairman) -
2. Dr. Gireesh Kumar .J – Asst: Prof: HoD(i/c), Dept. of Law, CUK. (Member)
3. Dr. David Ambrose - (Member)
4. Dr. Balakrishnan K - (Member)
5. Dr. Lakshmi G.R - (Member)
6. Dr Bismi Gopalakrishnan

Dr. David Ambrose intimated his inconvenience and meeting was held in his absence.

Agenda of the meeting

1. Preparation and approval of regulations, course structure and syllabus of P.G Diploma in laws (NRI) proposed to be introduced in the 2018-19 academic session. (Appendix-2)
2. Revision and introduction of new courses and approval of syllabus for LLM Curriculum from 2018 June session onwards. (Appendix-1)
3. Any other item with the permission of the chair.

Deliberations

AGENDA 1

Prof. K.C Sunny has welcomed all the members and briefed the agenda items to the house.

Dr. Gireesh Kumar J has detailed the first agenda item, i.e. preparation and approval of course structure and syllabus of PG Diploma in Laws (NRI Laws) with the following explanations.

Course title- Post Graduate Diploma Programme- One Year Post Graduate Diploma in Law PGDI NRI Laws

Academic Year- 2018-19

Eligibility for Admission- Any Degree

Intake- 40

Course Structure- Two Semesters having 26 credits with 5 papers

Name of the paper	Semester
Paper 1- Introduction to Legal Process	FIRST SEMESTER
Paper2- Introduction to NRI Laws	
Paper 3- Immigration Laws	

Paper 4 – NRI and Family Laws	SECOND SEMESTER
Paper5- Laws relating to NRI Investment	
Paper 6- Project Work	

The house has approved the rules, course structure and syllabus of the above PG Diploma and resolved to place it before the Academic Council.

AGENDA 2

Prof. K.C Sunny briefed the house about the agenda item 2, i.e. revision and introduction of new courses and approval of syllabus for LL.M curriculum from 2018 June session onwards.

Courses to be introduced to the LL.M curriculum from 2018 June session onwards

Name of the Course	Papers to be approved	Semester
Intellectual Property Rights	General Principles of Intellectual Property	First
	Law of Copy Rights, Industrial Design and Layout Design of Integrated Circuit	Second
	Law of Patents with Law on Protection of Bio Diversity, Farmers Rights and Traditional Knowledge	Third
	Law of Trademarks	Third
Constitutional Law	Constitution and Governance	Third
	Centre State Relations	Third
Criminal Law	Jurisprudence of Punishment	Third
	Crime Against Women and Children	Third

Dr. Bismi Gopalakrishnan has suggested some modifications in the syllabus Centre State Relations and Intellectual Property Rights.

Dr. Lakshmi G R pointed out that since a course on IPR is introduced for the first time in the Department, it shall be made a bit lighter.

Prof.K.C. Sunny has suggested inclusion of Geographical Indication also within the components of Traditional Knowledge and IPR.

Dr. Bismi has pointed out the need for the inclusion of emerging rights in IPR also along with the area of Trademark

Dr Gireesh Kumar highlighted the importance of the detailed analysis of judicial decision within and beyond the prepared syllabus of the courses mentioned above particularly in the course on Centre State Relations to make the students more familiar with the judicial perspective.

Dr. Lekshmi made a suggestion for including topics such as Prostitution and Child Pornography as crimes under Unit 2 and 3 respectively for the course Crime against Women and Children.

Dr. Bismi suggested for including Feminist Jurisprudence and concept of gender Justice in Unit 1 of the Course Crime against women and children. She has also pointed out that topics such as assertion of rights of women in India by looking into its development from ancient period to Pre and Post independence era should also be included under Unit 1 of the said course.

Dr. Bismi made another suggestion regarding the inclusion of the topics such as PNDT, Female foeticide and infanticide under Unit2. An additional suggestion has also made by her regarding the inclusion of the topics such as sensitization regarding crimes against women- Role of Universities, UGC, other educational institutions and NGOs

Resolutions

The syllabus of the new courses to be introduced in the LL.M curriculum has been prepared and submitted by the faculty members as follows.

1. Constitution And Governance-Dr.K.C.Sunny
2. Centre State Relations –Dr.Gireesh Kumar .J
3. Jurisprudence of Punishment-Dr.Jayasankar.K.I
4. Crime against Women and Children-Dr.Meera .S
5. General Principles of Intellectual Property-Mrs.Aathira Raju

The above courses and syllabus are discussed in detail in the meeting and approved with modifications by the members

The house has also approved the syllabus and course plan of proposed PGDL to be introduced as above with modifications and suggestions put forward by the Board of Studies. Further, the house resolved that the proposed courses and syllabus as modified by the suggestions of the esteemed members may be sent to the University for placing it before the Academic Council for approval.

The meeting ended at 12.30 pm

Prof. K.C Sunny

Dr Gireesh Kumar J

Dr. Lakshmi G.R

Dr Balakrishnan K

Dr Bismi Gopalakrishnan

Appendix-1

Syllabus of Two Courses in Constitutional Law

Title: Centre State Relations

This course aims at giving the students an insight into the federal features of the Constitution of India and focuses on the Legislative, Administrative and Financial relations between the Centre and the States, Role of the Governor and Impact of Emergency on Centre state Relations

Unit-1. General Features

- 1.1. Historical evolution of federal features in India
- 1.2. Nature of Indian Federalism –Dominant features of the Union over the States
- 1.3. Judicial Perspective over the Indian federalism
- 1.4. Position of the Governor
- 1.4. All India Services

Unit-2. Legislative Relations

- 1.1. Doctrine of Territorial Nexus
- 2.2. Scheme of distribution of legislative powers between Union and States
- 2.3. Principles of interpretation of lists- Doctrine of Pith and Substance; Doctrine of Colorable Legislation; Doctrine of harmonious construction; Ancillary legislation
- 2.4. Residuary Powers
- 2.5. Parliament's power to legislate on the State List
- 2.6. Inconsistency between laws passed by Parliament and State legislature

Unit-3. Administrative Relations

- 3.1. Distribution of executive powers
- 3.2. Inter-governmental delegation of powers
- 3.3. Centre's directive to State & other Constitutional provisions
- 3.4. All India services
- 3.5. Co-operative federalism; disputes relating to waters, Inter-State Council

Unit-4. Financial Relations

- 4.1. Introduction to Allocation of taxing powers-Central taxes, State Taxes, Concurrent Taxes, No tax outside the tax entries
- 4.2. Funds-Consolidated and Contingency funds
- 4.3. Public Accounts
- 4.4. Tax and Fees
- 4.5. Restrictions on taxing powers
- 4.6. Inter-Government Tax immunities
- 4.7. Tax-sharing
- 4.8. Grants-Grants-in-lieu; Grants-in-aids; Specific Purpose Grants
- 4.9. Finance Commissions
- 4.10. Borrowing Powers

Unit V- Emergency Provisions

- 5.1. National Emergency
- 5.2. State Emergency

5.3. Financial Emergency

5.4. Imposition of President Rule In States

Text Books And Reference Books

1. A.G. Noorani, (ed.), Centre State Relations in India, Bombay: Lesley Saehney Programme for Training, 1972.
2. Ashok Chandra, Federalism in India.
3. De Jatindra Ranjan, Development of Federalism in India, Gauhati :Bani Prakashani, 1974.
4. Desai, Justice D.A. Prasad Anirudh, Centre And State Powers Under Indian Federalism.
5. Dr. Subhash C. Kashyap, The Framing of India's Constitution- A study & Constitution making since 1950- An Overview.
6. Dr. Subhash C. Kashyap, Constitution of India: Review and Reassessment.
7. Dr. Subhash C. Kashyap, Indian Constitution-Conflicts and Controversies.
8. Dr. Subhash C. Kashyap, Commentary on Constitution of India.
9. Dr. Subhash C. Kashyap, Our Constitution-An Introduction to India's Constitution and Constitutional Law, 5th edition reprint 2014.
10. G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
11. Glanville Austin, The Indian Constitution: Cornerstone of a nation, Delhi; Oxford University Press.
12. H.M. Seervai, Constitutional Law of India – Vol.I&II.
13. K.C. Wheare, Federal Government.
14. K.P. Krishna Shetty, the Law of Union-State Relations and Indian Federalism.
15. K. Subba Rao, the Indian Federation.
16. Kabbur, A.S. Centre-State Relations in India, New Delhi: Trust Books, 2004.
17. Keith A.B. , Constitutional History of India.
18. L.M Singhvi, Union-State Relations in India.
19. M.P Jain, Outlines of Indian Legal History.
20. M.P. Jain, Indian Constitutional Law.
21. M.V Pylee, Constitutional History of India.
22. Monica David, Indian Legal and Constitutional History, 1600-1949, Vimala Publications, 1968. New Delhi: Deep & Deep Publications, 1981.
23. Seetalvad's Lectures on Constitutional law.
24. Setalvad M.C, Constitutional History of India.
25. Shubh Narayan Singh, Centre state relations in India: major irritants & post-Sarkaria review.
26. Subba Rao G C V Indian Constitutional law.
27. Subbarao's Lectures on Constitutional law.
28. Telang's Lectures on Constitutional Law.
29. Tope T K ,Constitutional law of India by Justice Sujata Manohar, Eastern book company.
30. V.D. Sebastian, Indian Federalism: the Legislative Conflict.

Title Constitution and Governance

This course aims at giving the students an insight into the forms of government and basic principles governing organisation of government. The course focuses on the organisation of

legislature, executive and judiciary, judicial review and electoral reforms and decentralisation.

Unit I- Basic Principles of Organisation of Government and Forms of Government

- 1.1 Presidential and Parliamentary forms of Government
- 1.2 Government under the U.S. Constitution
- 1.3 Basic principles underlying Government in France
- 1.4 Nature of Government in U.K.
- 1.5 Comparative and differentiating features of governance in India, U.K., U.S.A. and France.
- 1.6. Rule of Law and Governance
- 1.7 .Separation of Powers

Unit II-Organisation of the Legislature and the Executive

- 2.1 Organization of Legislature
- 2.2 Nature of Legislative Process
- 2.3 Extent of Executive Powers
- 2.4 Emergency powers
- 2.5 Relation between Legislative and Executive powers

Unit III- Judiciary System

- 3.1. Organization of the judiciary
- 3.2. Independence and accountability of Judiciary
- 3.3. Appointment of and Removal Judges and Enquiry against Judges
- 3.4. Creative role of Judiciary
- 3.5 Evolution and functioning of Tribunals

Unit IV- Judicial Review

- 4.1. Significance of Judicial Review
- 4.2. Judicial Review of Legislation and Delegated Legislation
- 4.3. Judicial Review of administrative action
- 4.4. Judicial Review of Constitutional Amendments
- 4.5 .Parliamentary Privileges ,Fundamental Rights and Judicial Review

Unit V- Electoral Process and Democratic decentralization

- 5.1. Relevance of elections in Democracy
- 5.2. Constitutional Provisions Relating to Elections
- 5.3. Measures to prevent defection
- 5.4 .Concept of democratic Decentralisation
- 5.5.Constitution and Local Governance

Text Books and Reference Books

1. A.V.Dicey, Introduction to the Study of Constitution.
2. Brandt, E.M.; An Introduction to Constitutional Law ; Oxford University Press.
3. Bernard Schwartz Commentāry on American Constitution.
4. BhagwanVishnoo, BhushanVidya, World Constitutions.
5. Cane, Peter; Administrative Law ; Oxford University Press.
6. Dauglus W.O, Studies in Indian and American Constitutional Law.

7. Finer, S.E.; Comparative Government ; Penguin Books.
8. Godfrey and Blondel, The French Constitution and Government.
9. Jain, M.P.; Indian Constitutional Law ; LexisNexis.
10. K.C.Wheare, Modern Constitutions.
11. Loughlin, Martin; The Idea of Public Law; Oxford University Press
12. Mason and Beany, American Constitutional law.
13. Rodney Brazier, Constitutional Practice.
14. Rotunda and Nowak, Treatise on American Constitution.
15. Singh, M. P.; V.N Shukla's Constitution of India; Eastern Book Company.
16. Tom Ginsburg, Rosalind Dixon, Comparative Constitutional Law.
17. H.M. Seervai, Constitutional Law of India (Fourth Edition, NM. Tripathi).
18. Vicki C. Jackson, Mark V. HYPERLINK
["http://www.google.co.in/search?tbo=p&tbm=bks&q=inauthor:%22Mark+V.+Tushnet%22"](http://www.google.co.in/search?tbo=p&tbm=bks&q=inauthor:%22Mark+V.+Tushnet%22)Tushnet, Comparative Constitutional Law.

Titles of Courses in Intellectual Property Rights

Course I- Introduction to Intellectual Property Rights

Course II- Law of Copyright, Industrial Design and Layout Design of Integrated Circuit

Course III- Law relating to Patents, Geographical Indications, Traditional Knowledge and Plant Varieties

Course IV: Law of Trademarks and other emerging Intellectual Property Rights

This course intends to give students an insight into various aspects of intellectual property rights thereby enabling them to have a thorough understanding of this emerging area

Syllabus of Courses I and II

Course I- Introduction to IP

1. Introduction to Intellectual Property - Concept of Intellectual Property - Origins and development of intellectual property rights- nature, need and importance of the concept of IP-Contextualizing IP- Kinds of Intellectual Property - Economic justification of Intellectual Property- Philosophical Justification of Intellectual Property - Locke's Labour Theory of Property - Hegel's Personality Theory of Property - Marxian Theory on Private Property and IP – Indian/ Gandhian Theory on Private Property - Constitutional Aspects of Property - Constitutional dimensions of IP- comparative study of IP with traditional notion of property
2. Concept, of patent, copyright, Trademark, Design, Semiconductor and Geographical Indication, TK - scope – Standards and Rights-
3. Historical development of IP- Patent, Copyright, Design, Trademark, GI , TK, Semiconductor chips- Historical development of International Treaties, International Scenario Introduction to the leading international instruments concerning intellectual property rights: Convention establishing the World Intellectual Property Organization (WIPO) 1967-WTO Agreement on the Trade Related Aspects of Intellectual Property (TRIPS) 1994-The Uruguay Round-

- Implementation and Review- Practical implications of the TRIPS Agreement- Paris Convention for the Protection of Industrial Property 1883
4. Patent Cooperation Treaty (PCT)1970-Hague Agreement Concerning the International Deposit of Industrial Designs1925- Madrid Agreement Concerning the International Registration of Marks1891- Trade Mark Law Treaty 1994- Madrid and Lisbon Agreement on Geographical Indications-Berne Convention for the Protection of Literary and Artistic Works 1886-WIPO Copyright Treaty 1996- International Convention for the Protection of New Varieties of Plants 1961
 5. Economic Development and IPR Protection- Globalisation and Indian Economy, TRIPS and India - IPR Policy of India- The Guiding Principles of Rational and Humane Intellectual Property Policy

Suggested readings

- Alexandra George, Constructing Intellectual Property (Cambridge University Press 2012).
- Alfredo Ilardi And Michael Blakeney-International Encyclopaedia Of IpTreaties(Oxford University Press., 2004)
- Annabelle Lever, New Frontiers In The Philosophy Of Intellectual Property (Cambridge University Press 2013)
- ButterworthsWadhwa, (2005)
- Copinger&Skone James on Copyright, Sweet & Maxwell, (latest edition)
- Douglas A. Irwin, The Genesis Of GATT. (Cambridge University Press 2012)
- G.W.F. Hegel, The Philosophy of Rights, Cosimo Inc., (2008)
- HolgerHesterneyer, Human Rights And The Wto(Oxford University Press,2008)
- John Locke, Two Treatises on Government, Industrial Systems Research, (1970)
- Karl Marx – Private Property and Communism, Hackett Publishing CO., (1844); Wage, Labour
- Kerly's Law of Trademarks and Trade Names, Sweet & Maxwell, (latest edition)
- Latha R. Nair and Rajendra Kumar, Geographical Indications: A Search for Identity,
- Laura J Murray, S. Tina Piper, Kristy Robertson, Putting Intellectual Property In Its Place: Rights Discourses, Creative Labor, And The Everyday (Oxford University Press, 2014)
- M.K.Gandhi, Village Swaraj; Trusteeship, Navajivan Publishing house
- Manthan D Janodia, Basic concepts of Intellectual Property Rights
- Mario Cimoli, Giovanni Dosi, Et.Al, Intellectual Property Rights (Oxford University Press, 2014)
- Matthew Fisher, Fundamentals Of Patent Law- Interpretation And Scope Of Protection (Hart Publishing Company 2010)
- N.S Gopalakrishnan& T.G Ajitha, Principles of Intellectual Property Rights, Eastern Book Co.
- Paul.L.C.Torremans, IpAnd Human Rights (Wolters Kluwer 2008)
- Penner, The Idea of Property in Law, Clarendon Press, Oxford (1997)
- PrabuddhaGanguli, Geographical Indicators, its Evolving Contours, MVIRDC, World Trade Centre, Mumbai, (2009)
- R.S. Bhalla, The Institution of Property : Legally, Historically and Philosophically Regarded,Eastern Book Co., (1984)
- Rajshree Chandra, Knowledge As Property (Oxford University Press, 2012).
- Robert P.Mergers, Justifying Intellectual Property (Harvard University Press) (2011)

Silke von Lewinski (ed.) *Indigenous Heritage and Intellectual Property: Genetic Resources, Traditional Knowledge and Folklore*, Kluwer International, (2008)
Terrel on Patents, Sweet & Maxwell (latest edition)
William R. Cornish, *IP In The New Millennium* (Cambridge University Press., 2005)

Course II- Law of Copyright, Industrial Design and Layout Design of Integrated Circuit

1. Copyright – Introduction to Copyright- International Treaties and Conventions- Fundamentals of Copyright- Subject matter and ownership of copyright – India, UK and USA – comparative perspective – classes of work – Author – ownership in the course of employment – terms of copyright – copyright and public interest- exceptions- idea/expression dichotomy- copyright as a bundle of rights – Exclusive Rights– Ownership of Copyright and Rights of the Owner- Term of Copyright - Assignment, Transmissions and Licensing of Rights.- Copyright Registration – Copyright Register- Copyright Bodies –Registration Of Copyright Societies-Rights And Liabilities- International Copyright- Power To Extend Copyright To Foreign Works- Powers Of Central Government.
2. Infringement and Remedies-Offences, Civil Remedies and Appeals- Limitations on Copyright – Permitted Usages – Fair Dealing – Compulsory Licenses- Statutory Exceptions. Copyright in Software and Database- Digital Copyright- Infringement of Copyright and Remedies- Challenges in the context digital technology,
3. Copyright And Design – Registrable Design – What Is Not Design – Register Of Design – Publication – Transmission, Licensing And Assignment – Infringement Of Copyright On Designs – Remedies –The Semi Conductor Integral Circuits Layout Design Act, 2000
4. Conflict between copyright and design- Trademark –distinctiveness (relevance of confusion and deception) – Excluded items- Rights- Term– Trademark dilution- overlapping intellectual property rights.

Suggested Readings

Alka Chawla, *Copyright and Related Rights : National and International Perspectives* (Macmillan India Ltd., Delhi, 2007).
Bently, Davis And Ginsburg, *Copyright And Privacy* (Cambridge University Press, 2010)
Caso, Giovanella, *Balancing Copyright Law In The Digital Age* (Springer, 2014)
Copinger And Skone James *On Copyright* (Sweet And Maxwell, 2013)
Gillian Davies, *Copyright Anf The Public Interest, International Copyright And Access To Knowledge* (2nd Ed. Sweet And Maxwell, 2002)
Goldstein, Hugenholtz, *International Copyright* (3rd Ed. Oxford University Press 2012)
Holyoak&Torreman, *Intellectual Property Law* , Oxford University Press, New York, 2010
Isabella Alexander, 'Copyright Law And The Public Interest In The Nineteenth Century' (Hart Pubishing Ltd, 2010)
J.A.L. Sterling, *World Copyright Law* (Sweet & Maxwell, London, 2009).

Jane C Ginsburg, Eduardo Treppoz, International Copyright Law, Text And Cases (Edward Elgar Publishing, 2015)

Jeremy Philips and Alison Firth, Introduction to Intellectual Property Law, LexisNexis, Butterworths, UK, 2001

Mira T. SundaraRanjan, Moral Rights, Oxford University Press, New Delhi, 2011

Nimmer On Copyright, Indian Reprint (Lexis Nexis2014)

Richard Arnold, Performers' Rights, Sweet & Maxwell, London, 2004

SrikanthVenkataraman, Understanding Design Law,(Universal Law Publishing Co. Pvt. Ltd, New Delhi, 2008

V K Ahuja, Law Of Copyright And Neighbouring Rights (Lexis Nexis, 2015)

W. R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights,Universal Law Publishing Co. Pvt. Ltd, Delhi, 1999.

Unit II: Violence against Women and Children

Individual responsibility of Women-Rape and Murder-Was Child rape and Women and Domestic Violence- Sexual Harassment at Work Place-Honour Killing-Child Abuse-Kidnapping in India and their Children-Violence relating to Dowry

Unit III- Issues relating to Children

Definition and Meaning of Child-Child Abuse-Child Labour-Child Marriage-Child Sexual Offences-Child in Distress-Child mapping and Child trafficking-Child Child Victims of Crime

Unit IV- Juvenile Delinquency

Definition and Meaning- Causes and Conditions- Types of delinquency- Child Labour- Juvenile delinquency and Juvenile Delinquency- Offences by delinquents- Role of police in Juvenile Justice- Law on Juvenile Justice and Administration of the law- Juvenile Justice Board

Unit V- International Arrangements

Universal Periodic Review (UPR)-Universal Periodic Review- Convention on International Child's Rights

CRIME AGAINST WOMEN AND CHILDREN

This course helps to understand the various issues faced by women and children in the society. The alarming rate in crime against women and children reminds more concentration on this subject with due care.

This course requires five hours per week in the semester. Transactions are through lecture assignments, classroom seminars, special lectures by outside experts, classroom discussion and tutorials. End semester examination is written examination of three hours duration.

Unit I- History of Women in India

Ancient Period- Women's Movement- Freedom Movement —Post Colonial Period- Crime against women as an impediment to Women's empowerment- Crime against women as an impediment to Development of a Nation- Origin and Development of theories of Feminism

Unit II- Violence against Women and Children

Indecent representation of Women- Rape and Murder-War Crime against Women and children Domestic Violence- Sexual harassment in Work Place-Honor Killing-Cyber Bullying-Acid Attack-Mothers in Prison and their Children- Violence relating to Dowry

Unit III- Issues Relating to Children

Definition and Meaning of Child -Child Abuse-Child Labour- Child begging-Child in War and Armed conflicts- Child in Disaster-Child missing and Child trafficking- Girl Child- Child victims of Cyber Crimes

Unit IV- Juvenile Delinquency

Definition and Meaning- Causes and Conditions-Theories of delinquency and Crime-Difference between crime and Juvenile Delinquency- Offences by delinquents- Role of police, Probation officers, NGO's, Lawyers, Media- Judiciary and determination of the term 'Juvenile'- Bail-Special Home-Juvenile Justice Board

Unit V- Institutional Arrangements

National Human Rights Commissions-Women's Commission -National Commissions for the Protection of Child's Rights

Suggested Readings

Desai, Neera and Maithrey Krishnaraj Women and Society in India: Ajantha, (1987)

Women in Contemporary India (Ed) Alfred De Souza, Ajantha (1987)

Women's Studies in India: A reader (Ed.) Mary John Penguin publications, New Delhi, 2008

Savitha Bhakray, Children in India and their Rights (NHRC publication, 2006)

- Rosemary Tong, Feminist Thought – A Comprehensive Introduction Routledge; 4th edition (July 30, 2013)

Valerie Bryson Feminist Political Theory: An Introduction, Palgrave Macmillan; 2nd edition (September 6, 2003)

K.D Gaur, The Indian Penal Code, Universal Law Publishing (2009)

M.webb, Our Stories of Domestic Abuse, Magical moon (2002)

Mary L. Boland , Crime Victim's Guide to Justice (Self-Help Law Kit With Forms) Paperback – October 1, 1997 (Sourcebooks Inc, 1997)

Vera Anderson , A Woman Like You: The Face of Domestic Violence, Seal Press (1997)

Linda Fairstein Sexual Violence: Our War Against Rape, Berkley Books (1995)

Elaine Cassel and Douglas A. Bernstein Criminal Behavior Second Edition Lawrence Erlbaum Associates, London (2007)

Clayton A. Hartjen , Youth, Crime, and Justice: A Global Inquiry Rutgers University Press (2008)

Justice for Kids: Keeping Kids out of the Juvenile Justice System By Nancy E. Dowd New York University Press, 2011

Criminal Law Course

LLM- Third Semester

Paper IV Jurisprudence of Punishment(4 Credits)

Objective of the course: This course offers an exclusive understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications. It includes the areas on the problematic discretion in the sentencing experience- of the developing societies, a focus normally absent in law curricula so far. This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

Unit 1:

Concept of punishment – Origin of Punishment-Rationale of punishment-Need for punishment- Justification of Punishment- Authority of State to impose punishment- Imposition of Punishment by sovereign State and International Criminal Court- Punishment under common law and continental system

Unit 2

Jurisprudential Issues and Theories of Punishment-Transcendentalists' versus Utilitarians - Kelsonites versus Benthamites - Retribution - Limiting Retributivists - Rule Retributivists - Deterrence-General Deterrence and Specific Deterrence -Incapacitation: Behavior Prevention -Reformation and Rehabilitation-Traditional Hindu and Islamic Approaches- Expiation and Atonement-Western Ideas of Restorative Justice

Unit 3

Different forms of punishment-Corporal and Non-corporal Punishment- Death Penalty - Trend of Abolition world over -Retentionist Countries use it as a 'rarest of rare' sentence - Death Penalty and Judicial approaches -Imprisonment-Solitary Confinement

Unit 4:

Legislative and Judicial Regulation of Punishment -Right to Pre-sentence hearing –Limited Legislative Guidance on Sentencing -Maximum provided for a majority of offences- For few offences minimum also provided- Sentencing policy-Role of judges- Sentencing accords a wide discretion to judiciary without any kind of guidelines – Sentencing disparity – Subjective, judge-centric sentencing-Simple Imprisonment, rigorous imprisonment and life imprisonment -

Unit 5:

Prison as an Agency of Punishment -Prison as a system- History and evolution of Indian Prisons -Prisoners rights and duties -Prison Reforms – Various kinds of Prisons - open prisons-Prison Labour-Contribution of Judiciary in prison reforms

Unit6:

Special Forms of Punishment/Sentencing- Probation-Probation under the Probation of Offenders Act 1958- Sections 3,4,6 &12- Probation under Cr.P.C.- Sections 360, 361, 256E(a) & (b)-Probation and Judicial Process

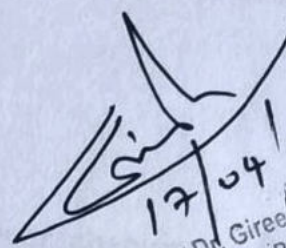
Suggested Readings

- Michael Tonry, *The Handbook of Crime and Punishment*, Oxford University Press; Oxford (2000)
- Franklin E. Zimring, *The Contradictions of American Capital Punishment: Studies in Crime and Public Policy*, Oxford University Press, Oxford (2003)
- Andrew Ashworth, Martin Wasik, *Fundamentals of Sentencing Theory: Essays in Honour of Andrew von Hirsch-Oxford Monographs on Criminal Law and Justice*, Oxford University Press, Oxford (1998)
- Matt Matravers, *Justice and Punishment: The Rationale of Coercion*, Oxford University Press, Oxford (2000)
- R.A. Duff, Lindsay Farmer, *The Constitution of the Criminal Law*, Oxford University Press, Oxford (2013)
- Rowan Cruft, Matthew H. Kramer *Crime, Punishment, and Responsibility: The Jurisprudence of Antony Duff*, Oxford University Press, Oxford (2011)
- R.A. Duff, Lindsay Farmer, *The Structures of the Criminal Law*, Oxford University Press, Oxford (2011)
- Douglas Thomson, *Prisons, Prisoners and Parole*, 2nd Edition, W. Green, London (2013)
- Philip Whitehead, *Modernising Probation & Criminal Justice*, Sweet & Maxwell, London (2007)
- Robert Banks, *Banks on Sentence*, Sweet & Maxwell, London (2013)
- John Deigh, David Dolinko, *The Oxford Handbook of Philosophy of Criminal Law*, Oxford University Press, Oxford (2011)
- Steven P. Lab, Marian Williams, *Explaining Criminal Justice*, Oxford University Press, Oxford (2007)
- H.L.A. Hart, John Gardner, *Punishment and Responsibility: Essays in the Philosophy of Law*, 2 nd edn, Oxford University Press, Oxford (2008)
- Neil Corre, David Wolchover, *Bail in Criminal Proceedings*, 3 rd edn, Oxford University Press, Oxford (2004)
- Hugo Adam Bedau, *The Death Penalty in America: Current Controversies*, Oxford University Press, Oxford (1998)
- Mike Maguire, Rod Morgan, Robert Reiner, *The Oxford Handbook of Criminology*, 5 th edn, Oxford University Press, Oxford (2012)
- Herbert L. Packer, *The Limits of Criminal Sanction*, 1968.
- S. Chhabbra, *The Quantum of Punishment in Criminal Law*, 1970.
- Siddique, *Criminology*, Eastern: Lucknow, 1984.

Andrew Ashworth, *The Sentencing Function*, OUP (2010)

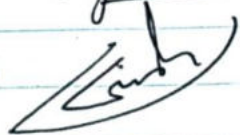




Nigel walker, *Sentencing-Theory and Practice*, Butterworths London, 1996

Nigel walker, *Sentencing in a Rational Society*, 1972 Mehraj Uddin, *Crime and Criminal Justice System in India*, 1984



17/04/2018
डॉ. गिरीश कुमार .जे / Dr. Gireesh Kumar J.
सहायक आचार्य / Assistant Professor &
विभागाध्यक्ष / Head of the Department (IIC)
प्रिंसिपल विभाग / Department of Law
केरल केन्द्रीय विश्वविद्यालय / Central University of Kerala
तिरुवल्ला पोम्पर / Thiruvalla Campus - 629 101

Meeting of the Board of Studies in Law is held on 08/10/2016 at the Department of Law UK, Tiruvalla campus. at 11 AM

Present	Signature	Signature
1. Dr. Gireesh Kumar (HOD)	Chairman	
2. Dr. Jayasankar. K.I (Dean) (member)		
3. Dr. David Ambrose (member)		
4. Dr. Balakrishnan. K (member)		
5. Dr. Lekshmi G. R. (member)		

Dr. K.C. Sunny intimated his inconvenience and the meeting was held in his absence.

Agenda of the meeting

1. Revision of LL.M Syllabus - Introduction of Case Study Method into syllabus.

2.1. Revision of LL.M Students - Half the modules of LL.M core as well as optional subjects courses should consist of landmark cases to equip the students with judicial reasoning "wherever necessary & proper"

2.2. Introduction of ~~Introduction~~ of Dr. Lakshmi suggested to conduct ^{weekly} seminars to each students on relevant topics carrying credits within the assessment.

- Course plans should be submitted by the faculty

4. Question paper setter needs teaching plan.
Do. Jayashanker Sir has suggested that law law discussion for LL.M can be part of teaching method to be chosen by the faculty members according to the suitability of their subjects.
2. Preparation of proposal and curriculum for LL.B course.

The ^{Bos} ~~house~~ has suggested that can be a recommendation for commencing three/^{five} year LL.B once the infrastructural facilities and other resources will be ready in the dept. This recommendation will be submitted to the uij for policy decision at appropriate level and liaison with bodies such as bar council of India for the approval and ~~to~~ Sanction of the course. Do. Girish Kumar J has suggested that for such a LL.B course in future case study method may be the appropriate methodology. Do. Jayashanker has mentioned ^{the introduction of LL.B course} this could be a recommendation only.

3. Inclusion of New courses - Deletion of old courses

Introduction of new courses new specializations
Do. David Ambrose has suggested that along with the compulsory papers the 1st specialization can be permanently either P.L.S. or Adm. law & the 2nd specialization can be rotated b/w the available specializations namely commercial law & criminal law or the newly introduced labour law or env: law. depending on the availability of resources and faculty members.
Do. Balakrishnan has suggested that faculty members also shall deal with alternate courses

1. Propose to Structure

(a) Compulsory papers	24 Credits
(b) Constitutional law	16 Credits
(c) Adm: law	16 Credits
(d) Environmental law	16 Credits
(e) Labour law	16 Credits
(f) Criminal law	16 Credits
(g) Commercial law	16 Credits
(h) Public Inter: Law	16 Credits
(i) Health care Law	16 Credits

The BOS - has suggested for appointment of sufficient teaching faculty and procurement of materials and resources.

Dr. Batakishnan has suggested to revise the syllabus with E.P.A.C.T., E.Waste, Intergenerational Equity

Dr. Ambrose has suggested to revise Vedic period (Indira Gandhi's period)

Resolution of the Board of Studies

The BOS meeting ended at: 1:30 pm

1) Agenda - I: - Revision of LL.M syllabus, inclusion of case laws in to the modules of courses.

The House^{BOS} has dismissed the agenda and approved with suggestions as mentioned above.

2) Agenda - II: - Preparation of proposal and curriculars for LL.B course.

The House^{BOS} has dismissed the agenda and suggested to put forward a recommendation to CUK.

3) Agenda - III: - Introduction of New Courses - The House^{BOS} deliberated the agenda and approved the same^{draft syllabus} with modifications annexed.

Dr. Gireesh Kumar J., Dr. Jayasankar K. I., Dr. David Ambrose, Dr. Batakishnan, Dr. Lekshmi



केरल केंद्रीय विश्वविद्यालय
Central University of Kerala
DEPARTMENT OF LAW
B S N L Arcade
Thiruvalla, Kerala 689101
Telephone Number: 0469 2638130

Meeting of the Board of Studies in Law is held on 08-12-2016 at the Dept. of Law, Central University of Kerala, Thiruvalla Campus at 11.00 am.

Present

1. Dr. Gireesh Kumar .J - Asst: Prof: HoD, Dept. of Law, CUK. (Chairman)
2. Dr. Jayasankar K.I - Asst: Prof: and Dean, Dept. of Law, CUK. (Member)
3. Dr. David Ambrose - (Member)
4. Dr. Balakrishnan K - (Member)
5. Dr. Lakshmi G.R - (Member)

Dr. K.C Sunny initiated his inconvenience and meeting was held in his absence.

Agenda of the meeting

1. Revision of LLM syllabus- introduction of case study law in to syllabus.

Revision of LLM students- half the Modules of LLM case as well as optional subjects' courses should consists of landmark case laws to equip the students with judicial reasoning "where ever necessary and proper"

The BOS meeting suggested conducting weekly seminars to each student on relevant topics learning credits within the assignment. Course plan should be submitted by the Faculty. Question paper setter needs teaching plan.

The BOS meeting suggested that case law discussion for LLM can be part of the teaching method to be chosen by the Faculty members according to the suitability of their subjects.

2. Preparation of proposal and curriculum for LLB Course.

The BOS has suggested there can be a recommendation for commencing three/five Year LLB once the infrastructural facilities and other resources will be ready in the Department. This recommendation will be submitted to

the University for Policy Decision at appropriate level and liaison with bodies such as bar council of India for the approval and sanction of the Course.

The BOS meeting suggested that for such on LLB Course in future case study method may be the appropriate methodology.

The BOS meeting mentioned that introduction of LLB Course could be a recommendation only.

3. Inclusion of New Courses- Deletion of Old Courses

Introduction of new courses now specialization the BOS meeting suggested that along with the compulsory papers the first specialization can be permanently other D Cons: Or Admin: Law & the second specialization can be rotated between the available specialization namely Commercial Law & Criminal Law or newly introduced Labour Law and Environmental Law depending on the availability of resources and faculty members.

The BOS has suggested that faculty members also shall deal with alternate Courses.

Propose to Structure

(a) Compulsory papers	24 Credits
(b) Constitutional Law	16 Credits
(c) Administrative Law	16 Credits
(d) Environmental Law	16 Credits
(e) Labour Law	16 Credits
(f) Criminal Law	16 Credits
(g) Commercial Law	16 Credits
(h) Public International Law	16 Credits
(i) Health care Law	16 Credits

The BOS has suggested for appointment of sufficient teaching faculty and procurement of materials and resource. The BOS has suggested revising the syllabus with EPA act, E-waste, Intergeneration Equity.

The BOS has suggested revising Vedic Period (Indira Gandhi's Period)

Proposed Course content and Syllabus of Environmental Law

ENVIRONMENTAL LAW

Objectives of the course

The concept of environment law is not new and hereby embedded even in ancient ethos. Throughout the centuries there were invisible processes working for the maintenance and improvement of environment. The close of the last millennium witness many dimensions

of environmental protection strategies, there gained ground for the environmental consciousness. How do these developments stand reflected in formulation of policies and in following constitutional values in India? This is the thrust of the paper. The following syllabus prepared with perspective will comprise about nineteen units of one hour duration to be spread over a period of four semesters.

I. General Principles of Environmental Law

1. Concept of environment – Eco-Centric and Anthropocentric Approaches- Ecosystems and eco-balance
2. Environmental planning and environmental policy – Environmental education and training programme- Environmental impact Study – public participation – right to information.
3. Environment Movements in India- Constitutional perspectives – Right to Life and clean environment – Public interest litigation- Judicial Exposition on the Right to Environment- - Environmental Litigation and Conflicting Class Interests.
4. Environment Principles of Governance- Sustainable development – Concept, Problems and perspectives- Precautionary Principle- Polluter Pays Principle- Public Trust Doctrine
5. Remedies for Environmental Protection- Remedies Under Court, Common Law- Tort Law- Indian Penal Code- The Code of Criminal Procedure- Code of Civil Procedure

Suggested readings:

1. Eliot H, Blaustein *et. al.*, *Your Environment and You* (1974) Oceana
2. Darryl D' Monte *Temples or Tombs Industry versus Environment : Three Controversies* (1985)
3. Leelakrishnan P. *Et. al.* (eds) *Law and Environment* (1990)
4. World commission on Environment and Development, *Our Common Future* (1987) Oxford
5. Mohan I. *Environment and Habitat* (1989) Part III Ashish, Publishing House, New Delhi
6. Sharma S. C. *Environmental Education* (1986) Metropolitan, Delhi.
7. Indera P. Singh and S. C. Tiwari (eds.) *Man and His Environment* (1980) pp. 1-48.
8. J. Bandyopadhyay (ed.) *India's Environment Crises and Responses* (1985), Nataraj Publishers, Dehra Dun.
9. Stephen C.M. Coffery and Robery E. Lutz *Environmental Pollution and Individual Rights : An International Symposium* (1978)
10. Joseph J. Seneca & Michal K. Tanssig, *Environmental Economics* (1979) Prentico Hall, New Jersey, Ch. V
11. H. H. Singh *et. al.* (eds.) *Geography and Environment* (1986) Concept Publishing Company, New Delhi.
12. Khoshoo T.N., *Environmental Concern and Strategies* (1988) Ashish, Delhi, Chapters I, VIII and IX

13. James E. Krier, *Environmental Law & Policy* (1971), Bobbs Merrill, New York, Chapter 2
14. William H. Rodgers, *Environmental Law* (1977), west Ch., I, II and VI
15. Mohan I, *Environmental Awareness and Urban Development* (1988) Ashish Publishing House, New Delhi.
16. Indian Journal of Public Administration, Special number on Environment and Administration Vol. XXXV July September 1988 No.3
17. Thomas J. Schoerbacum, *Environmental Policy Law* (1985) Chapter I and II, The foundation press, New York.
18. Kailash Thakur- Environmental Protection Law and Policies in India(1997)
Armin Rosencranz, *Environmental Law and Policy in India* (2001)

II. International Environmental Law

1. Environmental protection and traditional International Environmental Law- Sources and Basis of International Environment Law - Trans boundary pollution Global Environmental Organizations- Environmental Summits- Stockholm and other multilateral environmental agreements
2. Ozone and Climate Change- Protection of Ozone Layer- Climate Change- The Kyoto Protocol, 1997
3. Marine environment conservation — Marine pollution and dumping - Antarctic environment – outer space
4. Disaster Management at International level –comparative analysis of legal regulations for disaster Management- Nuclear pollution
5. Trade and Environment- Right to development v. Right to Environmental issues

Suggested readings:

1. World Commission on Environment and Development, *Our Common Future* (1987), Oxford
2. British Institute of International and Comparative Law, *Selected Documents on International Environmental Law* (1975) London.
3. Irene H Vam Lier, *Acid Rain and International Law* (1981) Bunsel Environmental Consultants - Toronto.
4. R. A. Malaviya, *Environmental Pollution and its Control under the International Law* (1987) Chugh Publication, Allahabad.
5. Standing Committee on Environmental Law, American Bar Association, *Common Boundary/ Common Problems : The Environmental Consequences of Energy Production* (1982)
6. Indian Law Institute, *Mass Disasters and Multinational Liability : The Bhopal case.*(1986) Inconvenient forum and convenient catastrophe : The Bhopal Case 1986
7. International and Regional Conventions on various areas noted in the thematic break up of this paper.
8. Digvijay Singh, *The Eco-vote* (1985) Prentice Hall, New Delhi
9. Jan Schneider/ *World Public order of the Environment* (1979), University of Toronto.
10. James Darros and Douglas M. Johnston, *The International Law of Pollution* (1974), Mac Millan, London.

11. Priya Ranjan Trivedi, *International Environmental Law* (1996)
12. Chimni B.S, WTO and Environment, 37 Economic and Political Weekly (2002)
13. Chimni B.S, WTO and Environment, 35 Economic and Political Weekly (2000)
14. Desai Bharat "The Policy & Law for Combating Climate Change in India", *Environmental Policy & Law* (Amsterdam: IOS Press), vol.43, no.4-5, 2013.

III. Environmental Pollution and Management of Natural Resources

1. Pollution of Water- Sources of Water Pollution- Surface and Ground Water Pollution – Water management- concept, problems and perspectives
2. Pollution of Air and Noise pollution - Sources of Air Pollution and Noise pollution - Air and Noise pollution Purification and Pollution Prevention Strategies
3. Land Conservation and Management-Zoning – Wet Land and conservation of mangroves
4. Solid Waste - Solid Waste Pollution, Prevention and Disposal Strategies - Hazardous Waste and Its Management- Hazardous Waste Pollution Prevention and Disposal Strategies-E-waste and its Management
5. Coastal zone management – Classification of Zones- encroachment on coastal zone- CRZ Notifications - Coastal Zone Management Plans and Implementation.

Suggested readings:

1. Frank J. Frelease, *Water Law Resources Use and Environmental Protection* (1874) West
2. Desh Bandhu and Garg, *Social Forestry and Tribal Development* (1986) Indian Environmental Society.
3. Upadhyay C.B., *Forest Laws* (1984) Hind Publishing House, Allahabad.
4. Chatrapati Singh, *Common Property and Common Poverty: India's Forest, Forest Dwellers and the Law* (1986)
5. Desmond D' Abreo, *People and Forests* (1985)
6. Darryl D' Monte, *Temples or Tombs, Industry versus Environment: Three Controversies* (1985)
7. Leelakrishnan P., et. al. (eds), *Law and Environment* (1990)
8. Indian Journal of Public Administration, Special number on Environment and Administration, July-September 1988 Vol. XXXV No.3
9. Findley, R. W. and Farbor D.A., *Environmental Law* (1981) West Chapters VI & VII
10. David Rugher, *Environmental Law* (1986) Butterworths London, Part II & IV
11. Daniel R. Mandeker *Environmental and Land Controls Registration* (1976) Bobbs-Merril, New York, Chapters IV and VI.
12. Khoshoo, *Environmental concepts and strategies* (1988) Ashish, Delhi, Chapters III to VIII and X.
13. Centre for Science and Environment, *The State of India's Environment* 1982 and *The State of India's Environment* 1984-85, Delhi.
14. A.R. Bam and P.N. Gantam, *Natural Heritage of India* (1989), R.K. Publishers, Delhi.
15. Hanks, E.H. Tarlock, A.D. and Hank J.L. *Environmental Law and Policy* (1974) Chapter IV

16. Thomas J. Schoenbum, *Environmental Policy Law* (1985), Chapter III, The Foundation Press, New York.
17. Kailash Thakur- *Environmental Protection Law and Policies in India*(1997)

IV. Conservation of Forest, Wildlife and Biodiversity

1. Significance of forest – historical perspectives of forest protection – national and international efforts to conserve forest- Forest legislation
2. Development and forest conservation – Protection of Forests: The Judiciary’s Approach– social forestry- Forest and forest dwellers including tribal people
3. Law Relating to Wildlife Strategy and Protection- Legislative Mechanisms for Wildlife Protection
4. Biodiversity and its conservation- Biodiversity Act-general principles.

Suggested readings:

1. Desh Bandhu and Garg, *Social Forestry and Tribal Development* (1986) Indian Environmental Society.
2. Upadhyay C.B., *Forest Laws* (1984) Hind Publishing House, Allahabad.
3. Chatrapati Singh, *Common Property and Common Poverty: India’s Forest, Forest Dwellers and the Law* (1986)
4. Desmond D’ Abreo, *People and Forests* (1985)
5. Darryl D’ Monte, *Temples or Tombs, Industry versus Environment: Three Controversies* (1985)
6. Leelakrishnan P., *et. al.* (eds), *Law and Environment* (1990)
7. Centre for Science and Environment, *The State of India’s Environment 1982 and The State of India’s Environment 1984-85*, Delhi.
8. A.R. Bam and P.N. Gantam, *Natural Heritage of India* (1989), R.K. Publishers, Delhi.
9. Thomas J. Schoenbum, *Environmental Policy Law* (1985), Chapter III, The Foundation Press, New York.
10. Kailash Thakur- *Environmental Protection Law and Policies in India*(1997)
11. Arjun Prasad Nagore, *Biological Diversity and International Environmental Law* (1996)
12. Dutfield, Graham, *Intellectual Property Rights, Trade and Biodiversity* ,IUCN the World Conservation Union/Earthscan (2000)
13. Ashish Kothari & R.V.Anuradha, *Biodiversity, Intellectual Property Rights, and the GATT Agreement: How to Address the Conflicts?* 43 *Economic and Political Weekly* (1997)
14. Desai Bharat, *Implementation of the Convention on Biological Diversity in the Hindu-kush Himalayan Region* (Kathmandu: ICIMOD, 2011) [with Oli, Sharma]

Proposed Course content and Syllabus of Labor Law

LAW RELATING TO INDUSTRIAL RELATIONS

Unit – I History of Trade Union - Trade Union Act, 1926 - Recognition of Trade Union - Affiliation of Unions to political parties - Multi-unionism - Policies towards workers, participation in management - role of State - Workers participation in Management - Liberalization and Industrial relation in India.

Unit – II Collective bargaining - Process of Collective bargaining - Perquisites for collective bargaining - strikes/lockouts [pen-down, tool down, go slow, work to rule, stay in, sit in, picketing - Gherao - Law relating to collective bargaining.

Unit – III Freedom of Association - Constitutional and legal aspects

Unit – IV Industrial Disputes Act - Layoff - retrenchment - compulsory retirement - Voluntary retirement - superannuation

Unit – V Industrial Dispute Resolutions - Methods - Conciliation Officer - Board of Conciliation – Legal status of Conciliation settlements - Voluntary Arbitration - Arbitration under the Industrial Disputes Act - Compulsory Adjudication - Power of reference - Reference by Government – Industrial Tribunals – National Tribunals – Status, powers, awards – Judicial review.

Suggested Reading

1. Indian Law Institute Labour Law and Labour Relations [1987] 2. Dr. V G Goswami Labour and Industrial Laws [2004] 3. Ramaswami and Uma R Industry and Labour 4. Giri V V Labour Problems in Indian Industry 5. Raman M P Political Involvement of Indian Trade Union 6. O P Malhotra The Law of Industrial Disputes, Vol I [1988] 7. Chetty Narayan Y Dynamics of Trade Unionism in India – Anmol Publications Pvt. Ltd., New Delhi - [2004].

LABOUR JURISPRUDENCE AND THE I.L.O.

Unit – I Concept and Growth of Labour Jurisprudence, Concept of social justice, Natural justice and the Labour.

Unit – II Constitution of India and the Labour, Labour and Judicial Process, Public Interest legislation.

Unit – III Tripartism : Voluntarism in Labour Relations & Code of Discipline in Industry. I.L.O. - Genesis, Aims , Objectives and Constitution. I.L.O. ; Conventions and Recommendations, Procedure to rectify, Problems in their Rectification.

Unit – IV I.L.O. & Regional Conferences. - International Labour, Standards and Labour Legislations in India. I.L.O. Problems and Prospects. I.L.O. and Human Rights in Indian perspective.

Suggested Reading

1. I.L.O. : International Labour Codes Vol. I & II. 2. S.N. Dhyani : I.L.O. and India : In pursuit of social Justice. 3. G.A. Johnston : The I.L.O. 4. David Miller : Social Justice. 5.

Kamal Miller : Social Justice. 6. India Labour Yearbook. 7. S.K. Agrawal : K.N. Mushi
Lectureeers on Public Interest Legislation in India. 8. Govt. of India : Report of National
commission on Labour. 9. G.K. Johri : Indian Tripartite system. 10. S.R. Samant :
Industrial Jurisprudence. 11. Indian Constitution : Relevant Portions. 12. Govt. of India :
Tripartite Consultations. 13. R.G. Chartuvedi : Natural and Social Justice. 14. Mahesh
Chandra : Industrial Jurisprudence. 15. Ridoout : Principles of Labour Law. 16. N.
Vaidyanathan : International Labour Standards.

EMPLOYMENT LAWS AND HUMAN RESOURCE MANAGEMENT

Unit - I Workers Rights as Human Rights, Constitutional edifice and reflections of ILO standards in the Indian legal System., Concept of employment, non-employment, terms of employment and conditions of labour, Challenges and issues with reference labour management relations in 21st Century

Unit - II Social Security Labour Legislations ; National (Constitutional and Statutory) and International Perspectives, ILO ; norms, measures and standards, relevance in Indian legal system, Employment Contracts and labour management relations; Trends, Issues and Challenges, A critique of comparative contract labour laws (India, US & Europe)

Unit - III Transnational Trade and Labour ; Impact of globalization on labour market, Indian, US, European & Japanese perspectives, ILO & WTO ; Developing vis-à-vis developed States, Resolution of Labour Management Disputes-Means and Mechanisms

Unit - IV Law and Policies of Protective Discrimination in Employment Laws; Social security safety and welfare at workplace-women, children, and differently-abled.

Unit - V Compensation, Insurance with respect to wrongful dismissal and employment hazards.

Suggested readings

1. Ravi Singhania-Employment Law in India, CCH Wolters Kluwer
2. Guide to Employment Law-CCH Wolters Kluwer Business
3. Marian Baird, Keith Hancock, Joe Isaac- Work and Employment Relations An Era of Change, Routledge Taylor and Francis group
4. Key Cases: Employment Law By Chris Turner Routledge Taylor and Francis group
5. New Governance and the European Employment Strategy, By Samantha Velluti, Series: Routledge Research in European Union Law
6. At Work in the Informal Economy of India: A Perspective from the Bottom Up Author(s): Jan Breman Oxford University Press
7. Shrivastava-labour laws.
8. OP Malhotra -Labour Management Relations

LAW RELATING TO LABOUR WELFARE

Unit – I Constitution and Labour Welfare —Right to work, Bonded Labour, child labour, Special provision for women and children, Law relating to protection of Women in work place International conventions-Labour code.

Unit – II Minimum Wage - Types and kinds of wage, Wage determination theories, Payment of Wages, Basic concept of Dearness allowance, basic wage, Other wage [HRA, CCA, MA, LTC, Leave encashment, Overtime allowances, cash incentives, conveyance allowance] National wage policy, Payment of wages Act 1936, Provisions relating to denial of minimum wage as forced labour.

Unit – III ILO standard for labour, International convention for labour Welfare UDHR — ICCPR.

Unit – IV Labour and Human Rights, Equality of Opportunity in employment ; theory of equal pay for equal work, Equal Remuneration Act 1976, Maternity Benefit 1961, Rajasthan shops and establishment 1958.

Unit – V Unorganised Sector and labour laws, Agricultural labourer Plantation labour Act 1951, Bidi and Cigar worker's act 1966, Dock workers act 1986. .

Suggested Readings:

1. Mishra S N Labour and Industrial laws Central law publication Allahabad 20th Edition 2004
2. Shrivastava .K. D Law relating to Trade Unions and Unfair Trade Practices in India. Eastern Book Company Delhi, 3th Ed, 1993.
3. Y B Singh Industrial Labour in India [Part-I] 1960
4. Report on the National Commission on Labor 1969
5. Shrivastava S. C. Social security and labour law Eastern Book Company Lucknow, 1985
6. Pretal Joshi- ILO and its impact in India

Resolution of Board of Studies

1. Agenda-I: - Revision of LLM syllabus, inclusion of case laws into the Modules of Courses.

The BOS has discussed the agenda and approval with suggestion as mentioned above.

2. Agenda-II :- Preparation of proposal and Curriculum for LLB Course
The BOS has discussed the agenda and suggested to put forward a recommendation to Central University of Kerala.

3. Agenda - III: - Introduction of new Courses:-the BOS deliberated the agenda and approved the draft syllabus with modifications annexed.

The BOS meeting ended at 1.30 pm.

S/d

Dr. Gireesh Kumar.J Dr. Jayasankar K.I Dr. David Ambrose
Dr. Balakrishnan. K, Dr. Lakshmi G.R

The Committee meeting commenced at 10. 30 A M.on 23 August 2014. After giving an introduction and background of the Department of Law Hon'ble Vice Chancellor presented first point o be discussed, that the total strength of students to be admitted to LL M Programmes in the Department. The Committee found 30 as the maximum number of students to be spread over various Specializations, limiting fifteen students to one specialization.

The next point was the structure of LL M Programme. It was agreed that there shall be two Specializations in the Programme. The structure of Courses were suggested to be in the following lines.

Compulsory Core Courses: 24 credits

Elective Courses: 16

Specialization 1 Core Courses: 16 credits

Specialization 2 Core Courses: 16 credits

Total credits: 72

The Committee also discussed and finalized the essential details of the Courses as indicated below.

It was agreed to offer six specializations to students, of course, depending on the facilities and teachers available in the Department. The Compulsory Core Courses and Core Papers of various specializations were decided to be in the following lines.

	Courses	Marks	Credits
Compulsory Core Courses	1 Legal Education	100	4
	2 Research Methodology	100	4
	3 Law and Society	100	4
	4 Judicial Process	100	4
	5 Dissertation and Viva Voce	200	8
Administrative Law: Core Courses	1 Fundamentals of Administrative Law	100	4
	2 Judicial Control of Administrative Action: Principles and Procedure	100	4
	3 Remedies in Administrative Law	100	4
	4 Liability of State Agencies	100	4
Commercial Law: Core Courses	1 General Principles of Contract Law	100	4
	2 Special Contracts	100	4
	3 Corporate Law	100	4
	4 Law of Insurance and Banking	100	4
Constitutional Law: Core Courses	1 Federalism	100	4
	2 Constitutional Rights and Social Justice	100	4
	3 Forms of Government	100	4
	4 Emergency and Martial Law	100	4
Criminal Law: Core Courses	1 General Principles of Criminal Law	100	4
	2 Socio-Economic Offences	100	4
	3 Criminology and Penology	100	4
	4 Comparative Criminal Procedure	100	4
Health Care Law:	1 Fundamentals of Health Care Law	100	4
	2 Liability of Health Professionals and Institutions	100	4
	3 Regulation of Pharmaceutical Industries	100	4
	4 Public Health Law	100	4
Public International Law: Core Courses	1 International Institutions for Peace and Harmony	100	4
	2 International Institutions for Trade and Development	100	4
	3 Terrorism and International Law	100	4
	4 International Instruments on Human Rights	100	4

It was agreed that Elective Courses amounting to 16 credits may be specified under the Regulations.

The Committee discussed syllabi of all the Compulsory Courses, Seminar Course, and one Course of each of the Specializations except that of Public International Law which was due to paucity of time. Thus, it was decided not to offer Public International Law in this academic year. The syllabi of Courses formed part of Regulations and the same is appended herewith.

Committee also framed Regulations for LL M Programmes. It is appended herewith.

For the purpose of discussion of other Courses required for Second and other Semesters, it was agreed that a meeting might be held during the month of October 2014.

On admission of students to LL M Programmes, the Academic Coordinator explained that only five candidates in the existing list showed interest in joining in the Department. The Committee recommended to hold admission test at various centers in Kerala as the existing list is insufficient.

On essential journals the Committee recommended to purchase All England Law Reports full set from 1936, A I R, S C C and K L T, all full sets. Other essential ones recommended were Latest editions of Halsbury's Laws of England, A I R Manual, Kerala Laws Manual, and Annual Survey of Indian Law. The Committee recommendd to have internet connections to West Law and J STOR. It was also recommended to buy Indian journals published by Indian Law Institute, School of Legal Studies, C US A T, and such other law reviews.

Academic Coordinator proposed vote of thanks to the Vice Chancellor, Committee Members and staff of the University. The Meeting came to an end at 7.30 P M on the same day.

CENTRAL UNIVERSITY OF KERALA
DEPARTMENT OF LAW
REGULATIONS FOR THE LL M PROGRAMME

1. Objectives, Structure, and Duration: The LL.M Degree Programme offered in the Post Graduate Department of Law is intended to produce (i) law teachers (ii) researchers (iii) experts in law required for other institutions. The courses and transaction are designed to achieve these objectives

The LL.M course shall be of two years duration, full time, consisting of four semesters.

2. Specializations: The specializations offered in the Department are the following ones.

- (1) Administrative Law; (2) Commercial Law; (3) Constitutional Law; (4) Criminal Law; (5) Health Care Law; and, (6) Public International Law. The Department may offer specializations in a particular year considering the availability of experts and facilities available in the Department. A student has to undergo Courses in two specializations apart from Compulsory Core Courses and Elective Courses. Students may elect any Course from the Schedule of Courses, other than the Compulsory Core Courses and the Core Courses of two Specializations they have chosen. The Compulsory Core Courses are Legal Education, Research Methodology, Law and Society, Judicial Process, and Dissertation and Viva Voce, amounting to twenty-four credits. Each Specialization has four specific Core Courses, amounting to sixteen credits. Elective Courses constitute sixteen credits altogether. The Core Courses are given below.

	Courses	Marks	Credits
Compulsory Core Courses	1 Legal Education	100	4
	2 Research Methodology	100	4
	3 Law and Society	100	4
	4 Judicial Process	100	4
	5 Dissertation and Viva Voce	200	8
Administrative Law: Core Courses	1 Fundamentals of Administrative Law	100	4
	2 Judicial Control of Administrative Action: Principles and Procedure	100	4
	3 Remedies in Administrative Law	100	4
	4 Liability of State Agencies	100	4
Commercial Law: Core Courses	1 General Principles of Contract Law	100	4
	2 Special Contracts	100	4
	3 Corporate Law	100	4
	4 Law of Insurance and Banking	100	4
Constitutional Law: Core Courses	1 Federalism	100	4
	2 Constitutional Rights and Social Justice	100	4
	3 Forms of Government	100	4
	4 Emergency and Martial Law	100	4
Criminal Law: Core Courses	1 General Principles of Criminal Law	100	4
	2 Socio-Economic Offences	100	4
	3 Criminology and Penology	100	4
	4 Comparative Criminal Procedure	100	4
Health Care Law:	1 Fundamentals of Health Care Law	100	4
	2 Liability of Health Professionals and Institutions	100	4

	3 Regulation of Pharmaceutical Industries	100	4
	4 Public Health Law	100	4
Public International Law: Core Courses	1 International Institutions for Peace and Harmony	100	4
	2 International Institutions for Trade and Development	100	4
	3 Terrorism and International Law	100	4
	4 International Instruments on Human Rights	100	4

3. **Number of Seats:**Total number of seats in the Department shall be thirty. Number of students to be admitted to one specialisation shall be limited to fifteen.
4. **Eligibility :**A candidate who has passed LL B Examination of a University recognized as equivalent by Central University of Kerala, securing not less than 50% of the marks in the aggregate shall be eligible to be considered for admission. Relaxation of minimum marks and reservation of seats will be according to the norms followed by Central University of Kerala.
5. **Admission :**Admission to the Programme shall be made as per the norms followed by Central University of Kerala.
- 6**Fees:**The tuition fees, examination fees and other fees will be as prescribed by Central University of Kerala from time to time.
- 7 **Evaluation:**Evaluation of the courses shall be done by the teachers themselves on the basis of continuous internal assessment, and end-semester examinations, as per University norms.
- 8 **Internal Assessment :**The student's attendance and classroom performance as well as the feedback received from tests, and assignments shall form the basis for internal assessment. The marks for internal assessment for a course of 100 marks are 40, and marks for internal assessment for a course of 50 marks are 20. Any change from this scheme will be specifically indicated wherever required. The internal assessment marks shall be distributed as follows:

	100 MARKS COURSES	50 MARKS COURSES
Presentation and submission of Assignments	15	5Marks
Test papers	15 Marks	10 Marks
Attendance	05 Marks	05Marks
Class Participation	05 Marks	Nil
Total	40 Marks	20 Marks

Five marks for attendance is distributed in the following method. One mark, each for every five percent of attendance above 75%, that is, the minimum attendance required for registration of end semester examination. However, for internal assessment for the part of Research Methodology Practical in the Course of **Research Methodology: Theory and Practical (Annexure- 3)**, Teaching Practical in the Course of **Legal Education and Teaching Practical, (Annexure-1)**, and Seminar Course, different norms will be followed as given below:

Research Methodology Practical

Collection and Organisation of Materials	15
Treatment of the Topic and Chapter Division	15
Preparation of Cards	20
Total	50

Teaching Practical

Written teaching plan and materials	20
Presentation	10
Response to questions and doubts	10

Methodology, Style, etc of teaching	10
Total	50

Seminar Course

Written Material	25
Presentation of the topic	15
Response to questions	10
Total	50

9End-Semester Examination:The end-semester examination, which accounts for the remaining 60 marks or 30 marks as the case may be, will be as per the regular norms of the Central University of Kerala. The Dissertation, on a topic of current importance, submitted by the students shall be valued by two examiners, one, a Faculty Member from the Department, and the other, an external examiner, to be appointed by the Head of the Department from a panel approved by the Vice Chancellor. The Viva Voce at the end of the Programme, which accounts for 40 Marks, shall be conducted by a Board of Examiners constituted by the Department. The Board, in addition, will have an External Examiner from outside the University to be appointed by the Head of the Department from a panel approved by the Vice-Chancellor.

10 All other aspects will be governed by norms followed by Central University of Kerala.

11Distribution of Courses:The Compulsory Core Courses and Core Courses of each of the specializations are given in Regulation 2. Students may choose appropriate Elective Courses from the Schedule of Courses given under Regulation 13, of course, with the approval of the Department. A student is not permitted to choose a course as elective that forms a core course of his/her specializations or compulsory core courses. The tables given below provide for details regarding internal and external marks, respective credits. The syllabus and other details of the courses are provided in respective Annexure as indicated below in the Syllabus Annexure.

12 General Scheme of LL M Programme

FIRST SEMESTER

Serial Number	Course	Compulsory Core Course/ Specialization Core Course /Elective Course	Maximum Internal Marks	Maximum Marks for End Semester Examination	Total Marks	Credits
1	Legal Education and Teaching Practical	C CC	20+50	30	100	4
2	Law and Society	C CC	40	60	100	4
3	S 1 Core Course-1	S C C	40	60	100	4
4	S 2 Core Course-1	S C C	40	60	100	4
5	Elective Course	E C	20	30	50	2
TOTAL					450	18

SECOND SEMESTER

Serial Number	Course	Compulsory Core Course/ Specialization Core Course /Elective Course	Maximum Internal Marks	Maximum Marks for End Semester Examination	Total Marks	Credits
1	Research Methodology: Theory and Practical	CCC	20+50	30	100	4
2	Judicial Process	CCC	40	60	100	4
3	S 1 Core Course-2	S C C	40	60	100	4
4	S 2 Core Course-2	S C C	40	60	100	4
5	Elective Course	E C	40	60	100	4
TOTAL					500	20

THIRD SEMESTER

Serial Number	Course	Compulsory Core Course/ Specialization Core Course /Elective Course	Maximum Internal Marks	Maximum Marks for End Semester Examination	Total Marks	Credits
1	S 1 Core Course-3	S C C	40	60	100	4
2	S 1 Core Course-4	S C C	40	60	100	4
3	S 2 Core	S C C	40	60	100	4

	Course-3					
4	S 2 Core Course-4	S C C	40	60	100	4
5	Elective Course	E C	20	30	50	2
TOTAL					450	18

FOURTH SEMESTER

Serial Number	Course	Compulsory Core Course/ Specialization Core Course /Elective Course	Maximum Internal Marks	Maximum Marks for End Semester Examination	Total Marks	Credits
1	Elective Course	E C	40	60	100	4
2	Elective Course	E C	40	60	100	4
3	Dissertation and Viva Voce	S C C		160+40	200	8
TOTAL					16	400

13 Schedule of Courses

[Compulsory Core Courses/ Specialization Core Courses /Elective Courses]

Serial Number	Courses	Credits	Annexure Number
1	Legal Education and Teaching Practical	4	Ann: 1
2	Law and Society	4	Ann: 2
3	Research Methodology: Theory and Practical	4	Ann: 3
4	Judicial Process	4	Ann: 4
5	Dissertation and Viva Voce	8	Ann: 5
6	Seminar Course	2	Ann: 6
7	Fundamentals of Administrative Law	4	Ann: 7
8	General Principles of Contract Law	4	Ann: 8
9	Federalism	4	Ann: 9
10	General Principles of Criminal Law	4	Ann: 10
11	Fundamentals of Health Care Law	4	Ann: 11

14 Syllabus Annexure

ANNEXURE-1

Legal Education and Teaching Practical (Four Credits)

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. This course consists of theory and practical. Fifty marks are allotted to theory paper on Legal Education, twenty marks on internal assessment and thirty marks for End Semester Examination, written examination of two hours duration. The remaining fifty marks are allotted to practicals, to be distributed as provided under Regulation 8. Teaching Practical is intended to impart practical training to the students in class room teaching, since one of the main objectives of LL.M Course is to produce good law teachers. Special emphasis will be given in this programme to the skill and techniques of effective communication and methodology of teaching. In this Course, a student will not be considered for Grading unless he/she appears for both theory and practical parts.

- 1 Objectives of legal education - Legal Education Systems in U.K., U.S.A. and France
- 2 Legal education in India - evolution - role of agencies regulating legal education - attempts for reforms - recommendations of different commissions and committees.
- 3 Curriculum Development -Methods of teaching - Lecture method, Case method - Socratic method, Discussion method - Tutorial - Clinical Legal Education-Evaluation Process
- 4 Legal Education – Impact of Globalisation.

The latest editions of the following books are the suggested readings

- Law Commission of India, XIV Report (1958)
 U.G.C., *Report of the Curriculum Development Centre in Law* (2001)
 S.K. Agarwala (Ed.), *Legal Education in India*, N M Tripathi, Bombay (1973).
 International Legal Centre, *Legal Education in a Changing World* (1975)
 Packer and Ehrlich, *New Directions in Legal Education*, McGraw-Hill Book Company, New York (1972).
 Journal of Indian Law Institute –Volume 24 (1982)
 LeBrunMerline, and Johnstone M, *The Quiet Revolution: Improving Student Learning in Law*, Law Book Company, Melbourne (1995)
 P K Tripathi, “In the Quest for Better Legal Education”, (1968) J I L I 469
 N R MadhavaMenon, Report of the Legal Education Reform Committee (2009), submitted to Government of Kerala

ANNEXURE-2

Law and Society [Four Credits]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

- 1 Social Functions of Law- Law and Social Change
- 2 Natural Law - Positivism -Law and Morality-Revived Natural Law- Idealist Schools - Marxian School.

3 Historical and Evolutionary Theories-Sociological Jurisprudence-Realist Jurisprudence.

3 Concept of Individual and Social Justice in Indian Context - Constitution and Social Justice - Preamble Fundamental Rights and Directive Principles under the Constitution.

4 Law and Poverty - Access to Justice - Legal Aid to the Poor and Indigent, Objectives and Programmes - Legal Literacy and Law Reform.

5 Role of Judiciary in Social Change.

The latest editions of the following books are the suggested readings

Roscoe Pound, *Introduction to Philosophy of Law*, Transaction Publishers (1954)

Roscoe Pound, *Jurisprudence*, West Publishing, St Paul, Minnassotta (1959)

Bodenheimer, *Jurisprudence: The Philosophy and Method of the Law*, Oxford University Press, London (1974)

W Friedmann, *Legal Theory*, Columbia University Press (1967)

W. Friedmann, *Law in a Changing Society*, University of California Press, Berkeley (1972)

Julius Stone, *Social Dimensions of Law and Justice*, Stevens & Sons, London (1966)

Cappelletti and Garth (Ed.), *Access to Justice*, (1978) Vol. I, Book I, Part I

B. Sivaramayya, *Inequalities and the Law*, Eastern Book Co, New Delhi (1984)

UpendraBaxi, *The crisis of Indian Legal System*, Vikas, New Delhi (1982)

UpendraBaxi, *Law and Poverty*, N M Tripathi, Bombay(1988)

Lon.L.Fuller, *The Morality of Law*, Yale University Press, New Haven (1995) Reprint

H.L.A.Hart, *The Concept of Law*, Clarendon Press, Oxford (1993)

M.D.A.Freeman, *Lloyd's Introduction to Jurisprudence*, Sweet and Maxwell, London (1994)

John Rawls, *A Theory of Justice*, The Belknap Press of Harvard University Press, 1971, revised in 1999

Otto A, Bird, *Idea of Justice*: Frederick A. Praeger, Pall Mall Press Ltd. New York and London (1967)

Tapas Kumar Banerjee, *Background to Indian Criminal Law*, R Cambay, Kolkata (1990)

Granville Austin, *The Indian Constitution: Cornerstone of a Nation*, Oxford University Press, Oxford (1999)

ANNEXURE-3

Research Methodology: Theory and Practical [Four Credits]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. This course consists of theory and practical. Fifty marks are allotted to theory paper on Research Methodology, twenty marks on internal assessment and thirty marks for End Semester Examination, written examination of two hours duration. The remaining fifty marks are allotted to practicals, to be distributed as provided under Regulation 8. In this Course, a student will not be considered for Grading unless he/she appears for both theory and practical parts.

1 Meaning of Research –Kinds of Research – Values of Research in Law – Applicability of Scientific Methods in Legal Research – Steps in Legal Research – Identification and Selection of a Research Problem

2 Hypothesis in Legal Research – Meaning and Importance of Hypothesis– Character of a Good Hypothesis – Method of Stating and Testing Hypothesis - Research Design– Formulation of a Good Research Design

3 Methods in Doctrinal Legal Research – Nature and Need of doctrinal research – Sources and Techniques of Data Collection in Doctrinal Research.

4 Empirical or Scientific Legal Research - Meaning – Types of Socio-Legal Research – Impact Studies and Reform Studies – Need and Values of Socio – Legal Research – Sources and Techniques of Data Collection in Socio- Legal Research – Sampling and Survey Interview – Questionnaire – Case Study – Validity of a Tool –Objectivity and Reliability –

5 Writing of Research Report and Methodology-Style and Format of Legal Writing- Harvard Bluebook, Chicago Manual, etc.

The students are required to submit a term paper/ project report on topics suggested by the course teacher in respect of Practicals.

The latest editions of the following books are the suggested readings

Morris L. Cohen, *How to Find the Law*, 9th edn, West Publishers, St Paul, Minn.(1976)

Morris L. Cohen, *Legal Research in a Nutshell*, West Publishers, St Paul, Minn. (1978)

Peter Goodrich, *Reading the Law: A Critical Introduction to Legal Method and Techniques*, Blackwell Publications (1986).

John A. Yogis, Innis M. Christie, Michael J. Iosipescu, *Legal Writing and Research Manual*, Butterworths, Toronto (1988)

Goode and Hatt, *Methods in Social Research*, Surjeet Publications, New Delhi

Pauline V Young, *Scientific Social Survey and Research*, Printice Hall (1956)

Indian Law Institute, *Legal Research and Methodology* (1982)

ANNEXURE-4

Judicial Process [Four Credits]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

1 Judicial Process – Meaning, Nature and Scope – Judicial Process and Legal Reasoning as Tools of Legal Development – Judicial Process and Common Law –

2 Doctrine of Precedent – Rule of Stare Decisis- Ratio Decedent and Obiter Dicta – Rules of Determining Ratio and Their Analysis

3 Judicial Process and Creativity- Categories of Illusory References-Techniques of Judicial Creativity in Common Law – Judicial Process and Legal Development under Codified Systems – Judicial Process and Creativity Under Constitutional Systems – Scope and Limits of Creativity in Judicial Process.

4 Nature of Judicial Process - Search for the Legislative Intention - Methods of Judicial Interpretation - Role of Philosophy, History, Traditions, and Sociology - Judge as Legislator - Judicial Creativity and its Limitations.

5 Judicial Process in Indian Legal System-Operation of Precedent in India- Prospective Overruling - Basic Structure Theory- Judicial Activism - Judicial Self Restraint-Judicial Process in Constitutional Perspective.

The latest editions of the following books are the suggested readings

Cardozo, *Nature of Judicial Process* Yale University Press. New Haven

Rupert Cross and J. W. Harris, *Precedent in English Law*, 4th edn, Clarendon Press, London

Edward H. Levi, *An Introduction to Legal Reasoning*, University of Chicago Press, Chicago (1949)

Bodenheimer, *Jurisprudence: The Philosophy and Method of the Law*, Oxford University Press, London (1974)

Rajeev Dhavan, *The Supreme Court of India : A Socio-legal Critiques of its Juristic Techniques*, N M Tripathi, Bombay (1977)

Laxminath A, *Precedent in the Indian Legal System*, Eastern Book Co New Delhi 1990)

Von Mehren, *The Civil Law System: Cases and Materials*, Prentice-Hall, New York (1957)

M.D.A.Freeman, *Lloyd's Introduction to Jurisprudence* 6th edn, Sweet and Maxwell, London (1994)

UpendraBaxi, *The Indian Supreme Court and Politics*, Eastern Book Co., Lucknow, (1980)

UpendraBaxi, *Courage, Craft, and Contention: The Indian Supreme Court in the Mid-Eighties*, N. M. Tripathi, Bombay (1985).

Arun Shourie, *Courts and Their Judgments: Premises, Prerequisites, Consequences*, Rupa and Co, New Delhi (2005)

Neil Duxbery, *Jurists and Judges: An Essay on Influence*, Hart Publishing (2001)

Julius Stone, *Legal Systems and Legal Reasoning*, Stanford University Press, Stanford (1964)

ANNEXURE-5

Dissertation and Viva Voce [Eight Credits]

Students may submit their dissertations on the date fixed by the Department. Students will be given appropriate training by the Department in preparing and writing dissertation, during third and fourth semester period. Selection of the topic of current importance and preparation of Synopsis must be completed in the Third Semester itself. The topic shall be approved by the Faculty Council. The dissertation shall be prepared by the student under the guidance of a member of the faculty or, in the case of subjects, which so demand, an external guide, to be decided by the Faculty Council. In this Course, a student will not be considered for Grading unless he/she submits the dissertation and appears for viva voce.

ANNEXURE-6

Seminar Course [Two Credits]

This Course requires three hours per week in the semester. Transaction is through classroom discussion, training sessions, and tutorials. End Semester Examination is practical examination in which the student shall submit the seminar paper, present the paper, and shall defend the theme presented. In respect of the Seminar Paper, the topic shall be chosen in consultation with Course Teacher. It is the responsibility of the students to organize the Seminars on the dates fixed by the Course Teacher.

ANNEXURE-7

Fundamentals of Administrative Law [Four Credits]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

- 1 Administrative law, Nature, Origin and Development. Impact of Welfare State and Liberal Era
- 2 Separation of Powers and Rule of Law, Administrative Authorities, Importance of Administrative Law in Modern World,
- 3 Classification of Functions-Administrative, Quasi Judicial, Judicial, and Ministerial- Judicial Approach-
- 4 Delegated Legislation- Rules – Nature, Importance and Clarification- Rule Making, Procedure- Importance of Hearing
- 5 Judicial and Legislative Control over Delegated Legislation – Essential Legislative Functions – Delegation and Sub Delegation. Administrative Directions and Enforceability.

The latest editions of the following books are the suggested readings

K C Davis, and R J Pierce, *Administrative Law Treatise*, 3rd edn, Little Brown and Co., Boston (1994).

B L Jones, *Garner's Administrative Law*, 7th edn, Butterworths, London (1989).

I.P. Massey, *Administrative Law*, 7th edn, Eastern Book Co., Lucknow (2008).

S.P. Sathe, *Administrative Law*, 5th edn, N.M. Tripathi, Bombay (1991).

Timothy Endicott, *Administrative Law*, 2nd edn, , Oxford University Press, Oxford (2011)

Peter Cane, *Administrative Law*, 5th edn, Oxford University Press, Oxford (2011)

William Wade, Christopher Forsyth, *Administrative Law*, 10th edn, Oxford University Press, Oxford (2009)

Peter Cane, *Cases & Materials for Principles of Administrative Law*, 2nd edn, Oxford University Press, Oxford (2013)

Neville L. Brown, John S. Bell, *French Administrative Law*, 5th edn, Oxford University Press, Oxford (1998).

David Stott, and Alexandra Felix, *Principles of Administrative Law*, Cavendish Publishing Co, London (1997).

Schwartz, *Administrative Law: A Case Book*, ASPEN Law & Business, New York (2010).

Right Hon Lord Woolf; Sir Jeffrey Jowell, QC; Professor Andrew Le Sueur; Ivan Hare; Catherine Donnelly, *De Smith's Judicial Review*, 7th edn, Sweet & Maxwell, London (2013)

Paul Craig, *Administrative Law*, 7th edn, Sweet & Maxwell, London (2012)

Jain and Jain, *Principles of Administrative Law*, 6th edn, Wadhwa, Nagpur (2010).

ANNEXURE-8

General Principles of Contract-I [Four Credits]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

1 Contract- Nature and Function-Theories of Contract-Freedom of Contract -Formation of Contract-Offer and Acceptance-Battle of Forms and Finality of Contract Formation-Unilateral Contracts and Acceptance-Capacity of Parties- Minors Agreements-Legal Effect-Intention to Create Legal Relations-

2 Consideration –Nature, Definition and Function-Theories of Consideration-Sufficiency and Adequacy of Consideration-Promissory Estoppel and Part Payments--Privity of Contract-Exemption Clauses and Third Parties.

3 Consent and Vitiating Elements-Coercion-Legal Effect-Mistake, Fraud--Undue Influence-Concept-Actual and Economic Duress-Unconscionability and Inequality of Bargaining Power

4 Wagering Agreements-Contracts and Public Policy- Human Rights and Contract Law-Performance of Contingent Contracts-Assignment and Protection of Third Parties

5 Discharge of Contract –Meaning of-Various Kinds of Discharge-Performance of Contract-Agreement-Changing the Bargain-Various types-Adjustments in Long Term Contracts-Impossibility of Performance and Frustration-Breach of Contract-Nature of Repudiatory Breach-Present and Anticipatory Breach-Right of Election- Conditions, Warranties, Intermediate and Fundamental terms

6 Remedies- General Principles for Assessment of Damages- Function of Damages in Breach of Contract - Expectation, Reliance, and Restitution Damages-Anticipatory Breach-Remoteness of Damage-Rule in *Hadley v Baxendale* and Modern Developments-Specific Performance and Injunctions

The latest editions of the following books are the suggested readings

P. S. Atiyah, *Essays on Contract*, Revised Edition, Oxford University Press, Oxford (1990)

P. S. Atiyah, *The Rise and Fall of Freedom of Contract*, Oxford University Press, Oxford (1985)

Jack Beatson, Daniel Friedman, *Good Faith and Fault in Contract Law*, Oxford University Press, Oxford (1995)

Robert Duxbury, *Contract Law*, 2nd Edition, Sweet & Maxwell, London (2011)

Ryan Murray, *Contract Law: The Fundamentals*, 2nd Edition, Sweet & Maxwell, London (2011)

Gillian Black, *Woolman on Contract*, 4th Edition, W. Green, London (2010)

Robert Upex; Geoffrey Bennett; Jason Chuah, *Davies on Contract*, 10th Edition, Sweet & Maxwell, London (2008)

Roger Brownsword, *Understanding Contract Law*, 5th Edition, Sweet & Maxwell, London (2007)

Geoffrey Samuel, *Contract Law: Cases and Materials*, Sweet & Maxwell, London (2007)

John Cartwright, *Formation and Variation of Contract*, Sweet & Maxwell, London (2014)

Kenneth Handley, *Estoppel by Conduct and Election*, 2nd Edition, Sweet & Maxwell, London (2014)

Ryan Murray, *Contract Law: The Fundamentals*, 3rd Edition, Published by Sweet & Maxwell, London (2014)

Richard Lawson, *Exclusion Clauses and Unfair Contract Terms*, 11th Edition, Sweet & Maxwell, London (2014)

John Cartwright, *Misrepresentation, Mistake and Non-Disclosure*, 3rd Edition, Sweet & Maxwell, London (2012)

Richard A Buckley, *Illegality and Public Policy*, 3rd Edition, Sweet & Maxwell, London (2013)

- Nelson Enonchong, *Duress, Undue Influence and Unconscionable Dealing*, 2nd Edition, Sweet & Maxwell, London (2012)
- Robby Bernstein, *Economic Loss*, 3rd Edition, Sweet & Maxwell, London (2013)
- Stephen A. Smith, P.S. Atiyah, *Atiyah's Introduction to the Law of Contract*, Sixth Edition, Oxford University Press, Oxford (2006)
- Ewan McKendrick, *Contract Law: Text, Cases, and Materials*, Sixth Edition, Oxford University Press, London (2014)
- Jack Beatson FBA, Andrew Burrows FBA, *Anson's Law of Contract*, Twenty-ninth edition, Oxford University Press, Oxford (2010)
- Michael Furmston, G.J. Tolhurst, *Contract Formation: Law and Practice*, Oxford University Press, Oxford (2010)
- H G Beale, W D Bishop, *Contract*, Fifth Edition, Oxford University Press, Oxford (2007)
- P S Atiyah, *An Introduction to the Law of Contract*, Clarendon Press, Oxford.
- M P Furmston, *Cheshire, Fifoot and Furmston's Law of Contract*, Sixteenth Edition, Oxford University Press, Oxford (2012)
- Roger Brownsword, Smith & Thomas, *A Casebook on Contract*, 12th Edition, Sweet & Maxwell, London (2009)
- Professor Graham Virgo, *Contractual Duties: Performance, Breach, Termination and Remedies*, Sweet & Maxwell, London (2012)
- Professor Andrew Tettenborn; Professor Malcolm Clarke; Professor Neil Andrews;
- Edwin Peel, *Treitel on The Law of Contract*, 13th Edition, Sweet & Maxwell, London (2011)
- Richard Taylor, Damian Taylor, *Contract Law Directions*, Fourth Edition, Oxford University Press, Oxford (2013)
- Kathleen Gutman, *The Constitutional Foundations of European Contract Law: A Comparative Analysis*, Oxford University Press, Oxford (2014)
- G. H. Treitel, *An Outline of the Law of Contract*, Sixth Edition, Oxford University Press, Oxford (2004)
- A. W. B. Simpson, *A History of the Common Law of Contract: The Rise of the Action of Assumpsit*, Oxford University Press, Oxford (1987)
- Andrew S. Gold, Paul B. Miller, *Philosophical Foundations of Fiduciary Law*, Oxford University Press, Oxford (2014)
- James Gordley, *The Philosophical Origins of Modern Contract Doctrine*, Oxford University Press, Oxford (1993)
- Elizabeth Cooke, *The Modern Law of Estoppel*, Oxford University Press, Oxford (2000)
- Peter Cane, Jane Stapleton, *The Law of Obligations: Essays in Celebration of John Fleming*, Oxford University Press, Oxford (1998)
- Hugh Collins, *Regulating Contracts*, Oxford University Press, Oxford (2002)
- Stephen A. Smith, *Contract Theory*, Oxford University Press, Oxford (2004)
- Philip Clarke, Julie Clarke, *Contract Law: Commentaries, Cases and Perspectives*, 2nd edn, Oxford University Press, Oxford (2012)
- Guenter Treitel, *Some Landmarks of Twentieth Century Contract Law*, Oxford University Press, Oxford (2002)
- Simon P Haigh, *Contract Law in an E-Commerce Age*, Sweet and Maxwell, London.
- H G Beale, W D Bishop, and M P Furmston, *Contract: Cases and Materials*, Butterworths, London.
- Lon L Fuller and Melvin Aron Eisenberg, *Basic Contract Law*, West Publishing Co., St Paul, Minn.
- M P Furmston, Cheshire, Fifoot and Furmston's Law of Contract, Butterworths, London.
- Hugh Collins, *Regulating Contracts*, Oxford University Press, London.
- Hugh Beale (Ed), *Cases Materials and Text on Contract LAW*, Hart Publishing Co., Oxford.
- M P Furmston, *Cheshire, Fifoot and Furmston's Law of Contract*, Sixteenth Edition, Oxford University Press, Oxford (2012)
- Roger Brownsword, Smith & Thomas, *A Casebook on Contract*, 12th Edition, Sweet & Maxwell, London (2009)
- Professor Graham Virgo, *Contractual Duties: Performance, Breach, Termination and Remedies*, Sweet & Maxwell, London (2012)
- G H Treitel, *Frustration and Force Majeure*, Sweet and Maxwell, London.

ANNEXURE-9

Federalism[Four Credits]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

1. Federalism – The Principle and the Essential Features – The Evolution of Federal Government in India – The Characteristic Features of Indian Federalism – A Comparison with Federal Governments in USA, Australia and Canada
2. Distribution of Legislative Powers – Special Features – Administrative Relations – Factors Responsible for Shifting the Balance in favour of the Union
3. Financial Relations – Distribution of Fiscal Powers – Scheme of Allocation of Taxing Power – Distribution of Tax Revenues.
4. Finance Commission – Planning Commission – National Development Council and Plan Grants
5. Co-operative Federalism – Sarkaria Commission Report - Need for Reform in Union and State Relations

The latest editions of the following books are the suggested readings

1. R.K. Gupta, *Center State Relations under Indian Constitution*, Deep and Deep, New Delhi
2. M.C Setalvad, *Union and State Relations Under the Indian Constitution*, Eastern Law House, Kolkata (1974)
3. L.M.Singhvi (Ed), *Union State Relation In India* (1969)
4. Rambir Singh & A. Lakshmi Nath, *Fiscal Federalism: Constitutional Conspectus*, Wadhwa Nagpur (2005)
5. D.D. Basu, *Comparative Federalism*, Prentice-Hall of India, New Delhi (1987)
6. AsokKumar Chanda, *Federalism In India: A Study on Union State Relations*, G Allen and Unwin (1985)
7. M.J.C Vile, *Federalism in USA, Canada & Australia*, H M S O, London (1973)
8. K.C. Weheare, *Federal Government*, Greenwood Press Publishers (1980)
9. Report of the Commission (Sarkaria) on Centre State Relations, submitted to Government of India.
10. V.D. Sebastian, *Indian Federalism: The Legislative Conflicts* Academy of Legal Publication, Trivandrum(1980)
11. Joseph Francis Zimmerman, *Contemporary American Federalism: The Growth of National Power*, West Publishers, St Paul. Minn (1992)
12. David Cameron, *Disability and Federalism: Comparing Different Approaches to Full Participation*(2001)
13. Jan Erk, WilfriedSwenden, *New Directions in Federalism Studies*, Routledge, London (2010)

ANNEXURE-10

General Principles of Criminal Law [Four Credits]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

1 Crime-Nature, Meaning, and Impact on Society-Elements- Mens Rea and Actus Reus-Criminalization and Decriminalization-Policy Choices

- 2 Mental Element in Crimes- Mens Rea- Intention-Recklessness, Negligence - Transferred Malice-Exclusion of Mens Rea-Statutory Crimes
- 3 Corporate Responsibility- Vicarious Responsibility
- 4 General Exceptions of Criminal Responsibility - Excuses and Justifications-Right of Private Defense - Necessity - Accident Defense of Superior Orders - Executive and Judicial Acts – Consent-Defense -Mistake of Fact - Mistake of Law - Ignorance of Law - Infancy, Insanity - Alcoholic Insanity-Intoxication as a Defence-Irresistible Impulse
- 5 Parties to Crime-Joint Responsibility-Common Intention – Common Object-Inchoate Crimes - Attempt, Abetment - Conspiracy

The latest editions of the following books are the suggested readings

- George P. Fletcher, *Basic Concepts of Criminal Law*, Oxford University Press, Oxford (1998)
- K.N.C.Pillai, *General Principles of Criminal Law Through Cases*, 2nd edn, Eastern Book Co, Lucknow (2011)-
- Ashworth, *General Principles of Criminal Law*, 7th edn, Oxford University Press, Oxford (2012)
- C M V Clarkson; H M Keating; Dr S R Cunningham, *Criminal Law: Text and Materials*, 7th Edition, Sweet & Maxwell, London (2010)
- Alan Reed; Ben Fitzpatrick; Peter Seago, *Criminal Law: Sweet & Maxwell's Textbook Series* 4th edn, Sweet & Maxwell, London (2009)
- Michael Allen; Simon Cooper, *Elliott & Wood's Cases and Materials on Criminal Law*, 11th Edition Sweet & Maxwell, London (2013)
- Dr Dennis Baker, *Glanville Williams Textbook of Criminal Law*, 3rd Edition, Sweet & Maxwell, London (2012)
- Mark Findlay, *Criminal Law: Problems in Context*, Second Edition, Oxford University Press, Oxford (2006)
- R. D. Mackay, *Mental Condition Defences in the Criminal Law*, Oxford University Press, Oxford (1995)
- Janet Loveless, *Complete Criminal Law: Text, Cases, and Materials*, Fourth Edition, Oxford University Press, Oxford (2014)
- Richard Card, *Card, Cross, and Jones: Criminal Law*, Twenty-first edition, Oxford University Press, Oxford (2014)
- Heather Keating; Sally Kyd Cunningham; Mark Austin Walters; Tracey Elliott, *Criminal Law: Text and Materials*, 8th edn, Sweet & Maxwell, London (2014)
- Christina McAlhane; Natalie Wortley, *Criminal Law: The Fundamentals*, 3rd edn, Sweet & Maxwell, London (2013)
- James Chalmers; Dr Fiona Leverick, *Criminal Defences*, W. Green, London (2006)
- Michael Allen, *Textbook on Criminal Law*, 12th edn, Oxford University Press, Oxford 2013
- David Ormerod, *Smith and Hogan Criminal Law: Cases and Materials*, Tenth Edition, Oxford University Press, Oxford (2009)
- Victor Tadros, *Criminal Responsibility*, Oxford University Press, Oxford (2007)
- Stephen Shute, Andrew Simester, *Criminal Law Theory: Doctrines of the General Part*, Oxford University Press, Oxford (2002)
- Janet Dine, James Gobert (Eds), *Cases and Materials on Criminal Law*, 6th edn, Oxford University Press, Oxford (2010)
- Douglas Husak, *The Philosophy of Criminal Law: Selected Essays*, Oxford University Press, Oxford (2010)
- David Ormerod, *Smith and Hogan's Criminal Law*, 13th edn, Oxford University Press, Oxford (2011)
- R.A. Duff, Lindsay Farmer, *The Boundaries of the Criminal Law*, Oxford University Press, Oxford
- Andrew Ashworth, Jeremy Horder, *Principles of Criminal Law*, 7th edn, Oxford University Press, Oxford (2013)
- R.A. Duff, Stuart Green, *Philosophical Foundations of Criminal Law*, Oxford University Press, Oxford (2013)
- R.A. Duff, Lindsay Farmer *The Constitution of the Criminal Law*, Oxford University Press, Oxford (2013)
- David Ormerod, Karl Laird, *Smith and Hogan Criminal Law: Text and Materials*, 11th edn, Oxford University Press, Oxford (2014)

ANNEXURE-11

Fundamentals of Health Care Law [Four Credits]

This Course requires five hours per week in the semester. Transaction is through lectures, assignments, classroom seminars, special lectures by outside experts, classroom discussion, and tutorials. End Semester Examination is written examination of three hours duration.

- 1 Concept of Health- State and Health Care- Law And Health Care-Access to Health Care-Barriers to Health Care-Social, Economic, Religious, Legal, etc
- 2 Conflicting Values in Health Care-Principle of Equality and Market Competition-Role of State-Right to Health Care and Freedom of Profession
- 3 Right to Health Care-Position in Common Law-No Duty Principle-Detrimental Reliance-Position in Contract, Torts and Criminal Law
- 4 Access to Health Care-Constitutional and Human Rights Perspectives-International Dimensions
- 5 Health Care and Ethics-Theories-Deontological and Utilitarian Explanations-Autonomy, Beneficence and Informed Consent.

The latest editions of the following books are the suggested readings

- Michael Davis, *A Text Book on Medical Law*, Oxford University Press, Oxford (2006)
- Shaun Pattinson, *Medical Law and Ethics*, 4th edn, Sweet and Maxwell, London (2014)
- Jean McHale, and Marie Fox, *Health Care Law: Text and Materials*, 2nd edn, Sweet and Maxwell, London (2006)
- Jonathan Herring, *Medical Law*, Oxford University Press, Oxford (2011)
- Andrew Grubb, and Judith Laing, *Principles of Medical Law*, 3rd edn, Oxford University Press, Oxford (2010)
- J A Devereux, *Australian Medical Law*, 3rd edn, Cavendish Publications, London (2007).
- Malcolm Khan and Michelle Robson, *Medical Negligence*, Cavendish Publications, London (2007).
- Healy John, *Medical Negligence: Common Law Perspectives*, Sweet and Maxwell, London.
- Stauch Marc, *The Law of Medical Negligence in England and Germany: A Comparative Analysis*, Oxford University Press, London.
- Jackson Emily, *Medical Law: Text, Cases and Materials*, 3rd edn, Oxford University Press, London (2013).
- José M. Zuniga, and Stephen P. Marks, *Advancing the Human Right to Health*, Oxford University Press, Oxford (2013)
- A M Mac Lean J K Mason, *Legal and Ethical Aspects of Health Care*, Greenwich Medical Media Ltd, London (2003)
- Mark Stauch, Wheat, and John Tingle, *Medical Law: Text, Cases, and Materials*, Routledge, Cavendish, London (2006)
- Mary Ann Warren, *Moral Status: The Obligation to Persons and other Living Things*, Oxford University Press, Oxford (2000)
- Marinos Diamantides, *The Ethics of Suffering: Modern Law, Philosophy and Medicine*, Ashgate Burlington V T (2000)
- Sheila McLean, *Medical Law and Ethics*, Ashgate Dartmouth (2002)
- P D Skegg, *Law, Ethics, and Medicine: Studies in Medical Law*, Clarendon Press, London (1984)

George J. Annas, *The Standard of Care: The Law of American Bioethics*, Oxford University Press, New York (1997)

Scottish Human Rights Commission, *Human Rights in A Health Care Setting: Making It Work for Everyone: An Evaluation of A Human Rights-Based Approach at the State Hospital*, S H R C, Glasgow (2009)

Minutes of Consultative Committee Meeting (Law)

18, April 2015

The Consultative Committee Meeting in Law, Central University of Kerala, Kasargod commenced at 10. 30 A M on 18, April 2015 at Hotel Presidency, Ernakulam. The Meeting was chaired by Dr K N Chandrasekharan Pillai, Member, Executive Council, Central University of Kerala.

Members Present:

Dr M C Valson:

Dr K C Sunny:

Dr S V Pulla Reddy:

Dr N S Soman:

Dr Balakrishnan:

Dr M C Pramodan:

Dr K N Chandrasekharan Pillai

The Committee Approved syllabi of the following courses:

- 1 Judicial Control of Administrative Action: Principles and Procedure [Four Credits]
- 2 Remedies in Administrative Law [Four Credits]
- 3 Liability of State Agencies [Four Credits]
- 4 Special Contracts [Four Credits]
- 5 Corporate Law [4 Credits]
- 6 Law of Insurance and Banking [4 Credits]
- 7 Right to Life and Liberty [Two Credits]
- 8 Fundamentals of Human Rights Law [Four Credits]
- 9 Fundamentals of Intellectual Property Law [Two Credits]
- 10 Law of E-Commerce [Two Credits]
- 11 International Trade Law [Four Credits]
- 12 Maladministration and Remedies [Four Credits]
- 13 Socio-Economic Offences [Four Credits]
- 14 Criminology and Penology [Four Credits]
- 15 Comparative Criminal Procedure [Four Credits]
- 16 Juvenile Justice [Four Credits]
- 17 Human Rights and Criminal Justice System [Four Credits]
- 18 International Criminal Law [Four Credits]

The Committee resolved to add syllabi of above mentioned courses, as Annexure 12 to 29, to **14 Syllabus Annexure** in the Regulations approved by Consultative Committee Meeting held on 23, August 2014.

The Meeting came to an end by 3. 15 P M.

Chairman

