MASTER OF LAWS

(*Semester Scheme*)

Session 2013-14

Semester Course Detail Subject-wise

LL.M. Semester I (Syllabus)

Note :

1. The all papers of LL.M. should be encouraging postgraduate student to comparative study, analyse, and articulate essential feature and principles (if any) of the subject.
2. New developments, amendments and latest case law in any concerned field shall be part of the syllabus.

Scheme :

1. Duration of each theory paper for exam: Three Hrs.
2. Theory papers of each subject will be of 80 marks. All Question Papers for theory exam. contains eight questions in all. Student will be attempting any four questions. Each question carries twenty marks.
3. To clear Ist Semester of LL.M. course, candidate must secure atleast 40% marks in each paper and 50% marks in aggregate.

Paper- I

Legal Theory- I

(Definition, scope, Importance, & Different Schools)

Total Marks	Theory	Internal Assessment
100	80	20

1. Definition, Scope, Importance and nature of Jurisprudence.
2. Purpose and value of Jurisprudence.
3. Various Schools of Jurisprudence, like:

   i. Natural Law School,
   ii. Imperative School, Pure Theory of Law
   iii. Sociological School,
   iv. Historical School,
   v. Realistic School, etc.
4. Source of Law : Custom, Judicial Precedent, Legislation etc.

   (Chief exponents of these schools, background, basic tenets, contribution and Indian context or relevance.)

Suggested Readings:

1. Holmes : The Common Law
2. Austin : Lecture on Jurisprudence
3. Allen : Law in Making
4. Salmond : Jurisprudence
5. Paton : A Text Book of Jurisprudence
6. Julius Stone : The Province and Function of Law
7. Pound : An Introduction to the Philosophy of Law
8. HLA Hart : The Concept of Law
9. Friendmann : Legal Theory

10.Dias : Jurisprudence
11.S. N. Dhyani : Law, Morality and Justice Indian Development
12.Anirudha Prasad : Vidhi Sastra Ke Mool Shidhant (Hindi)
13.John Rawls : Theory of Justice
14.Lluod : Introduction to Jurisprudence
15.Lon Fuller : Morality of Law
16. V.D. Mahajan : Jurisprudence
17. Various relevant Articles, Cases and Law Journals.
18.Fitzgerald : Salmond on Jurisprudence.

Paper- II

Indian Constitution Law : New Challenges- I

(Historical Background, Characteristics, development, Nature, Preamble, Fundamental Rights Directive Principles)

Total Marks	Theory	Internal Assessment
100	80	20

1. Historical Background of Indian Constitution, its development and changing system established over decades ago.
2. Characteristics of Indian Constitution, Nature and salient feature of Indian Constitution with changing social order and its adaptability.
3. Preamble of Indian Constitution and its nature.
4. Fundamental Rights, its development and their Judicial Interpretations.
5. Directive Principles, its Judicial Interpretations and their relation with Fundamental Rights.

Suggested Readings:

1. H.M. Seervai : Constitutional Law of India.
2. M.P. Jain : Constitutional Law.

3. M.C.J. Kagzi : The Constitution of India.
4. VSN Sukla : Commentary on the Constitution of India.
5. D.D. Basu : Commentares on the Constitution of India.
6. Ville Austin : Indian Constitution.
7. Various relevant Articles, Cases and Law Journals.
8. B.K.Sharma : An Introduction to the Constitution of India
9. J.N.Pandey : Bharat ka Samvidhan (Hindi)

Paper- III

Law and Social Transformation in India

Total Marks	Theory	Internal Assessment
100	80	20

Objectives of this Paper:

This paper is designed to offer the learned teacher and taught with :

I. Awareness in Indian approaches to social and economic problems in the context of law as a means of social control and change; and
II. A sprit of inquiry and exploit law and legal instructions as means to achieve development within the framework of law.

1. Law and Social Change: (i) Relations between Law and Public Opinion (ii) Is Law as an instrument of Social Changes?
2. Religion and the Law: (i) What is religion? (ii) Religion and Secularism (iii) Freedom of Religion and rights of minorities (iv) Reform of the Law on secular lines and judicial approach.

3. Language and the Law : (i) Multi- linguistic culture and its impact on policy on nation (ii) Constitutional guarantee to linguistic minorities (iii) Language policy and the Constitution: official language; multi language system (iv) Non-discrimination on the ground of language.
4. Community and the Law : (i) Caste as a social-cultural reality (ii) Role and effect of caste on the Law (iii) Acceptance of Caste as a factor to undo past injustice (iv) Protection discrimination: Scheduled Castes; tribes and backward classes (v) Reservation: Statutory Commissions, statutory provisions.
5. Women and the Law : (i) Position and the role of women in Indian society (ii) Crimes against women (iii) Gender injustice and its various forms (iv) Women's Commissions (v) Empowerment of women and Indian Constitution.
6. Children and the Law : (i) Child labour (ii) Sexual exploitation of children's (iii) Law of adoption and rights of children's (iv) Children's rights of education.

Suggested Readings:

1. Dicey : Law and Public Opinion in England.
2. IIbert : Mechanism of Law marking.
3. Upendra Baxi : The Crisis of the Indian Legal System (1982).
4. Upendra Baxi (ed.) : Law and poverty Critical essays.
5. Marc Galanter (ed.) : Law and Society in Modern India (1997)
6. M.P. Jain : Outlines of Indian Legal History (1993)
7. J.B. Kriolani : Gandhi- His, life and though (19700
8. Jawaher Lal Neharu : Discovery of India.'
9. Agnes Flavia : Law and Gender Inequality.
10. Aruna Goel, Kaur and Sultan : Violence against Women (2006).
11. H.M. Seervai : Constitutional Law of India.
12. D.D. Basu : Commentares on the Constitution of India.
13. Various relevant Articles, Cases and Law Journals.

Paper- IV

Legal Education and Research Methodology

Total Marks	Theory	Internal Assessment
100	80	20

1. Objective of Legal Education, Methods of teaching, (the problem method, discussion method and seminar methods).
2. Student participation in law school/college programmes, organization of seminars.
3. Clinical legal education- legal aid, legal literacy, legal survey and law reforms.
4. Various research methods.
5. Identification of problems, formulation of the research problem and techniques of sampling for research.
6. Collection of relevant historical & comparative materials.
7. Classification and tabulation of data and analysis of these data.
8. Preparation of the research design.
9. Jurimetrics.
10. Presentation.

Suggested Readings:

1. High Brayal, Nigam, Dunean, and Richard Crimes : Clinical Legal Education : Active Learning in your Law School (1998) Blackstine Press Limited, London.
2. S.K. Agrawal (Ed.) : Legal Education in India (1973) Tripathi Pub., Bombay.
3. N.R. Madhava Menaon (Ed.) A Handbook of Clinical Legal Education (1998) Eastern Book Company, Lucknow.
4. M.O. Price : Elective Legal Research (1978)
5. C.R. Kothari : Research Methodology, Methods and Techniques.

6. Jaya Prakash : Research Methodology.
7. Pauling vs Yong : Scientific Social Survey and Research.
8. Erwin C. Surrency : A Guide to Legal Research.
9. ILI Publication, Legal Research and Methodology.
10. R.M. Deepak Kumar : Social Research Methodology. Etc.

Paper- V

Principles of Human Rights

Total Marks	Theory	Internal Assessment
100	80	20

1. Jurisprudence of Human Rights; Nature, Definition, Origin and Theories of Human Rights.
2. Universal protection of Human Rights; United Nations and Human Rights, Universal Declaration of Human Rights. 1948; International Covenant on Civil and Political Rights, 1966; International Covenant Economic, Social and Cultural Rights, 1966.
3. Protection of Human Rights Laws in India; National Human Right Commission (NHRC); State Human Right Commission (SHRC) and Human Right Courts.
4. Protection of Human Rights at National level; Human Rights and the Constitution, The Protection of Human Rights Act, 1993.
5. Human Rights and Vulnerable Groups; Rights of Women, Children, Disabled, Tribal's, Aged and Minorities – National and International Developments.

Suggested Readings:

1. Henkin Luis : Rights of Man Today.
2. Nagendra Singh : Enforcement of Human Rights in Peace and War and the future of the Humanity.
3. Related Conventions and Act.
4. S.K. Kapoor : International Law and Human Rights.
5. H.O. Agrawal : International Law and Human Rights. Etc.