

UNIVERSITY OF JAMMU

(NAAC ACCREDITED A GRADE UNIVERSITY)
Baba Sahib Ambedkar Road, Jammu-180006 (J&K)

Email: academicsectionju14@gmail.com

NOTIFICATION

(24/Aug/Adp./69)

It is hereby notified for the information of all concerned that the Vice-Chancellor, in anticipation of the approval of the Academic Council, has been pleased to authorize the adoption of the Revised Scheme and Syllabi of the Master's Degree Programme in Law (LL.M) (as given in the Annexure) for the Examinations to be held in the year as given below:-

<u>Course</u>	<u>Semester</u>	<u>for the Examination to be held in the years</u>
LL.M	First Semester	2024
	Second Semester	2025
	Third Semester	2025
	Fourth Semester	2026

The Syllabi of the course is available on the University Website: www.jammuuniversity.ac.in.

Sd/-
DEAN ACADEMIC AFFAIRS

No. F.Acd/III/24/ 8981-8987
Dated: 20/08/2024

Copy for information & necessary action to:-

1. Dean, Faculty of Law
2. Head, Department of Law
3. C.A to the Controller of Examinations
4. Deputy/Assistant Registrar (Exams. Prof./Confidential)
5. Incharge, University Website

Sumitshamo
14/8/24
Deputy Registrar (Academic)

SS
14/8

Rab
14/08/2024

Annexure

**FACULTY OF LAW
UNIVERSITY OF JAMMU**

SCHEME AND SYLLABUS

FOR

MASTER IN LAWS (LL.M.)

UNIVERSITY OF JAMMU

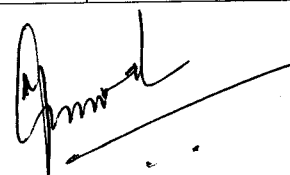
SCHEME AND SYLLABI OF THE DEGREE OF MASTER IN LAWS

There shall be the following courses of study for LL.M., First, Second, Third and Fourth Terms :

TERM – I:

The students shall be required to take Two Compulsory Foundation Courses, LMFC01 and LMFC02 in addition to Two Courses to be selected from any Optional Group with the permission of the Head of the Department. :

Course Code	Title	Course Credits	Max. Marks
FOUNDATION COURSES			
LMFC01	Law and Social Transformation in India	6	100
LMFC02	Indian Constitutional Law: The New Challenges	6	100
OPTIONAL GROUP-I (ADMINISTRATIVE LAW)			
LMADMO1	Administrative Process: Nature and Scope	6	100
LMADMO2	Administrative Process and Judicial Control	6	100
OPTIONAL GROUP-2 (BUSINESS LAW)			
LMBUSO1	Commercial Law: Regulation and Management	6	100
LMBUSO2	Competition Law	6	100
OPTIONAL GROUP-3 (CONSTITUTION AND LEGAL ORDER)			
LMCONO1	Mass Media Law	6	100
LMCONO2	Public Utilities Law	6	100
OPTIONAL GROUP-4 (CRIMINAL LAW)			
LMCRIO1	Comparative Criminal Process	6	100
LMCRIO2	Penology: Treatment of offenders	6	100
OPTIONAL GROUP-5 (ENVIRONMENT AND LEGAL ORDER)			
LMENVO1	Environment and Development: Law and Policy	6	100
LMENVO2	Resource Management and the Law	6	100



UNIVERSITY OF JAMMU


SCHEME AND SYLLABI OF THE DEGREE OF MASTER IN LAWS

Course Code	Title	Course Credits	Max. Marks
OPTIONAL GROUP-6 (HUMAN RIGHTS LAW)			
LMHRLO1	Concept and Development of Human Rights	6	100
LMHRLO2	Human Rights and International order	6	100
OPTIONAL GROUP-7 (PERSONAL LAWS)			
LMPLSO1	Family Law-01	6	100
LMPLSO2	Family Law-02	6	100

TERM – II:

The students shall be required to take Three Compulsory Foundation Courses, LMFC03 , LMFC04 and LMFC0P (Practical Legal Education) in addition to Two Courses to be selected from any Optional Group with the permission of the Head of the Department :

Course Code	Title	Course Credits	Max. Marks
FOUNDATION COURSES			
LMFC03	Judicial Process	6	100
LMFC04	Legal Education and Research Methodology	6	100
LMFC0P	Practical: Legal Education	6	100
OPTIONAL GROUP-I (ADMINISTRATIVE LAW)			
LMADMO3	Public Authorities: Liability	6	100
LMADMO4	Public Authorities and Power Holders Controls on Mal Administration	6	100
OPTIONAL GROUP-2 (BUSINESS LAW)			
LMBUSO3	Banking and Insurance Law	6	100
LMBUSO4	Corporate Insolvency and Bankruptcy	6	100



UNIVERSITY OF JAMMU

SCHEME AND SYLLABI OF THE DEGREE OF MASTER IN LAWS

Course Code	Title	Course Credits	Max. Marks
OPTIONAL GROUP-3 (CONSTITUTION AND LEGAL ORDER)			
LMCONO3	Union-- State Relations	6	100
LMCONO4	Constitutionalism: Pluralism and Federalism	6	100
OPTIONAL GROUP-4 (CRIMINAL LAW)			
LMCRIO3	Privileged Clause Deviance	6	100
LMCRIO4	Drug Addiction, Criminal Justice and Human Rights	6	100
OPTIONAL GROUP-5 (ENVIRONMENT AND LEGAL ORDER)			
LMENVO3	Prevention and Control of Pollution	6	100
LMENVO4	Environment and International Legal Order	6	100
OPTIONAL GROUP-6 (HUMAN RIGHTS LAW)			
LMHRLO3	Protection and Enforcement of Human Rights in India	6	100
LMHRLO4	Human Rights of Disadvantaged Groups	6	100
OPTIONAL GROUP-7 (PERSONAL LAWS)			
LMPLSO3	Family Law-03	6	100
LMPLSO4	Family Law-04	6	100

Approved

UNIVERSITY OF JAMMU

SCHEME AND SYLLABI OF THE DEGREE OF MASTER IN LAWS

TERM – III:

The students shall be required to take any Two Courses from the Optional Groups with the prior approval of the Head of the Department

Course Code	Title	Course Credits	Max. Marks
OPTIONAL GROUP-1 (ADMINISTRATIVE LAW)			
LMADMO5	Local Self-government Law	6	100
LMADMO6	Comparative Administrative Law	6	100
OPTIONAL GROUP-2 (BUSINESS LAW)			
LMBUSO5	Corporate Governance and Management	6	100
LMBUSO6	International Trade Law	6	100
OPTIONAL GROUP-3 (CONSTITUTION AND LEGAL ORDER)			
LMCONO5	Human Rights	6	100
LMCONO6	National Security, Public Order and Rule of Law	6	100
OPTIONAL GROUP-4 (CRIMINAL LAW)			
LMCRIO5	Juvenile Delinquency	6	100
LMCRIO6	Collective Violence and Criminal Justice System	6	100
OPTIONAL GROUP-5 (ENVIRONMENT AND LEGAL ORDER)			
LMENVO5	Bio- Diversity and Legal Order	6	100
LMENVO6	Environmental Legislation	6	100
OPTIONAL GROUP-6 (HUMAN RIGHTS LAW)			
LMHRLO5	International Humanitarian Law and Refugee Law	6	100
LMHRLO6	Science, Technology and Human Rights	6	100
OPTIONAL GROUP-7 (PERSONAL LAWS)			
LMPLSO5	Family Law-05	6	100
LMPLSO6	Family Law-06	6	100

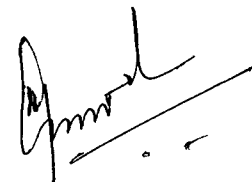
UNIVERSITY OF JAMMU

SCHEME AND SYLLABI OF THE DEGREE OF MASTER IN LAWS

TERM – IV:

Course Code	Title	Course Credits	Max. Marks
COMPULSORY COURSES			
LMDT05	Dissertation	9	150
LMVV06	Viva-Voce	3	50

1. The duration of examination in each course shall be three hours. A student must clear a course other than the dissertation within 3 years from the date when he qualifies to take examination in that course. If this condition is not fulfilled his candidature for LL.M. course shall stand cancelled and he shall not be allowed to continue the course or appear in any examination.
2. The Head of the Department shall appoint teacher of Department of Law as supervisor for a candidate for supervision of the dissertation work. The student shall write a dissertation on a topic approved by the supervisor. Four type-written copies of the dissertation written under the guidance of a supervisor shall be submitted to the Controller of Examinations, University of Jammu through the Head of the Law Department with a certificate that the dissertation was written by the candidate under the guidance of Supervisor appointed for the purpose.
3. Viva-voce in the fourth semester shall be conducted by two examiners i.e., one internal to be nominated by the Head of the Department from amongst the Professors of the Department and one external to be appointed by the Vice-Chancellor out of the panel of examiners.
4. The dissertation shall be submitted by a candidate of LL.M. IV semester within six months from the date the candidate is admitted to the IV semester. The Head of the Department of Law may extend this time by six months from the date the dissertation was due to be submitted. In exceptional cases of great hardship, the Board of Studies in Law may condone the delay in submission of dissertation upto a period of two years from the date of expiry of such extension.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE:	LAW AND SOCIAL TRANSFORMATION IN INDIA		
SUBJECT CODE:	LMFC01	COURSE CREDIT:	06
MAXIMUM MARKS :	100	MINIMUM MARKS :	45
TIME:	3 HOURS		

Objective of the Course

This course is designed to offer the teacher and the taught with (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and (b) a spirit of inquiry to explore and exploit law and legal institutions as a man to achieve development within the frame work of law. The endeavor is to make the students aware of the role the law has played and has to play tin the contemporary Indian society.

UNIT – I

1. Law and social change

- Law as an instrument of social change
- Law as the product of traditions and culture
- Sociological school and its applicability in India
- Principles of social legislation.
- Constitutional mechanism for social change.

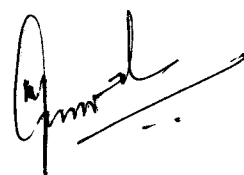
2. Religion and the law

- Religion: Meaning, relationship with law;
- Religion as an integrative or divisive factor;
- Secularism: meaning and its contribution in Indian society
- Reform of the law on secular lines: Problems.
- Freedom of religion and nondiscrimination on the basis of religion.
- Religious minorities and the law.

UNIT – II

1. Language and the law

- Multi-linguistic culture and its impact on policy on nation
- Language as a divisive factor: formation of linguistic states



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SUBJECT CODE:	LMFC01	COURSE CREDIT:	06
MAXIMUM MARKS :	100	MINIMUM MARKS :	45
TIME:	3 HOURS		

- Constitutional guarantees to linguistic minorities • Non-discrimination on the ground of language

2. Community and the law

- Caste as a socio-cultural reality and role of caste as a divisive and integrative factor
- Non-discrimination on the grounds of caste.
- Acceptance of caste as a factor to undo past injustices.
- Protective discrimination: Scheduled castes, tribes and backward classes
- Reservation: Statutory Commissions, Statutory provisions

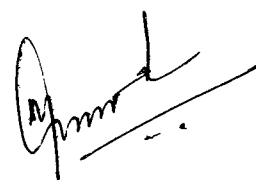
UNIT – III

1. Women and the Law:

- Position and the Role of women in Indian society • Crimes against women – Codified laws
- Gender injustice and its various forms, causes and remedies
- Women's Commission
- Empowerment of women; Constitutional and other legal provisions

2. Children and the Law:

- Child Labour
- Sexual Exploitation
- Adoption, Maintenance and Related Problems
- Children and Education – a Constitutional mandate



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REVISED SYLLABI OF LL.M 1ST SEMESTER
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COMPULSORY FOUNDATION COURSES

SUBJECT TITLE:	LAW AND SOCIAL TRANSFORMATION IN INDIA		
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MAXIMUM MARKS :	100	MINIMUM MARKS :	45
TIME:	3 HOURS		

3. Differently-abled, Third Gender and the Law

- Law Relating to differently-abled: Equality and Justice Issues,
- Rights of the Third Gender.

UNIT – IV Modernisation and the law:

- Modernisation as a value; Constitutional perspectives reflected in the fundamental duties.
- Modernisation of social institutions through law. • Reform of family law
- Agrarian reforms Industrialization of agriculture.
- Industrial reform: Free enterprise v. State regulation – Industrialization environmental protection.
- Reform of court processes.
- Criminal law: Plea bargaining: compounding and payment of compensation to victims.
- Civil law: (ADR) Confrontation v. consensus: mediation and conciliation; Lok Adalats.
- Prison reforms.
- Democratic decentralization and local self-government.

Suggested Readings:

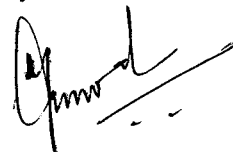
Marc Galanter (ed.), Law and Society in Modern India (1997) Oxford.

Robert Lingat, the Classical Law of India (1998) Oxford

U. Baxi, The Crisis of the Indian Legal System (1982). Vikas, New Delhi.

U. Baxi (ed.), Law and Poverty Critical Essays (1988), Vikas. Tripathi, Bombay.

Duncan Derret: the state, Religion and Law in India (1999). Oxford University Press, New Delhi.



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SUBJECT CODE:	LMFC01	COURSE CREDIT:	06
MAXIMUM MARKS :	100	MINIMUM MARKS :	45
TIME:	3 HOURS		

Indian Law Institute, Law and Social Change: Indo-American Reflections, Tripathi (1998)

M.P .Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay.

Agnes, Flavia, Law and Gender Inequality: The Politics of women's Rights in India (1999), Oxford

Freedman, Law in changing Society.

A.V Dicey, Law and Public opinion in England.

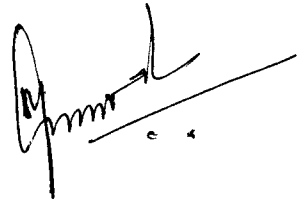
Brown, J. Austinia- Theory of Law

Hart, HLA, Concept of Law

Benthan , Theory of Legislation

Julius stone, Social Dimension of Law and Justice

Note for Examiner: The Examiner shall set eight questions selecting two from each Unit. The candidate shall attempt four questions selecting at least one from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

SUBJECT CODE:	LMFC02	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

OBJECTIVES OF THE COURSE

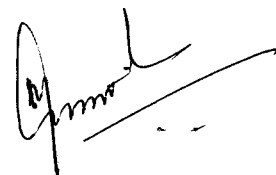
The Constitution, a living document, is said to be always in the making. The judicial process of constitutional interpretation involves technique of adapting the law to meet changing social mores. Constitution being the fundamental law, an insight onto its new trends is essential for a meaningful understanding of the legal system and processes. The post graduate students of law who had the basic knowledge of Indian Constitutional Law at LL.B. level, shall be exposed to the new challenges and perspectives of constitutional developments while they are allowed to choose an area of law for specialization. The following syllabus is spread over a period of one semester.

UNIT – I Federalism: Emerging trends and new challenges

- Creation of new states;
- Allocation and share resources- distribution of grants in aid;
- The inter-state disputes on resources
- Rehabilitation of internally displaced persons
- Center's responsibility and internal disturbances within states , Direction of the centre to the State under Articles 356 and 365;
- Federal Comity: Relationship of trust and faith between Centre and State
- Special Status of certain States including Tribal Areas and Scheduled Areas.

UNIT -II Separation of Powers: Stress and Strain

- Judicial activism and Judicial restraint.
- PIL: implementation.
- Judicial independence



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
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COMPULSORY FOUNDATION COURSES

SUBJECT TITLE: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

SUBJECT CODE:	LMFC02	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

- Appointment, transfer and removal of judges.
- Accountability: executive and Judiciary.
- Tribunals

UNIT – III Democratic Process

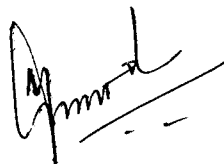
- Nexus of politics with criminals and the business: Politics criminals and criminalization of Politics:
- Election, Electoral Reforms; Grass root democracy • Election commission: status.
- Coalition government, ‘stability, durability, corrupt practices’

Unit -IV Secularism in Indian Pluralistic Society Concept : Ancient and Modern;

- Constitutional Philosophy
- Judicial Dicta

Suggested readings

No specific bibliography is suggested for this course since the course materials obviously depends upon the latest developments. These developments on the areas specified in the course can be gathered from the recent materials such as case law, changes and amendments of laws, critical comments studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values. However, the following study materials are recommended.



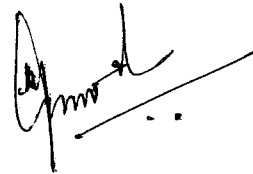
UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
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COMPULSORY FOUNDATION COURSES

SUBJECT TITLE: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

SUBJECT CODE:	LMFC02	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

-
1. D.D Basu, Constitution of India
 2. C.A.D
 3. Sarkaria Commission and Venkatachaliah Commission Reports.
 4. M.P Jain Constitutional Law
 5. V.N Shukla (M.P Singh Ed.) Constitution of India
 6. S.C Jain,
 7. M.V Pylee, Our Constitution, Govt. and Politics, 2000
 8. Austin: Working with the Democracies, Constitution of India, Oxford, 2000
 9. K.L Bhatia, Federalism and Frictions in centre, state relations , 2001
 10. .K.L Bhatia, Judicial Review and Judicial Activism, 1997
 11. .K.L Bhatia, Constitution Review or Restructure, AIR,

Note for Examiner: The Examiner shall set eight questions selecting two from each Unit. The candidate shall attempt four questions selecting at least one from each Unit. All question carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ADMINISTRATIVE LAW (OPTIONAL GROUP 1)

SUBJECT TITLE: ADMINISTRATIVE PROCESS; NATURE AND SCOPE

SUBJECT CODE: LMADMO1 COURSE CREDIT: 06

MAXIMUM MARKS: 100 MINIMUM MARKS: 45

TIME: 3 HOURS

Objectives of the course

The administrative explosion of the 19th century in the common law world brought in new norms of relationship between the state and its citizens. In due course, the continental strategies of control over administration had their influence. Along with this the civil service and administrative agencies gained more and more importance when the state launched welfare programmes and became the guardian of the rights of individuals. These standards of administrative behaviour are moulded and supported through constitutional values in the lands of constitutional sovereignty. Necessarily, a student of law relating to administration should get a deep knowledge of the operation and changing phenomena of these standards from a comparative angle. This is so especially on the wake of technological revolution and its aftermath on the administration.

Unit-1 Administrative Process

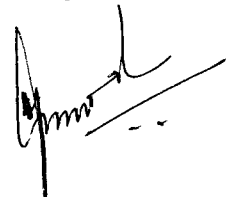
- Nature and meaning
- The role of civil service
- The role of administrative agencies

Unit-II Administrative Process: Regulation to De- regulation and Control to Decontrol Globalization and Liberalization

- Constitutional standards
- Comparative Aspects

Unit- III Rule of Law and Separation of Powers: From Rigidity to Flexibility

- Changing dimensions
- Regulation of administrative process



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SUBJECT CODE: LMADMO1 COURSE CREDIT: 06

MAXIMUM MARKS: 100 MINIMUM MARKS: 45

TIME: 3 HOURS

Unit IV Delegated Legislation:

Problems, Process and Control

Suggested readings

Friedman, the State and the Rule of Law in a Mixed Economy

Dicey, Introduction to the Law of the Constitution,

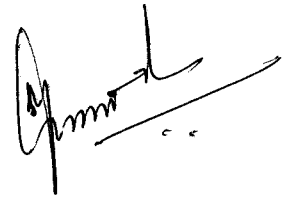
Davis, Discretionary Justice

Jain & Jain, Principals of Administrative Law, (!986), Tripathi

De Smith, Judicial Review of Administrative Action, (1995)

M.P Jain, Cases and Materials on Administrative Law (1996), Vol.I, Wadhawa, Nagpur.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All question carries equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ADMINISTRATIVE LAW (OPTIONAL GROUP 1)

SUBJECT TITLE: ADMINISTRATIVE PROCESSES AND JUDICIAL CONTROL

SUBJECT CODE:	LMADMO2	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Objectives of the course

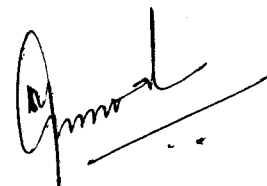
Administrative Law is mainly a judge-made law and has secured its present features through a myriad of judicial decisions. The historical evolution of the judicial agencies reviewing administrative procedures, jurisdictional aspects of administrative decision making subjected to review, the grounds on which decisions are challenged, the scope of review of delegated legislation and the limitations on the judicial review of administrative action are to be studied in detail in this course. The procedural fairness is the key to good administrative decision and the various remedies rendered on judicial process clear the way for achieving administrative justice. The ever-increasing number of delegated legislations in the form of rules, regulations, circulars and general orders have the characteristics of law, which though framed by administration, impose burden on the rights of citizens. Keeping this specie of administration beyond judicial review is neither in the interests of the general public nor for laying down standards of administrative behavior.

Unit –I Judicial Review in India

- Historical development
- Powers of the Supreme Court and High Courts
- Role of subordinate judiciary
- Jurisdiction: Finality clauses, Conclusive Evidence clauses; Law- Fact distinction and Exclusionary-clause

Unit- II Grounds of Review

- Doctrine of Ultra Vires
- Unreviewable discretionary powers: from Liversidge to Padfield
- Discretion and Justifiability
- Violation of fundamental rights
- Extraneous consideration and/ or irrelevant grounds



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ADMINISTRATIVE LAW (OPTIONAL GROUP 1)

SUBJECT TITLE: ADMINISTRATIVE PROCESSES AND JUDICIAL CONTROL

SUBJECT CODE:	LMADMO2	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

-
- Delegation
 - Acting under direction
 - Malafides and bias
 - Lack of rationality and proportionality
 - oppressing decision
 - Absence of proportionality

Unit-III Procedural fairness

- Legimate Expectation
- Natural Justice and duty to act fairly
- Bias and personal interest
- Fair hearing

Unit- IV Remedies & limits of judicial review

- Locus standi and public interest litigation
- Laches
- Writs
- Injunction and Declaration

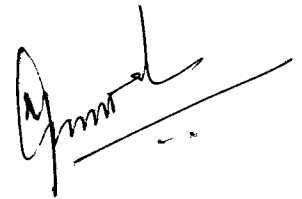
Suggested readings

S.P Sathe, Administrative Law (1998), Butter Worths, India.

De Smith, Judicial Review of Administrative action (1995), .

I.P Massey, Administrative Law (1995), Eastern, Lucknow.

Bagawati Prasad Banerjee, Writ Remedies, (1999), Wadhwa, Nagpur



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ADMINISTRATIVE LAW (OPTIONAL GROUP 1)

SUBJECT TITLE: ADMINISTRATIVE PROCESSES AND JUDICIAL CONTROL

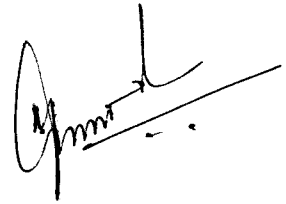
SUBJECT CODE:	LMADMO2	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

M.P. Jain, The Evolving Indian Administrative Law (1983), Tripathi,

Jain & Jain, Principles of administrative Law (1986), Tripathi M.P Jain, Cases and Materials on Administrative Law (1996), Vol.I, .

K.L Bhatia, Judicial Review and Judicial Activism ,1997.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
BUSINESS LAW (OPTIONAL GROUP-2)

SUBJECT TITLE: COMMERCIAL LAW: REGULATION AND MANAGEMENT

SUBJECT CODE:	LMBUSO1	COURSE CREDIT.	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

Course Objectives:

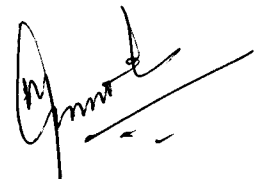
1. To provide students with an in-depth understanding of the legal frameworks governing arbitration, mediation, real estate regulation, consumer protection, and intellectual property rights in India.
2. To equip students with the skills to apply legal principles in real-world scenarios involving commercial disputes, real estate transactions, consumer rights, and intellectual property issues.
3. To develop the ability to critically analyze legislative provisions, judicial interpretations, and regulatory practices in the context of commercial law.
4. To impart knowledge about the various mechanisms of dispute resolution including arbitration, mediation, and online dispute resolution, and to understand their significance in the commercial sector.
5. To familiarize students with the regulatory practices and compliance requirements in the fields of real estate, consumer protection, and intellectual property rights.
6. To engage students in discussions on contemporary issues, policy developments, and reforms in commercial law, encouraging them to think innovatively about future legal challenges.

UNIT-I Law relating to Arbitration, and Mediation

- (i) Arbitration Law in India, Appointment of Arbitrators, Award and Recourse against Award
- (ii) Mediation:
- (iii) Online Dispute Resolution

UNIT-II Real Estate Regulation and Development Law:

- (i) Registration of Real Estate Project
- (ii) Real Estate Agents



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
BUSINESS LAW (OPTIONAL GROUP-2)

SUBJECT TITLE: COMMERCIAL LAW: REGULATION AND MANAGEMENT

SUBJECT CODE:	LMBUSO1	COURSE CREDIT.	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

- (iii) Real Estate Regulatory Authority, Central Advisory Council, The Real Estate Appellate Tribunal
(iv) Offences, Penalties and Adjudication

UNIT-III Law relating to Consumer Protection:

- (i) Consumer Protection in India
(ii) Rights of Consumers
(iii) Consumer Dispute Redressal Forums, Nature and Scope of Remedies
(iv) E-commerce & Direct Selling Guidelines

UNIT-IV Intellectual Property Rights:

- (i) Law relating to Patents
(ii) Law relating to Copyrights
(iii) Law relating to Trademarks
(iv) Law relating to Industrial Designs and GIs

Suggested Readings

1. Markanda, P.C "Law relating to Arbitration and Conciliation" LexisNexis Butterworths Wadhwa.
2. Malhotra, O.P. "The Law and Practice of Arbitration and Conciliation" Thomson Reuters.
3. Singh, Avtar, "Law of Arbitration and Conciliation" Eastern Book Company.
4. Justice M.L. Singhal, Commentary on the Real-Estate (Regulation and Development) Act, 2016, Eastern Book Company.
5. M V Durga Prasad, Law Relating To Real Estate Regulation In India, Asia Law House
6. Singh, Avtar. "Law of Consumer Protection: Principles and Practice", Eastern Book Company.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
BUSINESS LAW (OPTIONAL GROUP-2)

SUBJECT TITLE: COMMERCIAL LAW: REGULATION AND MANAGEMENT

SUBJECT CODE:	LMBUSO1	COURSE CREDIT.	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

-
7. Dugar, S.M. "Guide to Consumer Protection Law" Taxmann Publications.
 8. Bansal, Ashwini Kumar "Law of Trademarks in India", Thomson Reuters.
 9. Narayanan, P. "Intellectual Property Law in India", Eastern Law House.

Additional Resources:

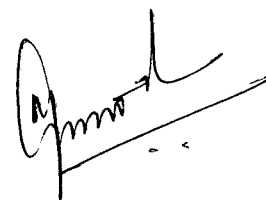
1. Online Databases:

- a) SCC Online: Comprehensive legal research platform for Indian case law.
- b) Manupatra: Legal database providing access to Indian and international law resources.

2. Websites:

- a) Ministry of Law and Justice, India: Updates on laws and amendments.
- b) National Consumer Disputes Redressal Commission: Information on consumer protection cases and guidelines.
- c) Intellectual Property India: Official portal for IP laws, updates, and e-filing.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



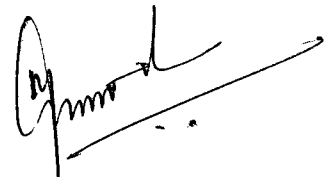
UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
BUSINESS LAW (OPTIONAL GROUP-2)

SUBJECT TITLE: COMPETITION LAW

SUBJECT CODE:	LMBUSO2	COURSE CREDIT.	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

Course objectives:

1. To provide students with an in-depth knowledge of the principles, policies, and regulations of competition law in India.
2. To explore the historical development of competition law in India and compare it with international frameworks and best practices.
3. To equip students with the skills to apply competition law principles to real-world business practices and market conditions.
4. To familiarize students with the roles, functions, and procedures of the Competition Commission of India (CCI) and other regulatory authorities.
5. To understand various antitrust issues such as cartels, abuse of dominance, anti-competitive agreements, and mergers and acquisitions.
6. To engage students in discussions on policy developments, legislative reforms, and contemporary issues in competition law.
7. To study significant Indian and international case law that has shaped the landscape of competition law.
8. To analyze the impact of globalization on competition law and the challenges posed by cross-border anti-competitive practices.
9. To encourage advanced research and develop practical skills through case studies, and internships with competition law practitioners and regulators.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
BUSINESS LAW (OPTIONAL GROUP-2)

SUBJECT TITLE: COMPETITION LAW

SUBJECT CODE:	LMBUSO2	COURSE CREDIT.	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

UNIT – I

1. Competition: An Introduction

- (i) Definition of Competition
- (ii) Definition of Competition Law
- (iii) Objectives of Competition Law

2. History of Competition Law (USA, UK, Europe)-Relevant provisions of Sherman's Act

- (i) Indian scenario with an overview of MRTP Act, 1969
- (ii) Raghavan Committee Report

3. International co-operation for competition

- (i) WTO agreements and the Act

UNIT – II

1. Anti-competitive Agreement

- (i) Appreciable adverse effect
- (ii) Horizontal and Vertical agreements
- (iii) Effects doctrine

2. Prohibition of Anti-Competitive Agreements

- (i) Horizontal Agreements
- (ii) Vertical Agreement



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
BUSINESS LAW (OPTIONAL GROUP-2)

SUBJECT TITLE: COMPETITION LAW

SUBJECT CODE:	LMBUSO2	COURSE CREDIT.	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

(iii) Rule of Reason approach

(iv) Per-se Rule approach

3. Abuse of Dominant Position

(i) Relevant market

(ii) Predatory behaviour

(iii) Predatory pricing

(iv) Discriminatory practices

(v) Appreciable Adverse effect on Competition (AAEC)

UNIT – III

1. Combination

(i) Value of Assets

(ii) Turnover


(iii) Acquisition

(iv) Conglomeration

(v) Joint Venture

(vi) Merger and Amalgamation

(vii) Notification



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
BUSINESS LAW (OPTIONAL GROUP-2)

SUBJECT TITLE: COMPETITION LAW AND CONSUMER PROTECTION

SUBJECT CODE:	LMBUSO2	COURSE CREDIT.	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

2. Competition Commission of India

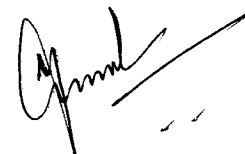
- (i) Establishment and composition
- (ii) Duties
- (iii) Procedure for inquiry
- (iv) Powers
- (v) Competition fund

UNIT – IV Enforcement Mechanisms

- 1. Powers and Functions of Director General (Investigation)
- 2. Competition Advocacy
- 3. Appellate Tribunal

Suggested Readings

- 1. Dhall .Vinod, Competition Law Today: Concept Issues and Law in Practice, Oxford University Press, 2007
- 2. Bangia R.K., A Handbook of Consumer Protection Laws and Procedure, Allahabad Law Agency
- 3. Mittal D.P., Taxmann's Competition Law and Practice, 3rd Edition , 2007.
- 4. Universal Guide to Competition Law in India, Universal Law Publishing Company, New Delhi. 2003
- 5. Ramappa. T., Competition Law in India- Policy, Issues and Development Oxford University Press, 3rd Edition, 2013
- 6. Aditi P Talati, Nahar. S. Mahala, Competition Act, 2002: Law, Practice and Procedure, Commercial Law Publishers, 2006



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
BUSINESS LAW (OPTIONAL GROUP-2)

SUBJECT TITLE: COMPETITION LAW AND CONSUMER PROTECTION

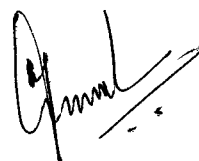
SUBJECT CODE:	LMBUSO2	COURSE CREDIT.	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

7. Avtar Singh & Harpreet Kaur, Introduction to Law of Tort & Consumer Protection, Lexis Nexis
8. Verma S.K. & M.Afzal Wani, A Treatise on Consumer Protection Laws, Indian Law Institute
9. Anoop K. Kaushal, Universal's Practical Guide to Consumer Protection Law, Universal law Publishing Company
10. Aggarwal, Prof. V. K., Consumer and Protection Law and Practice.
11. Competition Act, 2002 – Principles and Practices by Dr. V.K. Agarwal
12. Suresh T. Vishwanathan, *Law and Practice of Competition Act*. Bharat
13. Richard Whish, *Competition Law*, Oxford University press, 2008
14. Mark Furse, *Competition Law at the EC and UK*, 6th – 2008, Oxford University Press
15. M. Dugar, Commentary on MRTP Law, *Competition Law & consumer Protection Law*, 4th ed. – 2006, Wadhwa Nagpur
16. Abir Roy & Jayant Kumar, *Competition Law in India*, Eastern Law House, New Delhi
17. Kristy Middleton, Barry Rodger & Angus Mac Culloch, *Cases and Materials on UK and EC Competition Law*, Oxford University Press, 2003

Additional Resources:

1. Competition Commission of India (CCI) Official Website: For updates, case laws, regulations, and reports (<https://www.cci.gov.in/>).
2. Ministry of Corporate Affairs, India: For legislative updates and notifications related to competition law (<https://www.mca.gov.in/>).
3. Organisation for Economic Co-operation and Development (OECD): For international reports and studies on competition law (<https://www.oecd.org/competition/>).

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CONSTITUTION AND LEGAL ORDER (OPTIONAL GROUP- 3)

SUBJECT TITLE: MASS MEDIA LAW

SUBJECT CODE: LMCON01 COURSE CREDIT. 06

MAXIMUM MARKS 100 MINIMUM MARKS 45

TIME: 3 HOURS

Objectives of the Course

Mass Media such as press, radio and television, films, play a vital role in socialization, culturalization and modernization of a society. The visual media are bound to have a much greater impact on human mind. But while these media have such a potential value as man educators, they are also susceptible to destructive and harmful uses for promoting criminal anti-social and selfish escapist tendencies. While their positive potential as mass educators has to be harnessed for developmental purposes, their negative, harmful potential has to be curbed in public interest. Law plays a dual role vis-à-vis such media. On the one hand, it protects the creative freedom involved in them, on the other, it has to regulate them so as to avoid their possible abuse. This paper will deal with such interaction between Law and Mass Media.

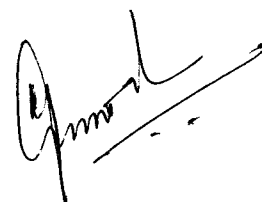
Unit-I. Mass Media – Types of – Press, Films, Radio, Television

- Ownership patterns - Press - Private – Public
- Ownership patterns – films – Private
- Ownership patterns – Radio & Television, Public
- Difference between Visual and Non- Visual Media-

Impact on People's minds.

Unit-II Press – Freedom of Speech and Expression and Constitutional Restrictions- Article 19

- Includes Freedom of the Press.
- Laws of defamation, obscenity, blasphemy and sedition.
- Law relating to employees' wages and service conditions.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CONSTITUTION AND LEGAL ORDER (OPTIONAL GROUP- 3)

SUBJECT TITLE: MASS MEDIA LAW

SUBJECT CODE: LMCON01

COURSE CREDIT.

06

MAXIMUM MARKS 100

MINIMUM MARKS

45

TIME: 3 HOURS

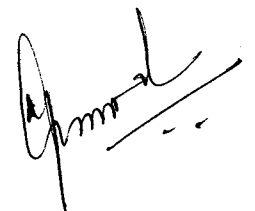
-
- Price and Page Schedule Regulations.
 - Newsprint Control Order.
 - Advertisement – is it included within freedom of speech and expression?
 - Press and the Monopolies and Restrictive Trade Practices Act.
 - Radio and television subject to law of defamation and obscenity.
 - Power to legislate – Article 246 read with the Seventh Schedule.
 - Power to impose tax – licensing and license fee

Unit-III Films – How far included in freedom of speech and expression?

- Censorship of films – constitutionality.
- The Abbas Case.
- Difference between films and Press – why pre-censorship valid for films but not for the press?
- Censorship under the Cinematograph Act.

Unit-IV Radio and Television – Government monopoly

- Why Government department?
- Should there be an autonomous corporation?
- Effect of television on people.
- Report of the Chanda Committee.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CONSTITUTION AND LEGAL ORDER (OPTIONAL GROUP- 3)

SUBJECT TITLE: MASS MEDIA LAW

SUBJECT CODE: LMCONO1 COURSE CREDIT. 06

MAXIMUM MARKS 100 MINIMUM MARKS 45

TIME: 3 HOURS

- Government policy.
- Commercial advertisement
- Internal Scrutiny of serials, etc.
- Judicial Review of Doordarshan decisions: Freedom to telecast.

Suggested Reading:

M.P.Jain, Constitutional Law in India (1994) Wadhwa.

H.M.Seervai, Constitutional Law of India Vol.1 (1991) Tripathi, Bombay.

John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Centre for Law in Development 1980).

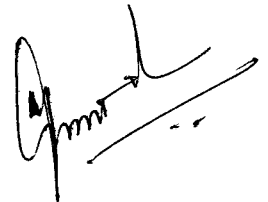
Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression". 14 J.I.L.I. 501 (1972)

Rajeev Dhavan "On the Law of the Press in India" 26 J.I.L.I. 288 (1984)

Rajeev Dhavan, "Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission" 26 J.I.L.I 391 (1984)

Soli Sorabjee, Law of Press Censorship in India (1976)

Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984)



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CONSTITUTION AND LEGAL ORDER (OPTIONAL GROUP- 3)

SUBJECT TITLE: MASS MEDIA LAW

SUBJECT CODE: LMCON01

COURSE CREDIT.

06

MAXIMUM MARKS 100

MINIMUM MARKS

45

TIME: 3 HOURS

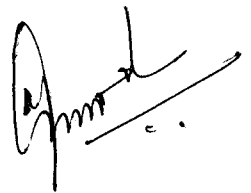
D.D.Basu, The Law of Press of India (1980)

Students should consult relevant volumes of the Annual Survey of Indian

Law published by the Indian Law Institute. (Constitutional Law 1 & 11,

Administrative Law and Public Interest Litigation)

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CONSTITUTION AND LEGAL ORDER (OPTIONAL GROUP- 3)

SUBJECT TITLE: PUBLIC UTILITIES LAW

SUBJECT CODE: LMCONO2 COURSE CREDIT. 06

MAXIMUM MARKS 100 MINIMUM MARKS 45

TIME: 3 HOURS

Objectives of the Course

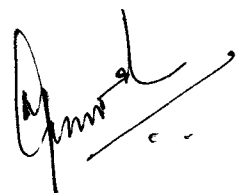
Public utilities are government monopolies, which are services rather than commercial enterprises. The law of public utilities is contained in the statutes of incorporation and judicial decisions given by courts while resolving disputes between the utilities and their consumers, employees, traders or others entering into business relations with them. In this paper a student will study (a) government policy regarding such utilities in general and each utility in particular, (b) the growth and evolution of the public utilities; (c) patterns of the laws of incorporation and (d) powers, functions and liabilities of the public utilities vis-à-vis their employees, consumers and others.

Unit-I Public Utilities

- Meaning of public utility services, the role of public utility services such as Railways, Electricity, Gas, Road Transport, telephone, post and telegraph service, Police, Fire Brigade, Banking service, etc.
- Origin and development of public utility services in India
- Government & parliamentary control on public utility services
- Public utilities and consumer protection - rights of consumers protected by the Consumer Protection Act, rights arising under the law of Contract and Torts

Unit-II Public Utilities and their Employees.

- Public utilities and their employees under Article 16
- Application of Article 311 to the employees of a public utility
- Application of Industrial law to the employees' right to strike



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CONSTITUTION AND LEGAL ORDER (OPTIONAL GROUP- 3)

SUBJECT TITLE: PUBLIC UTILITIES LAW

SUBJECT CODE: LMCONO2 COURSE CREDIT. 06

MAXIMUM MARKS 100 MINIMUM MARKS 45

TIME: 3 HOURS

Unit-III Public Utilities and Fundamental Rights.

- The right to equality and public utility services
- Status of public utilities within the meaning of Article 12
- Public utility under Article 19 (1)(g), and reasonable restrictions
- Extension of the concept of State

Unit-IV Liabilities & Special Privileges of Public Utilities

- In contract
- In tort
- In Criminal Law

Suggested readings

P.M.Bakshi, Television & the Law

Vasant Kelkar, "Business of Postal Service" 33 I.J.PA. pp. 133-141 (1987)

G. Ramesh, "Characteristic of Large Service Organisation in a Developing Country Like India" 32 I.J.PA .77 (1986)

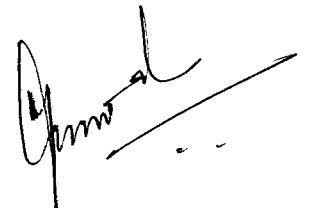
Nalini Paranjpe, "Planning for Welfare in the Indian Railways" 31 I.J.PA. 171-180 (1985)

Arvind K. Sharma "Semi-Autonomous Enterprise: Conceptual Portrait – Further Evidence on the Theory of Autonomy" 33 I.J.PA. p. 99-113.

S.P Sathe, Administrative Law

Jain & Jain, Principles of Administrative Law

Jagdish UI, Handbook of Electricity Laws



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CONSTITUTION AND LEGAL ORDER (OPTIONAL GROUP- 3)

SUBJECT TITLE: PUBLIC UTILITIES LAW

SUBJECT CODE: LMCONO2

COURSE CREDIT.

06

MAXIMUM MARKS 100

MINIMUM MARKS

45

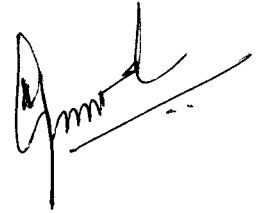
TIME: 3 HOURS

Bhaumik, The Indian Railways Act

Law Commission of India, 38th Report

Indian Post Office Act, 1898

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UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CRIMINAL LAW (OPTIONAL GROUP-4)

SUBJECT TITLE: COMPARATIVE CRIMINAL PROCEDURE

SUBJECT CODE:	LMCRIO1	COURSE CREDIT:	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

Objectives of the course

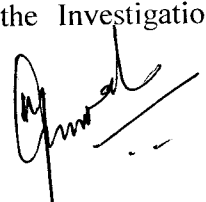
Criminal Procedure is being taught as a compulsory paper at the level of LL.B. today. However, a jurisprudential thrust has to be given to this subject at the post-graduate level as this is a subject which has constitutional undertones and jurisprudential importance. A study of comparative criminal procedure helps students develop an ecumenical approach and broadens their vision. It inspires them to renew and revise their laws to be in tune with developed systems. The paper is taught with reference to India, the UK, France and the USA.

UNIT-I Organization of Courts and Prosecuting Agencies

- Hierarchy of criminal courts in India, the UK, France and the USA
- Jurisdiction of Courts
- Prosecution – Role of prosecution in the administration of criminal justice in India and France
- Directorate of Prosecution, Prosecution by CBI, Special prosecutors under different laws in India

UNIT-II Pre-trial Procedures

- Role of Police- Procedure followed in arrest
- Powers of Police to Investigate
- Forensic investigation
- The rights of the accused in India and the UK
- The evidentiary value of statements oral and reduced in writing during the Investigation/articles seized/collected by the police



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CRIMINAL LAW (OPTIONAL GROUP-4)

SUBJECT TITLE: COMPARATIVE CRIMINAL PROCEDURE

SUBJECT CODE:	LMCRIO1	COURSE CREDIT:	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

UNIT-III Trial Procedures in India

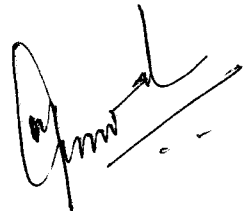
- Accusatory system of trial and Inquisitorial system
- Various types of Trials in India
- Evidence in enquiries and trials
- Plea Bargaining
- Appeal procedure
- Role of a victim in the penal process

UNIT-IV Correction and Aftercare services

- Institutional correction of the offenders
- General comparison- After-Care services in India and France
- The role of the court in correctional programmes in India
- Preventive Measures as incorporated in Bharatiya Nagarik Suraksha Sanhita, 2023 concerning preventive jurisdiction of criminal courts
- Preventive action of police

Suggested Readings:

- Celia Hampton, Criminal Procedure.
- Wilkins and Cross, Outline of the Law of Evidence.
- Archbold, Pleading, Evidence and Practice in Criminal Cases.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CRIMINAL LAW (OPTIONAL GROUP-4)

SUBJECT TITLE: COMPARATIVE CRIMINAL PROCEDURE

SUBJECT CODE: LMCRI01

COURSE CREDIT: 06

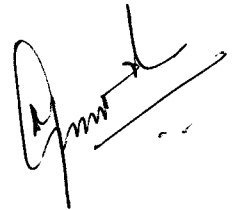
MAXIMUM MARKS 100

MINIMUM MARKS 45

TIME: 3 HOURS

- Sarkar, Law of Evidence. K.N. Chandrasekharan Pillai(ed.)
- R.V. Kelkar's Outlines of Criminal Procedure, Eastern, Lucknow.
- Patric Devlil, The Criminal Prosecution in England.
- John N. Ferdico, Criminal Procedure (1996), West.
- Sanders & Young, Criminal Justice (1994).
- Christina Van Den Wyngart, Criminal Procedure Systems in European Community
- Devlin, Criminal Prosecution in England.
- Coffey (Alam) – An Introduction to Criminal Justice System and Process.
- French Code of Criminal Procedure & Penal Code (American Series).
- 197th Report of the Law Commission of India, (2006) about the Appointment of the Prosecutors.
- Philip L. Reichel, Comparative Criminal Justice Systems- Topical Approach, 6th Edition, 1994.
- Dr G.P. Tripathi, The Comparative Law (Jurisprudence), Second Edition, Central Law Publication, 1980.
- Bharatiya Nagarik Suraksha Sanhita, 2023.
- Baratiya Sakhshya Adhinyam, 2023.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026

CRIMINAL LAW (OPTIONAL GROUP-4)			
SUBJECT TITLE:	PENENOLOGY! TREATMENT OF OFFENDERS		
SUBJECT CODE:	LMCRIO2	COURSE CREDIT:	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

Objectives of the Course

This course offers a specialist understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications and the problematic of discretion in the sentencing experience of the “developing” societies, a focus normally absent in law curricula so far.

The expert work of the U. N. Committee on Crime Prevention and Treatment of Offenders will be availed of in this course. Especially, at each stage, the three ‘D’s will be explored as offering a range of alternatives: decriminalization, dependization, and deinstitutionalization

The following syllabus prepared with this perspective will be spread over a period of one semester.

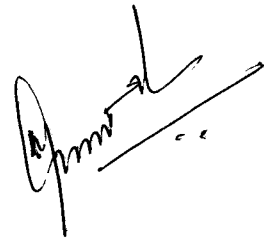
Unit -1 Introductory

- Definition, Nature & Scope of Penology
- Limitation to Penology
- Relations between Penology and criminology
- Penology in relation to privileged class deviance.
- Penology in relation to marginalized deviance or criminality.

The distinctive Indian (historical and contemporary) approaches to penology

Theories of Punishment

- Punishment and the Role of the State
- Utilitarian prevention: Deterrence
- Utilitarian: Intimidation
- Retribution
- Rehabilitation and Reformation Theory
- Behavioural prevention Incapacitation



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
CRIMINAL LAW (OPTIONAL GROUP-4)

PENOLOGY!
SUBJECT TITLE: TREATMENT OF OFFENDERS

SUBJECT CODE:	LMCRIO2	COURSE CREDIT:	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

- Behavioural Prevention Rehabilitation Expiation
- Classical Hindu and Islamic approaches to punishment

UNIT – II The Problematic of Capital Punishment

- Constitutionality of Capital Punishment
- Judicial Attitudes Towards Capital Punishment in India Inquiry through the statute law and case law
- Philosophy of Death Sentence
- Tracing the history of capital punishment in India
- Economic Costs of Capital Punishment
- Death Penalty & Proportionality Doctrine
- Capital Punishment and International Covenant on Civil and Political Rights

UNIT – III Concept and Approaches to Sentencing

- Principal types of sentences in BNS and Special laws
- Sentencing in white-collar crimes
- Sentencing for habitual offenders
- Alternatives to Sentencing (pre-trial Stage to post-trial Stage) Plea- Bargaining Compounding of offences, Absolute or Conditional discharge.
- Probation, Parole & Corrective labour

UNIT – IV Imprisonment

- Prisons in India: Brief History and condition in present times. Prison Reform Committee, State List in the Constitution, Mulla Committee.
- Prisons Act, Model Prison Manuals, Prisoners Act, Transfer of Prisoners Act.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026

CRIMINAL LAW (OPTIONAL GROUP-4)
PENNOLOGY!

SUBJECT TITLE: TREATMENT OF OFFENDERS

SUBJECT CODE: LMCRI02

COURSE CREDIT: 06

MAXIMUM MARKS 100

MINIMUM MARKS 45

TIME: 3 HOURS

- Classification of prisoners
- Rights of prisoners and duties of custodial staff with special reference to rights and welfare of female prisoners.
- Open Prisons.
- Judicial surveillance -basis-development reforms and inmate participation and community service.

Suggested Readings

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

H.L.A. Hart, Punishment and Responsibility (1968)

Herbert L. Packer, The Limits of Criminal Sanction (1968)

Alf Ross, On Guilt, Responsibility and Punishment (1975)

A. Siddique, Criminology (1984) Eastern, Lucknow.

Law Commission of India, Forty-Second Report Ch. 3 (1971)

K.S.Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey of Sociology and Social Anthropology 1969-179 (1986)

Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R.Campray & Co., Calcutta.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ENVIRONMENT AND LEGAL ORDER (OPTIONAL GROUP – 5)

SUBJECT TITLE: ENVIRONMENT AND DEVELOPMENT LAW AND POLICY

SUBJECT CODE: LMENVO1 COURSE CREDIT: 06

MAXIMUM MARKS 100 MINIMUM MARKS 45

TIME: 3 HOURS

Objectives of the Course

The concept of environment lay embedded in ancient ethos. Throughout the centuries there were invisible process working for the maintenance and improvement of environment. Towards the close of the last millennium one finds widening dimensions of environment protection strategies. How do these developments stand reflected in formulation of policies and in following constitutional values in India? This is the thrust of the paper.

Unit-I The Idea of Environment


- Environment Protection: Issues and Problems
- Ancient and Medieval Writings
- Modern Concept: Conflicting Dimensions

Unit-II Development

- Theories of Development
- Right to Development
- Sustainable Development: International Perspective
- Sustainable Development; National Perspective

Unit-III Policy and Law

- From Stockholm to Rio and After wards
- Forest Policy



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ENVIRONMENT AND LEGAL ORDER (OPTIONAL GROUP – 5)

SUBJECT TITLE: ENVIRONMENT AND DEVELOPMENT LAW AND POLICY

SUBJECT CODE: LMENVO1 COURSE CREDIT: 06

MAXIMUM MARKS 100 MINIMUM MARKS 45

TIME: 3 HOURS

- Conservation Strategy
- National Environment Policy,

Unit-IV Constitutional Perspectives

- Fundamental Rights
- Directive Principles; & Fundamental Duties
- Legislative Power
- Polluter Pays; Precautionary Principles; and Public Trust Doctrine

Suggested Readings:

Shyam Divan and Armin Rosencranz: Environmental Law and Policy in India (Oxford, 2022)

Gurdip Singh: Environmental Law (Eastern Book Company, 2016)

C.M.Abraham, Environmental Jurisprudence in India(1999), Kluwer.

Madhav Gadgil and Ramachandra Guha, This Fissured Island: An Ecological History of India (1996), Oxford.

R.B.Singh & Suresh Misra, Environmental Law in India (1996), Concept Publishing Co., New Delhi.

Kailash Thakur, Environmental Protection: Law & Policy in India (1997), Deep & Deep Publications, New Delhi.

Richard L.Riversz, et.al.(eds.), Environmental Law, the Economy & Sustainable Development (2000), Cambridge.

UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ENVIRONMENT AND LEGAL ORDER (OPTIONAL GROUP – 5)

SUBJECT TITLE: ENVIRONMENT AND DEVELOPMENT LAW AND POLICY

SUBJECT CODE: LMENVO1 COURSE CREDIT: 06

MAXIMUM MARKS 100 MINIMUM MARKS 45

TIME: 3 HOURS

Christopher D. Stone, Should Trees Have Standing & other Essays on Law, Morals and the Environment (1996), Oceana.

Stuart Bell and Donald McGillivray, Environmental Law(2000), Blackstone Press.

Charles A.R.Webster, Environmental Health Law (1981)

Leelakrishnan, P et. Al. (eds.) Law and Environment (1990), Eastern

Leelakrishnan, P, The Environmental Law in India (1999), Butterworths-India.

Thomas J. Schoenbaum, Environmental Policy Law (1992), Foundation Press, Inc. Westbury, New York.

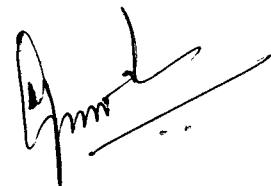
Darryl D'Monte, Temples or Tombs Industry versus Environment: Three Controversies (1985), Centre for Science and Environment, New Delhi.

Indian Journal of Public Administration, Special Number on Environment and Administration, July-September 1988, Vol. XXXV, NO.3, pp.353-801.

Khosho, Environmental Concerns and Strategies (1988), Ashish, Delhi.

.Garrett Hardin, The Ostrich Factor: Our Population Myopia (1998), Oxford.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All question carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ENVIRONMENT AND LEGAL ORDER (OPTIONAL GROUP – 5)

SUBJECT TITLE: RESOURCE MANAGEMENT AND THE LAW

SUBJECT CODE: LMENVO2 COURSE CREDIT: 06

MAXIMUM MARKS 100 MINIMUM MARKS 45

TIME: 3 HOURS

Objectives of the Course

Sustainable use of resource, natural and man-made, is the desideratum in an environmentally conscious period of human development. Wise use of water, land, forest and other common property resources, such as wet lands, lakes, roads and parks become an important task in this respect. Protection of various energy resources is equally significant element in countering wastage, indiscriminate use and unwise choices.

The following syllabus prepared with this perspective is to be spread over one semester.

Unit-I: Water

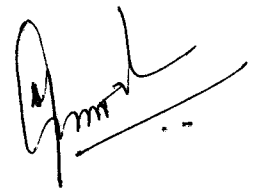
- Water Resources and Public Trust, Inter- State Water Management & Disputes.
- Water (Prevention and Control of Pollution) Act, 1974 and Regulatory Challenges
- Riparian Rights, Water Pollution and Judicial Perspective

Unit-II: Land

- Eco- friendly Land Planning: Conservation, Utilization and Conversion.
- Judicial response on Mining, Quarrying and Stubble burning Cases
- Urban Problems and Legal Control

Unit-III: Air Pollution and Control

- Air (Prevention and Control of Pollution) Act, 1981: Key Features
- Vehicular Pollution, Taj Mahal; and NGT cases on Air pollution
- Noise Pollution and Legal Control



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REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ENVIRONMENT AND LEGAL ORDER (OPTIONAL GROUP – 5)

SUBJECT TITLE: RESOURCE MANAGEMENT AND THE LAW

SUBJECT CODE:	LMENVO2	COURSE CREDIT:	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

Unit-IV Energy

- Conventional and Non- Conventional Sources of Energy and their uses.
- Energy related Environmental Problems: Tapping, Transmission and Utilization, Indiscriminate use.
- Energy Conservation Act, 2001: Key Features and relevant Amendments

Suggested Readings:

Shyam Divan and Armin Rosencranz: Environmental Law and Policy in India (Oxford, 2022)

Gurdip Singh: Environmental Law (Eastern Book Company, 2016)

Kailash Thakur, Environmental Protection: Law and Policy in India (1997), Deep & Deep Publications, New Delhi.

WCED, Our Forest, Our Future (1999), Cambridge.

Abraham C.M. Environmental Jurisprudence in India (1999),

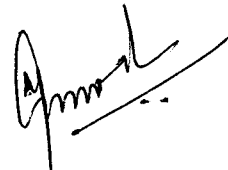
Kluwer. Diwedi, India's Environmental Policies, Programmes and Stewardship (1999),

Mc.Millan. Enid M. Barron, et.al. (eds.), Royal Commission on Environmental Pollution, London, U.K. (1998), Kluwer.

David B Wilkins, Animal Welfare in Europe (1997), Kluwer.

Mark Austen and Tamara Richards, Basic Legal Documents on International Animal Welfare and wild Life Conservation (2000), Kluwer.

Jack Grosse, Protection and Management of Our Natural Resources, Wild Life and Habitat (1997), Oceana.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
ENVIRONMENT AND LEGAL ORDER (OPTIONAL GROUP – 5)

SUBJECT TITLE:	RESOURCE MANAGEMENT AND THE LAW		
SUBJECT CODE:	LMENVO2	COURSE CREDIT:	06
MAXIMUM MARKS	100	MINIMUM MARKS	45
TIME:	3 HOURS		

Enid.M.Barson and Ilga Nielson (eds.) Agriculture and Sustainable Use in Europe (1998), Kluwer.

Trever Hella Well, Blackston's Guide to Contaminated Land (2000), Blackstone Press.

Leelakrishnan, P et.al. (eds.), Law and Environment (1990)

Leelakrishnan, P, The Environmental Law in India (1999), Butterworths- India.

Frodorick R.Anderson, et.al. Environmental Improvement through Economic Incentives (1997).

Indian Journal of Public Administration, Special Number on Environement and Administration, July-September 1988, Vol.XXXV, No.3.

David Hughes, Environmental Law, (1999) Butterworths, London.

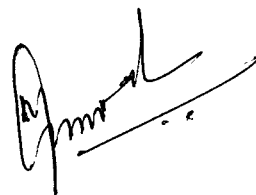
A.R.Bam and P.N.Gantam, Natural Heritage of India (1989), R.K. Publishers, Delhi.

S.K.Jain and A.R.K.Sastry, Threatened Plants of India: A State of the Art Report (1980).

Armin Rozencranz, et.al.(eds.), Environmental Policy and Law in India (1988), Butterworths, India.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit.

The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
HUMAN RIGHTS LAW (OPTIONAL GROUP-6)

SUBJECT TITLE: CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS

SUBJECT CODE:	LMHRLO1	COURSE CREDIT:	06
MAXIMUM MARKS.	100	MINIMUM MARKS.	45
TIME:	3 HOURS		

Objectives of the Course

Protection of Human Rights (HR) became an important issue after the Second World War and after the acceptance of Universal Declaration of Human Rights. The growth of HR Law and jurisprudence thereafter was spontaneous and continuous. The changes in the global scenario bring new concept of HR protection against violation. In one sense, HR can be said as the rights which the nature has endowed with human beings.

However, they are not mere privileges given to the subjects by the ruler but are liberties permitted to the "citizens" in a democracy. Manifestly a law that violates human rights is no law at all. Probably this perspective may give an impression that human rights are not different from natural rights envisaged by the natural law school.

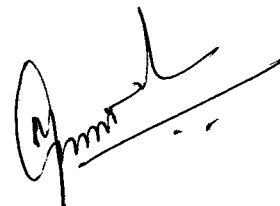
Although Indian polity waited for more than one score and five years for adoption of Fundamental Duties in the Constitution, it is beyond doubt that every human being has responsibilities and obligation not only towards the other fellow beings, but also towards the society at large. Only when a society is aware of this right-duty relationship can there be any meaning to human rights.

This course is intended to highlight the concept of human rights, their evolution and their importance in our society now particularly in the era of privatization, globalization and liberalization.

Prepared with the above perspective, the following syllabus to be spread over a period of one semester.

Unit-I Human Rights: Concept.

- Human Rights in Indian Tradition: ancient, medieval and modern
- Human Rights in Western Tradition



UNIVERSITY OF JAMMU
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SUBJECT TITLE: CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS

SUBJECT CODE:	LMHRLO1	COURSE CREDIT:	06
MAXIMUM MARKS.	100	MINIMUM MARKS.	45
TIME:	3 HOURS		

-
- Development of Natural Rights
 - Human Rights in International Law and National Law

Unit-II Classification of Human Rights : Historical Development

- First Generation Human Rights
- Second Generation Human Rights
- Third Generation Human Rights

Unit-III Human Rights: Politics and Society

- Colonisation, imperialism and Human Rights
- Power, Practices, accountability and transparency
- Liberalization, Privatization and Globalization
- Human Duties: Responsibilities and Obligations

Unit-IV Human Rights and Judicial Process

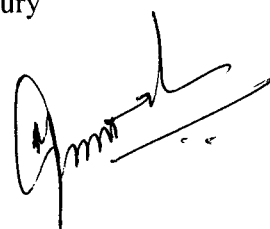
- Judicial Activism
- Human Rights Protection Agencies

Suggested Readings:-

Angela Hegarty, Siobhan Leonard, Human Rights an Agenda for the 21st Century

Lalit Parmer, Human Rights, (1998).

Rama Jois, Human Rights: Bhartiya Values, (1998).



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
HUMAN RIGHTS LAW(OPTIONAL GROUP-6)

SUBJECT TITLE: CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS

SUBJECT CODE: LMHRLO1 COURSE CREDIT: 06

MAXIMUM MARKS. 100 MINIMUM MARKS. 45

TIME: 3 HOURS

David P. Forsythe, Human Rights in International Relations.

Lon L. Fuller, The Morality of Law.

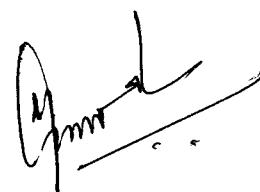
John Finnis, Natural Law and Natural Rights (1980).

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

M.G.Chitkara, Human Rights: Commitment and Betrayal, (1996).

Robert Lewngat, The Classical Law of India (1998), Oxford.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
HUMAN RIGHTS LAW (OPTIONAL GROUP-6)

SUBJECT TITLE: HUMAN RIGHTS AND INTERNATIONAL LAW

SUBJECT CODE:	LMHRLO2	COURSE CREDIT:	06
MAXIMUM MARKS.	100	MINIMUM MARKS.	45
TIME:	3 HOURS		

Objectives of the Course

Human Rights have universal application. They gathered importance when the United Nations adopted the Universal Declaration of Human Rights in 1948. The role of international organizations in promoting awareness of human rights is very significant.

The international conventions, though not binding, have persuasive force since the violations will be decried by the international community. International Non-Governmental Organisations watch and monitor human rights violations in every country. However, in the absence of national legislation, the enforcement of the rights will be difficult.

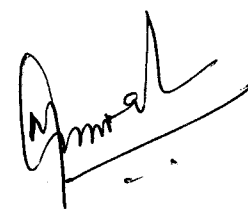
The following syllabus prepared with this perspective will be spread over a period of one semester.

Unit-I Development of the Concept of Human Rights Under International Law

- Role of International Organisation and Human Rights
- Universal Declaration of Human Rights (1948)
- Covenant on Civil and Political Rights (1966)
- Optional Protocol I & II of ICCPR
- Covenant on Economic, Social and Cultural Rights (1966)

Unit-II Regional Protection System

- European Convention on Human Rights and Fundamental Freedoms
- European Court of Human Rights.
- American Convention on Human Rights
- Implementation Mechanism



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
HUMAN RIGHTS LAW (OPTIONAL GROUP-6)

SUBJECT TITLE: HUMAN RIGHTS AND INTERNATIONAL LAW

SUBJECT CODE:	LMHRLO2	COURSE CREDIT:	06
MAXIMUM MARKS.	100	MINIMUM MARKS.	45
TIME:	3 HOURS		

- Other regional Conventions.

Unit-III Protection Agencies and NGOS mechanisms

- International Commission of Human Rights
- Amnesty International
- Non-Governmental Organizations (NGOs)
- U.N.Division of Human Rights
- International Labour Organisation
- UNESCO
- UNICEF
- National and State Human Rights Commissions

Unit-IV International Enforcement of Human Rights

- International Court of Justice-Functions and powers vis a vis Human rights violation,
- International Criminal Court: Human Rights Dynamics

Suggested Readings:

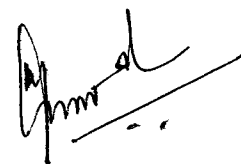
Benedetto Conforti and Francesco Francioni Enforcing International Human Rights in Domestic Courts, (1997).

Francisco Forrest Martin, Internaional Human Rights Law and Practice, (1997)

Luck Clements, European Human Rights Taking a Case under the Convention, (1994)

Evelyn A. Ankumah, The African Commission on Human Rights and People's Rights, (1996)

R.K.Sinha, Human Rights of the World, (1997)



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
HUMAN RIGHTS LAW (OPTIONAL GROUP-6)

SUBJECT TITLE: HUMAN RIGHTS AND INTERNATIONAL LAW

SUBJECT CODE: LMHRLO2 COURSE CREDIT: 06

MAXIMUM MARKS. 100 MINIMUM MARKS. 45

TIME: 3 HOURS

Philip Alston, The United Nations and Human Rights A Critical Appraisal, (1992)

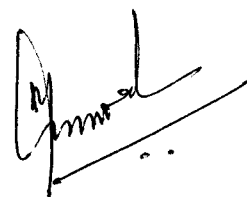
R.S.Sharma and R.K.Sinha, Perspectives in Human Rights Development, (1997).

The Human Rights Watch Global Report on Women's Human Rights, (2000), Oxford.

B.P.Singh Sehgal, Human Rights in India, (1996).

Chandan Bala, International Court of Justice: Its Functioning and Settlement of International Disputes, (1997).

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
PERSONAL LAWS (OPTIONAL GROUP- 7)

SUBJECT TITLE : FAMILY LAW-01

SUBJECT CODE: LMPLS01

COURSE CREDIT: 06

MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

Objectives of the Course

The purpose of this course is to apprise the law graduates with jurisprudential basis of various concept of family law. The course seeks to provide knowledge of fundamentals of personal laws and to analyze in-depth the sources and schools of thoughts of different personal laws prevalent in India. Institution of marriage and its nature and scope under different personal laws and the development of this institution through legislation shall also be analyzed in this subject.

Unit-I: Conceptual Framework

Hindu philosophy and Hindu Social structure;

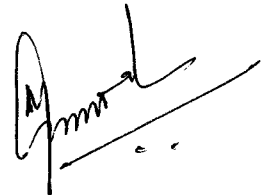
- Concept of Dharma, Rita and Justice under Hindu Law
- Evolution of Hindu Law

Origin and development of the Islamic Legal System,

- Islamic Legal Theory based on *Shari'at*,
- The classical and Modern theories of *fiqh*
- Evolution and Growth of Personal laws of Parsis, Jewish and Christian in India

Unit - II Sources and Schools

- Sources of Hindu Law with Regional or Other Relevant Variations;
- Schools of Hindu Jurisprudence and its Sub-Schools,
- Comparative analysis of different schools: Points of Similarities and differences among them,
- Sources of Muslim Law
- Schools and Sub-Schools of Muslim Law



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
PERSONAL LAWS (OPTIONAL GROUP- 7)

SUBJECT TITLE : FAMILY LAW-01

SUBJECT CODE: LMPLSO1

COURSE CREDIT: 06

MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

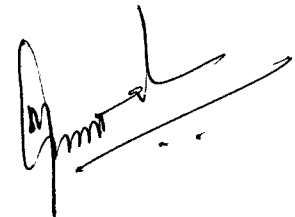
- Sources of Parsis, Christian and Jewish laws applicable in India

Unit -III: Marriage -I

- Evolution of the Institution of Marriage
- Concept and nature of Marriage under Dharmashastra,
- Relevance of Institution of Marriage among Hindus,
- Nature of Hindu marriage,
- Void and Voidable Marriage
- Origin and Concept of Muslim Marriage
- Nature and object of Muslim Marriage,
- Essentials of Muslim Marriage,
- Different types of marriage under Muslim Law • Prohibition and disabilities,
- Nature and concept of marriage under Parsi, Christian and Jewish Law in India

Unit - IV: Marriage -II

- Development of Hindu Marriage through legislative and judicial processes;
- Effects of Hindu Marriage Act. 1955, Hindu Marriage Law's (Amendments) Act. 1976,
- Essentials of Hindu marriage,
- Changing concept of Marriage under Hindu Law;
- Nullity of marriage under Hindu Law
- Rights and obligations of spouses under Islam,



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
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PERSONAL LAWS (OPTIONAL GROUP- 7)

SUBJECT TITLE : FAMILY LAW-01

SUBJECT CODE: LMPLSO1

COURSE CREDIT: 06

MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

- Judicial proceedings arising out a Muslim Marriage;
- i. Option of Puberty
- ii. Restitution of conjugal Rights
- iii. Polygamy
- Law relating to marriage among Parsis Christian and Jewish in India
- Judicial Trends relating to Marriage under different personal laws

Suggested readings

1. U.S. Sarkar, Epochs in Hindu Legal History
2. K.R.R. Sastry, Hindu Jurisprudence
3. Paras Diwan, Modern Hindu Law
4. D.F.Mulla, Principles of Hindu Law
5. .D.M. Derrett, Introduction to Modern Hindu Law
6. Robert Lingate, The Classical Law of India
7. P.N. Sen, The General Principles of Hindu Jurisprudence
8. A.A.A. Fyzee, A Modern Approach to Islam, (1963)
9. A.A.A. Fyzee, Reform in Muslim Personal Law in India (1971)
10. Abdur Rahim, Principles of Muhammadan Jurisprudence, (1907)
11. Syed Ameer Ali, Mohammadan Law, (1912)
12. Syed Ameer Ali, The Spirit of Islam (1978)
13. Joseph Schacht, An Introduction to Islamic Law (1964)
14. J.N.D. Anderson, Islamic Law in Modern World (1959)
15. H.A.R. Gibb, Modern Trends in Islam (1947)



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
PERSONAL LAWS (OPTIONAL GROUP- 7)

SUBJECT TITLE : FAMILY LAW-01

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COURSE CREDIT: 06

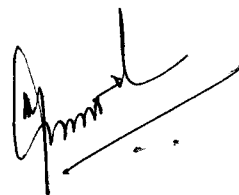
MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

16. Tahir Mahmood, Islamic Law in Modern India (I.L.I) new Delhi 1972)
17. Tahir Mahmood, Family Law and Social Change (1975)
18. Tahir Mahmood, An Indian Civil Code and Islamic Law (Institute of Constitutional and Parliamentary Studies, New Delhi, 1975)
19. Tahir Mahmood , Muslim Personal Law (1977)
20. Narmada Khode, Readings in Uniform Civil Code (1975)

Note for Examiner: The examiner shall set eight questions selecting two questions from each unit. The candidate shall attempt four questions selecting at least one from each unit. All questions carry equal marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
PERSONAL LAWS (OPTIONAL GROUP- 7)

SUBJECT TITLE : FAMILY LAW-II

SUBJECT CODE: LMPLSO2

COURSE CREDIT: 06

MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

Objectives of the Course

The course aims at focusing attention on certain matrimonial remedies and provisions of maintenance under different personal laws. Starting with an appraisal of theoretical principles underlying these institutions the study plans to proceed examining their development through legislative and judicial processes. The course includes a critical evaluation of the working of these institutions in order to help the students to appreciate the nature of law and its growth through interaction of various social and economic forces and needs of a fast-changing Society.

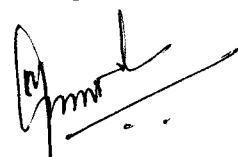
Unit – I: Matrimonial Remedies -I

Conceptual and theoretical basis of divorce:

- Fault theory of divorce,
- Consent theory divorce
- Irretrievable Breakdown theory
- Grounds of Divorce under Hindu Law
- Critical evaluation of the institution of divorce under Hindu law in the context of changing Indian Society and value system,
- Judicial trends
- Divorce under Parsis, Christian and Jewish laws

Unit – II: Matrimonial Remedies -II

- Concept of divorce under Shari'at and its development by legislation and judicial interpretation in India
- Different forms of Talaq under Muslim Law and their relevance



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
PERSONAL LAWS (OPTIONAL GROUP- 7)

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SUBJECT CODE: LMPLSO2

COURSE CREDIT: 06

MAXIMUM MARKS: 100

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TIME: 3 HOURS

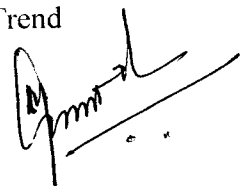
-
- Nature, Scope and Limitations on the Muslims women's right to dissolve the Marriage in India.
 - Critical evaluation of Muslim Law of divorce under modern socio-economic conditions.
 - Abolition of Triple Talaq and role of judiciary in this regard
 - Working Women and their Impact on spousal relationship vis-a vis retention of Restitution of Conjugal Rights as a Matrimonial Remedy under different personal laws

Unit -III: Maintenance -I

- Maintenance under general Law of land; (Sections 144-147 of the Bhartiya Nagarika Suraksha Sanhika, 2023),
- Interim and permanent maintenance and alimony under Hindu Marriage Act, 1955
- Persons entitled to maintenance under the Hindu Adoption and Maintenance Act 1956,
- Maintenance of the wife and widowed daughter in Law,
- Proceedings for alimony, Pendente lite under the Hindu Adoption and Maintenance Act 1956,
- Effects of the Hindu Adoption and Maintenance Act. 1956,
- Judicial Trends, leading cases of Supreme Court and High Courts

Unit -IV: Maintenance- II

- Origin, Concept, object and nature of Maintenance under Muslim Law,
- Persons entitled to Maintenance; Maintenance to wife during the continuance of marriage and after dissolution of marriage, duration of maintenance for divorced women,
- The Muslim Women (Protection and Rights on Divorce) Act 1986; Historical Background, impact of legislation in improving the condition of Muslim Women in India and Judicial Trend
- Maintenance under Parsi Law, Christian and Jewish law



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
PERSONAL LAWS (OPTIONAL GROUP- 7)

SUBJECT TITLE : FAMILY LAW-II

SUBJECT CODE: LMPLSO2

COURSE CREDIT: 06

MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

Selected bibliography

1. U.C. Sarkar, Epochs in Hindu Legal History
2. U.C. Sarkar, An Introduction to Hindu Law.
3. U.C. Sarkar, Legal Research Essays
4. Paras Diwan, Modern Hindu Law
5. D.F. Mulla, Principles of Hindu Law
6. N.R. Raghavachariar, Hindu Law Principles and Precedents
7. J.D.M. Derrett, Introduction to Modern Hindu Law
8. K.R.R. Sastry, Hindu Jurisprudence,
9. P.M. Brombley, Family Law,
10. M.N. Srinivasan, Principles of Hindu Law
11. H.S Gour, Hindu Law of marriage and Divorce (1974)
12. P.K. Viridi The Grounds for Divorce under Hindu and English Law
13. P.V. Kane, History of Dharmasastra
14. J.D. Mayne, Hindu Law
15. Tahir Mahmood, Family Law Reform Perspective in Modern India in Family Law and Social Change (1975)
16. Tahir Mahmood, The Muslim Law of India (1980)
17. Tahir Mahmood, Family Law Reform in the Muslim World (1972)
18. Abdur Rehman, Institutes of Mussulman Law(1907)
19. Alexander David Russell. Handbook of Muslim Jurisprudence (1976)
20. Sheikh M. H. Kidwai, women Under Different Social and Religious Laws (Buddism, Judaism, Islam, Christianity) 1976.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 1ST SEMESTER
EXAMINATION TO BE HELD IN 2024, 2025 AND 2026
PERSONAL LAWS (OPTIONAL GROUP- 7)

SUBJECT TITLE : FAMILY LAW-II

SUBJECT CODE: LMPLSO2

COURSE CREDIT: 06

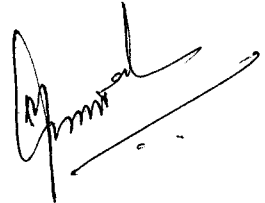
MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

21. A.A.A. Fyzee, Outlines of Muhammadan Law (1981)
22. F.B. Tyabji, Muslim Law: the Personal Law of Muslims in India and Pakistan (1968)
23. Ronald K. Wilson, Anglo-Muhammadan Law (1921)
24. D.F. Mulla, Principles of Mahomedan Law (1977)
25. S.V. Fitzgerald, Muhammadam Law: An Abridgement (1931)
26. Syed Ameer Ali, Mohammadan Law; (Tagore Law Lectures, Calcutta)
27. Syed Ameer Ali, The Spirit of Islam (1978)
28. Babu Ram Verma, Mohammadan Law in India and Pakistan (1978)
29. Babu Ram Verma, Muslim Marriage and Dissolution (1971)

Note for Examiner: The Examiner shall set **Eight** questions selecting **two** from each Unit. The candidate will attempt **four questions** selecting at least **One** from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE:	JUDICIAL PROCESS		
SUBJECT CODE:	LMFC03	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3HOURS		

Objective of the Course

A lawyer, whether academic or professional, is expected to be competent to analyse and evaluate the legal process from a broader perspective. Hence a compulsory paper on Judicial Process is essential in the LL.M. Curriculum. The objective of this paper is to study the nature of Judicial Process as an instrument of social ordering. It is intended to highlight the role of court as policy maker, participant in the power process and as an instrument of social change. This paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques employed in the process.

Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of concept of justice and its various theoretical foundation is required. This paper therefore intends to familiarize the students with various theories, different aspects and alternative ways of attaining justice.

The following syllabus is prepared with the above perspectives to be spread over one semester.

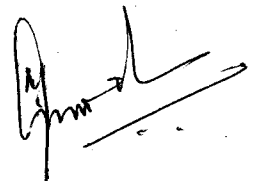
Unit-1: Concept and Nature of Judicial Process

- Concept of Justice or Dharma in Indian Thought
- Judicial Process as an instrument of social ordering.
- Judicial process and creativity in law-common law model-Legal reasoning and growth of Law.
- The Concept and various theories of justice in the western thought.
- Legal development through legal reasoning under statutory and codified systems.

Unit-2: Special Dimensions of Judicial Process in Constitutional Adjudications

- Notions of judicial review
- The tools and techniques of judicial precedents

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UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE:	JUDICIAL PROCESS		
SUBJECT CODE:	LMFC03	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3HOURS		

- Role of Judicial process in constitutional Adjudication
- Varieties of judicial and juristic activism
- Problems of accountability and judicial law making.

Unit-3: Judicial Process in India

- Indian debate on the role of judges and the notion of judicial review
- The independence of judiciary and political nature of judicial process
- Judicial activism and creativity of the Supreme Court
- Role of judicial Process in achieving constitutional goals

Unit-4, Relationship between Law and Justice

- Equivalence Theories-justice as nothing more than the positive law of the stronger class
- Dependency Theories-For its realization justice depends on Law, but justice is not the same as law
- The independence of justice theories- means to end relationship of law and justice-The relationship in the context of the Indian Constitutional ordering
- Analysis of the Fundamental Rights cases decided by the Supreme Court and the influence of the theories of justice on these cases.

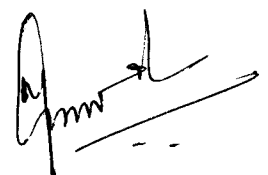
Suggested Readings:

Julious Stone, the Province and functions of Law, Part II (2000), Universal, Delhi.

Cardozo, The nature of Judicial Process (1995), Universal, Delhi.

Henry J. Abraham, the Judicial Process, (1998), Oxford.

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UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE:	JUDICIAL PROCESS		
SUBJECT CODE:	LMFC03	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3HOURS		

J.Stone, Precedent and the Law, Dynamics of Common Law growth, (1985) Butterworths

W.Friedman, Legal theory (1960), Steves, London.

Bodenheimer, Jurisprudence-the philosophy and method of the law (1997) Universal

J.Stone, Legal system and Lawyer's Reasoning (1999), Universal, Delhi

U.Baxi, the Indian Supreme Court and the Politics, (1980), Eastern, Luck now.

Rajeev Dhavan, The supreme Court of India- A socio-Legal critique of its Juristic

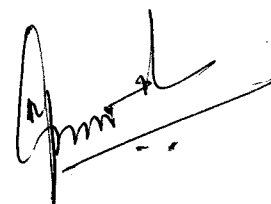
Techniques, (1977), Tripathi, Bombay.

John Rawls, A Theory of Justice, (2000), Universal, Delhi.

Edward H.Levi, An introduction to Legal Reasoning, (1970), university of Chicago.

S.K.Sharma, Distributive Justice under the Indian Constitution,(1989)

Note for Examiner: The Examiner shall set eight questions selecting two from each Unit. The candidate shall attempt four questions selecting at least one from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE: LEGAL EDUCATION AND RESEARCH METHODOLOGY

SUBJECT CODE:	LMFC04	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Objective of the course:

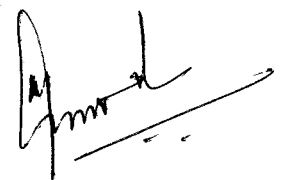
A post –graduate student of law should get an insight into the objectives of legal education. He should have an exposure to programmes like organization of seminars, publication of law journals and holding of legal aid clinics. Law is taught in different ways in different countries.

The LL.M course, being intended also to produce lawyers with better competence and expertise, it is imperative that the student should familiarize himself with the different systems of legal education. The lecture method both at LL.B level and LL.M level has many demerits. The existing lacunae can be eliminated by following other methods of learning such as case method, Problem method, discussion method, seminar method and a combination of all these methods. The student has to be exposed to these methods so as to develop his skills.

Growth of legal science in India depends on the nature and career of legal research. The syllabus is designed to enable the students to understand and appreciate the significance of research in legal studies. The main objective of this course is to acquaint the student of law with the scientific method of social science research. The course aims to familiarize learners with the intricacies of research in law from doctrinal as wells empirical research perspectives. This course is expected to provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio legal research. By the end of the course the students are expected to develop a scientific approach to socio legal problems. They should be able to design and execute research problems.

Unit – I Legal Education and Methods of Teaching

- History of Legal Education
- Objective of legal education
- Role of BCI, Role of UGC



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE: LEGAL EDUCATION AND RESEARCH METHODOLOGY

SUBJECT CODE: LMFC04

COURSE CREDIT: 06

MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

- Legal education and Constitution of India
- Lecture method of teaching- Merits and Demerits
- Problem method – Merits and Demerits
- Discussion method and its suitability at Post Graduate legal teaching
- Seminar method of Teaching – Kinds, Merits and Demerits
- Examination system and problems in evaluation- External and internal assessment.
- Clinical Legal education Legal aid, Legal Literacy, Legal survey and Law reform

Unit – II Research & Legal Research: An Introduction

- Definition and Meaning of Research, Objectives, Motivation and Significance of Research
- Scientific Method and Research- Characteristics, Induction and Deduction Approaches, Research and Logic
- Doctrinal and Empirical Research.
- Definition and Meaning of Legal Research, Objectives, Motivation, and Significance of Legal Research
- Legal Research Methodology -- Meaning of Methodology, Main characteristics of research methodology
- Research Values and Publication Ethics

Unit – III Major Steps in Research

- Research Problem: Identifying and defining the Research Problem, Steps in Problem Formulation, Significance of Research Problem, Rationale of Study

UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
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SUBJECT TITLE: LEGAL EDUCATION AND RESEARCH METHODOLOGY

SUBJECT CODE: LMFC04 COURSE CREDIT: 06

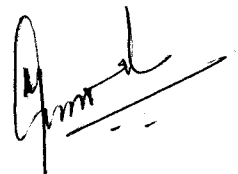
MAXIMUM MARKS: 100 MINIMUM MARKS: 45

TIME: 3 HOURS

-
- Review of Literature and Identification of Research Gaps, Significance of Review of Literature, Steps involved in Review of Literature
 - Formulation of Objectives
 - Hypothesis: Meaning, Importance, Formulation of Hypothesis, Types of Hypothesis in Legal Research, Sources of Hypothesis, Characteristics of a Good Hypothesis
 - Research Design: Meaning and Significance of Research Design, Working out a Research Design, Types of Research Design

Unit – IV Data Collection and Analysis & Interpretation of Data

- Data Collection in Doctrinal Research: Meaning of Data, Types of Data, Primary and Secondary Sources of Data; Data Analysis, Interpretation and Drawing of inferences
- Data Collection in Non-Doctrinal Research: Primary and Secondary Sources of Data, Meaning of Universe, Population and Sample, Importance of Sampling, Types of Sampling (as more than 50 types are there, only some important types will be dealt in class), Difference between sampling method and census method
- Methods and Tools of Data Collection in Non-Doctrinal Research: Interview Method and Interview Schedules; Questionnaire Method and Questionnaire; Observation Method and Observation Schedule
- Classification and tabulation of data- use of cards for data collection- rules for tabulation, Explanation of tabulated data
- Analysis and Interpretation of Data



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE: LEGAL EDUCATION AND RESEARCH METHODOLOGY

SUBJECT CODE:	LMFC04	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Legal Research Report Writing

- Research Report Writing- Meaning and Significance, Steps in Research Report Writing, Contents and Criteria of Good Legal Research Report.

Suggested readings

Agrawal, S. K. Legal Education in India, Bombay: Tripathi Publishers, 1973.

Gupta Mukul, Deepa Gupta. Research Methodology, Delhi: PHI Learning Private Ltd., 2013.

Kapoor, S.K., Puja Saigal. Research Methodology, Methods and Techniques, New Delhi: Regal Publications, 2013.

Kothari, C.R. Research Methodology, Methods and Techniques, 2nd Revised Edition, 2004,

New Age International Publishers, (Reprint 2013).

Kumar, Ashok. Legal Method, Legal Systems and Legal Research, 1st Edition, New Delhi: K.K. Publications, 2014.

Kumar Ranjit, Research Methodology, 2nd Edition, Australia: Pearson Education, 14th Impression, 2013.

Kothari, C.R., Gaurav Garg. Research Methodology, Methods and Techniques, 3rd Edition, New Delhi: New Age International Publishers, (Reprint 2016).

Myneni, S.R. Legal Research Methodology, 5th Edition, Haryana: Allahabad Law Agency, 2012.

Purohit, Mona. Legal Education and Research Methodology, 3rd Edition, Allahabad: Central law Publications, 2016.

Rattan Singh. Legal Research Methodology, 2nd Edition, Lexis Nexis, 2016.

UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
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COMPULSORY FOUNDATION COURSES

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MAXIMUM MARKS:	100	MINIMUM MARKS:	45
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Thakur, Devendra. Research Methodology in Social Sciences, New Delhi: Deep & Deep Publications, 2008.

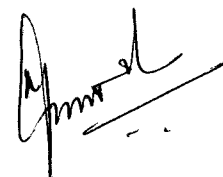
Tiwari, H.N. Legal Research Methodology, Haryana: Allahabad Law Agency, 2nd Edition, 2013.

Verma, S.K., M. Afzal Wani. Legal Research and Methodology, 2nd Edition 2001, New Delhi: Indian Law Institute, 4th Reprint, 2010.

Watt, Robert. Concise Legal Research, New Delhi: Universal Law Publishing Co. Pvt. Ltd., 2002.

Wilkinson, T. S. And P. L. Bhandarkar. Methodology and Techniques of Social Research, New Delhi: Himalaya Publishing House, 2010.

Note for Examiner: The Examiner shall set eight questions selecting two from each Unit. The candidate shall attempt four questions selecting at least one from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
COMPULSORY FOUNDATION COURSES

SUBJECT TITLE: PRACTICAL EXAMINATION

SUBJECT CODE: LMFC0P

COURSE CREDIT: 06

MAXIMUM MARKS: 100

MINIMUM MARKS: 45% (In each component)

The Practical Examination shall be held at the end of the second semester on research Methodology and Law Teaching. There shall be 30 marks each for doctrinal research and for non-doctrinal research and 40 marks each for law teaching.

I. Research Methodology

1. Doctrinal Research (30 marks)

Each student is assigned in advance a separate Problem and asked to collect material. A period of 5-7 days can be set apart for carrying out this assignment in the library. The materials indicated or collected during the assignment shall be evaluated by the teacher (s) of the Faculty of Law to be decided by the Head of the Department of Law in consultation with the Dean Faculty of Law and Convener Board of Studies in Law.


2. Non-doctrinal Research (30 marks)

Each student is assigned a Problem upon empirical study, which has social, legal economic, moral or political dimensions. Field data can be collected through social sciences techniques. The results are to be assessed by the teacher (s) of the Faculty of Law to be decided by the Head of the Department of Law in consultation with the Dean Faculty of Law and Convener Board of Studies in Law.

II Law Teaching (40 marks)

A topic is assigned to the students by the Head of the Department in consultation with the Dean Faculty of Law and Convener Board of Studies in Law in advance. He is required to handle a class for 25 to 30 minutes. The students shall be asked to teach the LL.B students. The candidate shall be asked to take one class in a week subject to total of four classes. They can select any of the methods of teaching. In legal education practical, the LL.M students are evaluated internally by the Head of the Department of Law, Dean Faculty of Law and Convener Board of Studies in Law.

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UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
ADMINISTRATIVE LAW (OPTIONAL GROUP 1)

SUBJECT TITLE:	PUBLIC AUTHORITIES: LIABILITY		
SUBJECT CODE:	LMADMO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Objectives of the Course

Judicial decisions in the common law world have formulated several duties and liabilities on the administrative hierarchy towards the citizens. Is the state in exercise of sovereign functions liable to compensate the affected persons? To what extent is the state in exercise of sovereign functions immune from liability? The State enters into contracts on more ways than one. Should there be standards of conduct laid down on the state when it does so? How can accountability be determined in all these areas? Open government is one of the significant attributes of good government in democracy. In what way these norms can be meticulously followed by the state in meting out administrative justice.

There are problems a country like India does confront in her march towards good governance.

Unit- I Tortious Liability

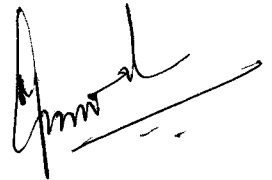
- Sovereign immunity
- Commercial and non-commercial function.

Emerging Liability

- Personal accountability.
- Compensatory jurisprudence and right to file

Unit-II Contractual liability

- Processual Justice: Privilege- right dichotomy
- Blacklisting of contractors
- Terms in government contract as instruments of social justice.
- Accountability under consumer law



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
ADMINISTRATIVE LAW (OPTIONAL GROUP 1)

SUBJECT TITLE:	PUBLIC AUTHORITIES: LIABILITY		
SUBJECT CODE:	LMADMO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM	MARKS:
45			
TIME:	3 HOURS		

Unit-III Privilege against Disclosure

- Right to information
- Official secrecy
- Transparency
- Executive privilege
- security of state and control on information
- Judicial review

Unit –IV Regulation of Corruption in Administration.

- Whistle blowing.
- Public service Guarantee. Disciplinary Proceedings.

Suggested Readings

Jain & Jain, Principles of Administrative Law (1986), Tripathi

De Smith, Judicial Review of administrative action (1995)

B. Schwartz, An Introduction to American Administrative Law

I.P Massy, Administrative Law, 2005

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.

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UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
ADMINISTRATIVE LAW (OPTIONAL GROUP 1)

SUBJECT TITLE:	PUBLIC AUTHORITIES AND POWER HOLDERS:		
SUBJECT CODE:	LMADMO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Objectives of the course

The maladministration is a disturbing phenomenon witnessed in a developing democracy like India. People holding public offices and authority are accused in misuse of their office and misappropriation of public funds for private gain. Privatization of public property for their private aggrandizement is an evil to be curbed early. Institutions like Lokpal and Lokayukt, agencies like commission of enquiry and vigilance commissions and legislative committees inquiring onto particular problem or general questions are in the process of experimentation in the country with the object of getting out of vicious triangle. These are opinions to strengthen the CBI. The reports of Comptroller and Auditor General are also followed up. This course shall concentrate on all these areas and make an evaluation of the existing machinery in the light of the judicial dicta on certain cases

Unit –I Ombudsman

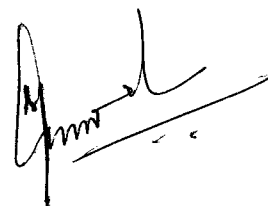
- The concept
- Comparative perspectives
- Evolving Indian models- Lokpal, Lokayukta institutions

Unit-II Commission of Inquiry and Investigating Agencies

- Investigation agencies: the CBI
- Central Vigilance Commissions & other Investigating Agencies: an approach to Good Governance

Unit-III Inquiries by Legislative Committees and Legislative Control

- Legislative control on assumption of powers.
- Financial Control – Comptroller and Auditor General



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
ADMINISTRATIVE LAW (OPTIONAL GROUP 1)

SUBJECT TITLE:	PUBLIC AUTHORITIES AND POWER HOLDERS:		
SUBJECT CODE:	LMADMO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Unit- IV Judiciary and mal administration.

- Exceeding jurisdiction.
- Non-exercise of powers.
- Malafide exercise of powers.

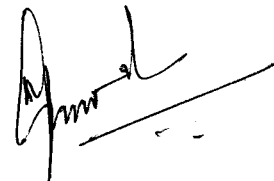
Suggested readings

K.S Shukla and S.S Singh, Lokayukta: a Social Study (1988), Indian Institute of Public Administration, N .Delhi,

Jain & Jain, Principales of Administrative Law (1986) Tripathi

Donald C. Rowat, The Ombudsman (1966), George Allan and Unwin Ltd., Toronto

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
BUSINESS LAW (OPTIONAL GROUP 2)

SUBJECT TITLE:	BANKING AND INSURANCE LAW		
SUBJECT CODE:	LMBUS03	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Course Objectives

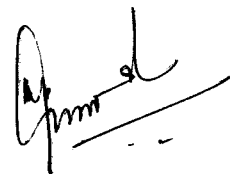
1. To provide students with a detailed understanding of the evolution, structure, and functioning of the banking and insurance sectors in India.
2. To familiarize students with the various legislations, regulatory frameworks, and compliance requirements governing the banking and insurance sectors.
3. To explore the role, functions, and powers of key regulatory authorities such as the Reserve Bank of India (RBI) and the Insurance Regulatory and Development Authority of India (IRDAI).
4. To develop the ability to critically analyze legal issues, policy developments, and judicial decisions related to banking and insurance law.
5. To engage students in discussions on the historical evolution and contemporary policy developments in the banking and insurance sectors.
6. To provide knowledge on the mechanisms for resolving disputes in banking and insurance and managing regulatory compliance effectively.

UNIT-I Overview of Indian Banking System:

- (i) Indian Banking System: Evolution
- (ii) Reserve Bank of India and its role
- (iii) Structure of Banks in India

UNIT-II Regulatory Framework of Banks:

- (i) Legislations applicable to Banking Sector in India
- (ii) Salient features of legislations applicable to Banking Sector in India
- (iii) Powers of Reserve Bank of India and Licensing of Banking Companies



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REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
BUSINESS LAW (OPTIONAL GROUP 2)

SUBJECT TITLE:	BANKING AND INSURANCE LAW		
SUBJECT CODE:	LMBUSO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

UNIT-III Negotiable Instruments (NI):

- (i) Salient features of Negotiable Instruments Act
- (ii) Types of Negotiable Instruments
- (iii) Dishonour of Cheques

UNIT-IV Insurance:

- (i) Evolution of Insurance in India, Principles of Insurance, Broad categories of Insurance and Insurance Contracts
- (ii) Regulatory Framework in Insurance: Insurance Act, 1938, Registration of Insurance Companies, FDI and FEMA provisions pertaining to Insurance Sector
- (iii) IRDAI Act, 1999 – Constitution, Role & Powers of IRDAI

Suggested Readings;

1. Tannan, M.L. "Banking Law and Practice in India". LexisNexis Butterworths.
2. Varshney, P.N. "Banking Law and Practice". Sultan Chand & Sons.
3. Singh, Avtar. "Law of Negotiable Instruments". Eastern Book Company.
4. Mishra, M.N. and Mishra, S.B. "Insurance: Principles and Practice". S. Chand Publishing.
5. Gupta, P.K ., "Fundamentals of Insurance", Himalaya Publishing House
6. Murthy, K.S.N. "Modern Law of Insurance in India". LexisNexis Butterworths.

Additional Resources:

1. Online Databases:
 - a) SCC Online: Comprehensive legal research platform for Indian case law and legislations.
 - b) Manupatra: Legal database providing access to Indian and international law resources.

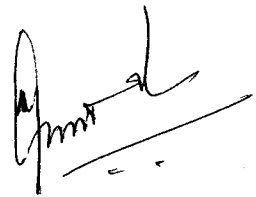
UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
BUSINESS LAW (OPTIONAL GROUP 2)

SUBJECT TITLE:	BANKING AND INSURANCE LAW		
SUBJECT CODE:	LMBUSO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

2. Websites:

- a) Reserve Bank of India (RBI): Official website with updates, reports, and guidelines.
- b) Insurance Regulatory and Development Authority of India (IRDAI): Official portal for regulations, guidelines, and updates in the insurance sector.

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REVISED SYLLABI OF LL.M 2ND SEMESTER

EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

BUSINESS LAW (OPTIONAL GROUP 2)

SUBJECT TITLE:	CORPORATE INSOLVENCY AND BANKRUPTCY		
SUBJECT CODE:	LMBUS04	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Course Objectives

1. To provide students with a comprehensive understanding of the mechanisms for debt recovery in India, including the SARFAESI Act, Debt Recovery Tribunals (DRTs), and the role of Asset Reconstruction Companies (ARCs).
2. To impart in-depth knowledge about the Insolvency and Bankruptcy Code (IBC), 2016, its historical background, key concepts, and the overall framework.
3. To equip students with the skills to navigate the Corporate Insolvency Resolution Process (CIRP), including the roles and responsibilities of insolvency professionals, and the procedures for resolution.
4. To develop the ability to apply and interpret legal provisions related to insolvency and bankruptcy.
5. To explore international perspectives on insolvency, including the UNCITRAL Legislative Guide, the US Bankruptcy Code, and the enabling provisions for cross-border insolvency under IBC.
6. To enhance skills in devising and approving resolution strategies and plans, and understanding the dynamics of meetings of the Committee of Creditors (CoC).
7. To foster critical thinking and problem-solving skills in the context of corporate insolvency and bankruptcy law, through case studies and practical examples.

UNIT-I Debt Recovery & SARFAESI:

- (i) Non-Performing Assets (NPA), Asset Reconstruction Company (ARC) | Security Interest,
- (ii) Evaluation of various options available to bank viz. SARFAESI, DRT, Insolvency Proceedings
- (iii) Application to the Tribunal/Appellate Tribunal

UNIT-II Insolvency and Bankruptcy Code

- (i) Insolvency: Historical Background, Pillars of Insolvency and Bankruptcy Code (IBC), 2016,

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REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
BUSINESS LAW (OPTIONAL GROUP 2)

SUBJECT TITLE:	CORPORATE INSOLVENCY AND BANKRUPTCY		
SUBJECT CODE:	LMBUSO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

(ii) Key Definitions and Concepts

(iii) Insolvency Initiation/Resolution

UNIT-III Corporate Insolvency Resolution Process

(i) Legal Provisions, Procedure, and Approval

(ii) Role, Functions and Duties of Insolvency Professional, Interim Resolution Professional and Resolution Professional

(iii) Convening and Conduct of Meetings of Committee of Creditors

(iv) Resolution Strategies, and Preparation & Approval of Resolution Plan

UNIT-IV Cross Border Insolvency:

(i) International Perspective and Global Developments

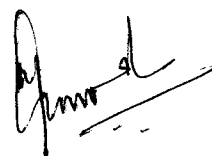
(ii) UNCITRAL Legislative Guide on Insolvency Laws

(iii) US Bankruptcy Code, Chapter 11 reorganization

(iv) Enabling provisions for cross border transactions under IBC

Suggested Readings Suggested Readings

1. Kumar Narendra, Key to Insolvency and Bankruptcy Practice and Procedures, Universal-Lexis Nexis
2. Mulla. "The Law of Insolvency in India". LexisNexis.
3. Mittal, A.K. "Insolvency and Bankruptcy Code: Law and Practice", Eastern Book Company Publications.
4. Batra Sumant, Corporate Insolvency Law and Practice, Eastern Book Company Publications.
5. Malik Surendra and Malik Sudeep, Supreme Court on Insolvency and Bankruptcy Laws, Eastern Book Company Publications.



UNIVERSITY OF JAMMU
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EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
BUSINESS LAW (OPTIONAL GROUP 2)

SUBJECT TITLE:	CORPORATE INSOLVENCY AND BANKRUPTCY		
SUBJECT CODE:	LMBUS04	COURSE CREDIT:	06
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TIME:	3 HOURS		

6. Goode, Roy. "Principles of Corporate Insolvency Law". Sweet & Maxwell.

Additional Resources:

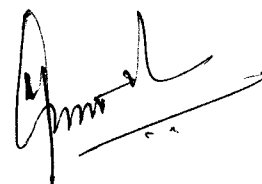
1. Online Databases:

- a) SCC Online: Comprehensive legal research platform for Indian case law and legislations.
- b) Manupatra: Legal database providing access to Indian and international law resources.

2. Websites:

- a) Insolvency and Bankruptcy Board of India (IBBI): Official website with updates, reports, and guidelines.
- b) Reserve Bank of India (RBI): For circulars and guidelines related to debt recovery and NPAs.
- c) UNCITRAL: United Nations Commission on International Trade Law resources on cross-border insolvency.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU

REVISED SYLLABI OF LL.M 2ND SEMESTER

EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

CONSTITUTIONAL AND LEGAL ORDER (OPTIONAL GROUP – 3)

SUBJECT TITLE: UNION-STATE FINANCIAL RELATIONS

SUBJECT CODE:	LMCONO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Objectives of the Course


The Indian Constitutional adopts federal government for various reasons. Power is divided between the Union and the State in such a way that matters of national importance are entrusted to the Centre and matters of local importance are left to the States. The Constitution departs from the model of classical federalism in many ways. This departure was made to suit the peculiar Indian circumstances. However, the constitutional provisions were in practice further distorted so as to make the states totally subservient to the Centre. Distribution of fiscal power is the nerve centre of the federal system. In this paper a student will be made conscious of various aspects of federal principles, and their working in the Indian context with a view to ultimately assessing the Indian experience critically. He must clearly understand various emerging forces such as regionalism, sub-national loyalties and nationalism. He should be able to see the working of the constitutional process as a vital element of the political economy.

Unit-I Federalism – Essentials

- Models of Federal Government – U.S.A., Australia, Canada
- Difference between Federation and Confederation
- Evolution of federal government in India

Unit-II Distribution of Legislative Power & Administrative Power

- Indian Constitution
- Centre-State relations
- Factors responsible for subordination of States
- Administrative relations



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REVISED SYLLABI OF LL.M 2ND SEMESTER

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TIME:	3 HOURS		

Unit-III Distribution of Fiscal Power; Planning Financial Relations & Restrictions of Fiscal Powers

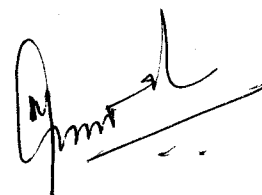
- Scheme of Allocation of taxing power
- Extent of Union power of taxation
- Residuary power-inclusion of fiscal power
- Planning Commission, National Development Council, Plan Grants.
- Fundamental Rights (Trade, Commerce & Restrictions), Inter Government Tax immunities, Difference between Tax & Fee.
- Planning and Financial Relations; Planning Commission; National Development Council; Plan Grants.

Unit-IV Co-operative Federalism: Federal Community & Working with Federalism.

- Full faith & Credit
- Inter-State Council
- Zonal Councils
- Inter-State disputes
- Federal Government in India; Model of Jammu & Kashmir; Sarkaria Commission Report & Venkatachallia Commission. Report (Constitutional Review & Restructure)

Suggested Readings:

H.M.Seervai, Constitutional Law of India (1991), Tripathi, Bombay.



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Sudha Bhatnagar, Union-State Financial Relations & Finance Commissions, (1979)

Ashok Chandra, Federalism in India, (1965)

V.D. Sebastian, Indian Federalism; The Legislative Conflictsd Chs. 6-7 & 8 (1980)

Chandrpal, Centre-State Relations and Cooperative Federlism, Chs. 5 & 8 (1983)

G.C.V. Subba Rao, Legislative Powers in Indian Constitution Law, Chs. 37, 38, 39 (1982)

Richard M. Pious, The American Presidency, 293-331, Ch. 9 (1979)

Daniel J. Elazar, American Federalism, Chs. 3 & 4 (1984)

K.P. Krishna Shetty, The Law of Union-State Relations and the Indian Federalism Ch. 9 (1981)

Report of the English Finance Commission.

Administrative Reforms Commission on Centre-State Relationship Ch. 3 (1969)

Constituent Assembly Debates Vol. 9, 203, 240 & 302-349; Vol. 10, 325-342.

Administrative Reforms Commission, Report of the Study Team on Central- State Relationship (1967)

Vol. 1, Sections land 11, pp. IS- 168.

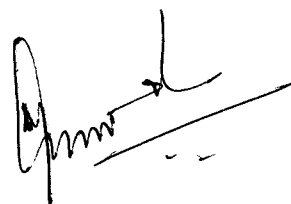
L.M. Singhvi (ed.), Union-State Relations in India 124-154 (1969)

Government of Tamilnadu , Report of the Centre-State Relations Inquiry Committee Ch. 5 (1971)

D.T. Lakadwala, Union-State Financial Relations (1967)

M.P. Jain, Indian constitutional Law (1994), Wadhwa.

K. Subba Rao, The Indian Federation (1969)



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REVISED SYLLABI OF LL.M 2ND SEMESTER

EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

CONSTITUTIONAL AND LEGAL ORDER (OPTIONAL GROUP – 3)

SUBJECT TITLE: UNION-STATE FINANCIAL RELATIONS

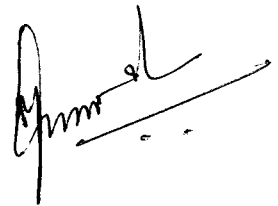
SUBJECT CODE:	LMCONO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

K.C. Wheare, Federal Government (1963)

K.L. Bhatia, Constitutional Review or Restructure, A.I.R. February, 2001.

K.L. Bhatia, Federalism Frictions in Inter-State Relations, 2001.

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UNIVERSITY OF JAMMU

REVISED SYLLABI OF LL.M 2ND SEMESTER

EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

CONSTITUTIONAL AND LEGAL ORDER (OPTIONAL GROUP – 3)

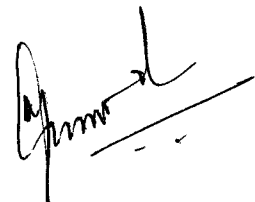
SUBJECT TITLE:	CONSTITUTIONALISM: PLURALISM AND FEDERALISM		
SUBJECT CODE:	LMCONO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Course Objectives

Constitutionalism essentially means a limited government. Where government functions according to certain principles, it is said to be abiding by constitutionalism. Must it be a democracy or can it be an autocracy also. In ancient India, the king was supposed to act according to dharma. He was not absolute in the sense in which John Austin defined sovereignty. Constitutionalism may therefore be determined by a written constitution or by religion or tradition or by mere practice or convention as in England. In a plural society, where different religious as well as linguistic groups have to live together, various rules of accommodation and mutual recognition are incorporated in the Constitution. Usually these are contained in the bills of rights which contain guarantees of individual liberty and equality against majoritarian rule. Constitutionalism does not merely imply majoritarian rule, it has to be a consensual rule. However, where there is not only such vertical pluralism but also horizontal pluralism reflected by sub-nations/regional loyalties, power is not only required to be restrained but it has to be shared. This calls for a federal government. The purpose of this paper is to provide exposure to the students to various models of pluralism and forms of constitutional governments and federal structures.

Unit-I Constitutionalism

- What is a Constitution?
- Development of a democratic government in England, USA & India- Historical evolution of constitutional governments.
- Conventions of constitutionalism – law and conventions.
- Written Constitutions: USA, Canada, Australia, Sweden, South Africa & India.
- Rule of Law: Concept and new horizons.



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CONSTITUTIONAL AND LEGAL ORDER (OPTIONAL GROUP – 3)

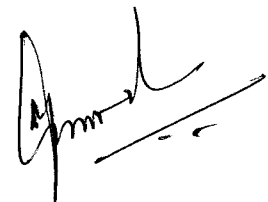
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SUBJECT CODE:	LMCONO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Unit-II Federalism

- What is a federal government?
- Difference between confederation & federation.
- Conditions requisite for federalism.
- Patterns of federal government – USA, Australia, Canada, India.
- Judicial review – for federal umpiring
- New trends in federalism: Co-operative federalism.
- India – Central Control v. State Autonomy.
- Political factors influencing federalism.
- Plural aspects of Indian Federalism : Jammu & Kashmir, Punjab, Assam.
- Dynamic of federalism.

Unit-III Pluralism and Equality in Plural Society

- What is pluralistic society?
- Ethnic, linguistic, cultural, political pluralism.
- Individual rights – right to dissent.
- Freedom of speech and expression.
- Freedom of the press.
- Freedom of association.



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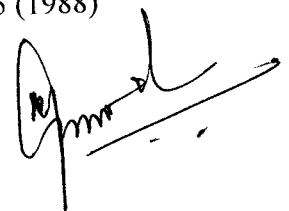
CONSTITUTIONAL AND LEGAL ORDER (OPTIONAL GROUP – 3)

SUBJECT TITLE:	CONSTITUTIONALISM: PLURALISM AND FEDERALISM		
SUBJECT CODE:	LMCONO4	COURSE CREDIT:	06
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TIME:	3 HOURS		

- Rights to separateness.
 - Freedom of religion.
 - Rights of the religious & linguistic minorities.
 - Compensatory discrimination for backward classes.
 - Women – rights to equality & right to special protection.
 - Scheduled Tribes, Distinct Identity – protection against exploitation – NSIS –Exclusion from Hindu Law.
 - Right to equality and reasonable classification.
 - Prohibition of discrimination on ground of religion, caste, sex, language.
 - Right & Equality: Privatization & its impact on affirmative action; Reservation Policy New Trends & Currents
 - Secularism- constitutional principles
 - Tribal Groups and Equality.
- Unit-IV Uniform Civil Code**
- Non-State Law (NSLS) and State Law Systems-Problem of a Uniform Code v personal laws-vertical federalism

Suggested readings

Upendra Baxi, “ Law, Democracy and Human Rights”-5 Lokayan Bulletin 4 (1987)
V.M. Dandekar “Unitary Elements in a Federal Constitution” 22 E.P.W. 1865 (1988)



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CONSTITUTIONAL AND LEGAL ORDER (OPTIONAL GROUP – 3)

SUBJECT TITLE:	CONSTITUTIONALISM: PLURALISM AND FEDERALISM		
SUBJECT CODE:	LMCONO4	COURSE CREDIT:	06
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Rajeev Dhavan, "The Press and the Constitutional Guarantee of Free Speech and Expression" 28 J.I.L.I. 299 (1986)

M.A. Fazal, "Drafting A British Bill of Rights" 27 J.I.L.I. 423 (1985)

M.P. Jain Indian Constitutional Law (1994), Wadhwa

Jagat Narain, "Judicial Law Making and the Place of the Directive Principles in the Indian Constitution," J.I.L.I 198 (1985)

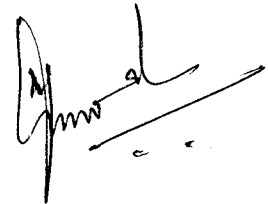
K.L. Bhatia, Federalism, Friction in Center-State Relationship, 2001.

Rhett Ludwikowski, "Judicial Review in the socialist Legal Systems: Current Development I.C.L.D.89-108 (1988)

S.P. Sathe, Fundamental Rights and Amendment of the Indian Constitution, (1968)

H.M. Seervai, Constitutional Law of India (1993), Tripathi, Bombay.

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UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
CRIMINAL LAW (OPTIONAL GROUP – 4)

SUBJECT TITLE:	PRIVILEGED CLASS DEVIANCES		
SUBJECT CODE:	LMCRIO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Course Objectives

This course focuses on the “Criminality of the “Privileged classes”. The definition of “privileged classes” in a society like India should not pose major problem at all; the expression nearly includes wielders of all forms of state and social (including religious) power. Accordingly, the course focuses on the relation between privilege power and deviant behaviour. The traditional approaches which highlight “white-collar offences”, “socio-economic offences” or “crimes of the powerful” deal mainly with the deviance of the economically resourceful. The dimension of deviance associated with bureaucracy, the new rich (nouveau riche), religious leaders and organizations, professional classes and the higher bourgeoisie are not fully captured here.

In designing teaching materials for this course, current development in deviance, as reflected in newspapers/journals, law reports, and legislative proceedings should be highlighted.

The following syllabus prepared with the above objectives will be spread over a period of one semester.

UNIT-I Introduction & official deviance

- Conceptions of white collar crimes and with special reference to Indian approaches to socio-economic offences.
- Notions of privileged class deviance as providing a wider categorization of undersigned of Indian development.
- Landlord deviance (class/caste based deviance and Trade Union Deviance) class/caste based deviance, with special reference to Gender based Aggression by socially, economically and powerful.
- Conception of official deviance-permissible limit of discretionary powers.



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EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
CRIMINAL LAW (OPTIONAL GROUP – 4)

SUBJECT TITLE: PRIVILEGED CLASS DEVIANCES

SUBJECT CODE:	LMCRIO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

UNIT-II Police Deviance

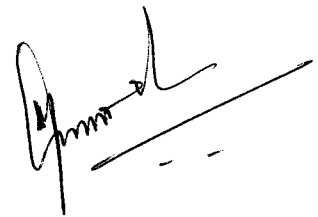
- Structures of legal restraint on police powers in India
- Unconstitutionality of “third-degree” methods and use of fatal force by police
- “Encounter” killings
- Police atrocities
- The plea of superior orders
- Rape and related forms of gender-based aggression by police and para-military forces
- Reforms suggestions especially by the National Police Commissions & Mali Math Commission Report

UNIT-III Professional Deviance

- Unethical practices at the Indian bar
- The Lentin Commission Report
- The Press Council on unprofessional and unethical journalism
- Medical malpractice

UNIT-IV Response of Indian Legal Order to the Deviance of Privileged Classes

- Vigilance Commission
- Public Accounts Committee
- Ombudsman
- Commissions of Enquiry



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027
CRIMINAL LAW (OPTIONAL GROUP – 4)

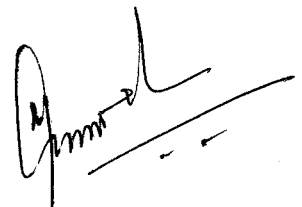
SUBJECT TITLE:	PRIVILEGED CLASS DEVIANCES		
SUBJECT CODE:	LMCRIO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

- Prevention of Corruption Act, 1947
- The Antulay Case

Suggested Readings

- Upendra Baxi, The Crisis of the Indian Legal System (1982) Vikas Publishing House, New Delhi.
- Upendra Baxi(ed.), Law and Poverty: Essays (1988)
- Upendra Baxi, Liberty and Corruption: The Antulay Case and Beyond (1989)
- Surendranath Dwevedi and G.S.Bhargava, Political Corruption in India (1967)
- A.R. Desai(ed.) Violation of democratic Rights in India (1986)
- A.G. Noorani, Minister's Misconduct (1974)
- B.B. Pande, "The Nature and Dimensions of Privileged Class Deviance" in The Other Side of Development 136 (1987; K.S.Shukla ed.).
- Indira Rothermund, "Patterns of Trade Union Leadership in Dhanbad Coal fields" 23 J.I.L.I 522, (1981)
- Mali Math Commission Report.
- Vittal on Corruption.

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UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

CRIMINAL LAW (OPTIONAL GROUP – 4)

SUBJECT TITLE:	DRUG ADDICTION, CRIMINAL JUSTICE AND HUMAN RIGHTS		
SUBJECT CODE:	LMCRIO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

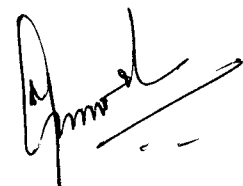
Course Objectives

Drug addiction is a menace that almost all countries are confronting. The major dilemmas of criminal policy mainly concern combating drug addiction and trafficking through the legal order. To fight the problems related to the increasing use of drugs and drug trafficking, efforts have been made at the international level that ripened into various conventions, viz, the Single Convention on Narcotic Drugs, 1961, adopted in New York, 30 March 1961 and amended by the 1972 Protocol in Geneva, 25 March 1972; the Convention on Psychotropic Substances, adopted in Vienna, 21 February 1971 and the UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988. India has also adopted the basic principles of these conventions in the Narcotic Drugs and Psychotropic Substances Act 1986 (NDPS Act) and the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1988 (PITNDPS Act). The following syllabus is prepared with the perspective of dealing with the issues and problem of drug addiction, its abuse and the legal approach to deal with drug addiction and drug trafficking. The course also encompasses the human rights aspect of delivering criminal justice in the concerned area.

UNIT-I Drug Addiction and Abuse, Studying Incidences of Drug Addiction and Abuse and

Characteristics of Drug Abusers

- Drugs - narcotics, and psychotropic substances
- Dependence on drugs and drug addiction
- Trafficking in drugs and drug abuse - legal approach to deal with them



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CRIMINAL LAW (OPTIONAL GROUP – 4)

SUBJECT TITLE:	DRUG ADDICTION, CRIMINAL JUSTICE AND HUMAN RIGHTS		
SUBJECT CODE:	LMCRIO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

- Comparative analysis of characteristics of drug users - gender, age at the time of first use of drugs till its continued use, educational level, occupation, residential pattern whether rural or urban, type of drugs used, methods of intake, Average quantity taken and possessed and Cost involved, Socio-economic condition of the family of drug abusers, etc.

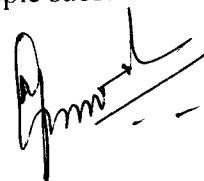
- Control mechanism for drug abuse
- Judicial approach towards drug abuse

UNIT-II The International Legal Regime

- Analysis of the Single Convention on Narcotic Drugs, 1961, 1971
- Analysis of the Convention on Psychotropic Substances, 1972
- UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988
- International collaboration in combating drug addiction & The SAARC Convention on Narcotic Drugs and Psychotropic Substances

UNIT-III Human Rights Aspects

- Deployment of marginalised people as carriers of narcotics
- Drug addicts and the legal approach: issues and problems
- Possibilities of misuse and abuse of investigative powers
- Preventive detention and illicit traffic in narcotic drugs and psychotropic substances
- Issues and problems concerning bail



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EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

CRIMINAL LAW (OPTIONAL GROUP – 4)

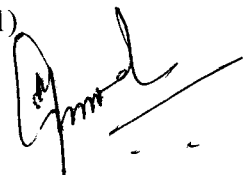
SUBJECT TITLE:	DRUG ADDICTION, CRIMINAL JUSTICE AND HUMAN RIGHTS		
SUBJECT CODE:	LMCRIO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

UNIT-IV The Role of the Community in Combating Drug Addiction

- Role of Community to control and prevent dependence and addiction
- The role of imparting drug education to combat drug abuse
- The role and contribution of the medical profession in dealing with drug addicts
- The role of mass media in combating drug addiction

Suggested Readings

- J.A.Incard, C. D. Chambers, (eds.), Drugs and the Criminal Justice System (1974)
- R. Cocken, Drug Abuse and Personality in Young Offenders (1971)
- G. Edwards Busch, (ed.) Drug Problems in Britain: A Review of Ten Years (1981)
- P. Kondanram and Y. N. Murthy, "Drug Abuse and Crime: A Preliminary Study" 7 Indian Journal of Criminology, 65-68 (1979)
- B. V. Kumar and R. K. Tewari, The Narcotic Drugs and Psychotropic Substances Laws of India (Konark Publishers, 1989)
- United Nations, Economic and Social Reports of the Commission on Narcotic Drugs, United Nations Social Defence, Research Institute (UNSDRI) Combating Drug Abuse and Related Crimes (Rome, July 1984, Publication No.21).
- Stanley Einstein, Beyond Drugs (Pergamon Press, 1975)
- Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (PITNDPS Act)
- Dr Ashok Kumar, Drug Addiction, Human Rights and Criminal Justice (2021)



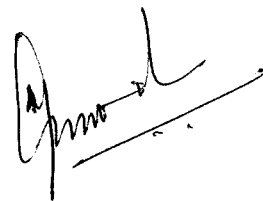
UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
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CRIMINAL LAW (OPTIONAL GROUP – 4)

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TIME:	3 HOURS		

- Damon Barrett and Philip E. Veerman, A Commentary on the United Nations Convention on the Rights of the Child: Article 33: Protection from Narcotic Drugs and Psychotropic Substances (Martinus Nijhoff Publishers, 2012)
- United Nations, United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Good Press, 2020)
- Lok Sabha and Rajya Sabha Debates on 1986 Bill on Psychotropic Substances.

Note for Examiner: The Examiner may set eight questions selecting two from each Unit. The candidate may attempt four questions selecting at least one from each Unit. All questions carry equal Marks.



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EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

ENVIRONMENT AND LEGAL ORDER(OPTIONAL GROUP – 5)

SUBJECT TITLE:	PREVENTIVE AND CONTROL OF POLLUTION		
SUBJECT CODE:	LMENVO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Objectives of the Course

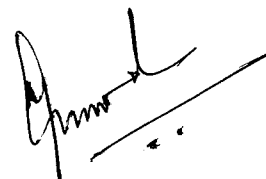
Pollution hazards bring the worst harm to the environment. Legal measures are attempted to prevent or control various kinds of pollution and their aftermath. Can land pollution hazards be prevented or controlled effectively by criminal sanctions especially in a developing country like India? What other legal strategies can be adopted at this level? To what extent can corporate civil liability be extended for remedying pollution maladies particularly mass disasters. One has to be a critic of the existing laws and to look forward to desirable mechanism of control over pollution hazards. This paper aims at shedding light on these areas. The following syllabus prepared with this perspective will be spread over a period of one semester.

Unit-I: Pollution

- Meaning
- Kinds of Pollution and their Impact
- Global Environmental Problems

Unit-II: Pollution of Water

- Definition
- Sources
- Critique of Existing Laws
- Regulatory Mechanism- Powers & Functions



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EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

ENVIRONMENT AND LEGAL ORDER (OPTIONAL GROUP – 5)

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MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Unit-III: Pollution of Air

- Air Pollutants and Effects
- Modalities of Control
- Agencies
- Critique of the Existing Legal Framework.

Unit-IV: Sanctions against Pollution

- Efficacy of Criminal and Civil Sanctions.
- Corporate Liability – Civil and Criminal
- Civil Liability – Compensatory and Penal

Books:

1. Shyam Divan and Armin Rosencranz: Environmental Law and Policy in India (Oxford, 2022)
2. Gurdip Singh: Environmental Law (Eastern Book Company, 2016)
3. Kailash Thakur, Environmental Protection: Law and Policy in India (1997), Deep & Deep Publications, New Delhi.
4. Enid.M.Barson and Iiga Nielson (eds.), Agriculture and Sustainable Use in Europe (1998), Kluwer.
5. John F.Mc.Eldownery and Sharron Mc.Eldownery, Environmental Law and Regulation (2000), Blackstone Press.
6. Leelakrishnan, P et.al. (eds.), Law and Environment (1990).
7. Leelakrishnan, P, The Environmental Law in India (1999), Butterworths.



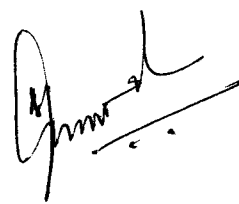
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TIME:	3 HOURS		

8. Frodorick R.Anderson, et.al. Environmental Improvement Through Economic Incentives (1977).
9. David Hughes, Environmental Law (1999), Butterworths, London.
10. Daniel R. Mandekar, Environmental and Land Controls Registration (1976), Bobbs-Merril, New York.
11. Indian Law Institute, Mass Disasters and Multinational Liability: The Bhopal Case (1986).
12. Armin Rozencranz, el.al. (eds.) Environmental Policy and Law in India (2000), Butterworths India.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



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REVISED SYLLABI OF LL.M 2ND SEMESTER

EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

ENVIRONMENT AND LEGAL ORDER (OPTIONAL GROUP – 5)

SUBJECT TITLE:	ENVIRONMENT AND INTERNATIONAL LEGAL ORDER		
SUBJECT CODE:	LMENVO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Objectives of the Course

Through the centuries of their growth, societies had done their best to keep their neighborhood clean and healthy. Industrialization brought in its wake unprecedented and unpredicted environmental hazards and upset the old ethos and equilibrium. The environmental consciousness is an offshoot of this saga of industrial growth. It is said that the world environmental consciousness had made a radical change in the character of international law from a moral code of ethics among nations to an almost positive law imposing on the states to observe environmental norms. Striking significant note at the close of the last millennium, areas of international concern on environmental is legion. Modes of reconciling the conflicts are also varied. The concept of sustainable development is a significant tool both at the international level and at the domestic system for reconciliation of environmental values and developmental needs.

The following syllabus prepared with this perspective will be spread over a period of one semester.

Unit-I: International Concern for Environment Protection

- The complexity of Global Environment Problems
- Key International Efforts for Environmental Protection
- Sustainable Development: Salient Features
- Key Principals of International Environmental Law

Unit-II: Dynamics of Climate Change

- UN Framework Convention on Climate Change, 1992
- Kyoto Protocol, 1997



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SUBJECT TITLE:	ENVIRONMENT AND INTERNATIONAL LEGAL ORDER		
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MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

- Paris Agreement, 2015
- Paris Rulebook and Later Developments

Unit-III: Global Commons, Atmosphere and Biological Diversity

- UN Convention on the Law of the Seas, 1982
- Convention on Biological Diversity, 1992
- Montreal Protocol on Substances that Deplete Ozone Layer, 1987

Unit-IV Transboundary Environmental Issues

- Law on Transboundary Environmental Issues
- Trail Smelter; Corfu Channel; Gabcikovo-Nagymaros Cases
- Transboundary Issues in South Asia

Suggested Readings:

1. Birnie, Boyle and Redgwell, International Law and the Environment (Oxford, 2021, 4th Ed.)
2. Shyam Divan and Armin Rosencranz: Environmental Law and Policy in India (Oxford, 2022)
3. Priya Kanjan Trivedi, International Environmental Laws (1996), A.P.H. Publishing Corporation, New Delhi.
4. Sir Elworthy and Jane Holder, Environmental Protection: Text and Materials (1997), Butterworths
5. Nathali L.T.J. Horbach, Contemporary Developments in Nuclear Energy Law (1999), Kluwer.
6. Birnie and Boyle: International Law and the Environmental (2001) Oxford
7. Philip Sands: Principles of International Environmental Law (1995) Cambridge.

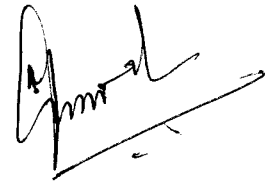
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8. Henrick Ringbom (ed.), Competing Norms in the Law of Marine Environmental Protection (1997), Kluwer.
9. Claus Bosselmann and Benjamin J. Richardson, Environmental Justice and Market Mechanism (1999), Kluwer.
10. Jean-Pierre Beurier, New Technologies and Law of Marine Environment (2000), Kluwer.
11. Richard L.Reversz et.al. (eds.) Environmental Law, the Economy and Sustainable Development (2000), Cambridge.
12. Dovor Vidas, Protecting the Polar Marine Environment (2000), Cambridge.
13. Aynsley Kellor, International Toxic Risk Management (1999), Cambridge.
14. Zhiguo Gao, Environmental Regulations of Oil and Gas (1998), Kluwer.
15. Indian Law Institute, Legal Control of Environmental Pollution (1980)
16. Varshnety, C.K. (ed.), Water Pollution and Management (1983), Wiley Eastern, New Delhi.

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



UNIVERSITY OF JAMMU
REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

HUMAN RIGHTS LAW (OPTIONAL GROUP – 6)			
SUBJECT TITLE:	PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS IN INDIA		
SUBJECT CODE:	LMHRLO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

Objectives of the Course

A reading of fundamental rights and duties in the Constitution of India reveals that they constitute the human rights charter in India. The judiciary, the major protective and enforcement machinery, is very active in protecting human rights. Judicial activism in this field has added new dimensions to human rights jurisprudence. There are a number of cases where courts apply the provisions of the international convention even where there was no legislation in the area. Thus, the judiciary has been directly implementing international conventions at the national level. This course aims at familiarizing students with the judicial activism in protecting human rights and enables them to evaluate the adequacy of the methods of enforcement.

The course is spread over a period of one semester.

Unit-I History and Development of Human Rights in Indian Constitution

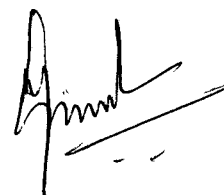
- Constitutional Philosophy – Preamble
- Fundamental Rights
- Directive Principles of State Policy
- Fundamental Duties

Unit-II Judicial Activism and Development of Human Rights Jurisprudence

- Human rights in India
- Constitutional guarantees of Fundamental Rights
- Role of NGO's in protection and promotion of Human rights

Unit-III Enforcement of Human Rights

- Formal Enforcement mechanisms



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HUMAN RIGHTS LAW (OPTIONAL GROUP – 6)
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SUBJECT CODE:	LMHRLO3	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45

TIME: 3 HOURS

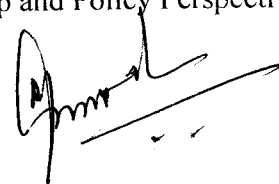
- Role of Supreme Court
- Role of High Courts
- Role of Civil and Criminal Courts
- Statutory Tribunals
- Special Courts

Unit-IV Role of India in Implementing International norms and Standards

- Constitutional safeguards
- Protection of Human Rights Act, 1993
- Working of National Human Rights Commission and State Human Rights Commission.

Suggested Readings:

- D.D.Basu, Human Rights in Indian Constitutional Law, (1994).
- Vijay Chitnis, (et.al.), Human Rights and the Law: National and Global Perspectives, (1997)
- B.P.Singh Sehgal, Law, Judiciary and Justice in India. (1993).
- James Vadakkumchery, Human Rights and the Politics in India, (1996).
- D.R.Saxena, Tribals and the Law, (1997).
- Poornima Advani, Indian Judiciary : A Tribute, (1997).
- Justice Venkataramiah, Human Rights in the Changing World, (1998).
- Paramjit S. Jaiswal and Neshtha Jaiswal, Human Rights and the Law, (1996).
- S.K.Sharma, Directive Principles and Fundamental Rights-Relationship and Policy Perspectives,(1990)



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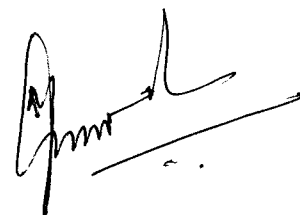
SUBJECT CODE: LMHRLO3 COURSE CREDIT: 06

MAXIMUM MARKS: 100 MINIMUM MARKS: 45

TIME: 3 HOURS

B.P.Singh Sehgal, Global Terrorism: Socio, Politico and Legal Dimensions (1996)

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All question carry equal Marks.



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EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

HUMAN RIGHTS LAW (OPTIONAL GROUP – 6)

SUBJECT TITLE: HUMAN RIGHTS OF DISADVANTAGED GROUPS

SUBJECT CODE:	LMHRLO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45

TIME: 3 HOURS

Objectives of the Course

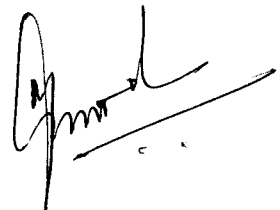
Human Rights are the rights of all human beings. Violation of these rights is a human rights violation. Due to frequent violations of particular groups in disadvantageous positions, new categories of human rights have emerged. These groups are of people such as women, children, prisoners and Dalits. Violation of the human rights of these groups is of great concern to every nation today. The officials of the state like the police force commits such violations. This is only an illustration. There are several other categories of violations. This course with the above-mentioned perspective is to be spread out over one semester.

Unit-I Concept of Disadvantaged Groups and Their Human Rights

- Meaning and concept of vulnerable and disadvantaged groups
- Women (CEDAW)
- Children (CRC)
- Migrant Workers
- Persons with disabilities
- Internally displaced persons
- Refugees
- AIDS victims
- Socially and economically disadvantaged groups

Unit-II Emerging Human Rights Jurisprudence and the Role of the Judiciary

- Rights of Prisoners
- Rights of Dalits



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SUBJECT CODE:	LMHRLO4	COURSE CREDIT:	06
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TIME: 3 HOURS

- The tribal and other indigenous people
- The stateless persons
- The unorganized labour
- LGBTQ

Unit-III Enforcement of Human Rights

- Human rights enforcement machinery under the UN
- Human rights enforcement machinery under various human rights treaties
- Regional human rights enforcement machinery
- Human Rights Enforcement Machinery in India

Unit-IV Future Perspectives of the Human Rights of the Disadvantaged

- Problems and challenges in the promotion and protection of human rights of disadvantaged
- Problems of implementation of human rights of disadvantaged – poverty, inaccessibility of legal protection, social prejudices, abuse of executive power, etc.
- Role of NGOs and civil liberty groups, civil society, etc., in the promotion and protection of human rights of disadvantaged

Suggested Readings

G.S.Bhargava and R.M.Pal, Human Rights of Dalit Societal Violation
Geraldine Van Bueren, The International Law on the Rights of the Child
Prabhat Chandra Tripathi, Crime Against Working Women
Paras Diwan and Piyush Diwan, Women and Legal Protection



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SUBJECT CODE:	LMHRLO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45

TIME: 3 HOURS

Philip Alston (et.al.), Children, Rights and the Law.

Kelly D. Askin, Dorean M. Koenig, Women and International Human Rights Law

N. K. Chakrabarti, Juvenile Justice in the Administration of Criminal Justice, (1999)

Rebecca Wallace, International Human Rights, Text and Materials, (1997)

Janaki Nair, Women and Law in Colonial India, (1996)

Simon Creighton, Vicky King, Prisons and the Law, (1996)

James C Hathaway, The Law of Refugee Status, Butterworths, Toronto, 1991.

Harris, J. R. and Todaro, M. P. (1970), 'Migration, unemployment and development: A two-sector analysis', American Economic Review, 60(1): 126–42. (Reprinted in M. P. Todaro (ed.),

The Struggle for Economic Development, New York: Longman, 1983).

UNHCR, Handbook on Procedure and Criteria for Determining Refugee Status (Geneva: UNHCR)

Aftab Alam (ed.), (1999), Human Rights in India: Issues and Challenges, New Delhi: Raj Publications.

The International Convention on the Elimination of All Forms of Racial Discrimination

The Convention Relating to the Status of Refugees

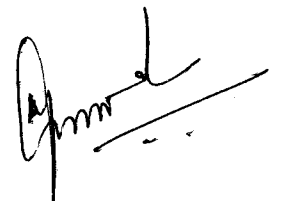
The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The Declaration on the Protection of Women and Children in Emergency and Armed Conflict

The Standard Minimum Rules for the Treatment of Prisoners

The Declaration on the Rights of Mentally Retarded Person

The Declaration on the Rights of Disabled Persons



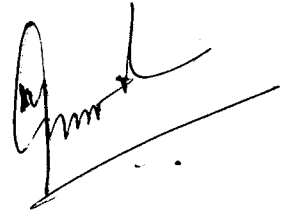
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HUMAN RIGHTS LAW (OPTIONAL GROUP – 6)
SUBJECT TITLE: HUMAN RIGHTS OF DISADVANTAGED GROUPS

SUBJECT CODE:	LMHRLO4	COURSE CREDIT:	06
MAXIMUM MARKS:	100	MINIMUM MARKS:	45
TIME:	3 HOURS		

The Declaration on the Rights of AIDS Patients

Note for Examiner: The Examiner shall set Eight questions selecting two from each Unit. The candidate will attempt four questions selecting at least One from each Unit. All questions carry equal Marks.



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REVISED SYLLABI OF LL.M 2ND SEMESTER
EXAMINATION TO BE HELD IN 2025, 2026 AND 2027

PERSONAL LAWS (OPTIONAL GROUP – 7)

SUBJECT TITLE: FAMILY LAW-03

SUBJECT CODE: LMPLSO3

MAXIMUM MARKS: 100

TIME: 3 HOURS

COURSE CREDIT: 06

MINIMUM MARKS: 45

Objectives of the course:

The course aims at focusing attention on certain family law institutions like Adoption and Guardianship in Hindu Law and Legitimacy under Muslim Law. Starting with an appraisal of theoretical principles underlying these institutions the study plans to proceed examining their development through legislative and judicial processes. It also includes the law of succession in India and Succession and inheritance under Muslim Law. The course also includes a critical evaluation of the working of these institutions in order to help the students to appreciate the nature of law and its growth through interaction of various social and economic forces and needs of a fast-changing Society.

UNIT - 1 ADOPTION AND LIGITIMACY

Hindu Adoption and Maintenance Act; 1956

- Meaning, concept and nature of adoption under Hindu Law,
- Effect of Hindu Adoption and Maintenance Act. 1956,
- Ceremonies required for adoption under old and present Laws,
- requisites of a valid adoption,
- Adoption by male, female and widow.
- Judicial trends. relevant Cases of Supreme Court and High Courts regarding adoption under Hindu Law
- Adoption under Parsi, Christian and jweish law; Relevant provisions of Guardian and Ward Act, 1980

Legitimacy under Muslim Law;

- Legitimacy and legitimation; Concept of legitimacy under Shari'at and its development by legislation and judicial interpretation.

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PERSONAL LAWS (OPTIONAL GROUP – 7)

SUBJECT TITLE: FAMILY LAW-03

SUBJECT CODE: LMPLSO3

COURSE CREDIT: 06

MAXIMUM MARKS: 100

MINIMUM MARKS: 45

TIME: 3 HOURS

- Conflict between statutory provision Section 116 of the Bharatiya Sakshya Adhiniyam, 2023 and Islamic Law,

- The concept of Acknowledgement,

- Conditions of acknowledgement

Unit – II Guardianship

Hindu Minority and Guardianship Act, 1956

- Evolution of concept of Guardianship

- Changes brought by the Hindu Minority and Guardianship Act, 1956

- Guardian - Meaning and concept,

- Kinds of Guardians,

- The rights and obligation of guardians relating to person and property,

- Powers of Guardian,

- Disabilities to act as a guardian,

- 'welfare of minor' historical evaluation,

- Relevant case law

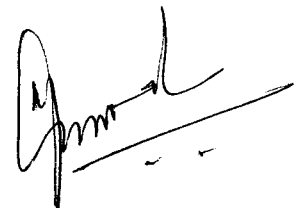
Guardianship under Muslim law;

- Classification of Guardianship,

- Guardians of persons; powers, responsibilities and functions,

- Guardians of property; kinds of Guardians, powers and duties,

- Guardianship under Guardian and Ward Act, 1980



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PERSONAL LAWS (OPTIONAL GROUP – 7)

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SUBJECT CODE: LMPLSO3

MAXIMUM MARKS: 100

TIME: 3 HOURS

COURSE CREDIT: 06

MINIMUM MARKS: 45

Unit – III General Law of Succession in India

Indian Succession Act, 1925

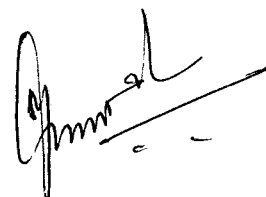
- Effect of domicile on laws of Succession
- Effect of Marriage on laws of succession
- Effect of Consanguinity on laws of Succession
- Intestate Succession; Rules in case of other than Parsis and special rules for Parsis intestate
- Testamentary Succession

Unit-IV: Inheritance Under Muslim Law

- Historical background of Muslim law of inheritance,
- General principles of inheritance under Muslim law,
- Classification of heirs under Sunni and Shia law,
- Doctrine of representation,
- Doctrine of aul,
- Doctrine of Radd,
- Doctrine of vested inheritance,
- Doctrine of exclusion,
- Differences among Sunni and Shia law of inheritance

Selected Readings

1. U.C. Sarkar, Epochs in Hindu Legal History
2. U.C. Sarkar, An Introduction to Hindu Law.



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3. Paras Diwan, Modern Hindu Law
 4. D.F. Mulla, Principles of Hindu Law
 5. N.R. Raghavachariar, Hindu Law Principles and Precedents
 6. J.D.M. Derrett, Introduction to Modern Hindu Law
 7. K.R.R. Sastry, Hindu Jurisprudence,
 8. P.M. Brombley, Family Law,
 9. M.N. Srinivasan, Principles of Hindu Law
 10. P.V. Kane, History of Dharmasastra
 11. J.D. Mayne, Hindu Law
 12. Tahir Mahmood, Family Law Reform Perspective in Modern India in Family Law and Social Change (1975)
 13. Tahir Mahmood, The Muslim Law of India (1980)
 14. Tahir Mahmood, Family Law Reform in the Muslim World (1972)
 15. Abdur Rehman, Institutes of Mussulman Law(1907)
 16. Alexander David Russell. Handbook of Muslim Jurisprudence (1976)
 17. A.A.A. Fyzee, Outlines of Muhammadan Law (1981)
 18. F.B. Tyabji, Muslim Law: the Personal Law of Muslims in India and Pakistan (1968)
 19. Ronald K. Wilson, Anglo-Muhammadan Law (1921)
 20. D.F. Mulla, Principles of Mahomedan Law (1977)
 21. S.V. Fitzgerald, Muhammadam Law: An Abridgement (1931)
 22. Syed Ameer Ali, Mohammdan Law; (Tagore Law Lectures, Calcutta)
 23. Syed Ameer Ali, The Spirit of Islam (1978)

Note for Examiner: The Examiner shall set **Eight** questions selecting **two** from each Unit. The candidate will attempt **four** questions selecting at least **One** from each Unit. All question carry equal Marks.

