

Faculty of Law
P.K.University
Shivpuri (MP)



Course Structure for LL.M.
(Under Semester System)
Effective from 2021-22

FIRST SEMESTER 400 MARKS

MLAWA101 - LAW AND SOCIAL TRANSFORMATION IN INDIA 100 MARK

MINDI102 - INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES 100 MARK

OPTIONAL PAPER 100 MARKS(TO CHOOSE ANY ONE PAPER ONLY FROM 103)

MCOMP103- COMPARATIVE CRIMINAL: PROCEDURES

MENVI103- ENVIRONMENT & DEVELOPMENT: LAW & POLICY

MADMI103- ADMINISTRATIVE PROCEDURES: NATURE & SCOPE

MSEMI104- SEMINAR / PROJECT WORK 50 MARKS

MVIVA105- VIVA – VOCE 50 MARKS

SECOND SEMESTER 400 MARKS

MJUDI201 - JUDICIAL PROCESS 100 MARKS

MLEGA202 - LEGAL EDUCATION & RESEARCH METHODOLOGY 100 MARKS

OPTIONAL PAPER 100 MARKS (TO CHOOSE ANY ONE PAPER ONLY FROM 203)

MPENO203 - PENOLOGY: TREATMENT OF OFFENDERS

MRESO203 - RESOURCE MANAGEMENT & LAW

MADMI203 - ADMINISTRATIVE PROCESS & JUDICIAL CONTROL

MSEMI204 - SEMINAR / PROJECT WORK 50 MARKS

MVIVA205 - VIVA – VOCE 50 MARKS

THIRD SEMESTER 400 MARKS

FIRST OPTIONAL PAPER 100 MARKS (TO CHOOSE ANY ONE PAPER ONLY- FROM 301)

MPRIV301 - PRIVILEGED CLASS DEVIANCE

MPREV301 - PREVENTION & CONTROL OF POLLUTION

MPUBL301 - PUBLIC AUTHORITIES – LIABILITY

SECOND OPTIONAL PAPER 100 MARKS (TO CHOOSE ANY ONE PAPER ONLY- FROM 302)

MDRUG302	-	DRUG ADDICTION, CRIMINAL AND HUMAN RIGHTS	
MENVI302	-	ENVIRONMENT & INTERNATIONAL LEGAL ORDERS	
MPUBL302	-	PUBLIC AUTHORITIES & POWER HOLDERS: CONTROL ON MALADMINISTRATION	

THIRD OPTIONAL PAPER 100 MARKS (TO CHOOSE ANY ONE PAPER ONLY- FROM 303)

MJUVE303	-	JUVENILE DELINQUENCY	
MBIOL303	-	BIOLOGICAL DIVERSITY & LOGICAL ORDER	
MLOCA303	-	LOCAL SELF GOVERNMENT	
MSEMI304	-	SEMINAR / PROJECT WORK	50 MARKS
MVIVA305	-	VIVA – VOCE	50 MARKS

FOURTH SEMESTER 400 MARKS

OPTIONAL PAPER 100 MARKS (TO CHOOSE ANY ONE PAPER ONLY- FROM 401)

MCOLL401	-	COLLECTIVE VIOLENCE & CRIMINAL JUSTICE SYSTEM	
MENVI401	-	ENVIRONMENTAL LEGISLATION	
MCOMP401	-	COMPARATIVE ADMINISTRATIVE LAW	
MDISS402	-	DISSERTATION	200 MARKS
MVIVA403	-	VIVA VOCE	100 MARKS

FIRST SEMESTER	-	400	MARKS
SECOND SEMESTER	-	400	MARKS
THIRD SEMESTER	-	400	MARKS
FOURTH SEMESTER	-	400	MARKS
GRAND TOTAL	-	1600	MARKS

LAW AND SOCIAL TRANSFORMATION IN INDIA
PAPER CODE MLAWA101

Total marks for this paper are 100. The candidate will have to answer any four questions out of given 8 questions. Four questions carry 25 marks. Questions will cover following areas of study:-

- (A) Law and Social changes: Law as an instrument of social change, Evolution of Law and legal institutions in India.
- (B) Religion and the Law: Religion as a divisive factor, secularisms as a solution to the problem. Freedom of religious, religious minorities and the law.
- (C) Language and the law:-Language as a divisive factor, formation of linguistic states. Language policy and the constitution, constitutional guarantees to linguistic minorities. Non discriminations on the ground of language.
- (D) Community and the Law: - Caste as a divisive factor, Nondiscrimination on the ground of caste, Protective discrimination and reservation in admission to education institutions and services under state.
- (E) Women and Law: Gender injustice and its various forms. Crimes against women, Empowerment of women's.
- (F) Children and the Law: Prohibition of child labor and exploitation of children in various fields, Children and education.
- (G) Modernization and the Law :Democratic decentralization and local self-government fundamental duties, uniform civil code reforms in justice delivery system.

Recommended Books :-

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| 1. | Marc Galanter | - Law and Society in modern India. |
| 2. | Upendra Baxi | - The crises of Indian legal system. |
| 3. | Devican Derret | - The state, Religion and law in India. |
| 4. | Savitri Gunasekhare | - Children law and justice. |
| 5. | Indian Law Institute | - Law and social Changes. |
| 6. | Dr. Saleem Akhtar | - Uniform civil code. |
| 7. | H.M. Seervai | - Constitution law of India |
| 8. | V.N. Shukla | - Constitution of India. |
| 9. | M.P. Jain | - Outlines of Indian legal history. |

INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES
PAPER CODE MINDI102

Total marks for this paper are 100. The Candidate will have to answer any four questions out of given eight questions. Each question carries 25 marks. Questions will cover following areas of study :-

- (a) Federalism: - Nature of federalism in India, Legislative, Administrative and financial relations between the union and the states. Articles 356, 365 and 370 of the constitution of India..
- (b) State: - Article 12 and its widening horizons.
- (c) Right to equality: - Article 14 Right to caste freedoms (Article 19) and Right to life and personal liberty (Article 21) emerging new trends and their impacts.
- (d) Remedies: - Article 32 and 226 in their widening horizons public interest litigation, compensatory jurisprudence and judicial activism.
- (e) Directive principles of state: - Directive principles of state policy and their relationship with fundamental rights emergence of new rights and remedies.
- (f) Separation of Power: - Stresses and strains.
- (g) Judicial independence :- Appointment, transfer and removal of judge, accountability of judiciary tribunals
- (h) Democratic process :- Election commission electoral reforms, coalition government (Stability & disability) corruption in politics and public life, national vigilance commission, Lokpal and Lok Ayukta.

Recommended Books :-

1. H.M. Seervai - Constitution law of India
2. V.N. Shukla - Constitution of India.
3. D.D. Basu- Shorter constitution of India. Journals of India law constitute and other law
reposts and journals

COMPARATIVE CRIMINAL: PROCEDURE
PAPER CODE MCOMP103

Total marks for this paper are 100. The Candidate will have to answer any four questions out of given eight questions. Each question carries 25 marks. Questions will cover following areas of study:-

- (a) Organization of courts and prosecuting Agencies: Hierarchy of criminal courts and their jurisdiction, organization of prosecuting agencies, prosecution and the policy.
- (b) Pre Trial Procedure: - Arrest and questioning of the accused, rights of the accused, evidentiary value of statements or articles collected by police. Role of prosecutor and judicial officer in investigation.
- (c) Trial Procedure: The accusatory system of trial and the inquisitorial system. Role of judge, prosecutor and defense attorney in the trial main features of session's trial, wasn't, Trial and summary trial, Summary trial and plea bargaining.
- (d) Appeals: Reference and revisions.
- (e) Provision as to Bails and Bail Bonds
- (f) Correction and after case services : Institutional correction of the offenders, Role of court in correction programmes.

Recommended Books :-

1. Celia Hamptous - Criminal Procedure
2. Archbold - Pleading, Evidence and Practice in criminal cases
3. R.V. Kelkar - Outlines of criminal procedure.
4. Patric Devlin - The criminal procedure in England.
5. Sanders and young- Criminal justice. The French code of criminal procedure.

Note :- This paper will be taught with reference procedures in India, England, U.S.A and France

ENVIRONMENT AND DEVELOPMENT: LAW AND POLICY
PAPER CODE MENV1103

This paper carries 100 Marks. The Candidate will have to answer any four question out of given eight questions. Each question carries 25 marks. Questions will cover following areas of study :-

(a) **The Idea of Environment** :- Ancient and medieval writings, Traditions, Natural and Biological sciences perspectives, modern concept.

(b) **Development** :- Theories of development right to development, Development, Sustainable Development, Development economics.

(c) **Policy and Law** :- From Stockholm to Rio and after, Post Independence India, Role of Government, Five Year Plans, Forest Policy, Conservation Strategy, Water Policy.

(d) **Population Environment and development** :- Population explosion and environmental impact, Population and development population and sustainable development.

(e) **Constitutional perspectives** - Fundamental rights, Right to environment, Enforcement of the right, Directive principles and fundamental duties, Legislative Power environment, Emerging concept and challenges, Polluter pay principle. Absolute liability of hazardous industries precautionary principle, public trust doctrine.

Recommended Books:-

1. C.M. Abrsham- Environmental jurisprudence in India.
2. Madhav Gadgil and Ramchandra Gupta- The Fissured Island, An Ecological history of India
3. R.B.Singh and Suresh Mishra- Environmental law in India
4. Kailash Thakar - Environmental protection, Law and policy in India
5. Sanders and young- Criminal justice. The French code of criminal procedure.

ADMINISTRATIVE PROCESS: NATURE AND SCOPE
PAPER CODE MADMI103

This paper carries 100 Marks. The Candidate will have to answer any four questions out of given eight questions. Each question carries 25 marks. Questions will cover following areas of study :-

- (A) Administrative Process: - Nature and meaning, Role of Civil service, Role of administration.
- (B) Administrative Process :- Regulation to be- regulation and contrail to doctoral globalization and liberalization, Constitutional standards, comparative aspects.
- (C) Rules of Law: - Changing dimension, regulation of administrative process.
- (D) Separation of Powers: - From rigidity to flexibility.
- (E) Delegated Legislation - Problem, Process and control.
- (F) Power and Duty - Doctrine of police power, Doctrine of Environment Domain, Taxing Power, Responsibility and accountability.
- (G) Administrative Discretion – Structuring and limiting, Impact of technological development.

Recommended Books:-

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|----|-------------|---|
| 1. | Jain & Jain | - Principles of Administrative. |
| 2. | M.P. Jain | - Cases and materials on Administrative law. |
| 3. | Davis | - Discretionary justice |
| 4. | Friedman | - The State and the role of Law in amixedeconomy. |
| 5. | De Smith | - Judicial review of administrative action |

JUDICIAL PROCESS

MJUDI 201

This Paper Carries 100 Marks. The Candidate will have to answer any four questions out of given Eight questions. Each question carries 25 Marks.

- (a) Nature of Indicial Process :- Judicial process as an instrument of social Assessing Judicial Process and creativity in low legal Reasoning and growth of law, Tools and Techniques of Indicial creativity and Precedent, Legal Development and Creativity through legal reasoning under statutory and codified systems.
- (b) Special Dimensions of Judicial Process in Constitutions Adjudications: - Nations of Judicial Review, Naiveties of Judicial and Juristic activities, Problems of accountability and Judicial law waking.
- (c) Judicial Process in India: - Independence of Judiciary Nature of indicial process, Indicial Process in pursuit of constitutional goals and values.
- (d) Concept of Justice: - Concept of Justice or Dharma in Indian thought, Dharma as foundation of legal ordering in Indian thought. The concept and various theories of Justice in western thought.
- (e) Relation Between Law and Justices :- Justice as nothing more than positive law of the stronger close, Dependency theories - for its realization Justice depends on law, but justice in not the same as law.

The independence of Justice theories - Means to end relationship of low and justice. The relationship in the context of the Indian Constitutional ordering.

Books Recommended

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|-------------------|---|---|
| 1. Julius Stone | - | The Province and Function of Law |
| 2. Cardozo | - | The Nature of Indicial Process |
| 3. W. Friedmann | - | Legal Theory |
| 4. J. Stone | - | Legal System |
| 5. Rajeev Dhawan | - | The Supreme court of India - A Socio Legal Critique of its Juristic Techniques. |
| 6. Upendra Baxi | - | The Indian Supreme count and Politics |
| 7. Edword H. Levi | - | An Introduction to Legal Reasoning |

LEGAL EDUCATIONS AND RESEARCH METHODOLOGY MLEGA202

The Paper Consist of Two Parts (A) Written Paper carrying 75 marks (B) Practical Assignment Carrying 25 Marks.

Written Paper: - The Candidate will have to answer any five questions out of given Eight questions. Each question carries 15 marks.

(a) Objectives of Legal Education, Lecture Method of Teaching. The Problem Method. Discussion Method and Seminar method of teaching. Clinical legal education legal aid, legal literacy, legal survey and law reforms.

(b) Research Method - Socio Legal Research. Doctrinal and non doctrinal Research Relevance of Empirical Research.

(c) Identification of Problem of Research Problems, Survey of available literature and bibliographical research Legislative material, Juristic material and Decisional material.

(d) Proposition of Research Design Formulation of Research Problem. Hypothesis, Devising tools and techniques for collection of data methodology, collection of statutory and case materials and Juristic literature use of Historical and comparative research materials, use of observation studies, use of questionnaires/ interviews, use of case studies, Sampling Procedure - design of Sample, Use of scaling techniques.

(e) Jurimetrics, computerized Research classification and tabulation of data Analysis of Data.

(g) Practical assignment: Every student will have to conduct a Seminar or present a research Paper on a pre assigned topic, Practical assignment will be evaluated by internal examiner.

Book Recommended

S.K. Agarwal	-	Legal Education in India
N.R. Modhane Mohan	-	A bland book of clinical Legal Education
M.O. Price, H. Binter	-	Effective Legal Research & Bysiewieg WilliamJ Grade - Methods in Social Research & Paul K Hatt
Payne	-	The Act of Asking question
H.M. Hyman	-	Interviewing in Social Research
Mosis L Cohan	-	Legal Research in Nutshell
ILI Publication	-	Legal Research and Methodology

PENOLOGY: TREATMENT OF OFFENDERS

MPENO203

This Paper carries 100 marks. The candidate will have to answer any Four question out of given Eight questions. Each question carries 25 marks.

1. Meaning of Penology
2. Theories of Punishment
3. Capital Punishment, constitutionality Judicial attitude towards capital Punishment, Law Reform Process.
4. Approval to sentencing - Alternative to imprisonment. Probation, corrective Labour, Fines, Reparation by the offenders / by the court.
5. Sentencing - Principle types of sentences, Sentencing in white collar Crimes, Pre Sentencing hearing Sentencing for habitual offender, summary Punishment, Plea Bargaining.
6. Imprisonment - The state of India's jails today, The disciplinary regime of Indian Prisons, classification of Prisoners, Right of Prisoners and duties of custodial staff, open Prisons, Judicial Surveillance.

Book Recommended

S. Chhabra criminal Law.	-	The quantum of Punishment in
Hesbert L Packer	-	The Limit of Criminal Sanction
H.L.A. Hart	-	Punishment and Responsibility
A. Siddique	-	Criminology
Law Commission of India	-	Forty Second Report
Sutherland	-	Criminology

RESOURCE MANAGEMENT AND LAW MRESO203

This Paper carries 100 Marks. The candidate will have to answer any four questions out of given Eight questions. Each question carries 25 marks.

1. Water : Salinity, Bund and spill ways, Aquaculture and Fishing Irrigation, Ground water Management Inter-state water Management out and Disputes.

2. Land : Controls on Land developments Eco-friendly land planning Conservation, utilization and conversion, Mining and quarrying.

3. Concept of Common Property and state Property : Forest, Wild life, Common facilities and right to use roads, parks, path-ways, lakes, rivers, Natural heritage - Tribal Habited, Historical Monuments wet lands.

Book Recommended:

Jack Grosse	-	Protector and Management of our Natural Resources, wild life and Habitat
Absaham C.M.	-	Environmental Jurisprudence in India
Kailash Thakur	-	Environmental Protection Law and Policy in India
Leela Krishnan	-	The Environmental Law in India AR
Bam and P.N.	-	Natural Heritage of India Gautam
David Hughes	-	Environmental Law

ADMINISTRATIVE, PROCESS AND JUDICIAL CONTROL
MADMI203

Administrative Process and Judicial Control. This paper carries 100 Marks. The candidate will have to answer any four question out of given Eight questions. Each question carries 25 Marks.

- 1. Concepts and Agencies-** Common Law countries French system.
- 2. Judicial Review in India** - Historical development, Powers of Supreme Court, Powers of Supreme Court, Powers of light courts, Role of Subordinate judiciary.
- 3. Jurisdiction** - Finality clauses, Conclusive evidence clause, Exclusionary clause.
- 4. Grounds of Review** - Doctrine of ultra-virus Discretion and Justifiability, violation of Fundamental Rights, Malafide and bias, lack of rationality and proportionality.
- 5. Procedural Fairness** - Legitimate Expectation Natural Justice and duty to act fairly, Bias and Personal interest, Fair Hearing.
- 6. Remedies** - Writs, Injunctions and declaration
- 7. Limits of Judicial Review** - Locus standard public interest Litigation, locus per Judicator, alternative remedies.

8. Judicial Review of Delegated Legislation **Books Recommended**

S.P. Sethe	-	Administrative Law
De Smith	-	Judicial Review of Administrative Action
I.P. Massey	-	Administrative Law
M.P. Jain	-	The Evolving Indian Administrative Law Jain
& Jain	-	Principles of Administrative Law
M.P. Jain	-	Cases and Material on Administrative Law

PRIVILEGED CLASS DEVIANCE

MPRIV301

This paper carries 100 Marks. The candidates will have to answer any four questions out of given Eight question. Each question carries 25 Marks.

1. Introduction : Concepts of white collar crimes, Indian approach to Privileged class deviance as providing a wider categorization of understanding Indian development, Typical Forums of such deviance - official deviance (deviance by legislators Judges, bureaucrats). Professional deviance

(deviance by journalists, teachers, doctors, lawyers, engineers etc.) Police Deviance, Gender based aggression by socially, economically and politically powerful.

2. Official deviance - Conception of official deviance. Permissible limits of discretionary powers.

3. Professional Deviance - Unethical practices at Bar, Unprofessional and unethical Journalism, Medical Mal Practices.

4. Police Deviance - Legal Restraint on Police Power, unconstitutionality of third degree methods, Encounter Killings, Police atrocities.

5. Response of Indian Legal order to the deviance of Privileged classes - Vigilance commission Public Accounts committee, Ombudsman commission of inquiry, prevention of corruption Act.

Book Recommended

Upendra Baxi	-	The crises of Indian Legal SystemUpendra Baxi - Liberty and corruption
S.N. Dwivedi &	-	Political corruption in India G.S. Bhargava
A.G. Noosani	-	The Nature and Dimensions of Privileges clause Deviance
B.B. Pandey	-	The Nature and Dimensions of Privileged clause Deviance

PREVENTION AND CONTROL OF POLLUTION MPREV301

This paper carries 100 Marks. The candidate will have to answer any four questions out of given Eight questions. Each question carries 25 marks.

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| 1. Pollution | : | Meaning, Kinds of Pollution and their impact. |
| 2. Pollution of water | : | Definition, Ground water Pollution, Sources, Critique of existing laws, machinery, Powers, Function, offences and Penalties. |
| 3. Pollution of Air | : | Pollutants and effects Modalities of Control, Conflicts of Jurisdiction of different controls, Agencies, Critique of existing legal frame work. |
| 4. Noise Pollution | : | Sources and effects, Different legal controls need for specific law. |
| 5. Disposal of waste | : | Kind of wastes, Disposal Agencies, Disposal and Recycling of wastes. |
| 6. Sanctions against | : | Efficacy of criminal and civil sanctions corporate liability civil & criminal, Administrative Compensation system. Incentives & Pollution control. |

Books Recommended

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| Kailash Thakur | - | Environmental protection Law and Policy in India. Leela |
| Krishanan P. | - | Law and Environment |
| Leela Krishanan P. | - | The Environmental Law in India |
| J.H.J. Publication | - | Mass Disaster and Multinational Liability Aswin |
| Rageneranz | - | Environmental Policy and Law in India. |

PUBLIC AUTHORITIES: LIABILITIES

MPUBL301

This paper carries 100 Marks. The candidate will have to answer any four questions out of given Eight questions. Each question carries 25 marks.

- 1. Tortuous Liability:** Sovereign immunity commercial and non- commercial function.
- 2. Contractual Liability:** Procession justice & privilege right dichotomy black listing of contractors. Terms in contract as instrument of social justice.
- 3. Emerging Liability:** Personal accountability compensatory juries prudence and right to life accountability under consumer law
- 4. Privilege against Disclosure:** Right to information official secrecy, Executive privilege, Security of state and control information judicial review.
- 5. Promissory Estoppels:** Legitimate expectation constitutional dimension.

Books Recommended

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| Jain & Jain | - | Principles of administrative law. |
| D. Smith | - | Judicial review of administrative action. |
| B. Schwart | - | An Introduction to American administrative law. |
| J.P. Marry | - | Administrative law. |

DRUG ADDICTION, CRIMINAL JUSTICE AND HUMANRIGHT

MDRUG302

- 1. Introductory:** Basis Conception, Drugs, Neurotics, Psychotropic Substance, Dependence Addiction, Crimes without victims trafficking in drugs, Primary drug abuser.
- 2. Stand of the Incidence of Drug addiction & Abuse:** Self Reporting victim studies problems of Comparative studies.
- 3. Ana graphic and social characteristic of Drug users :** Gender, Age, Religion Single individuals/ cohabitation, Socio-economic level of family, Residence Patterns (Urban/Rural), Educational level, occupation, Type of drug use, Method of mistake, Pattern of the use, average quality and cost, consequences on addicts health.
- 4. The International Legal Regime:** Analysis of the convention of Psychotropic substances 1972, International collaborations in combating drug addiction, The SARC and south-South cooperation, Profile of International market for psychotropic substances.
- 5. The Indian Regulatory System :** The Penal Provisions (Under IPC & Customs Act) Indian's role in the evolution of the two international conventions, Judicial approaches to sentencing in drug trafficking and abuse, the Narcotics Drugs and Psychotropic Substances Act, 1985 Patterns of Resources investment in India, policing adjudication, treatment, aftercare and rehabilitation.
- 6. Human Right Aspect:** Deployment of marginalized people as carriers of neurotics, the problems of drug use and legal approaches, Bail.
- 7. The Role of community in Combating Drug Addiction:** Profile of community initiatives in detection and after care, The role of educational systems, the role of medical profession, the role of mass media, Law Reform initiatives.

Books Recommended :

P. Kondanram & Y.N. Musthy	:	Drug Abuse and crime - A preliminary Study
J.A. Incard	:	Drugs and criminal Justice System
Merajuddin Mis	:	Drug Abuses in India
R Cocken	:	Drug Abuse and Personality in young offenders

ENVIRONMENT AND INTERNATIONAL LEGAL ORDER

MENVI302

1. International concern for Environment Protection: World environment movement, Natural and cultural heritage Role of international and regional organization.
2. International obligations towards sustainable Development : International financing policy, Global Environment Facility, International co-operation Poverty alleviation.
3. Marine Environment: Conservation and exploration of Marine Resources, Scientific Research & Exploration Antarctic environment, International Seabed Authority Pollution from ships. Dumping of oil and other water into the sea.
4. Trans Boundary Pollution Hazards: Oil Pollution, Nuclear Fallouts and accidents, Acid Rain, Chemical Pollution, Green House effect, Depletion of ozone layer space pollution.
5. Control of Multinational corporation and containment of Environment Hazards : Problems of liability and control mechanism. Disasters management at international level. Monopoly of Bio-technology by MNS'&.
6. Disposal and Dumping of Hazardous wastes: Transitional Problems and coastal.

Books Recommended :

Priya Kanjan Trivedi	:	International Environmental Law
Sir Elwerthy and Jane Holder	:	Environmental Protection : Text and Material
IndianLaw Institute	:	Legal control of Environmental Pollution
Vershney		
C.K.	:	Water Pollution and Management
Zhiguo Gao	:	Environmental Regulation of oil and Gas.
Jean Pierre Beuries	:	New Technology and Law of Marine
Environment.		

**PUBLIC AUTHORITIES AND POWER HOLDERS :CONTROL ON
MALADMINISTRATION**

MPUBL302

1. Ombudsman : The Concepts, Comparative Prospective, evaluating Indian Models - Lokpal Lokayukta.
2. Commission of Inquiry
3. Vigilance Commission
4. Investigation agencies - The CBI
5. Inquiries by Legislative Committees
6. Legislative coastal
7. Financial Coastal : Comptroller and Auditor General
8. Judicial Inquiries

Books Recommended :

K.S. Shukla & S.S. Singh : Lodayukta : A Socio Legal Study

Jain & Jain : Principles of Administrative Law

Donald C Rawet : The ombudsman

JUVENILE DELINQUENCY

MJUVE303

1. **Introduction:** The conception of child in Indian constitution and Penal code, Delinquent Juvenile and Neglected Juvenile.
2. **Factors of Juvenile Delinquency:** Differential association, Anomie Economic pressure, Peer group influence, Gang sub culture class differentials.
3. **Legislative approaches:** Legislative approaches during late colonial era, children's Act, The Juvenile Justice Act., Constitutional aspects.
4. Indian Context of Juvenile Delinquency Neglected, Below poverty line Physically and mentally disabled orphans, destitute, vagrants laborers, drug addicts Victims of violence, sexual abuse, of criminal activities.
5. Judicial Contribution
6. **Implementation & Preventive Strategies:** Institution, bodies and Personnel's state welfare programmer, Health Nutrition, compulsory education, Role of NGO's community, family and individuals.

Books Recommended :

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| K.S. Shukla | : | Adolescent Offender |
| Myson weiner | : | The child and state in India |
- United Nations, Beijing Rules on Treatment of Young offenders.
 - United Nation Declaration on the Right of children.
 - Juvenile Justice Act 2000 (with Amendments of 2006)

BIOLOGICAL DIVERSITY AND LEGAL ORDER

MBIOL303

- 1. Biodiversity:** Meaning, Need for protection of Biodiversity, Dependence of human life on the existence in flora and fauna, Significance of wild life, Medicinal plants plant and micro organism.
- 2. Biodiversity & Legal Regulation:** Utilization of flora and fauna for bio-medical purposes, Experimentation on animals: Legal and Ethical issues, Genetic Mutation of seeds and micro-organism, Genetic engineering, Legal Machinery of control, Recognition of regional and local agencies.
- 3. Development Projects and Destruction of Bio-diversity:** Concept of sustainable development.
- 4. Problems in Legal Regulation of Medicinal Plants:** Cosmetic Plants, Animal Products, utilizationof flora and fauna for bio-medical purposes by M.N.C. : Problem of control Regulation of trade in wild life products.
- 5. Legal Framework for development and Protection of Sanctuaries:** Parks, Zoos, Biosphere resources, Protection of genetic resources for agriculture.

Book Recommended

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|---------------------------|---|--|
| Arjun Prasad Nagore | : | Bibliological Diversity and International Diversity and International Environmental Law. |
| K.L. Mehra and P.L. Mehra | : | Plant Genetic Resources of India's thesis diversity and conservation. |
| P.N. Bhat | : | Animal Genetic Resources in India |

LOCAL SELF GOVERNMENT
MLOCA303

This Paper carries 100 Marks. The candidate will have to answer any four out of given Eight questions. Each question carries 25 Marks.

1. **Historical Perspectives:** Early Period, Gram Swaraj : the Canadian Concept.
2. **Constitutional Scheme:** Directive Principles structure and Powers of local bodies.
3. **Legislative Powers:** Direct democracy and grass root planning, Municipalities and corporation Gram Sabha.
4. **Legislative Power:** Rule making powers of the state government, Regulation and Bye-laws.
5. **Financial Powers:** Levying taxes, Licensing power, financial resources and powers.
6. Judicial and quasi judicial powers of local bodies.
7. Election to local bodies.
8. Conduct of Marketing: Corporation, Municipal council, Panchayat committee and Gram Sabha
9. Jurisdictional and Judicial control.

Books Recommended:

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|---------------------|---|
| W. Thoruhill | : The Growth and Reform of English local self-Government. |
| Radhakumud Mookerji | : Local Government in Ancient India. |
| M. Venketasangaiya | : Local Government in India |
| Schwostz & Wade | : Local Control of Government |

COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM MCOLL401

This paper carries 100 marks. The candidate will have to answer any four questions out of given eight question. Each question carries 25 marks.

- 1. Introductory :** Nature of force, coercion and violence Distinctions : symbolic violence institutionalized violence, Structural violence, Structural violence Legal order as a coercive normative order, force monopoly of modern law. Speech as incitement to violence collectionpolitical violence and legal order. Nation of legal and extra legal repression.
- 2. Approaches to violence in India :** Religiously sanctioned structural violence : Caste and genderbased. Ahimsa in Hindu, Jain, Buddhist, Christen and Islamic traditions in India.
- 3. Agrarian Violence and Repression:** The nature and scope of agrarian violence in 18- 19th centuries in India. colonial legal order as a causative factor of collective agrarian violence Telegram struggle and the legal order.
- 4. Violence against the scheduled Cortes:** Nature of atrocities, Incidence of atrocities. Use of criminals law to control atrocities.
- 5. Communal Violence:** Incidence of communal violence findings of various commission of Inquiry. The Role of police and Paramilitary forces in dealing with communal violence. Operation of criminal Justice system in dealing with communal violence.

Books Recommended :

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| 1. | Upendra Baxi : | Dissent, Development and violence |
| 2. | A.R. Desai : | Peasant struggle in India |
| 3. | Ranjit Guha: | Elementary Aspect of Peasant Insurgency colonial India. |
| 4. | Mark Juergen & meyer: | The logic of Religions violence: The case of Punjab |
| 5. | K.S. Shukla: | Sociology of Deviant Behaviour |

ENVIRONMENTAL LEGISLATION

MENVI401

This paper carries 100 marks. The candidate will have to answer any four questions out of given eight questions. Each question carries 25 marks.

1. **General Laws on Environmental Concern:** Code of criminal Procedure: Public Nuisance Provisions in the Indian Penal code Local Bodies Law: An overview.
2. **Environment (Protection) Act 1986: Necessary and Proper clause :** Concentration of power on the control Government. Delegated legislation: Power to make rules, regulation and to issue directions. Delegation of power.
3. **Coastal Zone Management:** Sea erosion, CRZ Notification, Prohibition and Exemptions, Premises : Bio activities, Classification of zones Regulation of Sea Resorts, Eco Tourism Coastal Zone Management Plan. Aqua culture.
4. Laws hazardous Substances
5. Preparedness on Environmental Disasters
6. **Emerging Legal Controls:** Eco works, Environmental audit, Environmental Impact Assessment, public participation in environmental decision making Environmental information.

Books Recommended:

- | | | |
|-------------------|---|---|
| Leela Krishnan P. | : | Law and Environment |
| Leela Krishnan P. | : | The Environment Law in India Findley R.W. & |
| Forbes D.A. | : | Environment Law |

COMPARATIVE ADMINISTRATIVE LAW
MCOMP401

This paper carries 100 marks. The candidate will have to answer any four questions out of given eight questions. Each question carries 25 marks.

1. Evolution and Significance of Administrative Law in Various Systems of Governance

- Four Ancient to Modern -

- I. French System
- II. England & U.S.
- III. Other System

2. Doctrine of Separation of Power: Comparative Survey of English, U.S. French, German and Indian Systems.

3. Delegated Legislation: Comparative approaches, widening contours :Classification, control over delegated legislation.

4. Administrative Discretion: Need for discretion Powers Nature, Scope and Limits.

5. Processional Fairness: Evolution and Significance of Natural Justice England : Judicial Process :doctrine of fairness and doctrine of legitimate expectation -Legislation.

U.S. : Due Process and Judicial decisions legislation India : Act 14, 19 & 21. Doctrine of fairness & Doctrine of longitude expectation.

6. Liability of Administration: England, U.S. and Indian Practices : Contractual Liability, Tortuous liability Federal Test Claims Act 1946. Croon Proceedings Act. 1947. Indian Attempts at Legislation.

Books Recommended:

- 1. Peter H. Schuck : Foundation of Administrative Law
- 2. Friedman : The state and Rule of Law in a Mixed Economy
- 3. Neville h. Brown : French Administrative Law & J.F. Garner
- 4. D.D. Basu : Corporative Administrative Law

DISSERTATION
MDISS402

There shall be no written examination in Paper - 402. Instead of written examination the candidate will have to prepare a dissertation on a legal topic under the guidance of a teacher supervises appointed by Head, Department of Law at the beginning of Third Semester. The candidates will submit her completed dissertation on a given date before the commencement of fourth semester's Examination. The dissertation carries 200 marks and shall be evaluated by external examiner and supervisor jointly for 150 marks and 50 marks shall be for viva voce.

VIVA – VOCE
MVIVA403

The candidates will be required to appear before examining panel for viva-voce carrying 100 marks. no. written material is required for this viva. This oral session will be meant for evaluating the overall knowledge of candidate regarding to papers / subjects he appeared into in written examinations