



CENTRAL UNIVERSITY OF KERALA
DEPARTMENT
OF LAW
SYLLABUS OF LLM
PROGRAMME
(2020-21 ADMISSION)

ANNEXURE-B

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

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

(2020-21 ONWARDS)

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

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

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

PART B

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

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

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

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

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

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

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

PART -F

GENERAL INFORMATION FOR THE STUDENTS

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

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

Programme Outcome

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

Programme – Specific outcomes: Masters in Law

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

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

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

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

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

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

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

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

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

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

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

Research Methodology Practical

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

Teaching Practical

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

Seminar Course

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

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

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

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

FIRST SEMESTER

COMPULSORY CORE COURSES

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

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

Learning Outcomes

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

Course Outcome

Students who complete this course will be able to:

Students who complete this course will be able to:

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

Unit- 1. Fundamentals of Legal Education

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

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

Unit 2. Teaching Methods

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

Unit 3. Curriculum, Evaluation system and Supervision

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

Unit 4. Legal Profession and Social Justice

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

Suggested Reading:

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

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

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

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

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

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

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

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

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

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

02-LLM5102-LAW AND SOCIETY [FOUR CREDITS]

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

Course Outcome

Students who complete this course will be able to:

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

Units

1 Social Functions of Law- Law and Social Change

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

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

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

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

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

The latest editions of the following books are the suggested readings

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

Roscoe Pound, *Jurisprudence*, West Publishing, St Paul, Minnassotta (1959)
Bodenheimer, *Jurisprudence: The Philosophy and Method of the Law*, Oxford University Press, London (1974)
W Friedmann, *Legal Theory*, Columbia University Press (1967)
W. Friedmann, *Law in a Changing Society*, University of California Press, Berkeley (1972)
Julius Stone, *Social Dimensions of Law and Justice*, Stevens & Sons, London (1966)
Cappelletti and Garth (Ed.), *Access to Justice*, (1978) Vol. I, Book I, Part I
B. Sivaramayya, *Inequalities and the Law*, Eastern Book Co, New Delhi (1984)
UpendraBaxi, *The crisis of Indian Legal System*, Vikas, New Delhi (1982)
UpendraBaxi, *Law and Poverty*, N M Tripathi, Bombay(1988)
Lon.L.Fuller, *The Morality of Law*, Yale University Press, New Haven (1995) Reprint
H.L.A.Hart, *The Concept of Law*, Clarendon Press, Oxford (1993)
M.D.A.Freeman, *Lloyd's Introduction to Jurisprudence*, Sweet and Maxwell, London (1994)
John Rawls, *A Theory of Justice*, The Belknap Press of Harvard University Press, 1971, revised in 1999
Otto A, Bird, *Idea of Justice*: Frederick A. Praeger, Pall Mall Press Ltd. New York and London (1967)
Tapas Kumar Banerjee, *Background to Indian Criminal Law*, R Cambay, Kolkata (1990)
Granville Austin, *The Indian Constitution: Cornerstone of a Nation*, Oxford University Press, Oxford (1999)
Patricia H. Smith, *Feminist Jurisprudence* (1993)
Dr. M. Kunhaman, *Globalization, A Subaltern Perspective* (2002)

S1-SPECIALIZATION CORE COURSE 1

CRIMINAL LAW CORE COURSE

LML 5105 -GENERAL PRINCIPLES OF CRIMINAL LAW

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

Course Outcome

Students who complete this course will be able to:

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

Units

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

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

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

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

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

The latest editions of the following books are the suggested readings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- R.A. Duff, Lindsay Farmer, *The Boundaries of the Criminal Law*, Oxford University Press, Oxford
- Andrew Ashworth, Jeremy Horder, *Principles of Criminal Law*, 7th edn, Oxford University Press, Oxford (2013)
- R.A. Duff, Stuart Green, *Philosophical Foundations of Criminal Law*, Oxford University Press, Oxford (2013)
- R.A. Duff, Lindsay Farmer *The Constitution of the Criminal Law*, Oxford University Press, Oxford (2013)
- David Ormerod, Karl Laird, *Smith and Hogan Criminal Law: Text and Materials*, 11th edn, Oxford University Press, Oxford (2014)
- Larry Siegel, *Criminology*, 7th Edition, Wadsworth Pub., Australia 1999, pp. 162-176 2.
- Roger Hopkins Burke, *An Introduction to Criminological Theory*, 1st Edition, Lawman India Pvt. Ltd., New Delhi 2001, Chapter 6, pp. 77 - 95 3.
- Clive Coleman & Clive Norris, *Introducing Criminology*, 6th Edition, Willian Pub., USA 2000, pp 26 -54 4.
- Katherine S. Williams, *Textbook on Criminology*, 3rd Edition, Universal Law Pub., New Delhi 1997, Chapter 10 pp. 272-304
- Articles: 1. Alan Little, Professor Eysenck's Theory of Crime: An Empirical Test on Adolescent Offenders, Vol. 4 *British Journal of Criminology* (1964), p. 152 2. G Macdonald, B. Sheldon, and J. Gillespie, Contemporary Studies of Effectiveness of Social Work, Vol. 22 *British Journal of Social Work* (1992), p. 615.
- Roger Hopkins Burke, *An Introduction to Criminological Theory*, 5th Edition, Lawman India Pvt. Ltd., New Delhi 2001, pp. 158-170 2.
- Kerry Carrington and Russel Hogg, *Critical Criminology*, 1st Edition, Willan Publishing House, UK 2002, pp. 114 -1 37
- Articles : 1. Bruce Di Cristina, Durkheim's Latent Theory of Gender and Homicide, Vol. 26 *British Journal of Criminology* (2006), p. 212 2. Carol Smart, The New Female Criminal: Reality or Myth, Vol. 19 *British Journal of Criminology* (1979), p. 50
- Journal of Criminal Law and Criminology* Volume 37 | Issue 6 Article 2 1947 MelittaSchmideberg
- Howit, D., (2009), *Introduction to forensic and criminal psychology* (3rd ed) Harlow, UK, Pearson Education.
- Viding, E., Blair, R. R., Moffitt, T. E., &Plomin, R. (2005). Evidence for substantial genetic risk for psychopathy in 7-year-olds. *Journal Of Child Psychology & Psychiatry*, 46(6), 592-597. doi:10.1111/j.1469-7610.2004.00393.x
- Raine, A. (2008). From Genes to Brain to Antisocial Behavior. *Current Directions In Psychological Science* (Wiley-Blackwell), 17(5), 323-328. doi:10.1111/j.1467-8721.2008.00599.x
- Clarke, R. V., &Felson, M. (1993). *Routine activity and rational choice*. Piscataway, NJ US: Transaction Publishers
- Agnew, R. (1993). Why do they do it? An examination of the intervening mechanisms between "social control" variables and delinquency. *Journal Of Research In Crime & Delinquency*, 30(3), 245-266.
- Bonger, W. (1916) *Crime and Economic Conditions*. Boston. Little Brown.

S2-SPECIALIZATION CORE COURSE-1 CONSTITUTIONAL LAW CORE COURSE

LML5106-FEDERALISM

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

Course Outcome

Students who complete this course will be able to:

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

Units

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

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

The latest editions of the following books are the suggested readings

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

ELECTIVE COURSE-2

LML5001-SEMINAR COURSE[TWO CREDITS]

Course Outcome –

Students who complete this course will be able to:

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

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

SECOND SEMESTER

COMPULSORY CORE COURSES

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

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

Course Outcome –

Students who complete this course will be able to:

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

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

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

Design– Formulation of a Good Research Design

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

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

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

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

The latest editions of the following books are the suggested readings

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

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

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

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

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

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

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

LML5202-JUDICIAL PROCESS [FOUR CREDITS]

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

Course Outcome

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

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

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

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

Dicta – Rules of Determining Ratio and Their Analysis

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

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

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

The latest editions of the following books are the suggested readings

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

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

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

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

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

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

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

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

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

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

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

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

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

S1-SPECIALIZATION CORE COURSE-2

LML5205-SOCIO ECONOMIC OFFENCES

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

Course Outcome

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

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

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

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

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

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

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

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

The latest editions of the following books are the suggested readings

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

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

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

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

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

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

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

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

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

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

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

Law Commission of India, 29th and 47th Reports

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

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

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

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

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

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

S2-SPECIALIZATION CORE COURSE-2

LML5206 CONSTITUTIONAL RIGHTS AND SOCIAL JUSTICE

[4 CREDITS]

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

COURSE OUTCOME

Students who complete this course will be able to:

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

UNITS

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

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

Suggested Books

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

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

REFERENCE BOOK

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ELECTIVE COURSE-2

LML5006 HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM

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

Students who complete this course will be able to:

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

UNITS

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

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

The latest editions of the following books are the suggested readings

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

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

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

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

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

THIRD SEMESTER

S1-SPECIALIZATION CORE COURSE-3

5307-CRIME AGAINST WOMEN AND CHILDREN

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

Course Outcome

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

Unit I- Pre and Post Independence Era

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

Unit II- Violence against Women and Children

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

Unit III- Issues Relating to Children

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

Unit IV- Juvenile Delinquency

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

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

Unit V- Institutional Arrangements

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

Suggested Readings

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

S1-SPECIALIZATION CORE COURSE-4

LML 5308

JURISPRUDENCE OF PUNISHMENT(4 CREDITS)-

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

COURSE OUT COME

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

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

Unit 1:

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

Unit 2

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

Unit 3

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

Unit 4:

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

Imprisonment, rigorous imprisonment and life imprisonment -

Unit 5:

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

Unit6:

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

Suggested Readings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S2-SPECIALIZATION CORE COURSE-3

LML 5309-CENTRE STATE RELATIONS

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

COURSE OUTCOME:

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

Unit-1. General Features

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

Unit-2.Legislative Relations

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

Unit-3.Administrative Relations

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

Unit-4.Financial Relations

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

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

Unit V- Emergency Provisions

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

Text Books And Reference Books

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

S2-SPECIALIZATION CORE COURSE-4

LML 5310 - CONSTITUTION AND GOVERNANCE

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

COURSE OUTCOME

Students who complete this course will be able to:

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

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

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

Unit II-Organisation of the Legislature and the Executive

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

Unit III- Judiciary System

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

3.5 Evolution and functioning of Tribunals

Unit IV- Judicial Review

4.1. Significance of Judicial Review

4.2. Judicial Review of Legislation and Delegated Legislation

4.3. Judicial Review of administrative action

4.4. Judicial Review of Constitutional Amendments

3.5 .Parliamentary Privileges ,Fundamental Rights and Judicial Review

Unit V- Electoral Process and Democratic decentralization

5.1. Relevance of elections in Democracy

5.2. Constitutional Provisions Relating to Elections

5.3. Measures to prevent defection

5.4 .Concept of democratic Decentralisation

5.5.Constitution and Local Governance

Text Books and Reference Books

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

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

Bernard Schwartz Commentary on American Constitution.

BhagwanVishnoo, BhushanVidya, World Constitutions.

Cane, Peter; Administrative Law ; Oxford University Press.

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

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

Godfrey and Blondel, The French Constitution and Government.

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

K.C.Wheare, Modern Constitutions.

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

Mason and Beany, American Constitutional law.

Rodney Brazier, Constitutional Practice.

Rotunda and Nowak, Treatise on American Constitution.

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

Tom Ginsburg, Rosalind Dixon, Comparative Constitutional Law.

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

Vicki C. Jackson, Mark V. HYPERLINK

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

ELECTIVE COURSE

LML5003-RIGHT TO LIFE AND LIBERTY[TWO CREDITS]

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

COURSE OUTCOME

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

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

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

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

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

The latest editions of the following books are the suggested readings

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

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

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

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

FOURTH SEMESTER

COMPULSORY CORE COURSE

03- LLM5401-DISSERTATION AND VIVA [EIGHT CREDITS]

Course Outcome

Students who complete this course will be able to:

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

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

ELECTIVE COURSES

LML5004- FUNDAMENTALS OF HUMAN RIGHTS [FOUR CREDITS]

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

COURSE OUTCOME

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

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

Units

- 1 Rights of Man- Historical and Theoretical Roots- Human Rights –Meaning Nature and Evolution-Developments-Magna Carta to U N and other International Documents-Role of Regional Organisations
- 2 Justification and Basis of Human Rights-Theories- Generations of Human Rights
- 3 Human Rights and Natural Law –Concept and Evolution of Natural Rights-Natural Rights under Western Legal Thought-Utilitarian and Social Contract Theories
- 4 Concepts of Rights to Life, Liberty, Dignity, and Equality-Juristic Basis-

Constitutional Perspectives-Concepts under International Instruments- Judicial Approach

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

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

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

The latest editions of the following books are the suggested readings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Susan Henneberg, *LGBTQ Rights* (2016)

LML5007-COMPARATIVE CRIMINAL PROCEDURE

[FOUR CREDITS]

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

COURSE OUTCOME

Students who complete this course will be able to:

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

Units

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

2 Origin of various Criminal Trials – Jury trial

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

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

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

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

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

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

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

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

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

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

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

Tagore Law Lectures

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

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

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

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

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

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

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

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

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

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

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

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

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

