

**ACADEMIC REGULATIONS  
COURSE STRUCTURE  
AND  
DETAILED SYLLABUS  
FOR**

**LL.B Regular 3 Years / 5 Years Courses and  
LL.M 2 Years Courses  
(For the Batches Admitted From 2016-17)**



**SRI RAVURI KANAKIAH MEMORIAL LAW COLLEGE**

*(Permanent Approval from Bar Council of India New Delhi & APSCHE Hyderabad, Permanent Affiliation to S.V. University and Recognized u/s 2(f) & 12B of the U.G.C. Act )*

**R.V.S. NAGAR, CHITTOOR- 517 127 (AP)**

## FROM THE DESK OF THE CHAIRMAN



**Dr. Ravuri Venkataswamy**  
Chairman, Sri.R.K.M.Law College

**Dr. R. Venkataswamy**, S/o. late Sri R. Kanakaiah is a well known Educationist and Philanthropist of this region. With a keen interest to promote education in the backward Rayalaseema Region of Andhra Pradesh, with a motto of “Education for Peace” he has floated an educational society in the name of “**Srinivasa Educational Academy**” in the year 1998 with fellow philanthropists and educationists of this area.

He has established Sri Venkateswara School of Nursing & Sri Srinivasa MPHW (F) Training Institute in 1986 which is affiliated to Director of Medical Education, Hyderabad and recognized by Indian Nursing Council, New Delhi. In the year 1992 he has started Sri R.K.M. Law College, affiliated to the S.V. University, Tirupathi and recognized by Bar Council of India, New Delhi. With this experience and an intention to provide quality technical education, which will provide self employment to the youth of this region, he has established Sri Venkateswara College of Engineering & Technology in the year 1998. It is approved by AICTE, New Delhi and Accredited by National Board of Accreditation under Tier -I and affiliated to Jawaharlal Nehru Technological University Anantapur, Ananthapuramu. In a span of about 9 years it is recognized as one of the best colleges in A.P. state with **2 Gold Medals** and 95% and above results in all these years. This Institution is ranked 3rd in Andhra Pradesh and 30th in India by CSR-GHRDC Survey, Competition Success Review 2010. At present this institution is offering 10 B.Tech programmes and 13 M.Tech programmes. The college campus with excellent buildings in 40 Acres of land is located on R.V.S. Nagar, adjacent to the proposed RVS Medical College.

Dr. R. Venkataswamy has adequate experience in the activity of establishing and running educational institutions and he proved himself as a successful educationist. Johnson & Wales University, Rhode Island has conferred Honorary Degree, Doctor of Philosophy – Ph.D. in Education on R. Venkataswamy, the Chairman of the Institution for his research on Education in India. He is playing a major role in the state for the development of Technical

education. He is very fair in his activities and an intelligent capitalist, educationist and with the back ground of successful and vast experience in running the Sri Venkateswara College of Engineering & Technology (Autonomous) and other educational institutions, and started RVS Hospitals at Chittoor to render medical services to the poor and he has proposed to take up a big venture of establishing **RVS Institute of Medical Sciences** for promoting medical education catering to the aspirations of the people of Chittoor district and some parts of neighbouring district like Kadapa, Kurnool, Anantapur, and Nellore.

#### Awards Received

- “**Best Educational Promoter**” awarded by Vijaya- Bhargavi Stage Award, received in 1993 at Ravindra Bharathi, Hyderabad.on 15.07.1993.
- “**Bharat Jyothi Award**” awarded by International Integrity Peace & Friendship Society in 2000 for scoring a string of outstanding achievements in the chosen field of activity.
- “**Nandi Award**” received from the Honorable Chief Minister of Andhra Pradesh during the year 2003 for the Best Children’s Film “Little Hearts” produced during the year 2000 and 2001.

### **PROFILE OF THE COLLEGE**

#### **THE CAMPUS :-**

Sri. R.K.M. Law College is housed in a three stored building located at R.V.S. Nagar, Chittoor, with good academic serenity and atmosphere, consisting of 18 Class Rooms, in addition to the rooms allotted for Principal, Office, Staff and Waiting Hall for Girls. Separate Toilets provided for Boys and Girls. A separate spacious room provided for Moot Court Hall with all Model Court Equipment.

#### **FACULTY:-**

The college has got excellent, experienced and dynamic teachers to impart legal education to give in depth legal knowledge and to train the students in such a way to equip with themselves the knowledge of dispute resolution keeping in view the needs of litigants

### FULL TIME TEACHING STAFF

Sl.No.	Subject	Name of the teacher	Designation	Qualification
1	Law	Dr.N. Janardhana Reddy	Principal	M.A., LL.M., Ph.D
2	Law	Dr.K.N. Gowthami	Vice-Principal	LL.M., Ph.D
3	Law	D.B.Bhargavi	Lecturer	LL.M.,(Ph.D)
4	Law	L.Abhisekhar	Lecturer	M.L.,(Ph.D)
5	Law	V.Sasikala	Lecturer	M.A., LL.M
6	Law	T.Keerthi	Lecturer	LL.M., (Ph.D)
7	law	K. Parimala devi	Lecturer	M.A., LL.M
8	Law	Bharathi.S	Lecturer	LL.M
9	Law	Rajpal Singh	Lecturer	M.B.A., LL.M.,
10	Law	D.Mathews Deva pandian	Lecturer	B.Co.m .LL.M
11	Law	M.Muarli	Lecturer	B.A., LL.M
12	Law	Naresh Babu.K	Lecturer	B.A., LL.M
13	Law	Dayanidhi.M	Lecturer	B.A., LL.M
14	Law	Swaroopalakashmi.M.B	Lectuer	LL.M
15	Law	Sheik Abdullan.M.S.S	Lecturer	B.A., LL.M.,
16	Law	O.R. Sandhya	Lecturer	B.A.,LL.M
17	Law	S. Lakshmi	Lecturer	B.L.M.L.,
18	History	Venkatramana Reddy.N	Lecturer	M.A., B.Ed.
19	Economics	Payani.k	Lecturer	M.A., B.Ed
20	Sociology	Saritha.L	Lecturer	M.A. (Soci) M.B.A
21	Political Science	Dilli Babu.S	Lecturer	B.A., M.A
22	English	Srinivasan. K	Lecturer	B.A., M.A

A part from full-time teaching faculty, we have also appointed adjunct faculty for teaching substantive and procedural laws covering the syllabi. we have also appointed Senior Advocates having more than 10 years experience to give professional training in procedural technicalities in the advocacy and also exposing the students to the moot problems as well as the actual practice.

### NON – TEACHING STAFF

Sl.No.	Name of the staff	Designation	Qualification
1.	Smt. Pallavi.T.M	Librarian	B.Li.Sc (M. Li. Sc.)
2.	Smt. L. Saritha	Clerk	M.A. (Soci) M.B.A
4.	Mr. K.S. Murali Mohan	Computer Operator	M.B.A.
5.	Mr. T. Ramesh	Junior Asst.	M.B.A.
7.	Smt. Santhamma	Attender	Tenth

## LIBRARY:-

The College has good Library with a large number of titles and journals in order to cater to the needs of the students. Every year new titles are being added to existing library. This academic year we wish to add new titles worth of Rs 1 lakh. We also planned to enhance the journal section with new journals. This may include All India Bar Review, manuals of Supreme Court cases, and Law Reports.

## COURSES:

The College has been offering both 3/5 years LL.B and 2 years LL.M Course affiliated to Sri Venkateswara University, Tirupathi. The total number of seats in 3 years courses is 300 ( 5 sections X 60 students) and the total number of seats in 5 years course is 80 (1<sup>st</sup> section X 60 students and 2<sup>nd</sup> section X 20 students.) 2 Years LL.B Course 2 branch Labour Law (1 Section X 20 Seats) and Intellectual Property Rights Law (1 Section X 20 Seats)

Course	Eligibility	percentage of Marks in the Qualifying Examination	No. of Seats available	Total Seats
3 Years	Any graduation (after 10 <sup>th</sup> and +2 or Intermediate.)	45%throughLAWCET	240	300
		50% Through Management Quota.	60	
5 Years	10 <sup>th</sup> and +2 or Intermediate.	45%throughLAWCET	64	80
		50% Through Management Quota	16	
LL.M (Labour Law)	B.L/LL.B	50%through PGLCET	16	20
		50% Through Management Quota	4	
LL.M (IPR Law)	B.L/LL.B	<b>50%through PGLCET</b>	16	20
		50% Through Management Quota	16	

**SRI VENKATESWARA UNIVERSITY, TIRUPATI**  
**REGULATIONS AND SYLLABUS RELATING TO LL.M DEGREE COURSE**  
**(TWO YEAR) SEMESTER PATTERN WITH CBCS**  
**(With effect from the academic year 2016-17)**

**1. Duration of The Program:**

The professional post-graduate programme leading to the degree of Master of Law (LL.M) will extend two academic years / over a period of 4 Semesters and each semester will normally have duration of 90 working days. However, under special circumstances and to save the academic year, the normal working days of 90 can be reduced by increasing working hours per day as per the Bar Council of India Rules, New Delhi.

**2. Minimum Qualification For Admission:**

A candidate seeking admission into LL.M Degree course should have passed 3 Year / 5year B.L / LL.B Degree examination or equivalent thereto

**3. Admission Procedure:**

3.1. The admission into LL.M Program will be through PGLCET Examination for Indian Students conducted by Andhra Pradesh State Council of Higher Education (APSCHE).

3.2. Admission of Foreign / NRI Students for LL.M Program:

3.2.1. Students should have earned their qualifying degree from a University / Institute recognized by the Association of Indian Universities / similar Indian body.

3.2.2. Students nominated by Foreign Governments may be accepted to LL.M programmes, without any further test / interview, if their request for admission is routed through MHRD / any agency of the Government of India.

**4. Structure of the Programme:**

The LL.M programme has a curriculum, with syllabus consisting of:

4.1. Core courses, which give a broad base in the main field of study in the academic programme concerned

4.2. The Foundation Courses are the courses based upon the content that leads to knowledge enhancement. They are mandatory for all disciplines.

4.3. Elective courses chosen by the student in consultation with the faculty adviser.

4.4. Elective Course: Elective course is a course which can be chosen from a pool of papers. It may be:

4.4.1. Supportive to the discipline of study

4.4.2. Providing an expanded scope

4.4.3. Enabling an exposure to some other discipline/domain

4.4.4. Nurturing student's proficiency/skill.

- 4.5. An elective may be “Generic Elective” focusing on those courses which add generic proficiency to the students. These electives shall be “Discipline centric”.
- 4.6. Second type elective may be open elective and shall be offered for other disciplines.
- 4.7. The program will also include seminars, Group discussions, Legal-Aid, Legal Literacy Camps and Lok Adalats as prescribed by the Board of Studies in the curriculum and syllabus and approved by the Academic Council.
- 5. The Credit System:**
- 5.1. Each course has a certain number of credits assigned to it, depending upon whether it is a lecture or tutorial or practical work and the number of periods assigned per week. The practical courses shall include Dissertation work and viva-voce in IV Semester.
- 5.2. The credits are assigned according to the following pattern:**
- 5.2.1. 1 credit for each lecture period/week,
- 5.2.2. 1 credit for each tutorial period/week,
- 5.2.3. 1 credit for each practical session period/week &
- 5.2.4. 1 credits for Dissertation work of 2 periods / week.
- 6. Minimum Instruction Days:**
- 6.1. The normal duration of LL.M Course is four semesters.
- 6.2. Semesters, I, II, and III shall consist of a minimum of 90 instruction days for each semester (based on six instruction days per week) excluding the days allotted for tests, examinations and preparation holidays.
- 6.3. Fourth semester shall consist of a minimum of 90 working days for undertaking Dissertation work in the College / University.
- 7. Course Registration:**
- Every student has to register for the set of courses offered by the Department in that semester including those of Open Elective courses and MOOCS courses with the total number of their credits being limited by considering the permissible weekly contact hours.
- 8. Credits Required for Award of LL.M Degree:**
- A student earns credits by passing courses every semester. A student, who has registered the LL.M degree programme, has to acquire 84 credits to become eligible for the award of the degree.
- 9. Evaluation of Academic Performance:**
- 9.1. The performance of the students in each semester shall be evaluated paper wise. The Scheme of instruction and examinations shown in the table below shall be followed. The distribution of marks between sessional work (based on internal assessment) and University Examination is as follows:

Paper Category	Sessional Marks	University Examination Marks
Theory	20	80
Practical Training	100 50 marks for research methodology, 25 marks for clinical work and 25 marks for Law teaching	-
Dissertation	-	150 – Dissertation (9 Credits) 50 – Viva-Voce (3 Credits)

- 9.2 Evaluation shall be done on a continuous basis i.e. through Continuous Internal Evaluation (CIE) in the Semester and Semester End Examination (SEE). For each theory course, there shall be two internal tests of two hours duration carrying 20 marks each and one End-Semester Examination of 3 hours duration carrying 80 marks. Internal marks for a maximum of 20 shall be awarded based on the average performance of the two internal tests.
- 9.3. The first internal test shall be held immediately after the completion of 50% of the instruction days covering 50% of the syllabus. The second internal test shall be held immediately after the completion of 90 instruction days covering the remaining the 50% of the syllabus.
- 9.4. It is mandatory for a student to attend both the internal tests in each theory course. The weighted the average of the marks secured in two tests is awarded as sessional marks. However, 0.8 shall be assigned as weight for the best performance of the two tests whereas for the other test it shall be 0.2. If a student is absent for any of the internal test for whatsoever reason, the marks for that test shall be zero.
- 9.5. The students shall be permitted to verify the valuation of answer scripts of sessional tests and sign on the same after verification.
- 9.6. The valuation and verification of answer scripts of Sessional Tests shall be completed within a week after the conduct of the internal tests. The answer scripts shall be maintained in the University Department / College until the semester end results are announced.
- 9.7. The valuation of End-Semester Examination answer scripts shall be arranged by the Controller of Examinations as per the University procedures in vogue.
- 9.8. **Evaluation of Practical Training:**  
The maximum marks for practical training paper shall be 100 where in 50 marks for research methodology, 25 marks for clinical work and 25 marks for Law teaching. This practical training paper shall be taken up in the third semester. The faculty shall evaluate the components of practical training internally. This paper is purely practical hence no university examination. For details see the syllabus.
- 9.9. **Dissertation and viva-voce:** At the end of fourth semester a candidate shall submit a dissertation on any topic approved by the Supervisor faculty of that branch. The maximum marks allotted for dissertation and vivo-voce shall be 200 where in 150 marks for dissertation written part and 50 marks for viva-voce examination. The submission of dissertation shall not be later than the last working day of the course



of study of 4<sup>th</sup> semester. The viva voce will be conducted at the end of 4<sup>th</sup> semester exams and on submission of dissertation. A Candidate who fails to submit his / her dissertation for any reason has to submit the same along with subsequent batches or after obtaining permission from HOD and faculty concerned.

#### **10. Scheme of Examination:**

10.1. The maximum marks for each theory paper shall be 100 where in 20 marks are allotted for internal assessment and 80 marks for semester end university examination.

10.2. **University Examination (For 80 Marks):** The Question paper for the semester end university examination in theory course shall constitute two sections namely Section – A (Short Answer Questions). In this section 10 Short answer questions will be given, out of which the student has to answer any five questions, Each question carries 4 marks (5 X 4 =20 Marks). Section – B (Essay Questions). In this section 5 essay questions with internal choice out of which the student can answer anyone. Each question carries 12 marks (5 X 12 =60 Marks).

10.3. **Internal Examination (For 20 Marks):** Refer Clause 9.4

#### **11. Attendance Requirements:**

11.1. A student is required to complete the Programme of Study satisfying the attendance requirements in all the semesters within twice the prescribed period of study i.e. 4 academic years from the year of admission failing which he/she forfeits his/her seat.

11.2. A student shall be detained in a semester if he/she fails to satisfy the attendance requirements given below:

- i A student shall attend at least 60 percent of the maximum hours of instruction taken by the teacher for each course.
- ii A student shall attend at least 75 percent of the maximum hours of instruction taken for all the courses put together in that semester.

11.3. The Principal shall condone the shortage of attendance of a student provided, the student satisfies the clause 11.2 and obtain atleast 60% of overall attendance in a semester on medical grounds only.

11.4. A student who fails to satisfy the attendance requirements specified in clause 11.2 shall repeat that semester in the subsequent academic years with the written permission of the Principal.

11.5. A student shall not be permitted to study any semester more than two times during the Programme of his/her study.

11.6. A student who satisfies the attendance requirements specified in clause 11.2 in any semester may be permitted to repeat that semester canceling the previous attendance and sessional marks of that semester with the written permission of the Principal. However, this facility shall be extended to any student not exceeding twice during the entire Programme of study provided the stipulation in clause 11.1 is met.

## 12. Conditions of Promotion::

A student shall be promoted to the next semester, if he/she satisfies the minimum attendance requirements of that semester of LL.M as specified in clause 11.

## 13. Award of Degree:

A candidate for the award of the LL.M Degree with the branch already chosen at the time of admission shall be required to satisfy the following conditions:

13.1. The program of study for the LL.M Degree shall cover normally a period of two academic years comprising of 4 semesters.

13.2. No students shall be permitted to complete the course of study of LL.M Degree earlier than 4 semesters or to take not more than 8 semesters. Failing which he / she shall forfeit his/ her seat in LL.M.

## 14. Award Grades and Grade Points:

After a candidate has satisfied all requirements for the award of the degree as specified in clause 13, he/she shall be placed in one of the following three classifications, irrespective of whether the candidate passed compartmentally or otherwise, even after the regular period of study of four semesters.

**Grade Point:** It is a numerical weight allotted to each letter grade on a 10-point scale.

**Letter Grade:** It is an index of the performance of students in a said course. Grades are denoted by letters O, A+, A, B+, B, C, P and F.

**Semester Grade Point Average (SGPA):** It is a measure of performance of work done in a semester. It is the ratio of total credit points secured by a student in the courses registered in a semester and a total course credits taken during that semester. It shall be given up to two decimal places.

$$\text{SGPA (Si)} = \frac{\sum(C_i \times G_i)}{\sum C_i}$$

where  $C_i$  is the number of credits of the  $i$ th course and  $G_i$  is the grade point scored by the student in the  $i$ th course.

The CGPA is also calculated in the same manner taking into account all the courses undergone by a student over all the semesters of a programme, i.e.

**Cumulative Grade Point Average (CGPA):** It is a measure of overall cumulative performance of a student over all semesters. The CGPA is the ratio of total credit points secured by a student in the courses in all semesters and the sum of the total credits of all courses in all the semesters. It is given up to two decimal places.

$$\text{CGPA} = \frac{\sum(C_i \times S_i)}{\sum C_i}$$

Where  $S_i$  is the SGPA of the  $i$ th semester and  $C_i$  is the total number of credits in that semester.

The SGPA and CGPA shall be rounded off to two decimal points and reported in the transcripts.

## Letter Grades and Grade Points:

A 10-point grading system with the following letter grades is to be followed.

### Grades and Grade Points

Letter Grade	Grade Point
O (Outstanding)	10
A+ (Excellent)	9
A (Very Good)	8
B+ (Good)	7
B (Above Average)	6
C (Average)	5
P (Pass)	4
F (Fail)	0
Ab (Absent)	0

A student obtaining Grade F shall be considered failed and will be required to reappear in the examination.

For non credit courses ‘Satisfactory’ or ‘Unsatisfactory’ shall be indicated instead of the letter grade and this shall not be counted for the computation of SGPA/CGPA.

- 14.1. To pass a course in PG Programme, a student has to secure the minimum Grade of (P) in the PG End-Semester Examination. A student obtaining Grade F shall be considered failed and will be required to reappear in the examination.
- 14.2. A Candidate, before and even after becoming eligible for the award of the Degree, may reappear for the University Examination, as and when conducted, in any of the theory subjects, which he/she has already passed, for the purpose of improving the aggregate. However, this facility cannot be availed by a candidate who has taken the Provisional pass Certificate. Candidates shall not be permitted to appear for University examination in Practical papers including Dissertation work for the purpose of improvement.
- 14.3. A student who has failed in a course can reappear for the End-Semester Examination as and when it is held in the normal course. The Sessional Marks obtained by the student will be carried over for declaring the result.
- 14.4. Whenever the syllabus is revised for a course, the End-semester Examination shall be held in old syllabus three times. Thereafter, the students who failed in that course shall take the End-semester Examination in the revised syllabus.

## 15. Award of Ranks:

- 15.1. Ranks shall be awarded in each branch of study on the basis of Cumulative Grade Point Average (CGPA) for top ten percent of the students or top three students whichever is higher.
- 15.2. The students who have become eligible for the award of LL.M degree by passing all the four semesters regularly without break, shall only be considered for the

award of ranks.

15.3. Award of prizes, scholarships and other honours shall be according to the rank secured by the student as said above and in conformity with the desire of the Donor.

**16. Transitory Regulations:**

16.1 A student who has been detained in the previous regulations for not satisfying the attendance requirements shall be permitted to join in these regulations provided the clauses 11.1 and 11.4 hold good.

16.2 End-Semester University Examinations under the regulations that immediately precede these regulations shall be conducted two times after the conduct of last regular examination under those regulations.

16.3 The students who satisfy the attendance requirements under the regulations that immediately precede these regulations, but do not pass the courses shall appear for the End-Semester University Examinations in equivalent courses under these regulations as specified by the BoS concerned.

**17. Amendments of Regulation:**

The University may, from time to time, revise, amend, or change the Regulations, Scheme of Examinations and Syllabi, whenever necessary.

18. The Course of study and the scheme of examination for each branch is as follows.

**SRI VENKATESWARA UNIVERSITY :: TIRUPATI**  
**MASTER OF LAW**

**CBCS Pattern**

**(With effect from 2016-17)**

**The Course of Study and the Scheme of Examinations**

**BRANCH – III – LABOUR LAWS**

**I - Semester**

S. No	Components of Study		Title of the Paper	Hours per Week			Credits	Max Marks		Total
				L	T	P		I	E	
1	<b>Core</b>	1.1	Labour Management Relations And Dispute Resolution	4	2	-	6	20	80	100
2		1.2	Trade Union Law	4	2	-	6	20	80	100
3	<b>Foundation Course</b>	1.3	Law And Social Transformation In India	4	2	-	6	20	80	100
4		1.4	Indian Constitution The New Challenges	4	2	-	6	20	80	100
	<b>Total</b>					-	<b>24</b>	<b>80</b>	<b>320</b>	<b>400</b>

**II - Semester**

S. No	Components of Study		Title of the Paper	Hours per Week			Credits	Max Marks		Total
				L	T	P		I	E	
1	<b>Core</b>	2.1	Wages and minimum labour standards	4	2	-	6	20	80	100
2		2.2	Law and Social Security	4	2	-	6	20	80	100
3	<b>Foundation Course</b>	2.3	Judicial Process	4	2	-	6	20	80	100
4		2.4	Legal Education And Research Methodology	4	2	-	6	20	80	100
	<b>Total</b>					-	<b>24</b>	<b>80</b>	<b>320</b>	<b>400</b>

### III – Semester

S. No	Components of Study		Title of the Paper	Hours per Week			Credits	Max Marks		Total
				L	T	P		I	E	
1	<b>Core</b>	3.1	Industrial Discipline and Law	4	2	-	6	20	80	100
2		3.2	Collective Bargaining	4	2	-	6	20	80	100
3		3.3	Practical Training	-	-	6	6	100	-	100
4	<b>Generic Elective</b>	3.4a	Environment Protection and the Law	4	2	-	6	20	80	100
5		3.4b	Intellectual Property Rights Law							
6	<b>Open Elective</b>	3.5a	Cyber Crimes and Law	4	2	-	6	20	80	100
7		3.5b	Evolution and Concept of ADR							
	<b>Total</b>						24	160	240	400

## IV – Semester

S. No	Components of Study		Title of the Paper	Hours per Week			Credits	Max Marks		Total
				L	T	P		I	E	
1	<b>Core</b>	4.1	Dissertation and Viva-Voce	-	-	<b>24</b>	<b>12</b>		<b>Dissertation - 150 Viva – 50</b>	<b>200</b>
2	<b>Open Elective</b>	4.2a	Law of Consumer Protection	<b>4</b>	<b>2</b>	<b>-</b>	<b>6</b>	<b>20</b>	<b>80</b>	<b>100</b>
3		4.2b	International Human Rights (MOOC / Online Course)							
	<b>Total</b>						<b>12</b>		<b>200</b>	<b>200</b>
			Grand Total				<b>84</b>			<b>1400</b>

**Note:-**

1. Student has to choose one paper out of two in Generic elective in the III Semester.
2. Students of other discipline other than law course can choose one paper out of two in Open elective in the III Semester and IV Semester. In the IV Semester Paper 4.2b – International human Rights is MOOC / Online course only.
3. Duration of examination for each paper in all the semesters is 3 Hours except for Practical Training in III Semester and Dissertation and Viva-Voce in IV Semester.

# **I SEMESTER**



**LL.M. SYLLABUS**  
**BRANCH -III - LABOUR LAWS**

**Paper – 1.1**

**LABOUR MANAGEMENT RELATIONS AND DISPUTE**  
**RESOLUTION**

**UNIT 1. Governments policy on industrial relations**

Indian Government policy of active intervention in industrial relations through conciliation and adjudication – Compulsory methods V. Voluntary methods of settlement of industrial disputes.

**UNIT-2. I.D. Act - definitions and governments power to refer industrial disputes**

Appropriate government, industry, industrial dispute and workman, Settlement and award Layoff, Retrenchment and Closure. Nature and extent of governments power refer industrial disputes.

**UNIT -3. Methods of settlement of industrial disputes**

Works Committees, Conciliation, Investigation – Court of Inquiry, Voluntary Arbitration, Compulsory Adjudication. Objectives of industrial adjudication, Labour courts, industrial tribunals and National Industrial Tribunals –Constitution and Composition, Jurisdiction, powers and functions of adjudicatory authorities, Finality and Judicial review of awards, Commencement, enforceability and operation of awards.

**UNIT –4. Chapter v a and v b of industrial disputes act**

Restrictions on and compensation for layoff, retrenchment transfer and closure of undertakings, Exit policy.

**UNIT-5. Change of conditions of service**

Section 9A & 9B and Schedule IV of Industrial Disputes Act, Section 33, 33A & 33B of Industrial Disputes Act. Section 33C(1) of Industrial Disputes Act, Jurisdiction of Labour Courts under Section 33C(2) of Industrial Disputes Act.

**Reference Books:**

1. The Law of Industrial Disputes Vol. I & Vol. II – O.P. Malhatra
2. Labour and the Law – Kahn - Freund
3. Report of National Commission on Labour( Relevant chapters) of 1969 and 2002

## Paper-1.2

# TRADE UNION LAW

### **UNIT – 1. Freedom of organization**

Negative and positive features, Position in India, Britain and America, Scope of Art 19(1) , Brief History of Trade Union movement in Britain, Evolution of Trade Union Movement Labour Legislation in India

### **UNIT-2. Trade unions and corporate status**

Definition of Trade Union, Registration and Corporate Status, Immunities of Trade Unions – India and Britain.

### **UNIT- 3. Trade union recognition**

Recognition of Trade Unions in Britain, Recognition of Trade Unions in India – NCL Recommendations.

### **UNIT-4. Problems facing the indian trade union movement**

Multi – Unionism, Outsiders in the Unions, Political affiliation, Inter Union Rivalry and IntraUnion Rivalry, N.C.L. Recommendations.

### **UNIT-5. UNORGANISED LABOUR AND UNIONIZATIONS**

Problems of unorganized labour, agricultural labour, child labour, bonded labour.

### **Reference Books:**

1. Citrine – Trade Union Law
2. Cyril Grunfeld – Modern Trade Union Law.
3. Richard Kinder – Trade union Law
4. KahnFreund – Labour and the Law
5. J.N. Mallick – Trade union Law
6. K.D. Srivastava – Trade union Law
7. S.C. Jha – Indian Trade Union Movement
8. V.V. Giri – Labour Problems in Indian Industry
9. C.K. Sharma – Labour Movement in India
10. N.C.L. Recommendations – Relevant Chapters
11. Bomaby Industrial Relations Act 1946
12. Maharashtra – Recongition of Trade Unions and PULP Act 1971

**Paper – 1.3**  
**LAW AND SOCIAL TRANSFORMATION IN INDIA.**

**Objectives of the course:**

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

**Syllabus:**

**UNIT 1. Law and social change**

Law as an instrument of social change, Law as the product of traditions and culture. Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.

**UNIT -2 Community, religion and the law**

Caste as a divisive factor, Non-Discrimination on the ground of caste, Acceptance of caste as a factor to undo past injustices, Protective discrimination, Protective discrimination: Scheduled castes, tribes and backward classes. Reservation; Statutory Commissions., Statutory provisions. Freedom of religion and non-discrimination on the basis of Religion, Religious minorities and the law.

**UNIT –3 Women, children and law**

Crimes against women, Gender injustice and its various forms, Women Commission. Empowerment of women: Constitutional and other legal provisions, Child labour, Adoption and related problems, Children and education.

**UNIT- 4 Modernization and law**

Modernisation as a value: Constitutional perspectives reflected in the fundamental duties, Democratic decentralisation and local self-government.

**UNIT-5 Alternative approaches to law**

The jurisprudence of Sarvodaya--- Gandhiji, VinobaBhave; Jayaprakash Narayan--- Surrender of dacoits; concept of gramanyayalayas.

**Select Bibliography**

1. Marc Galanter (ed.), Law and Society in Modern India (1997 ) Oxford,
2. Robert Lingat, The Classical Law of India (1998), Oxford
3. U. Baxi, The Crisis of the Indian Legal System (1982). Vikas, New Delhi.
4. U. Baxi (ed.), Law and Poverty Critical Essays (1988). Tripathi, Bombay.
5. Manushi, A Journal About Women and Society.

6. Duncan Derret, *The State, Religion and Law in India* (1999). Oxford University Press, New Delhi.
7. H.M. Seervai, *Constitutional Law of India* (1996), Tripathi.
8. D.D. Basu, *Shorter Constitution of India* (1996), Prentice - Hall of India (P) Ltd., New Delhi.
9. Sunil Deshta and KiranDeshta, *Law and Menace of Child Labour* (2000) Armol Publications, Delhi.
10. SavitriGunasekhare, *Children, Law and Justice* (1997), Sage
11. Indian Law Institute, *Law and Social Change : Indo-American Reflections*, Tripathi (1988)
12. J.B. Kripalani, *Gandhi: His Life and Thought*, (1970)Ministry of Information and Broadcasting, Government of India
13. M.P.Jain, *Outlines of Indian Legal History*, (1993), Tripathi, Bombay.
14. Agnes, Flavia, *Law and Gender Inequality: The Politics of Women's Rights in India* (1999), Oxford

## **Paper – 1.4**

### **INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES.**

#### **Objectives of the Course:**

The Constitution, a living document, is said to be always in the making. The judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social mores. Constitution being the fundamental law, an insight into its new trends is essential for a meaningful understanding of the legal system and processes. The post graduate students in law who had the basic knowledge of Indian Constitutional Law at LL.B level, should be exposed to the new challenges and perspectives of constitutional development while they are allowed to choose an area of law for specialisation. Obviously, rubrics under this paper require modification and updating from time to time.

#### **Syllabus:**

##### **UNIT-1. Federalism**

Creation of new states, The inter-state disputes on resources, Centre's responsibility and internal disturbance within States, Federal Comity : Relationship of trust and faith between Centre and State, Special status of certain States, Tribal Areas, Scheduled Areas.

##### **UNIT-2. “State” right to equality**

Definition of state, Need for widening the definition in the wake of liberalization. Privatisation and its impact on affirmative Action, Relating to equality.

##### **UNIT-3. Emerging regime of new rights and remedies**

Reading Directive Principles and Fundamental Duties into Fundamental Rights Compensation jurisprudence Right to education, Commercialization of education and its impact, Brain drain by foreign education market, Right of minorities to establish and administer educational institutions and state control.

**UNIT – 4. Separation of powers stresses and strain**

Judicial activism and judicial restraint, PIL: implementation, Judicial independence, Appointment, transfer and removal of judges, Accountability: executive and judiciary, Tribunals.

**UNIT- 5. Democratic process**

Nexus of politics with criminals and the business, Election, Election commission: status, Electoral Reforms, Coalition government, 'stability, durability, corrupt practice' Grass root democracy.

**Select bibliography**

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

# **II SEMESTER**

## Paper-2.1

### WAGES AND MINIMUM LABOUR STANDARDS

#### **UNIT-1. Constitutional perspectives on wages and Welfare**

Denial of minimum wages as forced labour, Right to living wage, Right to equal pay for equal work, Concept of labour welfare, Health, Safety and Welfare of workers in factories

#### **UNIT-2. Theories and facets of wages**

Theories of wages, Concepts of minimum wage, fair wage, living wage and need – based minimum wage.

#### **UNIT-3. Fixation and revision of wages**

ILO Conventions, Principles of wage fixation – Industrial Adjudication, Wage boards and fixation of wages Wage fixation under Minimum Wages Act. Basic wage and Dearness Allowance, Fixation and Revision of Dearness Allowance.

#### **UNIT-4. Protection of wages**

Problems relating to payment of wages, Royal Commission and payment of wages Deductions and the Payment of Wages Act.

#### **UNIT-5. Concept and payment of bonus**

Concept of profit sharing and deferred wages, Full Bench Formula, Bonus under the Payment of Bonus Act.

#### **Reference Books:**

1. O.P. Malthotra, Law of Industrial Disputes (1999)
2. R.R. Singh, Labour Economics Chs. 6,7,8 and 9 (1971)
3. G.L. Kothari, Wages, Dearness Allowances and Bonus (1968)
4. Y.B. Singh, Industrial Labour in India Part 1, (1960)
5. V.V. Giri, Labour Problems in Indian Industry Ch.F (1972)
6. Report of the National Commission on Labour 1969 (Relevant Portions)
7. International Labour Office, Wages (1968)
8. International Labour Office, Wage Fixing (1981)
9. International Labour Office, Minimum Wage Fixing (1981)
10. VedulaJagannadhaRao, Law Relating to Shops and Establishments in Andhra Pradesh (1989)
11. Suresh C. Srivastava, 'Payment of Dearness Allowance to Industrial Workers in India' 15 J.I.L.I. 444(1973)
12. Suresh C. Srivastava, "Machinery for Fixation of Minimum Wage of Sweated Labour in India – Problems and Prospects" 23 J.I.L.I.495(1981)
13. R.D. Agarwal, Dynamics of Labour Relations in India (1972)
14. SahabDayal. "Wage, Income and Industrial Relations in Modern India : An Evaluation of Selected Empirical Implications". 15 Indian Journal of Industrial Relations 195(1971)
15. Madhuri G. Seth, "Bonus in Equity Perspective", 15 Indian Journal of Industrial Relations 119 (1979)
16. Deepak Lal, Theories of Industrial Wage Structures : A Review "15 Indian Journal of Industrial Relations 167 (1979)
17. C. Mani Sastry, "Wage Structure and Regional Labour Market", 21 Indian Journal of Industrial Relations 344(1985)
18. Suresh C. Srivastava, "Payment of Dearness Allowance to Industrial Workers in India: The Judicial Approach", 15 J.I.L.I 444(1973).

19. R.L. Chawla, "Wage Policy and Industrial Relations. A Brazilian Case Study", 17 Indian Journal of Industrial Relations 27(1981)

## **Paper-2.2**

### **LAW AND SOCIAL SECURITY**

#### **UNIT-1. Social security**

Meaning, Labour Welfare and Social Security, Modalities - Social Assistance and Social Insurance

#### **UNIT-2. Constitutional perspectives**

Fundamental Rights :Realisation of the rights through meaningful social security measures : Right to life, the wider dimensions, Directive Principles of State Policy : Right to adequate means of livelihood, Right to public assistance in cases of unemployment, old age, sickness and disablement, maternity relief.

#### **UNIT-3 International norms for social security of labour : the ilo measures**

#### **UNIT-4 Law and social security**

Employer's liability act, 1936, Workmen's Compensation Act, 1923, Employees State Insurance Act, 1948, Employees Provident Fund & Miscellaneous Provisions Act, 1952, Payment of Gratuity Act, 1972, Maternity Benefit Act, 1961.

#### **UNIT-5 social security for unorganized and agricultural labour**

Comprehensive and integrated social security scheme – as recommended by N.C.L. , National Rural Employment Guarantee Act.

### **Reference Books:**

1. Harry Calvert – Social Security Laws (1978)
2. S.C. Srivastava  
Social Security and Labour Laws (1985)
3. Reports of the National Commission on Labour (1&2) (Relevant Chapters)
4. The Laws of Social Security – Ogn and Berndt (1978) (Relevant chapters)



## **Paper – 2.3**

### **JUDICIAL PROCESS**

#### **Objectives of the course:**

A lawyer, whether academic or professional, is expected to be competent to analyse and evaluate the legal process from a broader juristic perspective. Hence a compulsory paper on Judicial Process is essential in the LL.M curriculum. The objective of this paper is to study the nature of judicial process as an instrument of social ordering. It is intended to highlight the role of court as policy maker, participant in the power process and as an instrument of social change. This paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques employed in the process. Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of the concept of justice and its various theoretical foundations is required. This paper, therefore, intends to familiarise the students with various theories, different aspects and alternative ways, of attaining justice.

#### **Syllabus:**

##### **Unit - 1. Nature of judicial process**

Judicial process as an instrument of social ordering, Judicial process and creativity in law - common law model - Legal Reasoning and growth of law - change and stability. The tools and techniques of judicial creativity and precedent.

##### **Unit - 2. Special Dimensions of Judicial Process in Constitutional Adjudications.**

Notions of judicial review, 'Role' in constitutional adjudication - various theories of judicial role, Tools and techniques in policy-making and creativity in constitutional adjudication. Varieties of judicial and juristic activism Problems of accountability and judicial law-making.

##### **Unit - 3. Judicial Process in India**

Indian debate on the role of judges and on the notion of judicial review. The "independence" of judiciary and the "political" nature of judicial process. Judicial activism and creativity of the Supreme Court - the tools and techniques of creativity. Judicial process in pursuit of constitutional goals and values - new dimensions of judicial activism and structural challenges. Institutional liability of courts and judicial activism - scope and limits.

##### **Unit - 4. The Concepts of Justice**

The concept of justice or Dharma in Indian thought, Dharma as the foundation of legal ordering in Indian thought. The concept and various theories of justice in the western thought, Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

## **Unit - 5. Relation between Law and Justice**

Equivalence Theories - Justice as nothing more than the positive law of the stronger class.

Dependency theories - For its realisation justice depends on law, justice is not the same as law.

The independence of justice theories - means to end relationship of law and justice-  
The relationship in the context of the Indian constitutional ordering. Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice. Access to Justice – Locus standi : PIL, Legal Services authority

### **Select Bibliography**

1. Julius Store, The Province and Function of Law, Part II, Chs. 1. 8-16 (2000), Universal, New Delhi.
2. Cardozo, The Nature of Judicial Process (1995) Universal, New Delhi
3. Henry J.Abraham , The Judicial Process (1998), Oxford.
4. J.Stone, Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworths
5. W.Friedmann, Legal Theory (1960), Stevens, London
6. Bodenheimer, Jurispudence - the Philosophy and Method of the Law (1997), Universal,Delhi
7. U.Baxi, The Indian Supreme Court and Politics (1980), Eastern,Lucknow.
8. Rajeev Dhavan, The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques(1977), Tripathi, Bombay.
9. John Rawls, A Theory of Justice (2000), Universal, Delhi
10. Edward H.Levi, An Introduction to Legal Reasoning (1970), University of Chicago

## **Paper – 2.4**

### **LEGAL EDUCATION AND RESEARCH METHODOLOGY**

#### **Objectives of the course:**

A post-graduate student of law should get an insight into the objectives of legal education. He should have an exposure to programmes like organisation of seminars, publication of law journals and holding of legal aid clinics.

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

#### **Syllabus:**

##### **Unit - 1. Objectives of Legal Education and methods of teaching**

Lecture Method, Problem Method, Discussion method and Seminar Method, Merits and Demerits, student participation in law school programmes- Organisation of Seminars, publication of journal and assessment of teachers, Clinical legal education - legal aid, legal literacy, legal survey and law reforms.

##### **Unit - 2. Research Methods**

Socio Legal Research, Doctrinal and non-doctrinal, Relevance of empirical research, Induction and deduction

##### **Unit - 3. Identification of Problem of research**

What is a research problem? Survey of available literature and bibliographical research, Legislative materials including subordinate legislation, notification and policy statement, Decisional materials including foreign decisions; methods of discovering the "rule of the case" tracing the history of important cases and ensuring that these have not been over-ruled; discovering, judicial conflict in the area pertaining to the, research problem and the reasons thereof, Juristic writings - a survey of juristic literature relevant to select problems in India and foreign periodicals Compilation of list of reports or special studies, conducted relevant to the problem.

##### **Unit - 4. Preparation of the Research Design**

Formulation of the Research problem, Devising tools and techniques for collection of data, Methodology, Methods for the collection of statutory and case materials and juristic literature, Use of historical and comparative research materials, Use of observation studies, Use of questionnaires/interview/Schedule, Use of case studies Sampling procedures - design of sample, types of sampling to be adopted,

Use of scaling techniques, Jurimetrics, Computerized Research - A study of legal research, programmes such as Lexis and West law coding and manupatra

### **Unit – 5. Analysis and report writing**

Classification and tabulation of data, Explanation of tabulated data, Analysis of data and Report Writing.

### **Bibliography**

1. High Brayal, Nigel Dunnean and Richard Crimes, Clinical Legal Education: Active Learning in your Law School, (1998) Blackstone Press Limited, London
2. S.K. Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.
3. N.R. Madhava Menon, (ed) A Handbook of Clinical Legal Education, (1998) Eastern Book Company, Lucknow.
4. M.O. Price, H. Bitner and Bysiewicz, Effective Legal Research (1978)
5. Pauline V. Young, Scientific Social Survey and Research, (1962)
6. William J. Grade and Paul K. Hatt, Methods in Social Research, McGraw-Hill Book Company, London
7. H.M. Hyman, Interviewing in Social Research (1965)
8. Payne, The Art of Asking Questions (1965)
9. Erwin C. Surrency, B. Field and J. Crea, A Guide to Legal Research (1959)
10. Morris L. Cohan, Legal Research in Nutshell, (1996), West Publishing Co.
11. Harvard Law Review Association, Uniform System of Citations.
12. ILI Publication, Legal Research and Methodology.

# III Semester

**Paper-3.1**  
**INDUSTRIAL DISCIPLINE AND LAW**

**UNIT-1. Industrial discipline**

Concept and need for maintaining industrial discipline

**UNIT-2. Industrial employment (standing orders) act, 1946 and model standing orders**

Certification of Standing orders, Modification of standing orders, temporary application of model standing orders

**UNIT-3. Misconduct and punishment**

Different types of misconduct, Punishment appropriate to misconduct, Major and minor punishment, Termination of employment, Dismissal, Discharge (Punitive or simple), Discharge of probationers, Compulsory retirement, Suspension – subsistence allowance during suspension, Reversion or demotion, Withdrawal of increments – cumulative or noncumulative, Fines.

**UNIT-4. Domestic enquiry**

Compliance with principles of natural justice, Chargesheet – Requirements of Enquiry officer – Presiding Officer – Defence counsel, Enquiry officer's report Final showcause, notice and order of punishment.

**UNIT-5. Jurisdiction of adjudicatory authorities**

Supervisory original or appellate jurisdiction, Section 11 A of Industrial Disputes Act, Section 2A(2) of Industrial Disputes (A.P. Amendment) Act, Protection of civil servants, Doctrine of pleasure – Art.310 of the Constitution, Protection under Art 311 of the constitution, Jurisdiction of Administrative Tribunals and High Courts.

**Reference Books:**

1. The Law of industrial disputes Vol I & Vol II – O.P. Malhotra
2. Constitutional Law of India – H.M. Seervai (Relevant chapters)
3. Report of National Commission on Labour (1969) (Relevant chapters)

## Paper-3.2

# COLLECTIVE BARGAINING

### **UNIT-1. Collective bargaining – concepts**

Concept of collective bargaining – a comparative appraisal, Methodological aspects, Types of bargaining – Plant level, industry level and national level, Advantages of collective bargaining over compulsory adjudication.

### **UNIT-2. Legal control and collective bargaining**

Strike as a weapon in the process of collective bargaining (pendown, goslow, work to rule, stayin, picketing, Gherao, Lockout, Legality and Justifiability of strikes and Lockouts, Disciplinary action for participating in illeggal strikes. Wages for the period of strike.

### **UNIT-3. Factors affecting collective bargaining**

Multi Unionism, and bargaining – Bargaining councils – Sole bargaining agent. Other factors, Conditions for successful functioning.

### **UNIT-4. Status of collective agreements**

Binding nature of collective agreements, Collective Agreement and conciliation settlement

### **UNIT-5. Workers' participation in management**

Concept and theories of participation of workers, Works Committees, Joint Management Councils, Worker – Director, Workers' share holders.

### **Reference Books:**

1. Gillian S. morris and Timothy J.Archer, CkollectiveLabour Law (2000), Oxford
2. Nick Humphrey, Trade Union Law (1997), Blackstone, London
3. John Bowers and Simon hentyball, Text book on Labour Law (1998), Blackstone, London.
4. Stephen Dery and Richard Mitchell, Employment Relations - Individualization and Union Exclusion (1999), Blackston, London
5. Roger Blanpain, Chris Engels(Eds.), Comparative Labour Law and Industrial Relations in Industrialised market Economies (1999) Kluver
6. Indian Law Institute -Labour Law and Labour Relations, (1997)
7. ILO, Collective Bargaining.
8. ILO, Collective Bargaining in Industrialised Market Economies
9. Mary Sur, Collective Bargaining (1965)]
10. R.W. Rideout, Principles of Labour Law, Chs. 8,9 and 10 (1983)
11. Otto KahnFreund, Labour and the Law, (1977)
12. A.V. Rajagopalan, "Approaches to Collective Bargaining – Intricacies" 1982 Vol. II Labour Law Notes P.J. 42.
13. B.R. Patil, Sectionalised Bargaining in Textile Industry in Coimbatore" 20 Indian J Journal of Industrial Relations 44. (1985)
14. Elias T. Ramos, "Growth of Collective Bargaining in the Philippines, 195374", Indian Journal of Industrial Relations 559 (1987)
15. T.O. Ekeehukwu, "Collective bargaining and Process of Settling Industrial
16. Dispsutes in Nigeria" 18 Indian journal of ndustrial Relations 607 (1983)
17. Y.R.K. Reddy, "Determination of Collective Bargaining Agency Search for a Procedure" 14 Indian journal of Industrial Relations 73 (1978)
18. SahabDayat "Revival of Collective Bargaining in India : Some Recent Evidence" Indian Journal of Industrial Relations 329 (1982)

## **Paper – 3.3**

### **PRACTICAL TRAINING**

The practical training shall be held in the Third semester on Research Methodology, Law Teaching and Clinical work. There shall be 25 marks each for doctrinal research and for non-doctrinal research and 25 marks each for law teaching and clinical work. How the components of practical shall be evaluated is left to individual faculties of law. They can formulate their own models of assessment. However, for making the practical training objective and meaningful, the following guidelines shall be adhered to.

#### **1. Research Methodology**

##### **(i) Doctrinal research (25 marks)**

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The materials indicated or collected during the assignment shall be evaluated by a group of faculty members.

##### **(ii) Non-doctrinal research (25 marks)**

Here the students are asked to go out of the classroom and library and make an empirical study of a problem, which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed by a team of faculty members.

#### **2. Clinical work (25 marks)**

The law school can evolve the modalities. One method is that the legal aid clinic of the law school can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organization, tackling of labour disputes, drafting of business or other deeds and with public interest litigation. The faculty shall assess the initiative and potential of the student and the actual work turned out by him.

#### **3. Law Teaching (25 marks)**

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes. Where LL.B. programme co-exists with LL.M programme, the students may be asked to teach the LL.B students. They can select any of the methods of teaching. In legal education practical, the LL.M students are evaluated internally.



**Paper – 3.4(a)**  
**ENVIRONMENT PROTECTION AND THE LAW**

**Objectives:-**

The Concept of the Environmental Law is for the maintenance and improvement of environment

**Syllabus:-**

**Unit- 1 :** General Laws on Environmental Concern Code of Criminal Procedure: Public nuisance, Provisions in the India Penal code, Local bodies Law: an overview.

**Unit-2 : Environment (Protection) Act, 1986**

‘Necessary and proper clause’: concentration of power on the Central Government, Delegated legislation: power to make rules, regulation and to issue Directions, Delegation of powers.

**Unit-3 : Coastal Zone Management**

Sea erosion, CRZ Notification, Prohibitions and exemptions, Permissible activities, Classification of zones, Regulations of sea resorts, Eco-tourism, Coastal zone management plans, Aquaculture.

**Unit-4 : Biological Diversity Act, 2002**

**Unit -5 : Emerging Legal Controls**

Environmental audit, Environmental Impact Assessment, Public participation in environment decision making, Environment information, environmental education Incentives for pollution control.

**Select Bibliography**

1. Leelakrishnan, (P et., Al. 9eds,) Law and Environment (1990), Eastern, Lucknow
2. Leelakrishnan, P, The Environment Law in India (1999), Butterworths, India.
3. Department of Science and Technology, Government of India, Report of the Committee for recommending Legislative Measures and Administrative Machinery. For Ensuring Environmental Protection (1980) (Tiwari Committee Report).
5. Indian law Institute, Environment Protection act: An Agenda for Implementation (1987)
6. Indian Journal of public administration, special number on Environment &Administrative, July-September, 1988, Vol. XXXV, No.3
7. Findley, P.W. and Farder, D.A. Environmental law
8. David Hughes, Environmental law (1999), Butterworths, London
9. Armin Rozencranz, et.al.(eds.), Environmental policy and law in India (2000), Oxford.
10. Biological Diversity Act, 2002.

## **Paper – 3.4(b)**

### **INTELLECTUAL PROPERTY RIGHTS LAW**

Objectives: The main objective of the paper is to introduce to the students the basic concepts of IPR and their relationship with other subjects especially, economic law, and other technological aspects . Apart from the above, the paper covers the approaches of International Institutions and introduces the various aspects that are form part of the province of IPR

#### **Unit -1 INTRODUCTION:**

- (a) Origin and Genesis of IPR
- (b) The Ways and Means of Creation of IPR
- (c) Sources of IPR-Custom, Treaties, Judicial Decision, Juristic Writings, General Principles of Law, Resolutions of International Organizations

#### **Unit -2 Concept and Theoretical Perspectives**

- a) Meaning and Definition or IPR
- b) Theories – Marxist – Western – Indian
- c) International Trade and IPR – GATT and UNCTAD – IMF – World Bank – WTO

#### **Unit - 3 Economic and Technological Approaches**

- a) International Economic Law and IPR
- b) Information and Technological perspectives
- c) Computers and Cyber Crimes – WIPO and Perspectives
- d) Bio-technology and IPR

#### **Unit - 4 Approaches of International Institutions and IPR**

- a) UN and IPR
- b) ECOSOC – UNESCO – WHO – FAO – ILO – WIPO – Human Rights Council

#### **Unit - 5 SUBJECT PROVINCE OF IPR**

- a) Patents – Basic aspects
- b) Trade Marks – Basic principles
- c) Copy Right – Basic Issues
- d) Industrial Designs and Geographical Indications

#### **Suggested Readings:**

1. Peter Drahos: A Philosophy of Intellectual Property,1996
2. CommonsJ.R.: International Economics,1934
3. Narayan: Intellectual Property rights, 2007
4. Gopalakrishnan.N.S, Cases And Materials On Intellectual Property Law : Along With Objectives, Methodology, And Course Outline Bangalore : National Law School of India University, 1992
  - International Legal Instruments, D.K. Agencies 1998
  - Intellectual Property Rights CSIR Journal
  - International Legal Materials.; Journal of the Indian Law Institute
5. Journal of the Indian Society of International Law ; American Journal of International Law ; Apart from the above, the students may be informed about the other materials by the concerned teacher.

**Paper – 3.5(a)**  
**CYBER CRIMES AND LAW**

**Unit - 1. Introduction to Cyber Laws, Cyber Crimes.**

- 1.1. Meaning, Definition, Nature of Cyber crimes
- 1.2. Historical Genesis and Evolution of Cyber Crimes
- 1.3. International & Indian Laws on Cyber Crimes.
- 1.4. Computer and Internet basics  
Computer Hardware & Networks:  
The BIOS and Boot Process - Computer Memory - Hard Disks, Floppy Disks, CD ROMs and DVDs - Networks and Communications - Understanding the Internet: How the Domain Name System works - Email Concepts - World Wide Web concepts - Website Creation Concepts Forms, Interactivity, and Database-Driven Web Sites – Web Commerce

**Unit - 2. CYBER CRIMES**

- 2.1. Cyber crime: Definition –
- 2.2. Malicious Code - Computer Viruses, Computer Worms, Computer Trojans,
- 2.3. Web Hacking Foot printing, Port Scanning, E-Shoplifting Web Defacement, Denial of Service Attacks, Manipulating Cookies
- 2.4. Email Hacking: Email Hacking using Packet Sniffers, Email Hacking & Phishing, Email Frauds & Phishing, Email Bombing
- 2.5. Email Hijacking - Social Engineering .
- 2.6. Cyber Stalking,
- 2.7. Cyber Terrorism,
- 2.8. Pornography,
- 2.9. Cyber Bullying, Piracy

**Unit - 3. Statutory Laws pertaining to Cyber Crimes in India:**

- 3.1. Cyber Policing Current statutes in India:
- 3.2. Penalties & Offences under the Information Technology Act, 2000,
- 3.3. Offences under the Indian Penal Code, 1860,
- 3.4. Issues relating to investigation and adjudication of cyber crimes in India  
Digital evidence
- 1.5 IT act 2000 and other legal provisions

**Unit - 4. Cyber Crime Investigation**

- 4.1. Introduction to Cyber Crime Investigation:
- 4.2. Basic Investigation Techniques
  - First Information Report Initialising a Search and Seizure Operation Tracking & Tracing Emails,
  - Final Form/ Report
  - Computer evidence assessment checklist
  - Computer evidence analysis checklist
  - Computer evidence analysis report
  - Cyber forensics analysis report Recovery of Digital Evidence,
- 4.3. Setting up a Cyber Crime Investigation Cell Cyber Forensics:

## **Unit - 5.Cyber Law Prevention measures and Data Safety.**

- 5.1. Cyber Law Prevention measures
- 5.2. Data Safety
- 5.3. Future Challenges

### **Suggested Reading:-**

1. An Introduction to Cyber vCrime and Cyber Law;Dr.R.K.Chaubay  
Cyber crime in India :Dr.M.Dasgupta  
Cyber laws and crimes :Barkha&U.Ramamohan  
Information Technology Act 2000
2. Albert J. Marcellaa and Robert S. Greenfiled (Ed) (2002) Cyber Forensics, A Field Manual for collecting, examining and preserving evidence of computer crimes, Auerbach publications.
3. Deflem, Mathieu, and J. Eagle Shutt. 2006 “Law Enforcement and Computer Security Threats and Measures.” Pp. 200-209 in The Handbook of Information Security, Volume 2: Information
4. Warfare; Social, Legal, and International Issues; and Security Foundations, edited by Hossein Bidgoli. Hoboken, NJ: John Wiley& Sons.
5. Giddens, A (1990) The Consequences of Modernity, Polity Press:Oxford.
6. Hafner, K. &Markoff, J. (1995). Cyberpunks: Outlaws and hackers on the computer frontier. Toronto: Simon and Schuster.
7. Hauben, Michael and Ronda Hauben (1997). Netizens: On the History and Impact of Usenet and the Internet. Wiley-IEEE Computer Society Press: New Jersey
8. McQuade, Samuel C (2005). Understanding and managing cybercrime. New Jersey: Allyn& Bacon.
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13. Wall, D. (2001). Cyber crimes and the internet. In D. Wall (ed.) Crime and the internet. London: Routledge.

## Paper – 3.5(b)

### EVOLUTION AND CONCEPT OF ADR

#### **UNIT – 1. Introduction to ADR**

- a. Disputes – meaning and Kinds of Disputes
- b. Dispute Resolution in adversary system, Justiciable court structure and jurisdiction
- c. ADR- Meaning and philosophy, Need for ADR
- d. Overview of ADR processes

#### **UNIT – 2. Indian Perspective of ADR**

- a. Types of ADR in India
- b. Current Trends
- c. Acceptability

#### **UNIT –3. Dispute Resolution at grass root level**

- a) LokAdalats,
- b) NyayaPanchayath,
- c) Legal Aid, Legal Services Authority
- d) Preventive and Strategic legal aid.

#### **UNIT – 4. ADR Application**

- a. Commercial and Financial Disputes
- b. Real estate and Land Disputes
- c. Consumer Disputes
- d. Accident Claims
- e. Matrimonial Disputes

#### **UNIT – 5. Informal Methods of Settlements of Disputes and Grievance Redressal Procedures**

- a. Conciliation and Medication through social action groups
- b. Use of media, lobbying and public participation
- c. Public inquires and commissions of inquiry
- d. Ombudsman; Lok Pal, LokAyuktha
- e. Vigilance Commission
- f. Congressional and Parliamentary Committees.

#### References:

1. P.C. Rao and William Sheffield, Alternative Dispute Resolution, Universal Law Publication, 2004
2. Sarfaraz Ahmed Khan, LokAdalat: An Effective Alternative Dispute Resolution, New APCON Publication, Daryaganj, 2006.
3. Madabhushi Sridhar - Alternative Dispute Resolution, Butterworth Lexis Nexis, (Reprint 2010) 1st edition.
4. Federal Judicial Centre, Manual for Litigation Management and Cost and Delay Reduction (1992).
5. Henry J Brown and Arthur L. Marriott, ADR Principles and Practices (2nd ed.) Sweet and Maxwell, 1999.
6. J. G. Merrills, International Dispute Settlement. U.K : Cambridge University Press, 2005(Fifth Edition)
7. D.D. Basu, Comparative Administrative Law (1998)
8. Wade, Administrative Law (Seventh Edition, Indian Print 1997), Universal, Delhi
9. Indian Law Institute, Cases and materials on Administrative Law in India, Vol. (1996), Delhi.

# IV Semester

## **4<sup>TH</sup> SEMESTER**

### ***Paper – 4.1***

## **DISSERTATION AND VIVA-VOCE**

***{Topic from optional group}***

The Student has to submit a Dissertation on a topic choosing from optional group containing 150 to 200 pages by following research methodology.

For written part – 150 Marks

For Viva - 50 Marks

**Paper – 4.2a**  
**LAW OF CONSUMER PROTECTION.**

**Unit - 1** Historical and Sociological Background of Consumer Law

Concept of Consumer:

- a. Consumer in India.
- b. Consumer of goods and services.
- c. Professional services - Medical, legal, educational and welfare services.

**Unit - 2** Definitions: complainant, consumer dispute, defect, deficiency in service, service, unfair trade practices, restrictive trade practices.

Rights of Consumer under the Act, nature and characteristics.

**Unit - 3** Consumer Protection Councils, role, objects, and composition. Structure, composition, power and functions of District Forum, State Commission and National Commission.

**Unit - 4** Law of compensation, approach of Consumer Forum while awarding compensation.

**Unit - 5** Procedure to be followed by consumer redressal agencies, provisions regarding execution of the decision and Appeals. Landmark Judgments of Supreme Court and NCDRC.

**Select bibliography**

1. Venkat Rao, Law of Consumer Protection, 1998. Asia Law House
2. G.B. Reddys, Law of Consumer Protection, 1997, Gogia Law Agency
3. V.K. Agrawal, Consumer Protection Law & Practice 1997, B.L.H. Publishers.
4. D.N. Saraf, Law of Consumer Protection in India, (2nd Edn/1995).
5. Consumer Protection Judgments (CPJ) and Consumer Protection Reports (CPR)
6. Dr. Gurjit Singh, The Law of Consumer Protection in India, 1996 Deep and Deep Publications.
7. R.S. Chaudhari, Doctor & Consumer Protection Act, 1994, Maharashtra Law Agency.
8. R.M. Vats, Law Relating to Insurance, 1997, Universal Law Publishing Co. Pvt. Ltd.
9. R.M. Vats, Law Relating to Telephone, 1996, Universal Law Publishing Co. Pvt. Ltd.

**Paper – 4.2b**  
**INTERNATIONAL HUMAN RIGHTS**  
(MOOC / ONLINE COURSE)

This subject is MOOC / Online course only.

For more details and syllabus log on to [www.mooc-list.com](http://www.mooc-list.com).