SWAMINARAYAN UNIVERSITY

THE RESERVOIR OF ALL KNOWLEDGE

(Established under Gujarat Private Universities Act, 2009)

SWAMINARAYAN UNIVERSITY

SHREE SWAMINARAYAN LAW COLLEGE

Recognized by the Bar Council of India

TWO YEARS LL.M

INDIAN CONSTITUTIONAL LAW AND LEGAL ORDER

(FOUR SEMESTERS)

HANDBOOK OF INFORMATION

With effect from the

Academic Year

2026-27

LL.M - **INDIAN CONSTITUTIONAL LAW AND LEGAL ORDER**

About Programme:

LLM in Indian Constitutional Law and Legal Order at Shree Swaminarayan Law College, Swaminarayan University is Four semesters post graduation programme is designed for those, who are interested to learn fundamental way a country is governed, for example certain legislatures are central to a country's constitutional law, such as human rights.

Constitutional law differs according to each respective nation, although the three main areas all countries usually cover are customary law, statutory law and conventions. Constitutional laws govern the relationships between the judiciary, the legislature and the executive with the bodies under its authority.

LL.M. in Indian Constitutional Law and Legal Order offers study of the relationship of different entities within a state, vise, the Executive, the Legislature and the Judiciary. Some nations don't have constitutions as such; however, all have laws of the land that consist of various consensual and imperative rules i.e., customary law, statutory law and conventions.

Human rights and civil liberties form an integral part of a nation's constitutional laws and will play a key part in LL.M. in Indian Constitutional Law and Legal Order, and comparison between the perspectives of different countries, i.e. the United States and the United Kingdom. In the United States, the law is based on the Constitution, a signed agreement setting out the basic rights of United States citizens. The three main branches of this law are: Judicial, Legislative and Executive. However, in the United Kingdom, there is no codified constitution, although there are many parliamentary laws or statutes. Both nations have things in common and their constitutional laws are grounded in history and politics.

Programme Outcomes:

PO1: This course is intended to highlight the History of Constitution of India, Concept of Fundamental Rights, Fundamental Duties, Directive Principles of State Policy, their evolution and their importance in our society now, particularly in the era of privatisation, globalisation and liberalisation.

PO2: On completion of this Master degree with specialisation in Constitutional Law and Legal Order students have opportunity to work in law firms, be a Legal Associate, Advocate District and Session Judge.

PO3: The Constitution forms the basic structure of any government and it is a basic law of land, Thus, on completion of this Master degree specialisation programme students will must be able to assess any programme of social transformation with reference to them and to deal with violations related to the issues concerning to Fundamental Rights and Duties.

PO4: This program will develop comprehending and analytical skills in students which will enable them to determine the relationship of the citizens with the governments and become responsible citizens.

PO5: This Programme will help to understand principles and guidelines which are required for people belonging to different ethnic and religious group to live harmony and integrity.

PO6: This program will sensitize the learner about constitutional values, rights, duties and responsibilities of the citizens.

PO7: Students can get employment in various sectors such as a Legal Officer in Government and public sector, and academics as a teacher.

PO8: This program will also enable students to be self-employed and become successful lawyer, jurist, academician or Human Rights activist.

PO9: The Master's Degree in Constitutional Law and Legal Order serves as a basis for further higher studies in legal field such as M.Phil. Or Ph.D.

Programme Specific Outcomes (PSOs)

PSO1: This program will develop the ability to increase the knowledge of law students with respect to Indian Constitution along with the constitution of the other countries such as U.S.A, U.K, Canada, Australia etc.

PSO2: This program will focus student's attention on the underlying values of constitution and to understand their responsibility being citizens.

PSO3: This programme is to provide an insight into the meaning and significance of various Fundamental rights in the contemporary era with an in-depth knowledge about various principles and conceptual framework mechanisms for protection and promotion of such rights.

PSO4: The motive of this programme to develop the student's skill in the field of writing case studies, reports on conditions around the world, engaging in advocacy to publicise and reduce human rights violations, lobbying, litigation, and promoting human rights practices in social and political structures.

PSO5: This programme sensitizing the students by providing a system checks and balances designed to avoid the tyranny of any branch.

PSO6: This program will provide students with an understanding of research, types of research, types of data, data collection tools and statistical methods to undertake research. Moreover, students will develop the skills of research proposal, research report writing and presentation.

PSO7: This program gives an exposure to students to sharpen his/her career in the legal sector and become a responsible citizen and contribute to the Society.

PSO8: This program will give insights as how to evaluate the impact of various social and political movements and will help them to work in larger interests of the society and country.

PSO9: To grow proper orientation towards legal education to become a skilled law teacher.

Career Prospects of LL.M. Degree Course in Human Rights and Duties

1. The programme grooms the learners to teach Constitutional Law, Administrative Law, Media Law etc. for academic and professional purposes in academic institutions, corporate sectors, research institutes and various other administrative and professional bodies.
2. To involve in legal practices with more clear legal concepts, orientations and skills.
3. It focuses to hone their critical and analytical skills in such a way so that they easily compete in different professional exams to become professional experts, Jurists, Judges, Law officers etc.
4. It also familiarizes students with current and cross-cutting issues and challenges in the field.
5. To shape a career as the best lawyer practicing in the Constitutional and Human Rights Area at any High Court or the Supreme Court.

Teaching Scheme Two-Year LL.M (Semester System) Indian Constitutional Law and Legal Order Effective from Academic Year 2026-27						
COURSE CODE	**COURSE NAME**	**LECTURES**	**OTHERS**	**PRACTICAL**	**TOTAL**	**CREDITS**
SEMESTER: I						
LAW401	Legal Theories	3	1	-	4	4
LAW402	Indian Constitutional Law: The New Challenges	3	1	-	4	4
LAW403	Public International Law	3	1	-	4	4
LAW404ICL	Constitutionalism, Pluralism and Federalism	3	1	-	4	4
LAW405ICL	Constitutional Law - I	3	1	-	4	4
LAW406ICL	Constitutional Law - II	3	1	-	4	4
	TOTAL	**18**	**06**	**-**	**24**	**24**
SEMESTER: II						
LAW407	Judicial Process	3	1	-	4	4
LAW408	Law and Social Transformation of India	3	1	-	4	4
LAW409	Legal Research Methodology	3	1	-	4	4
LAW410ICL	Administrative Law	3	1	-	4	4
LAW411ICL	Local Self Government	3	1	-	4	4
LAW412ICL	Comparative Constitution	3	1	-	4	4
	TOTAL	**18**	**06**	**-**	**24**	**24**
SEMESTER: III						
LAW501ICL	Law and Justice in Globalising World	3	1	-	4	4
LAW502ICL	Principles of Transparency and Accountability	3	1	-	4	4
LAW503ICL	Media and Telecommunication Laws	3	1	-	4	4
LAW504ICL	Public Policy and Development	3	1	-	4	4
LAW505ICL	Human Rights and Indian Constitution	3	1	-	4	4
LAW506ICL	Inter Relationship of Constitution and Other Emerging Areas	3	1	-	4	4
	TOTAL	**18**	**06**	**-**	**24**	**24**
SEMESTER: IV						
LAW507PR	Classroom Teaching	3	1	-	4	4
LAW508PR	Doctrinal Research	3	1	-	4	4
LAW509PR	Non-Doctrinal Research	3	1	-	4	4
LAW510PR	Clinical Research Report	3	1	-	4	4
LAW511PT	Dissertation and Submission of Thesis	-	-	8	8	8
	TOTAL	**12**	**4**	**8**	**24**	**24**

LL.M Indian Constitutional Law and Legal Order

Semester - I

1. LAW401: Legal Theories
2. LAW402: Indian Constitutional Law: The New Challenges
3. LAW403: Public International Law
4. LAW404ICL: Constitutionalism, Pluralism and Federalism
5. LAW405ICL: Constitutional Law - I
6. LAW406ICL: Constitutional Law - II

Semester - II

1. LAW407: Judicial Process
2. LAW408: Law and Social Transformation of India
3. LAW409: Legal Research Methodology
4. LAW410ICL: Administrative Law
5. LAW411ICL : Local Self Government
6. LAW412ICL : Comparative Constitution

Semester - III

1. LAW501ICL: Law and Justice in Globalising World
2. LAW502ICL: Principles of Transparency and Accountability
3. LAW503ICL: Media and Telecommunication Laws
4. LAW504ICL: Public Policy and Development
5. LAW505ICL: Human Rights and Indian Constitution
6. LAW506ICL: Inter Relationship of Constitution and Other Emerging Areas

Semester - IV

7. LAW507 PR: Class Room Teaching
8. LAW508 PR: Doctrinal Research
9. LAW509 PR: Non-Doctrinal Research
10. LAW510 PR: Clinical Research Report
11. LAW511 PT: Dissertation and Submission of Thesis

Semester - I

1. **LAW401: Legal Theories**
2. **LAW402: Indian Constitutional Law: The New Challenges**
3. **LAW403: Public International Law**
4. **LAW404ICL: Constitutionalism, Pluralism and Federalism**
5. **LAW405ICL: Constitutional Law - I**
6. **LAW406ICL: Constitutional Law – II**

Semester - I

LAW401: Legal Theories 4 Credits

Course Content:

1. Analytical Legal Positivism
- 1.1 Analytical School
  - 1.1.1 Jermy Bentham
  - 1.1.2 John Austin

2. The Pure Theory
- 2.1 Hans Kelsen
  - 2.1.1 The Basic Norm
  - 2.1.2 Implication of Pure Theory
  - 2.1.3 Contribution of Kelsen

3. Sociological School
- 3.1 The Social Origin of Laws & Legal Institution
- 3.2 Impact of Laws on Society
- 3.3 The Task of Law in Society
  - 3.3.1 Roscoe Pound
  - 3.3.2 Social Engineering

4. American Realism
- 4.1 Justice Holmes
- 4.2 Carl. N. Llewellyn

5. Natural Law
- 5.1 The Greek Period
- 5.2 The Roman Period
- 5.3 The Medieval Period
- 5.4 Revival of Natural Law Theories

References:

1. Bodenheimer, Jurisprudence – The Philosophy and Method of Law (1996) Universal, Delhi
2. Fitzgerald, (ed.) Salmond on Jurisprudence (1999) Tripathi, Bombay.
3. W. Friedmann, Legal Theory (1999) Universal, New Delhi.
4. Paton G. W., Jurisprudence (1972) Oxford, ELBS.
5. Dias, Jurisprudence (1994 First Indian re-print), Adithya Books, New Delhi.
6. Roscoe Pond, Introduction to the Philosophy of Law (1998 re-print) Universal, New Delhi.
7. Hart, H.L.A., The Concepts of Law (1970) Oxford, ELBS
8. Lloyds Introduction to Jurisprudence, Sweet and Maxwell.

LAW402: Indian Constitutional Law: The New Challenges 4 Credits

Course Content:

1. **"State": Need for Widening the Definition in the Wake of Liberalization**
2. **Right to Equality: Privatization and Its Impact on Affirmative Action**
3. **Freedom of Press and Challenges of New Scientific Development**
   - 3.1 Freedom of speech and right to broadcast and telecast
   - 3.2 Access to information
   - 3.3 Right to strikes, (Hartal and Bandh)
4. **Emerging Regime of New Rights and Remedies**
   - 4.1 Reading Directive Principles and Fundamental Duties into Fundamental Rights
     - 4.1.1 Compensation jurisprudence
     - 4.1.2 Right to education
       - 4.1.2.1 Commercialisation of education and its impact
       - 4.1.2.2 Brain-drain by foreign education market
5. **Secularism, Religious Fanaticism and Federalism**
   - 5.1 Allocation and share of resources - distribution of grants in aid
     - 5.1.1 The inter-state disputes on resources
   - 5.2 Directions of the centre to the State under Article 356 and 365
   - 5.3 Special status of certain States
     - 5.3.1 Tribal Areas, Scheduled Areas
6. **Separation of Powers: Stresses and Strain**
   - 6.1 Judicial activism and judicial restraint
   - 6.2 PIL: implementation
   - 6.3 Judicial independence
   - 6.4 Appointment, transfer and removal of judges
   - 6.5 Accountability: executive and judiciary
   - 6.6 Tribunals

References:

1. H.M. Sheervai, Indian Constitution of Law (three Volumes)
2. M.P. Jain, Constitution Law of India (2008), Tripathi, Bombay
3. D. D. Basu, Commentaries of Indian Constitution
4. Latest Judgments of the Supreme Court of India
5. V.N. Shukla, Constitution of India, Eastern Book Compnay

LAW403: Public International Law 4 Credits

Course Content:

1. Introduction

1.1 Nature of International Law
1.2 Basis of International Law
1.3 Evolution and Development of International Law
1.4 Codification of International Law

2. Sources of International Law

2.1 General
2.2 Custom
2.3 Treaties
2.4 The General Principles of Law
2.5 Judicial Decisions
2.6 Juristic Work on International Law
2.7 General Assembly Resolutions and Declarations

3. Relation between International Law and Municipal Law

3.1 Theories on Relationship
3.2 Theories on the Application of International Law within Municipal Law
3.3 Municipal Law before International Tribunals
3.4 International Law within Municipal Sphere

4. Subjects of International Law

4.1 State as a Subject
4.2 Public International Organizations
4.3 Individual as Subject of International Law

5. Law and Practice of Treaties

5.1 The Treaty Making Process
5.2 Treaties and Third Parties
5.3 Treaty Interpretation
5.4 Amendment and Modification of Treaties

References:

1. Akehust's Modern Introduction to International Law, Ed. By Peter Malanczuk,7th Edition, (Revised)
2. Alina Kacxorowska, Public International Law 150 Leading Cases, Old Bailey Press, 2002.
3. Bowett D.W., The Law of International Institutions, 4th Edition, 2003, Universal.
4. Brownlie, Ian (2003) Principles of Public International Law, Oxford University, Press, 6th Edition.
5. David D. Caron, Cases & Materials on International Law.
6. Oppenheim, International Law (Vol. I & II)
7. Starke J.G., Introduction to International Law.
8. M.P. Tandon, Public International Law, 16th Edition, (2005), Allahabad Law

LAW404ICL : Constitutionalism, Pluralism and Federalism 4 Credits

Objectives of the Course:

Constitutionalism does not merely imply majoritarian rule, it has to be a consensual rule. However, where there is not only such vertical pluralism but also horizontal pluralism reflected by sub nations/regional loyalties, power is not only required to be restrained but it has to be shared. This calls for a federal government. The purpose of this paper is to provide exposure to the students to various models of pluralism and forms of constitutional government and federal structures.

Course Outcome: Students who complete the course successfully will acquire:

CO1: Understand the concept of Constitutionalism, convention of constitutionalism and applicability of Rule of Law.

CO2: Learn difference between confederation and federalism and patterns of federal government in various countries such as U.S.A, Australia, Canada and India.

CO3: Analysis federal structure of the Indian Constitution and factors influencing federalism.

CO4: It will help students to understand about pluralist society and Individual rights along with related human rights.

CO5: Identify the role of Judiciary in constitutionalism and federalism in India.

Course Content:

1. Constitutionalism

- 1.1. Authoritarianism – Dictatorship
- 1.2 Democracy – Communisme
- 1.3 Limited Government - concept - Limitations on government power.
- 1.4 Development of a democratic government in England - Historical evolution of constitutional government.
  - 1.4.1 Conventions of constitutionalism - law and conventions.
  - 1.4.2 Written Constitutions: U.S.A. Canada, Australia, Sweden, South Africa and India.
  - 1.4.3 Separation of powers: Montesquieu.
  - 1.4.4. Rule of Law: Concept and new horizons.
- 1.5 Limits & doctrine of domestic jurisdiction in international Law

2. Federalism

- 2.1 Concept of federal government
  - 2.1.1 Difference, between confederation and federation
  - 2.1.2 Conditions requisite for federalism
- 2.2 Patterns of federal government - U.S.A., Australia, Canada, India.
- 2.3 Judicial review - for federal umpiring
- 2.4 New trends in federalism: Co-operative federalism.
- 2.5 Dynamic of federalism.

3. Quasi-Federal Structure of Indian Constitution

- 3.1 Quasi -Federal Features of the Indian Constitution
- 3.2 Nature of Indian federation
- 3.3 The Sarkaria Commission and India's struggle for Quasi- federalism
- 3.4 India- Central Control V. State Autonomy
  - 3.4.1 Political factors influencing federalism

3.4.2 Plural aspects of Indian federalism: Jammu & Kashmir, Punjab, Assam

4. Pluralism Indian Constitutional Perspective

4.1 Concept of pluralistic society

4.2 Ethnic, linguistic, cultural, political pluralism.

4.3 Individual rights

4.4 Universal Declaration of Human Rights 1948.

4.4.1 Conventions against genocide.
4.4.2 Protection of religious, ethnic and linguistic minorities
4.4.3 State Intervention for protection of human rights.
4.4.4 Right of self-determination

5. Judicial Perspective of Constitutionalism and Federalism in India

5.1 Supreme Court on Constitutionalism
5.1.1 Transformative Constitutionalism
5.2 Doctrine of progressive realization of rights
5.3 Legal relationship between the individual and the State
5.4 Judiciary on Federalism
5.4.1 Judiciary on resolving federal issues
5.4.2 Democracy and Federalism

References:

1. Sudhir Krishnaswamy, Constitutional Federalism in the Indian Supreme Court (2015) , Cambridge University Press,
2. M.N. Karna, Democracy, Pluralism and Conflict (2017) Rawat Publication.
3. Dr. S. K. Jain, Indian Federalism Emerging issues (2017), Kalpaz Publication
4. Lancy Lobo ,Mrutuyanjaya Sahu, Federalism in India: Towards a Fresh Balance of Power 2014), Rawat Pubns.
5. B. D. Dua, Munidar P. Singh, Indian Federalism in the New Millennium (2003), Manohar Publishers and Distributors
6. Y. V. Reddy, G. R. Reddy, Indian Fiscal Federalism (2019), Oxford University Press,
7. Mokbul Laskar, Dynamics of Indian Federalism: A Comprehensive Historical Review (2017), Notion Press.
8. N. W. Barber, The Principles of Constitutionalism (2018), Oxford University Press.

LAW405ICL : Constitutional Law – I 4 Credits

Objectives of the Course:

The Fundamental Rights, Directive Principles of State Policy and Fundamental Duties are sections of the Constitution of India that prescribe the fundamental obligations of the State to its citizens and the duties of the citizens to the State. The Fundamental Duties are defined as the moral obligations of all citizens to help promote a spirit of patriotism and to uphold the unity of India. These duties, set out in Part IV–A of the Constitution, concern individuals and the nation. Like the Directive Principles, they are not enforceable by the law.

Course Outcome: After completion of this course the students will be able to:

CO1: Identify the genesis behind constitution with the help of History of Constitution.

CO2: Understand the basic structure concept of constitution and Fundamental Rights provided to citizen by Constitution.

CO3: It will help students to understand clear idea about the fundamental obligation of the state to its citizen.

CO4: Analysis the creative interpretation of Directive Principles of State Policy.

CO5: Identify the duties of the citizens towards state**.**

Course Content:

1. History of Indian Constitution

- 1.1 Utility of a Historical Background
- 1.2 The Simon Commission
- 1.3 Changes introduced by the Indian Independence Act, 1947
- 1.4 The making of the Constitution of India
- 1.5 The Philosophy of the Constitution of India

2. Preamble and Concept of Fundamental Rights

- 2.1 Preamble - Importance and amenability
- 2.2 Fundamental Rights
  - 2.2.1 Evolution
  - 2.2.2 Concept
  - 2.2.3 Nature
  - 2.2.4 Necessity and justification
  - 2.2.5 Fundamental Rights under Indian Constitution
- 2.3 Definition of State under Article 12, 13 - Inviolability of Fundamental Rights
- 2.4 Enforceability of Fundamental Rights
  - 2.4.1 Judicial Review
  - 2.4.2 Distinctions between pre and post Constitutional laws
  - 2.4.3 Doctrine of eclipse
  - 2.4.4 Doctrine of Severability
  - 2.4.5 Doctrine of waiver of Fundamental Rights
- 2.5 Test for infringement of Fundamental Rights

3. Fundamental Rights

- 3.1 Right to equality
  - 3.1.1 Relationship between Art. 14, 15, 16,17 and 18
  - 3.1.2 Doctrine of classification - Doctrine of Arbitrariness and Intelligible

Differentia, Doctrine of Legitimate Expectation

3.2 Right to Freedom, Right against Exploitation

3.3 Religious and Minority Rights

3.4 Right to Property - Constitutional policy before and after the Forty fourth Amendment

3.5 Right to Constitutional Remedies, Fundamental Rights vis -a-vis armed forces

4. Directive Principles of State Policy

4.1 Nature, content and justiciability
4.2 Directive Principles of State Policy vis-à-vis Fundamental Rights
4.3 Creative Interpretation of Directive Principles of State Policy

5. Fundamental Duties

5.1 Evolution of Fundamental Duties
5.2 Relationship between Fundamental Rights and Duties
5.3 Legislative efforts for enforcement of Fundamental Duties

References:

1. Seervai H.M. , Constitutional Law of India (3 Volumes) (2015), Universal Law Publishing - An imprint of LexisNexis.
2. V.N. Shukla,Constitution of India (2017), Eastern Book Company
3. Subhash C Jain, The Constitution of India Select Issues & Perceptions, Taxmann Allied Services Pvt. Ltd.
4. D.D. Basu,Commentaries on Constitutional Law of India, Vol. A to E, Lexis Nexis
5. M.P.Jain, Indian Constitutional (2018), LawLexiNexis.
6. Rai Udai Raj, Fundamental Rights and Their Enforcement (2011), Prentice Hall India Learning Private Limited
7. Suresh Mani Tripathi, Fundamental Rights and Directive Principles in India (2016), Anchor Academic Publishing.
8. Surendra Malik, Fundamental Rights Case: The Critics Speak! (2012), Eastern Book Company.

LAW406ICL : Constitutional Law – II 4 Credits

Objectives of the Course:

India is a democracy and its Constitution embodies the main principles of the democratic government- how it comes into being, what are its powers, functions, responsibilities and obligations, and how power is limited and distributed Whatever might have been the original power base of the Constitution, today, it seems to have acquired legitimacy as a highest norm of public law.

Course Outcome: Students who complete the course successfully will acquire:

CO1: A good understanding of the Constitution and the law, which has developed through constitutional amendments, judicial decisions, constitutional practice and conventions.

CO2: Understand the genesis, nature and special features of the social, political and economic influence on the Constitution.

CO3: It will help students to understand about Emergency Provisions and their impact on distribution of powers

CO4: Understand the Constitution, Functions of Parliament and Interrelation of the Houses.

CO5: Learn composition of Supreme Court and High Court and their jurisdiction and powers.

Course Content:

1. **Centre and State Executive**
   - 1.1 Meaning and Scope of Executive Power
   - 1.2 Executive Power of the President and Vice President of India
     - 1.2.1 Delegation of Executive Power by the Union to the States
     - 1.2.2 Election of the President
     - 1.2.3 Presidential privileges
     - 1.2.3 Functions and Powers
   - 1.3 Council of Ministers
     - 1.3.1 Working of the Executive
       - 1.3.1.1 President – A Titular Head
       - 1.3.1.2 Prime Minister
       - 1.3.1.3 Cabinet
       - 1.3.1.4 Collective Responsibility
   - 1.4 Executive Power of Governor
     - 1.4.1 Significance of Governor's Office
     - 1.4.2 Appointment of Governor
     - 1.4.3 Governor's Discretionary Powers
     - 1.4.4 Pardoning Power of the Governor
     - 1.4.5 Ordinance Making Power

2. **Central and State Legislature**
   - 2.1 Constitution of Parliament and state Legislature
   - 2.2 Functions of Parliament
     - 2.2.1 Legislation
     - 2.2.2 Control of Public Finance
     - 2.2.3 Deliberation and Discussion
     - 2.2.4 Parliamentary Committees
   - 2.3 Inter-relation of the Houses
     - 2.3.1 Legislative Process

2.3.2 Financial Legislation
2.3.3 Other areas
2.3.4 Assessment of the Role of Rajya Sabha
2.4 Parliamentary Privileges
2.4.1 Privileges expressly conferred by the Constitution
2.4.2 Other Privileges

2.4.3 Privileges and Fundamental Rights
2.4.4 Privileges and the Courts
2.4.5 Codification of Privileges

2.5 Legislative Privileges
2.5.1 Freedom of speech
2.5.2 Power to make rules
2.5.3 Internal Autonomy
2.5.4 Miscellaneous Provisions

2.6 Legislative relations and 7th schedule

3. **The Union and State Judiciary**

3.1 Supreme Court
3.1.1 Composition of the Supreme Court
3.1.2 Jurisdiction and Powers
3.1.3 Appeal by Special Leave – Article 136
3.1.4 Appeals from Tribunals under Article – 136
3.1.5 Doctrine of Stare Decisis

3.2 State Judiciary
3.2.1 Composition of the High Court
3.2.2 Jurisdiction and Powers
3.2.3 Writ Jurisdiction – Article 226 and Article 227
3.2.4 Independence of High Court
3.2.6 Subordinate Judiciary

4. **Emergency Provisions and their Impact on Distribution of Powers**

4.1 Emergency Proclaimed because of Threat to the Security of India
4.1.1 Mode of proclamation
4.1.2 Impact of proclamation
4.2 Financial Emergency
4.3 Failure of Constitutional Machinery
4.4 Suspension of enforcement of the rights conferred by Part III during emergency

5. Amendment of the Constitution

5.1 General
5.1.1 Balance between change and stability
5.1.2 Changes in the text which do not amount to amendment
5.2 Procedural Limitation on the Amending Power
5.3 Substantive Limitations and Amending Power (I) : "Shankari Prasad" To " Golaknath"
5.4 Substantive Limitations and Amending Power (ii): "Basic Structure Doctrine"
5.5 Doctrine of Basic Structure

References:

1. M V Pylee, Constitutional Amendments in India (2017), Universal Law Publishing - An Imprint of Lexis Nexis.
2. N.K. Acharya, "Supreme Court on Constitution of India" Asia Law House.
3. Dr. J.N. Pandey, "Constitutional Law of India", Central Law Agency.

4. Dr. Avtar Singh, “The Constitution of India” (2019), Central Law Publications.
5. Granville Austin, “The Indian constitution”, Oxford University Press
6. R. Sudarshan, Zoya Hasan, Eswaran Sridharan, “India's Living Constitution: Ideas, Practices, Controversies” Anthem South Asain Studies.
7. BidyutChakrabarty and Rajendra Kumar Pandey, “Indian Government and Politics, Sage Publication India Pvt Ltd
8. B.N. Kripal, “Supreme but Not Infallible: Essays in Honour of the Supreme Court of India”, Oxford University Press.

Semester - II

1. **LAW407: Judicial Process**
2. **LAW408: Law and Social Transformation of India**
3. **LAW409: Legal Research Methodology**
4. **LAW410ICL : Administrative Law**
5. **LAW411ICL : Local Self Government**
6. **LAW412ICL : Comparative Constitution**

Semester - II

LAW407: Judicial Process **4 Credits**

Course Content:

1. Nature of Judicial Process

1.1 Judicial process as an instrument of social ordering

1.2 Judicial process and creativity in law - common law model – Legal Reasoning and growth of law
- change and stability

1.3 The tools and techniques of judicial creativity and precedent

1.4 Legal development and creativity through legal reasoning under Statutory and codified systems

2. Special Dimension of Judicial Process in Constitutional Adjudications

2.1 Notions of judicial review

2.2 Role' in constitutional adjudication - various theories of judicial role

2.3 Tools and techniques in policy-making and creativity in constitutional adjudication

2.4 Varieties of judicial and juristic activism

2.5 Problems of accountability and judicial law-making

3. Judicial Process in India

3.1 Indian debate on the role of judges and on judges and on the notion of judicial review

3.2 The "independence" of judiciary and the "political" nature of judicial process

3.3 Judicial activism and creativity of the Supreme Court the tools and Techniques of creativity

3.4 Judicial process in pursuit of constitutional goals and values - New dimensions of judicial activism and structural challenges

3.5 Institutional liability of courts and judicial activism-scope and limits

4. The Concepts of Justice

4.1 The concept of justice or Dharma in Indian thought

4.2 Dharma as the foundation of legal ordering in Indian thought

4.3 The concept and various theories of justice the western thought

4.4 Various theoretical bases of justice: the liberal contractual tradition, The liberal utilitarian tradition and the liberal moral tradition

5. Relation between Law and Justice

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

5.2 Dependency theories - for its realisation justice depends on law, but justice is not the same as law

5.3 The independence of justice theories - means to end relationship of law and justice
- the relationship in the context of the Indian constitutional ordering.

5.1 Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

References:

1. Julius Stone, The Province and Function of Law, Part II, Chs.I,8-16(2000), Universal, New Delhi
2. Cardozo, The Nature of Judicial Process (1995), Universal, New Delhi
3. Henry J. Abraham, The Judicial Processes (1998), Oxford

4. Julius Stone, Precedent and the Law: Dynamics of Common Law Growth (1985), Butterworth
5. W. Friedmann, Legal Theory (1960), Stevens, London
6. Bodenheimer, Jurisprudence - The Philosophy and Method of the Law (1997), Universal, New Delhi
7. Julius Stone, Legal System and Lawyers' Reasonings (1999), Universal, New Delhi
8. Upendra Baxi, The Indian Supreme Court and Politics (1980), Eastern, Lucknow
9. Rajeev Dhavan, The Supreme Court of India - A Socio-Legal Critique of Its Juristic Techniques (1977), Tripathi, Bombay
10. John Rawls, A Theory of Justice (2000), Universal, New Delhi
11. Edward H. Levi, An Introduction to Legal Reasoning (1970), University of Chicago

LAW408 : Law and Social Transformation of India 4 Credits

Course Content:

1. Law and Social Change

1.1 Laws as an instrument of social change

1.2 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.

2. Law and Its Inter-relationships with Religion, Language, Community and Regionalism

2.1 Religion, Language, community and regionalism as divisive factors

2.2 Responses of law to:

(a) Religion - through secularism, (b) Language - through constitutional guarantees

(c) Community - through non-discrimination, (d) Regionalism - through unity

(e) Non- discrimination and protective discrimination (reservation)

3. Women, Children and the Law:

3.1 Crimes against women

3.2 Gender injustice and its various forms

3.3 Women's Commission

3.4 Empowerment of women: Constitutional and other legal provisions

3.5 Child labour

3.6 Sexual exploitation

3.7 Adoption and related problems

3.8 Children and education

4. Modernizations and the Law

4.1 Modernization as a value: Constitutional perspectives reflected in the Fundamental duties

4.2 Modernization of social instructions through law

4.2.1 Reform of family law

4.2.2 Agrarian reform - Industrialisation of agriculture

4.2.3 Industrial reform: Free enterprise v. State regulation, Industrialisation v. environment protection

4.3 Reform of court processes

4.3.1 Criminal law: Plea bargaining; compounding and payment of Compensation to victims

4.3.2 Civil law: (ADR) Confrontation v. consensus; mediation and Conciliation; Lok Adalat

4.3.3 Prison reforms

4.4 Democratic decentralization and local self-government

5. Alternative Approaches to Law

5.1 The jurisprudence of Sarvodaya - Gandhiji, Vinoba Bhave, Jayaprakash Narayan - Surrender of Dacoits; Concept of Gram Nyalayalayas

5.2 Socialist thought on law and justice; an enquiry through constitutional debates on the right to property

5.3 Indian Marxist critique of law and justice

5.4 Naxalite movement: causes and cure

References:

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

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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 Manushi A, Journal about Women and Society
5. Duncan Derret, The State, Religion and Law in India (1999), Oxford University Press, New Delhi
6. H. M. Seervai, Constitutional Law of India (1996), Tripathi
7. D. D. Basu, Shorter Constitution of India (1996), Prentice-Hall of India (P) Ltd., New Delhi
8. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (2000), Armor Publications, Delhi
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10. Indian Law Institute, Law and Social Change: Indo-American Reflection (1988), Tripathi
11. 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

LAW409: Legal Research Methodology 4 Credits

Course Content:

1. Research Methods

- 1.1 Socio-legal research
- 1.2 Doctrinal and non-doctrinal
- 1.3 Relevance of empirical research
- 1.4 Induction and deduction

2. Identification of Problem of Research

- 2.1 What is a research problem?
- 2.2 Survey of available literature and bibliographical research
- 2.3 Legislative materials including subordinate legislation notification and policy statements
- 2.4 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.
- 2.5 Juristic writings - a survey of juristic literature relevant to select problems in India and foreign periodicals
- 2.6 Compilation of list of reports or special studies conducted relevant to the problem

3. Preparation of the Research Design

- 3.1 Formulation of the Research problem
- 3.2 Devising tools and techniques for collection of data: Methodology
  - 3.2.1 Methods for the collection of statutory and case materials and Juristic literature
  - 3.2.2 Use of historical and comparative research materials
  - 3.2.3 Use of observation studies
  - 3.2.4 Use of questionnaires/ interview
  - 3.2.5 Use of case studies
  - 3.2.6 Sampling procedures- design of sample, types of sampling to be adopted
  - 3.2.7 Use of scaling techniques
  - 3.2.8 Jurimetrics

4. Classification and tabulation of data

- 4.1 Rules for tabulation
- 4.2 Explanation of tabulated data
- 4.3 Analysis of data

5 Computerized Research - A study of legal research programmes such as Lexis and West law coding

References:

1. M. O. Price, H. Bitner and Bysiewiez, Effective legal Research (1978)
2. Pauline V. Young, Scientific Social Survey and Research (1962)
3. William J. Grade and Paul K. Hatt, Methods in Social Research, Mc Graw - Hill Book Company, London.
4. H. M. Hyman, Interviewing in Social Research (1965)
5. Payne, The Art of Asking Questions (1965)
6. Erwin C. Surrency, B. Fielf and J. Crea, A Guide to Research (1959)

7. Morris L. Cohan, Legal Research in Nutshell (1996), West Publishing Co.
8. Havard Law Review Association, Uniform System of Citations
9. ILI Publication, Legal Research and Methodology

LAW410ICL : Administrative Law 4 Credits

Objectives of the Course:

The objective of studying of Administrative law is to understand nature of the administration and the role of law. Earlier, the functions of the state were so defused and were dealing with sporadic issues such as policing and protection from external aggression. There is a sea change in the philosophy of governance of the state and there is a paradigm shift from laissez faire to welfare state. The welfare state is now to show concern for every issue of the subjects almost from cradle to grave. It proliferates into every aspect of life. The three wings of the state established under the Constitution functions to ensure welfare of the subjects. There is an unprecedented rise in state intervention in an individual's (whether citizen or non-citizen) life. The Executive play a vital role in administration of state. It is to execute the decisions of the other two wings of the state besides functioning independently. Therefore, the functions of it have increased manifold and continue to increase further. Thus, there has been increase in scope for accumulation of power and functions which has the tendency to corrupt. On the other hand, the legislature functions only for a limited period. It has limited its role to perform formative role and delegate rule making power to the executive. Further, the executive is to play the role of the judiciary inter alia due to piling up of cases and technically different matters paving the way for constitution of special judicial cum administrative bodies called Tribunals. Thus, there is manifold increase in the affairs of the executive and the scope for arbitrary and whimsical exercise of power. But equally significant is the role of the ensuring administration of justice even in the parallel systems being developed in the form of administration besides the traditional institutions. In this scenario, to ensure the effective functioning of the wings of the state and other instrumentalities of the executive within the umbrella of the Constitution there has been evolution of the subject of study namely, the Administrative Law.

Course Outcome: This course would make the student acquaint with:

- **CO1:** Explain the nature, scope, necessity and development of Administrative Law and action;
- **CO2:** Identify distinction between the Constitutional Law and Administrative Law;
- **CO3:** Identify the basic rules and principles followed to render administrative justice;
- **CO4:** Examine the reasons and evolution of delegated legislation and the functioning of the delegated authorities within the ambit of the power conferred;
- **CO5:** Examine the functioning of the special bodies constituted as alternative means for administering justice viz., Administrative Tribunals, Ombudsman, Lokayukta, Lokpal;
- **CO6:** Analyse the remedies available against administrative actions.

Course Content:

1. **Evolution and Fundamental Doctrines**
   - 1.1 Evolution, Nature and Scope of Administrative Law
   - 1.2 Relationship between Administrative Law and Constitutional Law
   - 1.3 Classification of Functions
   - 1.4 Doctrine of Rule of Law
   - 1.5 Doctrine of Separation of Powers

2. **Delegated Legislation and Principles of Natural Justice**
   - 2.1 Concept of Delegated Legislation
   - 2.2 Different Types of Delegated Legislation

2.3 Control of Delegated Legislation
2.4 Concept and Applicability- Administrative Action or Quasi-Judicial Action
2.5 *Nemo judex in causa sua* -Rule against bias
    2.5.1 Exception in Doctrine of Necessity and Doctrine of Absolute Necessity
    2.5.2 Exclusion of Natural Justice

2.5.3 Exceptions to Principles of Audi Alteram Partem
2.5.4 Effect of failure to Comply with Principles of Natural Justice- void or voidable

3. Administrative Discretionary Powers

3.1 Discretionary powers
3.2 Judicial Control over administrative discretion
3.3 Abuse of discretion and Non exercise of discretion
3.4 Fundamental Right violation and exercise of administrative discretion
3.5 Reasonable Exercise of Power and Wednesbery Principle

4. Writ Jurisdiction and Judicial Review

4.1 Grounds of Judicial Review of Administrative Action
4.2 Writ Jurisdiction
4.3 Doctrine of Legitimate Expectation
4.4 Doctrine of Promissory Estoppel

5. Administrative Tribunal

5.1 Concept of administration adjudication
5.2 Reason for the growth of Tribunals
5.3 Various Administrative Tribunals and Tribunal for other Matters : Constitution, Powers and Functions.
5.3.1 Central Administrative Tribunals Act, 1985
5.3.2 Debt Recovery Tribunal
5.3.2.1 Recovery of Debt and Bankruptcy Act, 1993
5.3.3 Income Tax Appellate Tribunal
5.3.3.1 Income Tax Act, 1961
5.3.4 National Green Tribunal
5.3.4.1 National Green Tribunal Act, 2010
5.3.5 Railway Claims Tribunal
5.3.5.1 The Railway Claims Tribunal Act, 1987
5.4 Remedies against the decision of Tribunals

References:

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2. Jain M.P& Jain S.N, Principles of Administrative Law; 5th ed.; Wadhwa Nagpur.
3. Jain M.P& Jain S.N, Principles of Administrative Law; 6th Enlarged ed.; Vol. I &II; Wadhwa Nagpur.
4. Massey I.P, Administrative Law; 7th ed.; EBC.
5. Sathe S.P, Administrative Law, 7th ed.; LexisNexis Butterworths Wadhwa Nagpur.
6. Takker C.K, Administrative Law; 2nd ed.; EBC.
7. Takwani C.K, Lectures on Administrative Law; 4th ed.; EBC.
8. Wade H.W.R & Forsyth C.F, Administrative Law; 10th ed.; Oxford.
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15. Kesari U.PD, Administrative Law; 17th ed.; CLP.
16. Stott, David & Felix, Alexandra, Principles of Administrative Law; 1st ed.; Cavendish Publishing Limited.

LAW411ICL : Local Self Government 4 Credits

Objectives of the Course:

With the introduction of the Constitution seventy third and seventy fourth amendments, India is moving towards the ideal of direct democracy endowing the local bodies with powers of administration in matters of regional and local importance. This change has added new vistas of Indian democracy and it offers an opportunity to translate the Gandhian concept of Gram Swaraj into practice. Necessarily, a person specializing in Constitutional law has to be equipped with the knowledge on the working of early systems, the present constitutional scheme, and the legislative powers of the State transferring responsibility to local bodies and on the increasing regulatory and financial powers of the local bodies. The nature of the democratic functioning of these elected bodies and the scope of administrative control as well of the judicial control over them are challenging areas for students of Constitutional law to evaluate and help formulation of new and pragmatic working methods.

Course Outcome: This course would make the student acquaint with:

CO1: give an insight into the introductory aspects, the historical and philosophical background for the Local Self –Government.

CO2: learn and familiarize the student about the Constitutional scheme for the local self-government.

CO3: This give the students an understanding about the structure, powers and functions of the urban local self-government

CO4: learn about addressing the issues of decentralization and grass- root planning of the local self- government

CO5: give an insight into the modern dimensions of local self-government.

Course Content:

1. **Evolution of Local Self Government**
   - 1.1 Historical Perspective
   - 1.2 Gram Swaraj: the Gandhian concept
   - 1.3 Ashok Mehta Committee Report
   - 1.4 G.V.K Rao Committee Report
   - 1.5 L.M.Singhvi Committee Report

2. **Powers and Functions of Local Self Government**
   - 2.1 Panchayat under Article 243 to 243-O of the Constitution of India and 73rd Constitutional Amendment
   - 2.2 Municipalities under Article 243-P to 243-ZG and 74th Constitutional Amendment
   - 2.3 Powers:
     - 2.3.1 Legislative and Quasi- legislative Powers
     - 2.3.2 Rule making power of the State Government
     - 2.3.3 Regulations
     - 2.3.4 Financial Power, Licensing Power and Levying Taxes
     - 2.3.5 Financial Resources and Powers

2.3.6 Judicial and Quasi – Judicial powers of the Local Bodies

2.4 Conduct of Meetings: Corporation, Municipal Council, Panchayat Committee and Gram Sabha

3. Institutional and Judicial Control of Local Self Government

3.1 Establishments of Tribunals for Local Self Government
3.2 Disputes on Reservation in Local Self Government Institutions
3.3 Disputes on Election to Local Self Gov. Bodies
3.4 State Election Commission role and their powers

4. Local Self Governance under Integral Dimension of Law

4.1 Theories
4.1.1 Regulation and Rule
4.1.2 Ruler and Ruled
4.2 Legal Pluralism and globalizing the legal systems in context of local self-governance
4.3 Success of local self-governance in India through Indian Constitutional Law
4.4 Self declaration and self-governance in Kosovo
4.5 Transitional justice in Sri Lanka and S. Africa
4.6 Local self-governance of Poland and Chola Empire
4.7 ICT in Local Self Governance

5. Local Self Governance: Peace, Development and Justice

5.1 Contribution of local self-governance in international law towards transitional justice.
5.2 Local Self-governance, Self-determination and indigenous people rights under UN Charter
5.3 Local Self- governance, human rights, women empowerment and human flourishing
5.4 Local Self- governance, sustainability and sustainable development
5.5 Environmentalism as Local Self- governance
5.6 Waves of democracy and democratization
5.7 United Nations Organization and Decolonization

References:

1. Lakshminath, A, Basic Structure and Constitutional Amendments: Limitations and Justiciability, Deep and Deep Publications, New Delhi.
2. Jain, D.C., Parliamentary Privileges under the Indian Constitution, Sterling Publishers Pvt. Ltd. New Delhi.
3. Ashok Dhamija, Need to Amend A Constitution and Doctrine of Basic Features, Wadhwa, Nagpur.
4. Durga Das Basu, Comparative Federalism, 2nd Edition, Wadhwa.
5. Sunder Raman, Amending Power under Constitution of India, A Politico – legal Study, Eastern Law House.
6. Sunder Raman, Constitutional Amendments in India, Eastern Law House.
7. The Framing of India's Constitution- Series, 2006. Universal Publishing Co.Pvt.Ltd, Reprint.
8. Basu,D.D., Shorter Constitution of India. 13th Ed. Lexis Nexis, India.
9. M. Venketarangaiya& M. Pattabhiram, Local Government in India (1969) Allied Publishers, New Delhi
10. Joshi, R.P., Narwani, G.S., Panchayat Raj in India: Emerging Trends across the States, Rawat Publications), Hyderabad (2002).
11. Khanna, B.S: Panchayati Raj in India- National Perspectives and State Studies Deep and Deep Publications, New Delhi.

LAW412ICL : Comparative Constitution 4 Credits

Objectives of the Course:

This course is designed to examine from a comparative perspective –legal structure and concepts that are found in Constitutions across the world, percept such as basic rights, rule of law, systems of governance, judicial review, to name a few. Comparative Constitutional Law course is intended to make students familiar with the constitutional systems of a few countries and their emerging constitutions along with the Indian Constitution. Students will be benefitted from deeper understanding of the doctrines and values underlying the provisions and principles from various constitutional systems.

Course Outcome: After completion of the course the student will be able to:

CO1: Understand the critiques of dominant theories and methods knowledge of the variety of constitutional systems across countries;

CO2: Students will demonstrate an understand the potentialities and limits of constitutional law in regulating the exercise of public power in contemporary society.

CO3: The capacity to Identify Importance and Essential Characteristics of a Federal Constitution

CO4: An understanding of the significance of notions of Rule of Law, Independence of Judiciary and Judicial Review.

CO5: The ability to identify Amending and Emergency Powers and Procedures.

Course Content:

1. **Need and Scope for Study of Comparative Constitutional Law (United Kingdom, United States of America, Australia, Canada and India)**
   - 1.1 Meaning and Definition of Comparative Constitutional Law
   - 1.2 Origin and Development of Comparative Constitutional Law
   - 1.3 Nature of Comparative Constitutional Law
   - 1.4 Importance of Comparative Constitutional Law
   - 1.5 Types of Comparison
   - 1.6 Problems of Comparative Constitutional Law
   - 1.7 Various Constitutions

2. **Comparative Study of the Concepts (United Kingdom, United States of America, Australia, Canada and India)**
   - 2.1 Rule of Law
   - 2.2 Independence of Judiciary
   - 2.3 Separation of Powers
   - 2.4 Judicial Review

3. **Fundamental Rights and Writs (United Kingdom, United States of America, Australia, Canada and India)**
   - 3.1 Civil Liberties: Meaning and Concept
   - 3.2 Fundamental Rights
   - 3.3 Origin of the Write System
   - 3.4 Scope and Write Jurisdiction Under Articles 32 and 226 of Indian Constitution
   - 3.5 Types of Writs

4. Federalism (United Kingdom, United States of America, Australia, Canada And India)

4.1 Concept and Origin of Federalism

4.2 Importance and Essential Characteristics of a Federal Constitution

4.3 Types of federalism
4.4 Central Control Vs. State Autonomy
4.5 Federalism
4.6 New Trends in federalism: Patterns of federalism

5. Amending and Emergency Powers and Procedures (United Kingdom, United States of America, Australia, Canada and India)

5.1 Amending Powers and Procedures
5.1.1 Amendment Functions
5.1.2 Amending Powers
5.2 Emergency Powers and Procedures
5.2.1 Situation in the Present-day world
5.2.2 Emergency Powers

References:

1. D.D.Basu, Comparative Constitutional Law, 2nd ed., Wadhwa Nagpur, 2008, pp 1-12.
2. Jan M Smits (ed), Elgar Encyclopedia of Comparative Law, Edward Elgar, Cheltenham, UK, 2006, pp 57-65, 187- 199.
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6. Mahendra P. Singh , Comparative Constitutional Law, Eastern Book Company (2011).

Semester - III

1. **LAW501ICL : Law and Justice in Globalising World**
2. **LAW502ICL : Principles of Transparency and Accountability**
3. **LAW503ICL : Media and Telecommunication Law**
4. **LAW504ICL : Public Policy and Development**
5. **LAW505ICL : Human Rights and Indian Constitution**
6. **LAW506ICL : Inter Relationship of Constitution and Other Emerging Areas**

Semester - III

LAW501ICL: Law and Justice in Globalising World — 4 Credits

Objectives of the Course:

Globalization is an inescapable, pervasive contemporary phenomenon. Having introduced the meaning, nature and inevitable multidimensional ramifications of globalization, the course will address the notion of global law and concept of justice at the global level. The main objective of the course therefore is to enable students to understand and seek solutions to pressing problems resulting from worldwide inequalities in the domain of global law and global justice in the era of globalization. Therefore, the course having based on thematic approaches will look at various legal issues focal to claims of global justice.

Course Outcome: After completion of the course the student will be able to:

CO1: To sensitize the students on women's human rights issues so as to promote a conducive society where women may live in violence free atmosphere and may contribute in the overall development of the society and nation.

CO2: To enhance awareness of students regarding legal provisions and working of different institutions in protecting human rights of women. So, Students may become champions of human rights of women.

CO3: To empower them personally and help them create a gender sensitive society by offering legal aid in their surroundings.

CO4: This course will go a long way in capacity building of women in particular and shunning violence against them.

CO5: The students will be able to understand the gender equality.

Course Content:

1. **Concept and Theories of Law and Legal System**

   1.1. Nature, meaning and significance of globalization
   1.2. Concept of Global Law and Global Justice and Legal System
   1.3. The need of philosophy as an aid to the growth of law
   1.4. Different theories of law
   1.5. Territorial nature of law
   1.6. The functions and the ends of law in the world

2. **Concept of Justice in a Globalizing World**

   2.1 Globalization and Universal Values
   2.2 Concept of Global Justice
   2.3 Cosmopolitanism
   2.4 Globalization and Social Justice/ Global Distributive Justice
   2.5 Impact of Globalization on Judicial Process and administration of Justice

3. **Issues from Discipline of Indian Constitution**

   3.1. Nature of State: Domesticity of national jurisdictions in international context.
   3.2. Relationships: Theories and Conflicts between international law and municipal law
   3.3. Legislative Provisions: Articles, Lists, Entries, Schedules in Indian Constitution impacting international law, order and relations towards international justice.
   3.4. Equality, Freedoms and Liberties: Part III and International Bill of Human Rights.

3.5. Fundamental Duties and Rights: Problems in integrating duties and rights
3.6. Directive Principles of State Policy: Gateways for Transcendental Justice.

4. **International Issues, Organizational Codification, Unification and Harmonization**
   - 4.1. Public International Law: Principles to govern law and justice in a globalizing world.
   - 4.2. Private International Law: Principles to govern law and justice in a globalizing world.
   - 4.3. Hague Conventions: Resolving international conflicts in both Public and Private Law across jurisdictions.
   - 4.4. International organizations: Principles, Practices and DSMs
   - 4.5. United Nations Organization: Charter, Systems, Specialized Organizations, Resolutions, Declarations, Dialogues and etc.
   - 4.6. Models of Global Justice

5. **Perspectives of Law and Justice from Economic Globalization**
   - 5.1. Economic law-making process in a globalizing world
   - 5.2. Just economic globalization: perspectives from PSNR, NIEO and right to development
   - 5.3. Rules of international trade vis-a-vis WTO
   - 5.4. Labour standards and basic Human Rights

References:

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2. Harkristuti Harkrisnowo, Hikmahanto Juwana, Yu Un Oppusunggu, "Law and Justice in a Globalized World"2017, Routledge
3. Andrew Kuper, Democracy Beyond Borders: Justice and Representations in Global Institutions
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10. Raymond, Wacks, Understanding Jurisprudence, Oxford University Press.
11. Scholte, Jan Aart, Globalization: A Critical Introduction, 2nd edn, Palgrave Macmillan.

LAW502ICL : Principles of Transparency and Accountability 4 Credits

Objectives of the Course:

The term 'democracy' minimally presupposes three essential elements: transparency, accountability, and equality. Transparency denotes free access to governmental political and economic activities and decisions. Accountability entails a state being held responsible, by both its people and its elected bodies, for its choices and actions. And the concept of equality [includes] citizens being treated equally under the law, as well as some degree of equal political participation among them in their own governance. Principles of Transparency and Accountability. Transparency enables all stakeholders in a country to see the structure and functions of the government, its policy intentions and fiscal projections, and accounts for past periods. The main purpose of opening these windows is to render those inside accountable and answerable for their decisions and actions.

Course Outcome: Students who complete the course successfully will acquire:

CO1: Understand Liability of Government and privileges in Legal Proceedings.

CO2: Analyze the Effects of Government Contracts and their position in Britain and in India.

CO3: Understand the Powers of Judiciary with respect to Administration and their Emerging Liability.

CO4: Learn Role of Fact Findings Commissions and how Judicial Inquiry can be done.

CO5: Identify Accountability of Law and Order and Enforcement Mechanism.

Course Content:

1. Tortious Liability of the Government

- 1.1 Liability of Government and Public Authorities in Torts
- 1.2 Sovereign immunity
  - 1.2.1 P&O Case
  - 1.2.2 Hari Bhanji
- 1.3 Vidhyawati Case
- 1.4 Judicial Pronouncements
- 1.5 Statutory Functions
- 1.6 Damages and Writ

2. Government Contracts

- 2.1 Position in Britain
- 2.2 Position in India: Article 299 of the Constitution
  - 2.2.1 Formation and Ratification of Contracts
  - 2.2.2 No Estoppel
  - 2.2.3 Voidness of contract is relative
  - 2.2.4 Service Agreements
  - 2.2.5 Statutory Contracts
- 2.3 Contractual Liability
  - 2.3.1 Restitution
- 2.4 Award of Contracts
- 2.5 Issues of Writs in matters of Contract
- 2.6 Sale of Government Property

3. Fact Finding Commission and Inquiry

3.1 Commission of Enquiry
3.2 Central Vigilance Commission
3.3 Investigating Agencies- CBI
3.4 Legislative Control
3.5 Financial Control – Comptroller and Auditor General
3.6 Judicial Inquiry

4. Judicial Powers of Administration and Emerging Liability

- 4.1 Need for devolution of Adjudicatory power on Administration
- 4.2 Administrative Tribunals and other Adjudicatory Authorities
  - 4.2.1 Growth,
  - 4.2.2 Evolution
  - 4.2.3 present Status.
- 4.3 Nature and Character of Tribunals.
- 4.4 Emerging Liability
  - 4.4.1 Personal accountability
  - 4.4.2 Compensatory jurisprudence and right to Life
  - 4.4.3 Accountability under consumer protection law

5. Corruption in Governance Emerging Liability

- 5.1 Trans-National Corruption: Challenges and Solutions
- 5.2 Corruption in Public Life
- 5.3 Accountability of Law and Order Enforcement Mechanism
  - 5.3.1 Controller and Auditor General
  - 5.3.2 The Prevention of Corruption Act, 1988
- 5.4 Electoral Processes & Accountability of Elected Representatives
- 5.5 Transparency and Accountability endeavours and Corruption in Governance
- 5.6 Accountability and transparency in Judiciary

References:

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11. Wade HWR & Forsyth CF, Administrative Law (10th edn., Oxford, 2009)

LAW503ICL : Media and Telecommunication Law 4 Credits

Objectives of the Course:

This course seeks to establish a co-relationship of the much-flaunted Constitutional objective of free speech and expression, and existing Rights and Restrictions governing the fourth estate, an essential pillar of Democratic Governance. Since the course is titled "Media and Telecommunication Laws" so it covers elements in excess to what a 'Law of the Press' module would cover. In addition to the press, this course would address the other industries actively involved in providing communication linkages and disseminating information, both commercial and non-commercial in nature. Thus, advertising, broadcasting, the cinema and the music industry are also potential subjects of study in this course. For this course, the students should not restrict themselves to the study material only. Since this is an emerging jurisprudence, newer developments of the law are always to be incorporated in one's ambit of knowledge.

Course Outcome: Students who complete the course successfully will acquire:

CO1: Discuss and analyze the legal, ethical and regulatory framework governing Media in India.

CO2: Trace the historical background to the freedom of Press in India.

CO3: Analyze and evaluate the latest developments and issues in the field of Media and Telecommunication Law.

CO4: Explain and discuss the importance and necessity of media ethics and journalistic integrity.

CO5: Devise a correct way to handle the legal problems.

Course Content:

1. Disseminating the Facets of Media

- 1.1 Evolution of Media and Emerging Trends
- 1.2 Types of Mass Media: Press, Television, Radio, Films and New Media
- 1.3 Difference between visual and non-visual media and its impact
- 1.4 Ownership Pattern of Press: Public and Private
- 1.5 Ownership Pattern of Radio and Television: Public
- 1.6 Ownership Pattern of Films: Private
- 1.7 Code of Ethics for persons in Mass Media in India

2. Constitutional Foundations of Media

- 2.1 Freedom of Speech and Expression in Indian Constitution
- 2.2 Freedom of Press and Constitutional Restrictions
- 2.3 Freedom of Press and the Right Information
- 2.4 Media and the Parliamentary Privileges
- 2.5 Freedom of Press in other Constitutions
- 2.6 Films and Commercial Speech and Freedom of Expression

3. Legal Dimensions of Media

- 3.1 Media and Criminal Law: Defamation, Obscenity, Sedition
- 3.2 Media and Tort Law: Defamation, Privacy and Negligence
- 3.3 Media and Legislature: Privileges of Legislature
- 3.4 Media and Judiciary: Contempt of Court, Reporting Judicial

3.5 Proceedings Media and Executive: Official Secrets Act 1923

4. Contemporary Issues

- 4.1 Regulation of Internet and Information Technology Act, 2000
- 4.2 Privacy and Media
- 4.3 Sting operations
- 4.4 Trial by Media
- 4.5 Social media and emerging issues
- 4.6 Cross Ownership in media
- 4.7 Media coverage in Conflict zones

5. International and National Regulatory Frame Work

- 5.1 Self-regulation and Media Ethics
  - 5.1.1 Press Council and the Legal Provisions
- 5.2 Electronic Broadcasting and the Law
  - 5.2.1 The Prasar Bharati (Broadcasting Corporation of India) Act, 1990
- 5.3 Law of Copyright
- 5.4 The Competition Act, 2002
- 5.5 Telecoms, Media and Internet Laws and Regulations, 2019

References:

1. Sita Bhatia, "Freedom of Press, Politico Legal aspect of press legislation in India", Rawat Publication, New Delhi.
2. C S Rayudu and Nageshwar Rao, "Mass Media Laws and Regulation", 5th Edition, Himalaya Publishing House.
3. Venkat Iyer, "Mass Media Laws and Regulations in India", 2 nd Edition, India Research Press.
4. D.D.Basu, "The Law of Press of India", 2nd Edition, New Delhi, Prentice Hall Inc.
5. M.Neelamalar, "Media Law and Ethics".
6. Uarsla Smartt, "Media and Entertainment Law", Better World books.
7. Nandan Kamath, Law Relating to Computers Internet & E-Commerce, 2nd Edition, Universal Law Publishing Co.Pvt.Ltd.
8. Information Technology Act, 2000
9. Broad Cast Bill 2007
10. Communication Convergence Bill 2014
11. Officials Secrets Act 1923

LAW504ICL : Public Policy and Development 4 Credits

Objectives of the Course:

Public policy and development acquaint students with the actors, institutions, and processes of public policy- making in India. It will also help students to develop the analytical tools necessary to think critically about matters associated with the making and implementation of Indian public policy. This course provides understanding about the meaning and scope of public policy, its making process, its goals and the means and methods of implementation. constitutional and statutory basis on health care its implications and law and public health policy thus giving an opportunity to perceive the existing health care policy based on this.

Course Outcome: The student will understand the following:

CO1: Explain the nature and scope of concept of public policy and development.
CO2: Describe the nature and scope of health care policy.
CO3: Compare the nature and scope application of energy and environment policy.
CO4: Analyze the nature and scope of education policy in India.
CO5: Demonstrate the ambit and extent of application of economic and industrial policy.

Course Content:

1. Nature and Extent of Public Policy

- 1.1 Significance of policy making & implications on society
- 1.2 Policy making process –
  - 1.2.1 formulation, adoption implementation and evaluation,
  - 1.2.2 Indicators for determining Issues
  - 1.2.3 Formulation, adoption implementation and evaluation
- 1.3 Policy Advocacy- Surveying Policy making Landscape
- 1.4 Goals underlying policy making -
  - 1.4.1 Equity, Efficiency, Welfare, Liberty and Security
  - 1.4.2 Means and methods of implementation-
- 1.5 Domestic Policy v Foreign Policy

2. Health Care Policy

- 2.1 Public Health Policy – Constitutional and statutory basis
- 2.2. Coverage of policy – Universal or selective
- 2.3. Medicare and Medicaid
- 2.4. Law and public health policy
- 2.5. Policy reform and evaluation

3. Energy and Environmental Policy

- 3.1. Energy Policy – formulation and implementation
- 3.2. Energy crisis and protection of Natural resources
- 3.3. Environmental Policy
  - 3.3.1 Elements, Concept of Development Sustainable development, Brundtland Report on Sustainable Development,
  - 3.3.2 Policy Initiatives of the State for development- Urban/Rural Development

3.3.3 73 and 74 Constitutional Amendments.

3.4. Normative structure of environmental policy

3.5. Institutional functions of implementation of Environment policy

4. Education Policy

- 4.1. Elements of Education Policy
  - 4.1.1 Review of Education Policies after in dependence
  - 4.1.2 Education: The Centre and State Relationship
- 4.2. Right to education – scope and content
- 4.3. Adult education and women's education
- 4.4. New Education Policy 2020

5. Economic and Industrial Policy

- 5.1. Globalization and economic and Industrial policy
- 5.2 Double Taxation and Allocation of Taxing powers
  - 5.2.1 Central and State Taxes
  - 5.2.2 No Tax outside the Tax Entries
  - 5.2.3 Residuary Taxes and Fees
  - 5.2.4 A Comparative view Taxing Powers in other Federations
  - 5.2.5 Restriction on Taxing Powers
- 5.3. WTO and its impact on domestic policies
- 5.4. Legislative response to economic and trade policy
  - 5.4.1 Expedients to Create Financial Equilibrium at State Level
  - 5.4.2 Finance Commission
  - 5.4.3 Specific Purpose Grants
  - 5.4.4 Borrowing Powers
- 5.5. Judicial role in evaluation of economic and industrial policies
- 5.6. Foreign Direct Investment Policy

References:

1. R.K. Sapru, "Public Policy", Sterling Publisher Private Limited, (2012)
2. S.S. Nagel, "Policy Theory and Policy Evaluation, Concepts Knowledge", Causes & Norms, Delhi, Greenwood Press
3. W. Dunn, "Public Policy Analysis: An Introduction", Englewood's Cliffs NJ Prentice hall
4. Frank Fischer, Gerald Miller "Handbook of Public Policy Analysis: Theory, Politics, and Methods"
5. Thomas R. Dye "Understanding Public Policy"
6. Kaushiki Sanyal and Rajesh Chakrabarti "Public Policy in India", Oxford India (2016)
7. Kuldeep Mathur "Public Policy and Politics in India: How Institutions Matter", Oxford India, (2015)
8. Vaidyanatha Ayyar "Public Policymaking in India", Pearson (2009)
9. R.K. Sapru, Y. Sapru, " Public policy: Formulation, Implementation and Evaluation", (2019)
10. Bidyut Chakarbaty , Prakash Chand, "Public Policy : Concept, Theory and Practice", Sage, (2016)
11. The Right of Children to Free and Compulsory Education Act, 2009

LAW505ICL : Human Rights and Indian Constitution 4 Credits

Objectives of the Course:

Objectives of the Course: The main objective of the course is to introduce to the students the significance of Human Rights and Indian Constitution in the contemporary era with a theoretical perspective and the theoretical, conceptual, historical and other general aspects. Another important objective explains the importance, norm and standard of the duties through international instruments. This course attempts to increase the knowledge of law students with respect to human rights and Duties with special reference to Indian Constitution. Moreover, the major focus of the course is how Enforcement of Human Rights can be done in India.

Course Outcome: The student will understand the following:

CO1: An understanding of the principles and institutions of international human rights law, including their origins, assumptions, contents, limits and potential.

CO2: It will help students to understand the importance of the fundamental principle, its concept, Concern and Source of Human Rights.

CO3: Understand Enforcement Mechanism of the Human Rights under Indian Constitution.

CO4: Analyze co -relation of Fundamental Rights and Duties with Human Rights and Duties

CO5: Identify Social, Economic, Political and Specific administrative Problems of enforcement of Human Rights in India.

Course Content:

1. Concept of Human Rights and Duties

- 1.1 Values: Dignity, liberty, equality, justice, unity in diversity
- 1.2 Inherent, inalienable, Universal and indivisible
- 1.3 Classification of rights
- 1.4 Classification of duties
- 1.5 Correlation of rights and duties

2. United Nations and Human Rights and Duties

- (A) UN system and Human Rights
- 2.1 Universal Declaration of Human Rights 1948
- 2.2 International Covenant on Civil and Political Rights 1966
- 2.3 International Covenant on Economic, Social and Cultural Rights 1966
- 2.4 Convention on Elimination of All Forms of Racial Discrimination 1965
- 2.5 Convention on Elimination of All Forms of Discrimination against Women 1979
- 2.6 Convention on the Rights of the Child 1989
- 2.7 UN Declaration and Duties and Responsibilities of Individuals 1997
- (B) UN agencies to monitory compliance such as UN High Commission for Human Rights and the Committees under the various conventions

3. Indian Constitution and Human Rights and Duties

- 3.1 Constituent Assembly debates
  - 3.1.1 Fundamental Rights and Problems of choosing "Fundamental Rights"
  - 3.1.2 Directive Principles
  - 3.1.3 Fundamental Duties,
- 3.2 Problem of defining reasonable restrictions on fundamental rights

3.3 Fundamental Duties of State and Citizen: problems of implementing Duties
3.4 Reflection of Various Human Rights under Indian Constitution
3.5 Interrelationship and Tensions inter se

LAW505ICL : Human Rights and Indian Constitution 4 Credits

4. Enforcement of Human Rights: Constitution and Statutory Mechanism

4.1 Legislature, executive and judiciary
4.2 National Institutions
4.2.1 National Commission for Schedule Castes and Schedule Tribes
4.2.2 National Commission for Minorities
4.2.3 National Commission for Women
4.3 Human Rights Commissions: National and State
4.4 Professional Councils: Press, Medical, Bar
4.5 Consumer Courts
4.6 International and National NGOs, Social movements and pressure groups working through democratic institutions such as lobbying MPs, Information Media

5. Social, Economic, Political, and Specific Administrative Problems of Enforcement

5.1 Communal and caste conflicts and tensions
5.2 Discrimination and violence against women and children
5.3 Custodial violence
5.4 Problems of health and environmental protection
5.5 Lack of Advocacy and Awareness

References:

1. UN High Commissioner for Human Rights, An Introduction: Making Human Rights a Reality (New York: UN Publication Division, 1996).
2. Donnelly, J., The Concept of Human Rights (London: Bodley Head, 1973).
3. Bhagwati, P.N., Dimensions of Human Rights (Madurai: Society for Community Organization Trust, 1987).
4. UN Centre for Human Rights, The International Bill of Human Rights (Geneva: World Campaign for Human Rights, 1996).
5. UN Centre for Human Rights, International Human Rights Standards for Law Enforcement (Geneva: World Campaign for Human Rights, 1996).
6. Chiranjivi Jivaraj Nirmal, :Human Rights in India: Historical, Social and Political Perspectives"
7. A.K.Sen "Law of the Indian Constitution of Human Rights" , (2012)
8. Dr. S.S. Dhaktode "Human Rights and Indian Constitution", Bhashya Prakashan
9. International Covenant on Civil and Political Rights 1966
10. International Covenant on Economic, Social and Cultural Rights 1966
11. Convention on Elimination of All Forms of Racial Discrimination 1965
12. Convention on Elimination of All Forms of Discrimination against Women 1979
13. Convention on the Rights of the Child 1989

14. UN Declaration and Duties and Responsibilities of Individuals 1997

15. Universal Declaration of Human Rights, 1948

LAW506ICL : Inter Relationship of Constitution and Other Emerging Areas 4 Credits

Objectives of the Course:

The main objective of the course is to introduce to the students the Inter Relationship of Constitution and Other Emerging Areas of Laws. This course attempts to increase the knowledge of law students related to emerging areas of the law in context of Indian Constitution and various provisions under Indian Constitution to deal with Emerging areas of Law such as Intellectual Property, Environment, Technology etc.

Course Outcome: After completion of the course the student will be able to:

CO1: Understand the various kinds of Intellectual Property and Constitutional aspects of Intellectual Property and their protection.

CO2: Identify the Fundamental Rights and Duties related to Environment Protection in India.

CO3: Understand the Reasons for constitutionalizing socio-economic Rights, Fundamental Rights related to Business and Economic Importance.

CO4: Identify the difference between Cooperative and Competitive Federalism in India and Constitutional Position.

CO5: Analyze the difference between Special Category state and special status of the state, Provisions and criteria for special category state.

Course Content:

1. IPR and Indian Constitution

- 1.1 Indian Theory on Private Property
- 1.2 Constitutional Aspects of Property
- 1.3 Concept and Kinds of Intellectual Property
- 1.4 Constitutional Protection of Property and IP
- 1.5 Constitutional Directive to Respect Treaty Obligations
- 1.6 Developments in biotechnology and Right to Human Dignity

2. Constitutional Provisions and Environment

- 2.1 Fundamental rights
  - 2.1.1 Right to water,
  - 2.1.2 Right to Nutritious Food,
  - 2.1.3 Right to health
  - 2.1.4 Right clean Environment
  - 2.1.5 Right to Development
- 2.2 Directive Principles
- 2.3 Fundamental duties
- 2.4 Distribution of powers between the State and Center over natural resources

3. Indian Constitution and Socio-Economic Implications

- 3.1 Reasons for Constitutionalizing Socio-Economic Rights
- 3.2 Preamble of Constitution and Business
- 3.3 Fundamental Rights and Business
- 3.4 Directive Principles and Economic Importance
- 3.5 Constitutional Provisions Regarding Trade, Commerce and Intercourse within the

Territory of India

3.6 Doctrine of Laissez faire vis a vis welfare state

4. **Cooperative and Competitive Federalism in India**
   - 4.1 Cooperative vs Competitive Federalism
   - 4.2 Constitutional Position
   - 4.3 Steps toward Competitive Federalism
   - 4.4 Role of NITI Aayog in Promoting Co-Operative, Competitive Federalism
   - 4.5 Hindrances for Competitive federalism

5. **Constitution and Special Category State**
   - 5.1 Concept and Historical Background
   - 5.2 Difference between special category status and special status
   - 5.3 Provisions and Criteria for special category status
   - 5.4 Benefits states confer with special category status
   - 5.5 Special Category status and center-state finances

References:

1. N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property (2009), Eastern Book Company, Lucknow
2. Singh Gurdip, Environmental Law, (2016) Eastern Book Company
3. Leelakrishnan, P, Environmental Law Case Book, (2006) Lexis Nexis Butterworths-India
4. B. R. Misra, Economic Aspects of the Indian Constitution, Oriental Longmans
5. Raj Bahadur Srivastava, Economic Justice Under Indian Constitution, Deep & Deep Publications.
6. Leelakrishnan P, Environmental Law in India, Lexis Nexis- New Delhi
7. Shyam Diwan, Armin Rosencranz, Environmental Law and Policy in India, Oxford
8. Legal Control of Environmental Pollution by Mahesh Mathur – Deep & Deep Publication, New Delhi
9. Environmental Law by Dr H N Tiwari – Allahabad Law Agency
10. Law Relating to Environmental Pollution and Protection by Dr N Maheswar Swamy – Asian Law House
11. Environmental Law in India, P Leelakrishnan, LexisNexis (2016)
12. Environmental Law, S C Shastri, Eastern Book Co (2017)
13. Seervai H.M. , Constitutional Law of India (3 Volumes) (2015), Universal Law Publishing - An imprint of LexisNexis.
14. V.N. Shukla,Constitution of India (2017), Eastern Book Company
15. D.D. Basu,Commentaries on Constitutional Law of India, Vol. A to E, Lexis Nexis
16. M.P.Jain, Indian Constitutional Law, (2018), LexisNexis.

Semester - IV		
1.	LAW507PR:	Class Room Teaching
2.	LAW508PR:	Doctrinal Research
3.	LAW509PR:	Non-Doctrinal Research
4.	LAW510PR:	Clinical Research Report
5.	LAW511PT:	Dissertation, Submission of Thesis

Semester - IV

LAW507PR: Class Room Teaching **4 Credits**

Objectives of the Course:

It is quite evident that a scholar pursuing master degree may choose his career either as a teacher or as a researcher. In both the cases it becomes inevitable to inculcate teaching ability and aptitude among the students. With this objective this course has been introduced in the curriculum.

Course Outcome: After completion of the course the student will be able to:

CO1: The students after completion of their master degree will be well equipped with teaching styles, teaching objectives and teaching methods.

CO2: Students can assist departments and program to think about their curriculums. When outcomes are defined, departments can map the outcomes onto the courses that they teach to identify areas within the program where outcomes may overlap (or otherwise be redundant) or where gaps may exist.

CO3: Allow instructors to indicate what knowledge, skills and abilities students are expected to have mastered at the end of their course allow them to communicate expectations to students.

C04: Provide students with a way to articulate the knowledge and abilities that they have gained and to express what they know to others.

Content:

Each student will be assigning two topics in advance to deliver class room teaching. Topic should be on from the area of specialization chosen topic or issue from the subjects taught in the last three semesters. Each class will be of 60 minutes by selecting any methods of teaching relating to Law and shall be assessed according to his/her performance.

LAW508PR: Doctrinal Research 4 Credits

Objectives of the Course:

Each student has to submit a doctrinal research work on the basis of the doctrinal research method taught in the legal research methodology by collecting secondary data from various sources collating with legal issues.

Course Outcome: After completion of the course the student will be able to:

CO1: This subject will help the students to enhance their research, analytical and writing skills.
CO2: Student could improve their analytical and cognitive abilities
CO3: It will help student to use available published information for research work.

Content:

- The doctrinal research, is concerned with analysis of the legal doctrine and how it has been developed and applied" and these types of research known "as pure theoretical research" or "typical legal research".
- Doctrinal research typically involves source-based research (Secondary Data) and it would be unusual to undertake qualitative or quantitative research under the doctrinal methodology.
- The doctrinal legal research method involves an analysis of legal propositions or legal concept is the main base of the studies. However, the legal propositions from enactments, administrative rules and regulation, cases law of courts, statutes and other legal sources etc. can be a part of doctrinal legal research.
- Despite this, it is not impossible to exclude doctrinal analysis from other methods. For example, used qualitative methods to analyse the language and language use of statutes. (Whilst the project had other, non-doctrinal goals, the aim to analyse statute language use is a function of doctrinal research).

Tools of doctrinal Research:

1. Statutory materials.
2. Reports of Committees.
3. Legal history.
4. Judgments.
5. Case Reports.
6. Case and Digest
7. Conference Proceedings
8. Online available information
9. Any information which is already published

Steps in Doctrinal Research Report:

1. Introduction (context and general background)
2. Statement of research problem.
3. Objectives
4. Literature review
5. Hypotheses/research question.
6. Data Collection (Identification of material and cases etc.
7. Discussion (Critical commentary by examining the objectives and hypotheses and deriving inferences)
8. Conclusions/Recommendations
9. Bibliography
10. Appendix

The Doctrinal Research must comply with the following format:

1. Size of paper: A4.
2. Margins: Top: 1", Left: 1.5", Right: 1" and Bottom: 1".

3. Paper quality: Normal Paper.
4. Printing: printing on both sides only with 1.5 line spacing.
5. Font: Times New Roman.
6. Title / Top and Inner first pages: Title of Project Report.
7. Declaration by the Scholar.
8. List of Cases
9. Table of contents.

LAW509PR: Non-Doctrinal Research 4 Credits

Objectives of the Course:

Each student has to submit a non-doctrinal research on the basis of the non-doctrinal research method taught in the legal research methodology by collecting primary data using various methods of data collection from various sources collating with legal issues.

Course Outcome: After completion of the course the student will be able to:

CO1: To understand the importance of Socio Legal Research

CO2: To understand the important aspects of Doctrinal and non-doctrinal

CO3: To understand the Relevance of empirical research

CO4: To understand the difference between Induction and deduction

CO5: Learn various methods of primary data collection such as questioner method, interview method, sampling method.

CO6: Learn the Tabulation of collected primary data

Content:

- The Non-doctrinal research is carried on by collecting or gathering information by first hand study of the subject, it relies on experience or observation without due regard to any theory or system and hence it is also called as experimental type of research.
- In Non-doctrinal research, the researcher attempts to investigate effect or impact by actual examination or observation of the functioning of law and legal institutions in the society.
- Non-doctrinal research, also known as social-legal research, is research that employs methods taken from other disciplines to generate empirical data that answers research questions. It can be a problem, policy, or a reform of the existing law.
- A legal non-doctrinal finding can be qualitative or quantitative, and a dogmatic non-doctrinal finding can be part of a large-scale project.
- The non-doctrinal approach allows the researcher to conduct research that analyses the law from the perspective of other science disciplines, and to employ those disciplines in drafting the law.
- This study combines both primary / secondary research methods.
- Thus, gathering and analysing the data will be done on the basis of literature review, magazine, journals, articles, newspaper, law books, news on web portal, survey, questionnaire etc.

Steps in Non-Doctrinal Research:

1. Introduction (context and general background)
2. Statement of research problem.
3. Objectives
4. Literature review
5. Hypotheses / research question.
6. Data Collection/ Survey
7. Data analysis
8. Discussion (Critical commentary by examining the objectives and hypotheses – this part can be divided into Chapters)
9. Conclusions / Recommendations
10. Bibliography
11. Appendix

The Non-Doctrinal Research must comply with the following format:

1. Size of paper: A4.
2. Margins: Top: 1”, Left: 1.5”, Right: 1” and Bottom: 1”.

3. Paper quality: Normal Paper.
4. Printing: printing on both sides only with 1.5 line spacing.
5. Font: Times New Roman.
6. Title / Top and Inner first pages: Title of Project Report.
7. Declaration by the Scholar.
8. Others papers
9. Table of contents.

LAW510PR: Clinical Research Report 4 Credits

Objectives of the Course:

Each Student are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of NGO, tackling of Human Rights disputes, or other deeds and with public interest litigation.

Course Outcome: After completion of the course the student will be able to:

CO1: This subject will help the students to acquaint with analyse the practical approach dealt by different institute.

Note:

As a part of clinical research each student has to visit for 10 working days in two different Legal Institutions / NGO to each to understand the functioning of these institutions and its relation with the Human rights and society related issues at large and has to submit a report for evaluation.

Steps are required to follow in Clinical Research Report:

1. Certificate issued by Institution
2. Summary of Report
3. Table of Content
4. Introduction of visited institution
5. Constitution of Institution
6. Functions
7. Work areas
8. Contribution
9. Analysis
10. Conclusion.

The Clinical Research Report must comply with the following format:

1. Size of paper: A4.
2. Margins: Top: 1", Left: 1.5", Right: 1" and Bottom: 1".
3. Paper quality: Normal Paper.
4. Printing: printing on both sides only with 1.5 line spacing.
5. Font: Times New Roman.
6. Title / Top and Inner first pages: Title of Clinical Research Report.
7. Declaration by the Scholar.
8. If Photographs available

LAW511PT: Dissertation, Submission of Thesis 8 Credits

Objectives of the Course:

Developing research tempore is quintessence of lawyering. This course is designed to test the research skill and aptitude of the students and their analytical skills on various current challenges of law and society. It is aimed at enabling the students to hone their skills as a researcher that would be of immense help to them in their career.

Course Outcome: This subject will help the students to enhance their research, analytical and writing skills.

CO1: This subject will help the students to enhance their research, analytical and writing skills.

CO2: Student could improve your analytical and cognitive abilities

Content:

This course is a research oriented. Every student has to carry out Dissertation should be on topics from the area of specialization chosen topic or issue from the subjects taught in the last three semesters and approved by the Departmental Committee. The dissertation is expected to be an in depth and critical/analytical/comparative analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, articles and books relevant to the topic in the form of footnotes and bibliographical references, Typed and bound dissertations shall be of uniform pattern with applying Legal Research Methodology which is to be submitted for evaluation internally and externally has to appear for viva-voce.

1. **Students are required to follow the STEPS given below for preparation of Dissertation:**
   - Title of the study
   - Introduction
   - Significance of the Study
   - Literature Review
   - Objectives of the study
   - Hypothesis
   - Research Methodology
   - Scope and Limitations of the study

2. **LL.M students are required to follow the following STRUCTURE for Dissertation:**
   - Cover
   - Cover Page
   - Certificate
   - Declaration Certificate by Candidate
   - Acknowledgement
   - List of Case Laws
   - List of Tables
   - Abbreviations
   - Table of Contents
   - Chapters
   - Bibliography (Books, Journals, Newspapers, Websites, Research Reports, Magazines etc.)
   - Appendix (Interview Schedules, Questionnaires, Master Charts, Acts, Bills, Maps etc.)