

ONE YEAR LL.M SYLLABUS

FIRST SEMESTER (CONSTITUTIONAL AND ADMINISTRATIVE LAW)

COMPULSORY PAPERS

- i. Research Methods and Legal Writing
- ii. Comparative Public Law
- iii. Law and Justice in a Globalizing world

OPTIONAL PAPERS

- i. Center-State Relations and Constitutional Governance
- ii. Fundamental Rights and Directive Principles

SECOND SEMESTER

- i. Local Self-Government & Federal Governance
- ii. Administrative Law
- iii. Media Law
- iv. Minorities Law
- v. Dissertation

The examination, evaluation and other norms of improvement of grades will be governed as per the norms of the credit system of the University Departments.

SUBJECT: RESEARCH METHODS AND LEGAL WRITING

SUBJECT CODE: - LL.M. 1101

The main objective of this course is to acquaint the student of law with the scientific method of social science research. This course is expected to provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio legal research. Emphasis would be laid on practical training in conducting research in this course. They should be able to design and execute small scale research problems. The practical skill in conducting research will be evaluated on their performance in field research and workshops/seminars.

MODULE I: Introduction

- i. The science of research and scientific methodology.
- ii. Interrelation between speculation, fact and theory building-some fallacies of scientific methodology with reference to socio legal research.
- iii. Inter-disciplinary research and legal research models.
- iv. Arm chair research vis-a-vis empirical research.
- v. Legal research-common law and civil law legal systems

MODULE II: Research Design

- i. Workable Hypothesis-formulation and evaluation.
- ii. Major steps in research design

MODULE III: Research Techniques

- i. Sampling
- ii. Survey and Case Study method
- iii. Scaling and Content Analysis

MODULE IV: Research Tools and Data Processing

- i. Observation
- ii. Interview and schedule
- iii. Questionnaire
- iv. Socio-metrics and jurimetrics
- v. Data processing (*deductions and Inductions*) analysis and interpretation of data

MODULE V: Legal writing

- i. Report/article writing in legal research
- ii. Use of definitions, maxims, concepts, principles, doctrines in legal research
- iii. Citation methodology
- iv. Book review and case comments

BIBLIOGRAPHY/REFERENCES

1. Robert Watt- Concise book on Legal Research
2. Ram Ahuja-Research Method
3. Good and Hatt- Research Methodology
4. Pauline Young- Research Methodology
5. Earl Babbie- Research Methodology
6. Anwarul Yaqin-Legal Research Methodology
7. Wilkinson Bhandarkar-Research Methodology
8. Selltis Johoda-Research Methodology
9. Stott D.-Legal Research
10. Robert Watt and Francis Johns- Concise Legal Research

SUBJECT: COMPARATIVE PUBLIC LAW /SYSTEMS OF GOVERNANCE
SUBJECT CODE: - LL.M. 1102

This paper focuses on analytical and theoretical scrutiny of Public Administrative Law, Constitutional Law and Criminal Law and its component in comparative manner to enable the students and develop amongst them the proper understanding of the subject.

MODULE I: Introduction

- i. Meaning and definition of Public Law
- ii. Concept of Public Law
- iii. Globalisation of Comparative Public Law

MODULE II: Tools of Comparative Public Law

- i. Constitutional Law - Common Law, Civil Law
- ii. Legislative Mechanism - Common Law, Civil Law
- iii. Typology of Federalism - USA, India

MODULE III: Public Interest Litigation - US, India

- i. Locus standi
- ii. Judicial Activism
- iii. Judicial Accountability

MODULE IV: Comparative Criminal Law - Common law, Civil law

- i. Domestic Violations - International, National
- ii. Provisions relating to Rape
- iii. Plea Bargaining - US A, India
- iv. White Collar Crimes
- v. Juvenile Justice

MODULE V: Ombudsman

- i. Ombudsman in Scandinavian countries
- ii. International Scenario - Common law and Civil law
- iii. Indian Scenario
- iv. Lokpal (Ombudsman)
- v. Lokayukta

BIBLIOGRAPHY/REFERENCES

1. H. W. Wade - Administrative Law,
2. DeSmith - Judicial Review of Administrative Action.
3. Garner - Administrative Law.
4. D. D. Basu - Comparative Administrative Law.
5. Wade and Philips - Constitutional Law
6. Dicey - Introduction to Law of the Constitution.
7. Hood Philips - Constitutional Law and Administrative Law.
8. M. P. Jain, S. N. Jain - Principles of Administrative Law.
9. M. P. Jain - The Evolving Indian Administrative Law.
10. B, Schwartz - An Introduction to American Administrative Law.
11. K. S. Shukla and S. S. Singh - Lokayukta- A socio legal study.
12. Ivor Jennings - Law and the Constitution.
13. Neville L. Brown and J. F. Garner - French Administrative Law.
14. Peter H. Schuck - Foundations of Administrative Law.
15. P. P. Craig - Administrative Law.
16. Alex Carol - Constitution and Administrative Law.

SUBJECT: LAW AND JUSTICE IN A GLOBALIZING WORLD
SUBJECT CODE - LL.M. 1103

The main objective of the course is to enable students to understand and seek solutions to pressing problems in the domain of global justice. By the end of the term, students are expected to have become familiar with the multiple dimensions of the theoretical literature and be able to critically evaluate the liberal, republican, and discursive democratic attempts to make sense of, and to ameliorate, prevailing instances of injustice in the world. This will be imparted through theoretical and philosophical debates advanced by various scholars and the institutional mechanism that need to be accelerated to achieve the objectives of global justice.

MODULE I: Introduction

- i. Meaning and significance of Globalization
- ii. Concept of Global Justice
- iii. Global Justice and Right to Development

MODULE II: Theoretical Propositions of Global Justice

- i. Realism
- ii. Particularism
- iii. Nationalism
- iv. Cosmopolitanism

MODULE III: Historical and Central Challenges to Global Justice

- i. Global Poverty- Role of International Mechanism
- ii. Armed Conflict
- iii. Nationalist practices
- iv. Crimes against Humanity
- v. Environment and Health
- vi. Oppressive Policies- Threat of Terrorism, Global Politics

MODULE IV: Role and Reformation of Global Institutions

- i. States, sovereignty and Transnational Law
- ii. Economic and Trade Institutions-MNC's
- iii. Structural reforms of United Nations-Security Council
- iv. International Judicial Institutions

MODULE V: Models to Achieve Global Justice

- i. Social Contract and Social Justice
- ii. Sarvodaya Model of Justice
- iii. Multi Culturalism and Cosmopolitanism
- iv. Significance of Human Rights Education
- v. Global Justice and Global Rule of Law

BIBLIOGRAPHY/REFERENCES

1. Springer: Encyclopedia of Global Justice 2012
2. Brian Barry, **Culture and Equality**. Cambridge: Polity, 2001!
3. Duncan Bell (ed.) **Ethics and World Politics**. Oxford 2010.
4. Allen Buchanan. Justice, Legitimacy, and Self-determination: Moral Foundations for International Law. Oxford 2004.
5. Simon Caney, Justice Beyond Borders. Oxford:, 2005
6. Martha Nussbaum, Frontiers of Justice. Cambridge, Mass: Harvard University Press.
7. Thomas Pogge, World Poverty and Human Rights. Cambridge: Polity, 2002.
8. John Rawls, **the Law of Peoples**. Cambridge, Mass.: Harvard University Press, 1999
9. Amartya Sen, **Development as Freedom**. Oxford: 1999
10. Amartya Sen: Global Justice

SUBJECT: CENTER-STATE RELATIONS AND CONSTITUTIONAL GOVERNANCE
SUBJECT CODE: LL.M.1108

MODULE I: Indian Federalism

- i. Conceptual position of Federalism
- ii. Nature of the Indian Constitution
- iii. Cooperative Federalism
- iv. Relationship of trust and faith between center and state
- v. Challenges before the Indian Federalism.

MODULE II: Distribution of Legislative Powers

- i. The Scheme of the distribution of legislative powers in India the judicial approach and the present position.
- ii. Recommendation of Sarkaria Commission & Venkatachahah Commission.

MODULE III: Restrictions of Fiscal Power

- i. Fundamental Rights, Inter-Government Tax Immunities, Difference between Tax and Fee.

Distribution of Tax Revenues:

- i. Tax-Sharing under the Constitution, Finance Commission - Specific Purpose Grants (Article 282).

MODULE IV: Administration Relations:

- i. Distribution of Executive Power.
- ii. Centre- State administrative coordination.
- iii. Power to carry on Trade.
- iv. All India Services.
- v. Center's Power to direct State.

MODULE V: Emergency

SUBJECT: FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES

SUBJECT CODE: LL.M.1109

MODULE I: Right to Equality

- i. Scope of the right to Equality
- ii. New approach of Article 14
- iii. Equality of opportunity in matters of public employment and in admission to educational institutions

MODULE II: Freedom of Speech and Expression

- i. The area of freedom and its limitation.
- ii. Freedom of Press and challenges of new scientific development.

MODULE III: Emerging Regime of New Fundamental Rights

- i. The changing dimension of right to life and Personal Liberty.
- ii. Reading Directive Principles and Fundamental Duties into Fundamental rights.

MODULE IV: Right to Freedom of Religion

- i. The scope of the freedom and the State Control.
- ii. Secularism and religious finalism

MODULE V: Directive Principles of State Policy

- i. Ambedkar's thoughts
- ii. Gandhian thoughts
- iii. Socio-Economic thoughts

BIBLIOGRAPHY/REFERENCES

1. Seervai H.M., Constitutional Law of India (1996)
2. Basu, D.D. Shorter Constitution of India (1996)
3. Jain M.P, Outlines of Indian Legal History
4. Kashyap S.C. Our constitution