LL.M. & DIPLOMA EXAMINATION 2018

Faculty of Law

SYLLABUS

University of Rajasthan
Jaipur

ORDINANCE RELATED TO LL.M. EXAMINATION

O.257 LL.M.

1. The Examination for the degree of Master of Laws shall consist of two parts Part I and Part II and there will be an examination at the end of each year viz. LL.M. Part I, examination at the end of the first year and LL.M. Part II examination at the end of the second year.

2. A candidate who has passed the Bachelor of Laws (three years) at the University of Jaipur or Bachelor of Law (five years) at any other university of Rajasthan recognized by the University or an examination of some other University recognized by the University or an examination of some other University shall be permitted to appear in the LL.M. Part I Examination subject to the condition that along with the papers prescribed for the LL.M. Part I Examination he will also appear in such papers as he chooses for the purpose of making up the aggregate of 50%. However, for passing the LL.M. Part I Examination a candidate must pass all papers of the LL.M. Part I Examination with at least 50% marks in each paper, excepting papers of English Language and Legal Research and Legal Writing.

3. A candidate who has obtained at least 50% marks in three papers at the LL.M. Part I Examination may be provisionally admitted to the LL.M. Part II Class of the Diploma in the Faculty of Law and thereafter pursues a regular course of study in the LL.M. Part II examination subject to the condition that along with the papers prescribed for the LL.M. Part II Examination he will also appear in such papers as he chooses for the purpose of making up the aggregate of 50%. However, for passing the LL.M. Part II Examination a candidate is required to pass the papers of the LL.M. Part II Examination with at least 50% marks in each paper.
I/LL.M. Part II Examination a candidate will be required to fulfill the condition of obtaining a minimum of 40% marks in each paper and 50% marks in aggregate of all the papers at the LL.M. Part I and/or LL.M. Part II Examinations, as the case may be, separately. The marks of the papers in which a candidate does not choose to re-appear will be carried forward for the purpose of working out his result. The option once given by a candidate will be treated as final and no change shall be permitted subsequently."

Note: Actual marks obtained by a candidate for the paper or papers in which he re-appears shall be taken into account and the marks obtained earlier in the papers in which he has not re-appeared will be carried forward for working out his result. In carrying forward earlier marks of other papers the marks obtained by the candidate in each paper in the past attempt by him shall be taken into account.

4. A candidate admitted for the degree of LL.M. has to complete his study within 5 academic years from the academic year in which he has taken admission.

5. A candidate would have three additional chances to clear the due papers in immediate subsequent examinations when conducted for the same paper as per the syllabus then in force, failing which he has to clear all the papers of that year as an ex-student.

O.257-A

1. A candidate who holds the degree of master of Law of the University or of any other University recognized as equivalent to the Master of Laws degree of the University may be permitted to appear at the LL.M. Part II Examination in any branch in which he has not already qualified for the master of Laws degree without having undergone a regular course of study and if successful will be given a certificate to that effect. For a pass, candidate shall be required to secure 40% marks in each paper and 50% marks in the aggregate of all the papers prescribed for the examination.

Provided that such candidate has to submit his dissertation through the Head, Department of Law under the supervision of a teacher assigned by the Head, on payment of prescribed fee.

2. A candidate who desires to enter for the examination under this Ordinance must submit his application on prescribed form. The application shall be accompanied with the requisite amount of examination fee and shall be forwarded by the Principal of a college affiliated to the University for the LL.M. course.

3. In the case of a candidate whose application is rejected and who does not submit an application and only sends the fee, the amount paid by the candidate on account of fee shall be refunded after deducting Rs. 20/-

Note: Candidate appearing in a additional optional group of a subject shall be required to pass the examination in all the papers of the Group before being declared successful in the examination.

O.258-

1. A candidate who has passed his LL.M./Part I or Part II Examination and desires to improve his performance by re-appearing in any one or two theory paper(s) only of his choice shall be permitted to do so only in the immediately following year according to the syllabus in force. The marks obtained by him in each such paper shall be taken into account provided they are more than his previous score and his result shall be revised accordingly. Such a candidate will not be included in the merit list.

2. A candidate who desires to re-appear at the examination under the above provisions must submit his application on the prescribed form along with the prescribed examination fee and other fees by the last date fixed for the purpose duly forwarded countersigned by the same officer who had forwarded it at his last appearance at the examination.

3. A candidate who improves his performance shall submit to the University his original marks-sheet of the preceding examination and also the degree (in case of improvement of division at the Final year Examination) along with the marks fee of Rs. 500/- within 3 months from the date of declaration of his result for issuing a fresh mark-sheet and a fresh degree. If the degree is already in the custody of the University he shall intimate this fact to the University but shall have to pay the prescribed fee.

RR 22:

Scheme for LL.M. Examination (Annual)

In order to be declared successful at the LL.M. Part I and Part II Examinations, a candidate shall be required to obtain at least 40% marks in each paper and 50% marks in the aggregate of all the papers prescribed for the examination.
Division shall be awarded on the combined result of LL.M. Part I and LL.M. Part II Examination. All successful candidates who obtain 60% marks of the total aggregate shall be placed in First Division and those who obtain not less than 50% but below 60% of the total aggregate marks shall be placed in II division.

LL.M. (Part-I) Examination

Every candidate offering himself for LL.M. (Part-I) examination shall be examined in following papers. Each paper shall be three hours duration and carry 100 marks. For paper No. V, the candidate has to appear for his/her viva-voce examination of all the other four papers of Part I which shall also carry 100 marks.

Paper I : Legal Theory
Paper II : Legislation-Principles, Methods and interpretation
Paper III : Legal Research Methodology
Paper IV : Constitutional Law of India : New Challenges
Paper V : Viva-Voce

LL.M. (Part-II) Examination

Every candidate offering himself for the LL.M. (Part-II) examination, shall be examined in five papers in any one of the following branches. Each paper shall be of 3 hours duration and carry 100 marks. The candidates are to required to attempt any four questions out of the questions asked in the question paper.

Branch-I (Corporate, Business and Contractual Law)

Paper I : General Principles of Contract
Paper II : Special Contract
Paper III : Corporate Law
Paper IV : Law Relating to Negotiable Instruments and Bankruptcy
Paper V : Dissertation

Branch-II (Torts and Crime)

Paper I : General Principles of Tort and Specific Wrong
Paper II : General Principles of crime and specific offences.
Paper III : Comparative,Criminal Procedure
Paper IV : Law Relating to Rehabilitation and Treatment of offenders
Paper V : Dissertation

Branch-III (Personal Laws)

Paper I : Hindu Jurisprudence (Uncodified Hindu Law) and Codified Hindu Law Relating to Marriage
Paper II : Gender Justice and Codified Hindu Law Relating to Adoption Maintenance, Minority, Guardianship and Succession.
Paper III : Muslim Jurisprudence and the Law including inheritance
Paper IV : Other Personal Laws operating in India.
Paper V : Dissertation

Branch - IV (Constitutional Law)

Paper I : Constitutional History of India and England
Paper II : Indian Administrative Law
Paper IV : Constitutional development after Independence in India and Inter State Trade, services and taxes
Paper V : Dissertation

Branch - V (Property Law)

Paper II : Transfers inter Vivos, sale, Mortgage Lease
Paper III : Law Relating to Intellectual Property
Paper IV : Law Relating to Equity, Trusts and Charities
Paper V : Dissertation

Branch - V (International Law)

Paper I : Protection of Human Rights under international Law
Paper II : Public International Law
Paper III : Private International Law
Paper IV : International Organizations
Paper V : Dissertation

Branch - VII (Labour Law)

Paper I : Labour Law and Labour Management in India and Industrial Adjudication
Paper II : Law Relating to Labour Welfare and wages
Paper III : Legislation and Practice Relating to Social Security
The dissertation shall be submitted in triplicate by the candidate. It shall be the candidate's own work carried out under the guidance or supervision of a person who is recognized by the University to guide research for Ph.D. degree or who is whole time Professor & Head of the Department of Law of an Institution where instruction is provided and where the candidate is pursuing his studies. The dissertation shall be submitted so as to reach the registrar at least 30 clear days before the commencement of the L.L.M. Part II Examination.

A candidate who is declared failed at the L.L.M. Part II Examination may, on his request, be exempted from fresh submission of dissertation at the time of his subsequent appearance at the L.L.M. Part II Examination provided he had secured pass marks in Dissertation submitted by him last time and provided further the examiner of the dissertation or the Dean of the Faculty of Law of the University certifies that no important changes have been made in law to justify a resubmission had the revaluation of the dissertation. The candidate shall, by October 1st of the year preceding the examination, send his request for exemption from fresh submission of dissertation duly endorsed and forwarded by the Head of the Institution concerned. The University will, as early as possible, inform the candidate about his exemption from resubmission of fresh dissertation. An evaluated dissertation shall not be re-submitted for evaluation "until the guide or the supervisor certifies that important changes of style, presentation of matter etc. have been incorporated in the dissertation which justify its evaluation."

**Syllabus**

**L.L.M. Part-I**

SYLLABUS

Every candidate offering himself for L.L.M. Part I Examination shall be examined in the following papers: Each paper shall be of three hour duration and carry 100 marks. Candidates would be required to attempt any four questions out of eight questions asked in the questions paper.

**Paper I - Legal Theory**

*Suggested Readings:*

Dy. Registrar
University of Raj...

Jaipur

1. Holmes: The Common Law
2. Austin: Lecture on Jurisprudence
3. Allen: Law in the Making
4. Holland: Jurisprudence
5. Salmond: Jurisprudence
7. Julius Stone: The Province & Function of Law
8. Pound: An Introduction to the Philosophy of Law
9. Goodhart: Modern Theories of Law
10. Vinegradoff: Common sense in Law
12. Goodhart: English Law and the Moral Law
13. Friendmann: Legal Theory
15. Henry Maine: Ancient Law
16. Dias: Jurisprudence
17. Dhyan J.N.: Law, Morality and Justice Indian Development
18. Lon Fuller: Morality of Law
22. Julius Stone: Social Dimensions of Law and Justice
23. Julius Stone: Legal System and Lawers Reasoning
24. Llyod: Introduction to Jurisprudence
26. Finch: Introduction to Legal Theory
27. Dworkin: Taking Rights Seriously

**Paper II - Legislation-Principles, Methods and Interpretation**

*Suggested Readings:*

1. Bentham: Theory of Legislation
3. Dicey: Law and Public Opinion in England
4. Ilbert: Legislative methods and Forms.
5. Ilbert: Mechanism of Law making
6. Maxwell: The interpretation of Statutes
7. Beal: Rules of Interpretation
8. Odgers: Interpretation of Statutes
9. Narasimhan: Interpretation of Statutes in British, India
10. Wigmore: Panorama of World Legal System
12. Erskine May: Parliamentary Practice
13. Prof. T. Bhattacharya: Interpretation of Statutes
18. Bindra, N.S.: Interpretation of Statutes

Paper III - Legal Research Methodology

Research Method - Socio Legal Research, Doctrinal and non-doctrinal, Relevance of empirical research, Introduction and deduction, Identification of problem of research what is a research problem, Survey of available literature and bibliographical problem. Legislative Materials including subordinate legislation, notification and policy statements, Formulation of the Research problem, Devising tools and techniques for collection of data: Methodology, Methods for the collection of statutory and case material and juristic literature, Use of historical and comparative research material, Use of observation studies, Use of questionnaires/Interview, Use of case studies, Sampling procedure, design of sample, types of sampling to be adopted, Use of scaling techniques, Jurimetrics, computerized Research-A study of legal research programs such as Lexis and West law coding, classification and Tabulation of data-use of cards for data collect. Rules for tabulation, Explanation of tabulated data.

Suggested Readings:
5. Payne: The Art of Asking Questions (1965)
9. IIL Publication: Legal Research and Methodology.
10. Jaipur Law Journal from Volume I to latest-Articles concerning

Research Methodology.

Paper IV - Constitutional Law of India: New Challenges

The Constitution of India is an organic, developing and changing system established over five decades ago. Through the years it has been in force the constitutional law enacted through the Constitution has shown adaptability to the changing new social order and the institutions of national life. The processes of judicial interpretation precedents, amendment, conventions, political change have interacted to provide necessary catalysts for growth of the constitutional jurisprudence. The paper encourages the post graduate student to study, analyze and articulate the essential features and principles, rules of the basic frame work of the constitutional system.

I. Basic Framework: Essential Features:

II. Quasi-Federalism:

III. Union-State Constitution

1. The President and the Council of Minister:
2. Parliament:
   (ii) M.S.M. Sharma v. Sri Krishan A.I.R. 1959 S.C. 1574
   (iv) In re-Delhi Laws Act, A.I.R. 1951, 332.
3. The Judiciary, Supreme Court:

4. Inter-State Trade, Commerce:

5. Fundamental Rights, Duties and Directive Principles:

Equality
2. In-re-Reference Special Bill, A.I.R., 1979, S.C. 585

Freedom of Speech, Expression (Press):

2. K.A. Abbuse v. Union of India A.I.R. S.C. 48

Personal Liberty:

Religious Freedom:

Minority Rights: Cultural & Educational

Property:
Article - 300a

Emergency

7. Creation of New States: Democratic Process:
(i) Nexus of Politics with criminals and business: (1}
Electoral reforms (iii) Coalition Government, Stability, Durability, Corrupt practices; (iv) Grass-root democracy

8. Constitutional Power : Amendments

Suggested Readings:
10. Ville Austin : Cornerstone of a Nation.

Reference:
2. Law Commission of India (the fourteenth report) Dhawan Alice Jacob : Selection and Appointment of the Supreme Court Judges.

Paper V - Viva-Voce

At the end of the examination, on any date fixed by the University, the candidate has to appear personally before the external examiner who will be appointed by the University for his/her viva-voce examination, who will assess the performance of the candidate and will award marks. However, if due to unavoidable circumstances, the candidate failed to appear, he/she may appear for viva-voce next year with the LLM. Part-I examination with the permission of the University.

LLM. Part II Examination

Every candidate offering himself for the LLM. Part II Examination shall be examined in five papers belonging to any one of the following branches. Out of these four paper shall be of 3 hours duration and carry 100 marks. The Fifth paper shall be of dissertation and carry 100 marks.

Branch I (Corporate, Business and Contractual Law)

Suggested Readings:
1. Leake : Contract
2. Pollock : Indian contract and Specific Relief Acts.
5. Odgers : Introduction to the Law of Contract
7. Pollock & Mulla : Indian Contract and Specific Relief Acts.
8. Treitel-Law of Contract
11. Avtar Singh-Law of Contract

Paper II - Special Contracts

- Indian Contract Act, 1872 Sections 124 to End
- Indian Partnership Act 1932.
- Limited Liability Partnership Act, 2008

Suggested Readings:
6. Lindley : Partnership
9. Iyer : Sale of goods

Paper III - Corporate Law

Suggested Readings:
1. K.M. Gosh : Indian Companies
2. Palmer on Company Law
3. Gower : Principles of Company Law
5. Kapur and Majumdar: Company Law and Practice

Paper IV - Law Relating to Negotiable Instruments and Bankruptcy

Suggested Readings:
1. Byles: Bill of Exchange
2. Chalmers: Negotiable Instrument
3. Bhaskar: Negotiable Instrument Act
4. Miller: Legal and e-commerce Environment Today
5. Sen Gupta: Negotiable Instruments Act
6. Williams on Bankruptcy
7. Mulla: The Law of Insolvency in India
8. P.S. Narayan: Recovery of Debts due to Banks
9. Srivastava: Debt Recovery Law

Paper V - Dissertation

Branch II (Torts and Crime)

Paper I - General Principles of Tort and Specific Wrongs

Suggested Readings:
1. Clerk & Lindseth: The Law of Torts
2. Street: Torts
3. Pollock: On Torts
4. Salmond: The Law of Torts
7. Restatement of the Law of Torts
9. Ramaswami Iyer: The Law of Torts
11. Dias & Markenskis: Tort Law
15. Charlesworth: Injunction

Paper II - General Principles of Crime and Specific Offences

Suggested Readings:
11. The French Code of Criminal Procedure
12. 14th and 41st Report of Indian Law Commission
13. The Paper will be taught with reference, wherever necessary to the procedures in India, England, U.S., France, Russia and China


Punishment: Constitutionality of Capital Punishment, Judicial Attitudes through the statute law and case law towards capital punishment in India-An inquiry, Law Reform Proposals.

Approaches to Sentencing: Alternatives to Imprisonment, Probation, Corrective labour, Fines, Collective fines, Reparation of the offender by the court.

Sentencing: Principles to sentencing, Principal types of sentences in the Penal Code and Special laws, sentencing for white collar crime, Pre-sentence hearing, sentencing for habitual offender. Summary punishment, Plea-bargaining.

Suggested Readings:
5. Law Commission of India, Forty-Second Report, Ch. 3 (1971)

Paper V- Dissertation

Branch III (Personal Laws)

Paper I- Hindu Jurisprudence (Uncodified Hindu Law) and Conified Hindu Law Relating to Marriage.


Nature of Hindu Marriage; Essential Conditions and solemnization of a valid Hindu Marriage; Nullity of Marriage; Restitution of Conjugal Rights, Judicial Separation and Divorce-its various Theories and Grounds; Maintenance Pendente Life and Permanent Alimony.

Suggested Readings:
1. Raghavacharier: Hindu Law
3. Paras Diwan: Hindu Law
4. Mitra: Principles of Hindu Law
5. Mulk: The Principles of Hindu Law
6. G.S.S. Satri and Bhular: Hindu Law
7. Mani's Institutes: Chapters I, III, VII, VIII, and IX (Sacred Books of the East)
9. Vyawahara Mayukha
10. Smriti Clindrika
11. Dattak Mimsana
12. The Dayabagh
13. P.V. Kane: History of Dharmasastras
14. Ganganath Jha: Hindu Law in its sources
16. Mayne: Treatise on Hindu Law and Usage
17. West and Buhler: Hindu Law
18. Derrett Duncan: Essays on Classic and Modern Hindu Law; and Death of a Marriage Law
19. All Acts of the Indian Legislature
20. Tagore Law lectures on Marriage, Adoption and Stridhana
22. Sharma, B.K.: Law of Divorce
23. Kesri, UPD: Hindu Law

Paper II- Gender Justice and Codified Hindu Law Relating to Adoption, Maintenance, Guardianship and Succession

Adoptive Interstate nature and essential conditions and effects. Maintenance-Various grounds for Separate Residence and Maintenance of a Hindu wife, Widowed Daughter-in-law and Children and Infirm or Aged Parents.

Minority and Guardianship-Definition of Hindu Minor and Guardians: Kinds and Powers of Guardians.
Syllabus: LLM. • 21

Paper IV - Other Personal Laws Operating in India


Suggested Readings:
1. Commentaries and Cases of the Supreme Court and High Courts of India.

Paper V - Dissertation

Branch IV (Constitutional Law)


Suggested Readings:
A.B. Keith: Constitutional History of India
C.H. Alexandre: Constitutional developments in India
C. Banerjee: Indian Constitutional Documents
B. Jain: Outline of Indian Legal History
S. well-Langmead: English Constitutional History

Paper II Indian Administrative Law

1. Constitution Stones:
   - The Constitution of Law
   - Separation of Powers
   - Classification of Administrative functions
   - Rules of natural Justice

2. Various Phases and Development of Muslim Law:
   - Sources, Schools and Application of Muslim Law
   - Marriage, Dowry, Dissolution of Marriage
   - Guardianship and Custody of Minor Children
   - Acknowledgment of paternity and legitimacy of children
   - Pre-Eemption:
Constitution of India-Articles 53, 73, 74, 75, 77, 78.
Extracts from Indira Gandhi v. Raj Narai on rule of law separation of power.
2. Delegated Legislation
Indispensability
Constitutionality-rule against delegation of essential functions.
Rule-making
Parliamentary control-Committee on Subordinate Legislation
Judicial review
Constitution of India / Article 245
In re-Delhi Laws Act etc AIR 1951, S.C. 332
Raj Narayan v. Chairman, Patna Administration Committee AIR 1954 S.C. 569
Mohmad Yasin v. Town Area Committee, AIR 1952, S.C. 115
Raja Bulland Sagar Mills Co. Ltd. v. Rampur, Municipal Board AIR 1965, S.C. 897 administrative discretion
Power Discretion
Exercise/non exercise of discretion
Subjective satisfaction
Judicial Control
Licensing:
Judicial Control of Administrative Control. Constitution of India Articles 226, 227 and 136 wrts.
Syed Yakoob v. Radhakrishan, AIR 1964 S.C. 477
Administrative enquiries:

Syllabus: L.L.M. • 23
Rohtas Industries Private Ltd. V.R.D. Agarwal, AIR 1962, S.C.
I.I.P. School Examination Board V. Ghan Shyam AIR 1962 S.C.
Administrative enquiries-redressed of grievances.
1. Inquiries-inquiries commissions.
2. Lokpal and Lokayukta
   Inquiry Commission Act. 1952
   The Shah Commission
   State of Karnataka v. Union of India, AIR 1978 S.C. 58
   Bakshi Ghulam Mohammad V. State of Jammu and Kashmir
   S.K. Sahai v. Inquiry Commission, AIR
   The Maharashtra Lokayukta and UP-Lokayukta Act
   The Rajasthan Lokayukta and UP-Lokayukta Act
Suggested Readings:
1. Griffith and Street : An Introduction Administrative Law
2. Jain and Jain : Administrative Law in India.
8. Bhagwati Prasad Banerjee - Judicial review
Paper III - Constitutional Law of the United States of America, Switzerland and England
Suggested Reading:
1. Willoughby : The Constitutional Law of the United States
2. Burkik : The Law of the American constitution
5. Wills : Constitutional Law
6. Freind and Sutherland : Constitutional Law Cases and Other Problems
10. Samuel S. Eeaver: Constitutional Law and its Administration.
17. Cooley: Constitutional Limitations.

**Paper IV - Constitutional Developments after Independence in India and Inter-State Trade, Services, and Taxes.**

**Suggested Readings:**
8. DD Basu-Shorter Constitution of India
10. Glanville Austin-Cornerstone of a Nation
11. Glanville Williams-Working a Democratic Constitution-The Indian Experience
12. Dr. Gurubax Singh-Supreme Court on Service Law.

**Paper V - Dissertation**

**Branch-V (Property Law)**

**Paper-I General Principles of the law of Transfer of Property and History of English Land Law**

**Suggested Reading:**
5. Gaur: Transfer of Property

**Paper II: Transfers Inters Vivos, Sale, Mortgage, Lease**

**Suggested Readings:**
1. Draft: law relating to vendor and Purchasers of Real Estate.
2. Williams: Vendor and Purchases.
3. Coot on Mortgages
5. Ghosh on Mortgages in India.
6. Indian Act on the same.
11. Gaur: Transfer of Property

**Paper III - Law Relating to Intellectual Property**

**Suggested Readings:**
1. Jayashree Watal: Intellectual
4. Narayanan: Copyright and Industrial designs
5. Lal: Copyright Act.
7. Sarkar: On Trade Mark Law and Practice.
8. V.R. Unni: Trade Marks and Emerging Concepts of Cyber Property
9. Chadda and Mittal: Supreme Court on Trade Marks, Copyright, Patents and Designs.
10. Roy Chowdhary and Sahraj: Law of Trade Marks, copyrights, Patents and Designs.

**Paper IV - Law relating to Equity, Trusts and Charities**

**Suggested Readings:**
1. Story on Equity Jurisprudence
2. Hanbury: Modern Equity
3. Ashtana: On Equity
4. White and Tindal: Leading cases on Equity
5. Fry: Specific Performance
6. Dr. Gurubax Singh: Specific Performance
7. Lewin: Trust
8. Underhill: Law of Trust and Trustees
9. B.M. Gandhi: Indian Trusts Act
10. Snell: On Equity

Paper V- Dissertation

Branch VI (International Law)

Paper I: Protection of Human Rights under International Law

Suggested Readings:

Paper II- Public International Law

Suggested Readings:
1. Oppenheim: International Law.
2. I.C. Green: International Law through the Cases.
5. Lauterpacht: Recognition in International Law.
8. Bishop L International Law-Cases and Material
9. Prof. (Mrs.) S.K. Verma: International Law
10. Stark: Introduction to international Law
11. Akehurst: Modern Introduction to International Law.

Paper III- Private International Law

Suggested Readings:
1. Schlimithoff: English of Law
2. Cheshire: Private International Law
6. Dicey: Conflict of Law

Paper IV: International Organization

Suggested Readings:
2. Evans Melcom D: International Documents.
3. Prof. (Mrs.) S.K. Verma: International Law.
5. Akehurst: Modern Introduction to International Law.

11. Cheever and Field Haviland: Organizing for Peace.

Paper V- Dissertation

Branch VII (Labor Law)

Paper I - Labour Law and Labour Management relations in India and Industrial Adjudication

Suggested Readings:
2. Malhotra: The Law of Industrial Disputes
7. The Study Reports to all groups of NCL on Labour Management Relations in India.
8. Indian Trade Unions Act, 1926.
11. V.V. Giri: Industrial Relations 1955
13. Kothari: Study of Industrial Law

Paper II-Law relating to Labour Welfare and Wages

Suggested Readings:
1. O.L. Kothari: Wages, Dearness Allowances and Bonus.
2. V.V. Giri: Labour Problems in Indian Industry.
3. International Labour Office, Wages (1968)
Paper V: Dissertation

LL.M. Pt -1 (Human Rights and Value Education)

The following shall be added after Ordinance 258-A
Ord. 288-B

1. The examination for the degree of Master of Laws-Human Rights and Values shall consist of two parts, Part-I and Part-II and there will be the examination at the end of each year viz. LL.M. Part-I Human Rights and Values examinations at the end of the 1st year and LL.M. Part-II Human Rights and Values at the end of the 2nd year.

2. A candidate who has passed the Bachelor of Laws (P) degree examination of the University or an examination of some other University recognized by the Syndicate as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds the LL.B. (P) degree and has also passed any of the Diploma courses of this University in the Faculty of Law with 55% marks in the aggregate at the Diploma examination and thereafter pursued a regular course of study in an affiliated college for one academic year shall be eligible for admission to LL.M. I, Human Rights and Values examination.

3. A candidate who having passed the LL.M. Part-I Human Rights and Values examination of this University has attended a regular course of study in an affiliated college for one academic year shall be eligible for admission to the LL.M. Part-II Human Right and Values examination.

Provided that a candidate who has obtained at least 50% marks in three papers at the LL.M. Part-I Human Rights examinations may be provisionally admitted to the LL.M. Part-II Human Rights Class of the degree of Master of Laws and after attending a regular course of study for one year permitted to appear at LL.M. Part-II Human Rights examinations subject to the condition that alongside the papers prescribed for LL.M. Part-II Human Rights examinations he will also re-appear and passed in the paper or papers of LL.M. Part-I Human Rights examination. Such a candidate as well as a candidate who having failed at the LL.M. Part-II Human Right examination re-appear at the same, may re-appear in such paper(s) as he choose for the purpose of making up the aggregate of 50%. However, for the passing the LL.M. Part-I/LL.M. Part-II Human Rights examinations a candidate will be required to fulfill the condition of obtaining a
minimum of 40% marks in each paper and 50% marks in the aggregate of all the papers at the LL.M. Part-I and or LL.M. Part-II examination as the case may be separately. The mark of the papers in which a candidate does not choose to re-appear will be carried forward for the purpose of working out his result. The option once given by a candidate will be treated as final and no change shall be permitted subsequently.

4. A candidate admitted for the degree of LL.M. Human Rights values has to complete his study within 5 academic years from the academic year in which he has taken admission.

5. A candidate would have three additional chances to clear the due papers in immediate subsequent examinations when conducted for the same paper as per the syllabus then in force, failing which he has to clear all the papers of that year as an external student.

Note: Actual marks obtained by a candidate of the papers in which he re-appears shall be taken into account and the marks obtained earlier in the papers in which he has not re-appeared will be carried forward for working out his result. In carrying forward earlier marks of other papers the marks obtained by the candidate in each paper in the last attempt by him shall be taken into account.

Examination Scheme of LL.M. Human Rights and Values:

Rule 22-A In order to be declared successful at the LL.M. Part-I or Part-II Human Rights examinations, a candidate shall be required to obtain at least 40% marks in each paper and 50% marks in the aggregate of all the papers prescribed for the examination.

Division shall be awarded on the combined result of LL.M. Part-I and LL.M. Part-II Human Rights and Values examination. All successful candidates who obtain 60 marks of the total aggregate shall be placed in First Division and those who obtain not less than 50% but below 60% of the total aggregate marks shall be placed in II Division.

LL.M. Pt. I (Human Rights and Value Education)

1. Philosophical Foundations.
   (a) Human Society: Man and society.
   (b) Human Values: Universal, Cultural, Social Dignity, Justice, and Equality.
   (c) Moral and Ethical Traditions and Ideas.
   (d) Political Thought and Ideas.
   (e) Needs of Humankind: material, spiritual.


3. The Concept, Meaning and Classification of Rights.

4. Theories of Rights and Duties.
   (a) Natural Rights Theory.
   (b) Liberal Theory of Rights.
   (c) Legal/Positive Theory of Rights.
   (d) Sociological Theory of Rights.

5. Rule of Law and Human Rights.
   (a) Concept, Origin and Importance.
   (b) Pattern of Rule of Law in society.
   (c) Relation of Human Rights and good governance.

   (a) Relationship between rights and duties.
   (b) Relationship between obligations and responsibilities in relation to the state and society.

   Articles 21, 22, 23 & 24

Suggested Readings:
1. UNESCO Philosophical Formulation of Human Rights.
3. Waldron Jeremy, Theories of Rights.
5. Dias: Jurisprudence.
7. Hart HLA, Law, Liberty and morality.

Paper-II Human Rights and Duties in International and Regional Perspectives

2. Some Specific Rights and Duties Recognized by International Law—
   Right of self determination; Duty of friendly relations (Decl. of
   Principles of International Law Concerning Friendly Relations
   and Coop. among States, 1970 (5th Principle); Charter of Economic
   Rights and Duties, 1974.

3. Convention on Genocide, 1948; Convention on Protection of All
   Persons from being subjected to Torture and other Cruel or
   Inhuman Degrading Treatment or Punishment, 1984.
   Convention on Elimination of All Forms of Racial Discrimination,
   1965; Convention Against Apartheid, 1972; Convention Against
   Apartheid in Sports, 1985; U.N. Declaration on Elimination of
   All Forms of Intolerance and Discrimination based on Religion
   or Belief, 1987; UNESCO Declaration on Principle of Tolerance,
   1995

4. International Bill of Rights—
   (i) Universal Declaration of Human Rights, 1948
   (ii) International Covenant on Economic, Social and Cultural
       Rights, 1966
   (iii) International Convent on Civil And Policital Rights, 1966

5. Regional Conventions/Courts on Human Rights
   (i) European Court of Human Rights, European Commission
       of Human Rights, Council of Europe.
   (ii) American Commission and Court of Human Rights.
   (iii) African Commission and Court of Human and People's
       Rights.
   (iv) Human Rights Commission of India and States.

Suggested Readings:
   People's Rights: Practice and Procedures (The Hague :
2. Bhargava, G.S., "National Human Rights Commission : An
   Assessment of Its Functioning". In K.P. Saksena, ed., Human
   Rights : Fifty Years of India's Independence (new Delhi :
   (Dordrecht : Martinus Nijhoff, 1993).
   European Convention for the Prevention of Torture". American

Paper-III Women and Human Rights and Duties
1. Historical, Philosophical and Social Perspectives
   Status of Women in Contemporary Indian Society
   Poverty, illiteracy, lack of independence, oppressive social customs and gender bias; Violence against: and abuse of women in public and private domains; Domestic Violence Act 2005.
   Special Provisions for protection of women under Articles 15(3), 39(d) & (e) 42 and 243-D & 243-T.
3. International Norms for Protection of Women
   (i) ILO Conventions for protection of female labour
   (ii) UNESCO Convention against Discrimination in Education, 1960
   (iv) Declaration on the Participation of Women in promoting International Peace and Cooperation, 1982
4. Special Laws and Policies for Protection of Women
5. Statutory Mechanisms for Protection of Women
   Constitutional Mechanism: Legislature, Executive and Judiciary (special contribution of judiciary); Statutory Mechanism: National Commission for Women; National Human Rights Commission and State Human Rights Commission (Rajasthan);

Suggested Readings:
6. Rama Mehta, Divorced Hindu Women.
7. ICGSR, Status of Women in Indian Society.
20. UN Convention on the Elimination of all forms of
Paper-IV Human Rights and Duties in India

1. Laws for protection of specific categories/vulnerable sections of the people
   (i)Reservation and the right to equality.
   (ii)Protection of minorities
   (iii)Protection of women : in private and public domains.
   (iv)Contract and unorganized workers; bonded labour
   (v)Children

2. Enforcement of Human Rights in India—Protection of Human Rights Act, 1993
   (i)Constitution of National Human Rights Commission
   (ii)Functions of the commission
   (iii)Powers relating to inquiries.
   (iv)Investigations
   (v)Steps after inquiry
   (vi)Constitution of State Human Rights Commissions
   (vii)Human Rights Courts
   (viii)Special public Prosecutor

3. Implementation and enforcement mechanisms
   (i)Supreme Court and High courts.
   (ii)Subordinate Courts
   (iii)Writ jurisdiction in various Indian Courts
   (iv)NGO's, social movements and pressure groups working through democratic institutions such as lobbying MPS, information media

4. The State and Civil Society in India and Human Rights Violations
   (i)Human rights violations in private domain: within the family, by dominate castes and religious groups.
   (ii)Human rights violations in public domain: state, land lords, employers, etc; Riots and violence in connection with inter-community tensions.
   (iii)Unequal access to natural resources
   (iv)Impact of development policies on human rights.

Suggested Readings:
1. Dr. Gurubax Singh Karkara, Commentary on the Protection of Human Rights, Act, 1993
4. B.P. Singh Sehgal, Law, Jurisdiction and Justice in India (1993)
10. K.P. Saxena, Human Rights, Fifty Years of India's Independence.
12. Upendra Baxi, Violence, Dissent and Development: Law and Social Change
17. Y. V. Sharma, Indian Constitution and Human Rights.
21. Ved Kumar, Human Right of Children

Paper-V (A) Research Methodology [60 marks]

Note: Part I, II and III carry 20 marks each

(A) General-
(i) Nature and scope of legal research
(ii) Formulation of research problem
(iii) Survey and legal research
(iv) Research design: Facts and hypothesis, problem of objective 

Methodology-

(i) Methodological orientation and logic of enquiry 
(ii) Dialectic materialism 
(iii) Comparative method 
(iv) Historical method 
(v) Analytical method 
(vi) Field work 
(vii) Inductive and deductive methods 
(viii) Other research methods.

Part II

Techniques of Data Collection

(i) Typing 
(ii) Sources 
(iii) Techniques of data collection: observation, interview, questionnaire, interview schedule 
(iv) Case study method 
(v) Content analysis 
(vi) Data analysis: Classification, tabulation, graphic representation

Part III

(i) Analysis of data-processing of data-Classification of data.
(ii) Interpretation of data-Necessity of interpretation-Methods of interpretation. 

Paper V (B) (Forty marks)

Use of Computer and Information technology (Practical paper)

Suggested Readings:
1. S.K. Agarwal, Legal Education in India (1973)
3. M.O. Price, Elective legal research
4. Pauline V.Y., Scientific social survey and research.
5. Payne, The art of asking questions.
6. Erwin C. Surrency, A guide to legal research
7. Morris L. Cohan., Legal research in nutshell
8. ILI Publication, Legal research and methodology.
9. R.M. Deepak Kumar, Social Research Methodology
10. Jaya Prakash, Research Methodology
11. H.N. Tiwari, Legal Research Methodology
12. C.R. Kothari Research Methodology, Methods and Techniques

LL.M. Pt-II (Human Rights and Value Education)

Paper - I International Humanitarian and Refugee Laws
1. Problems in international violence, and civil wars; Humanisation of warfare; Amelioration of wounded and sick during warfare; Four Geneva Conventions.
2. International Humanitarian Law (IHL)- Origin and Development of IHL, Doctrine of Military Necessity Versus the principles of humanity; Role of IHL in non-international armed conflicts; National Perspectives on IHL; Role of International Red Cross, N.G.O., U.N.O. and International Criminal Courts & Tribunals in Implementation and enforcement of IHL.
3. Historical Perspective of International Refugee Law; Determination of Refugee status under Refugee Convention, 1951 & Protocol, 1967; Protection of Refugees under International Law; Protection of Refugees in India; UNHCR and India.

Suggested Readings:
1. B.S. Chimmi, International Refugee Law.
2. M.K. Balachadran & Rose Varghee, Introduction to International Humanitarian Law
5. Yves Sandoz, Implementing International Humanitarian Law.
6. Dhavan Refugee Law and Policy in India.
Paper-II Human Rights and Criminal Justice System

1. Concept of crime and criminal liability; Role of the courts in dispensing criminal justice; Human Rights Problems requiring the need of criminal justice-namely police atrocities, violence against women & children, communal and caste violence, terrorism and insurgency.

2. Protection from double jeopardy, self-incrimination, production before magistrate from police custody, fair-trial, speedy trial, representation, appeal, protection from ex post facto laws, legal aid, compensation, rehabilitation.


Suggested Readings:


Paper-III Societal Issues of Human Rights in India

1. Concept of Social problems and human rights problems of aged and disabled.


5. Civil Rights Protection Act, 1955

Suggested Readings:

1. Agarwal, Amita, "Human Rights of Women in India and


**Paper-IV Children and Human Rights & Duties**

1. Child Labour in unorganized sector; Child Abuse Inside and outside homes, trafficking in children; Children and custodian crimes; Protection of children in Constitution-Art 15 (3), 24, 39(e) (f) and 45.


**Suggested Readings:**


3. Y.V. Sharma: *Indian Constitution and Human Rights*.


9. NHRC: *Annual Reports*.

**Paper-V Dissertation/Field-based project work**

The Student shall be required to write a dissertation on any aspect of a human rights and duties problem/situation under the supervision of a member of the faculty/department. He/she shall visit the problem area(s) and study the situation, causes, and solutions, people's responses and his/her own experiences/encounters of human rights violations, if any. He/she shall study the relevant literature and write dissertation on the approved topic with the help of theoretical discussions on research methodology. In the viva-voce examination the examiner shall judge the knowledge of the candidate in research methodology in relation to the subject of dissertation and his/her general knowledge in other areas of human rights and duties.

**One Year Diploma Course in Labour Law, Labour Welfare and Personnel Management**

**Scheme of Examination**

R. 21B. - For Diploma Course in Labour Law, Labour Welfare and Personnel Management, Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.
Each Paper shall be of three hours duration and carry 100 marks.

SYLLABUS

Paper-I Industrial Relations-Genesis, Concept and Emerging Patterns.
- Industrial Relations-Genesis, Concept and Emerging patterns.
- Parties to Industrial Relations-Trade Unions, Management and the State and their interaction.
- Trade Unions-Concept, Growth and Structure with special reference to India, U.K., U.S.A. and U.S.S.R.
- Position of Trade Unions in India-Multiplicity of Trade Unions. Recognition of Trade Union. Trade-Union movements, Central Trade Union, Organizations role and functions, role of Trade Union in Modern Industrial Society of India, Trade Union Rivalry and Unfair Labour practices.
- Workers Participation in management and Foreign Experience.
- Industrial Relations-Legislative and Judicial Perspectives.
  (a) The Indian Trade Union Act, 1926
  (b) Industrial Disputes Act, 1926
  (c) Industries Employment (Standing Order) Act, 1946

Leading Cases

N.B.-The students will be imparted teaching of latest case-law of the Supreme Court and the High Courts along with the legislative changes and amendments from time to time.

Suggested Readings:
5. J. Henry Richardson: An Introduction of the Study of Industrial Relations.

Syllabus: L.I.M.

18. The Indian Labour year book.
19. S.N. Dhyanie : Crisis in Indian Industrial Relations.
22. The Indian Trade Union Act, 1926
23. The Industrial disputes Act, 1947
24. Industrial Employment (Standing Order) Act, 1946

Paper II- Labour Welfare Legislation and Industrial Sociology and Labour Welfare
- Labour Welfare in India-Legislative and Judicial Perspectives.
  (a) The Factories Act, 1948
  (b) The Mines Act, 1952
  (c) Employment of Children Act, 1938
  (d) Contract Labour (Regulation and Abolition) Act, 1970
  (e) Bonded Labour (Abolition) Act, 1976

Leading Cases:
4. Rural Litigation and Entitlement Kendra Deharaedun v. State U.P.
   N.B.: The students will be imparted teaching of latest case law
   of the Supreme court and the High Courts along with the Legislative
   Changes and amendments from time to time.

Suggested Readings:
1. K.N. Vaid.: Labour Welfare in India.
5. The Indian Factories Act, 1948.
7. Employment of Children Act, 1938
8. Contract Labour (Regulation and Abolition) Act, 1970
11. Inter-State Migrant Workmen (Regulation of Employment and
12. Miller and Form: Industrial Sociology.
14. B.K. Kuppuswamy: Social Change in India.
15. S.C. Kuchhal: Industrial Economy of India.
16. Mamoria and Mamoria: Industrial Labour, Social security and
   Industrial Peace in India.
17. S.N. Mishra: An Introduction to Labour and Industrial Laws.
18. The Indian Labour year book

Paper III: Wages and Social Security Legislation

Genesis of Wage Regulation
- Concept of Minimum, Living and Need based Minimum Wages;
- Methods of Wage fixation, Wage Differentials, Working of Wage
  Boards Standardization of Wages, Factors in Wage Determination,
  Dearness Allowance and Fringe Benefits. National Wage Policy;
  Protection of Wages.
- Development of the concept of Bonus, Issues and perspectives,
  Concepts of Profit-Sharing.
- Meaning of Social Security: Social Assistance and Social
  Insurance - Social Security and Social Justice and Main
  Characteristics of Social Security System.

Meaning and Concept of Gratuity and provident Fund.

Legislation
(a) Minimum Wages Act, 1948.
(b) Payment of Wages act, 1936
(c) Payment of Bonus Act, 1956
(d) Equal Remuneration Act, 1976
(e) Workmen Compensation Act, 1923
(f) Employees State Insurance Act, 1923
(g) Employees Provident Fund Act, 1952.
(h) Maternity Benefit Act, 1961
(i) Payment of Gratuity Act, 1972

Leading Cases:
1. Express Newspaper Ltd., other v. Union of India & others,
   (S.C.)

N.B.: The Students will be imparted teaching of latest case-laws of
the Supreme Court of India and the various High Court alongwith the
Legislative changes and amendments from time to time.

Suggested Readings:
2. O.C. Hallen: Dynamics of Social Security in India.
3. K.N. Subramaniam: Wages in India
7. The Payment of Wages Act, 1936
10. The B.P.F. Act, 1952
12. Payment of Bonus Act, 1965
13. Payment of Gratuity Act, 1972
15. V.V. Giri : Labour Problems in Indian Industry.
17. S.N. Mishra : An Introduction to Labour and Industrial Laws.
18. The Indian Labour year book.
19. G.L. Kothari : Wages, Dearness Allowance and Bonus

Paper IV-Personnel Management and Industrial Psychology

Part I- Personnel Management

- Concept of Personnel Management and Personnel Policies.
- Man power planning, Recruitment, Selection and Training, Induction, Job Placement including worker's education and envisaged by the Central Board of Worker's Education.
- Job Analysis and Evaluation and Performance Appraisal.
- Management of Discipline, Domestic Enquiry and Grievance Procedure.
- Role and Functions of Personnel Manager.
- Scientific and Technical Advances Vis-a-vis Personnel Management.

Part II-Industrial Psychology

- Motivation and Morale, Leadership Styles and Dynamics.
- Psychology of Attitudes, Hawthorne Experiments and their relevance in India.
- Individual behaviour in Formal and Informal Groups, Interpersonal and Inter-group relationship in organization and their impact on Organization.

Leading Cases:
4. State or Orissa v. Ram Prasad 1985 Ill.L.J. 364 (Madras H.C.)

N.B.-The Students will be imparted teaching of latest case-laws of the supreme Court of India and various High Court along with the Legislative changes and amendments from time to time.

Suggested Reading

- Norman R.F. Moor : Industrial Psychology.
- P.K. Gosh, Industrial Psychology.
- R.J. Agarwal : Dynamics of Personnel Management in India.
- C.B. Mamoria : Personnel Management.
- Govt. of India : National Commission on Labour.
- Govt. of India : Report of Ministry of Labour Vol. II.
- D. Yoder : Personnel Management and Industrial Relation.

Paper V- Labour Jurisprudence and The I.L.O.

- Concept and Growth of Labour jurisprudence.
- Labour and Judicial Process and Public Interest legislation.
- I.L.O. & Regional Conferences
- International Labour Standards and Labour Legislations in India.
- I.L.O. Problems and Prospects.
- I.L.O. and Human Rights in Indian Perspectives.

Cases:
- Protests for Democratic Rights & Others v. Union of India 1982 Ill.L.J. 454 (S.C.)
- The Delhi Cloth & General Mills Ltd. v. Sambhunath Mukerjee 1983 I.L.L.J. 36 (S.C.)

The Student will be imparted teaching of latest case-laws of the Supreme Court of India and various High Court along with the Legislative Changes and Amendment from time to time.
Suggested Readings:
3. G.A. Johnson : The I.L.O.
9. C.K. Joshi : Indian Tripartite System
12. Govt. of India : Tripartite Consultations.


- Labour Force in organized and Unorganized Sectors-Source composition, Characteristics etc.
- Employment, Un-employment and under employment concept and Development Aspects.
- Labour Turn-Over and Absenteeism
- Unemployment Guarantee Scheme
- Unorganized Labour-Magnitude, Problems and Public Policy of Unorganized Labour
- Integrated Rural Development Programmes and Labour
- Labour in Five Year Plan-Brief Study.
- Industrial Policy Resolution and Development in private and Public Sector
- Industrial development-Heavy, Large, Small-scale, Cottage Industries Location, Finance Planning and Problems.

Labour Statistics
(a) Meaning, Objects and Structure
(b) Growth of Labour Statistics in India.
(c) Indian Labour Statistics Act, 1933.
(d) Labour Statistics relating to Disputes, Wages, Strikes, Lockouts, Mondays Lost, Safety, health and Welfare, Cost of Living etc.

Syllabus: L.L.M. - 51

Suggested Reading:
2. Kudru Dutt and K.P.S. Sundardam : Indian Economy
3. N.C. Kuchhal : The Industrial Economy of India.
4. D.P. Sharmam and Desai : The Rural Economy of India.
6. L.G. Reynolds : Labour Economics
7. R. Mukerjee : Labour Planning
8. B.N. Datar : Labour Economic
9. J.N. Mengia : Readings in Indian Labour
12. Indian Labour Year Books.

Year Diploma Course in Criminology and Criminal Administration

For the Diploma Course in Criminology and Criminal Administration, Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the Paper shall be placed in the First Division and the rest in the Second Division.

The Paper shall be of three hours duration and carry 100 marks.

SYLLABUS

I General Principles of Criminal Law

Under the Indian Penal Code (excluding specific offences) and fundamental basis of statutory offences under the Prevention of Adulteration Act, 1954; Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1985; Prevention of Corruption Act, 1988; Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
Suggested Readings:
2. Prof. T. Bhattacharya : Contempt Law, State and Society.
3. Dr. Gurbax Singh : Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
4. Prof. T. Bhattacharya : Indian Penal Code.

Paper II - Criminology
1. Meaning and Scope of Criminal Science.
2. School of Criminology.
3. Contribution of Sutherland.
4. Juvenile Delinquency
5. Recidivism
6. Causes of Crime
7. Social Forces and Crime
8. Recent Trends in Crime including the problem of organized crime, black marketing, corporate crimes, hidden crimes, cost of crime, cyber crimes.
9. Types of Criminals.
10. Study of Criminal Behaviour of some tribes in India.

Paper III-Penology
1. Origin and evolution of Punishment
2. Forms of punishment with special reference to capital punishment
3. Penal institutions, Prison system and its reforms in India with special reference recent experiments.
4. Correctional Institution : Workhouses and houses of correction Juvenile training school, Men's and women's reformatories, Borstal Institutions in India.
5. Parole & Indeterminate sentence.
6. Pardon

Suggested Reading on Criminology and Penology
1. Sutherland : Principles of Criminology (latest Edition)
4. Taft : Criminology (latest Edition)
5. Pillai : Principles of Criminology lectures 2, 3, 4, 5, 6, 9, 11 and 12.
6. Cavan : Criminology part-I Omitting Chapter 2, part II - full
7. Lambrose, Cassre : Crime, its cause and remedies.
8. Different Reports published by Government of India from time to time.

Syllabus : L.L.M. - 53
10. New Horizons in Criminology by Barnes and Tatters.
12. Criminology by Bonger.
15. Rationale of punishment by Oppeheimer.
17. Ahmed Siddique : Penology Problems and Perspectives
18. Female Criminality : A Socio-legal Study.

IV- Forensic Science and Criminal Investigation
The role of Forensic Sciences in Criminal and Civil Cases.
The basic question in investigation Bono; the scene of crime; discovery of traces of physical evidence; classification and reference to classified record; systematization and classification of physical evidence and comparison with suspected material; the principles of exchange : the principles of heredity Taxonomy etc.
The Establishment of Identify of Individuals.
The Establishment of partial Identity of Individuals : Footprints; hair, skin, blood grouping; physical peculiarities.
The Establishment of the Identity of Physical Objects by Shape and size ; Identifying marks and impression made by physical tests; shoe prints, type and tread marks; die and tool marks; type of fracture marks...
The Establishment of the Identity of Physical Objects by Physical Chemical Analysis : Paint; coloured objects; metals; alloys; and the earthen wares; cement; plaster; bricks; soil minerals; etc.
Blotted Documents and the Identification of Handwriting; its types and identification; Inks; pencils and writing handwriting habit and flow; disguised writing; comparison points of identity; samples; various types of forgery and their alteration; additions; erasures alterations; seals; rubberstamps; writing; pointing; blocks.
Identification Fire-Arms and Cartridge and Related Problems: type of firm-arms and their use; time and range of firing; Identification of a fire-arm with a cartridge case and bullet; Miscellaneous fire-arms problems like origin or direction or direction of fire.
VII Injuries to Persons : Evidentiary value of details of injuries: trace left by the weapon used; its range and direction; danger to clothing worn by the victim and related problems; the flow of blood from injuries; the shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects; accidental deaths and suicides.

IX Miscellaneous forensic Science Methods : Restoration of numbers; examination of the walking, picture of footprints; clothing; copper wire; pieces of wood etc.

X Evidentiary value of Physical Evidence as Evaluated a Forensic Science laboratory viz., Evidence-Pallibility of eye witness. The probative value of such evidence. Findings of scientific methods of investigation; their probative value, Assessment of Value from actual cases. Value to be assigned to the different types of exhibit.

Paper V- Forensic Medicine and Toxicology

1. Injuries : (Hurt)
   (a) Definition in law (Sec. 319, 320 I.P.C.) Grievous Injury.
   (b) Classification
   (c) Cardial Fractures of different types of injuries
   (d) Injuries of special regions.
   (e) Age of injuries
   (f) Medico legal aspects.

2. Burns and Scalds :
   (a) Classification of burns
   (b) Causes of death after burns
   (c) Simple and grievous burns
   (d) Area of the body surface in burns and its relationship
   (e) Self-inflicted, accidental, suicidal, homicidal, burns
   (f) Ante-mortem and post-mortem burns

3. Asphyxia and Drowning:
   (a) Cause of asphyxia, post-mortem appearances.
   (b) Various types of violent asphyxiial deaths like hanging, strangulation throttling and traumatic asphyxia, and the post-mortem appearances commonly seen in these conditions
   (c) Drowning-Cardinal post-mortem signs
      (i) Cadaveric Spasm of Hand
      (ii) Signs in the air passages
      (iii) Stomach contents
      (iv) Signs in the legs

(v) Demonstration of diatoms in the Visoera

Sexual Offences :

(a) Rape
   (i) Definition (Sec. 375 I.P.C.)
   (ii) Examination of the Victim : Anatomy of Hymen.
   (iii) Positive signs of rape
   (iv) Examination of the accused
   (v) Medicolegal aspects.

(b) Sodomy
   (i) Examination of the victim
   (ii) Signs in the habitual passive agent
   (iii) Examination of the accused

Autopsy :

(a) Procedure - Alms and Objects - Difficulties

(b) Problem :
   (i) Time scene death—Description of post-mortem changes. Estimation of time since death from rigor post-mortem staining. Putrefaction adipocere formation, mummification, changes in the eyes, skin, printer and secondary relaxation. In drowning cases from flotation of the body. In dead bodies after burial from the degree of digestion of stomach contents. From the change in the cerebrospinal fluid and the narrow cells of the sternum.
   (ii) Cause and manner of a death
   (iii) Ante-mortem or post-mortem injuries.
   (iv) Examination of human remains, skeletal and mutilated remains. Establishment of age, sex and stature for the purpose of identify.

Infanticide : Definition dead born, still born viable factus, criteria for separate existence.

Suspicion : Rule and Procedure.

Examination of blood stains : Physical, Chemical & Serology, its basic principles.


Petition order on petition.

Toxicology : Classification of poisons. Diagnosis of poisoning, examination of poisoning cases. Brief Toxicology of the following
common poisons—Opium, datura barbiturates, Cannabis Indica, Arsenic, Copper Sulphate, Lead, Strychnine, Cocain, Alcohol, organophosphorous compounds, carbon monoxide, hydrocyanic acid, Potassium Syride, phosphorus, Snake bite.


Suggested Reading for Paper IV and V
1. Modern Criminal Investigation : Harry Sodeman and John J. Conell (Published by Fund & Wagnals Co. Inc., New York)
4. Police Act, (Act V of 1861)
5. Rajasthan Habitual Offenders Act.
6. Rajasthan Police Regulations for Reference purpose only
9. Dr. Gurshax Singh : Firearms and Ballistics
13. Swipson, F. : Forensic Medicine

Paper VI—Elements of Criminal procedure and Proof in Criminal Trials Cr. P.C.
- General including classification of criminal cases—summarily, warrant bailable—non—bailable—non cognizable : Constitution and Jurisdiction of Courts; Complaint & F.I.R. Case : Investigation Procedure : Framing of Charges ; Trial Procedure : Security for keeping peace.
- Indian Evidence Act. Sections.
  (i) Burden of Proof - 101-106
  (ii) Confession-24-30
  (iii) Presumption-114
  (iv) Accomplice-133
  (v) Relevancy-5-11, 14, 15
  (vi) Character Evidence-52-53

(vii) Expert Witnesses-45, 46 & 51
(viii) Examination in Chief & Cross examination- 145, 153

One year Diploma Course in Legislative Research and Drafting

For Diploma course in Legislatives Research & Drafting, Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.

Each Paper shall be of three hours duration and carry 100 marks.

SYLLABUS


Reference Work Recommended :
- Aspects of Indian Constitutional Law by G.N. Joshi
- Parliamentary Procedure in India by A.R. Mukerjee
- Practice and Procedure of Indian Parliament by S.S. More.
- Rules of Procedure and Conduct of Business in Lok Sabha, Published by the Lok Sabha

Paper II—Principles of Legislation

New Work Recommended:
- Smith : Theory of Legislation
- Brown : Underlying Principles of Modern Legislation
- Law and Public Opinion in England
- Legislative Methods and Forms
- Elements of World Legal System.
- Law and Procedure with Special of Powers
- Administration from 1964

Administrative Law in India:
- Published by the Indian Law Institute

Dy. Registrar (Acad.)
University of Rajasthan
JAIPUR
Paper IV - Legislative Problems solving with special emphasis on available devices for enforcement of legislation, sanctions and remedies.

Reference Work Recommended:
1. The Law of Specific Relief in India by Harman Singh (Chapter VI, VII, IX and X)
2. Law of Specific Relief by A.N. Gau (Chapters VII and VIII of Vol. II)
3. Dr. Gurabx Singh: Specific Performance.
4. The Law of Crime by Ratan Lal Dhiraj Lal Thakore (Chapter III)
8. The Legal Processes Basic, Problems in the making and application of Law by H.M. Hart and A.M. Sacks.

Paper V - Technical and Mechanical Phase of Drafting including drafting exercise.

Reference Work Recommended:
1. The Composition of Legislation by E.A. Diredger.
2. Legislative Forms and Procedure by E.A. Diredger.
3. Legislative Drafting by Reed Dickerson.
5. An introduction to Legislative Drafting by P.M. Bakshi.

Note: Only latest editions of the books are recommended.

Paper VI - Interpretation of Statutes

Reference Work Recommended:
1. Maxwell. The Interpretation of statutes.
2. Beal: Rules of Interpretation.
3. Odges: Interpretation of Statutes.
5. Prof. T. Bhattacharya: Interpretation of Statutes.
V. Inter-State Commerce and Taxation Articles 30-304.
Immunity of Instrumentalities 285 & 289 v. Sea Customs etc.,

Suggested Readings:
1. M.P. Jain : Indian Constitutional Law

Paper II : Commercial Law and Accountancy
(i) Indian Contract Act, 19/872 (Section 1 to 75 for sixty marks-Section)
(ii) Commercial Accounts especially Preparation of Trial Balance, Profit and Loss Account and Balance Sheet (For forty marks-section)

Suggested Readings:
2. Battibory : Elementary Accounts

Paper III - Income Tax Law and Practice

Suggested Readings:

Paper IV-Direct Tax Laws:
(i) Wealth Tax Act, 1957

Paper V - Indirect Tax Law
(ii) In place of R.S.T., VAT 2005 is substituted.
(iii) Custom Act.
(iv) Law of Import-Export Regulation.

Suggested Readings:
2. Inter-State Trade Barriers and Sales Tax Laws in India, Published

by India Law Institute, New Delhi.

5. Commercial Taxation Manual (Published by Government of Rajasthan).

Paper VI-Law of Import-Export Regulation


Dy. Registrar (Acad.)
University of Rajasthan
JAI PUR
One Year Diploma Course in Law of Environment Protection

R 21 G-For Diploma Course in Law of Environment Protection. Candidates must obtain a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.

Each Paper shall be of three hours duration and carry 100 marks.

SYLLABUS

Paper-I Environment Pollution-Law, Policy and Development Perspectives


Paper-II International Law and Environment Protection


Paper III - Prevention & Control of Pollution Laws

(a) Water (Prevention and Control of Pollution) Act, 1974
Provisions of the Act-Definitions; Central and State Pollution Control Boards-Powers and Functions; Discharge of sewage and trade pollutants; Offences under the Act; Pollution Control Boards.

(b) Air (Prevention and Control of Pollution) Act, 1981
Provisions of the Act-Definitions, Pollution Control Boards; Functions and Powers of the Board; Offences under the Act.

Paper-IV Environment (Protection) Act, 1986
Provisions of the Act-Definitions; Powers of the Central Government under the Act; Duties of the persons handling hazardous substance; Offences under the Act.

Paper V Constitutional & Supplementary Legislation Relating to Environment


Paper VI-Law for the Protection of Forests & Wildlife

(i) The Forest Act, 1927.


Suggested Readings:


12. N. M. R.G. Law Relating to Environmental Pollution and Forest in India, Ed. 2nd, 2005 Oriental
UNIVERSITY OF RAJASTHAN
JAIPUR

RULES FOR THE AWARD OF GRACE MARKS

A. UNDER GRADUATE/POST GRADUATE (MAIN/ SUPPLEMENTARY) EXAMINATIONS UNDER THE FACULTIES OF ARTS, FINE ARTS, SCIENCE, COMMERCE, SOCIAL SCIENCE, EDUCATION, MANAGEMENT, HOMOEOPATHY, LAW, AYURVEDA AND ENGINEERING & TECHNOLOGY.

Grace marks to the extent of 1% of the aggregate marks prescribed for an examination will be awarded to a candidate failing in not more than 25% of the total number of theory papers, practicals, sessionals, dissertation, viva-voice and the aggregate, as the case may be, in which minimum pass marks have been prescribed; provided the candidate passes the examination by the award of such Grace Marks. For the purpose of determining the number of 25% of the papers, only such theory papers, practicals, dissertation, viva-voice etc. would be considered, of which, the examination is conducted by the University.

If 1% of the aggregate marks or 25% of the papers is a fraction, the same will be raised to the next whole number. For example, if the aggregate marks prescribed are 450, grace marks to the extent of 1% of the candidate, similarly, if 25% of the papers is 120, the same will be raised to 4 papers in which the candidate failed, i.e., 120 or more in 4 papers would be considered to be failing.
B. DIPLOMA IN PHARMACY, BACHELOR OF PHARMACY, B.SC. (NURSING) AND B.D.S. EXAMINATIONS

1. A Student who obtains the required minimum pass marks in the total aggregate but fails to obtain the minimum pass marks in (i) two subjects, (ii) in one subject and in one practical or (iii) in two practicals, as the case may be, will be given grace marks according to the following scale, provided the candidate passes the examination by the award of such grace marks.

   For 1 to 6 marks above the min. aggregate : 2 grace marks
   For 7 to 12 marks above the min. aggregate : 3 grace marks
   For 13 to 18 marks above the min. aggregate : 4 grace marks
   For 19 and above the min. aggregate : 5 grace marks

   (i) The theoretical and practical tests (wherever held) in a subject will count as 2 subjects.

   (ii) In case it is necessary to secure minimum pass marks in one part of a subject the above rule will be applicable as follows.

   "If a candidate fails in the compulsory part of the subject as well as in the whole subject, he will be deemed to have passed in the subject if the greater of the two deficiencies or where the two deficiencies are equal, one of them is covered by the grace marks to which he is entitled under the rules.

2. No grace marks would be awarded to a candidate who appears in part/supplementary examination.

C. M.B.B.S AND B.A.R.L.P. (BACHELOR OF AUDIOLGY, SPEECH AND LANGUAGE PATHOLOGY) EXAMINATIONS

1. The grace marks upto a maximum of 5 marks will be awarded to a student who has failed only in one subject (Theory and/or practical) but has passed in all other subject.

2. No grace marks would be awarded to a candidate who appears in part/supplementary examination.

General

1. A candidate who passes in a paper/practical or the aggregate by the award of grace marks will be deemed to have obtained the necessary minimum for a pass in that paper/practical or in the aggregate and shown in the marks sheet to have passed by grace. Grace marks will not be added to the marks obtained by a candidate from the examiners nor will the marks obtained by the candidate be subject to any deduction due to award of grace marks in any other paper/practical or aggregate.

2. If a candidate passes the examination but misses First or Second Division by one mark, his aggregate will be raised by one marks so as to entitle him for the first or second division, as the case may be. This one mark will be added to the mark in which he gets the least marks and also in the mark +1 in the tabulation register below the marks obtained by the candidate. The marks
entered in the marks-sheet will be inclusive of one grace mark and it will not be shown separately.

3. Non appearance of a candidate in any paper will make him ineligible for grace marks. The place of a passed candidate in the examination list will, however, be determined by the aggregate marks he secures from the examiners, and he will not, by the award of grace marks, become entitled to a higher division.

4. Distinction won in any subject at the examination is not to be forfeited on the score that a candidate has secured grace marks to pass the examination.

Note: The grace marks will be awarded only if the candidate appears in all the registered papers prescribed for the examination.

Dy. Registrar (Acad.)
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JAIPUR