L.L.M. & DIPLOMA EXAMINATION 2021

(Annual Scheme)

Faculty of Law

SYLLABUS

JAIPUR

UNIVERSITY OF RAJASTHAN

Purnima

Registrar (Acad.)

University of Rajasthan

1. A candidate who has passed the Bachelor of Laws (three years) degree examination, or an examination of the University of Rajasthan, or an equivalent degree examination, shall be eligible for the L.L.M. Part I Examination. He will also be eligible for the L.L.M. Part II Examination if he has successfully completed the three-year degree course after passing the L.L.M. Part I Examination. Provided that a candidate who has obtained at least 50% marks in all the subjects in the three-year degree course (in any one of the universities in India) shall be eligible for the L.M. Part II Examination.

2. A candidate who has passed the Bachelor of Laws (five years) degree examination shall be eligible for the L.L.M. Part I Examination. He will also be eligible for the L.L.M. Part II Examination if he has successfully completed the five-year degree course after passing the L.L.M. Part I Examination. Provided that a candidate who has obtained at least 50% marks in all the subjects in the five-year degree course (in any one of the universities in India) shall be eligible for the L.L.M. Part II Examination.

3. A candidate who has passed the Bachelor of Laws (five years) degree examination and has also obtained at least 60% marks in the examination conducted by the Syndicate of the University of Rajasthan, or an equivalent examination, shall be eligible for the L.L.M. Part II Examination. Provided that a candidate who has obtained at least 60% marks in all the subjects in the five-year degree course (in any one of the universities in India) shall be eligible for the L.L.M. Part II Examination.

4. A candidate who has passed the Bachelor of Laws (six years) degree examination shall be eligible for the L.L.M. Part I Examination. He will also be eligible for the L.L.M. Part II Examination if he has successfully completed the six-year degree course after passing the L.L.M. Part I Examination. Provided that a candidate who has obtained at least 50% marks in all the subjects in the six-year degree course (in any one of the universities in India) shall be eligible for the L.L.M. Part II Examination.

5. A candidate who has passed the Bachelor of Laws (seven years) degree examination shall be eligible for the L.L.M. Part I Examination. He will also be eligible for the L.L.M. Part II Examination if he has successfully completed the seven-year degree course after passing the L.L.M. Part I Examination. Provided that a candidate who has obtained at least 50% marks in all the subjects in the seven-year degree course (in any one of the universities in India) shall be eligible for the L.L.M. Part II Examination.

6. A candidate who has passed the Bachelor of Laws (eight years) degree examination shall be eligible for the L.L.M. Part I Examination. He will also be eligible for the L.L.M. Part II Examination if he has successfully completed the eight-year degree course after passing the L.L.M. Part I Examination. Provided that a candidate who has obtained at least 50% marks in all the subjects in the eight-year degree course (in any one of the universities in India) shall be eligible for the L.L.M. Part II Examination.
University of Rajasthan

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 an 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 Wrongs
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 Intervivos, sale, Mortgage Lease
Paper III : Law Relating to Intellectual Property
Paper IV : Law Relating to Equity, Trusts and Charities
Paper V : Dissertation

Branch - VI (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 IV : 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

Dy. Registrar (Acad.)
University of Rajasthan
Jaipur
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 LL.M. Part II Examination.

A candidate who is declared failed at the LL.M. Part II Examination may on his request, be exempted from fresh submission of dissertation at the time of his subsequent appearance at the LL.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 Ist 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."

**LL.M. Part-I**

**SYLLABUS**

Every candidate offering himself for LL.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 set in the questions paper.

**Paper I - Legal Theory**

Suggested Readings:

1. Holmes : The Common Law
2. Austin : Lecture on Jurisprudence
3. Allen : Law in the Making
4. Holland : Jurisprudence
5. Salmond : Jurisprudence
6. Pato : A Text Book of 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. Freundmann : Legal Theory
15. Henry Maine : Ancient Law
16. Dias : Jurisprudence
17. Dony, S. N. : Law, Morality and Society Indian Development
18. Lon Fuller : Morality of Law
22. Julian Stone : Social Dimensions of Law and Justice
23. Julian 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. Odges : Interpretation of Statutes
9. Narasimhan : Interpretation of Statutes in British, India
10. Wigmore : Panorama of World Legal System
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 though 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 framework of the constitutional system.

I. Basic Framework: Essential Features:


II. Quasi Fedralism:


III. Union/State Constitution:

In re-The Gujarat Legislative Assembly, A.I.R. (1974) 2 S.C 33

1. The President and the Council of Minister:

2. Parliament:
   (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. Abbass v. Union of India A.I.R. S.C. 481

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

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.

References:
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.

Dy. Registrar (Acad.)
University of Rajasthan
Jaipur
SYLLABUS LL.M. (ANNUAL SCHEME)

LL.M. Part-II

Branch -I: Corporate, Business and Contractual Laws

Paper -I - General principles of Contract

(a) Indian Contract Act, 1872 (Section 01 to 75)
(b) Specific Relief Act, 1963

Suggested Readings:
1. Leak : Contract
2. Salmond : Principles of the Law and Contract
3. Anson : Law of Contract
4. Street : Introduction to the Law of Contract
5. Pollok & Mulla : Indian Contract and Specific Relief Acts

Paper - II - Special Contracts

(a) Indian Contract Act, 1872 (Section 124 to 238)
(b) Indian Partnership Act, 1932
(c) Limited Liabilities Partnership Act, 2008
(d) Sale of Goods Act, 1930

Suggested Readings:
2. Lindley : Partnership
5. Beal : The Law of Bailments
7. Dutt : Law of Contract
8. Dr. Sanjay Agrawal & Rohoni Agrawal : Limited Liability Partnership Law and Practice

Paper - III - Corporate Laws

(a) Companies Act, 2013
(b) The Competition Act, 2002

Suggested Readings:
1. K.M. gosh : Indian Companies
2. Palmer on Company law
3. Gower : Principles of Company Law
4. Dutt : Company Law
5. Ramappa. T : Competition Law in India
6. Avtar Singh : Competition Law
7. Dr. S.C. Tripathi : Competition Law
8. S.M. Dugar : Competition Laws
9. Chatterji : Competition Law in India and Cartels in Indian & USA
Paper - IV - Law Relating to Negotiable Instruments and Bankruptcy

(a) The Negotiable Instruments Act, 1881
(b) The Insolvency and Bankruptcy Code, 2016

Suggested Readings:
1. Byles: Bill of Exchange
2. Chalmers: Negotiable Instrument
5. Avtar Singh: Introduction to Law of Negotiable Instruments

Paper - V - Dissertation

Dy. Registrar (Acad.)
University of Rajasthan
Jaipur
SYLLABUS LL.M. (ANNUAL SCHEME)

LL.M. Part - II

Branch - II: Torts & Crime

Paper I - General Principles of Torts & Specific Wrongs

1. General Principles:
   Definition and nature; foundation of tortious liability; general conditions of liability in tort; mental elements in law of torts; general exceptions to liability in tort; discharge of tort; remedies for torts; doctrine of remoteness of damages and joint tort feasors and vicarious liability.

2. Specific Wrongs:
   1. Negligence, Contributory Negligence
   2. Innuendo, Defamation
   3. Strict and Absolute liability
   4. Nuisance
   5. Assault, Battery, Nervous Shock
   6. False imprisonment, Wrongful Restraint, Mhyem
   7. Tort of Malicious Prosecution
   8. Tort Relating to Immovable Property
   9. Tort Relating to Movable Property
   10. Tort Affecting contractual and Business Relations
   11. Tort of Injurious falsehood.

Suggested readings:
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 & Markensisis: Tort Law
15. Charlesworth: Negligence
16. Darett: Law of Nuisance

[Signature]
Dy. Registrar (Acad.)
University of Rajasthan
Jaipur
Paper-II - General Principles of Crime, Offences Relating to State and Public tranquillity, Morality & Specific Offences

- Elements of Crime: Mens rea; Actus reus
- Stages of Crime: Mental and Physical
- General Explanations: Section 6 to 52A
- Of Punishment: Section 53 to 75
- General Exceptions: Section 76 to 106
- Of Abetment: Section 107 to 120
- Criminal Conspiracy: 120A and 120 B
- Offences against State: Section 121 to 124A of I.P.C.
- Offences against Public Tranquillity and Joint Liability: Section 34 to 38, 141, 142, 143 and 149, 146, 147, 156, 159
- Counterfeiting of coins and currency: Section 230, 231, 232
- Offences against Morality.
- Offences against Human Body
- Offences against Property
- Offences against Marriage
- Offence of defamation
- Attempts

Suggested Readings:
1. Bhattacharya T.B. Indian penal Code
2. Harris: Principles & Practice of the criminal Law
5. Raghvan: Law of Crimes
7. Gaur: Penal Law of India
8. Gaur K.D.: Criminal Law Cases and Material
Paper III - Criminal Procedure

I. General Concepts Relating to Criminal Procedure, Organization of Courts and Prosecuting Agencies:
   Definitions: Hierarchy of Criminal Courts and their Jurisdiction; Organization of Prosecuting agencies for prosecuting criminal cases: prosecutors and the police; withdrawal of prosecution.

II. Pre-trial Procedures:
   Arrest and questioning of the accused. The rights of the accused. Investigation by I.O., the evidentiary value of statements/articles and the judicial officer in the Police, Right to counsel, Roles of the prosecutor and the judicial officers in investigation, Remand & Confession.

III. Trial Procedures:
   The Accusatory System of trial and the Inquisitorial System, Role of the Judge, the Judge, the Prosecutor or and Defense Attorney in the trial. Admissibility and inadmissibility of evidence, expert evidence, Bail, Appeal, Plea-bargaining.

IV. Preventive Measures in India:
   Provisions in the Criminal Procedure Code, Special enactments, Public Interest Litigation: Directions for Criminal Prosecution.

Suggested Readings:
4. R.V. Kelkar : Criminal Procedure
Paper - IV Law Relating to Rehabilitation and Treatment of Offenders

I. Introduction :

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

III. Approaches to Sentencing :
Alternatives to Imprisonment Probation, Parole, Corrective Labour, Fines, Collective fines, Reparation of the offenders by the court.

IV. Sentencing :
Principle to sentencing, Main 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
Endowments.

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 Lite and Permanent Alimony.

Suggested Readings:
1. Raghavachariar : Hindu Law
3. Paras Diwan : Hindu Law
4. Mitra : Principles of Hindu Law
5. Mulla : The Principles of Hindu Law
6. G.S.S. Sastri and Bhuiar : Hindu Law
7. Manu's Institutes : Chapters I, III, VII, VIII, and IX (Sacred Books of the East)
8. Yaghatvāvya Smriti with Mitakshara, Book I, II, III
9. Vyāhārāra Mayukha
10. Smriti Chandrika
11. Dattak Mimansa
12. The Dayabagha
13. P.V. Kane : History of Dharmaśastras
14. Ganganath Jha : Hindu Law in its sources
16. Maynes : 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 of Minor, Guardianship and Succession

Adoption: Meaning, nature and essential conditions and effects.


Minority and Guardianship: Definition of Hindu Minor and Guardian; Kinds and Powers of Guardians.
Succession—Meaning of Succession, Devolution of Mitakshara
Coparcenary Property; Succession in respect of the separate property of
a Male Hindu dying Intestate-Heirs and Distribution of property
among them; Hindu Women's Property; Succession in respect of
Female Hindu dying Intestate Heirs and Distribution of Property among
them; General Rules relating to succession; and Disqualification of
heirs.

Suggested Reading:
1. Manu's Institutes : Chapters I, III, VII, VIII and IX (Sacred
   Books of the East).
2. Yagnavalkya Smriti with Mitakshara, Book I, II, III.
3. Vyavahara Mayukha
4. Smriti Chandrika
5. Mulla : The Principles of Hindu Law
6. Dattak Mimansa
7. The Dayabagha
8. P.V. Kane : History of Dharmastra.
9. Paras Dlvan : Hindu Law
10. Ganganath Jha : Hindu Law in its sources.
11. Tagore Law Lectures on Hindu Law and Usage
14. West and Buhler : Hindu Law
15. G.S.S. Sastri and Bhular : Hindu Law
17. Trevolyan on Minor
18. Trevolyan on Hindu Wills
19. All Acts of the Indian Legislature
20. Tagore Law lectures on Marriage, Adoption and Stridhana
23. Dasu D.D. : Indian Succession Act,

Paper III- Muslim Jurisprudence and the Law Including
Inheritance

Various Phase and Development of Muslim Law; Sources,
Schools and Application of Muslim Law: Marriage, Dowry, Dissolution
of Marriage; Guardianship and Custody of Minor Children:
Acknowledgement of parent; and legitimacy of children. Pre-Eminence:

Hind: Will: Waqf; Inheritance.

Suggested Readings :
1. Thayebji : Mohammedan Law
2. Amoer Ali : Mohammedan Law
3. Abdul Rahim : The Principles of Mohammedan Jurisprudence
4. Sharma Bharan Sarkar : Mohammedan Law
5. B.R. Verma : Mohammedan law
6. Mulla : Mohammedan Law
7. Fyzee AAA : Outlines of Mohammedan law
8. Schacht : Islamic Jurisprudence
9. Tahir Mehmood : Muslim Law

Paper IV - Other Personal Laws Operating in India

The Indian Christian Marriage Act, 1872; The Indian Divorce
Act, 1869; The Parsi Marriage and Divorce Act, 1936; The Foreign
Marriage Act, 1969; The Special marriage Act, 1954. Provisions of
the Indian Succession Act, 1925, relating to wills.

Suggested Readings :
1. Commentaries and Cases of the Supreme Court and High Courts
   of India.
4. B. B.P. : Law of marriage and Divorce in India.

Paper V - Dissertation

Branch IV (Constitutional Law)


Suggested Readings :
A.B. Keith : Constitutional History of India
G.H. Alexandrowicz : Constitutional developments.
A.C. Banerjee : Indian Constitutional Documents.
Ray Jain : Outline of Indian Legal History
Baywell-Langmead : English Constitutional History
Dunlop : Freedom under the Law.

Paper II Indian Administrative Law

1. Foundation Stones :
   Rule of Law
   Separation of Powers
   Classification of Administrative functions
   Rules of natural Justice
Constitution of India-Articles 53, 73, 74, 75, 77, 78.
Extracts from Indira Gandhi v. Raj Narai on rule of Law separation of power.
Ram Jawaya v. State of Punjab, AIR 1966 S.C. 549
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

Syllabus : L.L.M. • 23

Rohtas Industries Private Ltd. V.R.D. Agarwal, AIR 1962, S.C.
I.P. School Examination Board V. Ghan Shyam AIR 1962 S.C.
Bihar School Examination Board v. Subhash Chander AIR 1970
S.C. 1269
Administrative enquiries-redressed of grievances.
1. Inquiries-inquiries commissions.
2. Lokpal and Lokayukta
The Inquiry Commission Act. 1952
The Shah Commission
Bakshi Ghulam Mohammad V. State of Jammu and Kashmir
S.K. Sahel 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.
   Discretion II. Jour of I.L.I. 544(1969)
8. Bhagwati Prasad Banerjee - Judicial review

Paper III - Constitutional Law of the United States of America,
Switzerland and England

Suggested Reading:
   of the United States-edited by Corwin
5. Wills : Constitutional Law.
6. Freund and Sutherland : Constitutional Law Cases and Other
   Problems,
10. Samuel S. Eван : Constitutional Law its Administration.
11. Edward S. Weaver : The President Officer and Power.
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 General Principles of the law of Transfer of Property and History of English Land Law

Suggested Reading:
5. Ghai : Transfer of Property

Paper II- Transfers Litter Vivos, Sale, Mortgage, Lene
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. L.C. Green: International Law through the Cases.
5. Lauterpacht: Recognition in International Law.
10. Stark: Introduction to International Law.
11. Akehurst: Modern Introduction to International Law.

Paper III: Private International Law

Suggested Readings:

Paper IV: International Organization

Suggested Readings:
2. Evans Melchom 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 (Labour Law)

Paper I: Labour Law and Labour Management Relations in India and Industrial Adjudication

Suggested Readings:
7. The Study Reports to all groups of NCL on Labour Management Relations in India.
8. Indian Trade Unions Act, 1926.
11. V.V. Ghir: Industrial Relations 1955.

Paper II: Law relating to Labour Welfare and Wages

Suggested Readings:
1. O.L. Kothari: Wages, Dearness Allowances and Bonus.
2. V.V. Ghir: Labour Problems in Indian Industry.

Paper III - Legislation and Practice Relating to Social Security
Suggested Readings:
4. ILO Approaches to Social Security 1953.

Paper IV - International Labour Organisation, Central Organisation of Trade Union and Indian Tripartite System
Suggested Readings:
5. ILO : ILO and India 1975.

Paper V - Dissertation
LL.M. Pt. -1 (Human Rights and Value Education)
The following shall be added after Ordinance 258-A
Ord. 258-B
1. The examination for the degree of Master of Laws-Human Rights and Values shall consists in 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 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 L.L.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 alongwith 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 years as an ex-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 candidates 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 examinations.

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 shall be placed in II Division.

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

Paper-I Historical and Philosophical Perspectives of Human Rights and Duties.

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) Polity 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. Das: Jurisprudence
7. Hart HLA, Law, Liberty and morality

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

1. Human Rights, Duties and Responsibilities-
   Role of U.N. General Assembly, the Economic & Social Council and its commissions and sub-commissions; U.N. Article 29 of General Assembly; Rights and Responsibilities of individuals, group and organs of society to promote and protect Universally recognized Human Rights and Fundamental freedom, 1999; and
2. Some Specific Rights and Duties Recognized by International Law:
   - 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.

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 Poltical Rights, 1966

5. Regional Conventions/Courts on Human Rights
   (i) European Court of Human Rights, European Commission of Human Rights, Court 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:

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. ICSSR, Status of Women in Indian Society.


20. UN Convention on the Elimination of all forms of
Discrimination against Women (New York: UN Department of Public Information 1999)


Paper-IV Human Rights and Duties in India

1. Laws for protection of specified 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, Juridical 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
(B) Methodology-
   (i) Methodological orientation and logle 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) Types
   (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.
(iii) Research report-Legal thesis writing-Steps in thesis writing-Layout of
     thesis-chapter arrangement.

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. Cohen, Legal research in nutshell
8. I.LI Publication, Legal research and methodology
9. R.M. Deepak Kumar, Social Research Methodology
10. Joya Prakash, Research Methodology
11. H.N. Tiwari, Legal Research Methodology
12. C.R. Kothari Research Methodology, Methods and Techniques

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

Paper-1 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. Chhimli, International Refugee Law.
5. Yves Sandoz, Implementing International Humanitarian Law.
6. Rajeev 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:


8. Bag, R.K., "Domestic Violence and Crime Against women:


Seminar: Societal Issues of Human Rights in India

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

Social Problems

Problem of Scheduled Castes and Scheduled Tribes:

Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act 1989

3. Panchayat (Extension toScheduled Castes) Act, 1951


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 custodial crimes; Protection of children in Constitution—Art 15 (3), 24, 39(e) (f) and 45.


Syllabus: LL.M.


Suggested Readings:


8. Van Boven G: The International Law on Rights of the Child

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 a 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 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.

Relations:

6. V.V. Giri : Labour Problems in Indian Industry.
7. S.N. Dhyani : Trade Unions and Right to Strike.
8. O.P. Malhotra : Law of Industrial Disputes, Vol. 1
15. The Indian labour year book.
16. S.N. Dhyani : Crisis in Indian Industrial Relations.
17. I.L.O.: Conciliation and Arbitration in Industrial Disputes.
18. I.L.O.: Freedom of Association USA, UK, USSR.
19. The Indian Trade Union Act, 1926
20. The Industrial disputes Act, 1947

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
(f) Inter-State Migrant Workmen (Regulation of Employment in Conditions of Service) Act, 1970.

Industrial Sociology: Meaning, Scope and development, Industrialization and Social Problems of Industrial Relations.

Leading Cases:

4. Rural Litigation and Entitlement Kendra Deharadun 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. Valdi : 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.
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.

**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:**


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.

**Industrial Reading**

- Norman R.F. Moor: Industrial Psychology.
- R.D. Agarwal: Dynamics of Personnel Management in India.
- H.S. Davar: Personnel Management and Industrial Relations in India.
- Ch. Mamodia: Personnel Management.
- Govt. of India: National Commission on Labour.
- Govt. of India: Report of Ministry of Labour Vol. II.

**Paper V: Labour Jurisprudence and The I.L.O.**

- Concept and Growth of Labour jurisprudence.
- 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:**

- W's Union for Democratic Rights & Others v. Union of India, 1982 III.L.L.J. 454 (S.C.)
- The Delhi Cloth & General Mills Ltd. v. Sambhunath Mukerjee 1985 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-Sourcecomposition, Characteristics etc.
- Employment, Unemployment and under employment concept and Development Aspects.
- Labour Turn-Over and Absenteeism
- Unemployment Guarantee Scheme
- Unorganized Labour-Magnitude, Problems and Public Policy on 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.

Suggested Reading:
2. Radha Dutt and K.P.S. Sundradum : Indian Economy
4. D.P. Sharma and Desai : The Rural Economy of India.
6. I.T. Reynolds : Labour Economics
7. K. Mukerjee : Labour Planning
8. B.N. Datar : Labour Economic
9. J.N. Mongia : Readings in Indian Labour
11. J.J. Dholia : Industrial Labour and Economic Development in India
12. Indian Labour Year Books.
13. D.N. Bhallas : Economic Statistics of India since Independence (First Three Chapters of Part I and chapter 25 of Part II) or relevant Portion.

One Year Diploma Course in Criminology and Criminal Administration
- 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 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

(1) General Principles of Criminal Law

(2) Law of Evidence
The Indian Evidence Act, 1872; The Indian Limitation Act, 1963; Indian Bail Act, 1860; Indian Evidence Act, 2016; Indian Process of Law, 1972.
Suggested Readings:

2. Prof. T. Bhattacharya: Contempt Law, State and Society.
3. Dr. Gurumax 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.
5. Recidivism.
8. Recent Trends in Crime including the problem of organised 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

2. Forms of punishment with special reference to capital punishment.
3. Penal institutions, Prison system and its reforms in India with special reference to 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

5. Piilai: Principles of Criminology lectures 2, 3, 4, 5, 6, 9, 11 and 12.
7. Lamborose, Casare: Crime, its cause and remedies.
8. Different Reports published by Government of India from time to time.
VIII Injuries to Persons: Evidentiary value of details of injuries; trace left by the weapon used; its range and direction; danger to clothing whom 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- Falsifiability 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 asphyxial 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 lags

(v) Demonstration of diatoms in the Viscera

Mutual 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 - Aims 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 rotation of the body. In dead bodies after burial from the degree of digestion of stomach contents. From the change in the cerebra spinal 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 fetus, criterion for separate existence.

Insultion: Rule and Procedure.

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

Alcohol: Modern concept—classification legal test of Insanity, determination of an alleged lunatic—restraint of the insane. Civil criminal responsibility of a lunatic. Testamentary capacity petition in order on petition.

Poisons: Classification of poisons. Diagnosis of poisoning, examination of poisoning cases. Brief Toxicology of the following
common poisons—Opium, dhatura barbiturates, Cannabis Indica, Arsenic. Cooper Sulphate, Lead, Strychnine, Cocain, Alcohol, organophosphorus 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 & Wagnets 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. Gurbax Singh: Firearms and Ballistics

Paper VI—Elements of Criminal procedure and Proof in Criminal Trials Cr. P.C.

- 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 a pass at least 40% marks in each paper 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. Mukherjee
- 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

Reference Work Recommended:
- Kenilworth: Theory of Legislation
- How We Grow: Underlying Principles of Modern Legislation
- Law and Public Opinion in England
- Legislative Methods and Forms
- Macmillan of Law Making
- The Formation of World Legal System
- Public Opinion in England in the 20th Century
- Selective Law and Procedure with Special Emphasis

Subsequently:

- Certificate on Subordinate Legislation from 1964
- Administrative Law in India
- Public Law in India Published by the Indian Law Institute
- Control of Administrative action by A.T. Markos.
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 Haran 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. Gurbax 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.
4. Cases and materials on Legislation with supplement problems in Statute constructions and Drafting by C.D. Nutting and S.D. Elliot
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.
One Year Diploma Course in Taxation Laws and Practice

SYLLABUS

Paper I – Constitutional Law Problems in Taxation:

The paper provides the students instruction in the provisions of the Constitution which deal tax powers of the Union and the States, the Union State revenue distribution, constitutional limitations general and specific on taxation process. It also provides for a study into the impact of the relevant articulated tax policy formulation embodied in the Directive Principles of State Policy. The Breakup of the paper is as given below:


II. Law and Taxation, Article 265, Act or Ordinance; Article 245, Articles 246, 248. Relevant entries of the Union List (List I) and the State List (List II) of the Seventh Schedule to the constitution.

Arts. 123 Union of India / H.S. Dillon. Delegated Legislation, restrictions.

(i) Raj Narain V/s Chirman, Patna Administration Committee A.I.R. 195, S.C.

Legislation Procedure for Tax Law:

Articles 109, 110, 111, 117 and 118.


IV. Uniform Taxation

Articles 286, Inter State Sales Taxation.


Gwalior Rayons Ltd. V/s Assistant Commissioner, A.I.R. 1974 S. C.

Law Commission: Inter –State Sales Tax (Second Rept. 1956)

V. Inter –State Commerce and Taxation Articles 300-304.


Immunity of Instrumentibilities 285 & 289 V/s Sea Customs etc. A.I.R. 1963, S. C. 1760

Suggested Readings:
1. M. P. Jain: Indian Constitutional Law
Paper II – Commercial Law and Accountancy:

(i) Indian Contract Act, 1872 (Section 1 to 75 for sixty marks - section A)
(ii) Commercial Accounts especially preparation of Trial Balance, Profit and Loss Account and Balance Sheet (for forty marks Section B)

Suggested Reading:
(ii) Battiboy: Elementary Accounts

Paper III- Income Tax and Practice:

Suggested Reading:
Kanga & Palkhivala: The Law and Practice of Income Tax

Paper IV- Direct Tax Laws:

(i) Wealth Tax Act, 1957
(ii) Foreign Exchange management Act, 2003

Suggested Reading:
(i) Shiv Gopal: Commentaries on Estate Duty Act, 1957
(iii) Deelip Seth: Treatise on Foreign Exchange Management Act, 2003
(v) Ayyangar, Sample: The Three New Taxes

Paper V- Indirect Tax Laws

(i) GST Act (12 of 2017)
(ii) Integrated GST Act 2017 (13 of 2017)

Suggested Readings:
1. Inter-State Trade Barriers and Sales Tax Laws in India, Published by Indian Law Institute, New Delhi.
5. Gupta S.S.; GST-How to meet your obligations (April 2017), Taxman Publications.
6. Halakandhi, S. ; G.S.T. (Vastu and Sevakar) (Hindi), Vol.-1, 201
8. Vastu and Sevakar Vidhan by Government of India.

Note:
1. More readings for this paper will be notified in due course of time.
2. Latest edition of text book may be used.

36

Dy. Registrar (Acad.)
University of Rajasthan
JAIPUR
Paper VI- Law of Import-Export Regulation


Exim Policy: Changing Dimensions: Investment Policy: NRIs, FII, Joint venture, Promotion on foreign trade, Agricultural products, Textile and cloths, Jewellery, Service Sector, Law relating to Customs: Prohibition on importation and exportation of goods, Control of smuggling activities in export-import trade, Levy of an exemption from customs duties, Clearance of imported goods and export goods, conveyance and warehousing of goods.

Regulation of Investment: Borrowing and lending of money and foreign currency, Securities abroad- issue of Immovable property- purchase abroad, Establishment of business outside, Issue of derivatives and foreign securities-GDR (Global depository receipts), ADR (American Depository Receipts) and Drd. Investment in Indian Banks, Repatriation and surrender terms in technology transfer agreements, Automatic approval schemes.

Suggested Readings:
3. Foreign Trade Development and Regulation Act, 1992 and Rules
One Year Diploma Course in Law of Environment Protection

R 21 G-For Diploma Course in Law of Environment Protection. 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 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.
(ii) The Forest (Conservation) Act, 1980
(iii) The Wildlife (Protection) Act, 1972
(iv) Cruelty Against Animals Act, 1960

Suggested Readings:
2. Dr. G.S. Karkara : Environment Law, 2005 C.I.P., Allahabad
6. Prof. Satish Shastri : Dhawan Lawhouse.
13. R.N. Choudhary : Forest Law in India, Ed. 2nd, 2005 Orient
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 in fraction, the same will be raised to the next. For example, if the aggregate marks prescribed are 450, grace marks to the extent of 0.3% of the candidate, similarly, if 25% of the same will be raised to 4 papers instead of 3 papers.
B. DIPLOMA IN PHARMACY, B.Sc. (NURSING) AND B.D.S.
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 14 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
AUDIOLOGY, SPEECH AND LANGUAGE
PATHOLOGY) EXAMINATIONS

1. The grace marks up to 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 paper in which he gets the least marks and also in
   the paper in which he gets the least mark +1 in the tabulation register below
   the mark actually 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.