

JIWAJI UNIVERSITY GWALIOR
SYLLABUS AND SCHEME OF EXAMINATION
SESSION 2011-12
LL.M. III SEMESTER

1. Specialization in Criminal Law Group

Paper	Nomenclature of Paper	Max.M.	Min.M.	Aggre.Marks
1	Privileged class Deviance	100	40	50
2	Juvenile Delinquency	100	40	50
3	Collective Violence and criminal Justice System.	100	40	50
4	Project work and Viva-Voce	50	20	25
Total -		350		175

2. Specialization in Business Law Group

Paper	Nomenclature of Paper	Max.M.	Min.M.	Aggre.Marks
1	Law of Industrial and Intellectual Property	100	40	50
2	Law of Export Import Regulation	100	40	50
3	Banking Law	100	40	50
4	Project work and Viva-Voce	50	20	25
Total -		350		175

3. Specialization in Administrative Law Group

Paper	Nomenclature of Paper	Max.M.	Min.M.	Aggre.Marks
1	Public Authorities : Liability	100	40	50
2	Public Authorities and Power Holders; controls on Maladministration	100	40	50
3	Local Self Government Law	100	40	50
4	Project work and Viva-Voce	50	20	25
Total -		350		175

4. Specialization in Human Rights Law Group

Paper	Nomenclature of Paper	Max.M.	Min.M.	Aggre.Marks
1	Protection and Enforcement of Human Rights in India	100	40	50
2	Human Rights of Disadvantaged Groups : Problems and issues in the Protection and Enforcement	100	40	50
3	International Humanitarian Law and Refugee Law	100	40	50
4	Project work and Viva-Voce	50	20	25
Total -		350		175

The Percentage of marks required for passing in LL.M.III Semester Examination is as follows :-

1.40% i.e- 40 Marks in each of the above mentioned papers and 20 Marks in Project Work & Viva-voce

2.50% i.e- 175 Marks in aggregate of the above mentioned Papers

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

(Criminal Law Group)

PAPER - Ist

PRIVILEGED CLASS DEVIANCE

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. Introduction
 1. Conceptions of white collar crimes
 2. Indian approaches to socio-economic offences
 3. Notions of privileged class deviance as providing a wider categorization of understanding Indian development
 4. Typical forms of such deviance
 1. Official deviance (deviance by legislators, ides, bureaucrats)
 2. Professional deviance: journalists, teachers, doctors, lawyers, engineers, architects and publishers
 3. Trade union deviance (including teachers, lawyers/urban property owners)
 4. Landlord deviance (class/caste based deviance)
 5. Police deviance
 6. Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)
 7. Gender-based aggression by socially, economically and politically powerful
2. Official Deviance
 1. Conception of official deviance permissible limit of discretionary powers.
 2. The Chambal valley dacoit Vinoba Mission and Jai Prakash Narain Mission in 1959 and 1971
 3. The Chagla Commission Report on LIC-Mundhra Affair
 4. The Das Commission Report on Pratap Singh Kairon
 5. The Grover Commission Report on Dev Raj Urs
 6. The Maruti Commission Report
 7. The Bhakkar-Natarajan Commission Report on Fairfax

3. Police Deviance
 1. Structures of legal restraint on police powers in India
 2. Unconstitutionality of "third-degree" methods and use of fatal force by police
 3. "Encounter" killings
 4. Police atrocities
 5. The plea of superior orders
 6. Rape and related forms of gender-based aggression by police and Para-military forces
 7. Reform suggestions especially by the National Police Commissions
4. Professional Deviance
 1. Unethical practices at the Indian bar
 2. The Lentin Commission Report
 3. The Press Council on unprofessional and unethical journalism
 4. Medical malpractice
5. Response of Indian Legal Order to the Deviance of Privileged Classes
 1. Vigilance Commission
 2. Public Accounts Committee
 3. Ombudsman
 4. Commissions of Enquiry
 5. Prevention of Corruption Act, 1947
 6. The Antulay Case

Select bibliography'

Upendra Baxi, *The Crisis of the Indian Legal system* (1982) Vikas Publishing House, New Delhi.

Upendra Baxi (ed.). *Law and Poverty: Essays* (1988)

Upendra Baxi, *Liberty and Corruption: The Antulay Case and Beyond* (1989)

Surendranath Dwevedi and G.S. Bhargava, *Political Corruption in India* (1967)

AR. Desai (ed.) *Violation of democratic Rights in India* (1986)

A.G. Noorani, *Minister's Misconduct* (1974)

B.B. Pande, "The Nature and Dimensions of Privileged Class Deviance" in *The Other Side of Development* 136 (1987; KS. Shukla ed).

Indira Rothermund. "Patterns of Trade Union Leadership in Dhanbad Coal fields" 23 J.L.L.J 522 (1981)

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12
PAPER - IIInd
JUVENILE DELINQUENCY

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. The Basic Concepts
 1. The conception of 'child' in Indian Constitution and Penal Code.
 2. Delinquent juvenile
 3. "Neglected" juvenile
 4. The overall situation of children/young persons in India, also with reference to crime statistics (of crimes by and against children)
2. Determining Factors of Juvenile Delinquency
 1. Differential association
 2. Anomie
 3. Economic pressure
 4. Peer group influence
 5. Gang sub-culture
 6. Class differentials
3. Legislative Approaches
 1. Legislative approaches during the late colonial era.
 2. Children's Act
 3. Legislative position in various States
 4. The Juvenile Justice Act
 1. Constitutional aspects.
 2. Distinction between "Neglected" and "delinquent" juveniles.
 3. Competent authorities
 4. Procedural safeguards for juveniles
 5. Powers given to government
 6. Community participation as envisaged under the Act
4. Indian Context of Juvenile Delinquency
 1. The child population percentage to total sex-ratio, urban/rural/rural-urban
 2. Neglected, below poverty line, physically and mentally disabled, orphans, destitute, vagrants.
 3. Laborers
 1. In organized industries like zari, carpet, bidi, glass
 2. In unorganized sector like domestic servant, shops and

establishments, rap-pickers family trade.

4. Delinquent number, sex-ratio, ratio to adult crime, types of offences committed, recidivism, rate of increase background
5. Drug addicts
6. Victims
 1. Of violence sexual abuse, battered, killed by parents
 2. Of criminal activities like bootlegging, drug pollution as a response of protective approach
5. Judicial Contribution
 1. Social action litigation concerning juvenile justice
 2. Salient judicial decisions
 3. Role of legal profession in juvenile justice system.
6. Implementation
 1. Institutions, bodies, personnel
 2. Recruiting and funding agencies
 3. Recruitment qualifications and salaries or fund
 4. Other responsibilities of each agency/person
 5. Coordination among related agencies
 6. Accountability-annual reports and accessibility of public to juvenile justice institution.
7. Preventive Strategies
 1. State Welfare programmers health, nutrition, ICWS, grants-in-aid
 2. Compulsory education
 3. Role of community, family, voluntary, bodies, individuals.

Select bibliography

National institute of Social Defence, Model Rules under the Juvenile Justice Act, 1986, (1 986~

KS. Shukla, Adolescent Offender (1985)

United Nations, Beijing Rules on Treatment of Young Offenders (1985)

Myron Weiner, The Child and State in India (1990)

The United Nations Declaration on the Rights of Children

UNICEF periodic materials

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PAPER - IIIrd

COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM

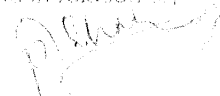
Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. Introductory
 1. Notions of "force", "coercion", "violence"
 2. Distinctions: "symbolic" violence, "institutionalized" violence, "structural violence"
 3. "Constitutional" and "criminal" speech: Speech as incitement to violence
 4. "Collective political violence" and legal order
 5. Notion of legal and extra-legal "repression"
2. Approaches to Violence in India
 1. Religiously sanctioned structural violence: Caste and gender based
 2. Ahinsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India
 3. Gandhiji's approach to non-violence
 4. Discourse on political violence and terrorism during colonial struggle
 5. Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period
3. Violence against the Scheduled Castes
 1. Notion of Atrocities
 2. Incidence of Atrocities
 3. Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities
 4. Violence against Women
4. Communal Violence
 1. Incidence and courses of "communal" violence
 2. Findings of various commissions of enquiry
 3. The role of police and para-military systems in dealing with communal violence
 4. Operation of criminal justice system during, and in relation to, communal violence



5. Criminal Liability
 1. Group Liability
 2. Vicarious Liability
 3. Strict Liability
 4. Absolute Liability
 5. Liability in Socio-economic and Socio-welfare offences.

Select bibliography'

U. Baxi, "Dissent, Development and Violence" in R. Meagher (ed.) *Law and Social Change: Indo American Reflections* 92 (1988)

U. Baxi (ed.), *Law and Poverty: Critical Essays* (1988)

A.R. Desai, *Violation of democratic Rights in India* (1986)

D.A. Dhingra, *Peasant Movement in India: 1920-1950* (1983)

Ranjit Guha, *Elementary Aspects of Peasant Insurgency in Colonial India* (1983) Ranjit Guha, (ed.) *Subaltern Studies* Vol. 1-6 (1983-1988)

T. Honderich, *Violence for Equality* (1980)

Mark Juergensmeyer, "The Logic of Religious Violence: The Case of Punjab" 22 *Contributions to Indian Sociology* 65 (1988)

Rajni Kothari, *State Against Democracy* (1987)

G. Shah, *Ethnic Minorities and Nation Building: Indian Experience* (1984)

KS. Shukla, "Sociology of Deviant Behavior" in 3 *ICSSR Survey of Sociology and Social Anthropology 1969-1979* (1986)



JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12
(Business Law Group)
PAPER - Ist

LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. Intellectual Property Right and International Perspectives
2. Trademarks and Consumer Protection (Study of UNCTAD report on the subject)
3. The Legal Regime of Unfair Trade Practices and of Intellectual Industrial Property
 1. United Nations approaches (UNCTAD, UNCITRAL)
 2. EEC approaches
 3. Position in U.S.
 4. The Indian situation.
4. Special Problems of the Status of Computer Software in Copyright and Patent Law: A Comparative Study.
5. Biotechnology Patents:
 1. Nature and types of biotechnology patents
 2. Patent over new forms of life TRIPS obligations
 3. Plant patenting
 4. Sol generic protection for plant varieties
 5. Multinational ownership
 6. Regulation of environment and health hazards in biotechnology patents
 7. Indian policy and position.
6. Patent Search, Examination and Records:
 1. international and global patent information retrieval systems (European Patent Treaty).
 2. Patent Co-operation Treaty (PCT)
 3. Differences in resources for patent examination between developed and developing societies
 4. The Indian situation

7. Special Problems of Proof of infringement:
 1. Status of intellectual property in transit TRIPS obligation Indian position.
 2. The evidentiary problems in action of passing off.
 3. The proof of non-anticipation, novelty of inventions protected by patent law
 4. Evidentiary problems in piracy TRIPS obligation reversal of burden of proof in process patent
 5. Need and Scope of Law Reforms.

8. Intellectual Property and Human Right
 1. Freedom of speech and expression as the basis of the regime of intellectual property right copyright protection on internet WCT (WIPO Copyright Treaty, 1996).
 2. Legal status of hazardous research protected by the regime of intellectual property law.
 3. Human right of the impoverished masses intellectual property protection of new products for healthcare and food security
 4. Traditional knowledge protection- biodiversity convention- right of indigenous people

Select bibliography'

Special attention should be given to literature of the U.N. System, WIPO and the UNESCO.

Terenee P. Stewart (ed), *The GA TT Uruguay Round: A Negotiating History (1986-1994) the End Game (Part- 1)(1999)*, Kluwer

Iver P. Cooper, *Biotechnology and Law(1998)*, Clerk Boardman Callaghan, New York.

David Bainbridge, *Software Copyright Law (1999)*, Butterworth

Sookman, *Computer Law(1998)*, Carswell

Carlos M. Correa(ed.), *Intellectual Property and International Trade (1998)*, Kluwer

Patent Co-operation Treaty Hand Book (1998), Sweet and Maxwell

Christopher Wadlow, *The Law Of Passing-Off (1998)*, Sweet and Maxwell

W.R.Cornish, *Intellectual Property Law (1999)*, Sweet and Maxwell

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PAPER - IIInd
LAW OF EXPORT IMPORT REGULATION

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. Introduction

1. State control over import and export of goods from rigidity to liberalization.
2. Impact of regulation on economy.

2. The Basic Needs of Export and Import Trade

1. Goods
2. Services
3. Transportation

3. International Regime

1. WTO agreement
2. WTO and tariff restrictions
3. WTO and non-tariff restrictions
4. investment and transfer of technology
5. Quota restriction and anti-dumping
6. Permissible regulations
7. Quarantine regulation
8. Dumping of discarded technology and goods in international market

4. General Law on Control of Imports and Exports

1. General scheme
2. Legislative control
 1. Power of control Central government and RBI
 2. Foreign Trade Development and Regulation Act 1992
 3. Restrictions under customs law
3. Prohibition and penalties
4. Export-Import formulation guiding features
 1. Control under FEMA
 2. Foreign exchange and currency
 1. import of goods
 2. Export promotion councils
 3. Export oriented units and export processing zones

P. N. Singh

5. Control of Exports
 1. Quality control
 2. Regulation on goods
 3. Conservation of foreign exchange
 1. Foreign exchange management
 2. Currency transfer
 3. Investment in foreign countries
6. **Exam Policy : Changing Dimensions**
 1. Investment policy NRIs, Fils (foreign institutional investors), FDIs
 2. Joint venture
 3. Promotion of foreign trade
 4. Agricultural products
 5. Textile and cloths
 6. Jewellery
 7. Service sector
7. Law Relating to Customs
 1. Prohibition on importation and exportation of goods
 2. Control of smuggling activities in export-import trade
 3. Levy of, and exemption from, customs duties
 4. Clearance of imported goods and export goods
 5. Conveyance and warehousing of goods
8. Regulation on Investment
 1. Borrowing and lending of money and foreign currency
 2. Securities abroad issue of
 3. Immovable property purchase abroad
 4. Establishment of business outside
 5. Issue of derivatives and foreign securities GDR(global depositories receipts), ADR (American depository receipts) and Uro
 6. Investment in Indian banks
 7. Repatriation and surrender of foreign securities
9. **Technology transfer**
 1. Restrictive terms in technology transfer agreements
 2. Automatic approval schemes

Select bibliography'

Government of India, Handbook of Import Export Procedures, (Refer to the latest edition) Government of India *Import and Export Polin'* (1997 -2002)
 The Students should consult the relevant volumes of the *Annual Survey of/nd/an Law*, Published by the Indian law Institute, New Delhi.
 Foreign Trade Development and Regulation Act 1992 and Rules
 Foreign Exchange Management Act 1999
 Marine Products Export Development Authority Act 1972
 Customs Manual (Latest edition)
 Final Treaty of GAIT, 1994.

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PAPER - IIIrd
BANKING LAW

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. Introduction

1. Nature and development of banking
2. History of banking in India and elsewhere -indigenous banking- evolution of banking in India . different kinds of banks and their functions.
3. Multi-functional banks growth and legal issues.

2. Law Relating to Banking Companies in India

1. Controls by government and its agencies.
 - 2.1 1. On management
 2. On accounts and audit
 3. Lending
 4. Credit policy
 5. Reconstruction and reorganization
 6. suspension and winding up
- 2.2. Contract between banker and customer: their rights and duties

3. Social Control over Banking

1. Nationalization
2. Evaluation: private ownership, nationalization and disinvestment
3. Protection of depositors
4. Priority lending
5. Promotion of under privileged classes

4. Deposit Insurance

- 1 The Deposit Insurance Corporation Act 1961: objects and reasons
- 2 Establishment of Capital of DIG
- 3 Registration of banking companies insured banks, liability of DIG to depositors
- 4 Relations between insured banks, DIG and Reserve Bank of India

5. The Central Bank

1. Evolution of Central Bank
2. Characteristics and functions
3. Economic and social objectives
4. The Central Bank and the State as bankers' bank

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5. The Reserve Bank of India as the Central Bank
Organizational structure
6. Functions of the RBI
 1. Regulation of monetary mechanism of the economy
 1. Credit control
 2. Exchange control
 3. Monopoly of currency issue
 4. Bank rate policy formulation
7. Control of RBI over non-banking companies
 1. Financial companies
 2. Non-financial companies
6. Relationship of Banker and Customer
 1. Legal character
 2. Contract between banker and customer
 3. Banker's lien
 4. Protection of bankers
 5. Customers
 1. Nature and type of accounts
 2. Special classes of customers: lunatics, minor, partnership, corporations, local authorities
 6. Banking duty to customers
 7. Consumer protection: banking as service
7. **Negotiable Instruments**
 1. Meaning and kinds
 2. Transfer and negotiations
 3. Holder and holder in due course
 4. Presentment and payment
 5. Liabilities of parties
8. **Lending by Banks**
 1. Good lending principles and Lending to poor masses
 2. Securities for advances kinds and their merits and demerits
 3. Repayment of loans: rate of interest, protection against penalty
 4. Default, recovery and Debt recovery tribunal
9. **Recent Trends of Banking System in India**
 1. New technology
 2. Information technology
 3. Automation and legal aspects
 4. Automatic teller machine and use of internet
 5. Smart card
 6. Use of expert system
 7. Credit cards
10. Reforms in Indian Banking Law
 1. Recommendations of committees: a review

Select bibliography

- Basu, A. *Review of Current Banking Theory and Practice* (1998) Macmillan
- M. Haggood (ed.), *Paquets' Law of Bank/mi* (1989) Butterworths, London
- R. Goode, *Commercial Law*, (1995) Penguin, London.
- Ross Cranston, *Principles of Bank/mi Law*(1997) Oxford.
- L.C. Goyle, *The Law of Banking, and Bankers* (1995) Eastern
- M.L. Tannan, *Tannan's Banking Law and Practice in India* (1997) India Law House, New Delhi, 2 volumes
- KG. Shekhar, *Banking Theorvand Practice*(1998)UBS Publisher Distributors Ltd. New Delhi. M. Dasseesse, S. Isaacs and G. Pen, E.G. *Banking Law, (1994)* Lloyds of London Press, London
- V. Conti and Hamaui (eds.), *Financial Markets' Liberalization and the Role of Banks'*, Cambridge University Press, Cambridge. (1993).
- J. Dermine (ed.), *European Banking, in the 1990s'* (1993) Blackwell, Oxford.
- C. Goodhart, *The Central Bank and the Financial System* (1995). Macmillan, London
- S. Chapman, *The Rise of Merchant Banking* (1984) Allen Unwin, London
- K. Subrahmanyam, *Banking Reforms and India* (1997) Tata Maigraw Hill, New Delhi.
- Subodh Markandeya and Chitra Markandeye, *Law Relating to Fore/cm Trade in India: Beinc, a*
Commentary on the Foreign Trade, (Development and Regulation) Act 1992, Universal Law Publishing Co. Pvt. Ltd. Delhi.
- R.S. Narayana, *The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993)*, Asia Law House, Hyderabad.
- M.A. Mir, *The Law Relating to Bank Guarantee in India* (1992), Metrophatan Book, New Delhi. Anthony Pierce, *Demand Guarantees in International Trade* (1993) Sweet & Maxwell,
- Ross Cranston (ed.) *European Banking Law: The Banker-Customer Relationship* (1999) LLP, London
- Mitra, *The Law Relating to Bankers' Letters of Credit and All/ed Laws*, (1998) University Book Agency, Auahabad.
- R.K. Taiwar, *Report of Working Group on Customer Service in Banks*
- Janakiraman Committee *Report on Securities Operation of Banks and Financial Institution* (1993)
- Narasamham Committee *report on the Financial System (1991)- Second Report* (1999)

M. Haggood

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12
(Administrative Law Group)
PAPER - Ist

PUBLIC AUTHORITIES: LIABILITY

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. Tortuous Liability
 1. Sovereign immunity
 2. Commercial and non-commercial function
2. Contractual liability
 1. Procedural justice: Privilege - right dichotomy
 2. Blacklisting of contractors
 3. Terms in government contract as instruments of social justice
3. Emerging Liability
 1. Personal accountability
 2. Compensatory jurisprudence and right to life
 3. Accountability under consumer law
4. Privilege Against Disclosure
 1. Right to information
 2. Official secrecy
 3. Executive privilege
 4. Security of state and control on information
 5. Judicial review
5. Promissory Estoppel
 1. Legitimate expectation
 2. Constitutional dimensions

Select bibliography

Jam & Jam, *Principles of Administrative Law* (1986), Tripathi
De Smith, *Judicial Review of Administrative Action* (1995).
B. Schwartz, *An Introduction to American Administrative Law*

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PAPER - IIInd

**PUBLIC AUTHORITIES AND POWER HOLDERS: CONTROLS ON
MADMINISTRATION**

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. Ombudsman
 1. The concept
 2. Comparative perspectives
 3. Evolving Indian models -Lokpal, Lokayukt institutions
 4. Present Position of Lokpal, Lokayukt
2. Commission of Inquiry
3. Vigilance Commissions
4. Investigation Agencies : the CBI
5. Inquiries by Legislative Committees
6. Legislative Control
7. Financial Control Comptroller and Auditor General
8. Judicial Inquiries

Select bibliography

ks. Shukia and S.S.Singh, *Lokavukta: a Social Legal Study* (1988), Indian Institute of Public Administration, N.Delhi.

Jain & Jain, *Principles of Administrative Law*(1986) Tripathi

Donald C. Rowat, *The Ombudsman* (1966), George Allan and Unwin Ltd., Toronto

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JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PAPER - IIIrd
LOCAL SELF-GOVERNMENT LAW

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. **Historical Perspectives**
 1. Early period
 2. Gram Swaraj; the Gandhian concept
2. **Constitutional Scheme**
 1. Directive Principles
 2. Structure and powers of local bodies
3. **Legislative Powers**
 1. Direct democracy and grass root planning
 2. Municipalities and corporation
 3. Gram Sabha
4. **Quasi-legislative Powers**
 1. Rule making power of the State Government
 2. Regulations and Bye-laws
5. **Financial Powers**
 1. Levying taxes
 2. Licensing power
 3. Financial resources and powers
6. **Judicial and Quasi-judicial powers of the Local Bodies**
7. **Election to Local Bodies**
8. **Conduct of Meetings: Corporation, Municipal Council, Panchayat Committee and Gram Sabha**
9. **Institutional and Judicial Control**

Prakash

Select bibliography'

Friedman. *The State and the Rule of Law in a Mixed Economy*

Neville L. Brown and J.F. Garner, *French Administrative Law*

Dicey, *Introduction to the Law of the Constitution.*

Ivor Jennings, *Law and the Constitution*

Schwartz & Wade, *Legal Control of Government*

Davis, *Discretionary Justice*

Jam & Jam, *Principles of Administrative Law* (1986), Tripathi, Bombay

De Smith, *Judicial Review of Administrative Action* (1995)

Indian Law institute, *Government Regulation of Private*

W. Thornhill (ed.), *The Growth and Reform of English Local Self-government* (1971), Weidenfeld and Nierison, London

Radhakumud Mookerjm, *Local Government in Ancient India* (1985), Daya Publishing Delhi. M. Venketarangaiya & M. **Pattabhiram**, *Local Government in India* (1969) Allied, New Delhi.

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JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PAPER - Ist

PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS IN INDIA

Max.M. 100

Pass M. 40
Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. History and Development of Human Rights in Indian Constitution
 1. Constitutional Philosophy Preamble
 2. Fundamental Rights
 3. Directive Principles of State Policy
 4. Fundamental Duties
2. Judicial Activism and Development of Human Rights Jurisprudence
3. Enforcement of Human Rights
 1. Formal enforcement mechanisms
 1. Role of Supreme Court
 2. Role of High Courts
 3. Role of Civil and Criminal Courts
 4. Statutory Tribunals
 5. Special Courts
4. Role of India in implementing international norms and standards

Select bibliography'

- D.D.Basu, *Human Rights in Indian Constitutional Law*, (1994).
Vflay Chitnis,(et.al.). *Human Rights and the Law: National and Global Perspectives*. (1997).
B.P.Singh Seghal, *Law, Judiciary and Justice in India*, (1993).
James Vadakkumchery, *Human Rights and the Politics in India*, (1996).
D.R.Saxena, *Tribals and the Law*, (1997).
Poornima Advani, *Indian Judiciary: A Tribute*, (1997).
Justice Venkatarannah, *Human Rights in the Changing World*, (1998).
Paramjit S.Jaiswal and Neshtha Jaiswal, *Human Rights and the Law*, (1996).

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PAPER - IIInd

HUMAN RIGHTS OF DISADVANTAGED GROUPS: PROBLEMS AND ISSUES IN THE PROTECTION AND ENFORCEMENT

Max.M. 100

Pass M. 40

Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. Concept of Disadvantaged Groups
2. Emerging Human Rights Jurisprudence and the Role of the Judiciary
 1. Rights of women
 2. Rights of the child
 3. Rights of prisoners
 4. Rights of dualist
 5. The tribal and other indigenous people
 6. The mentally ill
 7. The stateless persons
 8. The unorganized labour
 9. 'Aids' victims
 10. Rights of minorities
3. Enforcement of Human Rights
 1. Protection Laws of the Disadvantaged Groups: Problems and Issues
4. Future Perspectives of the Human Rights of the Disadvantaged

Select bibliography'

- G.S Bharqava and R.M.Pal, *Human Rights of Dealt Societal Violation*, (1999).
Geraldine Van Bueren, *The International Law on the Rights of the Child*, (1998).
Prabhat Chandra Tripathi, *Crime Against Working Women*, (1998).
Paras Diwan and Piyush Diwan, *Women and Legal Protection*
Philip Aiston (et.al.), *Children, Rights and the Law*.
Kelly D. Askin, Dorean M. Koenig, *Women and International Human Rights Law*, (1999).
N.K.Chadrabarti, *Juvenile Justice in the Administration of Criminal Justice*, (1999).
Rebecca Wallace, *International Human Rights, Text and Materials*, (1997).
Janaki Nair, *Women and Law in Colonial India*, (1996).
Simon Craighton, Vicky King, *Prisons and the Law*, (1996).

JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PAPER - IIIrd

INTERNATIONAL HUMANITARIAN LAW AND REFUGEE LAW

Max.M. 100

Pass M. 40

Aggregate - 50%

Note- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions

Syllabus

1. **Humanization of Warfare.**
 1. Amelioration of the wounded and sick
 1. Armed forces in the field
 2. Armed forces at sea, The shipwrecked
 2. Protection and facilities
 1. Prisoners of war
 2. Civilians in times of War
 3. Cultural properties
2. **Control of weapons**
 1. Conventional
 2. Chemical
 3. Biological
 4. Nuclear
3. **Humanitarian law: Implementation**
 1. Red Cross - role
 2. National legislation
4. **The Concept of refugees**
 1. Definition of refugees and displaced persons - their problems
 2. The UN Relief and Rehabilitation Administration and other international Refugee organizations international protection.
 3. Protection under national laws
5. **Strategies to combat refugee problem**
 1. Repatriation, resettlement local integration and rehabilitation
 2. UNHCR role
 3. UNHCR and India

Select bibliography'

B.S.Chimni, *International Refugee Law*, (2000).

Jean Yves Calier, *Who is a Refugee A Comparative Case Law Study*, (1997)

Kelly Dawn Askin, *War Crimes Against Women*, (1997).

M.K.Balachandran, Rose Varghese, *Introduction to International Humanitarian Law*, (1997).

Guy S. Goodwin-Gill, *The Refugee in International Law*, (1996).

Vera! Gowiland- Debbas, *The Problem of Refugees in the Light of Contemporary International Law Issues*, (1996).

Anti-personnel Landmines Friend or Foe?, International Committee of Red Cross. (1996).

Resettlement Handbook, The United Nations High Commissioner for Refugees.

James C. Hathaway, Hohn A. Dent, *Refugee Rights: Report on a Comparative Survey*, (1995)

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JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2011-12

PROJECT WORK AND VIVA-VOCE

Max.M. - 50

Min.M. - 20
Aggregate - 50%

The Project Work and viva-voce shall be held at the end of IIIrd Semester examination. Each student shall prepare a project report on the topic assigned to them in advance and he shall bring that record at the time of viva-voce.

The practical & viva-voce examination shall be conducted by a Panel of One external examiner to be appointed by the university and internal examiner. The Head of department will be act as internal examiner or appoint internal examiner.

A handwritten signature in black ink, appearing to be 'P. W. O.', is written over the end of the text in the previous block.