

# **Program Syllabus Booklet**

**Master of Laws**

**LL.M. 2 Years (1203)**



**Session :2018-2019**

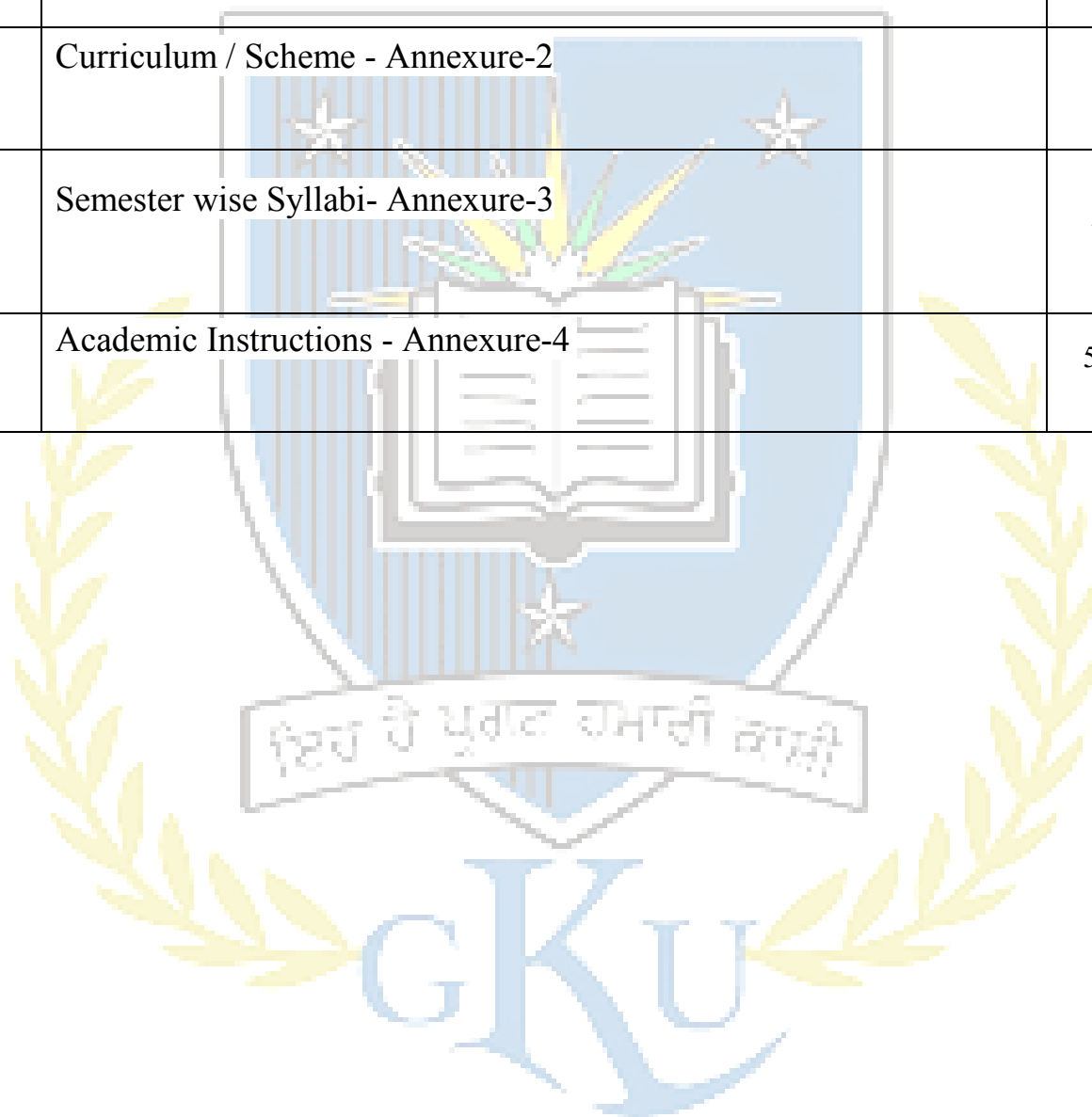
**University School of Law**

**Guru Kashi University, Talwandi Sabo**



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## Annexure-1

**Program Name: Master of Laws (LL.M.)**

**Program code: 1203**

**The Program Outcomes (POs) for the program Master of Laws (LL.M.) are as follows:**

**At the end of the program, students will be able to:**

PO	Statement
PO1	Interpret and analyze the legal and social problems through various techniques of legal research towards finding the solutions to problem by applications of various law and regulations and contributions to the development of policy.
PO2	Differentiate the substantive & procedural laws including various legislations which relate to rules & regulations in the area of their interest.
PO3	Explain, encourage and explore the substantial and procedural laws pertaining to legal problems in their specific fields, in which they can learn to work and draft the legislative setup of the National and International Level.
PO4	Compare the legal system of the criminal and civil Laws and its hierarchy in different countries and ability to engage in independent and life-long learning in the broader context of legal change.
PO5	Develop the necessary skills for successful functioning of law office, judicial officer or academician. Also including art of categorizing and organizing documents including prioritizing work, managing time, using forms, and maintaining bill data but up to some extent make them more employable.
PO6	Interpret and deal with the cases of miscarriages of justice, criminal justice processes.
PO7	Develop their teaching methods through the subject on Teaching Pedagogy thereby enabling them to enter the teaching profession.
PO8	Develop their researching skills and aid them to contribute to academic research and publications.
PO9	Defining and prosecuting crimes and the legal institutions concerned with

	maintaining social order, crime prevention and working of justice delivery mechanism.
PO10	Interpret and analyze the legal and social problems through various techniques of legal research towards finding the solutions to problem by applications of various laws, regulations and contributions to the development of policy.

**The Program Specific Outcome (PSOs) for the program Master of Laws (LL.M) program is as follows:**

PSO	Statement
PSO1	Students will be able to develop their teaching skills with special reference to the legal profession in India.
PSO2	Students will be able to discuss the general principles of law with the nature and sources of law, relation of law with human and institutional agencies responsible for the protection of human rights, liberty and balancing the interests of the individuals and society.
PSO3	Students will be able to assess and contribute to policy making/advocacy through fresh perspectives that arise out of the comparative study of the systems

**Annexure-2**

Semester: 1st										
Sr.	Course Code	Course Name	Type of Course T/P	(Hours Per Week)			No. of Credits	Internal Marks	External Marks	Total Marks
1	1203101	Research Methodology	T	4	0	0	4	30	70	100
2	1203102	Jurisprudence	T	4	0	0	4	30	70	100

3	1203103	Interpretations of Statutes	T	4	0	0	4	30	70	100
Total No. of Credits							12			



Semester 2 <sup>nd</sup>										
Sr.	Subject Code	Subject Name	Type of Course T/P	(Hours Per Week)			No. of Credits	Internal Marks	External Marks	Total Marks
				L	T	P				
1	1203201	Law and Social Transformation	T	4	0	0	4	30	70	100
2	1203202	Public International Law	T	4	0	0	4	30	70	100
3	1203203	Constitutional Law and New Challenges	T	4	0	0	4	30	70	100
Total No. of Credits								12		

Semester 3 <sup>rd</sup>										
Criminal Law Group										
Sr.	Subject Code	Subject Name	Type of Course T/P	(Hours Per Week)			No. of Credits	Internal Marks	External Marks	Total Marks
				L	T	P				
1	1203301	General Principles of Criminal Law	T	4	0	0	4	30	70	100
2	1203302	International Criminal Law	T	4	0	0	4	30	70	100
3	1203303	Juvenile Justice	T	4	0	0	4	30	70	100
Total No. of Credits								12		
Family Law Group										
Sr.	Course Code	Course Name	Type of Course T/P	(Hours Per Week)			No. of Credits	Internal Marks	External Marks	Total Marks
				L	T	P				
1	1203304	Law of Marriage in India	T	4	0	0	4	30	70	100
2	1203305	Law of Adoptions, Maintenance & Guardianship	T	4	0	0	4	30	70	100
3	1203306	Law of Inheritance & Succession	T	4	0	0	4	30	70	100
Total No. of Credits								12		



Semester 4 <sup>TH</sup>										
Criminal Law Group										
Sr no.	Subject Code	Subject Name	Type of Course T/P	(Hours Per Week)			No. of Credits	Internal Marks	External Marks	Total Marks
				L	T	P				
1	1203401	Criminal Justice System and Human Rights	T	4	0	0	4	30	70	100
2	1203402	Socio Economic Crimes	T	4	0	0	4	30	70	100
3	1203403*	Dissertation*	NA	N A	NA	NA	8	100	100	200
Total No. of Credits							16			
Family Law Group										
Sr.	Course Code	Course Name	Type of Course T/P	(Hours Per Week)			No. of Credits	Internal Marks	External Marks	Total Marks
				L	T	P				
1	1203404	Matrimonial Remedies in Family Law	T	4	0	0	4	30	70	100
2	1203405	New Problems in Family Law in Contemporary India	T	4	0	0	4	30	70	100
Total No. of Credits							8			

**Annexure-3**

**Course Name: Research Methodology**

**Course Code: 1203101**

**Semester: I**

**Credits: -4**

**L T P**

**4 0 0**

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Explain and implement the primary and secondary sources of legal research.
CO2	Examine the procedure to use various tools and methods in research writing.
CO3	Develop correct research strategies to critically evaluate the relevance, quality, authority and currency of the research materials.
CO4	Demonstrate good research writings for publications.
CO5	Identify issues of research in law and suitable methodologies for the completing of research in the chosen area.

**Course Content**

**UNIT-I**

**12 hours**

Legal Research: -

Research and Methodology: -Definition, objectives, features, importance,

Socio-Legal Research: - Meaning, objective, Collection of Data,

Phases of legal research in India: - Historical development

Legal Research: Nature, Scope, objectivity or driving objectives of legal research

Various types to Legal Research: Doctrinal and Non-Doctrinal methods.

Major steps involved in Legal Research: -

Theory and research: - Theory and facts, Theory and hypothesis, Theory and Law

Identification and formulation of Research Problem

Formation of Hypothesis: -meaning, sources, problems in formulation of problem, types, Null hypothesis, testing of hypothesis.

Ethics in Legal Research

**UNIT-II**

Research Design: -Idealized research design, components of research design, types.  
 Sampling techniques (design) for Legal research: -meaning, types, sampling error,  
 Collection of Data in socio-legal research: -Primary and Secondary Data, original or primary material sources of law, documentary sources of data collection,  
 Methods of techniques of Legal studies: -observation, Interview, Questionnaire, Schedule, Survey, case study method, project techniques, content analysis, cause and effect analysis, legal impact analysis.  
 Data collection techniques for practicing lawyers: - Case Study, use of library, citations, use of computers. Role of Library, Computer, Internet, and Legal Data bases in Legal research  
 Analysis or Processing of Legal Research Data: Editing, Coding, Classification, Interpretation of Data, tabulation, or preparation of master chart.  
 Generalization  
 Reporting: -purpose of report writing, structure, contents or essentials of report writing, Foot Notes and Bibliographic Techniques  
 Plagiarism: -Plagiarism in Legal Research and Issues of Copy right

#### **Suggested Readings:**

- Agarwal Shipraedn. 2012, “*Legal Research Methodology*”, Allahabad Law Agency, Faridabad, Haryana.
- Burney D.H. & Theresa L. White, First Indian Reprint, 2007, “*Research Methods*”, Akash Press, New Delhi.
- Kumar, Ranjit, 2011, “*Research Methodology-A Step by Step Guide for Beginners*” 3<sup>rd</sup>edn SAGE Publications India Pvt. Ltd., New Delhi.
- Myneni S.R. 2012. “*Legal Research Methodology*”6<sup>th</sup>edn. Allahabad Law Agency, Faridabad.
- Singh, Rattan, 2016, “*Legal Research Methodology*”1<sup>st</sup>edn. LexisNexis Publications,Gurgaion.
- VermaS.K. and M. AfzalWani, 2010, “*Legal Research and Methodology*” 2<sup>nd</sup>edn. The Indian Law Institute, New Delhi.
- Thakur, Defender, 2009, “*Research Methodology in Social Sciences*”, Deep & Deep Publications, New Delhi.

#### **Web links: -**

- <https://indianjudiciarynotes.com/notes/legal-research-methodology/legal-research-notes/>
- <https://www.iedunote.com/legal-research>
- <https://www.questionpro.com/blog/research-design/>
- <https://library.sacredheart.edu/c.php?g=29803&p=185902>
- <https://bbamantra.com/methods-of-data-collection-primary-and-secondary-data/>
- <https://libguides.usc.edu/writingguide/researchproposal>

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	3	2	2	3	2	2	3	3	3	2	2	1
CO 2	3	2	3	3	3	2	2	3	2	2	2	3	2
CO 3	2	3	3	3	3	2	2	3	3	3	3	3	2
CO4	2	2	2	2	2	2	3	1	3	2	3	3	3
CO5	3	2	3	3	3	2	2	3	2	2	2	2	3
Avg.	2.6	2.4	2.6	2.6	2.8	2	2.2	2.6	2.6	2.4	2.4	2.6	2.2

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.



**Course Name: Jurisprudence**

**Course Code: 1203102**

**Semester: I**

**Credits: -4**

**L T P**

**4 0 0**

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Learn the concepts of schools and differentiate between the major schools of law concerning the nature of law.
CO2	Explain the difference between legislation and precedent.
CO3	Successfully apply knowledge of the rights and duties, legal personality, possession, status of unborn person, dead man, and animals.
CO4	Critically analyze and research complex problems relating to law and legal theory and make reasoned and appropriate choices amongst alternatives.
CO5	Defines the intellectual and practical skills needed to justify and interpret theoretical propositions.

### Course Content

#### Unit –I

##### **Natural Law Theories:**

- Historical Development in Ancient, Medieval and Renaissance Period
- Hart on Natural Law.
- Fuller and Morality of Law.

##### **Positivism and Analytical Theories of Law:**

- Jeremy Bentham's Utilitarianism and Analytical Positivism
- Austin's Theory of Law
- The Pure Science of Law: Kelson's Theory.
- Positivism-Meaning by Prof. Hart and Dworkin.

##### **Sociological Jurisprudence:**

- Roscoe Pound's Theory of Social Engineering and Theory of Interest

##### **Historical and Anthropological Theories:**

- The German Historical School-Savigny and Volkgeist.
- The English Historical School - Sir Henry Maine.

#### Unit -II

##### **Concept of Rights:**

Legal Right- Meaning, Components and elements of Legal Right, Legal Duty, Right-Duty Conflict, Kinds of Rights, Difference between Fundamental Rights and Legal Rights.

##### **The Judicial Process and Theories of Adjudication:**

Custom as a Source of Law, Legislation as a Source of Law, Judicial Precedent

- The nature of judicial process and the institution of adjudication.

b) Doctrine of Precedent-Stare Decisis, Ratio Decidendi and Obiter

Dicta- Precedent as a Source of Law

c) Nature of Judicial Process- Rule of Law,

**Legal Concepts:**

Legal Personality: Meaning and Kinds of Person. Theories of Corporate Personality

Property: Meaning, Nature and Kinds of Property, Acquisition and Loss of Property, An Appraisal of Right to Property in India

Ownership: Meaning, Incidents, Forms, Subject Matter and Acquisition of ownership, Ownership in Indian Law

Possession: Meaning, Elements, Theories, Importance and Kinds of Possession, Possession-Ownership distinguished, Possession and Indian Law

**Suggested Readings:**

- Paranjape, Dr. N.V. (2016) “*Studies in Jurisprudence and legal theory*” 8<sup>th</sup>edn., Central Law agency, Allahabad.
- Dwivedi, SP, (2017) “*Jurisprudence & Legal Theory*” 7<sup>th</sup>edn. Central Law Publication, Allahabad, Dias, “*Jurisprudence*”, LexisNexis, Gurgaon.
- Mahajan VD, (1987), “*Jurisprudence and Legal Theory*” 5<sup>th</sup>edn. Eastern Book company, Delhi.
- Tripathi, B.N. Mani, (2020) “*Jurisprudence Legal Theory*”, Allahabad Law Agency Faridabad.
- DhyanProf. S.N, (2015) “*Jurisprudence Indian Legal theory*” 4<sup>th</sup>edn., Reprint Central Law agency, Allahabad.
- ਡਾ. ਵਰਿੰਦਰਕੁਮਾਰਕੋਸ਼ਿਕ, ਵਿਧੀਸਾਸ਼ਤਰਦੀਜਾਣ -ਪਛਾਣ, ਪਬਲੀਕੇਸ਼ਨਬਿਊਰੋ, ਪੰਜਾਬੀਯੂਨੀਵਿਰਸਿਟੀ,ਪਟਿਆਲਾ।

**Web links:-**

- <http://law.uok.edu.in/Files/5ce6c765-c013-446c-b6ac-b9de496f8751/Custom/jurisprudence-Unit-I.pdf>
- <https://www.youtube.com/watch?v=vlijnl2VKTY>
- <https://www.youtube.com/watch?v=k0ROvLPC2oo>
- <http://www.legalservicesindia.com/article/2316/Meaning-and-Kind-of-Person.html>
- <https://plato.stanford.edu/entries/natural-law-theories/>
- [http://www.patnalawcollege.ac.in/econtent/Lec%203-Jurisprudence\(3rdSemester\)%20by%20Neelam%20Kumari.pdf](http://www.patnalawcollege.ac.in/econtent/Lec%203-Jurisprudence(3rdSemester)%20by%20Neelam%20Kumari.pdf)
- <https://scholarworks.umt.edu/cgi/viewcontent.cgi?article=1136&context=etd>

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PO/PSO/CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	2	3	2	1	1	-	2	2	3	-	2	1
CO 2	3	2	3	2	2	2	-	-	2	3	-	3	2
CO 3	3	2	3	2	3	2	2	2	3	2	2	3	2
CO 4	2	3	2	3	3	2	1	2	3	3	2	2	3
CO 5	2	3	2	3	1	2	2	-	2	3	1	1	-
Avg.	2.6	2.4	2.6	2.4	2	1.8	1	1.2	2.4	2.8	1	2.2	1.6

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.



**Course Name: Interpretation of Statutes**

**Course Code: 1203103**

**Semester: I**

**Credits: -4**

**L T P**

**4 0 0**

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Understand the parts of a statute and the fundamental rules of interpretation of statutes.
CO2	Understand the role of courts and guided principles for interpretation of any statutes.
CO3	Describe the techniques are adopted by courts in construing statutes and the importance of the law-making process in the present context.
CO4	Analyze the judicial interpretation, construction of words, phrases, and expressions.
CO5	Explain the legal provisions related to the principle of legislation.

**Course Content**

**UNIT I**

**Interpretation of Statutes**

Legislation and its types

Commencement, Extent and Duration of Statutes

General Principles of Statutory Interpretation:

Primary or Literal Rule of Interpretation

Mischief Rule of Interpretation

Golden Rule of Interpretation

Harmonious Rule of Interpretation

Beneficial Construction

Strict or Liberal Construction

**Unit II**

Internal Aids to Interpretation of Statute

External Aids to Interpretation of Statute

Mensrea in Statutory Offences

Interpretation of Constitution

Harmonious Construction

Doctrine of Pith and Substance

Doctrine of Implied, Incidental and ancillary Powers

**Suggested Readings:**

- Dately, V. S., (2019), *“Interpretation of Statutes”* Taxmann Publications.



- Singh, Avtar, (2014), “Introduction to the Interpretation of Statutes” 2<sup>nd</sup>edn. LexisNexis, Gurgaon.
- Bindra, N S, (2016), “Interpretation of Statutes” 12<sup>th</sup>edn. Lexis Nexis publications, Gurgaon.
- Gandhi B.M., (2014), “Interpretation of Statutes” 2<sup>nd</sup>edn. Eastern Book Company, Delhi.
- Sarathi V.P. (2003) “Interpretation of Statute” 4<sup>th</sup>edn Eastern Book Company, Delhi
- Singh, Justice G.P., (2016) “Interpretation of statute” 14<sup>th</sup>edn. LexisNexis Butterworth publication, Gurgaon.

**Web Links:-**

- <https://www.lawnn.com/types-of-legislation/#:~:text=Types%20of%20legislation,-Legislation%20can%20be&text=Broadly%2C%20legislation%20can%20be%20divided,authority%20which%20thereby%20makes%20laws.>
- <https://www.lawctopus.com/academike/golden-rule-interpretation/#:~:text=Editor's%20Note%3A%20The%20golden%20rule,meaning%2C%20irrespective%20of%20the%20consequences.>
- [https://shodhganga.inflibnet.ac.in/bitstream/10603/130519/11/11\\_chapter%203.pdf](https://shodhganga.inflibnet.ac.in/bitstream/10603/130519/11/11_chapter%203.pdf)
- [https://www.youtube.com/watch?v=O\\_HjKBKsbJY](https://www.youtube.com/watch?v=O_HjKBKsbJY)
- <https://blog.ipleaders.in/internal-aids-to-construction/#:~:text=The%20internal%20aids%20include%20title,%2C%20explanations%2C%20schedules%20and%20punctuation.>
- <http://www.legalserviceindia.com/legal/article-2713-interpretation-of-statutes-a-complete-study-to-an-aids-to-interpretation.html>

**The mapping of PO/PSO/CO attainment is as follows:**

PO/PSO/CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	3	2	2	2	2	3	1	2	3	1	1	3
CO 2	2	2	3	2	2	3	2	2	3	3	1	2	3
CO 3	3	3	2	2	2	2	2	3	3	3	2	2	3
CO4	3	2	3	1	3	3	1	3	1	3	3	-	3
CO5	3	3	1	3	3	1	3	2	1	3	3	1	3
Avg.	2.8	2.6	2.2	2	2.4	2.2	2.2	2.2	2	3	2	1.2	3

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.

**Course Name: Law and Social Transformation**  
**Course Code: 1203201**  
**Semester: II**

**Credits: -4**

**L T P**  
**4 0 0**

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Differentiate the relationship between law and society and its various aspects like social, economic and political etc.
CO2	Explain the concept of law as an instrument of social change.
CO3	Identify the social problems i.e. relating to Women and children, schedule castes, tribes and religious minorities.
CO4	Examine the role of law commission in transforming law and judiciary.
CO5	Implements the alternative approaches to courts while dealing with practically.

**Course Content**

**Unit I**

**Law and Social change:** meaning of law in social context, Social Nature and Significance of Law

Law as instrument of social change, theories of law and social change, Limits of law in bringing social change, Socio-legal dynamics of India and Counter forces and social change Law and society,

Law and Justice: Concept of Justice, Theories of Justice and significance

Law and social change in global context: impact of globalization on legal systems

Common Legal systems and its impact on Indian Social System and law, social Change in ancient India and social concern for justice

**Constitution and social Transformation:** Sociological Theories of law and its impact on Indian Legal System, Role of Constituent Assemble in bringing social change, constitutional amendment: Basic Structure theory and social change.

**Culture and Law:** law as a product of traditions and cultures, globalization and Right to cultural identity, Issues of Cultural Identity and sovereignty, indigenous claims for cultural identity and destruction of their cultural heritage

Cultural issues of Tribal people in India and violation of cultural rights and remedies

**Unit II**

**Law and Religion:** Legal Definition of Religion, Religion as tradition of Law, relationship between law and Religion, Freedom of religion under international law, discrimination on grounds of religion, human rights issues and religion.

Secularism in India- issues and remedies, right to freedom of religion and non-discrimination, religious minorities and law

**Language and Law:** linguistic minorities and their right to Language, linguistic justice under international law, linguistic policy in India, rights of linguistic minorities, language and Education.

**Suggested Readings:-**

- Glanter, Marc, (1993), *“Law and Society in Modern India”*, OUP, India.
- Bhat, Ishwar, (2012), *“Land Social Transformation”*, EBC Publisher.
- Granville Austin, (2000), *“Working a Democratic Constitution”*, OUP, India.

**Web links:-**

- <http://www.legalservicesindia.com/article/1592/Law-and-Social-Change-in-India.html>
- <https://advocatetanwar.com/law-as-an-instrument-of-social-change/#>
- <http://ignited.in/l/a/89495#:~:text=Thus%20the%20structure%20of%20rights,in%20b,ringing%20forth%20social%20transformation.&text=A%20more%20direct%20activist%20role,Directive%20Principles%20of%20State%20Policy.>
- <https://abhipedia.abhimanu.com/Article/sociology/MTAzNjYy/Constitution--law-and-social-change-Paper--II---Indian-Society---Structure-and-Change--sociology>
- <http://magazines.odisha.gov.in/Orissareview/2016/Jan/engpdf/14-18.pdf>
- <https://commons.emich.edu/cgi/viewcontent.cgi?article=1042&context=gabc>
- <http://www.legalserviceindia.com/legal/article-5288-language-law.html#:~:text=Language%20is%20a%20rule%2Dbased,are%20accessible%20only%20through%20language.&text=The%20relationship%20between%20partners%20in,exerts%20its%20control%20through%20language.>

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	3	3	3	2	3	2	3	2	3	1	3	3
CO 2	3	3	3	3	1	3	2	3	2	3	1	3	3
CO 3	2	2	3	2	1	3	3	3	3	2	1	3	3
CO4	2	3	3	3	3	3	3	3	3	3	2	2	2
CO5	1	3	3	3	3	2	2	3	3	2	3	3	3
Avg.	2.2	2.8	3	2.8	2	2.8	2.4	3	2.6	2.6	1.6	2.8	2.8

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.

**Course Name: Public International Law**

**Course Code: 1203202**

**Semester: II**

**Credits: -4**

**L T P**

**4 0 0**

**Course Outcomes:** On successful completion of this course, the students will able to:

<b>CO</b>	<b>Statement</b>
CO1	Understand the law making process at International level and its implementation at national level according to national legal process and ratification of International Treaties.
CO2	Get knowledge of Public International Law, principles and the role of legal institutions.
CO3	Implementation of human rights instruments and various legal remedies when a state violates the treaties.
CO4	Evaluate the nature of international law and relation between international law and state law.
CO5	Examine the concepts like extradition, asylum and its applications in true sense.

## **Course Content**

### **Unit I**

Nature, Scope and Evolution of public International law  
 Theories of International law  
 Sources of International Law  
 Approach of third world towards International law  
 Customary International Law: State Practice and opinioJuris  
 Relationship between Municipal and International law  
 Jurisdiction: Types; Prescriptive, Enforcement, Civil and Criminal;  
 Principles of Jurisdiction: Territoriality Principle, Nationality, Passive Personality Principle  
 Protective Principle, Universal Jurisdiction  
 Sovereign Immunity, immunities from Jurisdiction  
 Law of Treaties: Concept of Treaties, Types, Conclusion and Reservation to Treaties;  
 Validity, application, Modification and Termination of Treaties, PactaSuntServanda, Rebus  
 sic Stanibus; Interpretation and Ratification of International treaties

### **Unit II**

Sovereignty, Recognition, State Responsibility, Nationality, Extradition, Asylum, Succession  
 Responsibility: character and forms of international responsibility, Responsibility to Protect.  
 Principles of Erga Omens, & Jus Cogens and Development of Human Rights

Right to Self Determination: concept, application, minority issues

Use of Force under international law

International Organizations: nature and legal responsibility of international organizations;

United Nations: Organs, functions and role General Assembly, Security Council,

Economic and Social Council, Trusteeship Council, International Court of Justice.

Pacific Means of Dispute Settlement: Negotiation, Inquiry, Good Offices, Mediation and Conciliation, International Arbitration

**Suggested Readings:**

- Boas, Gideon, (2012), “*Public International law: Contemporary Principles and Perspectives*”, Edward Elgar Publishers.
- Shaw, Malcolm N, “*International Law*, 6<sup>th</sup> Edition” Cambridge University Press.
- Brownlie, Ian, (2003), “*Principles of Public International law*”, Oxford University Press.
- Bowett, D.W, (1983), “*Law of International Institution*”, Sweet and Maxwell, London.
- Kapoor, S K, (2018), “*International law and Human Rights*”, Central Law agency, Allahabad.

**Web links:-**

- <https://youtu.be/EykvO2JLgNE>
- <https://youtu.be/fDxdiRg54Es>
- <https://youtu.be/I0x8xef6euM>
- <https://youtu.be/Kukqof4euKI>

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	1	1	-	3	3	3	3	3	3	1	1	3
CO 2	3	1	2	2	3	3	3	3	2	3	1	3	2
CO 3	3	-	2	1	3	3	3	3	3	3	3	2	3
CO4	3	3	3	2	3	2	3	3	3	3	3	3	3
CO5	3	3	3	3	2	3	2	3	3	2	2	2	2
Avg.	3	1.6	2.2	1.6	2.8	2.8	2.8	3	2.8	2.8	2	2.2	2.6

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.

**Course Name: Constitutional Law and New Challenges**  
**Course Code: 1203203**  
**Semester: II**

**Credits: -4**

**L T P**  
**4 0 0**

**Course Outcomes:** On successful completion of this course, the students will able to:

<b>CO</b>	<b>Statement</b>
CO1	Analysis a comparative study on structure of government, legislative process and the role of the judiciary to have better understanding of the Indian polity. Comparative study of citizenship with special reference to article 370.
CO2	Evaluate the concept of fundamental rights and fundamental duties of the citizens of India.
CO3	Implements the writ jurisdiction with wider scope for enforcement of fundamental rights.
CO4	Analysis the legislative as well as administrative relations of the central as well as state government.
CO5	Argue the contradictory statement of the amendments in constitution of India with special reference to article-13 of the constitution.

**Course contents**

**Unit I**

Concept of constitutionalism: comparative perspective  
 Concept of constitution and its relation with statehood (Comparative study of UK and India)  
 Living constitution: concept, origin and application, originalism and democratic constitution, Indian Perspective of Living Constitution  
 Federalism: concept, nature and meaning of federalism, quasi federal, cooperative federalism, Separation of powers and rule of law; concept and new horizons (Comparative study of UK, USA, INDIA), Effect of emergency provisions on federal structure in Indian and USA  
 Judicial Process: judicial activism and judicial restraint, judicial independence, judicial accountability of judges, Public Interest Litigation; meaning, nature, scope and implementation  
 Judicial review: meaning, nature and scope comparative study of UK, USA and India

**Unit II**

Concept of human rights and Fundamental rights (Art. 12-35)  
 History of fundamental rights in India  
 Scope of article 12 and fundamental rights

Article 13, judicial review and fundamental rights, theory of basic structure and doctrines under article 13

Right to equality and social justice: New Dimensions (Art. 14-18)

Right to Freedom: scope of article 19 and reasonable restrictions and new dimensions

Safeguards to persons accused of crime under article 20

Right to life and personal liberty: nature, scope and expanding horizons, Right to privacy and its scope

Preventive detention art.22

Concept of secularism and Right to freedom of religion (Art. 25-28)

Cultural and educational rights of Minorities and issues Art 29 & 30

New rights and remedies

Nature and scope of Art 32

Implementation of international conventions of Human Rights

Concept of compensatory justice

Fundamental duties and Directive principles of state Policy: issues and challenges

Legal status, object, nature of directives and categories of DPSP

Obligation of States to implement directives, Fundamental rights and emergency powers

### **Suggested Readings:**

- Basu, DurgaDass, (2011), "*Commentary on the Constitution of India*", Lexis Nexis Butterworth's Wadhwa.
- Jain, Dr. M.P., (2010), "*Indian Constitutional Law*" 6<sup>th</sup> Edition, Lexis Nexis Butterworth's Wadhwa.
- Shukla, V.N. (2013), "*Constitution of India*" 12th Edition, Eastern Book Company.
- Seervai, H.M., (2005), "*Constitutional Law of India*" Universal Law Publishers.
- Barendt, Eric, (2006), "*Freedom of Speech*", Oxford University Press.
- Narinder Kumar, 9th Edition, "*Constitution law of India*", Allahabad Law Agency, Faridabad.
- Agarwal, Krishna Bhagwan & Rajendra Kumar Raizada, (1990), "*Comparative Constitutionalism*", University Book House.
- Strauss, David A, (2010), "*The Living Constitution*", Oxford University Press.
- Ray, B, (2010), "*Evolution of Federalism in India*", Progressive Publishers.
- Miller, Frederic P., Agnes F Vandome & John McBrewster, (2009), "*Fundamental Rights: Directive Principles and Fundamental Duties of India*", VDM Publishing.

### **Web links:-**

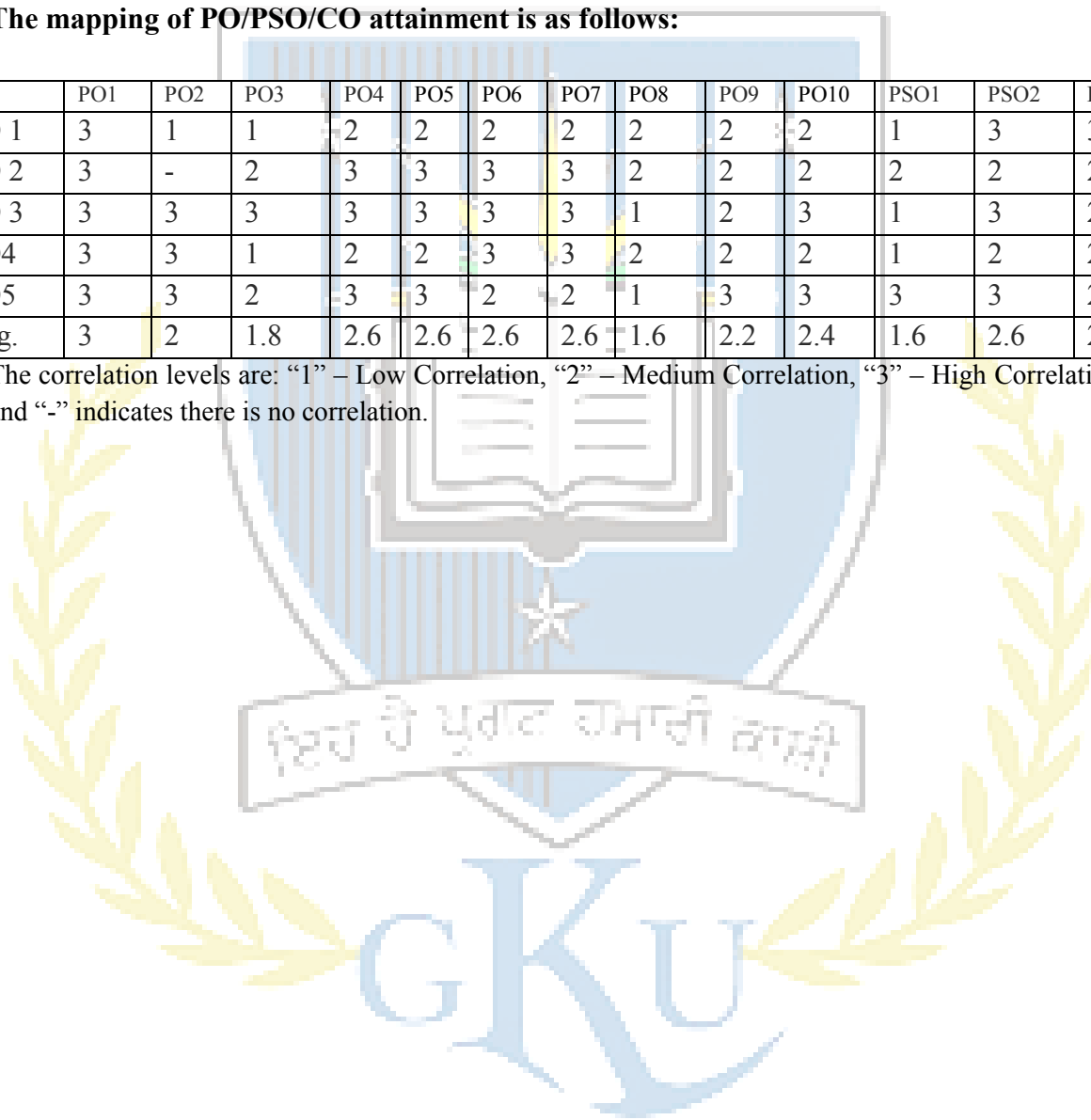
- <https://blog.ipleaders.in/constitution-constitutionalism-study-perspective-india/>
- <https://knowindia.gov.in/profile/the-union/executive.php>

- <https://byjus.com/free-ias-prep/right-to-freedom-articles-19-22/#:~:text=The%20Right%20to%20Freedom%20is,by%20the%20Constitution%20of%20India.&text=The%20right%20to%20freedom%20gives,a%20life%20of%20dignity%2C%20etc.>
- <https://lawcirca.com/what-is-the-difference-between-article-32-and-article-226-of-the-indian-constitution.>

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	1	1	2	2	2	2	2	2	2	1	3	3
CO 2	3	-	2	3	3	3	3	2	2	2	2	2	2
CO 3	3	3	3	3	3	3	3	1	2	3	1	3	2
CO4	3	3	1	2	2	3	3	2	2	2	1	2	2
CO5	3	3	2	3	3	2	2	1	3	3	3	3	2
Avg.	3	2	1.8	2.6	2.6	2.6	2.6	1.6	2.2	2.4	1.6	2.6	2.2

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.





**Course Name: General Principles of Criminal Law**

**Course code: 1203301**

**Semester: III**

Credit: 4

L T P  
4 0 0

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Understand the term, characteristics of crime, development of criminal law and criminal justice, theories of crimes.
CO2	Develop knowledge on the historical development, organization of prison system and also regarding the objectives of imprisonment, prison etc.
CO3	Learn the current issues in criminal law and criminal justice.
CO4	Articulate the special concerns of juvenile and women in the criminal justice system.
CO5	Evaluate the different theories of Punishments.

### Course contents

#### Unit -I

General Principles of Criminal Law

Nature, Definition and elements of crime,

General Principles of Criminal Liability

Individual Liability and Group Liability

Inchoate Offences

Preliminary offences: Attempts, Criminal conspiracy, Abetment

General Defences under IPC

#### Unit -II

Criminal Law: Woman and Children

Human Trafficking

Domestic Violence

Sexual Offences

Juvenile Justice

Crime and justice

Restorative Justice

Theories of Punishment

Victim logy

Plea Bargaining

Sentencing Policy in India

Prison Reforms

Alternatives to Punishment

**Suggested Readings:**

- Ashworth, Andrew, (2009), “Principles of Criminal Law Paperback 6th edition – January 1, 1709”.
- Baker Denis J; Glanville Williams, (2012), “Text Books of Criminal Law” New Delhi.
- Thakker, C.K. (Rev. (2004), “Indian Penal Code”, New Delhi.
- Ratan Lal & Dhiraj Lal's, (2004) “Indian Penal Code” 30th Ed. New Delhi.
- Gaur K.D. (6th ed., 2009), “Criminal Law – Cases and Materials”, New Delhi.
- Fletcher, George, (1978), “Rethinking Criminal Law”, Criminal Law, New Delhi.
- Little, Brown, (1978), “George P. Fletcher Criminal law”, New Delhi.
- Hall Jerome (1960), “General Principles of Criminal Law”, New Delhi.

**Web links:-**

- <https://lawtimesjournal.in/principles-of-criminal-liability-individual-and-joint-liability/>
- <http://www.legalservicesindia.com/article/1228/The-Elements-and-Stages-of-a-Crime.html>
- [https://www.youtube.com/watch?v=\\_B94xw3Drq0](https://www.youtube.com/watch?v=_B94xw3Drq0)
- <http://www.legalservicesindia.com/law/article/926/16/Crimes-Against-Woman-in-India>
- [https://www.youtube.com/watch?v=6\\_7bthqokDo](https://www.youtube.com/watch?v=6_7bthqokDo)
- <https://lawtimesjournal.in/nature-and-definition-of-crime/>
- <http://www.mchr.gov.in/93fc/week5/IPC.pdf>
- <https://blog.ipleaders.in/theories-of-punishment-a-thorough-study/>
- <https://interestinglaws.com/sentencing-policy-in-india-its-issues-and-challenges/>

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3
CO 1	2	3	2	3	2	3	3	2	3	3	1	3	2
CO 2	3	3	3	2	3	3	3	3	1	2	2	2	3
CO 3	2	1	2	2	1	2	1	2	2	1	-	2	2
CO 4	3	2	3	3	3	1	2	1	1	3	1	2	3
CO 5	1	1	2	2	1	2	2	2	2	2	2	3	2
Avg.	2.2	2	2.4	2.4	2	2.2	2.2	2	1.8	2.2	1	2.4	2.4

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.

**Course Name: International Criminal Law**

**Course code:-1203302**

**Semester: III**

Credit: 4

L T P

4 0 0

**Course Outcomes:** On successful completion of this course, the student will able to:

CO	Statement
CO1	Understand the concept of International criminal law and its various principles.
CO2	Learn the origin and establishment of International Criminal Court.
CO3	Learn the rights of Accused and Protection of Victims and Witnesses
CO4	Understand the processing, provisions of International Criminal Tribunal for Yugoslvia, International Criminal Tribunal for Rwanda
CO5	Analysis the Concept of Victimology, Its kinds and its present implementation in India.

**Course contents**

**Unit-I**

Concept of International Criminal Law

Development of International Criminal Law

Sources of International Criminal Law

Principle of Liability and Participation in International Criminal Law

Evolution of the Concept of Individual Criminal Responsibility

Grounds of Excluding Criminal Liability

Principle of non-retroactivity

Principle of Complementarity: origin, development and Practice

Ne bis in idem or double jeopardy

International Crimes: Meaning and Scope, Genocide, Aggression, organized crimes and corruption, War crimes, Crimes against humanity, Terrorism issues relating, Money laundering, Narco terrorism.

**Unit II**

Establishment of International Military Tribunals, Nuremberg and Tokyo Tribunal

Origin and Establishment of International Criminal Court

Constitution and Composition of International Criminal Court

Jurisdiction of International Criminal Court

Grounds of inadmissibility of Cases in International Criminal Court

Rights of Accused and Protection of Victims and Witnesses

Obligation of State Parties and Non Party States to International Criminal Court

International Criminal Tribunal for Yugoslvia (ICTY)

International Criminal Tribunal for Rwanda (ICTR)

## International Criminal Tribunal for Sierra Leone

### Suggested readings

- Ilias Banekas & Susan Nash, (2007), *“International Criminal Law”*, Taylor & Francis.
- Susan Nash, (2007), *“International Criminal Law”* book cover. Ilias Bantekas. Copyright Year ... Published August 13, by Routledge-Cavendish.
- Banerjee, Dipankar, (2006), *“International Criminal Court”* Konrad Adenauer Stiftung, New Delhi.
- Knut Dormann and Beck, *“Elements of War Crimes under the Rome Statute of International Criminal Court: Sources and Commentary”*, Cambridge University Press.
- Knut Dörmann (with Louise Doswald-Beck and Robert Kolb), *“Elements of War Crimes under the Rome”* Oxford University Press.
- Robert, *“Introduction to International Criminal Law and Procedure”*; Oxford University Press.
- Cryer, Robert, Friman, Hakan, Robinson, Darryl and Wilmshurst, Elizabeth; *a “Statute of the International Criminal Court: Sources and Commentary”* by King’s Law Journal: Vol. 15, No. 1.

### Web links:-

- <https://youtu.be/EykvO2JLgNE>
- <https://youtu.be/fDxdIRg54Es>
- <https://youtu.be/10x8xef6euM>
- <https://youtu.be/Kukqof4euKI>
- <https://www.icc-cpi.int/resourcelibrary/official-journal/rome-statute.aspx>
- <https://youtu.be/iZWXWFjL7x0>
- <https://youtu.be/9ChMIBmWgW4>

### The mapping of PO/PSO/CO attainment is as follows:

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	2	2	1	1	2	-	-	2	3	3	2	2	2
CO 2	2	1	1	-	1	2	1	3	1	3	2	1	3
CO 3	1	1	2	2	1	1	1	2	2	2	2	3	2
CO 4	1	2	1	1	2	3	2	2	1	3	1	2	3
CO 5	3	1	2	2	1	2	2	1	2	2	2	1	2
Avg.	1.8	1.4	1.4	1.2	1.4	1.6	1.2	2	1.8	2.6	1.8	1.8	2.4

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation

**Course Name: Juvenile Justice**  
**Course Code: 1203303**  
**Semester: III**

Credit: 4

**L TP**  
**4 0 0**

**Group-I Criminal Law**

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Know and Examine the objectives of the Juvenile Justice delivery System under the JJ Act, 2015.
CO2	Explain the nature and causes of juvenile delinquency and international efforts for juvenile justice.
CO3	Discuss the development of juvenile justice system and historical background of juvenile.
CO4	Effectively communicate the challenges facing the juvenile justice system.
CO5	Develop their effectively communicate possible solutions to the challenges facing the juvenile justice system.

**Course Content**

**UNIT I**

Concept of Juvenile Justice  
 Concept of Juvenile Delinquency  
 Nature and Causes of Juvenile Delinquency  
 International Efforts for Juvenile Justice  
 Historical Development of Juvenile Justice in India  
 Juvenile Justice Board - Procedure and powers etc.  
 Child Welfare Committee – Procedure and powers etc.  
 Juvenile Courts - it's working and distinctive characteristics.

**UNIT II**

Legal Measures to Control Juvenile Delinquency  
 Delimitation of the Scope of Juvenile Delinquency  
 Discriminatory application of Juvenile Justice  
 Special Homes  
 Juvenile Homes  
 Special Juvenile Police Units  
 Treatment of Juvenile Delinquents & Children in need of care and protection  
 Rehabilitation and After-care of Juvenile Delinquents and Children in need of care and protection  
 Offences against Juveniles

Uncontrollable Juveniles  
An Evaluation of Juvenile Justice System in India

**Suggested Readings:**

- Robinson Sophia M.1960 “The Juvenile Delinquency: Its Nature and Control”, Henry Holt & co.
- KAPLAN, Howard B 1984 “Patterns of juvenile delinquency” Sage Pub., Beverly Hills.
- Manish Dwivedi 2011 “Juvenile Justice System in India”, Adhyayan Publishers & Distributors, 1st edition.
- Kumari Ved2004 “The Juvenile Justice System in India: From Welfare to Rights”, Oxford University Press.
- Juvenile Justice (care & Protection of Children) Act, 2000.

**Web links: -**

- <https://blog.ipleaders.in/juvenile-justice-system-india/#:~:text=Juvenile%20Justice%20is%20a%20legal,the%20age%20of%2018%20years.>
- <http://www.legalserviceindia.com/legal/article-1724-juvenile-delinquency-in-india-causes-and-prevention-.html>
- <http://www.legalserviceindia.com/legal/article-3089-juvenile-justice.html>
- <http://medcraveonline.com/FRCIJ/institutional-treatment-for-juveniles-in-india---a-critical-analysis.html>
- <https://blog.ipleaders.in/rehabilitation-of-juveniles/>

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3
CO 1	3	3	2	3	2	3	3	2	3	3	1	3	2
CO 2	3	3	3	2	3	3	3	3	1	2	2	2	3
CO 3	3	1	2	2	1	2	1	2	2	1	-	2	2
CO 4	3	2	3	3	3	1	2	1	1	3	1	2	3
CO 5	3	1	2	2	1	2	2	2	2	2	2	3	2
Avg.	3	2	2.4	2.4	2	2.2	2.2	2	1.8	2.2	1	2.4	2.4

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation

**Course Name: Law of Marriage in India**  
**Course Code: 1203304**  
**Semester: III**

Credit: 4

**L T P**  
**4 0 0**

**Course Outcomes:** On successful completion of this course, the student will able to:

CO	Statement
CO1	Understand the origin, evolution and sources of Hindu and Muslim Law.
CO2	Know the concept of uniform civil code and problem of conflicts of interest of personal laws
CO3	Learn the concept marriage and its different kinds and also understand the effect of registration of marriage on residential and non-residential Indians.
CO4	Understand the legal rights of spouse under personal laws.
CO5	Identify the current problems in family matters and adjudication of family disputes through judicial and non-judicial ways.

**Course contents**

**Unit-I**

Ancient Sources of Hindu Law  
Sources of Muslim Law  
Modern Sources of Hindu Law  
Schools of Law, Migration, Domicile  
Schools of Muslim Law  
Residence and Problem of Conflict of Personal Laws,  
Concept of Uniform Civil Code

**Unit-II**

The Hindu Marriage Act, 1955;  
Muslim Law;  
Indian Christian Marriage Act, 1872;  
Parsi Marriage and Divorce Act, 1936 and  
The Special Marriage Act, 1954  
Application of Law  
Evolution of Institution of Marriage  
Kinds of Marriage  
Conditions/ Requisites of Marriage  
Solemnization and Ceremonies of Marriage  
Registration of Marriage  
NRI Marriages

**Suggested readings:**

- Paras Diwan, Publication date 1 January (2018) ,“*Family Law*”, Publisher Allahabad Law Agency , · ISBN-10 9783973819.

- B. P. Beri.(1982), “*Law of Marriage and Divorce in India*”., Front Cover. B. P. Beri. Eastern Book Company.
- Dr. ParasDiwan,Agency (Edition 2019-2020), “*Modern Hindu Law*” By, Publisher Allahabad Law Agency.
- DinshahFardunji Mulla, SatyajeetAtul Desai, (2007), “*Principles of Hindu Law,*” Volume 2. Front Cover., LexisNexis Butterworth’s
- Mulla, (19th ed. 1990), “*Principles of Mohammedan Law*”. LexisNexis publication.

**Web links:-**

- <https://lawcorner.in/what-are-the-ancient-sources-of-hindu-law/>
- [https://uk.practicallaw.thomsonreuters.com/6-581-5985?transitionType=Default&contextData=\(sc.Default\)&firstPage=true](https://uk.practicallaw.thomsonreuters.com/6-581-5985?transitionType=Default&contextData=(sc.Default)&firstPage=true)
- <https://www.indiacode.nic.in/handle/123456789/1560?locale=en>
- <https://www.indiatoday.in/information/story/how-to-get-marriage-registered-steps-to-undergo-legal-procedure-1437455-2019-01-23>

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	1	1	3	2	3	3	1	3	3	2	2	2
CO 2	3	1	2	2	3	3	3	3	1	2	2	2	3
CO 3	3	-	-	2	1	2	1	2	2	1	3	2	2
CO 4	3	-	1	3	2	1	2	1	1	3	1	2	3
CO 5	2	3	3	3	1	2	2	2	2	2	2	3	2
Avg.	2.8	1	1.4	2.6	1.8	2.2	2.2	1.8	1.8	2.2	2	2.2	2.4

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.



**Course Name: Law of Adoption, Maintenance  
And Guardianship in India  
Course Code: 1203305  
Semester: III**

**Credit: 4**

**L TP  
4 0 0**

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Understand the concept of Adoption and requisites of a valid adoption.
CO2	Learn the Concept of Guardianship which includes the kinds of guardian and their powers.
CO3	Understand the provisions and procedure of Custody/Hizanat, under the Guardian and Wards Act, 1890.
CO4	Understand the legal or statutory provisions relating to maintenance and its application for maintenance under Section 125 of Cr.P.C.
CO5	Know the legal provisions related to Maintenance and Welfare of parents under Senior Citizens Act, 2007.

**Course contents**

**Unit-I**

**Adoption under the Hindu Adoptions and Maintenance Act, 1956:**

Application of Act Requisites of a valid adoption

Capacity of a male Hindu to take in adoption

Capacity of a female Hindu to take in adoption

Persons capable of giving in adoption Persons who may be adopted

Conditions for a valid adoption, Effects of adoption

**Concept of Maintenance**

Maintenance under Chapter IX (Ss 125 to 128) of the Criminal Procedure Code, 1973

Maintenance and Welfare of Parents and Senior Citizens Act, 2007

**Maintenance Under:**

The Hindu Marriage Act, 1955

The Hindu Adoption and Maintenance Act, 1956

**Unit-II**

**Guardianship** under Muslim law Definitions Natural Guardian Powers of Natural Guardian,

Testamentary Guardian, Powers of Testamentary Guardian.

Defacto Guardian, Powers of DefactoGuardianIncapacity of a minor to act as a Guardian.Custody/Hizanat, welfare of minor to be paramount consideration

Procedure of appointment of Guardian under the Guardian and Wards Act, 1890

### Suggested Readings:

- Diwan, Paras, Publication date 1 January (2018), “*Family Law*”, Publisher Allahabad Law Agency, · ISBN-10 9783973819.
- Beri, B. P. (1982), “*Law of Marriage and Divorce in India.*” Front Cover. B. P. Beri. Eastern Book Company.
- Diwan, Dr. Paras, (2019-2020), “*Modern Hindu Law*”, Publisher Allahabad Law Agency.
- MullaDinshahFardunji Desai,SatyajeetAtul“*Principles of Hindu Law*”, Volume 2. Front Cover.
- Mulla, DinshahFardunjiSatyajeetAtul Desai. 2007 “*Hindu Law*”, LexisNexis publication.
- Mulla, (1990), “*Principles of Mohammedan Law*” 19th ed.LexisNexis publication.

### Web links:-

- [https://en.wikipedia.org/wiki/Hindu\\_Adoptions\\_and\\_Maintenance\\_Act,\\_1956#:~:text=Under%20this%20act%20only%20Hindus.their%20fulfilment%20of%20certain%20criteria.&text=Only%20unmarried%20Hindu%20women%20can,to%20be%20considered%20the%20mother.](https://en.wikipedia.org/wiki/Hindu_Adoptions_and_Maintenance_Act,_1956#:~:text=Under%20this%20act%20only%20Hindus.their%20fulfilment%20of%20certain%20criteria.&text=Only%20unmarried%20Hindu%20women%20can,to%20be%20considered%20the%20mother.)
- <https://edukalife.blogspot.com/2013/01/definition-of-maintenance.html>
- [https://en.wikipedia.org/wiki/Legal\\_guardian](https://en.wikipedia.org/wiki/Legal_guardian)
- <https://indiankanoon.org/doc/1874830/>

### The mapping of PO/PSO/CO attainment is as follows:

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	2	1	3	2	3	1	3	1	3	1	3	1
CO 2	3	2	3	2	3	1	3	2	2	3	1	2	3
CO 3	3	2	1	2	3	1	1	3	3	2	3	3	3
CO 4	3	3	2	3	1	3	1	3	1	3	1	3	1
CO 5	3	2	3	2	3	2	3	2	3	3	2	3	3
Avg.	3	2.2	2	2.4	2.4	2	1.8	2.6	2	2.8	1.6	2.8	2.2

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation

**Course Name: Law of Inheritance & Succession**

**Course Code: 1203306**

**Semester: III**

Credit: 4

**L T P**

**4 0 0**

## **Group-II Family Law**

**Course Outcomes:** On successful completion of this course, the students will able to:

<b>CO</b>	<b>Statement</b>
CO1	Understand the comparison the Joint Family and distribution of Property between the Hindus.
CO2	Explain the classes of heirs who can claim property of the decease.
CO3	Classify the legal provisions of Succession of Property under The Hindu Succession Act, 1956.
CO4	Recognize the concept of alienation and the power of alienation as per share acquired by the coparcener.
CO5	Interpret the modes of partition under the schools of Hindu law.

### **Course Content**

#### **UNIT I**

Mitakshra Joint Family.

Mitakshra Coparcenary, its formation and incidents, Classification of Property under Mitakshra.

Coparcenary Property

Separate Property.

Dayabhaga Coparcenary, Its Formation and Incidents, Concept of Property under Dayabhaga Law.

Karta of the Joint Family, his Position, Powers, Privileges and Obligations

Alienation of Property

Separate Property.

Coparcenary Property

Partition

Subject Matter of Partition

Indivisible Properties

Deductions and Provisions

Persons who have a right to partition and entitled to a share

Persons who are entitled to a Share if Partition takes place

How Partition is affected

Severance of Joint Status or Interest

Mode of Partition  
 Division of Property by Metes and Bounds  
 Taking of Accounts  
 Rules Relating to Division of Property  
 Re-opening of Partition  
 Re-union in

## UNIT II

The Hindu Succession Act, 1956  
 Application of the Act  
 Definitions  
 Overriding Effect of Act  
 Intestate Succession  
 Devolution of Interest in Coparcenary Property  
 Succession to Property of a Hindu Male Dying Intestate  
 Concept of Women's Property  
 Succession of the Property of a Hindu Female Dying Intestate  
 General Rules of Succession  
 Disqualifications Relating to Succession  
 Class I Heirs.  
 Class II Heirs  
 Escheats  
 Testamentary Succession (Under the Hindu Succession Act, 1956) (Sec.30)

### Bare Acts

- The Hindu Succession Act, 1956

### Suggested Readings:

- Diwan Paras 2008 “Modern Hindu Law (Codified and uncodified)”, Allahabad Law Agency, 19th edition.
- Derre 1963”An Introduction to Modern Hindu Law”, Oxford University Press.
- Mulla 2007”Hindu Law” Lexis-Nexis, 12th Edition.
- Sharma B.K. 2008 “Hindu Law”, Central Law Agency, 2nd Edition.
- DiwanParas 2007“Muslim Law in Modern India”, Allahabad Law Agency, 9th Edition.
- Mulla, “Principles of Mohammedan Law”, Lexis-Nexis, 19<sup>th</sup>edn. 1990.

### Web links: -

- <https://blog.iplayers.in/difference-between-joint-hindu-family-and-coparcenary/>
- <https://www.legalbites.in/hindu-joint-family-and-coparcenary>
- <https://www.mondaq.com/india/wills-intestacy-estate-planning/818976/parcenary-species-and-genus-of-a-mitakshara-hindu-family>

- [https://en.wikipedia.org/wiki/Women%27s\\_property\\_rights](https://en.wikipedia.org/wiki/Women%27s_property_rights)
- <https://www.legalkart.com/legal-blog/testamentary-succession-will-it-fair-and-square>
- <http://www.legalservicesindia.com/article/1497/Karta-of-a-Family-/-Hindu-Law.html>

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	1	1	3	2	2	1	3	1	3	3	3	1
CO 2	3	1	3	2	3	1	2	2	2	3	3	2	3
CO 3	3	1	1	2	3	1	2	3	3	2	3	3	3
CO 4	3	1	2	3	1	3	3	3	1	3	1	3	1
CO 5	3	2	3	2	3	2	1	2	3	3	2	3	3
Avg.	3	1.2	2	2.4	2.4	1.8	1.8	2.6	2	2.8	2.4	2.8	2.2

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.



**Course Name: Criminal Justice System and Human Rights**

**Course Code: 1203401**

**Semester-IV**

Credit: 4

L T P  
4 0 0

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Understand the different provisions of human rights given under the constitution of India.
CO2	Understand the concept of Criminal Justice Administration and its organs
CO3	Analysis the comparative of human rights of prisoners, women, children and criminal justice system.
CO4	Understand the institutional framework in India dealing with protection and enforcement of human rights.
CO5	Know the role of national human right commission and its working in India.

**Course contents**

**Unit-I**

Administration of Justice: Meaning Purpose and Division of Administration of Justice,  
Difference between Administration of Civil Justice and Criminal Justice  
Criminal Justice Administration: concept, Historical Perspective and Organs of Criminal  
Justice System in India  
Human Rights: Concept, Origin and Development of Human Rights  
Role of National Human Rights Commission and State Human Rights Commission in  
Protecting Human Rights  
Human Rights and Criminal Justice System in India  
Right against Self incrimination  
Right against Torture

**Unit II**

Right to Legal Aid  
Right to Speedy Trial  
Justice to Victims of Crime: A Human Rights Approach  
Human Rights of Prisoners  
Child Rights and Criminal Justice System  
Women Rights and Criminal Justice System  
Death Penalty: Human Rights Perspectives on Future of Capital Punishment

### Suggested readings

- DVibhute, r. K.I., (2004), “*Criminal Justice: A Human Rights Perspective of the Criminal Justice Process in India*” 1st ed., New Delhi.
- Pachauri, S.K, “*Prisoners and Human Rights*”, Published by A.P.H. Publishing Corporation. ISBN 10: 8176480754 ISBN 13.
- Harry, W. More (volume coordinator), (1977), “*Principles and Procedures in the Administration of Justice*”, Vernon Rich (volume ...by K Hawkins).
- Gautam, Ashwani Kant., (2001), “*Human Rights and Justice System*”, Front Cover. Ashwani Kant Gautam. A.P.H. Publishing Corporation, New Delhi.

### Web links: -

- <http://www.legalserviceindia.com/legal/article-856-administration-of-justice.html#:~:text=What%20is%20administration%20of%20justice,physical%20for%20of%20the%20state.>
- <https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-11/key-issues/8--victims-of-crime-and-international-law.html>
- <http://www.legalservicesindia.com/article/1176/Right-to-Free-Legal-Aid.html>

### The mapping of PO/PSO/CO attainment is as follows:

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	1	1	2	3	3	3	3	3	3	1	1	2
CO 2	3	1	2	2	3	3	3	3	2	3	1	3	2
CO 3	2	2	2	1	3	3	3	3	2	3	3	2	1
CO4	3	3	3	2	3	2	3	3	1	3	3	3	1
CO5	3	3	3	3	2	3	2	3	3	2	2	2	2
Avg.	2.8	2	2.2	2	2.8	2.8	2.8	3	2.2	2.8	2	2.2	1.6

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.

**Course Name: Socio Economic Crimes**  
**Course Code: 1203402**  
**Semester: IV**

Credit: 4

L T P  
4 0 0

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Understand the Genesis of White Collar Crime
CO2	Learn the Regulation and Management of Foreign Exchange Management Act, 1999
CO3	Understand the legal provisions of Foreign exchange and Prevention of Smuggling Activities Act, 1974.
CO4	Analysis the various approached to bring change in society and effective law machinery for its regulation.
CO5	Know the Investigative procedure and penalties under the Narcotic Drugs and Psychotropic Substances Act

**Course contents**

**UNIT-I**

Genesis of White Collar Crime  
Nature and Scope of White Collar Crime  
Growth of White Collar Crime in India and Western Countries  
Mensrea and White Collar Crime  
Vicarious liability in White Collar Crime  
Strict liability in White Collar Crime  
The Essential Commodities Act, 1955:  
The Food Safety and Standards Act, 2006:  
Definitions  
Provisions relating to Food Articles  
Implementation of the Act by Food Safety Officers  
Food Safety and Standards Authority of India  
Adjudication and Power to Compound offences  
Analysis of Food Articles  
Offences and Penalties

**UNIT-II**



The Foreign Exchange Management Act, 1999:Definitions  
Regulation and Management of Foreign Exchange Authorized Person.

Adjudication and Appeal

Penalties

The Prevention of Corruption Act, 1988:

Definitions

Special Judges

Procedure and Power of Special Judge

Offences and Penalties

Sanction for Prosecution and other Provisions.

The Narcotic Drugs and Psychotropic Substances Act, 1985:

Definitions and objective of the Act

Investigative procedure under the Act

Penalties

The Conservation of Foreign exchange and Prevention of Smuggling Activities Act, 1974:

Definitions Detention under the Act

### Suggested Readings

- Ghosh, S.K., 1 January (1972), “*Economic Offences*”, Set Of 2 Vol.
- Singh, J.S.P., (2017). *Socio-Economic Offences*. Binding. Paperback. Publishing Date. Publisher. Sri Sai Law Publications.
- Baxi, Upendra, (Ed.), *Law and Poverty: Critical Essays* 387-415.

Web links: -

- <https://blog.ipleaders.in/white-collar-crimes/#:~:text=Reasons%20for%20the%20growth%20of,white%20collar%20crimes%20in%20India.>
- [https://www.indiacode.nic.in/handle/123456789/1579?view\\_type=search&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/1579?view_type=search&sam_handle=123456789/1362)
- [https://www.indiacode.nic.in/handle/123456789/2027?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/2027?view_type=browse&sam_handle=123456789/1362)
- [https://www.indiacode.nic.in/handle/123456789/1791?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/1791?view_type=browse&sam_handle=123456789/1362)

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	2	1	1	-	2	3	3	2	3	2	1	1	2
CO 2	2	1	2	2	1	3	3	1	2	1	1	3	2
CO 3	1	2	2	1	2	3	3	1	3	1	3	2	1
CO4	1	2	3	2	2	2	3	2	3	1	3	3	1
CO5	3	2	3	3	2	3	2	1	3	1	2	2	2
Avg.	1.8	1.6	2.2	1.6	1.8	2.8	2.8	1.4	2.8	1.2	2	2.2	1.6

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.



**Course Name: Dissertation**

**Course Code: 1203403**

**Semester: IV**

**Credits: -8**

**L T P**

**NA**

**Course Outcomes:** On successful completion of this course, the student will able to:

CO	Statement
CO1	Acquisition of detailed knowledge in a topic assigned from the field chosen.
CO2	Execute research methodology techniques while making research in the topic.
CO3	Explain academic writing skills after preparation of dissertation.
CO4	Judge pervious prepared reports while making research in the dissertation topic.
CO5	Researcher applies his own mind and gives conclusion and suggestions after completion of topic, in which weightage of research increases.

**Dissertation**

For the partial fulfillment of the course candidates will have to submit a dissertation to make the course research oriented. They can choose any topic of law for research work.

Dissertation paper will consist of Synopsis presentation, written full thesis and final presentation carrying 200 Marks.

Students appearing for the Post-Graduate Degree Programmed in Law (Executive Pro.) candidate shall submit a Dissertation prepared under the guidance of a Research Supervisor.

The student shall select the topic for Dissertation in consultation with the Research Supervisor and submit the topic along with the research proposal for the approval of the Dean The Dissertation shall be between 110-130 type written pages on A4 size papers with 1.5-line spacing, 12 Font size for the body of the text and 10 Font size for the footnotes in Times New Roman and submitted in 4 copies

Students will have to follow Indian Law Institute footnote pattern/ Blue Book Harvard/ OSCOLA Reference Style.

**The mapping of PO/PSO/CO attainment is as follows:**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PSO1	PSO2	PSO3
CO 1	3	1	1	-	3	3	3	3	3	3	1	1	3
CO 2	1	1	2	2	3	3	3	3	2	3	1	3	2
CO 3	3	-	2	1	3	3	3	3	3	3	3	2	3
CO4	3	3	3	2	3	2	3	3	3	3	3	3	3
CO5	3	3	3	3	2	3	2	3	3	2	2	2	2
Avg.	3	1.6	2.2	1.6	2.8	2.8	2.8	3	2.8	2.8	2	2.2	2.6

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.



**Course Name: Matrimonial Remedies in Family Law**

**Course Code: 1203404**

**Semester: IV**

Credit: 4

L T P  
4 0 0

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Understand the concept of Divorce and its validity.
CO2	Know the remedies available to the victim for the continuation of marriage
CO3	Learn the concept of Alternative Relief in Divorce Proceedings.
CO4	Understand the various legal or statutory provisions related to divorce under the Parsi and Muslim Law.
CO5	Analysis the concept of Nullity of Marriage under Personal Laws.

### Unit-I

Restitution of Conjugal Rights and its Constitutionality

Choice of Matrimonial Home

Judicial Separation

Nullity of Marriage:

Void Marriage

Voidable/ Irregular Marriage

Difference between Void and Voidable Marriages

### Unit-II

Theories of Divorce:

Fault Theory

Breakdown Theory

Irretrievable Breakdown Theory

Consent Theory

Difference between Judicial Separation and Divorce

Grounds of Divorce/ Dissolution of Marriage

Fair Trial to Marriage Rule

Alternative Relief in Divorce Proceedings

Remarriage of Divorced Persons

Under: -The Hindu Marriage Act, 1955; Muslim Law;the Divorce Act, 1869;theParsi

Marriage and Divorce Act, 1936 and the Dissolution of Muslim Marriage Act, 1939 and the Special Marriage Act, 1954.)

**Suggested readings:**

- Diwan, Paras. Publication date 1 January (2018), ‘*Family Law*’ Publisher Allahabad Law Agency, · ISBN-10 9783973819.
- B. P. Beri. (1982), “*Law of Marriage and Divorce in India*”. Front Cover. B. P. Beri. Eastern Book Company.
- Dr. Paras Diwan, (Edition 2019-2020), “*Modern Hindu Law*”, Publisher Allahabad Law Agency.
- Dinshah Fardunji Mulla, Satyajeet Atul Desai, (2007), “*Principles of Hindu Law*”, Volume 2. Front Cover.
- Mulla, Dinshah Fardunji. Satyajeet Atul Desai., (2007), LexisNexis Butterworth’s
- Mulla, (19th ed. 1990), “*Principles of Mohammedan Law*”, LexisNexis Butterworth’s.
- Fyzee, “*Mohammedan Law*” OUTLINES OF MUHAMMADAN LAW (2008). By Asaf A.A. Fyzee (Ed. Tahir Mahmood).
- Ahmed, Aqil. Edition: 26 Ed 2016, “*Mohammedan Law*”, Aqil Ahmad · Brand: Central Law Agency · ISBN 13.

**Web links: -**

- <https://blog.ipleaders.in/judicial-separation-under-hindu-marriage-act-1955/>
- <http://www.legalserviceindia.com/legal/article-3379-legal-provisions-and-constitutional-validity-of-the-restitution-of-conjugal-rights.html>
- <https://lawtimesjournal.in/theories-of-divorce/>
- <https://blog.ipleaders.in/grounds-divorce-the-hindu-marriage-act/>
- [https://advocatetanwar.com/alternative-relief-in-divorce-proceedings/#:~:text=So%20the%20court%20using%20its,under%20section%2013\(A\).](https://advocatetanwar.com/alternative-relief-in-divorce-proceedings/#:~:text=So%20the%20court%20using%20its,under%20section%2013(A).)

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CO 1	3	1	1	-	-	3	2	1	3	1	1	3	1
CO 2	3	3	3	3	3	3	1	2	2	3	1	2	3
CO 3	3	2	1	3	3	3	3	3	3	2	3	3	3
CO 4	3	1	2	1	2	3	1	3	1	3	1	3	1
CO 5	3	1	2	1	2	3	1	2	3	3	2	3	3
Avg.	3	1.6	1.8	1.6	2	3	1.6	2.2	2.4	2.4	1.6	2.8	2.2

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.



**Course Name: New Problems in Family Law in Contemporary India**  
**Course Code: 1203405**  
**Semester: IV**

**Credits: -4**

**L T P**  
**4 0 0**

**Group-II Family Law**  
**Course Content**

**Course Outcomes:** On successful completion of this course, the students will able to:

CO	Statement
CO1	Discuss the concept of family disputes and disposal of family matters.
CO2	Explain the laws which procures the life of girl child, when child in mother's womb.
CO3	Describe the various provisions remove the sati partha and its glorification and for matters connected therewith and the child marriage Act, 2006.
CO4	Examine the liability for the crimes committed in families and remedies for the victim family members.
CO5	Execute the process of family adjudication like mediation centers and their role in resolving family matters.

**UNIT I**

Issues related to family disputes and Disposal of Family matters: New Trends

Dowry Prohibition Act, 1961:

Definition of Dowry

Distinction between Dowry and Dower

Dowry offenders

Transfer of Dowry to the bride

Dowry offences

Trial of Dowry offenders

Authorities under Dowry Prohibition Act, 1961

Punishment under the Act

Dowry death

Dowry and criminal breach of trust

Husband or relative of husband of a woman subjecting her to cruelty

Evidence in Dowry offences

**UNIT II**

Infanticide

Female-foeticide

The Pre-conception and Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act



Bigamy

Homo-Sexuality

Live-in-Relationship

Surrogacy

The Commission of Sati (Prevention) Act, 1987:

Definitions

Punishment for offences relating to Sati

Power to prevent offences relating to Sati

Special Courts

Burden of Proof

Disqualification

The Prohibition of Child Marriage Act, 2006

**Bare Acts**

- Dowry Prohibition Act, 1961
- The Pre-conception and Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
- The Commission of Sati (Prevention) Act, 1987:
- The Prohibition of Child Marriage Act, 2006

**Suggested Readings:**

- Nalwa Suman & Kohli Hari Dev, "Law Relating to Dowry, Dowry Death, Cruelty to Women & Domestic Violence", Universal Law Publishing, 2nd edn. 2013
- V.K. Upadhyay, "A Commentary on Presumption of Dowry Death", Modern Law House, 1999
- Manjula Batra, "Women and Law with Law relating to children in India", Allahabad law Agency, 2012
- K.D. Gaur "India Penal Code", Universal Law Publication, Allahabad, 6<sup>th</sup> edn. 2016.
- S.K. Mishra, "Indian Penal Code", Allahabad Law agency, Faridabad, 2016.

**Web links: -**

- <https://legislative.gov.in/actsofparliamentfromtheyear/national-commission-women-act-1990>
- <https://indiankanoon.org/doc/69064674/>

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CO 1	3	2	1	3	2	3	1	3	1	3	1	3	1
CO 2	3	2	3	2	3	1	3	2	2	3	1	2	3
CO 3	3	2	1	2	3	1	1	3	3	2	3	3	3
CO 4	3	3	2	3	1	3	1	3	1	3	1	3	1
CO 5	3	2	3	2	3	2	3	2	3	3	2	3	3
Avg.	3	2.2	2	2.4	2.4	2	1.8	2.6	2	2.8	1.6	2.8	2.2

The correlation levels are: “1” – Low Correlation, “2” – Medium Correlation, “3” – High Correlation and “-” indicates there is no correlation.

Total Number of Course	17
Number of Theory Course	16
Number of Practical Course	0
Total Number of Credits	72

## Annexure-4

### ACADEMIC INSTRUCTIONS

#### Attendance Requirements

A student shall have to attend 75% of the scheduled periods in each course in a semester; otherwise he / she shall not be allowed to appear in that course in the University examination and shall be detained in the course(s). The University may condone attendance shortage in special circumstances (as specified by the Guru Kashi University authorities). A student detained in the course(s) would be allowed to appear in the subsequent university examination(s) only on having completed the attendance in the program, when the program is offered in a regular semester(s) or otherwise as per the rules.

#### Assessment of a course

Each course shall be assessed out of 100 marks. The distribution of these 100 marks is given in subsequent sub sections (as applicable).

	Internal (30)						External (70)	Total
Components	Attendance	Assignment	Surprise Test	Presentation	MST1	MST2	ETE	
<b>Weightage</b>	5	5	5	5	30	30	70	
Average Weightage	10	10			30		70	100

#### Passing Criteria

The students have to pass both in internal and external examinations. The minimum passing marks to clear in examination is 40% of the total marks.

