



KANNUR UNIVERSITY
DEPARTMENT OF LAW

LL. M SYLLABUS - 2020

UNDER
CHOICE BASED CREDIT SEMESTER SYSTEM (CBCSS)

Syllabus effective from 2020-21 Admission

COURSE STRUCTURE WITH CORE COURSES

COURSE CODE	COURSES	Marks			Credit	Contact hours
		CA	ESA	Total		
First Semester						
LLCRI01C01	Law and Social Transformation in India	40	60	100	4	5
LLCRI01C02	Principles of Criminal Law and Criminal Justice	40	60	100	4	5
LLCRI01C03	Legal Education and Legal Research	40	60	100	4	6
LLCRI01C04	International Criminal Law and Transnational Crime	40	60	100	4	5
LLCRI01C05	Wednesday Seminar (Core)	25		25	1	3
LLCRI01C06	Clinical Legal Education (Core)	25		25	1	1
Total				450	18	25
Second Semester						
LLCRI02C07	Judicial Process	40	60	100	4	6
LLCRI02C08	Comparative Perspectives of Criminal Procedural Law	40	60	100	4	5
LLCRI02E01/02/03/04	Elective Course	40	60	100	4	5
LLCRI02E010/2/03/04	Elective Course	40	60	100	4	5
LLCRI02C09	Wednesday Seminar (Core)	25		25	1	3
LLCRI02C10	Clinical Legal Education (Core)	25		25	1	1
Total				450	18	25
Third Semester						
LLCRI03E05/06/07/08/09/10	Elective	40	60	100	4	5
LLCRI03E05/06/07/08/09/10	Elective Course	40	60	100	4	5
LLCRI03E05/06/07/08/09/10	Elective Course	40	60	100	4	5
LLCRI03C11	Teaching and Research Practical	40	60	100	4	6
LLCRI03C12	Wednesday Seminar (Core)	25		25	1	3
LLCRI03C13	Clinical Legal Education (Core)	25		25	1	1
Total				450	18	25
Fourth Semester						
LLCRI04E11/12/13	Elective Course	40	60	100	4	5
LLCRI04O01/02/03/04	Open Elective Course	40	60	100	4	5
LLCRI04C14	Dissertation and viva voce		250+50	300	12	11
LLCRI04C15	Wednesday Seminar (Core)	25		25	1	3
LLCRI04C16	Clinical Legal Education (Core)	25		25	1	1
Total				550	22	25

Grand Total			1900	76	100
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¹ Electives and Open Electives may change as per the requirement. So numbers will be given according to its selection from the list provided.

LIST OF ELECTIVE COURSES & OPEN ELECTIVE COURSES

COURSE CODE	Elective Courses	Credits
	POOL-A	
LLCRI02E01	Criminology	4
LLCRI02E02	Medical Jurisprudence and Forensic Science	4
LLCRI02E03	Collective Violence and Criminal Justice System	4
LLCRI02E04	Human Rights Issues in Criminal Justice Administration	4
	POOL-B	
LLCRI03E05	Criminal Evidence	4
LLCRI03E06	Juvenile Justice System	4
LLCRI03E07	Penology and Victimology	4
LLCRI03E08	Forensic Science and Criminal Justice	4
LLCRI03E09	White Collar and Hi -Tech Crimes	
LLCRI03E10	Law Enforcement and Criminal Investigation	
	POOL- C	
LLCRI04E11	Privileged Class Deviance	4
LLCRI04E12	Crime Investigation	4
LLCRI04E13	Criminal Trial	4
	Open Elective Courses	
LLCRI04O01	Cyber Crimes	4
LLCRI04O02	Banking Law	4
LLCRI04O03	Consumer Protection Law	4
LLCRI04O04	Carriage of Goods by Sea	4

SCHOOL OF LEGAL STUDIES KANNUR UNIVERSITY

REGULATION, SCHEME, SYLLABI, AND MODEL QUESTION PAPER FOR LL.M. PROGRAMME

ABOUT THE PROGRAMME

Criminal Law is concerned with the most potentially invasive contention of authority by the state: if you fail to comply with the law you will be punished. As crime knows no jurisdictional or geographical boundaries, we need to expand our horizons and not only think domestically but also think internationally. The LLM (Criminal Laws) offers a unique and distinct opportunity to study criminal law in National, international and transnational context. This programme provides a holistic analysis of the criminal process through an analysis of the law, its philosophical underpinnings and its operation in practice in constantly changing environment.

For those wishing to gain in-depth understanding of criminal law and criminal justice, this course offers the opportunity for broader or deeply specialized study within an innovative research. The innovative focus and unique areas of study, allow you to develop your ability to critically appraise the current approaches and contemporary issues relating to criminal law *i.e.* transnational criminal law, cyber crimes and organized crime, and the challenges these pose. This programme emphasizes more on critical writing instead of traditional classroom teaching.

EMPLOYABILITY

In today's tough, competitive job market, having an LLM is a great addition in individuals portfolio and CV. LLM graduates can help in – Advocacy in Criminal Law, Judiciary, Banks, Educational Institutes, Regulatory Bodies, Legal Consultancies, Newspapers as criminal reporter or editor, News channels, Indian Railways, Defence. Apart from all these they have opportunities in NGOs and international organizations like UNO, and also in ICC. There are many opportunities for LLM passed candidates in Central as well as in State government services. They can join as judges in various courts in diverse roles such as Attorney and Solicitor General or as public prosecutors.

OBJECTIVES: LL. M (CRIMINAL LAW)

1. Inculcate critical thinking amongst the students to visualize, correlate, encapsulate, and explain various kinds of information for meaningful purposes and to expand their horizons of thought and knowledge.
2. To develop in a student the ability to analyse the legal problems from scholarly and objective point of view and work towards finding solutions to the problems by application of laws and regulations.
3. Instilling a sense of responsibility among the students, while simultaneously cultivating in them spirit of intellectual freedom, qualities of leadership, imaginative power and clarity.
4. The programme, aims at sprouting thought-provoking leaders for the society and promotes ethical and value-based learning to the students, to Capitalise on these advantages and help students diversify their career options after law school.
5. Through compulsory research component in the form of Dissertation, the students learn to conduct research study

6. To equip students with confidence to seek career opportunities in practising Criminal Law and to engage in other spheres.
7. To equip students with the knowledge of teaching methods enabling them to enter the teaching profession.

PROGRAMME OUTCOMES: LL.M.

1. Cultivate the ability to appreciate the role of lawyers in justice education in a globalising world sensitive to the needs of sustainability, poverty and vulnerability
2. Gain hands on experience in legal knowledge , skills, ethics and values to be able to work in a fast changing India set in a de-globalizing world because of the course curriculum which will facilitate learning law in a profound way in response to contemporary developments
3. Acquire legal knowledge from various disciplines and professions to equip them to perform various roles of a professional lawyer beyond the traditional role of litigation linking their domain knowledge to legal profession.
4. The student will improve cognitive, problem solving skills, independent critical thinking with research capabilities.

1. SCOPE

These regulations shall apply to LL.M programme, School of Legal Studies, Kannur University.

2 REGULATIONS OF THE COURSE

2.1. The LL.M. programme of the School of Legal Studies, Kannur University is structured in consonance with the UGC guidelines in order to mould student's professional capacity on the specializations offered as well as to produce good teachers in the concerned subject. Through this course, the school is also proposed to give special training to improve the students writing skills especially research articles, case comments and also to provide maximum opportunities to involve in extension programmes. The categorization of the programme is the "Credit and Semester System."

2.2 Choice Based Credit Semester system presupposes academic autonomy, cafeteria approach in academic environment, semester system, course credits, alphabetical grading and inter departmental academic collaboration. There shall be department council consisting of all the permanent / guest/ contract teachers of the department. The department council shall be responsible for admission to all the programmes offered by the department including conduct of entrance tests, verification of records, admission and evaluation. The department council will deliberate on courses and specify the distribution of credit semester wise and course wise. For each course it will specify the number of credits for lecturers, tutorials, practicals, seminars etc.

2.3 These regulations shall come in to effect from 2020 admission onwards and supersede all other regulations unless otherwise prescribed.

2.4 Curriculum committee means the committee constituted by the vice chancellor under these regulations to monitor the running of choice based credit semester system. One of the senior professors shall be the convener of

the curriculum committee co-ordinating the various academic activities.

2.5 Credit is the measure to assess the value of relative importance of a course, computed on the basis of the time devoted for teaching theory and/ or practical. Credit defines the quantum of contents/ syllabus prescribed for a course and determines the number of hours of instruction required per week. Thus normally in each of the course, credit will be assigned on the basis of number of lecturers/ tutorials/ and other forms of learning require to complete the course contents in a fifteen/ sixteen week schedule.

2.6 One credit shall be given to one hour lecturer or three hours practical work per week.

3. REGULATION OF ADMISSION:

3.1. Eligibility:

A candidate who has passed the LL.B Examination of Kannur University or of any other University recognized as equivalent there to and has secured not less than 50% of the marks in the aggregate shall be eligible to be considered for admission.

3.2. Admission:

Admission to the programme shall be made on the basis of the performance at the admission test. The reservation rule followed in the university will be applicable.

3.3. Fees:

The fees shall be as prescribed by the University from time to time.

3.4 Total number of seats: The total number of seats is 17.

3.5 Registration:

The Department shall have faculty members as student advisors. Each student at the time of admission will be assigned to an advisor by the Department Council. He/she will advise the student about the academic programme and counsel on the choice of courses depending on the student's academic background and objective. The student will then register for the courses he/she plans to take for the semester before the classes begin.

3.6 The Department offering any course shall prescribe the maximum number of students than can be admitted taking into consideration the facilities available. The Department Council will be the authority to fix the Optional's that can be offered for a Programme. The minimum students that can be admitted to a course shall be six (6).

3.7 The student has to complete the prescribed prerequisites for the course before registration. The student within a maximum of 10 working days after the commencement of the classes can change the Optional Course in consultation with the advisor, if he/she feels that he/she has registered for more courses than he/she can handle.

3.8 In any department, preference shall be given to those students for whom the course is core course if the demand for registration is beyond the maximum prescribed.

3.9 The University shall make available to all students a bulletin listing all the courses offered in every

Semester specifying the credits, list of topics the course intends to cover ,the instructor who is giving the course, the time and place of the classes for the courses and examination schedule.

4. COURSE STRUCTURE

4.1 Two kinds of courses are offered - Core and Elective. Core courses are offered by the Department conducting the programme. Elective courses are offered either by the department conducting the programme or by any other department.

4.2 Each course shall have a unique alphanumeric code.

4.3 Every courses offered by the Department is identified by a unique course code.

SLS C - 001 - is the course code in which SLS is the school code (School of Legal Studies)
C stands for Core Course. 001 is the serial number of the Course.

SLS E - 001 E stands for elective. 001 is the serial number of the elective.

4.4 The Minimum duration for completion of a two year LL.M. PG Programme in any subject is four semester. The maximum period for completion is eight (8) semester. Even if a candidate earns the required number of credits in less than 4 semesters, he/she has to necessarily study for four semester of the two year LL.M. PG Programme. No regular student shall register for more than 24 credits and less than 16 credits per semester, subject to the provisions of the programme concerned.

4.5 **Zero semester:** A semester in which a student is permitted to opt out due to unforeseen genuine reasons.

4.6 No regular student shall register for more than 24 credits and less than 16 credits per semester, subject to the provisions of the programme concerned.

4.7 The minimum total require for the successful completion of a four semester programme is 80 in which the minimum credit required for core courses is 60 and minimum for elective courses is 12. Those who secure only the minimum credits for core/ elective subject has to supplement the deficiency required for obtaining the minimum total credits required for the successful completion of the programme from core/ elective .

4.8 The Department Council shall design the core, elective and including the detailed syllabus for each programme offered by the Department. The Department Council shall have the freedom to introduce new courses and/or to modify/redesign existing courses and replace any existing courses with new courses to facilitate better exposure and training for the students, with the approval of the Curriculum Committee and it should be ratified by the Academic Council at its next meeting.

4.9 Dissertation, Viva Voce and Teaching and Research Practicals:

Apart from core and elective papers, there shall be a dissertation, viva voce and teaching and research practicals in the final semester of the course. Dissertation, viva voce and teaching and research practicals are compulsory for all students. The topic of dissertation shall be suggested by the student and it shall be finalized by the Department Council after considering the importance of the topic, methodology, availability of materials etc. Before submission, the supervising teacher shall approve and sign the dissertation. The student shall submit the dissertation before one month of the completion of the

final semester.

5. EVALUATION OF THE INTERNAL ASSESSMENTS

5.1 Evaluation of the students shall be done by the Faculty member who teaches the Course on the basis of Continuous Evaluation and Semester Examination. The proportion of the distribution of the marks among End Semester Examination and Continuous Evaluation shall be 60:40.

5.2 Continuous Evaluation includes Assignments, Seminars, Periodic written examinations etc.

5.2.1 The allocation of marks for each component under Continuous Evaluation shall be in the following proportions:

THEORY

a. Assignment	25%
b. Tests	37%
c. Seminar/Viva voce/Debate/Discussion	25%
d. Class participation	13%

PRACTICAL

b. Tests	75%
c. Record	25%

5.2.2 ATTENDANCE

At the end of each semester students who secure 75% of attendance are eligible for written examination conducted by the University. Those who secure the minimum attendance in a semester alone will be allowed to register for the End Semester Examination. If a student absent continuously for a period of 15 days he will be removed from roll without any notice. Attendance of the students in the Wednesday Seminar on Wednesday is mandatory.

Condonation of the attendance to a minimum of 10 days in a Semester subject to a maximum of two spells within a programme will be granted by the Vice-Chancellor. Benefit of Condonation of attendance will be granted to the students on health grounds, for participating in University Union activities, meetings of the University Bodies and participation in extracurricular activities on production of genuine supporting documents with the recommendation of the Head of the Department concerned. A student who is not eligible for Condonation shall repeat the Course along with the subsequent batch.

5.2.3 ASSIGNMENTS

Each student shall be required to do minimum two written and class presentation assignments for each Course. W i t t e n assignments shall be returned to the students after valuation.

5.2.4 TESTS

For each Course there shall be at least two class tests during a Semester. Internal examination (Continuous Evaluation) marks for tests shall be the average of the two tests. Valued answer scripts shall be made available to the students for perusal.

5.2.5 SEMINAR PAPER PRESENTATION

Students shall be required to present a seminar on a selected topic in each Course. The evaluation of the seminar will be done by the concerned teacher/(s) handling the Course based on the presentation of the seminar paper and participation in discussion.

All the records of the Continuous Evaluation shall be kept in the Department and shall be made available for verification by the University. Performance of each student in an assessment shall be intimated to him/her within one month of the assessment.

5.4 CONDUCT OF EXAMINATION

The Head of the Department will have to submit to the controller of examinations the details of the core and elective of each semester along with the syllabus, model question and panel of experts for setting the questions to the controller of examination immediately after starting of each programme. The controller of examination in turn shall set, print and supply one set of question paper in sealed cover to the Head of the Department /Course Director within in a maximum of 60 days.

5.5 Pattern of double valuation will be followed for Choice based Credit Semester System.

5.6 The Board of Examiners will function as the Pass Board. After the completion of the evaluation of the each semester examination, a meeting of the Board of Examiners will be convened as Pass Board to finalize the result. The minutes of the Pass Board will be approved by the Vice Chancellor.

5.7 The Semester Examination will be conducted by the Controller of the Examinations in the same pattern of Model Question Papers submitted by the Chair Persons of the Department Councils concerned, as per the scheme and syllabus applicable.

5.8 EVALUATION OF DISSERTATION

The dissertation shall be evaluated by an internal and an external examiner. The examiner shall be appointed by the Head of the Department from time to time. The average shall be taken from the total marks awarded by the internal and external examiner to determine the mark of the dissertation, however if there is a difference of more than 15% of the total marks between the two scores of the examiners, the dissertation shall be sent to a third examiner and the marks awarded by him shall be the final score of the candidate in respect of the dissertation. **The maximum marks for the dissertation is 250.** The minimum percentage for passing the dissertation is fifty percentage. The student who has not secured the minimum percentage for the dissertation may resubmit it in the next year.

5.9 CONDUCT OF THE VIVA VOCE

The Viva voce shall be conducted by the Department based on the overall papers the student studied in the concerned course and the dissertation he submitted. The Head of the Department and not more than two external expert shall be included in the viva voce examination to evaluate the candidate. The maximum mark for the viva voce is 100. The minimum percentage for passing the viva voce is 50. The student who has not secured the minimum percentage of marks in the viva voce may attend the same in the next year.

6. GRADING

6.1 An alphabetical grading system shall be adopted for the assessment of a students performance in a course. The grade is based on a six point scale. The following table gives the range marks percentage, grade points and alphabetical grade.

Range of Marks %	Grade Points	Alphabetical Grade
90-100	9	A+
80-89	8	A
70-79	7	B+
60-69	6	B
50-59	5	C
Below 50	0	F

A minimum of grade point 5 (Grade C) is needed for the successful completion of a Course. A student who has failed in a Course can reappear for the End Semester Examination of the same Course along with the next batch without taking re-admission or choose another Course in the subsequent Semesters of the same programme to acquire the minimum credits needed for the completion of the Programme. There shall not be provision for improvement of CE and ESE. A student can sit the ESE again if she/he has successfully completed the CE requirements in a subsequent semester subject to the maximum durations permitted.

6.2 Performance of a student at the end of each Semester is indicated by the Grade Point Average (GPA) and is calculated by taking the weighted average of grade points of the Courses successfully completed. Following formula is used for the calculation. The average will be rounded off to two decimal places.

$$\text{GPA} = \frac{\text{sum of (grade points in a course multiplied by its credit)}}{\text{Sum of Credits of Courses}}$$

6.3 At the end of the Programme, The overall performance of a student is indicated by the Cumulative Grade Point Average (CGPA) and is calculated using the same formula given above.

6.4 Empirical formula for calculating the percentage of marks will be $\text{CGPA} \times 10+5$

6.5 Based on the CGPA overall letter grade of the student shall be in the following way.

CGPA	Overall Letter Grade	Classification
8.5 and above	A+	First Class with Distinction
7.5 and above but less than 8.5	A	
6.5 and above but less than 7.5	B+	

5.5 and above but less than 6.5	B	First Class
5 and above but less than 5.5	C	Second Class

6.6 Conversion of Grades into Classification

Overall Letter Grade	Classification
A+ and A	First Class with Distinction
B+ and B	First Class
C	Second Class

6.7 A student who has failed in a Course can reappear for the End Semester Examination of the same Course along with the next batch without taking

re-admission or choose another Course in the subsequent Semesters of the same Programme to acquire the minimum credits needed for the completion of the Programme.

6.8 Appearance for Continuous Evaluation (CE) and End Semester Evaluation (ESE) are compulsory and no grade shall be awarded to a candidate if he/she is absent for CE/ESE or both.

6.9 A student who fails to complete the programme /semester can repeat the full programme/semester once, if the Department Council permits to do so.

6.10 There shall not be provision for improvement of CE and ESE.

6.11 No student shall be allowed to take more than eight consecutive semesters for completing a four semester programme from the date of the enrolment.

7. GRADE CARD

7.1 The Controller of Examinations shall issue the consolidated grade statement and certificates on completion of the programme, based on the authenticated documents submitted by the Heads of the Departments concerned. Grade Cards of all semesters other than the final semester will be issued by the Heads of the Departments concerned.

7.2 The grade card shall contain the following

- a) Title of the Courses taken as Core, Elective
- b) The credits associated with and grades awarded for each course.
- c) The number of credits (Core/Elective) separately earned by a student till that Semester.

7.3 The consolidated grade statement issued on completion of the Programme shall contain the name of the Programme, the title of the Courses taken, the credits associated with each Course, grades awarded, the total credits(Core/Elective) separately earned by the student, the CGPA and the class in which the

student is placed. Rank Certificates will be issued on individual requests, based on CGPA.

8. DEPARTMENT COUNCIL

8.1 All the Permanent/Guest/ Contract teachers of the Department shall be the members of the Department Council.

8.2 The Department Council subject to these Regulations shall monitor every academic programme conducted in the Department.

8.3 Department Council shall prescribe the mode of conduct of courses, conduct of examinations and evaluation of the students. It also listens to the grievances of students.

9. CURRICULUM COMMITTEE

9.1 There shall be a Curriculum Committee constituted by the Vice Chancellor to monitor and co-ordinate the working of the Choice based Credit Semester System.

9.2 A senior professor nominated by the Vice Chancellor shall be the convener of the Curriculum Committee.

9.3 The Committee shall consist of:

- a) The Pro Vice-Chancellor - Chairman
- b) The Convener of the Curriculum Committee - Vice Chairman
- c) The Registrar - Secretary
- d) The Controller of Examinations
- e) The Head of the Department or his nominee from each Department.

9.4 The term of office of the Committee shall be two years, but the Committee once constituted shall continue in office until a reconstituted committee assumes office.

10. GRIEVANCE REDRESSAL MECHANISM

10.1 Committees will be constituted at the Department and University levels to look into the written complaints regarding Continuous Evaluation (CE). Department Level Committee (DLC) will consist of the Department Council and a student nominee of the Department Students' Union from the concerned Faculty.

10.2 University Level Committee (ULC) will consists of the Pro-Vice Chancellor (Chairman & Convener), the convener of the Curriculum Committee (Vice-Chairman), the Head of the Department concerned and a nominee of the students' Union. Department Level Committee will be presided over by the HOD and University Level Committee by the Pro-Vice Chancellor. Department Level Committee will have initial jurisdiction over complaints against Continuous Evaluation and University Level Committee will hear appeals against Department level decisions. Complaints will have to be submitted to the Department concerned within two weeks of publication of results of Continuous Evaluation (CE) and disposed of within two weeks of receipts of complaint. Appeals to University Level Committee

should be made within one month of the decision taken by Department Level Committee and disposed of within two months of the receipt of the complaint.

10.3 Complaints unsolved by the University level Grievance Committee shall be placed before the Vice Chancellor.

11. TRANSITORY PROVISION

Notwithstanding anything contained in these regulations, the Vice Chancellor shall for a period of one year (May be revised) from the date of coming into force of these regulations, have the power to provide by order that these regulations shall be applied to any Programme with such modifications as may be necessary.

12. REPEAL

The regulations now in force in so far as they are applicable to programmes offered in the University Departments and to the extent they are inconsistent with these regulations are hereby repealed. In the case of any inconsistency between the implemented regulations of the Choice based Credit Semester System and its application to any independent programme offered in a University Department, the former shall prevail.

DETAILED SYLLABI: COURSE DESCRIPTION: CRIMINAL LAW AND CRIMINAL JUSTICE

SEMESTER 1

LLCRI01C01: LAW AND SOCIAL TRANSFORMATION IN INDIA

Objectives of the course

This course is designed to offer the teacher and the taught with - (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and (b) a spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law. The Endeavour is to make the students aware of the role the law has played and has to play in the contemporary Indian society. The following syllabus prepared with these perspectives will be spread over a period of one semester

Module-I

1. **Law and Social Change** -Law as an instrument of social change: Roscoe Pound's Social engineering-Law as a product of traditions and culture - Introduction of common law system and institutions in India and the impact of received law on the Indian Social and Legal Order-Limits of Law in bringing out social change-Impact of Social Movement
2. **Religion and the law** -Religion as an integrating and divisive factor- Secularism as a solution to the problem- Reform of the law on secular lines: Problems- Freedom of religion and non-discrimination on the basis of religion-Religious minorities and the law -Religion based conflicts

Module-II

1. **Language and the law** -Language as an integrating and divisive factor: formation of linguistic states-Constitutional guarantees to linguistic minorities-Language policy and the Constitution: Official language Act 1963; multi-language system- Non-discrimination on the ground of language

- 2. Community and the law**- Caste as an integrating and divisive factor -Non-discrimination on the grounds of caste- Acceptance of caste as a factor to undo past injustices- Protective discrimination: Scheduled castes, tribes and backward classes-Caste and affirmative justice: Reservation; Statutory Commissions, Statutory provisions-Protection of Civil Right Act 1995- Communal violence

Module-III

- 1. Women and the law** -Status of Women in Indian Society -Crimes against women- Gender injustice and its various forms- Women's Commission-Empowerment of women: Constitutional and other legal provisions.
- 2. Children and the law** -Status of Children in Indian Society-Child labour -Adoption and related problems- Children and education- Constitutional aspects.

Module-IV

- 1. Regionalism and the law** -Regionalism as an integrating and divisive factor- Concept of India as one unit- Right of movement, residence and business; impermissibility of state or regional barriers- Equality in matters of employment: the slogan "Sons of the soil" and its practice-Admission to educational institutions: preference to residents of a state.
- 2. Modernisation and Alternative approaches to the law** -Modernisation as a value: Constitutional perspectives reflected in the fundamental duties- Modernisation of social institutions through law: Limits of Law - Civil law: (ADR) Confrontation vs. consensus; mediation and conciliation; Lok adalats- Democratic decentralization and local self-government-Socialist thought on law and justice: An enquiry through constitutional debates on the right to property-Naxalite/Maoist movement: cause and cure

Suggested Readings

1. W. Friedman, Law is a Changing Society (Universal Law publishing Co. Ltd., 2008), ISBN-978-81-7534-237-8
2. Upendra Baxi, The crisis of Indian Legal System (Vikas Publications, 1982) ISB - 9780706913699
3. Marc Galanter Led, Law and society in Modern India (Oxford paperbacks) ISBN-978-0195632057
4. Robert Hengat, The Classical Law of India (Oxford University Press, 1998), ISBN 0195645359
Upendra Baxi, Law, Equity & Justice: Struggle for New Social Order (EBC Publishing (P) (Ltd)
Steven Vago, Law & Society (2011), ISBN – 0205820387
5. M.P Jain , Outlines of Indian Legal and Constitutional History (2009), ISBN – 978 -91 -8038 284 - 2
6. Robert F Magher (ed.) Law Society Change, India - American Reflections (198), N M Tripathi
7. D. R Saxsena Led,. Law, Justice and Social Change, Deep & Deep Publications (1996),

ISBN-8171008038

8. Flavia Agnes, Law and Gender inequality; The Politics of Women's Right in India, Oxford (1999), ISBN - 019564587
9. Dhakar Dernet, The State, Religion and Law in India (1999) Oxford University Press, ISBN-978-019564587.
10. Sunil Desha, Law and Menace of Child Labour (2000) Anmol Publications, ISBN -812610693

LLCRI01C02: PRINCIPLES OF CRIMINAL LAW AND CRIMINAL JUSTICE

1. Introduction

Fundamental principles of criminal law - Criminal conduct - Actus Reus - Mens Rea - Mens Rea in Indian Penal Code - Actus Reus and Mens Rea in statutory offences -Motive and Intention - Mens rea and fault - Causation - Proximity - Foresight of consequences - Free will-Recklessness - Negligence - Criminal responsibility -Principle of strict liability in Common law and India - Principle of vicarious liability in common law and India - Corporate liability-Joint liability - Common intention -Common object - Criminal omissions - Knowledge, belief and culpability - Transfer of malice and criminal responsibility.

2. Inchoate Offences and Exemption from Liability

Inchoate offences - Attempt - Abetment - Incitement - Conspiracy - Excuse from criminal responsibility - Ignorance of law not an excuse - Capacity of committing offence - Intoxication - Insanity - Infancy - Mistake - Compulsion - Consent -Necessity - Duress - Coercion - Automatism - Private defence - Provocation.

3. Specific Crimes

Offences against Women and Children- Special Crimes-Cyber Crime Environmental Crime-Corporate Crime- Terrorism. Offences against property

4. Miscarriages of Justice in the Criminal Justice Process

Miscarriages of justice - Meaning - Causes - Fault in police investigation - Problems in trial process - Inefficiency of prosecution and defence lawyers - Problems in the appreciation of evidence - Problems in sentencing process - Judicial discretion in sentencing - Government misconduct - Faulty forensic science - Judges lack of knowledge in scientific and technological disciplines.

Suggested Readings

1. Luciazedner, Criminal Justice (Clarendon Law Series 2004) Andrew Sanders, Criminal Justice (4th Ed. OUP 2010) Andhea Hucklesby, Criminal Justice (OUP, 2009)
2. Janet Dine, The Criminal Law (6* Ed. OUP 2011) Russell Heaton, Criminal Law (3rd Ed. 2011) Andrew Ashworth, Criminal Law (6th Ed. 2009) Stephen Shute, Criminal Law Theory (OUP, 2005)
3. Keir Starner, Criminal Justice, Police Powers and Human Rights (Blackstone Press, 2007) Jeremy

Horder, *Excusing Crime*(OUP 2004)

4. Nicola Padfield, *Criminal Law* (7* Ed. OUP 2010) Victor Tadros, *Criminal Responsibility* (OUP, 2005) Michael S. Moore, *Act and Crime* (OUP, 1993) SLS C.

LLCRI01C03: LEGAL EDUCATION AND LEGAL RESEARCH

1. Legal Education

Objectives of Legal Education - Lecture method of teaching - Merits and demerits -The Problem method - Discussion method and its suitability at postgraduate level teaching - The Seminar method of teaching - Examination system and problems in evaluation - external and internal assessment - Student participation in law school programmes - Organization of seminars, publication of journal and assessment of teachers - Clinical legal education - legal aid, legal literacy, legal survey and law reform.

2. Research Methods

Research methods - Socio legal research - Doctrinal and non-doctrinal - Relevance of empirical research - Induction and deduction - Identification of problem of research -What is a research problem? - Survey of available literature and bibliographical research - Legislative materials including subordinate legislation, notification and policy statements - Decisional materials including foreign decisions; methods of discovering the "rule of the case" tracing the history of important cases and ensuring that these have not been over-ruled; discovering judicial conflict in the area pertaining to the research problem and the reasons thereof - Juristic writings - a survey of juristic literature relevant to select problems in India and foreign periodicals - Compilation of list of reports or special studies conducted relevant to the problem.

3. Process

Preparation of the research design - Formulation of the research problem - Devising tools and techniques for collection of data : Methodology - Methods for the collection of statutory and case materials and juristic literature - Use of historical and comparative research materials - Use of observation studies - Use of questionnaires/interview - Use of case studies - Sampling procedures - design of sample, types of sampling to be adopted - Use of scaling techniques - Jurimetrics -Computerized Research - A study of legal research programmes such as Lexis - and West law coding - Classification and tabulation of data - use of cards for data collection - Rules for tabulation - Explanation of tabulated data - Analysis of data.

4. Legal Writing

Essentials of Good Legal Writing- Structured Legal Writing: Organization of Legal Materials Framing of Write Up: Research Question, Title, Identifying relevant areas of law, Identifying Literature and Case Laws, Analysis, Discussion, Recommendations and Conclusion-Sources of Authority-Kinds: Informative, Persuasive; Writing for Individual Purposes; Writing for Academic Purpose; Writing for Court Purposes: Briefs, Plaints etc.; Writing for Publication: reviews, articles, books etc.; Judicial writing- Citation, Reference and Footnoting- Editing and Proof

reading- Writing of Research Proposal- Dissertation/ Thesis Writing

Suggested Readings

1. High Brayal, Nigel Dunean and Richard Crimes, *Clinical Legal Education: Active Learning in your Law School*, (1998) Blackstone Press Limited, London
2. S.K.Agrawal (Ed.), *Legal Education in India* (Tripathi, Bombay, 1973)
3. N.R. Madhava Menon, (ed) *A Handbook of Clinical Legal Education*, Eastern Book Company, Lucknow, 1998)
4. M.O.Price, H.Bitner and Bysiewiez, *Effective Legal Research* (1978)
5. Pauline V. Young, *Scientific Social Survey and Research*, (1962)
6. William J. Grade and Paul K. Hatt, *Methods in Social Research* (Mc Graw-Hill Book Company, London)
7. H.M.Hyman, *Interviewing in Social Research* (1965)
8. Payne, *The Art of Asking Questions* (1965)
9. Erwin C. Surrency, B.Fielf and J. Crea, *A Guide to Legal Research* (1959)
10. Morris L. Cohan, *Legal Research in Nutshell*, (West Publishing Co., 1996)
11. Harvard Law Review Association, *Uniform System of Citations*.
12. ILI Publication, *Legal Research and Methodology*. N.R.Madhava Menon, *Clinical Legal Education* (EBC, 1998)

LLCRI01C04: INTERNATIONAL CRIMINAL LAW AND TRANSNATIONAL CRIME

Module-I

1. International criminal law Development

- a. The sources of international Criminal Law
- b. Principles of State jurisdiction
- c. The role of the International Criminal Court and jurisdiction – The Rome Statute
 - a. The crime of aggression
 - b. Genocide
 - c. Crimes against humanity
 - d. War crimes
 - e. Terrorism and transnational crimes
- d. Various International criminal tribunals

Module-II

1. Transnational crimes

- i. Definition and Scope
- ii. Characteristics of Transnational crime
- iii. Types of Transnational crime
- iv. Causes of Transnational crime
 - a. Criminal Intent and *mens-rea* in such crimes
 - b. Modus operandi of Transnational crime

2. Classification of Transnational Crimes

- i. Drug Trafficking as Transnational Crime
- ii. Trafficking of Weapons
- iii. Counterfeit of Goods
- iv. Trafficking of Persons and Smuggling of Migrants
- v. Money Laundering
- vi. Terrorism
- vii. Environmental Crimes

Module-III

3. Laws relating to Transnational Crime

- i. Organised crime and United Nations,
- ii. The UN Convention on transnational and organised crime
- iii. Naples Declaration and Global Action Plan 24 Dec. 1994
- iv. United Nations Conventions Against Organized Crime, 2000

Module-IV

4. Prevention, control and correctional strategies

- i. Extradition Act 1962 (Relevant Provisions) and Extradition Treaty
- ii. International investigative agencies (Interpol etc), Adjudication authorities (including ad hoc and permanent criminal tribunals),
- iii. Role of Police in Investigation of organized crime
- iv. Role of Judiciary, Trial and Sentencing in organized crime

Suggested References:

1. The International Criminal Court: Challenges to Achieving Justice and Accountability in the 21st Century by Mark S. Ellis; Richard J. Goldstone. International Debate Education Association, 2008
2. An Introduction to International Criminal Law and Procedure Paperback – June 28, 2010 by Robert Cryer, Hakan Friman, Darryl Robinson
3. International Criminal Law: Cases and Commentary (Paperback) By (author) Antonio Cassese, By (author) Guido Acquaviva, By Mary De Ming Fan, Alex Whiting
4. An Introduction to Transnational Criminal Law (Paperback) by Neil Boister
5. The International Criminal Court: A Commentary on the Rome Statute (Oxford Commentaries on International Law) By William A. Schabas
6. An Introduction to the International Criminal Court By William A. Schabas
7. International and Transnational Criminal Law by David Luban , Julie R. O'Sullivan, David P. Stewart
8. From Nuremberg to the Hague: The Future of International Criminal Justice, Philippe Sands., Cambridge University Press, 2003
9. Transnational Organized Crime- An Overview from Six Continents by Jay Albanese, Philip Reichel
10. Transnational Organized Crime: A Commentary on the United Nations Convention and its Protocols (Oxford Commentaries on International Law) Hardcover – May 17, 2007 by David McClean, Oxford University Press (May 17, 2007)
11. Handbook of Transnational Crime and Justice by Jay Albanese, Philip Reichel, Sage Publications.

Objective of the Course

This course has been introduced to develop the analytical ability and to develop the orator skills. Also intended to develop presentation skills that is one of the essential ability of a lawyer.

Syllabus:

Every Wednesday from the 9 to 12, students should participate in this program. Every seminar day, there is discussion about important judgements of the International Courts or Supreme Court or Different High Courts having relevancy. A team of 3 students should take a case and get approval from the teachers responsible for the approval. One student must present the case and its facts and issues and give his opinion. The other two students should comment up on that case, one person should comment in-favour of the judgement and the other person should criticise the case.

Every seminar presentation will be judged by a panel of teachers and the head of the department. The presence of the full time research scholars should be there in the Wednesday seminar. One teacher or research scholar should comment up on the case presented by students.

The teachers can evaluate the ability of the students to articulate the positions of the case and the analytical ability. Clarity, conveying idea and language of the students at the time of presentation. Attendance and active participation of students in the seminar day is mandatory for the successful completion of the course. All the four semester, this exercise will continue. A student can accrue 4 credits from the entire course from the seminar presentation.

LLCRI01C06: CLINICAL LEGAL EDUCATION (CORE)**Objective of the course**

The students can understand real sense of law through social interaction. Lawyers are treated as social engineers because they are the persons who identify the problems of society from the ground reality. This course give opportunities to students to conduct legal aid camps and legal surveys among different vulnerable sections and understand the socio-legal issues.

Syllabus

Students should conduct Legal literacy classes and will have to submit a report to the teacher in charge. The report should have 12000 words and contain the element of socio-legal research. This exercise will run in the all four semesters and students can accumulate 4 credits from four semesters.

SEMESTER-2**LLCRI02C07: JUDICIAL PROCESS****1. Nature of Judicial Process**

Judicial process as an instrument of social ordering - Judicial process and creativity in law - common law model - Legal Reasoning and growth of law - change and stability - The tools and techniques of judicial creativity and precedent - Legal development and creativity through legal reasoning under statutory and codified systems.

2. Special Dimensions of Judicial Process in Constitutional Adjudications

Notions of judicial review - ' Role' in constitutional adjudication - various theories of judicial role - Tools and techniques in policy-making and creativity in constitutional adjudication - Varieties of judicial and juristic activism - Problems of accountability and judicial law-making.

3. Judicial Process in India

Indian debate on the role of judges and on the notion of judicial review - The "independence" of judiciary and the "political" nature of judicial process Judicial activism and creativity of the Supreme Court - the tools and techniques of creativity -Judicial process in pursuit of constitutional goals and values - New dimensions of judicial activism and structural challenges - Institutional liability of courts and judicial activism - scope and limits.

4. Relation Between Law and Justice

The concept and various theories of justice - Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition, dharma. Equivalence Theories - Justice as nothing more than the positive law of the stronger class - Dependency theories - For its realisation justice depends on law, but justice is not the same as law - The independence of justice theories - means to end relationship of law and justice - The relationship in the context of the Indian constitutional ordering - Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

Suggested Readings

Books

1. A. Lakshminath, Precedent in Indian Law: Judicial Process (2009).
2. Aharon Barak, Purposive Interpretation in Law (2005).
3. Aharon Barak, The Judge in a Democracy (Princeton University Press, 2008).
4. B.N. Cardozo, The Nature of the Judicial Process (1964).
5. Bernard C. Gavit, Ralph F. Fuchs, Cases and Materials on an Introduction to Law and the Judicial Process (1952).
6. Bodenheimer, Jurisprudence: The Philosophy and Method of the Law (2006).
7. Cass R. Sustein, A Constitution of Many Minds: Why the Founding Documents Doesn't Mean What It meant Before (Princeton University Press, 2009).
8. Craig R. Ducat, Constitutional Interpretation (2004).
9. Duncan Kennedy, A Critique of Adjudication (Harvard University Press, 1998).
10. Duncan Kenney, Legal Reasoning: Collected Essays (2008).
11. Edward H. Levi, Introduction to Legal Reasoning (1972).
12. F.A.R. Bennion, Statutory Interpretation (1992).
13. F.S. Nariman, Before Memory Fades: An Autobiography (2010).
14. George H. Gadbois, Jr., Judges of the Supreme Court of India: 1950 – 1989 (OUP, 2011).
15. Jeffrey Goldsworthy, Interpreting Constitutions: A Comparative Study (OUP, 2006).
16. Lloyd L. Weinreb, Legal Reason: The Use of Analogy in Legal Argument (Cambridge University Press, 2005).
17. Martin Philip Golding, Legal Reasoning (2001).
18. Mauro Cappellletti, The Judicial Process in Comparative Perspective (Clarendon Press: Oxford, 1989).
19. Morris R. Cohen and Felix S. Cohen, Readings in Jurisprudence and Legal Philosophy (Ninth Printing, Little Brown and Co.). P. St. J. Langan, Maxwell on The Interpretation of Statutes (2004).

20. Rajeev Dhavan and Alice Jacob, *Selection and Appointment of Supreme Court Judges: A Case Study* (1978).
21. Roscoe Pound, *Law Finding Through Experience and Reason* (University of Georgia Press, Athens, 1960).
22. Rupert Cross, J W Harris, *Precedent in English Law* (Clarendon Law Series, 1991).
23. S.P. Sathe, *Judicial Activism in India: Transgressing Borders and Enforcing Limits* (2003).
24. Shimon Shetreet and Christopher Forsyth, *The Culture of Judicial Independence: Conceptual Foundations and Practical Challenges* (Martinus Nijhoff Publishers, 2011).
25. Shimon Shetreet and Jules Deschenes (eds.), *Judicial Independence: The Contemporary Debate*, (Martinus Nijhoff Publishers, 1985).
26. Sudhanshu Ranjan, *Justice, Judocracy and Democracy in India: Boundaries and Breaches* (Routledge, 2012).
27. Upendra Baxi, *Courage, Craft and Contention: The Indian Supreme Court in the Eighties* (1985).

Articles

1. Arthur L. Corbin, "The Judicial Process Revisited: Introduction" 71 Yale L. J. 195 (1961 – 62).
2. Carol J. Ormond and John Denvir, "Justice Cardozo: A Mediator of Jurisprudential Thought in the 1920s and 1930s", 2 Cooley L. Rev. 143 (1984).
3. David A. Nelson, "The Nature of Judicial Process Revisited" 22 N. Ky. L. Rev. 563 (1994 –1995).
1. Eduardo J. Couture, "The Nature of Judicial Process" XXV (1) Tulane Law Review
2. Gerhard O.W. Mueller, "The Problems of Value Judgments As Norms of Law: The Answer of a Positivist" 7 J. Leg. Edu. 567 (1954 – 1955).
4. John Van Voorhis, "Cardozo and the Judicial Process Today" 71 Yale L. J. 202 (1961 – 1962).
5. P. Puneeth, "Independence of Judiciary: In Search of Conceptual Clarity" 3 Jindal Global Law Review 87 (September 2011).
3. Ruggero J. Aldisert, "The Nature of Judicial Process Revisited" 49 (1) Univ. of Cincinnati L. Rev. 1 (1980).
4. S. P. Sathe, "India: From Positivism to Structuralism" in Jeffrey Goldsworthy, *Interpreting Constitutions: A Comparative Study* (OUP, 2006).
5. Thomas R. McCoy, "Logic vs. Value Judgment in Legal and Ethical Thought" 23 Vand. L. Rev. 1277 (1969 – 1970).
6. Upendra Baxi, "The Avatars of Indian Judicial Activism: Explorations in the Geographies of [In] justice" in S.K. Verma and Kusum (ed.), *Fifty Years of the Supreme Court of India: Its Grasp and Reach* (OUP, 2001).
7. Vittorio Villa, "Legal Theory and Value Judgments" 16 (4) Law and Philosophy 447 – 477 (Jul. 1997).

LLCRI02C08: COMPARATIVE PERSPECTIVES OF CRIMINAL PROCEDURAL LAW

Module-I

1. Diverse systems and Models of Criminal Proceedings
 - i. Adversarial / Accusatorial and Inquisitorial Systems
 - Core features of inquisitorial and adversarial systems

- Trends of borrowing the best under both systems
- ii. Crime Control Model and Due Process Model
 - Common elements
 - Differing points of emphasis
- iii. Indian system of Justice Administration and its challenges

Module-II

2. Pre-trial Processes

- i. Bringing information about crime incident before the formal system (Police or Magistrate) Sections 154 & 155 and 190 (complaint)
- ii. Investigation of Crime- Sections 157 to 173
- iii. Bail and Remand
- iv. Rights of Accused and Victim
- v. Right to Counsel and Legal Aid
- vi. Principal Features of a Fair Trial

Module-III

3. Trial Processes

- i. Taking Cognizance by courts and committal proceedings
- ii. Hierarchy of Criminal Courts and types of trials
- iii. Framing of Charge and Discharge Proceedings
- iv. Acquittal or Conviction
- v. Revision, Appeal and transfer of case for trial

Module-IV

4. Sentence Process

- i. Pre-sentence hearing Ss 235(2) and 248(2)
- ii. Transfer of Cases
- iii. Sentences- Execution, Suspension, remission and commutation of sentences
- iv. Reformatory Sentence
- v. Withdrawal from prosecution
- vi. Plea Bargaining
- vii. Compounding of Offences

Suggested Readings

1. K.N. Chandrasekhan Pillai : R.V. Kelkar's Criminal Procedure (2008) Eastern.
2. K.N.S. Pillai : Lectures on Criminal Procedure
3. K.I. Vibhute : Criminal Justice (2004) Eastern
4. R.V. Kelkar's : Criminal Procedure (4th Edn.) Eastern
5. Justice Malimath Committee Report on Reforms of Criminal Justice System (2003)
6. Government of India, Ministry of Home Affairs
7. Law Commission of India Reports
8. Woodroffe: Commentaries on Code of Criminal Procedure, Vol. I & II (2000) Universal.

LLCRI02C09: WEDNESDAY SEMINAR (CORE)

Objective of the Course

This course has been introduced to develop the analytical ability and to develop the orator skills. Also intended to develop presentation skills that is one of the essential ability of a lawyer.

Syllabus:

Every Wednesday from the 9 to 12, students should participate in this program. Every seminar day, there is discussion about important judgements of the International Courts or Supreme Courts or the Different High Courts having relevancy. A team of 3 students should take a case and get approval from the teachers responsible for the approval. One student must present the case and its facts and issues and give his opinion. The other two students should comment up on that case, one person should comment in-favour of the judgement and the other person should criticise the case.

Every seminar presentation will be judged by a panel of teachers and the head of the department. The presence of the full time research scholars should be there in the Wednesday seminar. One teacher or research scholar should comment up on the case presented by students.

The teachers can evaluate the ability of the students to articulate the positions of the case and the analytical ability. Clarity, conveying idea and language of the students at the time of presentation.

All the four semester, this exercise will continue. A student can accrue 4 credits from the entire course from the seminar presentation. Attendance and active participation of students in the seminar day is mandatory for the successful completion of the course.

LLCRI02C10: CLINICAL LEGAL EDUCATION (CORE)

Objective of the course

The students can understand real sense of law through social interaction. Lawyers are treated as social engineers because they are the persons who identify the problems of society from the ground reality. This course give opportunities to students to conduct legal aid camps and legal surveys among different vulnerable sections and understand the socio-legal issues.

Syllabus

Students will have to submit a report to the teacher in charge. The report should have 12000 words and contain the element of socio-legal research. This exercise will run in the all four semesters and students can accumulate 4 credits from four semesters.

THIRD SEMESTER

LLCRI03C11: TEACHING AND RESEARCH PRACTICAL

4 CREDITS

LLCRI03C12: WEDNESDAY SEMINAR (CORE)

Objective of the Course

This course has been introduced to develop the analytical ability and to develop the orator skills. Also intended to develop presentation skills that is one of the essential ability of a lawyer.

Syllabus:

Every Wednesday from the 9 to 12, students should participate in this program. Every seminar day, there is discussion about important judgements of the International Courts or Supreme Court or the Different High Courts having relevancy. A team of 3 students should take a case and get approval from the teachers responsible for the approval. One student must present the case and its facts and issues and give his opinion. The other two students should comment up on that case, one person should comment in-favour of the judgement and the other person should criticise the case.

Every seminar presentation will be judged by a panel of teachers and the head of the department. The presence of the full time research scholars should be there in the Wednesday seminar. One teacher or research scholar should comment up on the case presented by students.

The teachers can evaluate the ability of the students to articulate the positions of the case and the analytical ability. Clarity, conveying idea and language of the students at the time of presentation.

All the four semester, this exercise will continue. A student can accrue 4 credits from the entire course from the seminar presentation. Attendance and active participation of students in the seminar day is mandatory for the successful completion of the course.

LLCRI03C13: CLINICAL LEGAL EDUCATION (CORE)

Objective of the course

The students can understand real sense of law through social interaction. Lawyers are treated as social engineers because they are the persons who identify the problems of society from the ground reality. This course give opportunities to students to conduct legal aid camps and legal surveys among different vulnerable sections and understand the socio-legal issues.

Syllabus

Students will have to submit a report to the teacher in charge. The report should have 12000 words and contain the element of socio-legal research. This exercise will run in the all four semesters and students can accumulate 4 credits from four semesters.

FOURTH SEMESTER

LLCRI04C14: DISSERTATION AND VIVA VOCE (300 Marks) (12 Credits)

LLCRI04C15: WEDNESDAY SEMINAR (CORE)

Objective of the Course

This course has been introduced to develop the analytical ability and to develop the orator skills. Also intended to develop presentation skills that is one of the essential ability of a lawyer.

Syllabus:

Every Wednesday from the 9 to 12, students should participate in this program. Every seminar day, there is discussion about important judgements of the International Courts or Supreme Court or the Different High Courts having relevancy. A team of 3 students should take a case and get approval from the teachers responsible for the approval. One student must present the case and its facts and issues and give his

opinion. The other two students should comment up on that case, one person should comment in-favour of the judgement and the other person should criticise the case.

Every seminar presentation will be judged by a panel of teachers and the head of the department. The presence of the full time research scholars should be there in the Wednesday seminar. One teacher or research scholar should comment up on the case presented by students.

The teachers can evaluate the ability of the students to articulate the positions of the case and the analytical ability. Clarity, conveying idea and language of the students at the time of presentation.

All the four semester, this exercise will continue. A student can accrue 4 credits from the entire course from the seminar presentation. Attendance and active participation of students in the seminar day is mandatory for the successful completion of the course.

LLCRI04C16: CLINICAL LEGAL EDUCATION (CORE)

Objective of the course

The students can understand real sense of law through social interaction. Lawyers are treated as social engineers because they are the persons who identify the problems of society from the ground reality. This course give opportunities to students to conduct legal aid camps and legal surveys among different vulnerable sections and understand the socio-legal issues.

Syllabus

Students will have to submit a report to the teacher in charge. The report should have 12000 words and contain the element of socio-legal research. This exercise will run in the all four semesters and students can accumulate 4 credits from four semesters.

SYLLABUS ELECTIVE COURSES

LLCRI02E01: CRIMINOLOGY

1. **Criminology** - Scope and importance - Nature of Criminology - Criminology as a science - Principal divisions of Criminology - Sociological and environmental approaches to criminology - Criminal behaviour - Radical criminology - Criminology and Realism - Indian concept of Criminology - White collar crime.
2. **Causation of Crime** - in General - Biological, Geographical, Psychiatric, Sociological, Environmental, Anatomical, Ecological, Social Disorganization etc. -Personality as per Hootan's view - Sheldon's view on criminality - Donald Tale's view - Theory of causation - sexual offences - Alcoholism, Drug addiction and crime - Trend of violent crime s-post -modernist criminology.
3. **Criminological Theories** - Criteria for evaluating theories - Types of criminological theories - Difference and Rational choice theories - Modern difference theory -Routine activities theory - Biological theories - Psychological theories -Psychoanalytic theory- Personality theory - Social

learning theory - Social Banding and control theory - Sutherland's differential Association theory - Reiss's and Lye's theories of internal and external conflict - Reckless Containment theory - Labelling theory - Braithwaite's theory - Conflict theory - Marxist and critical theories -Feminist theories - Tittles control balance theory - Developmental and life course theories - Individualistic theories - Evolutionary theories - Merton's strain theory -Moffitt's life theory - Course persistent/adolescence - Sociological theory of crime.

4. **The School of Criminology** - pre-classical school of criminology - The classical school - Neoclassical school - Positive school - Clinical school of criminology -Sociological school of criminology - Cesare Lombroso Eursico ferai – Raffaele Garofalo - The new criminology. Developmental criminology -critical perspective in crime and criminology

Suggested Readings

- i. Ahmad Siddique, "Criminology -Problems and Perspectives" Eastern Book Co.Pub. .ISBN : 81-7012-599-5
- ii. Robert A. Silverman, ternee P.Thornbersy, Bernard Colien, Barry Krisberg, "Crime and Justice Act the Millenium essays by and the Honer of Marvin E. Wolfgang. ISBN :7—7932-792=592-0, Kluwer Academic Pub.
- iii. Imogene. L. Moyer, "Criminological Theories- Traditional and Non - Traditional Voices and Themes" Sage Pub. ISBN: 0 - 8039-5851-X
- iv. Michael Benson, " Alexis Fussell Piguero, Crime and the Life Course" ISBN: 978 – 0415 – 99493 - 4/ paper mark (Rout ledge)
- v. John. P. Hollfmann, "Delinquency Theories: Appraisals and Applications "ISBN:978-0415-7819-9
- vi. Claire. M. Rengetti. "Feminist Criminology" ISBN:978-0415-38142 -0
- vii. Benjamin Goold, ""Servelliance" ISBN:978-0-415-39200-4
- viii. Michael Welch, "Corrections A Critical Approach" ISBN:978-0-415-78209-8
- ix. Ronald N Akers, Christine S sellers, "Criminological Theories - Introduction, Evaluation and Applications" ISBN: 81-7033-838-7, Rowat Publi.
- x. Prof.. R. Deb, "Criminal Justice", The Law Book Co. Pub, ISBN: 81-87031-10
- xi. J. Robert Lilly, Francis. T Cullen, Richard A Bell, "Criminological Theory - Content and Consequences" Saga Publication, ISBN:0-7619-2077-3
- xii. Suzette Cote, "Criminological Theories - Bridging the part to the Future", Sage Pub. ISBN; 0-7619-2503-1
- xiii. Katherine S Williams "Text Book on Criminology ", Universal Law Pub. ISBN : 81-7534-247-8
- xiv. Prof. B K . Goswami, "A Critical study of Criminology and Penology", Allahabad Law Agency Publication.
- xv. Prof. N.V Parainjape , " Criminology and Penology". Central Law Publication (2008 edn) Sue Tites Reid, " Crime and Criminology", Oxford Publication, " ISBN: 10 -0195370449 Rob White, Crime and Criminology (4* Ed., OUP 2008)
- xvi. Mike Miguire, The Oxford Handbook of Criminology (4th Ed., 2007).

1. Scientific criminal investigation: Medical jurisprudence with crime - Forensic science and Crime- Law of forensic science- Principles of Forensic science- Problems of proof -Expert witness - Forensic science institutions- Tools and technology
2. Role of investigator: Identification of Individual – Interrogation – Surveillance – Scene of occurrence- sketching the scene -police photography -Forensic psychology - Voice analysis- Cyber forensics
3. Evidentiary clues: Death Investigation – Identification of Death – Time of Death – Cause of death (Injuries, Asphyxia) Identification of dead- Sexual Offences – Abortion - Infanticide -skeletal remains
4. Tracks and Trails: Tool marks – Firearms – Disputed Documents – Narcotics – Toxicology – Alcohol – Explosives- Fire (Arson) – Vehicles – Fibres – Micro Traces. Genetic tracing: DNA profiling- Blood- Blood grouping- Blood fluids and other body fluids- Fingerprints – Semen – Hairs

REFERENCE TEXTS

1. Dr. Jaising P. Modi , A Textbook of Medical Jurisprudence and Toxicology (Butterworth Heinemann)
2. Sharma B R, Forensic Science in Criminal Investigation and Trials (Universal law publishing)
3. J Hala & Raju's, Medical Jurisprudence (Eastern Book Company)
4. H.J. Walls, Forensic Science: An Introduction to Scientific Crime Detection (New York: Praeger)
5. Philips J H &Bower JK, Forensic science and Expert witness (Russell & Russell)
6. Richard Saferstein, Criminalistics: An Introduction to Forensic Science (Prentice Hall PTR)
7. Anthony J.Bertino ,Forensic Science: Fundamentals and Investigations (Cengage Learning)
8. Andrew R. W. Jackson, Julie M. Jackson, Forensic Science (Pearson Hall)

LLCRI02E03 COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM

Objectives of the course

This is a crucial area of Indian development with which traditional, western, criminology is not overly preoccupied. Collective political violence (CPV) is the order of the day, whether it is agrarian (feudal) violence, or it is atrocities against untouchables, communal riots, electoral violence, police violence (encounters), political violence by militant and extremist groups, gender based violence or violence involved in mercenary terrorism and its containment.

It is not very helpful in such contexts, to mouth the generalities such as "criminalization" or "lumpenization" of Indian politics. Closer scientific investigation of these phenomena is crucial, which should help us understand both the etiology and the prognosis of CPV. Instead of political analysis, the course should focus on a broader social understanding of the political economy of law in India. Each specific form of violence will be examined with a view to identifying the course of its evolution, the state law response policies of management of sanctions, compensation and rehabilitation of victims of violence, social and political costs. The growth of police and paramilitary forces will also, in this context, be an object of study. Primary materials here will be governmental and citizen investigative reports. The emphasis of the course will be on fashioning overall democratic understanding and responses to meet this problem.

SYLLABUS

UNIT –I Introduction

Notions of “force”, “coercion”, “violence”

Distinction: “Symbolic” violence, “Institutionalized” violence, “Structural violence”

Legal order as a coercive normative order

Force-monopoly of modern law

”Constitutional” and “criminal” speech: Speech as incitement to violence
 “Collective political violence” and legal order
 Notion of legal and extra-legal “repression”

UNIT- II Approaches to Violence in India

Religiously sanctioned structural violence: Caste and gender based.
 Ahimsa in Hindu , Jain, Buddhist, Christian, and Islamic traditions in India.
 Gandhiji’s approach to non-violence
 Discourse on political violence and terrorism during colonial struggle
 Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period.

UNIT –III Agrarian Violence and Repression

The nature and scope of agrarian violence in the 18-19 centuries India.
 Colonial legal order as a causative factor of collective political (agrarian) violence
 The Telangana struggle and the legal order
 The Report of the Indian Human Rights Commission on Arwal Massacre

UNIT- IV Violence against the Scheduled Castes

Notion of Atrocities
 Incidence of Atrocities
 Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities
 Violence Against Women.
 Special legislation protecting the interest of schedule castes

Selected Bibliography

A . R . Deesai; (ed.) Peasant Struggles in India (1979)
 A.R.Deesai, Agrarian Struggles in India: After Independence (1986)
 A.R.Deesai, Violation of democratic Rights in India (1986)
 D.A. Dhangare, Peasant Movement in India 1920-1950 (1983)
 Ranjit Guha, Element any Aspects of Peasant Insurgency in Colonial India (1983) Ranjit guha (ed.) Subaltern Studies Vol. 1-6 (1983-1988)
 T. Hondorich, Violence for Equality (1980)
 Mark Juergensmeyer, "The Logic of Religious Violence: The Case of Punjab: 22 Contributions to Indian Sociology 65 (1988)
 Raiijnil kothari, State Against Democracy (1987)
 G. Shah, Ethnic Minorities and Nation Building: Indian Experience (1984)
 K.S. Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986)
 Siddique Ahmed Criminology
 Tripathy Crime against Working Women
 Braverman Mark Preventing Work Place Violence
 Choudhry R.N Judgement on Crimes Against women
 Dewan V.K Law Relating to Offence Against women

1. Human Rights and Rule of Law

Judicial review of legislative and executive actions - Fair prosecution and investigation - Pre-trial procedure - Trial procedure - Legal aid to victims - Correction and aftercare services - Individual liberty and criminal justice.

2. Police Powers and Criminal Justice

Concept of police - Public relation - Constitutional mandate - Indian regulatory framework - Criminal justice and human rights in emergency - Deaths in police Custody - Torture - Atrocities against women - Atrocities against children - Atrocities against Scheduled Castes & Tribes - Inhuman and cruel treatment - Fake encounters - Reforms suggested by national police commissions.

3. International Instruments

Role of international organizations - Universal Declaration of Human rights (1948) - International Covenant on Civil and Political rights - International Covenant on Economic Social and Cultural Rights - Conventions and protocols dealing with human rights and criminal Justice - role of International Court of Justice and regional institutions - Protection agencies and mechanisms - International council of human rights.

4. Judicial Activism and Human Rights

Enforcement of human rights - role of Supreme Court - Role of High Court - Role of civil and criminal courts - Statutory tribunals - Special courts - Role of India in implementing international norms and standards - Needs for Judicial activism in adversary system.

Suggested Readings

1. Upendra Baxi, The Right to be human (1986)
2. J A Andrews, Human Rights in International Law (1986)
3. R. Deb, Criminal Justice (1998), The Law Bask Company (P) Ltd. ISBN-81 -87031 -10-7
4. Dr. Subhash Chandra Singh (ed), Social Justice and human Rights in India (2006) ISBN-81-83870-016-3
5. B P Singh Sehgal (ed) Human rights in India: Problems and Perspective (2004) ISBN-81 0 7100-813-5
6. P R Rajagopal, Violence and Response: A Critique of the Indian Criminal System (1998)
7. H S Becker, Outsiders, The Studies in Sociology of Deviance (1966)
8. Upendra Baxi, Human rights in a Posthuman - Critical Essays (2009) ISBN-9780198061762
Richard Ashby Wilson, General Prosecution - Crimes against humanity - Writing History in International Criminal tribes ISBN - 0521138310
9. Andrew L - T Choo, Abuse of Process and Judicial Stays of Criminal Proceedings (2nd Ed., OUP, 2008) Clive Walker, Miscarriages of Justice: A Review of Justice in Error (OUP, 1999)
10. Stefan Trechsel, Human Rights in Criminal Proceedings (OUP, 2005)
11. Mike McConville, The Handbook of the Criminal Justice Process (OUP, 2002)

1. Criminal Evidence - Fundamental Concepts

Evidence Law - Introduction — A comparative study of the criminal evidence in U.S., U.K., and India
 - Important concepts underlying evidence law - Types of evidence - Real and testimonial evidence
 - Admissibility and materiality – Relevance - Legal and logical relevance - Reliability and weight of evidence - Meaning of relevant evidence - Probability and relevancy - Determining probative value - Determining cause and effect - Exclusion of relevant evidence on grounds of prejudice, confusion or waste of time - Proof and evidence - Introducing criminal evidence in court - Forms of evidence - Procedures.

2. Exclusionary Rules and its Exceptions

Exclusionary rules - Best evidence rule - Hearsay rule - Rationale of the rule -Application - Exceptions - Expert evidence - Hearsay application - Common knowledge rule - Ultimate issue rule - Limitations - Confessions - Forensic evidence and the use of expert scientific witnesses in criminal proceedings.

3. Production of Evidence and its Evaluation

Proof and burden of its production - Standards of proof - Beyond reasonable doubt -Theories of probability - Principle of indifference - Application of probability theory Bayes Theorem - Evidence of character - Rule of corroboration - Burden of proof Testimonial privileges.

4. Witness Testimony and Evaluation of Evidence

Witnesses and their competency - Credibility of witnesses - Impeachment of witnesses - Examination of witnesses. The evaluation of criminal evidence - Rules of admissibility - Status of unlawfully obtained evidence - Privilege against self-incrimination - Evidence obtained by illegal or unfair means.

Suggested Readings

1. R.Allan Thompson, An Introduction to Criminal Evidence: Cases and Concepts (OUP 2008)
2. Mike Redmayne, Expert Evidence and Criminal Justice (OUP 2001)
3. John Woodroffe & Syed Amir Ali, Law of Evidence (16th Ed. The Law Book Company (Pvt) Ltd. 1996).
4. Phipson, Evidence (1999 Ed.).
5. John L. Worrall and Craig Hemmens, Criminal Evidence: An Introduction (OUP USA 2010)
6. Paul Roberts and Adrian Zuckerman, Criminal Evidence (OUP 2010)
7. R. Alan Thompson, Lisa Nored, John Worrall, and Craig Hemmens, An Introduction to Criminal Evidence: Cases and Concepts (OUP USA)
8. Adrian Keane, James Griffiths, and Paul McKeon, The Modern Law of Evidence (2010)
9. Alex Stein, Foundations of Evidence Law (2005)
10. Peter Murphy, Evidence, Proof, and Facts: A Book of Sources (2003)
11. Cross & Tapper, Evidence (8th ed. Butterworths, London 1995).
12. Adrian Keane, The Modern Law of Evidence (OUP, 2010)
13. Alex Stein, Foundations of Evidence Law (OUP, 2005)
14. Paul Roberts, Criminal Evidence (2nd Ed., 2010).

LLCRI03E06: JUVENILE JUSTICE SYSTEM

1. Nature and Scope of Juvenile Justice

The concept of 'Child' - Delinquent Juvenile - Neglected Juvenile - Causes of Juvenile Delinquency - Anomie - Economic Pressure - Peer group influence - Gang sub culture - Class differentials - The overall situation of children/young persons in India, along with reference to crime statistics (of crimes by and against children).

2. International Concern for Juvenile Justice

International covenant on Civil and Political rights, 1966 - United Nations convention on the Right of the Child, 1989 - United Nations Standard Minimum Rules for the Administration of Juvenile Justice, 1985 (The Beijing Rules) - Juvenile Justice System in other Countries - USA, UK, Norway, Turkey, Australia and New Zealand.

3. Juvenile Justice System in India

Historical development of the Juvenile Justice System in India - Legislative approaches during the late colonial era- The Juvenile Justice (Care and Protection of Children) Act, 2015- Juvenile Justice Board - Composition, procedure, powers and functions -Treatment of Juvenile in conflict with law - child in need of special care and protection - Observation homes, special homes, schools children's homes and shelter homes - Child Welfare committee - Advisory Boards - Child Protection Unit -Special Juvenile police Unit - Rehabilitation and social integration - adoption, foster care, sponsorship and after care organization.

4. Judicial Contribution

Judicial activism and juvenile justice - judicial decisions - Role of legal profession in juvenile justice system

Suggested Readings

1. Ved Kumari - The juvenile Justice System in India (OUP, New Delhi 2008) ISBN-0195665511
2. Barry Kris berg - Juvenile Justice (2005) Sage Publications, New Delhi
3. Prof. N V Paranjape - Criminology and Penology (Central Law Publication, Allahabad 2008)
4. Asha Bajpai - Child Rights in India (Oxford University Press, New Delhi 2003) ISBN-0195649087
5. The Juvenile Justice (Care and Protection of Children) Act, 2000
6. The Juvenile Justice (Care and Protection of Children) Amendment Act, 2006
7. The Juvenile Justice (Care and Protection of Children) Act, 2015
8. The Juvenile Justice (Care and Protection of Children) Rules 2007
9. Thomas J. Bernard, The Cycle of Juvenile Justice (2nd Ed., 2010)

LLCRI03E07: PENOLOGY AND VICTIMOLOGY

1. **Penology** - Introduction Penology- meaning and concept- Essentials of an ideal penal system- theories of punishment- Bentham's theory of Punishment - applications - Deterrent theory -Retributive theory - Preventive theory - Reformatory theory - Efficiency of Punishment - Terms of punishment and Judicial sentencing — Capital punishment -Judicial trends in execution of death sentence - An introduction to English sentencing - Sentencing and the constitution - Fundamentals of sentencing theory.
2. **Administration of Justice System**, Police system - legal functions of Police - Rural policing in India - Judiciary's attitude towards police system - International and National perspective of the police -Citizens voluntary force - Modernization of police - INTERPOL - The criminal law courts.
3. **Prison System** -The Prison Administration - International Penal and Penitentiary commission - Prisons in India - Prison labour - Problems of criminality in prisons - prisons reforms - judicial mandates - general administration of prisons – The Repatriation of Prisoners' Act, 2003 - Open prisons - Open air camps in Rehabilitative Measures - Parole - Characteristics - Object of parole - conditions of parole - Judicial Trend - parole Violation -structural set up of parole - paroles boards and their Functions - Probation of offenders - origin - The Probation of Offender's Act, 1958 - CRPC provisions - Judicial trends - critical appreciation of probation as conventional measure.
4. **Victimology** - Nature and developments - Victimology and compensatory jurisprudence - Role and typology of victims - Persons needing special attention - Victims characteristics -Police and Judicial attitude - Victim compensation and assistant program - Victim Blaming - victims defences - Victim and offender - Victim and Criminal Justice System- Relationship - Crime without victims- Victims and the media - victims and the post of crimes - victims and social movements - Theories and Victimology -Lockenbill's Transaction model - Benhamin and Masters threefold model - Lohan and Felson's Routine activities theory - Societal influences - victim rights - Victim of Crime Act of 1982 - Victim of Criminal Act of 1984 - Victims' Rights and Restitution Act of 1992, victim compensation scheme 2018.

Suggested Readings

Antony Duff, A Reader on Punishment (OUP, 1994)

LLCRI03E08: FORENSIC SCIENCE AND CRIMINAL JUSTICE

1. **The evolution of expert testimony and scientific evidence** -Historical foundations and expectations of 'forensic science' within the courtroom - Development of forensic - The Role of the Forensic Science Laboratory - Crime scene investigators – Whether 'forensic science' can be classified as a 'science' in scientific and legal terms.
2. **The admissibility of 'expert' and 'scientific' testimony** - Evidentiary rules determining the relevance and admissibility of scientific evidence - Frye test - Criticism of Frye Test - Frye test after the enactment of the Federal Rules of Evidence in United States - Daubert test- Kumho Tire v. Carmichael and its application in technological evidences - Application of Daubert ratio in nonscientific cases - Admissibility of Scientific Evidence in Canada - English Position - Helpfulness as a criterion for the Admissibility of Scientific Evidence - Standard of Admissibility in Australia -Standard of admissibility in India - Corroboration - An additional requirement for admitting scientific evidence in India.
3. **Forensic miscarriages of justice**- Introduction - Scope of miscarriages of justice through forensic process - Situations in which miscarriages of justice occurs in the application of forensic procedures - Miscarriages at the time of crime scene investigation - Miscarriages at the time of evidence analysis - Miscarriages when the evidence come before the court. Causes for miscarriages -

Ignorance of scientific background of a forensic analysis - Error committed by the forensic scientist
 - Error committed by the Prosecution and Defence - Error committed by the judges while appreciating forensic evidence – A critical and comparative analysis of the forensic miscarriages in U.S., U.K., Canada, Australia, and India.

4. **Ethical Issues in forensic scientific analysis** - Schools of ethical thought ,Obstructions against the ethical practice in forensic science - Unethical practice of a forensic expert regarding his qualifications and credentials - Partialities and bias - Examiner's bias in forensic testing - The Problem of "Hired guns" as Forensic Experts - Interference by the police and prosecution - Extraneous influence of the forensic scientist.

Suggested Readings

1. Bentham, Rationale of Evidence (1827).
2. Carol A.E. Jones, Expert Witnesses (Oxford 1994).
3. Charles T. McCormick, McCormick on the Law of Evidence (John W. Strong ed. 4th ed. 1992).
4. Cross & Tapper, Evidence (8th ed. Butterworths, London 1995).
5. Edward Philips, Brief Case, Law of Evidence (2nd ed. Cavendish Publishing Ltd. 2000).
6. Field, Expert Evidence (3rd ed. R.G. Sagar for law publishers (India Pvt. Ltd. 1997).
7. Helen Reece, Law and Science (Oxford University Press, 1998).
8. J. Thayer, A Preliminary Treatise on Evidence at Common Law (1989 ed.).
9. J. Weinstein & M. Berger, Weinstein's Evidence (1991).
10. J. Wigmore, Evidence (1943).
11. Jack Weinstein & Margaret Berger, Weinstein's Evidence (1995).
12. McCormick, McCormick on Evidence (John William Strong ed., 4th ed., 1992).
13. John Woodroffe & Syed Amir Ali, Law of Evidence (16th ed. The Law Book Company (Pvt) Ltd. 1996).
14. Peter W. Huber, Galileo's Revenge: Junk Science in the Court Room (New York, 1991). Phipson, Evidence (1999 Ed.).
15. T. Hodgkinson, Expert Evidence: Law and Practice (London, 1990). V.R. Dinkar, Justice in Genes: Evidential Facets of Forensic DNA Fingerprinting (Asia Law House, 2008 Ed.).
16. Clive Walker, Miscarriages of Justice: A Review of Justice in Error (OUP., 1999)

LLCRI03E09: WHITE COLLAR AND HI -TECH CRIMES

1. **Conception of white collar crimes** - Nature and Definition - Views of Sutherland -Six Walter reckless - Lord Acton - Contributing factors of white collar crime -Impact of globalization and non economic order - International prospective - Human rights aspects - Recent development - White collar crimes in India - White collar crimes distinguished from traditional crimes.
2. **White Collar Crimes in certain professions** - Legal Professions - Medical Professions - Engineering - White collar crimes in the world of education - white collar Crimes in Business deals - Corporate Sector Crime - Media and Crime - Criminality and spiritualization - white collar Theft palmistry - Astrology and divine powers -Magical tracks - Illegal activities in the name of God - Bank related crimes -Corruption in political sphere - Corruption and behaviour - Motion of privileged class and regulatory system - Prevention of corruption Act, 1988- Central vigilance Act, 2003 - Remedial measures for combating white collar crimes.
3. **Hi-tech crimes origin and development** - Nature and definition - Crime in changing society and Indian approaches to semi-economic crimes - Hi-tech crimes and criminal jurisdiction in international extradition cyber terrorism and its network -International perspectives on computer related crimes -Hi

- tech crimes and forensic conference (IHCFC) of October 1999- Conflict of laws - role of international agencies.

4. **Cyber crimes** - Nature and Definition - Unauthorized access interaction - Hacking - Interruption - Time theft - Alternatives of computer data Computer related frauds -Software piracy - Computer sabotage viruses - identify theft - Forgery - Password tracking - Information Technologies Act 2000 , Protecting confidential information and criminal.

Suggested Readings

1. White Collar Crimes, (Current affairs, crime, education , literature, Media , Politics , Religion, Sociology)
2. Girish Kumar Misra - Brajkumar pandey , Gyan publishing houses, ISHN- 81-212 0590- White collar Crimes and Criminal Careers
3. David Wurzburg , Elin warningwith - Elen- F-Chayet ISBN: 0-521 -7763-1
4. Criminology and Penology, Prof. N V Paranjappe Control Law publishing 13th Edition
5. Criminology Problems and Perspectives, Ahamad Siddique IV Edition Eastern Book Company. " ISBN: 81-7012-599 -5
6. Computer Law, ChrisRoel and John Angel Indian Edition ISBN: 0915 -67271-2
7. Cyber Crimes, A premier on intend threat and E- mail abuses, G. Ramkumar, ISBN: 81-09-0226-1
8. E-crimes and Remedies, Vasudeva Commonwealth publishes
9. Cyber crimes and Law, V D Dudeja Commonwealth publishes
10. Cyber Law Crimes, IT Act 2000 and computer crimes analysis, Barkha & U Rama Mohan , Asia Law House
11. Chris Reed, Internet Law (2nd Ed., Universal Publishing, 2004)
12. Stuart P. Green, Lying, Cheating and Stealing: A Moral Theory of White Collar Crime (OUP 2006)

LLCRI03E10: LAW ENFORCEMENT AND CRIMINAL INVESTIGATION

1. Criminal Investigation - Introduction

Meaning and objectives of investigation - Role of investigation - Investigating agencies - Police - Crime Branch - Cyber Cell - CBI - NIA - Duty to Inform - FIR -Procedure to register FIR - Procedure after registering FIR - Crime Scene Investigation - Importance - Prevention of contamination - Preparation of field note - Recording the crime scene - Photography -Video - Crime Scene Sketch -Collecting, Handling and Preserving Evidence - Collecting physical evidence from the Scene - The role of crime scene investigators.

2. Investigation Process

Arrest - Meaning - Purpose - with or without warrant - After arrest procedure -Search of arrested person and medical examinations - Legality under Article 20 (3) , 21 - Provision regarding Bail - Procuring production of person and things - Criminal provision relating to search and seizures - Power to Procure attendance of witness -Interrogations - Interviewing of witness and victims - Handling of child witness -. Plea bargaining - preventive detention law - protection of public peace/order -

3. **Scientific method of Interrogation** - truth serum - lie detection - Narco Analysis-Brain Mapping - Evidentiary value of statement given to police officers - Protection under Article 20 (3), 21 -

Confession - Power of Magistrate to record confession - Procedure to be complied - suspect identification - Importance - Techniques - Portrait, Personality, profiling, identification parade, fingerprint , DNA profiling - Legality – Surveillance-Consequence of delayed investigation importance of case diary -filing of final report.

4. Investigations under Special Enactments

Investigations under special enactments -Prevention of Food Adulteration Act, 1954
The Narcotic Drugs and Psychotropic Substances Act, 1985 -The Prevention of Corruption Act, 1988
Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.- . Investigation of Cyber Crime Cases: Steps and tools/software's for tracing and investigation of cyber crimes; procedure for investigation in social networking site; technical surveillance- tracing criminals through cell-phone; internet interceptions.

Suggested Readings

1. J.W Cecil Turner, Outlines of Criminal Law(19th Ed., Universal Law Publishing)
2. Dr. Hans Gross, Criminal Investigation (5th Ed., Universal Law Publishing)
3. Ronald F. Becker, Criminal Investigation(2nd Ed. , Jones and Barlett publishers)
4. B.R. Sharma, Scientific Criminal Investigation(2006 Ed., Universal Publishing Co.)

LLCRI04E11: PRIVILEGED CLASS DEVIANCE.

1. Introduction: Meaning and concepts -Theories of Deviance(Individualistic versus Sociological Theories , Functionalism & Anomie Theories , Conflict and Threat Theories , Labeling Theory) Conceptions of white collar crimes-Indian approaches to socio-economic offences-Notions of privileged class deviance as providing a wider categorization of understanding Indian development-Typical forms of such deviance(Official deviance (deviance by legislators, judges, bureaucrats) ,Professional deviance : journalists, teachers, doctors, lawyers, engineers, architects and publishers ,Trade union deviance ,Landlord deviance (class/caste based deviance) ,Police deviance ,Deviance on electoral process(rigging, booth capturing, impersonation, corrupt

practices), Gender-based aggression by socially economically and politically Powerful.

2. Official Deviance: Conception of official deviance - permissible limit of discretionary powers Commissions on official deviance(The Chambal valley dacoit - Vinoba Mission and Jai Prakash Narain Mission – in 1959 and 1971,The Chagla Commission Report in LIC-Mundhra Affair, The Das Commission Report on Pratap Singh Kairon, The Grover Commission Report on Dev Raj Urs,The Maruti Commission Report,The Ibakkar - Natarajan Commission Report on Fairfax)

3. Police Deviance: Structures of legal restraint on police power in India-Unconstitutionality of "third-degree" methods and use of fatal force by Police-"Encounter" killings-Police atrocities - The plea of superior orders-Rape and related forms of gender-based aggression by police and para- Military forces.

4. Professional Deviance: Unethical practices at the Indian bar- The Lentin Commission Report- The Press Council on unprofessional and unethical journalism- Medical malpractice. **Response of Indian Legal Order to the Deviance of Privileged Classes:** Vigilance Commission- Public Accounts Committee-Ombudsman- Commissions of Enquiry - Prevention of Corruption Act, 1947- The Antulay Case

REFERENCE TEXTS

1. Upendra Baxi. The Crisis of the Indian Legal System (1982), Vikas Publishing House, New Delhi
2. Upendra Baxi (ed.), Law and Poverty : Essays (1988)
3. Upendra Baxi, Liberty and Corruption : The Antulay Case and Beyond (1989)
4. Surendranath Dwevedi and G.S.Bhargava, Political Corruption in India (1967)
5. A.R.Desai (ed.), Violence of Democratic Rights in India (1986)
6. A.G.Noorani, Minister's Miscounduct (1974)
7. B.B.Pande, "The Nature and Dimensions of Privileged Class Deviance" in the other side of development 136 (1987, K.S.Shukla ed.)
9. Indira Rothermund. "Patterns of Trade Union Leadership in Dhanbad Coal Fields" 23
10. J.I.L.I. 522 (1981)

Reports

1. The Chagla Commission Report in LIC-Mundhra Affair
2. The Das Commission Report on Pratap Singh Kairon
3. The Grover Commission Report on Dev Raj Urs
4. The Maruti Commission Report
5. The Ibakkar - Natarajan Commission Report on Fairfax

LLCRI04E12: CRIME INVESTIGATION

- 1) Investigating agencies-police organisation and powers-arrest-search and seizure-bail and custody decision.
- 2) Rights of the accused-police interrogation-judicial norms-Miranda rule-Judges rules-position in Indian Law
- 3) Control of investigation-role of courts in investigation-comparison with continental system-role of prosecutors in investigation-prosecutorial discretion and control thereof.
- 4) Decision to charge-role of police-prosecutor and the courts

Suggested Readings

1. Saaraha J Summers, Fair trials the European criminal procedural tradition and the European court of human rights, Oxford Hart Publishing 2007
2. Andrew Ashworth, Human Rights, Serious Crime and Criminal Procedure, London Sweet & Maxwell 2002
3. Roscoe Pound, Criminal Justice in America, New York DA CAPO press 1972
4. K N Chandrashekar Pillai, R V Kelkars Criminal procedure Code, Lucknow Eastern Book Company 2001
5. Jerome Hall, Cases and Readings on Criminal Law and Procedure, USA Bobbs-Merril 1968

LLCRI04E13: CRIMINAL TRIAL

- 1) Various levels of courts-special court systems-courts for children-powers and functions of courts-Judges – methods of recruitment and training-value inculcations in judges-the common law system in comparison with continental system.
- 2) Prosecutors and their role-comparison with continental UK and American prosecutors-recruitment and training of prosecutors-withdrawal of prosecution-control by judges-scope and limitation.
- 3) Defence lawyer and importance of his position in criminal trial-comparison with continental system-rights of the accused and its safeguard in trial process-comparison with continental system.
- 4) Various methods of trial-accusatorial trial in comparison with inquisitorial trial. Roles played by various agencies such as court, prosecutor and the defence lawyer in trial process. Victims-victim compensation-victim protection-role of victim in prosecution.

Suggested Readings

1. Saara J Summers, Fair trials the European criminal procedural tradition and the European court of human rights, Oxford Hart Publishing 2007
2. Andrew Ashworth, Human Rights, Serious Crime and Criminal Procedure, London Sweet & Maxwell 2002
3. Roscoe Pound, Criminal Justice in America, New York DA CAPO press 1972
4. K N Chandrashekar Pillai, R V Kelkars Criminal procedure Code, Lucknow Eastern Book Company 2001
5. Jerome Hall, Cases and Readings on Criminal Law and Procedure, USA Bobbs-Merrill 1968

SYLLABUS OPEN ELECTIVE COURSES

LLCRI04001: CYBER CRIMES

Module I Theoretical Construction and evaluation of legal regulations of technological process and innovations-Debates relating to regulation of Cyber space-Criminal Regulation of Cyber- Space: Issues relating to Criminalization.

Module II Typology of cyber Crimes -Cyber Fraud-Cyber forgery-Damage to computer data or computer programme -Computer sabotage-Unauthorized access-Unauthorized interception - Unauthorized reproduction –Pornography-Money laundering -IP infringements-Other crimes perpetrated in the Cyber context or that can be committed with the help of computer

Module III

Jurisdiction and criminal regulation of Cyber space in the fundamental context of nation state's sovereignty principle-Issues and procedures relating to Cyber criminal investigation and evidence - Jurisdictional issues

Module IV Adjudication of Cyber crimes- competence, understanding and appreciation about technology insight on the part of stakeholders-Rules of Admissibility – hearsay rule – computer evidence and its admissibility- proof of reliability. Information Technology Act- Critical appreciation on criminal aspects - Means and methods to Cyber loss/injury/damage -Technological options-Needed legal reform

SELECT BIBLIOGRAPHY

1. Information technology Law –Diane Rowland (1997)
2. Information technology – Venkat Sharma (2006)
3. Cyber Law Vol 1 & 2 Brian Fitzgerald (2006)
4. Information technology Act

5. Combating Cyber Crime - Richard Stiennon
6. Dimensions of Cyber Crime- S. R. Sharma
7. Cyber Safety: An Introduction- Leukfeldt
8. Cyber Criminals on Trial- Peter Grabosky, Russell G. Smith, Gregor Urbas
9. Cyber Crime - S. K. Bansal

LLCRI04O02: BANKING LAW

- 1) Evolution of Banking System – Central Banking functions – Reserve Bank control over banks
- 2) Banker – customer relationship – Bank as borrowers – customer accounts – duties of paying and collecting bankers- Duty of Confidentiality.
- 3) Lending by banks – RBI control over loans and advances. Securities for loans, Debt Recovery
- 4) Agency services by banks.- Merchant Banking- Banker as bailee – safe deposit vaults – credit cards- Investment Banking
- 5) Consumers of banking services – protection against deficiency in banking services.

Suggested Readings

1. M.L.Tannan, “Tannan’s Banking Law and Practice in India”, India Law House, New Delhi (1997)
2. S.N.Gupta, “The Banking Law in theory and Practice”, Vol. I & II, Universal Law Publishing Co. (1999)
3. Ross Cranston, “Principles of Banking Law”, Clarendon Press, Oxford (1997)
4. Chorley and Smart, “Leading cases in the Law of Banking”, Sweet & Maxwell
5. M.S.Parthasarathy, “Banking Law-Leading Indian Cases”, N.M.Tripathi, (1985)

LLCRI04O03: CONSUMER PROTECTION LAW

- 1) History and Development of Consumer Law: India, US and UK – Development of Consumer Movements in India, US and UK – Contributions of Consumer Movements- Protection of Consumers at International Level
- 2) Protection of Consumers under Common Law – Caveat Emptor - Freedom of Contract – Standard form of Contract – Caveat Venditor – Consumer Protection under Law of Tort and Contract.
- 3) Rights of Consumers – Protection of Rights under Consumer Law, Contract Law, Competition Law and Constitutional Law – Judicial Activism and Consumer Rights – Public Interest Litigation and Consumer Protections.
- 4) Consumer Protection and Control of Advertisements – Protection of Online Consumers – Relevant Provisions of Information Technology Act, 2000. Unfair and Restrictive Trade Practices and Law – Brief Overview of Consumer Protection Act, 1986 – Its Significance.

Suggested Readings:

1. Dr. J.N. Barowalia, *Commentary on the Consumer Protection Act*, Universal Law Publishing, New Delhi, (Fifth edition- 2012)
2. V K Agarwal, *Consumer Protection: Law and Practice*, Bharat Law House Publishers Distributors Pvt. Ltd , New Delhi, 6th Edn. -2008.

3. Iris Benohr, *EU Consumer Law and Human Rights*, OUP, 2013
4. Geraint G. Howells, I. Ramsay and Thomas Wilhelmsson, *Handbook of Research on International Consumer Law*, Edward Elgar Publishing, UK, 2010
5. G. B. Reddy, *Law of Consumer Protection*, Gogia Law Agency, Hyderabad, 1998.
6. Avtar Singh, *Law of Consumer Protection: Principles and Practice*, EBC, Lucknow, (4th Edn. – 2005)
7. V Balakrishna Eradi, *Consumer Protection Jurisprudence*, Lexis Nexis, Delhi, 2004
8. S.M. Dugar, *Commentary on MRTP Law, Competition Law & Consumer Protection Law* Wadhwa Nagpur (4th ed. 2006).

LLCRI04O04:CARRIAGE OF GOODS BY SEA

- 1) Contracts of affreightment- - Charter parties and Bills of lading- Voyage Charter Parties- Types, Owner's and charterer's obligations, conditions, warranties, innominate terms, and representations.
- 2) Time Charter Parties- Nature, description of ship, delivery date & canceling clause, charter period, early or late delivery, payment of hire, off-hire, deductions, withdrawal of ship, employment & indemnity clause, owner's lien, Lay time, demurrage and freight.
- 3) Bill of lading- nature & functions- as a contract, as a receipt, as a document of title, provisions regarding documents of transport under the Carriage of Goods by Sea Act- Rights and obligations of parties in Bills of lading contract – Hague, Hague – Visby , Hamburg and Rotterdam Rules.
- 4) Breach and remedies- Breach of implied undertakings- liability for loss or damages to goods - Limits of liability – Exclusion of liability for loss.

Suggested Readings

1. John F.Wilson, *Carriage of Goods by Sea* , Pearson (2010)
2. Martin Dockray, *Cases and Materials on the Carriage of Goods by Sea*, Cavendish Publishing Co (2004)
3. Meltem Deniz Guner Obzek, *The United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea : An Appraisal of the "Rotterdam Rules"*, Springer (2011)
4. Girvin, *Carriage of Goods by Sea*, Oxford University Press (2007)
5. Chorley & Giles, *Shipping Law*, Pitman, London (1987) Chapter IV & V, pp. 84-214
6. Payne & Ivamy, *Carriage of Goods by Sea*, Butterworth's, London (1989)
7. Scrutton, *Charter Parties and Bill of Lading*, Sweet & Maxwell, London (2008)
8. Carver, *Carriage by Sea*, Vol.I & II, Butterworth's, London (1983)
9. David M. Sasson, *C.I.F & F.O.B Contracts*, London (1995)
10. William Tetley, *Marine Cargo Claims*, Carswell (2008)
11. T.Kochuthomman, *Bills of Lading in International Law and Practice*, Eastern Book Company (1986)
12. Summerskill, *Laytime*, Taylor and Francis (1989)
13. Southampton on Shipping Law, Informa (2008)

PATTERN OF QUESTION PAPER

Question Type	Marks	No. of Questions to be answered	Level (Bloom's Taxonomy)	Total Marks
Part A	3	5 (out of 6)	Remembering Understanding	15
Part B	5	3 (out of 5)	Applying Analyzing Evaluating	15
Part C	10	3 (out of 5)	Creating	30

KANNUR UNIVERSITY, SCHOOL OF LEGAL STUDIES, PALAYAD
LLCRI01C04
INTERNATIONAL CRIMINAL LAW AND TRANSNATIONAL CRIME
Maximum: 60 Marks

PART-A

Answer any 5 Question, Each Question have 3 Marks.

1. The crime of aggression
2. Genocide
3. Crimes against humanity
4. War crimes
5. Terrorism and transnational crimes
6. Piracy

(3 X 5= 15)

PART-B

Answer any 3 questions, Each Question have 5 Marks.

7. Give a brief account on International Criminal Court and its jurisdiction?
8. Enumerate objectives and policies of international criminal law
9. Explain the Definition, Scope and Characteristics of Transnational crime?
10. Critically evaluate United Nations Conventions Against Organized Crime, 2000.
11. Explain the principle '*aut dedere aut judicare*'.

(5 X 3= 15)

PART-C

Answer any 3 Questions, Each question have 10 Marks

12. Write a brief note on international crimes and treaty crimes.
13. Classification of different Transnational Crimes.
14. The role of UN to regulate Organised crimes.

15. Role of International investigative agencies (Interpol etc), Adjudication authorities (including ad hoc and permanent criminal tribunals) to investigate and adjudicate international and transnational crimes?
16. Critically analyse causes of Transnational crimes.

(10 X 3= 30)