



HINDUSTAN

INSTITUTE OF TECHNOLOGY & SCIENCE
(DEEMED TO BE UNIVERSITY)

SCHOOL OF LAW

CURRICULUM AND SYLLABUS

(Applicable for Students admitted from Academic Year 2021-22)

TWOYEAR LL. M DEGREE PROGRAMME

(Choice Based Credit System)

IN

CONSTITUTIONAL AND ADMINISTRATIVE LAW

SCHOOL OF LAW

REGULATIONS

1) **Title of the Course:** LL.M. Course

2) **Preamble of the Syllabus:**

Master of Law is a Post- Graduation course of Hindustan School of Law. The choice based credit system to be implemented through this curriculum, would allow students to develop a strong footing in the fundamentals and specialize in the disciplines of his/her liking and abilities. The students pursuing this course would have to develop in depth understanding of various aspects of the subject.

3) **Definitions:**

In these Regulations, unless the context otherwise requires –

- a. 'Departmental Committee' means the Committee constituted under these Regulations;
- b. 'Academic Session' means four consecutive (two odd + two even) Semesters;
- c. 'Choice Based Credit System' (CBCS) provides choice for students to select from the prescribed courses as offered by the University.
- d. 'Course' is a component of a programme. All courses need not carry the same weight. Courses define learning objectives and learning outcomes. A course may be designed to comprise lectures / tutorials / clinical work / field work / outreach activities / project work / vocational training / viva / seminars / term courses / assignments / presentations / self-study etc. or a combination of some of these.
- e. 'Core course' means a course that the student admitted to a particular programme must successfully complete to receive the Degree and which cannot be substituted by any other course. For this purpose, all course other than Specialization / Choice Based Electives, are considered as Core course;
- f. 'Credit Based Semester System' (CBSS) prescribes the requirement for awarding a degree certificate in terms of number of credits to be completed by the students.
- g. 'Credit Point' is the product of grade point and number of credits for a course.
- h. 'Cumulative Grade Point Average' (CGPA) is a measure of overall cumulative performance of a student in all semesters. The CGPA is the ratio of total credit points secured by a student in various courses in all semesters and the sum of the total credits of all courses in all the semesters. It is expressed up to two decimal places.
- i. 'Elective Course' means a course other than a core course. Elective course may be 'Generic Elective' focusing on disciplines which may add generic proficiency to students or 'Discipline Centric Elective' which enables students to achieve proficiency in a specialized legal discipline or 'Open Elective' which may be chosen from an unrelated discipline.
- j. 'Grade Point' is a numerical weight allotted to each letter grade on a ten-point scale.
- k. 'Letter Grade' is an index of the performance of students in a course. Grades are denoted by letters O, A+, A, B+, B, C, P and F.

- l. 'Programme' means the Master of Laws (LL.M.) programme conducted by the Bankura University.
- m. 'Semester Grade Point Average' (SGPA) is a measure of performance of work done in a semester. It is the ratio of total credit points secured by a student in various courses registered in a semester and the total course credits taken during that semester. It shall be expressed up to two decimal places.
- n. "Semester" means 18 weeks of academic work following a five-day week pattern. The odd semester commences in July and ends in December and the even semester commences in January and ends in June.
- o. 'Grade Card' based on grades earned shall be issued to all the registered students after every semester. The grade card will display the details of courses studied (code, title, number of credits, grade secured) along with SGPA of that semester and CGPA.

4). Duration and Scheme:-

- a. The programme for the Master of Laws (LL.M.) Degree of the University is of one academic year consisting of four semesters. Each semester will be comprising of six months out of which 18 weeks' duration classroom teaching, library work, tutorial, clinical, seminars and research followed by End Semester Examination conducted by the University.
- b. A student has to earn 24 credits in each semester. One credit is equivalent to one hour of teaching per week or two hours of practical work / field work per week. Credits successfully completed over and above the mandatory requirement for the degree shall not be reflected in the calculation of either SGPA or CGPA at the request of the student in writing at the end of each semester at an appropriate time after the declaration of results and before the issuance of mark-list / grade card and degree certificate.
- c. A student for every branch in LL.M. shall, in the course of four semesters undergo instruction in Six Core / Compulsory courses and at least Six Elective Major courses which is Optional courses leading to specialization in a discipline, apart from the Dissertation and Viva-Voce as per the curriculum. Student also undergo instruction in One Elective Open course which is also Optional and may be chosen from an unrelated discipline.

5) Eligibility:

The candidate should have completed 5-year B.A.LL.B. / 3 year LL.B. (Bachelor Degree of Law) and its equivalent degree. General candidate has obtained at least 45% marks in LL. B and for SC and ST 40%.

6) Admission:

Admissions will be given as per the selection procedure in accordance with the conditions laid down by the Hindustan University from time to time. The reservation rules governing admission to 2 year LL.M. Course made by the Government shall be followed in making admissions.

Intake: There shall be a basic unit of twenty (20) students, for each batch.

7) Instructions for the Students:

The students seeking admission to Master of Law course is hereby informed that they are supposed to adhere to the following rules:

- a. A minimum of 75 % attendance for lectures / practical is the pre-requisite for grant of Semester.
- b. The students are supposed to attend all the Assignment Activities, Workshops / Seminars / Training Programme / Symposia/ Study tour organized by the Department.
- c. The students may choose the optional groups from the list approved by the University, based on the availability of infrastructure, faculty and other facilities at the commencement of every academic year and intimate the same to the University.

8) Examination and Evaluation:

- a. Every core paper and major elective paper shall carry 100 marks out of which 60 marks are for written examination and 40 marks for internal assessment.
- b. Internal assessment shall be completed within the semester itself before submission of application for end semester examination. Supplementary chances will not be there for internal assessment. The 40 marks under Internal Assessment shall be in the following proportion: i. Class performance: 15 ii. Assignment: 15 iii. Seminars 10

Total 40

There shall be no Internal Assessment for Dissertation and Practical paper. Assessment of internal work will be conducted before conducting the End Semester Examination.

Assignment -Maximum 2 Assignments in each subject

- c. Students shall be required to actively participate in the class during the class hours. A maximum of five marks shall be awarded for attendance, which shall form part of class performance, at the end of each semesters in each course by the teacher concerned based on the degree and depth of participation in the class by the student during that semesters.
- d. The practical examination shall be held at the end of the third semester on Research Methodology II which consists of Research Methodology, Law Teaching and Clinical work. There shall be 20 marks each for doctrinal research and for non-doctrinal research, 10 marks for clinical work and 30 marks for law teaching. How the components of practical shall be evaluated is left to individual faculties of law? They can formulate their own models of assessment. However, for making the practical examination objective and meaningful, the following guidelines shall be adhered to.

A student has to secure a minimum of 50% marks of the practical examination but he has to attend Unit I, Unit II, Unit III and Unit IV of Research Methodology II for a pass. A student who fails to secure the minimum marks in the practical examination will have to repeat.

- e. Dissertation on a topic based on the optional, carrying 150 marks. Dissertation Paper will be evaluated by at least one external examiner.
- f. For End Semester Examinations in core paper and major elective paper, the question paper carrying 60 marks consists of 6 essay questions. The candidate may choose to write any four questions out of six questions. Each question carries 15 marks.
- g. While marks are given for all internal and end semester examinations for a maximum number of 100 each, they will be converted into grades by University. Semester end grade sheets will have only grades & final grade sheets and transcripts shall have grade points average and total percentage of marks.
- h. The system of evaluation will be as follows: Each internal assessment and end semester Examination will be evaluated in terms of marks. The marks for internal assessment and End semester Examination will be added together and then converted into a grade and later a grade point average.

There shall be no qualifying marks for internal assessment but the candidates shall have to appear at the said part of the examinations. The qualifying marks for each course shall be 45% and in the aggregate of Sem I to Sem IV it shall be 50% of the total marks i.e 1400.

If a candidate fails to secure qualifying marks of each paper in a particular semester examination his/her result will be declared as 'SNC' (i.e., Semester Not Cleared). Final Semester will not be cleared till other Semester is cleared.

To qualify for position in the merit list a candidate shall have to pass all the semesters in his/her due first original chances.

The back papers of the first semester shall only be cleared with the regular semester examinations in the next academic session.

A student shall be allowed a maximum of consecutive four years to complete the 2 year LL.M Course of the University.

The result of semester IV examination shall be kept withheld unless a candidate has cleared all the semesters within the prescribed chances. He/she would be declared to have passed the final examinations in the year in which he/she clears his/her all semesters.

- i. After the gain of minimum number of credits towards a completion of a PG programme , a student will get a grade sheet with total grades earned and a grade point average.

9) Rules for Review:

Candidates seeking review may apply to the University in a prescribed form along with requisite fees within 7 working days from the date of issue of mark-sheet subject to the following conditions:

- a) Application for review shall be restricted to theoretical papers only, and no application for reexamination in any practical / oral / internal assessment / dissertation / project / seminar / field work / internal assignment, etc., shall be entertained.
- b) 50% of the theory papers in any semester examination may be re-examined on request by the examinee subject to the condition that he/she secures a minimum of 45% of marks in the rest of theory papers.

In case marks awarded in a paper on review exceeds the original marks obtained by more than 15% of the total marks in the paper or falls more than 15% of the original marks in the paper, the script will be referred to a third examiner and the candidate will be awarded based on the average of the best two of the marks awarded by the two examiners.

LL.M., (Constitutional And Administrative Law)							
(80 CREDIT STRUCTURE)							
FIRST YEAR - SEMESTER – I							
SL. NO	COURSE CATEGORY	COURSE CODE	NAME OF THE COURSE	L	T	P	C
1	CC	LLM5701	Jurisprudence	4	2	0	6
2	CC	LLM5702	Indian Constitutional Law : The New Challenges	4	2	0	6
3	SC	LLM5705	Constitutional Principles and Structure	4	2	0	6
4	SC	LLM5706	General Principles of Administrative Law	4	2	0	6
Total				16	8	0	24
FIRST YEAR - SEMESTER – II							
SL. NO	COURSE CATEGORY	COURSE CODE	NAME OF THE COURSE	L	T	P	C
1	CC	LLM4716	Law and Social Transformation in India	4	2	0	6
2	CC	LLM4717	Research Methodology I	4	2	0	6
3	SC	LLM4720	Judicial Review of Administrative Action	4	2	0	6
4	SC	LLM4721	Legislative and Quasi-Judicial Powers of Administration	4	2	0	6
Total				16	8	0	24

LL.M., (Constitutional And Administrative Law)							
SECOND YEAR - SEMESTER – III							
SL. NO	COURSE CATEGORY	COURSE CODE	NAME OF THE COURSE	L	T	P	C
Theory							
1	CC	LLM5801	Judicial Process	4	2	0	6
2	SC	LLM5805	Electoral Process and Law	4	2	0	6
3	SC	LLM5806	Environmental Governance	4	2	0	6
Practical							
4	PC	LLM5804	Research Methodology II (PRACTICAL)	0	0	6	6
Total				16	6	6	24
SECOND YEAR - SEMESTER – IV							
SL. NO	COURSE CATEGORY	COURSE CODE	NAME OF THE COURSE	L	T	P	C
1	DC	LLM5816	Dissertation	0	0	8	8
Total				0	0	8	8

SEMESTER – I

COURSE TITLE	JURISPRUDENCE			CREDITS	6
Course Code	LLM5701	Course Category (CF)	CC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :Nil					
MODULE 1 NATURE OF JURISPRUDENCE					
Meaning of Jurisprudence, Relevance of Jurisprudence Concept of 'Legal Theory' and 'Jurisprudence'. Concept and Philosophy of Law: The Definition of Law - The Evolution of Law : Primitive Law, Middle Law, Classical Law, Post-Classical Law					
MODULE 2 NATURAL LAW AND ITS RE-EMERGENCE					
Philosophical Idealism of Ancient Era : Meaning and Origin-Greeks and Romans Philosophy - Medieval Era : Renaissance, And Reformation, Grotius and International Law, Philosophy of Social Contract. - Natural Law in Nineteenth and Twentieth Centuries - Modern Value Philosophies and Revival of Natural Law Theories - Indian Perspective of Natural Law School					
MODULE 3 ANALYTICAL POSITIVISM					
Analytical Positivism: Bentham's English Positivism: Utilitarian Approach of Law, Pleasure and Pain Principle in Legislation, Bentham on Codification and Law Reforms - Austin's Theory of Law - The Pure Theory of Law - Modern Trends in Analytical Jurisprudence: Hart's Concept of Law - Indian Perspective of Analytical School					
MODULE 4 HISTORICAL SCHOOL OF THOUGHT					
Historical School of Thought: The Romantic Reaction: Herder and Hegel - Savigny and Historical School in Germany - Law and Anthropology - Historical School in England, United States and India					
MODULE 5 SOCIOLOGY OF LAW					
Sociological Jurisprudence and Sociology of Law: Comte and Sociology, Laissez Faire and Herbert Spencer, Jhering, Max Weber, Emile Durkheim, Eugen Ehrlich, Roscoe Pound - Sociological Jurisprudence since Pound and Towards Sociology of Law Indian Constitution and Sociological Jurisprudence - American and Scandinavian Jurisprudence - Concept of Morality and its Relationship with Law: Hart Fuller Controvers					
TEXT BOOKS					
1	Lloyd's Introduction to Jurisprudence				
2	R.W.N. Dass : Jurisprudence 5th ed. Aditya Books Private Ltd. New Delhi, 1994				
3	G.W. Paton : A Text Book of Jurisprudence				
REFERENCE BOOKS					
1	Karl N Liewellyn : Jurisprudence Realism in Theory and Practice				
2	W. Friedman : Legal Theory 5th ed. London Stevens & Sons 1967				

COURSE TITLE	INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES			CREDITS	6
Course Code	LLM5702	Course Category (CF)	CC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 FEDERALISM					
Creation of new states, The inter-state disputes on resources, Center’s responsibility and internal disturbance within States, Federal comity: Relationship of trust and faith between Centre and State - Special status of certain States - Areas, Scheduled Areas:					
MODULE 2 STATE : RIGHT TO EQUALITY					
Definition of state - Need for Widening the definition in the wake of Liberalization - privatization and its impact on affirmative Action Relating to quality.					
MODULE 3 EMERGING REGIME OF NEW RIGHTS AND REMEDIES					
Reading Directive Principles and Fundamental Duties into Fundamental Rights - Compensation jurisprudence - Right to education - Commercialization of Education and its impact - Brain drain by foreign education market - Right of minorities to establish and administer educational institutions and state control.					
MODULE 4 SEPARATION OF POWERS					
stresses and strain - Judicial activism and judicial restraint - PIL - Judicial Independence – Appointment - transfer and removal of judges - accountability : executive and judiciary - Tribunals					
MODULE 5 DEMOCRATIC PROCESS					
Nexus of politics with criminals and the business, Election process - Election commission: Status, Electoral reforms - Coalition government - ‘stability, durability, corrupt practice, Grass root democracy,					
SUGGESTED READINGS					
1	Suggested Readings : No specific bibliography is suggested for this course since the materials obviously depends upon the latest developments. These developments in the areas specified in the course can be gathered from the recent materials such as all standing Constitutional law Text books, case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values.				

COURSE TITLE	CONSTITUTIONAL PRINCIPLES AND STRUCTURE			CREDITS	6
Course Code	LLM5705	Course Category (CF)	SC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 SOVEREIGNTY					
Sovereignty–Austin–Laski’s Pluralism–criticisms–Parliamentary Sovereignty in Britain– Sovereignty in India–Impact of Globalization on Sovereignty					
MODULE 2 CONSTITUTION					
Constitution–Meaning–Necessity–Requirements of an Ideal Constitution–Framing of Indian Constitution–Features of Indian Constitution–Fundamentals of Constitution– Constraints.					
MODULE 3TYPE OF GOVERNMENT					
Constitution–Form–Type of Government–Federalism–Features of Indian Federalism– Globalization and Indian Federalism–Constitution and response to social change					
MODULE 4CONSTITUTIONALISM					
Constitutionalism: Meaning, Significance and Ingredients–Rule of Law–Challenges–Separation of Powers–Due Process–Eminent Domain–Taxing power–Judicial Review					
MODULE 5SEPERATION OF POWERS					
Executive, Legislature and Judiciary–Interrelationship between the three organs of Government– Executive, Legislative and Judicial accountability					
TEXT BOOKS					
1	Granville Austin, The Constitution of India: Cornerstone of a Nation (1966)				
2	Dicey, Law of the Constitution (9thed.,)				
3	K.C.Wheare, Federal Government				
REFERENCE BOOKS					
1	C.F.Strong, Political Constitutions (1966)				
2	M.P.Singh, Comparative Constitutional Law (1989)				
3	M.P.Singh&RekhaSaxena, Indian Judiciary and Politics: The Changing Landscape(2007)				

COURSE TITLE	GENERAL PRINCIPLES OF ADMINISTRATIVE LAW			CREDITS	6
Course Code	LLM5706	Course Category (CF)	SC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites : Nil					
MODULE 1 SCOPE AND DEVELOPMENT OF ADMINISTRATIVE LAW					
Scope and Development of Administrative Law - Administrative Law-Definition, Nature, Scope and Functions Growth of Administrative Law in India - Basic Constitutional Principles: Indian Perspectives - Rule of Law Separation of Powers - Natural Justice					
MODULE 2 FUNCTIONS					
Administrative Functions and Discretion - Classification of Administrative Functions - Administrative Discretion - Principles of Natural Justice - Rule against Bias - Fair Hearing					
MODULE 3 DELEGATED LEGISLATION					
Growth and Development of Delegated Legislation - Delegated Legislation - Importance, Need and Constitutionality of Delegated Legislation - Conditional Legislation - Controls on Delegated Legislation - Parliamentary Control - Judicial Control .					
MODULE 4 FUNDAMENTAL RIGHTS					
Transparency and Accountability - Lokpal and Lokayukt - Right to Information - Vigilance Commission - Controller and Auditor -General of India - Commissions of Inquiry					
MODULE 5 ADMINISTRATIVE ACTION					
Judicial Review of Administrative action - Scope and limitation of Administrative action - Judicial control over Administrative action-remedies for Administrative wrongs, Writs - Limits of Judicial review- Locus standi and PIL- Laches- Resjudicata - Doctrine of exhaustion of alternative remedies - Statutory Remedies – General and Specific statutory remedies for administrative action. - Scope and significance of Administrative Tribunals					
TEXT BOOKS					
1	M. P. Jain & S. N. Jain - Principles of Administrative Law, 6th Edition 2001, Publication-Lexis Nexis Butterworth's Wadawa Nagpur				
2	P. Massey - Administrative Law, 7 th Edition 2008. Publication-Eastern Book Company, Lucknow.				
3	H.W.R. Wade and C.F. Forsyth -Administrative Law, 10 th Edition 2009, Publication-Oxford University Press, New York M.L. Tannan, Tannan's Banking Law and Practice in India., India Law House, New Delhi, Latest Edition.				
REFERENCE BOOKS					
1	Garner's – Administrative Law, 8 th Edition 1996, Oxford University Press				
2	De Smith - Judicial Review of Administrative Action, 6th Revised Edition 2006, Sweet and Maxwell Publication.				
3	1. S. P. Sathe - Administrative Law, 7 th Edition 2006. Lexis Nexis, Butterworth's Publication.				

SEMESTER – II

COURSE TITLE	LAW AND SOCIAL TRANSFORMATION IN INDIA			CREDITS	6
Course Code	LLM5716	Course Category (CF)	CC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 LAW AND SOCIAL CHANGE					
Law as an instrument of social change- Law as the product of traditions and Culture- Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India					
MODULE 2 COMMUNITY , RELIGION AND THE LAW					
Community, Religion and the law - Caste as a divisive factor - Non-discrimination on the ground of caste - Acceptance of Caste as a factor to undo past injustices - Protective discrimination : Scheduled castes, tribes and backward classes - Reservation; statutory Commission, Statutory provisions - Freedom of religion and non-discrimination on the basis of religion - Religious minorities and the law.					
MODULE 3 WOMEN , CHILDREN AND THE LAW					
Women, Children and the law - Crimes against women, Gender injustice and its various forms Women's commission - Empowerment of women: Constitutional and other legal provisions - child labour - Adoption and related problems - Children and education					
MODULE 4 MODERNIZATION AND THE LAW					
Modernization and the law - Modernization as a value: Constitutional perspectives reflected in the fundamental duties - Democratic decentralization and local self-government - Modernization of social institutions through law					
MODULE 5 ALTERNATIVE APPROCHES TO LAW					
Alternative approaches to law - The jurisprudence of Sarvodaya – Gandhiji, VinobaBhave ;Jayaprakash Narayan, Gramanyayalayas					
TEXT BOOKS					
1	Marc Galanter (ed), Law and Society in Modern India (1997) Oxford				
2	Robert Lingat, The Classical Law of India (1998), Oxford				
3	U. Baxi, The Crisis of the Indian Legal System (1982), Vikas , New Delhi				
REFERENCE BOOKS					
1	U.Bixi (ed), Law and Poverty Critical Essays (1988), Tripathi , Bombay				
2	Manushi , A journal About of Women and Society				

COURSE TITLE	RESEARCH METHODOLOGY I			CREDITS	6
Course Code	LLM5717	Course Category	CC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 INTRODUCTION					
Significance of Research - Meaning and concept of research - Scientific Methods & Legal Research - The science of research and scientific methodology (Theory, facts, definition and concepts, variables etc. i.e. characteristics of scientific methodology) Socio-legal research and legal research models - Doctrinal and non-doctrinal research - What is research problem? Formulation of research problem.					
MODULE 2 RESEARCH DESIGN					
Research Design and its components - Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources. Major steps of preparation of research design - Research tools - Observation, Interview, Questionnaire (Utility and limitations and methods of using these tools)					
MODULE 3: RESEARCH TECHNIQUES					
Research Techniques - Use of case studies and surveys - Sampling techniques: i.Design of sample - ii.Its uses and advantages in research - iii.Random sampling, simple random, stratified random, systematic random - iv.Non-random sampling, haphazard, availability and purposive etc - Scaling Techniques – Types, utility, modus operandi - Elementary Statistics, design & stages in statistical investigation and interpretation and Preparing Diagrams & graphs. Content analysis.					
MODULE 4 COMPUTERIZED RESEARCH					
Data Processing - Data Collection, Data processing and analysis and interpretation of data. Socio-metrics and Jurimetrics - Inductions and deductions - Computerized research - A study of legal research programmes such as Lexis and west law coding Online& offline sources and techniques of e-legal research.					
MODULE 5 REPORT WRITING					
Report writing - Research report & techniques of writing research work - Citation rules and modes of legal writing.					
TEXT BOOKS					
1	Wilkinson – Bhandarkar –Research Methodology				
2	Young, Pauline V. –Scientific Social Survey and Research				
3	Berelson B : Content Analysis in Communication Research				
REFERENCE BOOKS					
1	Jain S. N. : Legal Research and Methodology.				
2	Earl Babi – Research Methodology				
3	Good & Halt : Research Methodology (And relevant Websites)				

COURSE TITLE	JUDICIAL REVIEW OF ADMINISTRATIVE ACTION			CREDITS	6
Course Code	LLM5720	Course Category	SC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :Nil					
MODULE 1 GENERAL PRINCIPLES					
General principles of judicial review - courts as the final authority to determine the legality of administrative action - problems and perspectives					
MODULE 2 SCOPE OF JUDICIAL REVIEW					
Grounds of judicial review - scope of judicial review - jurisdictional error - error of law violation of the principles of natural justice - violation of public policy					
MODULE 3 METHODS OF JUDICIAL REVIEW					
Methods of judicial review - public and private law remedies - exhaustion of alternative remedies - res judicata					
MODULE 4 JUDICIAL ACTIVISM					
Concept of locus standi - public interest - judicial activism - latest trends in PIL litigation - merit and demerits of PIL					
MODULE 5 JUDICIAL REVIEW IN INDIA					
Judicial Review by the Supreme Court and High Courts under Articles 226, 227, 32 and 136.					
TEXT BOOKS					
1	M. P. Jain & S. N. Jain -Principles of Administrative Law, 6th Edition 2001, Publication - Lexis Nexis Butterworth's Wadawa Nagpur				
2	P. Massey - Administrative Law, 7 th Edition 2008. Publication - Eastern Book Company, Lucknow.				
3	H.W.R. Wade and C.F. Forsyth - Administrative Law, 10 th Edition 2009, Publication-Oxford University Press, New York				
REFERENCE BOOKS					
1	Dr. CD Jha's Judicial Review of Legislative Acts Second Edition, 2009				
2	Garner's -Administrative Law, 8 th Edition 1996, Oxford University Press				
3	De Smith -Judicial Review of Administrative Action, 6th Revised Edition 2006, Sweet and Maxwell Publication				

COURSE TITLE	LEGISLATIVE AND QUASI JUDICIAL POWERS OF ADMINISTRATION			CREDITS	6
Course Code	LLM5721	Course Category	SC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 GENERAL PRINCIPLES					
Delegated Legislation - general principles - Reasons for growth of Delegated Legislation USA and India - different forms of delegation - Control and Safeguards of Delegated Legislation					
MODULE 2 QUASI JUDICIAL FUNCTIONS					
Quasi-Judicial functions of administration - Distinguish between judicial and quasi-judicial functions - Reasons for the growth of administrative adjudication					
MODULE 3 ADMINISTRATIVE TRIBUNALS					
Modes of administrative adjudication - Administrative Tribunals - Functioning of the Administrative Tribunals - Distinguish between Administrative Tribunals and Courts - Article 277 - Power of High Courts to supervise Tribunals - Special Leave to appeal- Article 136					
MODULE 4 RULES					
Principles of Natural Justice - Rule against Bias - Ingredients of fair hearing - Rules of procedure and evidence					
MODULE 5 ADMINISTRATIVE ACTION					
Expanding horizons of natural justice - Fairness in Administrative Action					
TEXT BOOKS					
1	Ivor Jennings, Law and the Constitution				
2	M.P. Jain, Constitutional Law of India				
3	S. A. de Smith, Constitutional and Administrative Law				
REFERENCE BOOKS					
1	H. M. Seervai, Constitutional Law of India				
2	D.D. Basu, Commentaries on the Constitution of India				
3	V.N. Sukla's Constitution Law of India				

SEMESTER – III

COURSE TITLE	JUDICIAL PROCESS			CREDITS	6
Course Code	LLM5801	Course Category	CC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 NATURE OF JUDICIAL PROCESS					
Nature of Judicial process and its role in constitutional adjudication - Judicial process as an instrument of social ordering - Judicial process and creativity in law–common law model–legal reasoning and the growth of law–change and stability - The tools and techniques of judicial review and judicial creativity - Analysis of the doctrine of Stare Decisis in India					
MODULE 2 JUDICIAL REVIEW					
Special Dimensions of Judicial Process in Constitutional adjudication - Notions of Judicial Review - Is Judicial Review the same as Judicial Activism? - Judicial Activism and Judicial Self Restraint - Problem of Accountability in judicial law–making					
MODULE 3 JUDICIAL PROCESS IN INDIA					
Judicial Process in India - The Indian Debate on the role of the Judges and on the notion of Judicial review - The “Independence” of Judiciary and ‘Political’ nature of Judicial Process - Judicial Activism and Creativity of the Indian Supreme Court ; the new dimensions - Institutional liability of Courts and Judicial activism–Scope and Limits					
MODULE 4 BASIC STRUCTURE					
Judicial Process and Constitutional Amendments - Evolution of the Concept of Basic Structure - Philosophy of the doctrine of Basic Structure - The Recent Developments: The “essence of rights” test and “rights test” to determine Basic structure - Basic Structure and Constitutionalism					
MODULE 5 CONCEPTS OF JUSTICE					
The Concepts of Justice - The concept of justice or Dharma in Indian thought - Dharma as the foundation of legal ordering in Indian thought - The concept and various theories of justice in the western thought - Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition					
TEXT BOOKS					
1	Cordozo ‘The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi				
2	Julius Stone. The Province and Function of LawCh.1, PP 8-16, (2000) Universal Law Publishing Co., New Delhi				
3	J.Stone , Precedent and the Law: Dynamics of Common Law Growth(1985), Butterworths. (With effect from the Academic Session 2009-2010)				
REFERENCE BOOKS					
1	J. Stone. Legal System and Lawyer’s Reasoning (1999), Universal Law Publishing Co., New Delhi				
2	UpendraBaxi, The Indian Supreme Court and Politics. (1980) , Eastern Book Co., Lucknow				
3	Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.				

COURSE TITLE	ELECTORAL PROCESS AND LAW			CREDITS	6
Course Code	LLM5805	Course Category	SC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 ROLE OF ELECTIONS					
Role of Elections in democratic process - Different systems of representation of people - Electoral system under the Constitution					
MODULE 2 GENERAL PRINCIPLES OF LAW OF INSURANCE					
General Principles of Law of Insurance - Contract of insurance-definition, nature of contract - The Insurable interest - Premium - The risk-commencement, attachment, duration - Assignment and alteration - Warranties and disclosures - Insurance intermediaries					
MODULE 3 LIFE INSURANCE					
Life Insurance - Nature and scope - Event insured against in Life Insurance - Circumstances affecting the risk Amount recoverable under life policy - Persons entitled to payment - Settlement of claim and payment of money					
MODULE 4 MARINE INSURANCE					
Marine Insurance - Nature and scope - Classification of marine policies - Insurable interest, insurable value - Voyage-deviation - Perils at sea - Warranties in marine insurance - Loss					
MODULE 5 INSURANCE AGAINST THIRD PARTY RISK					
Insurance against Third Party Risk - Motor Vehicle Act 1988 - Nature and scope - Effect of insolvency or death on claims - Claims Tribunal-constitution, functions, application for compensation, procedure, powers and award					
TEXT BOOKS					
1	M. N. Sreenivasan - Law and the Life Insurance Contract				
2	JCB Gilmar and Mustill, Arnold - Law of Marine Insurance				
3	Birds-Modern Insurance Law				
REFERENCE BOOKS					
1	Colinvaux's Law of Insurance				
2	KSN Murthy and Dr. KVS Sarma - Modern Law of Insurance				
3	Avtar Singh - Law of Insurance				

COURSE TITLE	ENVIRONMENTAL GOVERNANCE			CREDITS	6
Course Code	LLM5806	Course Category	SC	L-T-P-TCH	4-2-0-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 BASIC FEATURE					
Basic Feature of International Environmental Law – Evolution, Development and Current position including important Summits and Conventions to curb environmental pollution, climate change					
MODULE 2 ENVIRONMENT AN DEVELOPMENT					
Environmental Liability and Right to development					
MODULE 3 WATER LAWS IN INDIA					
The Human Right to Water - Managing Surface Water Resources - Principle of Riparian's - Groundwater Management - Kerala Ground Water (Control and Regulation), Act, 2002.					
MODULE 4GOVERNANCE					
Sustainable Development and Governance					
MODULE 5 ENVIRONMENTAL PROTECTION					
Indian Constitutional Mechanism, Statutory Mandates and protection of Environment- Role of Green Tribunal					
TEXT BOOKS					
1	Macrory (2010) <i>Regulation, Enforcement and Governance in Environmental Law</i> (Hart Publishing Paperback)				
2	Dimple Grover, AmulyaKhurana, Ravi Shankar, <i>The Regulatory Norms of Corporate Governance in India</i> . Holder and Lee, <i>Environmental Protection, Law and Policy</i> (Cambridge University Press, 2007)				
3	<i>Ball and Bell on Environmental Law</i> (OUP 7th ed.)				
REFERENCE BOOKS					
1	Birniepatricia , Boyle Alan and Redgwell Catherine , <i>International Law and the Environment</i> , 3 rd edition , Oxford University Press.				
2	Stranks Jeremy, <i>The A-z of the Environment</i> , Viva Books Publication				
3	Elliott David , <i>Nuclear or not ? Does Nuclear Power have a place in a Sustainable Energy Future?</i> Publisher ,-Palgrave macmillan.				

COURSE TITLE	RESEARCH METHODOLOGY II (PRACTICAL)			CREDITS	6
Course Code	LLM5804	Course Category	PC	L-T-P-TCH	0-0-6-6
CIA	40%			ESE	60%
Prerequisites :					
MODULE 1 DOCTRINAL RESEARCH					
Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The assignment shall be evaluated internally by a designated faculty member who are engaging LL.M. Classes regularly					
MODULE 2 NON-DOCTRINAL RESEARCH					
Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed internally by a designated faculty member who are engaging LL.M. Classes regularly					
MODULE 3 CLINICAL WORK					
The method is that the Legal Aid Clinic of the Department of Law can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organization, tackling of labour disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual submission of report turned out by him/her shall be assessed by the team of senior faculty who are engaging LL.M. Classes regularly. Focus, priority and weightage shall be for the research being done by the students in the above areas					
MODULE 4 LAW TEACHING					
A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes. The students may be asked to teach the LL.M Semester I students. They can select any of the methods of teaching. In law teaching practical, the LL.M students are to be evaluated internally. The average marks shall be reckoned. Internal evaluation shall be by a group of senior faculty who are regularly engaged in handling LL.M. classes.					

COURSE TITLE	DISSERTATION			CREDITS	8
Course Code	LLM5816	Course Category (CF)	PC	L-T-P-TCH	0-0-8-8
CIA	25%			ESE	75%

UNIT I : Dissertation (Submission of Research Paper) : 150 Marks

Dissertation of each student should be on topics from the area of specialization chosen, and approved by the Departmental Committee. The dissertation is expected to be an indepth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, articles and books relevant to the topic in the form of footnotes and bibliographical references. Typed and bound dissertations shall be of uniform pattern. Font size 12, New Times Roman, single space, margin 1", A4 paper, minimum 80 and maximum 100 pages. 2 copies of the Dissertation shall be submitted to the University prior to submitting the form of Semester IV Examination of LL.M Course.

LL.M students are required to follow the steps given below for preparation of Dissertation

- i. Title of the study
- ii. Problem of the study
- iii. Objectives of the study
- iv. Hypothesis
- v. Review of Literature
- vi. Operational concepts and variables of the study
- vii. Research Design : a) Nature/ Type of the study b) Method of data collection c) Sources of data collection
- viii. Limitations of the study
- ix. Possible contribution of the study
- x. Chapterisation

LL.M students are required to follow the following structure :

- Cover
- Cover Page
- Certificate
- Acknowledgement
- List of Case Laws
- List of Tables
- Abbreviations
- Contents
- Chapter I : Introduction (Theoretical Background and Research Methodology)
- Chapter II to Chapter V
- Chapter VI : Conclusions (Major Findings and Suggestion)
- Bibliography (Books, Journals, News papers, Websites, Research Reports, Magazines etc.
- Annexures (Interview Schedules, Questionnaires, Master Charts, Acts, Bills, Maps etc.)

UNIT II : Presentation & Viva-Voce : 50 Marks