

LL. M. Course Syllabus

Course subjects

I Semester

1. Constitutional Law- I
2. Legal Theory - I
3. Research Methodology

II Semester

1. Constitutional Law- II
2. Legal Theory - II
3. Law and Social Change

Specialization: Labour Law [Selective]

III Semester

1. Law relating to Industrial Relation
2. Law relating to Labour Welfare

- IV Semester**
1. Law relating to Industrial Injuries and Social Security
 2. Law relating to Service Regulation

Specialization: Criminal Law [Selective]

III Semester

1. Crime and Administration of Criminal Justice
2. Penology and Treatment of Offenders

IV Semester

1. Privileged Class Deviance
2. Law and Organized Crime

Specialization: Human Rights [Selective]

III Semester

1. Human Rights
2. Human Rights and Indian Legal System

IV Semester

1. International Refugee Law and Humanitarian Law
2. Science technology and Human rights

Specialization: Intellectual Property Rights [Selective]

III Semester

1. Intellectual Property Rights (Paper I)
2. Intellectual Property Rights (Paper II)

IV Semester

1. Intellectual Property Rights (Paper III)
2. Intellectual Property Rights (Paper IV)

LL. M. Programme

Course Outline

SEMESTER I

Paper - I: LEGAL THEORY – I

1. Nature of Jurisprudence
2. Meaning of Law
3. Natural Law Theories
4. Classical Positivism
 - Austin
 - Bentham
 - H L A Hart
5. Pure Theory of Law
6. Analytical School of Law
7. Sociological School of Law
8. American Realism
9. Scandinavian Realism
10. Historical and Anthropological Jurisprudence
 - Savigny
 - Maine
 - Grotius
 - Kent
 - Marxist Theories of Law and State
11. Feminist Jurisprudence
12. Postmodernist Jurisprudence

Suggested Reading

1. Lloyd's Introduction to Jurisprudence [Chapters 2, 11, 12, 113]
2. Dias Jurisprudence
3. V D Mahajan Jurisprudence [Chapters 1, 3, 4, 5, 6, 7, 8, 9, 10]
4. Bodenheimer Jurisprudence [Natural Law]
5. Wayne Morrison Jurisprudence
6. H L A Hart Concept of Law
7. Julius Stone Social Dimension of Law
8. W Friedman Law in the Changing Society
9. C K Allen Law in the making
10. Books on Constitutional Law in India and Constitutional Jurisprudence

Paper - II: CONSTITUTIONAL LAW – I

1. Preamble - Importance and amenability
2. Fundamental Rights - Concept - Nature - Necessity and justification - Fundamental Rights under Indian Constitution
3. Definition of State - Other authorities - Application of ejusdem generis- instrumentality

- of Govt - Pvt. Corporations - Is Judiciary a State ?
4. Enforceability of Fundamental Rights - Judicial Review - Distinctions between pre and post Constitutional laws - Doctrine of eclipse - Doctrine of Severability - Doctrine of waiver
 5. Test for infringement of Fundamental Rights - Definition of Law - Amendment of law ? Concept of Basic Structure - From Sankariprasad to Raman Rao
 6. Right to equality - Equality before law and equal protection of laws – Reasonable classification - Absence of arbitrariness - From Ramakrishna Dalmia to Maneka Gandhi and thereafter - Prohibition against discrimination - Equality of opportunity in Public employment - Concept of protective discrimination - From Champakam Dorairajan to Indra Sawhney and thereafter - Prohibition of untouchability - Protection of Civil Rights Act, 1995.
 7. Right to Freedom - Freedom of Speech and expression and its 'Territorial Extent - Right to Information - Right to silence - Freedom of Press - Implications of Commercial Advertisements - reasonable restrictions - Freedom to assemble peacefully - to form association - to move freely throughout the territory of India - to reside and settle in any part of India - to practice any profession or occupation, trade or business – reasonable restrictions.
 8. Freedom of the Person - Right of the accused - ex post facto laws - Double jeopardy – right against self Incrimination - right to life and liberty - scope and contents - from A K Gopalan to Maneka Gandhi - Impact of Maneka Gandhi's case on prisoners' right, criminal justice, Death sentence, Environmental protection, Right to Education, Right to health and Emerging trends in Compensatory jurisprudence - protection against arrest and detention - Constitutional validity of Preventive Detention Laws in India - Judicial review of preventive detention laws.
 9. Right against exploitation - trafficking in human beings - forced labour - child employment from Peoples' Union for Democratic Rights to MCMehra.
 10. Freedom of Religion - Concept of Religion - Freedom of Conscience and right to profess, practice and propagate religion - freedom to manage religious affairs - freedom from payment of tax for promotion of religion - restriction on religious instructions in certain educational institutions - Right of Minorities - Right to conserve language, script of culture
Admission to educational institutions - Minorities right to establish educational Institutions - From in Re Kerala Education Bill to T M A Pai Foundation and trends thereafter.
 11. Right to Property - Constitutional policy before and after the Forty fourth Amendment
 12. Right to Constitutional Remedies - Features of Writ Jurisdiction under Art. 32 Concept of locus standi - Dynamic approach of Supreme Court on Public Interest Litigation – Judicial Activism - Comparison between Art. 32 and 226.
 13. Restriction, Abrogation and Suspension of Fundamental Rights - Articles 32 (4), 33 and 34 - suspension of Fundamental Rights during Emergency Art. 19 and the Power of President to suspend the enforcement of rights conferred under Part - III - Relevance of 42nd and 44th Constitutional Amendment Acts.
 14. Directive Principles of State Policy - Nature, content and justiciability - Inter relationship between Fundamental Rights and DPSP - From Champakam Dorairajan to Mohini Jain and thereafter - Transition of DPSP into Fundamental rights by judicial interpretation

Fundamental Rights and Fundamental duties.

Suggested Reading

1. P. Ishwara Bhat Inter-relationship between Fundamental Rights
2. M P Jain Indian Constitutional Law
3. H M Seervai Constitutional Law of India
4. V N Shukla Constitution of India
5. D D Basu Shorter Constitution of India
6. B Sivarao Constitutional Assembly Debates
7. J. V R Krishna Iyer Fundamental Rights and Directive Principles
8. Paras Diwan Human Rights and the Law
9. P K Tripathi Some Insight into Fundamental Rights
10. S P Sathé Fundamental Rights and Amendment to the Constitution
11. P B Gajendragadkar Law, Liberty and Social Justice
12. David Karrys Politics of Law

Paper -III: RESEARCH METHODOLOGY

Social Science Research Methods

1. Concept of Reflective thinking: Scientific method and Research
2. Research problem - Origin, selection and definition
3. Hypothesis - Problems of formulation, types and characteristics of usable hypothesis
4. Basic methods of research - Experimental, Descriptive, historical and Sociological
5. Technique of Research Observation, Questionnaire, interview survey and sampling
6. Analysis of data [including basic principles of statistics]
7. Report writing
8. Internet material: Its use in research

Aspects of Legal Research

1. Current Trends in Legal
2. Legal Research Technique
3. Doctrinal and non-doctrinal, suggested Readings: Research and Ideas broad style and limited style etc.

Suggested Reading

1. Good W and Hatte P L Methods in Social Research
2. Whitney E L Elements of Research
3. Young P V Scientific Social Surveys and Research
4. Indian Law Institute Legal Research and Methodology
5. Dhavan R The Supreme Court of India
6. Gopal M H Research Procedure in Social Science
7. Moser C A Survey Methods in Social Investigation
8. Miller D Handbook of Research Design and Social
9. Jain S N Measurement and Methodology Legal Research

SEMESTER II

Paper - I: LEGAL THEORY – II

1. Introduction to Precedents
2. Use of Precedent in U K, French and the American Legal System
3. Hierarchy of Courts and the principles that govern the application of the doctrine or precedent among the different courts in India. Art. 141, 151, 145 of the Constitution
4. Ratio Decidendi and Obiter dicta
 - a. Definition
 - b. Determination of Tests
 - Wambaugh's tests
 - Dr. Goodhart's test
 - Lord Halsbury's tests. Ratio decidendi as an indeterminate/illusory category: American Realist Julius Stone
 - c. Weight and authority of precedent [overruling distinguishing] per in curium not followed.
5. Precedent and problems
 - a. Certainty retroactivity and prospective overruling
 - b. Judicial restraint v Judicial Activism
 - c. Plurality of opinions
 - d. A case of single and anonymous opinion
 - e. Precedent value of Advisory opinion
 - f. Judicial reasoning
6. Introductory, constitutional background, Nature of Legislative powers under the Indian Constitution as distinguished from U. K. and American legal systems.
7. Forms of Legislation: Statutes, Ordinances: Delegated Legislation; forms, executive Statutory corporations and companies and association and their 'control mechanisms: critique of Ordinance making power under the Indian Constitution.
8. Parliamentary practice and procedure relating to legislation [excluding parliamentary privileges and immunities]
9. Approach to the Interpretation of statutes.

Suggested Reading

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| 1. Dhavan R | Supreme Court of India |
| 2. Cross R | Precedent in English Law |
| 3. Stone Julius | Legal system and Lawyer's Reading [Chapters 6, 7 and 8] |
| 4. Seervai H M | Constitution of India [Chapter on Union Judiciary] |
| 5. Allen C K | Law in the Making [Chapter on subordinate and Automatic legislation] |
| 6. Dickerson R | Interpretation and application of Statutes |
| 7. Mukherjee A R | Parliamentary Procedure in India [Chapter entitled 'Legislation' and 'Committees'] |
| 8. Benjamin N Cardozo | The Nature of the Judicial Process |
| 9. Lloyd D | Introduction to jurisprudence [chapter on 'Judicial Process'] |
| 10. Harris J W | Legal philosophies [Chapter 13 & 15] |

11. Kaul M N & Shakdher	Procedure and Practices of Parliament
12. Dias	Jurisprudence 15, W Friedmann Legal Theory
13. GW Paton	A text Book of Jurisprudence
14. Bodenhemer	Jurisprudence - The Philosophy and Method of the Law
15. Salmond	Jurisprudence
16. W Ivor Jennings	Modern Theories of Law
17. A G Guest	Oxford Essays in Jurisprudence
18. Julius Stone	Social Dimension of Law and Justice
19. Julius Stone	Human Law and Human Justice
20. Julius Stone	Legal System and Lawyers Reasoning
21. G S Sharma	Essays in Indian Jurisprudence The
22. H L A Hart	Concept of Law 1986
23. Rosco Pound	Law, Liberty and Morality 1963
24. Rosco Pound	Law and Morals
25. Walter Wheder	Fundamental Legal Conceptions cook 1966
26. L Fuller	The Law in the Quest of itself
27. Hugh Collins	Marxism and Law
28. Patric Devlin	Enforcement of Morals

Paper -II: CONSTITUTION LAW - II

1. Principles of Parliamentary and Presidential forms of Govt - Parliament in U K and Congress in USA
2. Nature of the Executive power - Impeachment process - Mercy power – Ordinance making power
3. Composition of Houses of legislature - Disqualifications of members – Legislative privileges Parliamentary procedures.
4. Jurisdiction of the Supreme Court and High Courts - Judicial self-restraint and judicial Activism-Limits on Judicial review - Appointment of Judges - control of Subordinate judiciary
5. Doctrine of Pleasure - Constitutional exceptions and judicial implications
6. The concept of Federalism - Necessity and Justification of Federal Govt. - Features of Federalism
7. Legislative relations under the Indian Constitution - Doctrines in legislative relations - Centre's control over State Legislatures
8. Administrative Relations between Union and States, Federal features and credit clause - Centre State and inter-State conflict management
9. Restrictions on the power of State Legislatures on fiscal powers - Residuary taxes - Distribution of revenues between the Centre and State - Doctrine of immunities of instrumentalities - Role of Finance Commission.
10. Power of Judicial review Centre - State and Inter-State conflicts
11. Freedom of trade and Commerce-Exceptions - Importance of Federal Structure
12. Types of Emergencies and their impact on Federal structure.

Suggested Readings

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|-----------------------|-------------------------------|
| 1. K C Wheare | Federal Government |
| 2. M P Jain | Indian Constitutional Law |
| 3. H M Seervai | Constitutional Law |
| 4. Frederick and Barn | Studies in Federalism |
| 5. D D Basu | Shorter Constitution of India |
| 6. M C Saxena | Dynamics of Federalism |
| 7. Ivor Jennings | Cabinet and Constitution |
| 8. A V Dicey | Law and Constitution |

Paper -III: LAW AND SOCIAL CHANGE

I. Theoretical

1. Conceptions of Society
2. Social Integration - Social mobility - social control - Compliance and deviance
3. Theories of Social Change
4. Theories of Social Change in India - Westernization - Sanskritization - Islamization
5. Conceptions of Law and Legal System [Normative - cultural and social]
6. Plurality and multiplicity of social control systems
7. Social functions of law relative to social integration and change
8. Notion of legal impact and effectiveness
9. Symbolic and instrumental uses of law
10. Problems in the study of impact and effectiveness

II. Comparative Perspectives Legal system and social change

1. Correlation between law and social change
2. Legal evolution and social complexity [Maine-Savigny-Durkheim]
3. Legalism and capitalism [Karl Marx and Max Weber]
4. Law and Development [Dependency theories]
5. Relevance of Marxist and Weberian analysis to problems of planned Economic development in developing societies.

III. Colonial Experiences - Indian Legal System and social change

1. Utilitarianism - Liberalism and Law reforms [works of law commission - Permanent settlements and agrarian reforms]
2. From Indian status to British contract [Anti disabilities law - contract law - Agrarian property i.e. Tenancy laws]
3. Constitutional developments during British rule.

IV. Contemporary Experience : Indian Legal system and social change

1. Goals of planned social change through laws relating to land ceiling and tenancy reforms
2. Law and Welfare benefits to the weaker sections [Preferential treatment to the Backward Classes and Scheduled castes and tribes]
3. Public control of Economic Enterprises [Select Aspects i.e. Licenses - Price

- fixation and Monopolies etc.]
4. Law and Liberalization policies
 5. Law and Women empowerment

Suggested Reading

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| 1. Kuppaswamy | Law and Social Change |
| 2. Upendra Baxi | Towards a Sociology of Indian Law |
| 3. Upendra Baxi | The Crisis of Indian Legal System |
| 4. Upendra Baxi | Law and Poverty: Critical Essays |
| 5. Marc Galanter | Law and Society in Modern India |
| 6. Marc Galanter | Competing inequalities |
| 7. Freidman | Law in Changing Society |
| 8. Allan Hunt | Sociological Movement in Law |
| 9. Julius Stone | Social Dimensions of Law |
| 10. Lloyds | Introduction to Jurisprudence |
| 11. Max Weber | Law and capitalism |
| 12. Sinha | Law and Social Change |
| 13. A R Desai | Social Background to Indian Constitution |
| 14. Law and Social Change Indo American perspectives, edited by Upendra Baxi and Alice Jacob, Indian Law Institute. | |

**SPECIALIZATION: LABOUR LAW
SEMESTER III**

Paper - I: LAW RELATING TO INDUSTRIAL RELATIONS

1. History of Trade Union - Trade Union Act, 1926 - Recognition of Trade Union - Affiliation of Unions to political parties - Multi-unionism - Policies towards workers, participation in management - role of State - Workers participation in Management - Liberalization and Industrial relation in India.
2. Collective bargaining - Process of Collective bargaining - Perquisites for collective bargaining - strikes/lockouts [pen-down, tool down, go slow, work to rule, stay in, sit in, picketing] - Gherao - Law relating to collective bargaining.
3. Freedom of Association - Constitutional and legal aspects
4. Industrial Disputes Act - Layoff - retrenchment - compulsory retirement - Voluntary retirement - superannuation
5. Industrial Dispute Resolutions - Methods - Conciliation Officer - Board of Conciliation – Legal status of Conciliation settlements - Voluntary Arbitration - Arbitration under the Industrial Disputes Act - Compulsory Adjudication - Power of reference - Reference by Government – Industrial Tribunals – National Tribunals – Status, powers, awards – Judicial review.

Suggested Reading

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|-------------------------|---|
| 1. Indian Law Institute | Labour Law and Labour Relations [1987] |
| 2. Dr. V G Goswami | Labour and Industrial Laws [2004] |
| 3. Ramaswami and Uma R | Industry and Labour |
| 4. Giri V V | Labour Problems in Indian Industry |
| 5. Raman M P | Political Involvement of Indian Trade Union |
| 6. O P Malhotra | The Law of Industrial Disputes, Vol I [1988] |
| 7. Chetty Narayan Y | Dynamics of Trade Unionism in India – Anmol Publications Pvt. Ltd., New Delhi - [2004]. |

Paper - II: LAW RELATING TO LABOUR WELFARE

1. Constitution and Labour Welfare —Right to work- Bonded Labour child labour —special provision for women and children- Law relating to protection of Women in work place International conventions.
2. Minimum Wage- Types and kinds of wage Wage determination theories of wage Payment of Wages —Bonus Dearness allowance —basic wage Other wage [HRA, CCA, MA, LTC, Leave encashment, Overtime allowances, cash incentives, conveyance allowance] National Wage Policy Payment of Wages Act Denial of minimum wage as Forced Labour
3. ILO standard for labour International Convention for Labour Welfare UDHR —ICCPR.
4. Labour and Human Rights Equality of Opportunity in employment Equal Pay for Equal Work Equal Remuneration Act Maternity Benefit Shops and Establishment
5. Unorganized Sector and labour laws Agricultural labourer [Concept, exploitation, tribal

‘Doctrine of pleasure’

3. Contractual Employment concept Security of tenure —Employment Act { UK }
4. Misconduct and discipline of the employees major and minor misconduct File noting Confidentiality of Adverse remarks Internal appeal mechanism Inquiry procedure punishment Managerial prerogative transfer, long leave —Standing order
5. Judicial Review Central Administrative Tribunal State Administrative tribunal- Powers and Functions Appeal Provision —Writs

Suggested Readings

1. Mallick Service Law
2. Ezo’s Service Law in India
3. Chabra Administrative Tribunal
4. G B Singh’s Commentary on The CCS & CCA Rules
5. Central Social Service Rule
6. Administration Training Tribunals Act

RELATED STATUTES:

1. Industrial Disputes Act, 1947
2. Trade Unions Act, 1926
3. Athitration and Conciliation ActJ 986
4. Factories Act.1948
5. Maternity Benefit Act, 1961
6. Minimum Wages Act
7. Payment of Wages Act
8. Migrant Labour Act
9. Plantation Labour Act
10. Kerala Agricultural Labour Act
11. Workmen’s Compensation Act
12. Public Insurance Liability Act
13. Fatal Accidents Act 1987
14. Employees Liability Act.1935
15. Contract Labour(L &R) Act 1986
16. Mines Act
17. Payment of Gratuity Act
18. Provident Fund Act
19. Equal Remuneration Act
20. Silk Industries Company Act
21. Central Social Service Rules
22. Employment Exchange Act
23. Industrial Employment Standing Orders Act
24. Administration Training Tribunals Act
25. Unorganized Labour Bill 2002
26. Report of I& II National Commission on Labour

SPECIALIZATION: CRIMINAL LAW

SEMESTER III

Paper - I: CRIME AND ADMINISTRATION OF CRIMINAL JUSTICE

1. Crime - Causes of Crime - Concept of Criminal Jurisprudence
2. Administration of Criminal Justice - Organizational hierarchy of criminal courts - Jurisdiction- prosecution - Police - FIR - charge sheet - withdrawal of criminal prosecution
3. Arrest - interrogation - rights of accused - right to counsel - right to bail - Witness protection -hostile witness - Perjury.
4. Trial Procedure - Accusatory system and the inquisitorial system - pre-trial procedure - law of evidence - Narco analysis - evidentiary value of statements / article seized - admissibility and inadmissibility of evidence - expert evidence - directions for criminal prosecution [PIL]
5. Plea bargaining - preventive detention law - protection of public peace/order - special enactment -TADA/POTA -Essential Services Act.

Suggested Readings:

1. Tapas Kumar Banerjee Background to Indian Criminal Law [1990]
2. Ratan Lal Law of Criminal Procedure
3. Sarkar, Law of Evidence
4. K N Chandrasekharan Pillai [ed.] R V Kelkar's Outline of Criminal Procedure [2000]
Eastern Book House
5. Law of Commission of India, forty-second Report Ch. 3 [197 1
6. Malimath Committee Report 2004
7. Patric Devlin The Criminal Prosecution in England
8. Sanders and Young Criminal Justice [1994]
9. P D Sharam Police and Criminal Justice System in India

Paper - II: PENOLOGY AND TREATMENT OF OFFENDERS

1. Definition of Penology - historical and contemporary approaches to penology.
2. Theories of punishment - Retribution - Utilitarian prevention: Deterrence - Utilitarian: Intimidation Behavioral prevention: Incapacitation - Behavioral prevention: Rehabilitation - Classical Hindu and Islamic approaches to punishment.
3. Approaches to sentencing - Probation - parole - corrective labor - fines - bail, bond – collective fines - reparation by the offender/by the court.
4. Juvenile Delinquency - factors - response - JJ Act 2000 - JJ Board - Welfare Boards - Constitutional aspects - Neglected and Delinquent, care and protection.
5. Sentencing - types of sentences in IPC and special laws - sentencing for habitual offender, white collar crime - Pre - sentence hearing - summary punishment - Capital punishment [Constitutionality, Judicial attitude and law reform]
6. Victmology and Compensation - state of Jail reform - Classification of prisoners - Rights of prisoners - open prison.

Suggested Readings:

1. Mamata Rao Law Relating to Women and Children
2. G B Reddy Law Relating to Women and Children
3. K S Shukla Adolescent Offender [1985]
4. C Chhabbra The Quantum of Punishment in Criminal Law [1970]
5. H. L. A Hart Punishment and Responsibility
6. A Siddique Criminology [1984], Eastern Lucknow
7. Justice N. K. Chakraborti Probation system in the Administration of Criminal Justice
8. Bharat B Das Victims in the Criminal Justice System

SEMESTER IV

Paper - III: PRIVILEGED CLASS DEVIANCE

1. Privileged Class Deviance, meaning, nature and pressures - Typical forms of deviance Official Deviance [deviance by legislators, judges, bureaucrats], Professional deviance: journalists, teachers, doctors, lawyers, engineers, architects and publishers - Conceptions of white collar crimes - Hi-tech crime - Cyber Crime - Economic Crime - Politics and Crime
2. Official Deviance: Conception - permissible limit of discretionary powers - Principles of Natural Justice Commission reports [Chagla Commission on LIC-Mundhra Affair, The Das Commission Report on Pratap Singh Kairon, The Grover Commission Report on Dev Raj Urs, Maruti Commission Report, The Ibakkar - Natarajan Commission Report on Fairfax]
3. Police Deviance - Structures of legal restraint on Police powers in India- Unconstitutionality of 'third degree' method and use of fatal force by police - Encounter killings - Police atrocities - Custodial violence the plea of superior orders - rape and related forms of gender based aggression - National Police Commission - Reforms
4. Professional Deviance - Unethical practices at the Bar - Medical Malpractice - 'yellow journalism' - the Lentin Commission Report.
5. Response of Indian Legal Order to the Deviance of Privileged Classes - Vigilance Commission - Right to Information - Public Accounts Commission - Ombudsman - Commission of Enquiry - Prevention of Corruption Act - Information Technology Act.

Suggested Reading :

1. Glanville Williams, Text Book of Criminal Law [General part]
2. Upendra Baxi The Crisis of the Indian Legal System [1982] Vikas Publishing House, New Delhi
3. Upendra Baxi Law and Poverty : Essays [1988]
4. Upendra Baxi Liberty and Corruption : The Antulay Case and Beyond [1989] Surendranath
5. Dwevedi and G S Bhargava Political Corruption in India [1967]
6. A R Desai [ed.] Violation of Democratic Rights in India [1986]
7. A G Noorani Minister's Misconduct [1974]
8. H S Becker Outsiders : The Studies in Sociology of Deviance [1966]
9. P R Rajgopal Violence and Response : A Critique of the Indian Criminal

SPECIALIZATION: HUMAN RIGHTS BRANCH
SEMESTER III

Paper - I: HUMAN RIGHTS I

1. Human Rights Concept, Nature, Origin and Development, Importance
2. International movements for protection of Human Rights - U. N. and Regional Organizations - European Commission and Courts on Human Rights.
3. U. N. Declaration on Human Rights - Civil and Political Rights and Social and Economic Rights -International Instruments.
4. Violence against women in Public and Private Life as human rights issue.
5. International regime of enforcement of human rights - Machinery and procedure

Paper - II: HUMAN RIGHTS II

Human Rights and the Indian Legal System

1. Human Rights and the Indian Constitution - Part III and Part IV of the Constitution
2. Human Rights of disadvantaged groups of people like women, children, minorities etc., and the Indian statute law, in historical perspective.
3. Human Rights and Enforcement Agencies like the Police and Excise - Prevention of abuse of rights.
4. Human Rights and the Judiciary
5. Human Rights and preventive laws like TADA and NDPs and POTA Act
6. The binding force of international conventions under the constitution and the approach of the Supreme Court of India.

SEMESTER IV

Paper - III: HUMAN RIGHTS III

International Refugee law and Humanitarian law

1. Definition, origin and historical development of refugee law
2. Limitation and methods of use of force - International Instruments and institution on refugee law
3. Humanitarian law in internal armed conflict and international armed conflicts - Conventions and customary law - Geneva Conventions 1949.
4. Application and implementation of humanitarian law and refugee law - Internationally displaced persons
5. Incorporation of international norms in domestic laws and practice - Indian Military Law - Training of armed personnel - International Committee of Red Cross Society.

Paper - IV: HUMAN RIGHTS IV

Science, Technology and Human Rights

1. Scientific and Technological Researches - Impact on ethics, morality and Human Rights
2. Development vis-à-vis Human Rights - Conflicts, Confrontation and resolution.
3. Freedom of information, Freedom for Scientific Research, Controls and Constraints
4. Intellectual Property Rights - International Dimensions, Protection of economic and social rights of indigenous people.
5. Role of judiciary in the dialogue among science, Technology, Human Rights and law
6. Limitations on the right to information under Information Technology Laws - The approach of the judiciary

**SPECIALIZATION: INTELLECTUAL PROPERTY RIGHTS
SEMESTER III**

Paper - I: INTELLECTUAL PROPERTY RIGHTS I

1. International Copyright Protection
 - a. Berne Convention for the Protection of Literacy and Artistic Works 1886 and its amendments
 - b. Rome Convention for the Protection Procedures of Phonograms and Broadcasting Organizations 1961
 - c. Geneva Convention for the Protection of producers of Phonograms against Unauthorized Duplication of their Phonograms, 1971
 - d. Brussels Convention relating to the Distribution of Programme - carrying signals transmitted by Satellites, 1974
2. International Protection of Industrial Property Rights - Paris Convention for the Protection of Industrial Property, 1883
3. International Agencies and intellectual Property
 - a. World Intellectual Property Organization (WIPO)
 - b. United Nations Educational, Scientific and cultural organization
 - c. United Nations Conference on Trade and Development
4. WIPO Copyright Treaty (20 December 1996)
WIPO Performances and Phonograms Treaty (20 December 1996)
5. Convention on Biological Diversity
6. European Patent Convention, 1973

Suggested reading

1. Michael Blakeney Trade Related Aspects of Intellectual Property Rights: A concise Guide to the TRIPS Agreement Paul Torremans
Intellectual Property Law
2. Cornish W. R. Intellectual Property

Paper - II: INTELLECTUAL PROPERTY RIGHTS II

Copyrights, Trademarks, Industrial Designs and Information Technology

1. The Indian Copyright Act, 1957
 - a. Rights of authors
 - b. Ownership in Copyright
 - c. Rights conferred under copyrights
 - d. Rights of Broadcasting organizations and of Performers
 - e. Assignment
 - f. Infringement of copyright
2. Trade marks
The Trade and Merchandise Marks Act, 1958
 - a. Trade Marks Registry and Register of Trade Marks
 - b. Property in a Trade Mark and Registration and Registration of Trade Marks

- c. Deceptive Similarity
 - d. Assignment and transmission
 - e. Licensing of Trade Marks and Registered users
 - f. Rectification of Register
 - g. Infringement, Threat and Trade Libel
 - h. Good Will
 - i. Passing off
 - j. Offences and Penalties
3. Industrial Designs Act, 2001
 - a. Nature of Industrial Designs
 - b. Subject matter of Industrial Designs
 - c. C. Rights conferred by Designs
 - d. Term of Designs
 - e. Remedies for infringements
 4. Information Technology Act, 2001
 - Salient features

Suggested Readings:

1. Prabudh Ganguli Gearing up for Patents
2. Prabudh Ganguli Intellectual Property Rights
3. P. Narayanan Intellectual Property Law
4. Wadehra B. L. Patents, Trademarks, Designs and Geological Indications
5. Cornish P. Intellectual Property Law

SEMESTER IV

Paper - III: INTELLECTUAL PROPERTY RIGHTS

International Protection of IPR

1. The International Trade Organization and the events leading to the creation of GATT, 1947
2. The GATT, it's working and salient features
3. Negotiating history of the WTO, the Dunkel Draft and the Agreement stabilizing the WTO, 1994
4. Agreement on Agriculture
 - a. Agreement on Textile and clothing
 - b. Agreement on import licensing Procedure
 - c. The Agreement on Safeguards
 - d. General Agreement on Trade in Services
5. The Agreement on Trade related aspects of intellectual Property Rights - General Provisions and Basic Principles - Objectives and principles
6. Protection of Specific Intellectual Property Rights under TRIPS
 - a. Copyrights and related Rights'
 - b. Trademarks
 - c. Geographical indications, protection plant varieties
 - d. Industrial designs
 - e. Patents
 - f. Layout Designs

- g. Undisclosed information
- h. Control of anti-competitive Practices in Contractual Licenses
- 7. Enforcement of Intellectual Property Rights
 - a. Civil and Administrative procedures and Remedies
 - b. Provisional Measures
 - c. Special Requirements Related to Border measures
 - d. Dispute Prevention and Settlement
- 8. Rules and procedure Governing the Settlement of Disputes
- 9. Role of intellectual Property in Economic Development

Suggested Readings :

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| 1. M. B. Rao | WTO and International Trade |
| 2. Michael Blakeney | Trade Related aspects of Intellectual Property Rights : A Concise Guide to the TRIPS Agreement |

Paper - IV: INTELLECTUAL PROPERTY RIGHTS

1. Intellectual Property Rights - Concepts, Definitions and Institutions.
2. Protection of intellectual Property in India the Patents Act, 1970 and the Patents (Amendment) Act, 1999
 - a. The meaning of Patent
 - b. How to obtain a patent
 - c. Specification
 - d. Opposition to Grant of Patent
 - e. Register of Patents and Patent Office
 - f. Rights and obligations of a patentee
 - g. Transfer of Patent Rights
 - h. Compulsory Licenses and Licenses of Right
 - i. Revocation and surrender of patents
 - j. Infringement of Patents and penalties
3. Bio-Diversity Act - 1999
 - a. Objectives of the legislation
 - b. Principles of Bio-diversity
 - c. Protection of Bio-diversity as Sovereign Rights
 - d. Mechanism of Monitoring bio-diversity
 - e. Remedies for infringement
4. Protection of Plant Varieties and Farmers Rights Act, 2001
 - a. Objective of the legislation
 - b. Conceptualization of Plant varieties, breeding, culture, farmers rights etc.
 - c. Period of protection