

**UNIVERSITY OF RAJASTHAN**  
**JAIPUR**

**SYLLABUS**

**Faculty of Law**

**(Annual Scheme)**

**LL.M. & DIPLOMA EXAMINATION 2019**

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**LL.M. and Diploma Examination**

**ORDINANCE RELATED TO LL.M. EXAMINATION**

**O.257 LL.M.**

1. The Examination for the degree of Master of Laws shall consist of two parts-Part I and Part II and there will be an examination at the end of each year viz. LL.M. Part I examination at the end of the first year and LL.M. Part II examination at the end of the second year.
2. A candidate who has passed the Bachelor of Laws (three years or 5 Years B.A., LL.B. or 5 years B.A., LL.B. (Hons.) degree examination of the University or an examination of some other University recognized by the Syndicate as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds the degree of Bachelor of Laws (three years or 5 Years B.A., LL.B. or 5 years B.A., LL.B. (Hons.) and has also passed any of the Diploma courses of this University in the Faculty of Law with 55% marks in the aggregate at the Diploma Examination and thereafter pursued a regular course of study in a affiliated college for one academic year shall be eligible for admission to LL.M. Part I Examination
3. A candidate who having passed the LL.M. Part I Examination of this University has attended a regular course of study in an affiliated college for one academic year shall be eligible for admission to the LL.M. Part II Examinations :  
"Provided that a candidate who has obtained at least 50% marks in three papers at the LL.M. Part I Examination may be provisionally admitted to the LL.M. Part II class of the Degree of Master of Laws and after attending a regular course of study for one year shall be permitted to appear at the LL.M. Part II Examination subject to the condition that along with the papers prescribed for the LL.M. Part II Examination he will also reappear and pass in the papers of LL.M. Part I Examination.  
A candidate as well as a candidate who having failed at the LL.M. Part II Examination re-appears at the same, may re-appear in such paper(s) as he chooses for the purpose of making up the aggregate of 50%. However for passing the LL.M. Part

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I/LL.M. Part II Examination a candidate will be required to fulfill the condition of obtaining a minimum of 40% marks in each paper and 50% marks in aggregate of all the papers at the LL.M. Part I and / or LL.M. Part II Examinations, as the case may be, separately. The marks of the papers in which a candidate does not choose to re-appear will be carried forward for the purpose of working out his result. The option once given by a candidate will be treated as final and no change shall be permitted subsequently."

Note : Actual marks obtained by a candidate for the paper or papers in which he re-appears shall be taken into account and the marks obtained earlier in the papers in which he has not re-appeared will be carried forward for working out his result. In carrying forward earlier marks of other papers the marks obtained by the candidate in each paper in the past attempt by him shall be taken into account.

4. A candidate admitted for the degree of LL.M. has to complete his study within 5 academic years from the academic year in which he has taken admission.
5. A candidate would have three additional chances to clear the due papers in immediate subsequent examinations when conducted for the same paper as per the syllabus then in force, failing which he has to clear all the papers of that year as an ex-student.

## O.257-A

1. A candidate who holds the degree of master of Law of the University or of any other University recognized as equivalent to the Master of Laws degree of the University may be permitted to appear at the LL.M. Part II Examination in any branch in which he has not already qualified for the master of Laws degree without having undergone a regular course of study and if successful will be given a certificate to that effect. For a pass, candidate shall be required to secure 40% marks in each paper and 50% marks in the aggregate of all the papers prescribed for the examination.

Provided that such candidate has to submit his dissertation through the Head, Department of Law under the supervision of a teacher assigned by the Head, on payment of prescribed fee.

2. A candidate who desires to enter for the examination under this Ordinance must submit his application on prescribed form. The application shall be accompanied with the requisite amount of

examination fee and shall be forwarded by the Principal of a college affiliated to the University for the LL.M. course.

3. In the case of a candidate whose application is rejected and who does not submit an application and only sends the fee, the amount paid by the candidate on account of fee. Shall be refunded after deducting Rs. 20/-

Note : Candidate appearing in a additional optional group of a subject shall be required to pass the examination in all the papers of the Group before being declared successful in the examination.

## O.258

1. A candidate who has passed his LL.M./Part I or Part II Examination and desires to improve his performance by re-appearing in any one or two theory paper(s) only of his choice shall be permitted to do so only in the immediately following year according to the syllabus in force. The marks obtained by him in each such paper shall be taken into account provided they are more than his previous score and his result shall be revised accordingly. Such a candidate will not be included in the merit list.
2. A candidate who desires to re-appear at the examination under the above provisions must submit his application on the prescribed form alongwith the prescribed examination fee and other fees by the last date fixed for the purpose duly forwarded countersigned by the same officer who had forwarded it at his last appearance at the examination.
3. A candidate who improves his performance shall submit to the University his original marks-sheet of the preceding examination and also the degree (In case of improvement of division at the Final year Examination) alongwith the marks fee of Rs. 500/- within 3 months from the date of declaration of his result for issuing a fresh mark-sheet and a fresh degree. If the degree is already in the custody of the University he shall intimate this fact to the University but shall have to pay the prescribed fee.

## RR 22 :

## Scheme for LL.M. Examination (Annual)

In order to be declared successful at the LL.M. Part I and Part II Examinations, a candidate shall be required to obtain at least 40% marks in each paper and 50% marks in the aggregate of all the papers prescribed for the examination.

(2)

Division shall be awarded on the combined result of LL.M. Part I and LL.M. Part II Examination. All successful candidates who obtain 60% marks of the total aggregate shall be placed in First Division and those who obtain not less than 50% but below 60% of the total aggregate marks shall be placed in II division.

#### LL.M. (Part-I) Examination

Every candidate offering himself for LL.M. (Part-I) examination shall be examined in following papers. Each paper shall be three hours duration and carry 100 marks. For paper No. V, the candidate has to appear for his/her viva-voce examination of all the other four papers of Part I which shall also carry 100 marks.

- Paper I : Legal Theory  
 Paper II : Legislation-Principles, Methods and Interpretation  
 Paper III : Legal Research Methodology  
 Paper IV : Constitutional Law of India : New Challenges  
 Paper V : Viva-Voce

#### LL.M. (Part-II) Examination

Every candidate offering himself for the LL.M. (Part-II) examination, shall be examined in five papers in any one of the following branches. Each paper shall be of 3 hours duration and carry 100 marks. The candidates are to be required to attempt any four questions out of the questions asked in the question paper.

##### Branch-I (Corporate, Business and Contractual Law)

- Paper I : General Principles of Contract  
 Paper II : Special Contract  
 Paper III : Corporate Law  
 Paper IV : Law Relating to Negotiable Instruments and Bankruptcy  
 Paper V : Dissertation

##### Branch-II (Torts and Crime)

- Paper I : General Principles of Tort and Specific Wrong  
 Paper II : General Principles of crime and specific offences.  
 Paper III : Comparative Criminal Procedure  
 Paper IV : Law Relating to Rehabilitation and Treatment of offenders  
 Paper V : Dissertation

##### Branch-III (Personal Laws)

- Paper I : Hindu Jurisprudence (Uncodified Hindu Law) and Codified Hindu Law Relating to Marriage  
 Paper II : Gender Justice and Codified Hindu Law Relating to Adoption Maintenance, Minority, Guardianship and Succession.  
 Paper III : Muslim Jurisprudence and the Law including inheritance  
 Paper IV : Other Personal Laws operating in India.  
 Paper V : Dissertation

##### Branch - IV (Constitutional Law)

- Paper I : Constitutional History of India and England  
 Paper II : Indian Administrative Law  
 Paper III : Constitutional Laws of the U.S.A., Switzerland and England.  
 Paper IV : Constitutional development after Independence in India and Inter State Trade, services and taxes  
 Paper V : Dissertation

##### Branch - V (Property Law)

- Paper I : General Principles of the Law of Transfer of Property and the History of English Land Law.  
 Paper II : Transfers Inter Vivos, sale, Mortgage Lease  
 Paper III : Law Relating to Intellectual Property  
 Paper IV : Law Relating to Equity, Trusts and Charities  
 Paper V : Dissertation

##### Branch - V (International Law)

- Paper I : Protection of Human Rights under international Law  
 Paper II : Public International Law  
 Paper III : Private International Law  
 Paper IV : International Organizations  
 Paper V : Dissertation

##### Branch - VII (Labour Law)

- Paper I : Labour Law and Labour Management in India and Industrial Adjudication  
 Paper II : Law Relating to Labour Welfare and wages  
 Paper III : Legislation and Practice Relating to Social Security

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Paper IV : International Labour Organization, Central Organization of Trade Unions and Indian Tripartite System

Paper V : Dissertation

The dissertation shall be submitted in triplicate by the candidate. It shall be the candidate's own work carried out under the guidance or supervision of a person who is recognized by the University to guide research for Ph.D. degree or who is whole time Professor & Head of the Department of Law of an Institution where instruction is provided and where the candidate is pursuing his studies. The dissertation shall be submitted so as to reach the registrar at least 30 clear days before the commencement of the LL.M. Part II Examination.

A candidate who is declared failed at the LL.M. Part II Examination may on his request, be exempted from fresh submission of dissertation at the time of his subsequent appearance at the LL.M. Part II Examination provided he had secured pass marks in Dissertation submitted by him last time and provided further the examiner of the dissertation or the Dean of the Faculty of law of the University certifies that no important changes have been made in law to justify a resubmission had the revaluation of the dissertation. The candidate shall, by October 1st of the year preceding the examination send his request for exemption from fresh submission of dissertation duly endorsed and forwarded by the Head of the Institution concerned. The University will, as early as possible, inform the candidate about his exemption from resubmission of fresh dissertation. An evaluated dissertation shall not be re-submitted for evaluation "until the guide or the supervisor certifies that important changes of style, presentation of matter etc. have been incorporated in the dissertation which justify its evaluation."

### LL.M. Part-I

#### SYLLABUS

Every candidate offering himself for LL.M. Part I Examination shall be examined in the following papers : Each paper shall be of three hour duration and carry 100 marks. Candidates would be required to attempt any four questions out of eight questions asked in the questions paper.

Paper I - Legal Theory

Suggested Readings :

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1. Holmes : The Common Law
2. Austin : Lecture on Jurisprudence
3. Allen : Law in the Making
4. Holland : Jurisprudence
5. Salmond : Jurisprudence
6. Paton : A Text Book of Jurisprudence
7. Julius Stone : The Province & Function of Law
8. Pound : An Introduction to the Philosophy of Law
9. Goodhart : Modern Theories of Law
10. Vinogradoff : Common sense in Law
11. Jethre Brown : The Austinian Theory of Law
12. Goodhart : English Law and the Moral Law
13. Freundmann : Legal Theory
14. Jaipur Law Journal from Volume I to Latest-Articles concerning Jurisprudence
15. Henry Maine : Ancient Law
16. Dias : Jurisprudence
17. Dhyani, S.N. : Law, Morality and Justice Indian Development
18. Lon Fuller : Morality of Law
19. Hart, HLA : The Concept of Law, 1961
20. Bodinheimer E, Jurisprudence, 1962
21. Julius Stone : Human Law and Human Justice
22. Julius Stone : Social Dimensions of Law and Justice
23. Julius Stone : Legal System and Lawyers Reasoning
24. Dlyod : Introduction to Jurisprudence
25. Johan Rawls : Theory of Justice
26. Finch : Introduction to Legal Theory
27. Dworkin : Taking Rights seriously

Paper II - Legislation-Principles, Methods and Interpretation

#### Suggested Readings

1. Bentham : Theory of Legislation
2. Mathrow Brown : Underlying Principles of Modern legislation
3. Dicey : Law and Public Opinion in England
4. Ilbert : Legislative methods and Forms.
5. Ilbert : Mechanism of Law making
6. Maxwell : The Interpretation of Statutes
7. Beal : Rules of Interpretation
8. Odges : Interpretation of Statutes
9. Narasimhan : Interpretation of States in British, India
10. Wymore : Panorama of World Legal System

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11. Ginsberg : Law and Public Opinion in England in the 20th Century
12. Erskine May : Parliamentary Practice.
13. Prof. T. Bhattacharya : Interpretation of Statutes
14. Kaul & Shukdhar : Practice and Procedure of Parliament.
15. Subhash Kashyap : Parliamentary Procedure-Law, Privileges, Practice and Precedents.
16. Carter : Statute Law.
17. G.P. Singh : Principles of Statutory Interpretation.
18. Bindra, N.S. : Interpretation of Statutes
19. Swaroop Jagdish : Legislation and Interpretation.

### Paper III - Legal Research Methodology

**Research Method - Socio Legal Research, Doctrinal and non-doctrinal, Relevance of empirical research, Introduction and deduction, Identification of problem of research what is a research problem, Survey of available literature and bibliographical problem. Legislative Materials including subordinate legislation, notification and policy statements, Formulation of the Research problem, Devising tools and techniques for collection of data : Methodology, Methods for the collection of statutory and case material and juristic literature, Use of historical and comparative research material, Use of observation studies, Use of questionnaires/Interview, Use of case studies, Sampling procedure, 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 collect. Rules for tabulation, Explanation of tabulated data.**

#### Suggested Readings :

1. M.O. Price, H. Bitner and Bysiequicz : Effective Legal Research (1978).
2. Paulih V. Yound : Scientific Social Survey and Research (1962).
3. William, J. Grade and Paul, K. Hatt : Methods of Social Research, McGraw Hill Book Company, London.
4. H.M. Hymae : Interviewing in Social Research (1965)
5. Payne : The Art of Asking Questions (1965)
6. Erwin, C., Surrency, B. Field, J. Crea : A Guide to Legal Research.
7. Morris, L. Cohan : Legal Research in Nutshell (1996), West Publishing Company.
8. Harvard Law Review Association : Uniform System of Citations
9. ILI Publication : Legal Research and Methodology.
10. Jaipur Law Journal from Volume I to latest-Articles concerning

### Research Methodology.

#### Paper IV - Constitutional Law of India : New Challenges

The Constitution of India is an organic, developing and changing system established over five decades ago. Through the years it has been in force the constitutional law enacted through the Constitution has shown adaptability to the changing new social order and the institutions of national life. The processes of judicial interpretation precedents, amendment, conventions, political change have interacted to provide necessary catalysts for growth of the constitutional jurisprudence. The paper encourages the post graduate student to study, analyze and articulate the essential features and principles, rules of the basic frame work of the constitutional system.

#### I. Basic Framework : Essential Features :

1. Kesavananda Bharati v. State of Kerala, A.I.R. 1973 S.C. 146 : (1973) 4 S.C.S. 225.
2. Indra Gandhi v. Raj Narain, A.I.R. 1975 S.C. 2299.

#### II. Quasi Federalism :

1. State of Rajasthan v. Union of India, A.I.R. 1977 S.C. 1361.
2. State of Karnataka v. Union of India A.I.R. 1978 S.C. 58
3. M. Karunanidhi v. Union of India, A.I.R. 1979 S.C. 898.

#### III. Union/State Constitution

In re-The Gujarat Legislative Assembly, A.I.R. (1974) 2 S.C. 33

1. The President and the Council of Minister :
  - (i) S.K. Singh v. V.V. Giri, A.I.R. 1970 S.C. 2097.
  - (ii) U.N. Rao v. Indra Gandhi, A.I.R. 1971 S.C. 1002.
  - (iii) Shamsher Singh v. State of Punjab, A.I.R. 1974 S.C. 2192
  - (iv) Mahabir Prasad v. P.C. Ghose, A.I.R. 1969 Cal. 198
2. Parliament:
  - (i) In re-Reference, (U.P. Assembly, Allahabad, H.C.) A.I.R. 1965 S.C. 745
  - (ii) M.S.M. Sharma v. Sri Krishan A.I.R. 1959 S.C. 1574
  - (iii) T.K. Jain v. S Reedy etc., A.I.R., 1970 S.C. 1574
  - (iv) In re-Delhi Laws Act, A.I.R. 1951, 332.
3. The Judiciary, Supreme Court :
  - (i) Union of India v. Jyoti Prakash, A.I.R. 1971, S.C. 1093

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ART 131 State of Bihar v. Union of India, A.I.R. 1970, S.C. 1446

ART 132-State of Kerala v. Union of India, A.I.R., 1978 S.C. 54

ART 134-Tarachand Pemu v. State of Maharashtra, A.I.R., 1962, S.C. 130.

136-Dhakeshwari Cotton Mills Ltd. v. C.I.T., A.I.R., 1965, S.C. 65

Pritam Singh v. State of Punjab, A.I.R., 1960, S.C. 160.

Mangal Das v. State of Maharashtra, A.I.R., 1966, S.C. 2156

Reghubir Singh v. State of U.P., A.I.R., 1971, S.C. 2156

4. Inter-State Trade, Commerce.)

1. Automobile Transport Rajasthan Ltd. v. State of Rajasthan, A.I.R. 1962. S.C. 1406

2. Aribari Tea Co. Ltd. v. State of Assam, A.I.R., S.C. 232

5. Fundamental Rights, Duties and Directive Principles:

1. I.C. Goak Nath v. State of Punjab, A.I.R. 1967, S.C. 1643

2. Kesavanand Bharti v. State of Kerala, A.I.R. 1973, S.C. 1461

3. R.C. Cooper v. Union of India, A.I.R. 1970, S.C. 564

Equality

1. Indra Gandhi v. Raj Narain, A.I.R. 1975, S.C. 2299.

2. In-re-Reference Special Bill, A.I.R., 1979, S.C. 585.

3. R.K. Dalmia v. Justice Tendokkar, A.I.R. 1958, S.C. 538

4. Budhan Chaudhary v. State of Bihar, A.I.R. 1955, S.C. 191.

5. Lachmandas Kowlalaram v. State of Bombay, A.I.R. 1952 S.C. 235

6. D.N. Chanchala v. State of Mysore, A.I.R. 1971 S.C. 1762

7. M.R. Balaji v. State of Mysore, A.I.R. 1963 S.C. 649

8. M. Thomas v. State of Kerala, A.I.R. 1976 S.C. 490

Freedom of Speech, Expression (Press):

1. Bennet Coleman v. Union of India-A.I.R. 1973. S.C. 186.

2. K.A. Abbuse v. Union of India A.I.R. S.C. 481

3. I.M.S. Nambodripad v. T.N. Nembiar, A.I.R. 1971 S.C. 2115

Personal Liberty :

1. Maneka Gandhi v. Union of India A.I.R. 1978 S.C. 597

2. Bhut Nath v. W.B., A.I.R. 1974, S.C. 806

3. S.N. Sarkar v. W.B., A.I.R., 1973, S.C. 1425

4. Fagu Shah v. W.B., A.I.R., 1974, S.C. 613.

5. Sunil Batra v. Delhi Administration, A.I.R. 1978. S.C. 1675.

Religious Freedom :

1. Commr. of Hindu Religious Endowment D.L.T. Swamiar, A.I.R., S.C. 282.

2. Durgah Committee v. Syed Hussain Ali, A.I.R., 1961, S.C. 1402

3. Syodna Tahse Saifuddin v. State of Bombay, A.I.R. 1962, S.C. 853

4. Yulitha Myde v. State of Orissa, A.I.R. 1973, Orissa 116.

Minority Rights : Cultural & Educational

1. Bombay v. Bombay Education Society, A.I.R. 1954 S.C. 561

2. Pradeep Jain v. Union of India, A.I.R. 1984, S.C. 1421

3. Azeez Bashe v. Union of India, A.I.R. 1968 S.C. 66;

4. St. Xavier's College v. State of Gujarat, A.I.R., 1974 S.C. 1389

Property :

Article - 300a

Emergency

1. Rao Birendra Singh v. Union of India, A.I.R. 1958, & H 441

2. State of Rajasthan v. Union of India, A.I.R. 1977 S.C. 1361.

3. Makhan Singh v. State of Punjab, A.I.R., 1964 S.C. 381.

4. A.D.M. Jabalpur v. State of M.P., A.I.R. 1976 S.C. 1207

7. Creation of New States, Democratic Process :

(i) Nexus of Politics with criminals and business : (i

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Electoral reforms (iii) Coalition Government, Stability, Durability, Corrupt practices; (iv) Grass-root democracy

8. Constitutional Power : Amendments

*Suggested Readings :*

1. H.M. Seervai : Constitutional Law of India (2nd Edition 1975), N.M. Tripathi Ltd.
2. Jain, M.P., : Constitutional Law, N.M. Tripathi Ltd.
3. Kagzi, M.C.J. : The Constitution of India, Metropolitan Book Co.
4. Kagzi, M.C.J. : Segregation and Untouchability Abolition, Metropolitan Book Co.
5. Shukla, V.N. : Commentaries on the Constitution of India (Ed. D.K. Singh 1972). Eastern Book Co.
6. D.D. Basu : Commentaries on the Constitution of India.
7. Kagzi M.C.J. : Kesavananda's Case.
8. Basu : Shorter Constitution of India.
9. Ville Austin : Indian Constitution.
10. Ville Austin : Cornerstone of a Nation.
11. Anville Williams : Working a Democratic Constitution-The Indian Experience.

*Reference :*

1. The Constitution (Forty fourth Amendment) Act, 1978.
2. Law Commission of India (the fourteenth report) Dhawan Alice Jacob : Selection and Appointment of the Supreme Court Judges.
3. The Constitutional (52nd Amendment) Act, 1985.

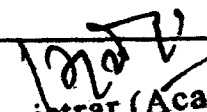
**Paper V - Viva-Voce**

At the end of the examination, on any date fixed by the University, the candidate has to appear personally before the external examiner who will be appointed by the University for his/her viva-voce examination, who will assess the performance of the candidate and will award marks. However, if due to unavoidable circumstances, the candidate failed to appear, he/she may appear for viva-voce next year with the LL.M. Part-I examination with the permission of the University.

**LL.M. Part II Examination**

Every candidate offering himself for the LL.M. Part II Examination shall be examined in five papers belonging to any one of the following branches. Out of these four paper shall be of 3 hours duration and carry 100 marks. The Fifth paper shall be of dissertation and carry 100 marks.

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Annex - 1

**SYLLABUS LL.M. (ANNUAL SCHEME)**

**LL.M. Part-II**

**Branch -I : Corporate, Business and Contractual Laws**

**Paper -I - General principles of Contract**

- (a) Indian Contract Act, 1872 (Section 01 to 75)
- (b) Specific Relief Act, 1963

***Suggested Readings :***

1. Leak : Contract
2. Salmond : Principles of the Law and Contract
3. Anson : Law of Contract
4. Street : Introduction to the Law of Contract
5. Pollok & Mulla : Indian Contract and Specific Relief Acts
6. Avtar Singh : Law of Contract

**Paper - II - Special Contracts**

- (a) Indian Contract Act, 1872 (Section 124 to 238)
- (b) Indian Partnership Act, 1932
- (c) Limited Liabilities Partnership Act, 2008
- (d) Sale of Goods Act, 1930

***Suggested Readings :***

1. Benjamin : On Sale of Goods Act
2. Lindley : Partnership
3. Pollok and Mulla : Sale of Goods and Partnership
4. Desai : Contracts Sale of Goods and Partnership
5. Beal : The Law of Bailments
6. Bowstead : A digest of the Law of Agency
7. Dutt : Law of Contract
8. Dr. Sanjay Agrawal & Rohoni Agrawal : Limited Liability Partnership Law and Practice
9. Hitender Metha : Limited Liability Partnership Law and Practice.

**Paper - III - Corporate Laws**

- (a) Companies Act, 2013
- (b) The Competition Act, 2002

***Suggested Readings :***

1. K.M. gosh : Indian Companies
2. Palmer on Company law
3. Gower : Principles of Company Law
4. Dutt : Company Law
5. Ramappa, T : Competition Law in India
6. Avtar Singh : Competition Law
7. Dr. S.C. Tripathi : Competition Law
8. S.M. Dugar : Competition Laws
9. Chatterji : Competition Law in India and Cartels in Indian & USA

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**Paper - IV - Law Relating to Negotiable Instruments and  
Bankruptcy**

- (a) The Negotiable Instruments Act, 1881  
(b) The Insolvency and Bankruptcy Code, 2016

**Suggested Readings :**

1. Byles : Bill of Exchange
2. Chalmers : Negotiable Instrument
3. Sen Gupta : Negotiable Instrument Act
4. Myneni : Law of Insolvency & Bankruptcy (The Insolvency & Bankruptcy Code, 2016)
5. Avtar Singh : Introduction to Law of Negotiable Instruments
6. Kherganvala on Negotiable Instruments Act.
7. Dabas : Law Relating to Negotiable Instruments Act, 1881 with Model forms.
8. Mulla : The Law of Insolvency in India (Insolvency & Bankruptcy Code, 2016)
9. Jyoti Singh & Shriram : Insolvency & Bankruptcy Code, 2016.

**Paper - V - Dissertation**

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# SYLLABUS LL.M. (ANNUAL SCHEME)

## LL.M. Part - II

### Branch - II : Torts & Crime

#### Paper I - General Principles of Torts & Specific Wrongs

##### I. General Principles :

Definition and nature; foundation of tortious liability; general conditions of liability in tort; mental elements in law of torts; general exceptions to liability in tort; discharge of tort; remedies for torts; doctrine of remoteness of damages and joint tortfeasors and vicarious liability.

##### II. Specific Wrongs :

1. Negligence, Contributory Negligence
2. Innuendo, Defamation
3. Strict and Absolute liability
4. Nuisance
5. Assault, Battery, Nervous Shock
6. False imprisonment, Wrongful Restraint, Mhyem
7. Tort of Malicious Prosecution
8. Tort Relating to Immovable Property
9. Tort Relating to Movable Property
10. Tort Affecting contractual and Business Relations
11. Tort of Injurious falsehood.

##### *Suggested readings:*

1. Clerk and Lindsell: The Law of Torts.
2. Street : Torts
3. Pollock: on Torts
4. Salmond: The law of Torts
5. Winfield: A text book of Law of Torts
6. Winfield: Province of the Law of Torts
7. Restatement of the Law of Torts
8. Harper: The Law of Torts
9. Ramaswami Iyer: The Law of Torts
10. Rattan Lal & Dhiraj Lal: Law of Torts
11. Dias & Markensisis : Tort Law
12. Gandhi, B.M. : Torts
13. Row C.M. : Law of Damages and Compensation
14. Jagdish Singh: Medical Negligence and Compensation
15. Charlesworth: Negligence
16. Darett: Law of Nuisance

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**Paper-II - General Principles of Crime, Offences Relating to  
State and Public tranquillity, Morality & Specific  
Offences**

- **Elements of Crime : Mens rea ; Actus reus**
- **Stages of Crime : Mental and Physical**
- **General Explanations : Section 6 to 52A**
- **Of Punishment : Section 53 to 75**
- **General Exceptions : Section 76 to 106**
- **Of Abetment : Section 107 to 120**
- **Criminal Conspiracy : 120A and 120 B**
- **Offences against State : Section 121 to 124A of I.P.C.**
- **Offences against Public Tranquillity and Joint Liability : Section 34 to 38, 141, 142, 143 and 149, 146, 147, 156, 159**
- **Counterfeiting of coins and currency : Section 230, 231, 232**
- **Offences against Morality.**
- **Offences against Human Body**
- **Offences against Property**
- **Offences against Marriage**
- **Offence of defamation**
- **Attempts**

***Suggested Readings:***

1. **Bhattacharya T.B. Indian penal Code**
2. **Harris : Principles & Practice of the criminal Law**
3. **Ratan Lal & Dhiraj Lal : Law of Crimes**
4. **Ejaz Ahmed : The Law of Crimes**
5. **Raghvan : Law of Crimes**
6. **Basu N.D. : Indian Penal Code**
7. **Gaur : Penal Law of India**
8. **Gaur K.D. : Criminal Law Cases and Material**

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## Paper III - Criminal Procedure

### I. General Concepts Relating to Criminal Procedure, Organization of Courts and Prosecuting Agencies :

Definitions, Hierarchy of Criminal Courts and their Jurisdiction, Organization of Prosecuting agencies for prosecuting criminal cases: prosecutors and the police, withdrawal of prosecution.

### II. Pre-trial Procedures:

Arrest and questioning of the accused. The rights of the accused. Investigation by I.O., the evidentiary value of statements/articles and the judicial officer in the Police, Right to counsel, Roles of the prosecutor and the judicial officers in investigation, Remand & Confession.

### III. Trial Procedures :

The Accusatory System of trial and the Inquisitorial System, Role of the Judge, the Judge, the Prosecutor or and Defense Attorney in the trial. Admissibility and inadmissibility of evidence, expert evidence, Bail, Appeal, Plea-bargaining.

### IV. Preventive Measures in India:

Provisions in the Criminal Procedure Code, Special enactments, Public Interest Litigation: Directions for Criminal Prosecution.

#### *Suggested Readings:*

1. Sarkar : The Code of Criminal Procedure.
2. Halsbury's Law of India - Criminal Law.
3. Ratan Lal Dheeraj Lal : Code of Criminal Procedure.
4. R.V. Kelkar : Criminal Procedure
5. S.N. Mishra : Code of Criminal Procedure.
6. D.D. Basu : Code of Criminal Procedure.
7. C.K. Takwani : Code of Criminal Procedure.

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## **Paper - IV Law Relating to Rehabilitation and Treatment of Offenders**

### **I. Introduction :**

Introductory Definitions of Penology and Victimology, Theories of Punishment: Retribution, Utilitarian Prevention: Deterrence, Utilitarian: Intimidation, Behavioral prevention: Incapacitation, Rehabilitation, Expiation, Classical Hindu and Islamic approaches to punishment, The Problematic of Capital punishment.

### **II. Punishment :**

Constitutionality of Capital Punishment, Judicial Attitudes through the statute law and case law towards capital punishment in India-An inquiry, Law Reforms Proposals.

### **III. Approaches to Sentencing :**

Alternatives to Imprisonment Probation, Parole, Corrective Labour, Fines, Collective fines, Reparation of the offenders by the court.

### **IV. Sentencing :**

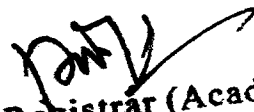
Principle to sentencing, Main types of sentences in the Penal Code and Special laws, sentencing for white collar crime, Pre-sentence hearing, sentencing for habitual offender, summary punishment, plea bargaining.

### **Suggested Readings :**

1. Chabra : The Quantum of Punishment in Criminal (1970)
2. H.L.A. Hart : Punishment and Responsibility (1968)
3. Harbert L. Packer : The Limits of Criminals Senction (1968) Alfross: On Guilt Responsibility and Punishment (1975)
4. A Siddique : Criminology (1984) Eastern, Lakhnow
5. Law Commission of India, Forty-Second Report, Ch. 3 (1971)
6. K.S. Shukla : Sociology of Deviant Behaviour in 3 ICSSR Survey of Sociology and Social Anthropology 1969-179 (1986)
7. Tapas Kumar Benerjee : Back-round to Indian Criminal Law (1990), R. Cmpajary & Co. Kolkata

## **Paper - V - Dissertation**

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Branch III (Personal Laws)

Paper I- Hindu Jurisprudence (Uncodified Hindu Law) and Codified Hindu Law Relating to Marriage.

Sources, Schools and Application of Hindu Law; Coparcenary, Coparcenary Property, its Incidents, Management and Alienation- Karta and his Powers; Partition and Religious and Charitable

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Endowments.

Nature of Hindu Marriage; Essential Conditions and Solemnization of a valid Hindu Marriage; Nullity of Marriage; Restitution of Conjugal Rights, Judicial Separation and Divorce-its various Theories and Grounds; Maintenance Pendente Lite and Permanent Alimony.

*Suggested Readings :*

1. Raghavachariar : Hindu Law
2. Saharary H.K. : Law of Marriage and Divorce.
3. Paras Diwan : Hindu Law
4. Mitra : Principles of Hindu Law
5. Mulla : The Principles of Hindu Law
6. G.S.S. Sastri and Bhular : Hindu Law
7. Manu's Institutes : Chapters I, III, VII, VIII, and IX (Sacred Books of the East)
8. Yaghavalkya Smriti with Mitakshara, Book, I, II, III
9. Vyavahara Mayukha
10. Smriti Chandrika
11. Dattak Mimansa
12. The Dayabagha
13. P.V. Kane : History of Dharmasastras
14. Ganganath Jha : Hindu Law in its sources
15. Sankhala U.C. : Fundamentals of A divorce Law
16. Maynes : Treatise on Hindu Law and Usage
17. West and Buhler : Hindu Law
18. Derrett Duncan : Essays on Classic and Modern Hindu Law; and Death of a Marriage Law
19. All Acts of the Indian Legislature
20. Tagore Law lectures on Marriage, Adoption and Stridhana
21. Sen, P.N. : Hindu Jurisprudence
22. Sharma, B.K. : Law of Divorce
23. Kesri, UPD : Hindu Law
24. Sankhla, U.C. : Fundamentals of A Divorce Law.

Paper II- Gender and Hindu law Relating to Adoption, Maintenance, Guardianship and Succession

Adoption-its various forms and essential conditions and effects. Maintenance-Variety Grounds for Separate Residence and Maintenance of a Hindu wife, Widowed Daughter-in-law and Children and Infirm or Aged Parents.

Minority and Guardianship-Definition of Hindu Minor and Guardian: Kinds and Powers. of Guardians.

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**Succession-Meaning of Succession, Devolution of Mitakshara Coparcenary Property; Succession in respect of the separate property of a Male Hindu dying intestate-Heirs and Distribution of property among them; Hindu Women's Property; Succession in respect of Female Hindu dying intestate Heirs and Distribution of Property among them; General Rules relating to succession; and Disqualification of heirs.**

**Suggested Reading:**

1. Manu's Institutes : Chapters I, III, VII, VIII and IX (Sacred Books of the East):
2. Yagnavalkya Smriti with Mitakshara, Book I, II, III.
3. Vyavahara Mayukha
4. Smriti Chandrika
5. Mulla : The Principles of Hindu Law
6. Dattak Mimansa
7. The Dayabagha
8. P.V. Kane : History of Dharmasastras.
9. Paras Diwan : Hindu Law
10. Ganganath Jha : Hindu Law in its sources.
11. Tagore Law Lectures on Hindu Law and Usage
12. Maynes : Treatise on Hindu Law usage.
13. Mitra : Principles of Hindu Law
14. West and Buhler : Hindu Law
15. G.S.S. Sastri and Bhular : Hindu Law
16. Derrett Duncan ; Essays on Classic and Modern Hindu Law.
17. Trevelyan on Minors
18. Trevelyan on Hindu Wills
19. All Acts of the Indian Legislature
20. Tagore Law lectures on Marriage, Adoption and Stridhana
21. Mitra : Guardians and Wards Act.
22. Parukh : Indian Succession Act.
23. Basu D.D. : Indian Succession Act,
24. Sen : Indian Succession Act.
25. Jain : Law Relating to Marriage and Divorce.

**Paper III- Muslim Jurisprudence and the Law Including Inheritance**

Various Phase and Development of Muslim Law; Sources, Schools and Application of Muslim Law; Marriage; Dissolution of Marriage; Guardianship and Custody of Children; Acknowledgement of paternity and legitimacy of children; Pre-emption;

Hiba- Will- Wakf- Inheritance.

**Suggested Readings :**

1. Tayabji : Mohammedan Law
2. Ameer Ali : Mohammedan Law
3. Abdul Rahim : The Principles of Mohammedan Jurisprudence
4. Sharma Bharan Sarkar : Mohammedan Law.
5. B.R. Verma : Mohammedan law
6. Mulla : Mohammedan Law
7. Fyzee AAA : Outlines of Mohammedan law
8. Schacht : Islamic Jurisprudence
9. Tahir Mehmood : Muslim Law

**Paper IV - Other Personal Laws Operating in India**

The Indian Christian Marriage Act, 1872; The Indian Divorce Act, 1869; The Parsi Marriage and Divorce Act, 1936; The Foreign Marriage Act, 1969; The Special marriage Act, 1954. Provisions of the Indian Succession Act, 1925, relating to wills.

**Suggested Readings :**

1. Commentaries and Cases of the Supreme Court and High Courts of India.
2. Diwan Paras : Family Law, Vol. I and II.
3. Desai Kumud : Indian Law of Marriage and Divorce.
4. Beri B.P. : Law of marriage and Divorce in India.

**Paper V- Dissertation**

**Branch IV (Constitutional Law)**

**Paper-I Constitutional History of India and England.**

**Suggested Readings :**

- A.B. Keith : Constitutional History of India
- H. Alexandrowicz : Constitutional developments.
- C. Banerjee : Indian Constitutional Documents.
- R. Jain : Outline of Indian Legal History
- Well-Langmead : English Constitutional History
- ... : Freedom under the Law.

**Paper II Indian Administrative Law**

1. Constitution Stones :

Rule of Law  
Separation of Powers  
Classification of Administrative functions  
Rules of natural Justice

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Constitution of India-Articles 53, 73, 74, 75, 77, 78  
Extracts from Indira Gandhi v. Raj Narai on rule of Law separation of power.

Ram Jawwya v. State of Punjab, AIR 1966 S.C. 549  
State of M.P. v Bharat Singh AIR 1970, S.C. 150.

## 2. Delegated Legislation

Indispensability

Constitutionality-rule against delegation of essential functions.

Rule-making

Parliamentary control-Committee on Subordinate Legislation

Judicial review

Constitution of India / Article 245

In re-Delhi Laws Act etc AIR 1951, S.C. 332

Raj Narayan v. Chairman, Patna Administration Committee AIR 1954 S.C. 569

Gwalior R. Tayons Mills v. Assistant Commissioner, AIR 1974 S.C. 16

Mohamad Yasin v. Town Area Committee, AIR 1952. S.C. 115

Raja Bulland Sagar Mills Co. Ltd v. Rampur, Municipal Board AIR 1965, S.C. 897 administrative discretion

Power Discretion

Exercise/non exercise of discretion

Subjective satisfaction

Judicial Control

## Licensing:

1. Krishna Chand Arora v. Commr of Police, AIR 1961 S.C.
2. Dwarka Prasad v. State of U.P. Air 1954 S.C. 224
3. Hari Chand Sarada v. Mozo District Council, AIR 1967, S.C. 829  
G. Sadanand v. State of Kerala, AIR 1966, S.C. 1925.

Judicial Control of Administrative Control. Constitution of India Articles 226, 227 and 136 writs.

Dhulabhai v. State of M.P. Air 1969, S.C. 78

R.K. Paul v. State of W.B. AIR 1972, S.C. 863

Syed Yakoob v. Radhakrishnan, AIR 1964 S.C. 477

Harinagar Sugar Mills v. S.S. Jhunjhunwala AIR, 1961 S.C.

1962

Administrative enquiries :

State of Gujarat v. Ambalal AIR 1976 S.C. 2002

Company Law Board v. Narium Chemicals Limited, AIR 1967

S.C.

Rohlas Industries Private Ltd. V.R.D. Agarwal, AIR 1962, S.C.

11.P. School Examination Board V. Ghan Shyam AIR 1962 S.C.

1. Bihar School Examination Board v. Subhash Chander AIR 1970 S.C. 1269

Administrative enquiries-redressed of grievances.

Inquiries-inquiries commissions.

Lokpal and Lokayukta

The Inquiry Commission Act. 1952

The Shah Commission

State of Karnataka v. Union of India, AIR 1978 S.C. 58.

Bakshi Ghulam Mohemmad V. State of Jammu and Kashmir

S.K. Sahal v. Inquiry Commission, AIR

The Maharashtra Lokayukta and UP-Lokayukta Act.

The Rajasthan Lokayukta and UP-Lokayukta Act.

## Suggested Readings:

1. Griffith and Street : An Introduction Administrative Law
2. Jain and Jain : Administrative Law in India.
3. Kagzi, MCJ : The Indian Administrative Law.
4. Jain S.N. : New trends in Judicial Control of Administrative Discretion II. Jour of I.L.I. 544(1969)
5. Kagzi M.C.J. : A case Book on Administrative Law.
6. Sathe : The Indian Administrative Law.
7. Wade HWR : Administrative Law.
8. Bhagwati Prasad Banerjee - Judicial review
9. D.Smith—Judicial review of Administrative Action
10. Craig-Administrative Law.

Paper III - Constitutional Law of the United States of America, Switzerland and England

## Suggested Reading :

1. Willoughby : The Constitutional Law of the United States.
2. Burkik : The Law of the American constitution
3. Vans : Leading Cases on American Constitutional Law.
4. Govt of U.S.A. Publication : Annotated Constitution of the United States-edited by Corwin
5. Wills : Constitutional Law.
6. Freund and Sutherland : Constitutional Law Cases and Other Problems.
7. William E. Reppard : The Government of Switzerland.

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8. Noel T. Drawing : Cases on Constitutional Law.
9. William O. Douglas : From Marshall to Mukherjee Studies of American and Indian Constitutional Law.
10. Samuel S. Esaver : Constitutional Law its Administration.
11. Edward S. Weaver : The President Officer and Power.
12. Alison Reppy : Civil Rights in the United States.
13. Harold J. Laaski : The American Presidency.
14. Maon and Beancy : American Constitutional Law.
15. Cushan : Leading Constitutional Decision.
16. Hughes : the Federal Constitutions of Switzerland.
17. Cooley : Constitutional Limitations.
18. Bern and Schwartn : American Constitution of Law.

**Paper IV- Constitutional Developments after Independence in India and Inter-State Trade, Services, and Taxes.**

*Suggested Readings :*

1. H.M. Seerval : Constitutional Law of India.
2. Jain M.P. : Constitutional Law.
3. Kagzi MCJ : Segregation and Untouchables Abolition.
4. Kagzi MCJ : Commentaries on the Constitution of India.
5. Shukla, V.N. : Commentaries on the Constitution of India.
6. D.D. Basu : Commentary on the Constitutional of India.
7. Kagzi MCJ : Kesavananda's Case.
8. DD Basu-Shorter Constitution of India
9. Gianville Austin-Indian Constitution.
10. Gianville Austin-Cornerstone of a Nation
11. Gianville Williams-Working a Democratic Constitution-The Indian Experience
12. Dr. Gurubax Singh-Supreme Court on Service Law.

**Paper V - Dissertation**

**Branch-V (Property Law)**

**Paper-I General Principles of the law of Transfer of Property and History of English Land Law**

*Suggested Reading:*

1. Mulla : Transfer of Property Act.
2. Lahri : Transfer of Property Act.
3. Mitra : Transfer of Property Act.
4. Gupta C.L. : Transfer of Property Act.
5. Gaur : Transfer of Property
6. Gupta, R.S. : Transfer of Property

**Paper II- Transfers Inter Vivos, Sale, Mortgage, Lease**

*Suggested Readings:*

1. Draft : law relating to vendor and Purchasers of Real Estate.
2. Williams : Vendor and Purchases.
3. Coot on Mortgages
4. Woodfall : The Law of Landlord and Tenants.
5. Ghosh on Mortgages in India.
6. Indian Act on the same.
7. Mulla : Transfer of Property Act.
8. Lahri : Transfer of Property Act.
9. Mitra : Transfer of Property Act.
10. Gupta C.L. : Transfer of Property Act.
11. Gaur : Transfer of Property
12. Ghose : Law of Mortgages.

**Paper III - Law Relating to Intellectual Property**

*Suggested Readings :*

1. Jayashree Watal : Intellectual
2. Narayanan : Intellectual Property Law
3. Narayanan : Patent Law.
4. Narayanan : Copyright and Industrial designs
5. Lal : Copyright Act,
6. Narayanan : Trade Mark Cases.
7. Sarkar : On Trade Mark Law and Practice.
8. V.R. Unni : Trade Marks and Emerging Concepts of Cyber Property
9. Chadda and Mittal : Supreme Court on Trade Marks, Copyright, Patents and Designs.
10. Roy Chowdhary and Sahraj : Law of Trade Marks, copyrights, Patents and Designs.
11. Cornish : Intellectual Property Law.

**Paper IV - Law relating to Equity, Trusts and Charities**

*Suggested Readings :*

1. Story on Equity Jurisprudence
2. Hanbury : Modern Equity
3. Ashburner : On Equity
4. White and Carter : Leading cases on Equity
5. Fry : Specific Performance.
6. Dr. Gurubax Singh : Specific Performance.
7. Lewin : Trust
8. Underhill : Law of Trust and Trustees.
9. B.M. Gandhi : Indian Trusts Act.

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10. Snell : On Equity  
11. Ajyer : Indian Trusts Act.

**Paper V- Dissertation****Branch-VI (International Law)****Paper-I : Protection of Human Rights under International Law****Suggested Readings :**

1. Brouenille : Basic Document of International law.
2. S.K. Varma : International Law.
3. Gurubax Singh : Human Rights & Values
4. Upendar Baxi : Future of Human Rights.

**Paper II- Public International Law****Suggested Readings:**

1. Oppenheim : International law
2. L.C. Green : International Law through the Cases.
3. G. Schwarzenberger : A Manual of International Law.
4. Briggs : The Law of Nations.
5. Lauterpacht : Recognition in International Law.
6. Briery : The Law of Nations.
7. Jessup : A Modern Law of Nations.
8. Bishop L International Law-Cases and Material
9. Prof. (Mrs.) S.K. Verma : International law
10. Stark : Introduction to International Law
11. Akehurst : Modern Introduction to International Law.

**Paper III-Private International Law****Suggested Readings:**

1. Schimithoff : English of Law
2. Cheshire : Private International Law
3. Foote : A concise Treatise on Private International Law.
4. Wolfe : Private International Law.
5. Westlake : A Treatise on Private International Law.
6. Dicey : Conflict of Law
7. Paras Diwan : Private International Law.

**Paper IV- International Organization****Suggested Readings:**

1. Bowett : International Institutions.
2. Evans Malcolm D. : International Documents.
3. Prof. (Mrs.) S.K. Verma : International Law.
4. Stark : Introduction of International Law.
5. Akehurst : Modern Introduction to International Law
6. Brownlie : Basic Documents of International Law.

7. Reid : A Practitioners Guide to the European-Convention of Human Rights.

8. Upendra Baxi : The Future of Human Rights.

9. Human Rights Watch : Global Report on Women's Human Rights.

10. Potter : An Introduction to the Study of International Organizations.

11. Cheever and Field Haviland : Organizing for Peace.

12. Keston : The Law of the United Nations.

13. Goodrich and Hambro : Charter of the United Nations.

**Paper V- Dissertation****BRANCH VII (Labour Law)****Paper I - Labour Law and Labour Management relations in India and Industrial Adjudication****Suggested Readings:**

1. Labour Law and Labour Relations, I.L.J. 1968.
2. Malhotra : The Law of Industrial Disputes
3. Myre Charles : Industrial Relations 1970.
4. Kennedy Von D. Usen : Union Government, Employees and Trade Unions. 1966.
5. Giri, V.V. : Labour Problems in Indian Industry, 1960.
6. Report of the National Commission of Labour 1970.
7. The Study Reports to all groups of NCL on Labour Management Relations in India.
8. Indian Trade Unions Act, 1926.
9. Industrial Disputes Act, 1947.
10. K.N. Subermaniam : Labour Management Relations in India, 1967.
11. V.V. Giri : Industrial Relations 1955
12. Nagri : Industrial Disputes Act.
13. Kothari : Study of Industrial Law
14. Pal : Labour Law in India.
15. Seth, D.D. : Industrial Disputes Act.
16. Chauhan : Industrial Disputes Act.

**Paper II-Law relating to Labour Welfare and Wages.****Suggested Readings:**

1. Kothari : Wages, Dearness Allowances and Bonus.
2. V.V. Giri : Labour Problems in Indian Industry.
3. International Labour Office, Wages (1968)
4. International Labour Office, Wage fixing (1981)
5. International Labour Office, Minimum Wage fixing (1981)

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6. Suresh C. Srivastava : Payment or Dearness Allowances to Industrial Workers in India, 15 JILI, 444 (1973).
7. R. L. Chawla : Wages Policy and Industrial relations : A Brazilian Case Study. 17, Indian Journal of Industrial Relations, 27 (1981)
8. Moorthy : Principles of Labour Welfare, 1968.
9. K.N. Vaid : Labour Welfare in India, 1970.
10. Nigam : State Regulations of Minimum Wages. 1955.
11. Raghuraj Singh : The Movement of Industrial Wages in India 1965.
12. Fonseca : Wages Determination and Organized Labour in India 1964.
13. Menon : Foundation of Wages Policy 1968.

**Paper III- Legislation and Practice Relating to Social Security**  
*Suggested Readings:*

1. S. Choudhari : Social Security in India and Great Britain 1962.
2. V.N. George : Social Security 1968.
3. Report of the National Commission on Labour 1977.
4. ILO Approaches to Social Security 1953.
5. R.N. Choudhary-Compendary on Workman Compensation Act, 1923 (2000)
6. Harry Calvert-Social Security Law (1978)
7. Malik, Jyotsna Nath-Workmen's Compensation Act, and Some Problems of Procedure, 3 JILI 131.
8. V.R. Bhattacharya : Some Aspects of Social Security in India.

**Paper IV - International Labour Organisation, Central Organisation of Trade Union and Indian Tripartite System**  
*Suggested Readings:*

1. Government of India : Indian Tripartite System 1942, 1962.
2. C.K. Johari : India Tripartite System 1961.
3. J. Follows : Antecedents of the International Labour Organisation 1957.
4. Lowe : International Protection of Labour 1935.
5. ILO : ILO and India 1975
6. Kaul : India and ILO 1956
7. Jenks : The International Protection of Trade Union Freedom 1957
8. Government of India : Indian Tripartite System 1942, 1962
9. C.K. Johari : India Tripartite System 1961
10. Dr. Dhyani S.N. : International Labour Organisation and India in Pursuit of Social Justice 1978.

**Paper V- Dissertation**

**LL.M. Pt. -1 (Human Rights and Value Education)**

The following shall be added after Ordinance 258-A

**Ord. 258-B**

1. The examination for the degree of Master of Laws-Human Rights and Values shall consists in two parts, Part-I and Part-II and there will be the examination at the end of each year viz. LL.M. Part-I Human Rights and Values examinations at the end of 1st year and LL.M. Part-II Human Rights and Values at the end of the 2nd Year.
2. A candidate who has passed the Bachelor of Laws (P) degrees examination of the University or an examination of some other University recognized by the Syndicate as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds the LL.B. (P) degree and has also passed any of the Diploma courses of this University in the Faculty of Law with 55% marks in the aggregate at the Diploma examination and thereafter pursued a regular course of study in an affiliated college for one academic year shall be eligible for admission to LL.M. I, Human Rights and Values examination.
3. A candidate who having passed the LL.M. Part-I Human Rights and Values examination of this University has attended a regular course of study in an affiliated college for one academic year shall be eligible for admission to the LL.M. Part-II Human Right and Values examination.  
Provided that a candidate who has obtained at least 50% marks in three papers at the LL.M. Part-I Human Rights examinations may be provisionally admitted to the LL.M. Part-II Human Rights Class of the degree of Master of Laws and after attending a regular course of study for one year permitted to appear at LL.M. Part-II Human Rights examinations subject to the condition that alongwith the papers prescribed for LL.M. Part-II Human Rights examinations he will also re-appear and passed in the paper or papers of LL.M. Part-I Human Rights examination. Such a candidate as well as a candidate who having failed at the LL.M. Part-II Human Right examination re-appear at the same, may re-appear in such paper(s) as he choose for the purpose of making up the aggregate of 50%. However, for the passing the LL.M. Part-I/LL.M. Part-II Human Rights examinations a candidate will be required to fulfill the condition of obtaining a

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minimum of 40% marks in each paper and 50% marks in the aggregate of all the papers at the LL.M. Part-I and or LL.M. Part-II examination as the case may be separately. The mark of the papers in which a candidate does not choose to re-appear will be carried forward for the purpose of working out his result. The option once given by a candidate will be treated as final and no change shall be permitted subsequently.

4. A candidate admitted for the degree of LL.M. Human Rights values has to complete his study within 5 academic years from the academic year in which he has taken admission.
5. A candidate would have three additional chances to clear the due papers in immediate subsequent examinations when conducted for the same paper as per the syllabus then in force, failing which he has to clear all the papers of that years as an ex student.

Note: Actual marks obtained by a candidate of the papers in which he re-appears shall be taken into account and the marks obtained earlier in the papers in which he has not re-appeared will be carried forward for working out his result. In carrying forward earlier marks of other papers the marks obtained by the candidate in each paper in the last attempt by him shall be taken into account.

#### Examination Scheme of LL.M. Human Rights and Values:

Rule 22-A In order to be declared successful at the LL.M. Part-I or Part-II Human Rights examinations, a candidate shall be required to obtain at least 40% marks in each paper and 50% marks in the aggregate of all the papers prescribed for the examination.

Division shall be awarded on the combined result of LL.M. Part-I and LL.M. Part-II Human Rights and Values examination. All successful candidates who obtain 60 marks of the total aggregate shall be placed in First Division and those who obtain not less than 50% but below 60% of the total aggregate mark shall be placed in II Division.

#### LL.M. Pt. I (Human Rights and Value Education) Paper-I Historical and Philosophical Perspectives of Human Rights and Duties.

1. **Philosophical Foundations.**
  - (a) Human Society : Man and society.
  - (b) Human Values : Universal, Cultural, Social Dignity, Justice

and Equality

- (c) Moral and Ethical Traditions and Ideas.
- (d) Polity Thought and Ideas.
- (e) Needs of Humankind : material, spiritual
2. **Origin and Development of Human Rights.**
3. **The Concept, Meaning and Classification of Rights.**
4. **Theories of Rights and Duties.**
  - (a) Natural Rights Theory
  - (b) Liberal Theory of Rights.
  - (c) Legal/Positive Theory of Rights.
  - (d) Sociological Theory of Rights.
5. **Rule of Law and Human Rights.**
  - (a) Concept, Origin and Importance
  - (b) Pattern of Rule of Law in society
  - (c) Relation of Human Rights and good governance
6. **Co-relationship of Rights and Duties.**
  - (a) Relationship between rights and duties.
  - (b) Relationship between obligations and responsibilities in relation to the state and society.
7. **Indian Constitution and Human Rights.**  
Articles 21, 22, 23 & 24

#### Suggested Readings :

1. UNESCO Philosophical Formulation of Human Rights.
2. D.D. Basu, *Human Rights in Constitutional Law*
3. Waldron Jeremy, *Theories of Rights.*
4. Winston, Morton, *The Philosophy of Human Rights.*
5. Dias : *Jurisprudence*
6. Borgohain Bani, *Human Rights : Social Justice and Political change*
7. Hart HLA, *Law, Liberty and morality*

#### Paper-II Human Rights and Duties in International and Regional Perspectives

1. **Human Rights, Duties and Responsibilities-**  
Role of U.N. General Assembly, the Economic & Social Council and its commissions and sub-commissions; U.N. Article 29 of General Assembly; Rights and Responsibilities of individuals, group and organs of society to promote and protect Universally recognized Human Rights and Fundamental freedom, 1999; and UNESCO Declaration on the Responsibilities of the Present Generations towards future Generations. 1997.

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2. **Some Specific Rights and Duties Recognized by International Law-**  
 Right of self determination; Duty of friendly relations (Decl. of Principles of International Law Concerning Friendly Relations and Coop. among States, 1970 (5th Principle); Charter of Economic Rights and Duties, 1974.
3. Convention on Genocide, 1948; Convention on Protection of All Persons from being subjected to Torture and other Cruel or Inhuman Degrading Treatment or Punishment, 1984.  
 Convention on Elimination of All Forms of Racial Discrimination, 1965; Convention Against Apartheid, 1972; Convention Against Apartheid in Sports, 1985; U.N. Declaration on Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief, 1987; UNESCO Declaration on Principle of Tolerance, 1995
4. **International Bill of Rights-**
  - (i) Universal Declaration of Human Rights, 1948
  - (ii) International Covenant on Economic, Social and Cultural Rights, 1966
  - (iii) International Convent on Civil And Political Rights, 1966
5. **Regional Conventions/Courts on Human Rights**
  - (i) European Court of Human of Rights, European Commission of Human Rights, Council of Europe.
  - (ii) American Commission and Court of Human Rights.
  - (iii) African Commission and Court of Human and People's Rights.
  - (iv) Human Rights Commission of India and States.

**Suggested Readings:**

1. Ankumah, Evelyn A., *The African Commission on Human And People's Right's Practice and Procedures* (The Hague : Martinus Nijhoff, 1966)
2. Bhargava, G.S., "National Human Rights Commission : An Assessment of Its Functioning". in K.P. Saksena, ed., *Human Rights : Fifty Years of India's Independance* (new Delhi : Gyan Publishing House, 1999), pp. 106-118.
3. Blood, A. and others, *Monitoring Human Rights in Europe* (Dordrecht : Martinus Nijhoff, 1993).
4. Cassese, Antonlo, "A New Approach to Human Rights : The European Convention for the Prevention of Torture". *American Journal of International Law*, Vol. 83 1989, pp. 128-53.

5. Caatberg, Frede, *The European Convention on Human Rights* (Liden : Sijthoff, 1974).
6. Cunningham, Andrew J., "European Convention on Human Rights, Customay Law and the Constitution", *International and Comparative Law Quarterly*, vol. 43. no. 3, 1994, pp. 553-67.
7. Davidson, Scot, "Remedies for violations of the American Convention on Human Rights", *International and Comparative Law Quarterly*, vol. 44 no. 2, 1995, pp 405-14
8. Pawcett, J.E., *The Application of the European Convention on Human Rights* (Oxford : Clarendon Press, 1987).
9. Gittleman, Richard, "The African Charter on Human and People's Rights : A Legal Analysis", *Virginia Journal of International Law*, vol. 22, no. 4, 1982, pp. 667-714.
10. Hamalengama, M. and others, *International Law of Human Rights in Africa : Basic Documents and Annotated Bibliography* (Dordrecht : Martinus Nijhoff, 1988).
11. Pena, Beniot, "Human Rights : The Statute of the Inter-American Court of Human Rights", *Harvard International Law Journal*, vol. 19 no. 1, 1984, pp. 139-60.
12. U.N. Human Rights : *A Compilation of International Instruments* (New York : UN Publication Division, 1983)
13. Jenks, W., *Human Rights and International Labour Standards* (London : Stevens, 1960).
14. Mani, V.S., "Norms Setting Activities of UNESCO and India's Contribution", in N. Krishan and C.S.R. Murthy, eds., *India and UNESCO: Five Decades of Co-operation* (New Delhi : Indian National Commission for Co-operation with UNESCO, Govt. of India, New Delhi, 1947), pp. 35-46.
14. Meron, Theodor, *Human Rights and Humanitarian Norms as Customary Law* (Oxford : Clarendon Press, 1989).
14. Morink, Johannes, *The Universal Declaration of Human Rights : Origins, Drafting and Intent* (Philadelphia : University of Pennsylvania Press, 1999).
17. Saksena, K.P., "International Convenants in Human Rights" *Indian Yearbook of International Affairs*, vol. XV-XVI, 1966-67, pp. 349-78.
18. Sanjaoba, N., *Human Rights, Principles, Practices and Abuses* (New Delhi : D.K. Publishers, vol. XV XVI, 1966-67, pp. 595-605.
19. Schassa, William A. *Genocide in International Law* (Cambridge : Cambridge University Press, 2000).

20. Shah, Bahadur, "Pioneering Role of ILO in Litigation of Welfare International Law, Influencing Municipal Law of the States" *Indian Journal of International Law*, vol. 34, 1994, pp. 66-72.

**Paper-III Women and Human Rights and Duties**

**1. Historical, Philosophical and Social Perspectives**

**Status of Women in Contemporary Indian Society**

Poverty, illiteracy, lack of independence, oppressive social customs and gender bias; Violence against and abuse of women in public and private domains; Domestic Violence Act, 2005.

**2. The Constitution of India and Status of Women.**

Special Provisions for protection of women under Articles 15(3), 39(d) & (e) 42 and 243-D & 243-T.

**3. International Norms for Protection of Women-**

(i) ILO Conventions for protection of female labour

(ii) UNESCO Convention against Discrimination in Education, 1960

(iii) (a) UN-Convention on Political Rights of Women, 1952; Convention on Elimination of All Forms of Discriminations against Women, 1979; Convention on Nationality of Married Women, 1957; Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage 1962; Convention on Suppression of the Traffic in Persons and of the Exploitation of Prostitution of others, 1949; Declaration on the Elimination of Violence against Women, 1993

(iv) Declaration on the Participation of Women in promoting International Peace and Cooperation, 1982

**4. Special Laws and Policies for Protection of Women-**

Special Laws-Indecent Representation of Women (Protection) Act, 1986; Commission of Sati (Prevention) Act, 1982; Medical Termination of Pregnancy Act, 1971; Protection of Women from Domestic Violence Act, 2005.

**5. Statutory Mechanisms for Protection of Women-**

Constitutional Mechanism : Legislature, Executive and Judiciary (special contribution of judiciary);

Statutory Mechanism : National Commission for Women; National Human Rights Commission and State Human Rights Commission (Rajasthan);

**Suggested Readings :**

1. Ranbir Singh and Ghanshyam Singh, *Human Rights Education, Law and Society*, Nalsar University, Hyderabad (2004).

2. Satish Shastri, *Human Rights, Development and Environment Law*, Bharat Law House, Jaipur (2006)

3. Lohit D. Nayakar, *The Law Relating to Human Rights*, Pullani and Pullani, Bangalore (2004)

4. P.S. Narayana, *Protection of Human Rights*, ALT Publications, Hyderabad (2006).

5. Madhu Shastri, *Status of Women*.

6. Rama Mehta, *Divorced Hindu Women*.

7. ICSSR, *Status of Women in Indian Society*.

8. Agarwal, Amita, "Human Rights of Women in India and International Standards", in M.P. Dube and Neeta Bora, eds., *Perspectives on Human Rights* (New Delhi : Anamika Publishers, 2000), pp. 97-106.

9. Bag. R.K., "Domestic Violence and Crime Against Women : Criminal Justice Response in India", *Journal of Indian Law Institute*, vol. 39 nos. 2-4, 1997, pp. 359-75

10. Brophy, Julia and Carol Smart, eds., *Women in Law : Explorations in Law, Family and Sexuality* (1985)

11. Devaria, Leelamma and V.V. Devaria, eds., *women in India : Equality, Social Justice and Development* (New Delhi : Indian Social Institute, 1990).

12. Gaharana, K., "Women's Rights", *World Focus*, vol. 13, no. 2, March 1992, pp. 19-21

13. Kaushal, Richna, *Women and Human Rights in India* (New Delhi : Kaveri Books, 2000)

14. Manohar, Sujata V., "The Indian Judiciary and Women's Rights", *Journal of International Law*, vol. 36, No. 4, Oct.-Dec. 1996, pp. 1-12.

15. Mishra, Jyotana, ed., *Women and Human Rights* (Delhi : Kalpaz Publications, 2000)

16. Sahu, Asima, *Women's Liberation and Human Rights* (Jaipur : Pointer Publishers, 2000)

17. Barker, Lotika and B. Sivaramayya, ed., *Women and Law* (New Delhi Vikas Publishing House, 1994).

18. Singh, Gurucharan, "Human Rights of Women in India", in B.P. Singh Sehgal, eds, *Human Rights in India : Problems and Perspectives* (New Delhi : Deep, 1995), pp. 136-55

19. UN Centre for Human Rights, *Discrimination against Women* (Geneva : World-Campaign-for Human Rights, 1994)

20. UN Convention on the Elimination of all forms of

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*Discrimination against Women* (New York : UN Department of Public Information 1999)

21. UNESCO, *Human Rights of Women* (Paris : UNESCO, 1999)  
 22. Atkate, A.S., *Position of Women in Hindu Civilization from Prehistoric Times to the Present Day* (1962)

**Paper-IV Human Rights and Duties in India**

1. Laws for protection of specific categories/vulnerable sections of the people
  - (i) Reservation and the right to equality.
  - (ii) Protection of minorities
  - (iii) Protection of women : in private and public domains.
  - (iv) Contract and unorganized workers; bonded labour
  - (v) Children
2. Enforcement of Human Rights in India-Protection of Human Rights Act, 1993
  - (i) Constitution of National Human Rights Commission
  - (ii) Functions of the commission
  - (iii) Powers relating to inquiries.
  - (iv) Investigations
  - (v) Steps after inquiry
  - (vi) Constitution of State Human Rights Commissions
  - (vii) Human Rights Courts
  - (viii) Special public Prosecutor
3. Implementation and enforcement mechanisms
  - (i) Supreme Court and High courts.
  - (ii) Subordinate Courts
  - (iii) Writ jurisdiction in various Indian Courts
  - (iv) NGO's, social movements and pressure groups working through democratic institutions such as lobbying MPS, information media
4. The State and Civil Society in India and Human Rights Violations
  - (i) Human rights violations in private domain : within the family, by dominant castes and religious groups.
  - (ii) Human rights violations in public domain : state, land lords, employers, etc; Riots and violence in connection with inter-community tensions.
  - (iii) Unequal access to natural resources
  - (iv) Impact of development policies on human rights.

**Suggested Readings:**

1. Dr. Ourbax Singh Karkara, *Commentary on the Protection of Human Rights Act, 1993*
2. D.D. Basu, *Human Rights in Indian Constitutional Law* (1994)
3. Vijay Chitnis, *Human Rights and the Law : National and Global Perspectives* (1997)
4. B.P. Singh Sehgal, *Law, Jurisdiction and Justice in India* (1993)
5. James Vadakkumchery, *Human Rights and the Policies in India* (1996)
6. Poornima Advani, *Indian Judiciary : A Tribute* (1997)
7. Justice Venkataramiah, *Human Rights in the Changing World* (1998)
8. Paramjit Singh Jaiswal and Neshtha Jaiswal, *Human Rights and the Law* (1996)
9. Agarwal Om Prakash, *Fundamental Rights and Constitutional Remedies*.
10. K.P. Saxena, *Human Rights, Fifty Years of India's Independence*.
11. G.S. Bajwa, *Socio Political Dimensions of Human Rights in India* (1995)
12. Upendra Baxi, *Violence, Dissent and Development : Law and Social Change*
13. Upendra Baxi, *Court Constitution and Human Rights*.
14. Narasimham, R.K. *Human Rights and Social Justice* (1999)
15. Rajendra Mangari, *Protection of Human Rights Act* (1999)
16. Jagmohan Reddy, *Minorities and the Constitution* (1981)
17. Y. V. Sharma, *Indian Constitution and Human Rights*.
18. A.K. Singh, *Role of Judiciary in the Protection and Promotion of Human Rights*.
19. S.K. Khanna, *Children and Human Rights*.
20. S.K. Khanna, *Women and Human Rights*.
21. Ved Kumar, *Human Right of Children*
22. J. Rangnath Misra, *Rights of the Child*.

**Paper-V (A) Research Methodology (60 marks)**

Note : Part I, II and III carry 20 marks each

**Part-I**

**(A) General-**

- (i) Nature and scope of legal research
- (ii) Formulation of research problem
- (iii) Survey and legal research

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(iv) Research design : Facts and hypothesis, problem of objective

**(B) Methodology-**

- (i) Methodological orientation and logic of enquiry
- (ii) Dialectic materialism
- (iii) Comparative method
- (iv) Historical method
- (v) Analytical method
- (vi) Field work
- (vii) Inductive and deductive methods
- (viii) Other research methods.

**Part-II**

**Techniques of Data Collection**

- (i) Types
- (ii) Sources
- (iii) Techniques of data collection : observation, interview, questionnaire, interview schedule
- (iv) Case study method
- (v) Content analysis
- (vi) Data analysis : Classification, tabulation, graphic representation

**Part-III**

- (i) Analysis of data-Processing of data-Classification of data.
- (ii) Interpretation of data-Necessity of interpretation-Methods of interpretation.
- (iii) Research report-Legal thesis writing-Steps in thesis writing-Layout of thesis-chapter arrangement.

**Paper-V (B) (Forty marks)**

**Use of Computer and Information technology (Practical paper)**

**Suggested Readings :**

1. S.K. Agarwal, *Legal Education in India* (1973)
2. N.P. Madhava Menon, *A handbook of clinical legal education.*
3. M.O. Price, *Elective legal research*
4. Pauline V.Y., *Scientific social survey and research.*
5. Payne, *The art of asking questions.*
6. Erwin C. Surrency, *A guide to legal research*
7. Morris L. Cohan., *Legal research in nutshell*
8. ILI Publication, *Legal research and methodology.*
9. R.M. Deepak Kumar, *Social Research Methodology.*
10. Jaya Prakash, *Research Methodology*
11. H.N. Tiwari, *Legal Research Methodology*
12. C.R. Kothari *Research Methodology, Methods and Techniques*

**LL.M. Pt-II (Human Rights and Value Education)**

**Paper - I International Humanitarian and Refugee Laws**

1. Problems in International violence, and civil wars; Humanisation of warfare; Amelioration of wounded and sick during warfare; Four Geneva Conventions.
2. International Humanitarian Law (IHL)- Origin and Development of IHL, Doctrine of Military Necessity Versus the principles of humanity; Role of IHL in non-international armed conflicts; National Perspectives on IHL; Role of International Red Cross, N.G.O., U.N.O. and International Criminal Courts & Tribunals in Implementation and enforcement of IHL.
3. Historical Perspective of International Refugee Law; Determination of Refugee Status under Refugee Convention, 1951 & Protocol, 1967; Protection of Refugees under International Law; Protection of Refugees in India; UNHCR and India.
4. Strategies to combat refugee problems and modalities of their various solutions; Internally Displaced Persons-U.N. guiding principles on Internal Displacement, 1998.

**Suggested Readings:**

1. B.S. Chimmi, *International Refugee Law.*
2. M.K. Balachadran & Rose Varghee, *Introduction to International Humanitarian Law.*
3. Guy S. Goodwin Gill, *The Refugee in International Law.*
4. James C. Hathway, *The Law of Refugee Status.*
5. Yves Sandoz, *Implementing International Humanitarian Law.*
6. Rajesh Dhawan *Refugee Law and Policy in India.*
7. Abi-Saab, Rozemary, "The Principles of Humanitarian Law according to the International Court of Justice", *International Review of the Red Cross*, No. 259, 1987, pp. 367-78
8. Dominice, Christinas, "The Implementation of Humanitarian Law", in Karel Vasak, ed., *The International Dimensions of Human Rights*, vol. (Paris; UNESCO, 1982), pp. 427-43.
9. MC Coubrey, Hilaire, *International Humanitarian Law : The Regulation of Armed Conflict* (Aldeshot : Dorthmouth Publishing House, 1990).
10. Plotet, Jean, *Development and Principles of International Humanitarian law* (Dordrecht : Martinus Nijhoff Publishers, 1985).

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**Paper-II Human Rights and Criminal Justice System**

1. Concept of crime and criminal liability; Role of the courts in dispensing criminal justice; Human Rights Problems requiring the need of criminal justice-namely police atrocities, violence against women & children, communal and caste violence, terrorism and insurgency.
2. Protection from double jeopardy, self-incrimination, production before magistrate from police custody, fair-trial, speedy trial, representation, appeal, protection from ex post facto laws, legal aid, compensation, rehabilitation.
3. Probation of Offenders Act, 1958, Parole, Open Jails.
4. Administration of Criminal Justice - Ordinary Courts, Special Courts, District & State Human Rights Courts, International Criminal Court, Prize Courts and International norms on administration of criminal justice-U.N. General Assembly Resolutions.

**Suggested Readings :**

1. Agarwal, H.O., *Implementation of Human Rights Conventions with Special Reference to India* (New Delhi : D.K. Publishers, 1993)
2. Aroras, Nirman, "Custodial torture in Police Stations in India : A Radical Assessment" *Journal of Indian Law Institute*, vol. 41, nos. 3, and 4, 1999, pp. 513-29.
3. Bajwa, G.S. and D.K. Bajwa, *Human Rights in India : Implementation and Violations* (New Delhi) : D.K. Publishers, 1996)
4. Baxi, Upendra, "Clemency, Extradition and Death : The Judicial Discourse in Kehar Singh", *Journal of Indian Law Institute*, vol. 30, no. 4, Oct-Dec. 1988. pp. 501-86.
5. Bhargava, G.S., "National Human Rights Commission : An Assessment of Its Functioning", in K.P. Saksena, ed., *Human Rights : Fifty Years of India's Independence* (New Delhi : Gyan Publishing House, 1999), pp. 106-118.
6. Amnesty International, "Campaign for the Abolition of Torture", *Philosophy and Science Action*, vol. 6, nos 3-4, 1984, pp. 205-206.
7. Aroras, Nirman, "Custodial Torture in Police Stations in India : A Radical Assessment", *Journal of India Law Institute*, vol. 41, nos 3., and 4, 1999, pp. 513-29.
8. Bag, R.K., "Domestic Violence and Crime Against women :

Criminal Justice Response in India". *Journal of India Law Institute*, vol. 39, nos. 2-4, 1997, pp. 359-75.

9. Batra, Manjula, *Protection of Human Rights in Criminal Justice Administration : A Study of the Right of Accused in Indian and Soviet Legal Systems* (New Delhi : Deep and Deep, 1989)
10. Bava, Noorjahan, ed., *Human Rights and Criminal Justice Administration in India* (New Delhi : Uppal Publishing House, 2000)
11. Bhagwati, P.N., "Human Rights in the Criminal Justice System" *Journal of the Indian Law Institute*, vol. 27, no. 1, 1985, pp 1-22.
12. Blackshield, A.R., "Capital Punishment in India, *Journal of Indian Law Institute*, vol. 21, no. 2, 1979, pp 137-226.
13. Burgers, J.H., "The Fights against Torture", *International Commission of Jurists*, no. 32, 1984, pp. 47-48.
14. Chevigny, Paul, *Police Power : Police Abuses in New York City* (New York : Pantheon Book, 1984, pp. 47-48).
15. Ghosh, S.K., *Torture and Rape in Police Custody* (New Delhi : Ashish Publishing House, 1993)
16. Jaswal, P.S. and N. Jaswal, "Right to Personal Liberty and Handcuffing : Some Observations", *Journal of Indian Law Institute*, vol. 33, no. 2, April June 1991, pp. 246-53
17. Paschauri, S.K., *Prisoners and Human Rights* (1999).
18. Sharma S.C., *Police and Human Rights* (1999)
19. Upadhyay, C.M., *Human Rights in Pre-trial Detention* (1999)
20. Vaid, Kumohery, *Human Rights and the Police in India* (1995)
21. **Societal Issues of Human Rights in India**
22. **Concept of Social problems and human rights**
23. **Problems of aged and disabled.**
24. **Problems**
25. **Scheduled Castes and Scheduled Tribes :**
26. **Problems of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities)**
27. **Provisions relating to reservation in Employment**
28. **Reservation Act, 1961**
29. **The Prohibition of Discriminatory Techniques (Regulation and Prevention of Migrant Labour)**
30. **Civil Rights Protection Act, 1955**

**Suggested Readings:**

1. Agarwal, Amita, "Human Rights of Women in India and

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- International Standards", in M.P. Dube and Neeta Bora, eds., *Perspectives on Human Rights* (New Delhi : Anamika Publishers, 2000), pp. 97-106.
2. Atsahr, M.A., "Human Rights and Female Feticide", in B.P. Singh Sehgal, ed., *Human Rights in India : Problems and Perspectives* (New Delhi : Deep and Deep, 1985) pp. 156-65.
  3. Atkins, Susan and Brend Hogett, *Women and the Law* (1984)
  4. Bag, R.K., "Domestic Violence and Crime Against Women Criminal Justice Response in India", *Journal of Indian Law Institute*, vol. 39 nos 2-4, 1997, pp. 359-75
  5. Bhargava, G.S. and R.M. Pal, eds., *Human Rights of Dalits : Societal Violation* (New Delhi : Gyan-Publishing House, 2000)
  6. Brophy, Julia and Carol Smart, eds., *Women in Law : Explorations in Law, Family and sexuality* (1985)
  7. Devaria, Leelamma and V.V. Devaria, eds., *Women in India : Equality Social Justice and Development* (New Delhi : Indian Social Institute, 1990).
  8. Gaharana, K., "Women's Rights", *World Focus*, vol. 13 no. 2 March, 1992, pp. 19-21.
  9. Gupta, Srinivas, "Rights of Child and Child Labour : A Critical Study" *Journal of Indian Law Institute*, vo. 37, no. 4, Oct. to Dec. 1995, pp. 531-42.
  10. Kaushal, Richna, *Women and Human Rights in India* (New Delhi : Kaveri Books, 2000)
  11. Manohar, Sujata V., "The Indian Judiciary and Women's Rights", *Journal of International Law*, vol. 36, no., 4 Oct-Dec. 1996 pp. 1-12
  12. Sullivan, Donna J., "Women's Human Rights and the 1993 World Conference on Human Rights", *American Journal of International Law*, vol. 88, no. 1, 1994, pp. 152-66.

#### Paper-IV Children and Human Rights & Duties

1. Child Labour in unorganized sector ; Child Abuse Inside and outside homes, trafficking in children; Children and custodian crimes; Protection of children in Constitution-Art 15 (3), 24, 39(e) (f) and 45.
2. ILO Convention on Child Labour; UN Convention on the Right of Child, 1989; Welfare of Children with reference to Placement & Adoption, 1986; UNESCO Convention and recommendation against Discrimination in Education, 1960; Declaration and Responsibilities of Present generation towards Future Generation,

- 1997; Universal Declaration of Human Rights and Child care.
3. Child Marriage Restraint Act, 1929; Children's Act, 1960, Juvenile Justice (Care & Protection of Children) Act, 2000.
4. Children (Pledging of Labour) Act, 1933; Young Persons (Harmful Publications) Act, 1956; Orphanages and other Charitable Homes (Supervision and Children; National Commission for the Rights of Children.

#### Suggested Readings :

1. UNICEF : *The Children and the Law, 1994*
2. V.R. Krishan Iyer : *Human Rights and the law.*
3. Y.V. Sharma : *Indian Constitution and Human Rights.*
4. W. Jenks : *Human Rights and International Labour Standards.*
5. P.L. Mehta : *Child Labour and the Law.*
6. S.K. Pachari : *Children & Human Rights.*
7. Anu Saxena : *Human Rights and Child Labour in Indian Industries*
8. Van Bheven G : *The International Law on Rights of the Child*
9. NHRC : *Annual Reports*

#### Paper-V Dissertation/Field-based project work

The Student shall be required to write a dissertation on any aspect of a human rights and duties problem/situation under the supervision of a member of the faculty/department. He/she shall visit the problem area(s) and study the situation, causes, and solutions, people's responses and his/her own experiences/encounters of human rights violations, if any. He/she shall study the relevant literature and write dissertation on the approved topic with the help of theoretical discussions on research methodology. In the viva-voce examination the examiner shall judge the knowledge of the candidate in research methodology in relation to the subject of dissertation and his/her general knowledge in other areas of human rights and duties.

#### One Year Diploma Course in Labour Law, Labour Welfare and Personnel Management

##### Scheme of Examination

**R. 21B.** - For Diploma Course in Labour Law, Labour Welfare and Personnel Management, Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.

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Each Paper shall be of three hours duration and carry 100 marks.

**SYLLABUS****Paper-I Industrial Relations-Genesis, Concept and Emerging Patterns.**

- **Industrial Relation-Genesis, Concept and Emerging patterns. Parties to Industrial Relations-Trade Unions, Management and the State and their interaction.**
- **Trade Unions-Concept, Growth and Structure with special reference to India, U.K., U.S.A. and U.S.S.R.**
- **Position of Trade Unions in India-Multiplicity of Trade Unions. Recognition of Trade Union. Trade-Union movements, Central Trade Union, Organizations role and functions, role of Trade Union in Modern Industrial Society of India, Trade Union Rivalry and Unfair Labour practices.**
- **Collective Bargaining in India-Meaning, Nature and its emerging patterns in India. Workers Participation in management and Foreign Experience.**
- **Industrial Relation-Legislative and judicial Perspectives.**
  - (a) The Indian Trade Union Act, 1926
  - (b) Industrial Disputes Act, 1926
  - (c) Industrial Employment (standing order) Act, 1946

**Leading Cases**

1. R.S. Ruikar v. Emperor, A.I.R. 1953 Nag 149.
2. Jay Engineering Works Ltd. v. State of West Bengal, A.I.R. 1968 Cal. 406.
3. Rohtas Industries v. Its Union, A.I.R. 1967 S.C. 425
4. L.I.C. of India v. K.J. Bahadur, 1981 I.L.L.J.I. (S.C.)
5. Balmer Lawrie Workers Unions Bombay v. Balmer Lawrie & Co. 1985, I.L.L.J. 314 (S.C.)
6. R.A. Sharma & others v. Union of India, 1985, I.L.L.J. 187 (S.C.)

N.B.-The students will be imparted teaching of latest case-law of the Supreme Court and the High Courts along with the legislative changes and amendments from time to time.

**Suggested Readings:**

1. Laski, H. : Trade Union in the New Society.
2. Myres, C. : Industrial Relations in India.
3. Apsley V. Whitmore : Industrial Relations, Hand Book.
4. John T. Dunlop : Industrial Relations System.
5. J. Henry Richardson : An Introduction of the Study of Industrial

**Relations.**

6. V.V. Giri : Labour Problems in Indian Industry.
7. S.N. Dhyani : Trade Unions and Right to Strike.
8. O.P. Malhotra : Law of Industrial Disputes, Vol. 1
9. Report of National Commission of Labour
10. A.V. Raman Rao, Collective Bargaining v. Govt. Regulation.
11. G.L. Srivastava : Collective Bargaining v. Labour Management Relation in India.
12. C.P. Thakur : Industrial Democracy-Some Issues and Experience.
13. Mamoria & Mamoria : Industrial labour, Social security and Industrial Peace in India.
14. S.N. Mishra : An Introduction of Labour and Industrial Law.
15. The Indian labour year book.
16. S.N. Dhyani : Crisis in Indian Industrial Relations.
17. I.L.O. : Conciliation and Arbitration in Industrial Disputes.
18. I.L.O. : Freedom of Association USA, UK, USSR.
19. The Indian Trade Union Act, 1926
20. The Industrial disputes Act, 1947
21. Industrial Employment (Standing Order) Act, 1946

**Paper II- Labour Welfare Legislation and Industrial Sociology and Labour Welfare**

**Concept and Philosophy of Labour Welfare. Theories of Labour Welfare. Role of labour Welfare Officers. Role of Trade Unions, Employers and the State in Labour Welfare, Labour Welfare and Environmental Pollution.**

**Labour Welfare in India-Legislative and Judicial Perspectives.**

- (a) The Factories Act, 1948
- (b) The Mines Act, 1952
- (c) Employment of Children Act, 1938
- (d) Contract Labour (Regulation and Abolition) Act, 1970
- (e) Bonded Labour (Abolition) Act, 1976
- (f) Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1970.

**Industrial Sociology : Meaning, Scope and development, Industrialization and Social Problems of Industrial Relations.****Leading Cases :**

1. Alambic Chemical Works v. Its workmen, A.I.R. 1961 S.C. 647
2. V.P. Gopala Rao v. Public Prosecutor A.P., A.I.R. 1970 S.C. 66
3. Laborers working in Salal Hydel Project v. State of J.K., A.I.R., 1983 S.C. 117.

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4. Rural Litigation and Entitlement Kendra Deharadun v. State U.P.
5. Workman of F.C.I. v. F.C.I., A.I.R. 1985 S.C. 670
6. Mukesh Advani v. State of M.P. 1985 Vol. XVIII A.I.S.R. 309.

N.B. : The students will be imparted teaching of latest case law of the Supreme court and the High Courts along with the Legislative Changes and amendments from time to time.

**Suggested Readings :**

1. K.N. Valid. : Labour Welfare in India.
2. M.V. Moorty : Principles of Labour welfare
3. Government of India : Report of the Committee on Labour Welfare, 1971.
4. Government of India : Report of National Commission on Labour.
5. The Indian Factories Act, 1948.
6. The Indian Mines Act, 1948.
7. Employment of Children Act, 1938
8. Contract Labour (Regulation and Abolition) Act, 1970
9. Bonded Labour (Abolition) Act, 1976.
10. Equal Remuneration Act, 1976.
11. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.
12. Miller and Form : Industrial Sociology.
13. Eugene v. Schaeider : Industrial Sociology.
14. B.K. Kuppaswamy : Social Change in India.
15. S.C. Kuchhal : Industrial Economy of India.
16. Mamoria and Mamoria : Industrial Labour, Social security and Industrial Peace in India.
17. S.N. Mishra : An Introduction to Labour and Industrial Laws.
18. The Indian Labour year book

**Paper III-Wages and Social Security Legislation**

**Genesis of Wage Regulation**

- Concept of Minimum, Living and Need based Minimum Wages; Methods of Wage fixation, Wage Differentials, Working of Wage Boards Standardization of Wages, Factors in Wage Determination, Dearness Allowance and Fringe Benefits. National Wage Policy; Protection of Wages.
- Development of the concept of Bonus, Issues and perspectives, Concepts of Profit-Sharing.
- Meaning of Social Security; Social Assistance and Social Insurance + Social Security and Social Justice and Main Characteristics of Social Security System.

Meaning and Concept of Gratuity and provident Fund.

**Legislation**

- (a) Minimum Wages Act, 1948.
- (b) Payment of Wages act, 1936
- (c) Payment of Bonus Act, 1956
- (d) Equal Remuneration Act, 1976
- (e) Workmen Compensation Act, 1923
- (f) Employees State Insurance Act, 1923
- (g) Employees Provident Fund Act, 1952.
- (h) Maternity Benefit Act, 1961
- (i) Payment of Gratuity Act, 1972

**Leading Cases :**

1. Express Newspaper Ltd., other v. Union of India & others, A.I.R. 1958 S.C. 578.
2. B.B.S.T. Undertaking Bomby v. Mrs. Agens., A.I.R. 1964 S.C. 193
3. Royal Talkies Hyderabad v. E.S.I. Corporation, F.I.R. 1978 S.C. 19
4. Air India v. Nargesh Meerza, A.I.R. 1981 S.C. 1830
5. D.N. Nakara v. Union of India, A.I.R. 1983 S.C. 130.
6. Sany Mills Ltd. v. Regional P.F. Commissioner 1985 I.L.L.J. 238 (S.C.)

N.B.-The Students will be imparted teaching of latest case-laws of the Supreme Court of India and the various High Court alongwith the Legislative changes and amendments from time to time.

**Suggested Readings:**

1. I.L.O. : Approaches to Social Security.
2. G.C. Hallen : Dynamics of Social Security in India.
3. K.N. Subramaniam : Wages in India
4. J.L. Nigam : State Regulation of Minimum Wages.
5. I.L.O. : An Introduction to Social Security.
6. The Workmen Compensations Act, 1923.
7. The Payment of Wages Act, 1936
8. The Minimum Wages Act, 1948.
9. The E.S.I. Act, 1948.
10. The E.P.F. Act, 1952
11. Maternity Benefit Act, 1961.
12. Payment of Bonus Act, 1965
13. Payment of Gratuity Act, 1972
14. Govt. of India : Report of National Commission on Labour

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15. V.V. Giri : Labour Problems in Indian Industry.
  16. Mamoria and Mamoria : Industrial labour. Social Security and Industrial Peace in India.
  17. B.N. Mishra : An Introduction to Labour and Industrial Laws.
  18. The Indian Labour year book.
  19. G.L. Kothari : Wages, Dearness Allowance and Bonus
- Paper IV- Personnel Management and Industrial Psychology**  
**Part I- Personnel Management**

Concept of Personnel Management and Personnel Policies.  
Man power planning, Recruitment, Selection and Training,  
Induction, Job Placement including worker's education and envisaged  
by the Central Board of Worker's Education.

Job Analysis and Evaluation and Performance Appraisal.  
Management of Discipline, Domestic Enquiry and Grievance  
Procedure.

Role and Functions of Personnel Manager.  
Scientific and Technical Advances Vis-a-vis Personnel  
Management.

#### **Part II-Industrial Psychology**

- Industrial Psychology-Nature, Scope and Functions.
- Motivation and Morale, Leadership Styles and Dynamics.
- Psychology of Attitudes, Hawthorne Experiments and their  
relevance in India.
- Individual behaviour in Formal and Informal Groups, Interpersonal  
and Inter-group relationship in organization and their Impact on  
Organization.

#### **Leading Cases:**

1. North Brook Jute Co. Ltd. v. Their Workmen, A.I.R. 1960 S.C. 879.
2. Monogram Mills Ltd. v. State of Gujarat, 1976 II L.L.J. 274 (S.C.)
3. Workmen of Williamson Magor & Co. Ltd. v. Williamson Magore & Co. Ltd. 1982 L.L.J. 83 (S.C.)
4. State of Orissa v. Ram Prashad 1985 II L.L.J. 364 (Madras H.C.)
5. N.M. Rubber Co. Ltd. Madras v. I.S. Natrajan, 1985 II. L.L.J. 364 (Madras H.C.)
6. Union of India v. Tuls Ram Patel, A.I.R. 1985. S.C. 1416.

N.B.-The Students will be imparted teaching of latest case-Laws of the supreme Court of India and various High Court along with

the Legislative changes and amendments from time to time.

#### **Important Reading**

- Norman R.F. Moor : Industrial Psychology.  
P.K. Ghosh. Industrial Psychology.  
R.D. Agarwal : Dynamics of Personnel Management in India.  
R.N. Davar : Personnel Management and Industrial Relation in India.

- C.B. Mamoria : Personnel Management.  
Edwin B. Elippo : Principles of Personnel Management.  
Govt. of India : National Commission on Labour.  
Govt. of India : Report of Ministry of Labour Vol. II.  
D. Yoder : Personnel Management and Industrial Relation.

#### **Paper V- Labour Jurisprudence and The I.L.O.**

Concept and Growth of Labour jurisprudence.  
Concept of Social Justice, Natural Justice and the Labour  
Constitution of India, 1950 and the Labour.  
Labour and Judicial Process and Public Interest legislation.  
Tripartite; Voluntarism in Labour Relations and Code of Discipline  
in Industry.

I.L.O.-Genesis, Aims and Objectives, Constitutions, I.L.O.,  
Conventions and Recommendations : Procedure for Ratifying  
I.L.O., Conventions and Recommendations and Problems in their  
Implementation.

I.L.O. & Regional Conferences  
International Labour Standards and Labour Legislations in India.  
I.L.O. Problems and Prospects,  
I.L.O. and Human Rights in Indian Perspectives.

#### **Important Cases :**

- Prakash v. Union of India, A.I.R. 1981 S.C. 212.  
Rajmukhi Mukti Morcha v. Union of India, A.I.R. 1984 S.C. 802.  
The Union for Democratic Rights & Others v. Union of  
India 1982 II L.L.J. 454 (S.C.)  
National Textile Workers Union v. Ram Krishana, A.I.R. 1982  
S.C. 799  
S. N. Bose v. Union of India, 1978 L.C.J. 527 (S.C.)  
The Delhi Cloth & General Mills Ltd. V. Sambhunath Mukerjee  
1982 I.L.L.J. 36 (S.C.)

The Student will be imparted teaching of latest case-laws of the Supreme Court of India and various High Court along with the Legislative Changes and Amendment from time to time.

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**Suggested Readings:**

1. I.L.O. : International Labour Codes Vol. I and II.
2. S.N. Dhyani : I.L.O. and India : In pursuit of Social Justice.
3. G.A. Johnson : The I.L.O.
4. Davil Miller : Social Justice.
5. Kamia Mathur : Tripartitism in Labour Policy.
6. Indian Labour : Year Book.
7. S.K. Agarwal : K.M. Munshi Lectures on Public Interest Legislation in India.
8. Govt. of India : Report of National Commission on Labour
9. C.K. Joshi : Indian Tripartite System
10. S.R. Samant : Industrial Jurisprudence.
11. Indian Constitution : Relevant Portions.
12. Govt. of India : Tripartite Consultations.
13. R.G. Chaturvedi : Natural and Social Justice.
14. Mahesh Chandra : Industrial Jurisprudence.
15. Rideout : Principles of Labour Law.
16. N. Vaidyanathan : International Labour Standards.

**Paper VI - Labour Economics and Labour Statistics and Organized and Unorganized Labour Organization.**

- Labour Force in organized and Unorganized Sectors-Source composition, Characteristics etc.
- Employment, Un-employment and under employment concepts and Development Aspects.
- Labour Turn-Over and Absenteeism
- Unemployment Guarantee Scheme
- Unorganized Labour-Magnitude, Problems and Public Policy of Unorganized Labour
- Integrated Rural Development Programmes and Labour
- Labour in Five Year Plan-Brief Study.
- Industrial Policy Resolution and Development in private and Public Sector
- Industrial development-Heavy, Large, Small-scale, Cottage Industries Location, Finance Planning and Problems.

**Labour Statistics**

- (a) Meaning, Objects and Structure
- (b) Growth of Labour Statistics in India.
- (c) Indian Labour Statistics Act, 1953.
- (d) Labour Statistics relating to Disputes, Wages, Strikes, Lockout, Mondays Lost, Safety, health and Welfare, Cost of Living etc.

**Suggested Reading:**

1. A.N. Agarwal : Indian Economy-Problems of Development and Planning
2. Rudra Dutt and K.P.S. Sundradum : Indian Economy
3. R.C. Kuchhal : The Industrial Economy of India.
4. D.P. Sharma and Desai : The Rural Economy of India.
5. A.R. Desai : The Rural Sociology of India.
6. L.G. Reynolds : Labour Economics
7. K. Mukerjee : Labour Planning
8. B.N. Datar : Labour Economic
9. J.N. Mongia : Readings in Indian Labour
10. Govt. of India : Report on National Commission on Labour.
11. J.L. Dholkia : Industrial Labour and Economic Development in India.
12. Indian Labour Year Books.
13. D.N. Bhanu : Economic Statistics of India since Independence (First Three Chapters of Part I and chapter 25 of Part II) or relevant Portion.
14. D.N. Anshana : Applied Statistics of India (Chapter 5 & 6) S.S. Priyantava or Relevant Portion.
15. Mmamoria & Mamoria : Industrial labour, Social Security and Industrial Peace in India.
16. I.L.O. : Structure and Functions of Rural Workers Organization.

**Year Diploma Course in Criminology and Criminal Administration**

For the Diploma Course in Criminology and Criminal Administration, Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.

Each paper shall be of three hours duration and carry 100 marks.

**SYLLABUS****Part I: General Principles of Criminal Law**

Under the Indian Penal Code (excluding specific offences) and the fundamental basis of statutory offences under the Prevention of Corruption Act, 1954; Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1985; Prevention of Corruption Act, 1988; Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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**Suggested Readings:**

1. Kenny : Outlines of Criminal Law.
2. Prof. T. Bhattacharya : Contempt Law, State and Society,
3. Dr. Gurbax Singh : Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
4. Prof. T. Bhattacharya : Indian Penal Code.

**Paper II - Criminology**

1. Meaning and Scope of Criminal Science.
2. School of Criminology.
3. Contribution of Sutherland.
4. Juvenile Delinquency
5. Recidivism
6. Causes of Crime
7. Social Forces and Crime
8. Recent Trends in Crime including the problem of organized crime, black marketing, corporate crimes, hidden crimes, cost of crime, cyber crimes.
9. Types of Criminals.
10. Study of Criminal Behaviour of some tribes in India.

**Paper III-Penology**

1. Origin and evolution of Punishment
2. Forms of punishment with special reference to capital punishment.
3. Penal institutions, Prison system and its reforms in India with special reference recent experiments.
4. Correctional Institution : Workhouses and houses of correction ; Juvenile training school; Men's and women's reformatories ; Borstal Institutions in India.
5. Parole & Indeterminate sentence.
6. Pardon

**Suggested Reading on Criminology and Penology**

1. Sutherland : Principles of Criminology (latest Edition)
2. Garofolo : Criminology Part I, II and III (latest Edition)
3. Gillin : Criminology and Penology Part I to Part V (Latest Edition)
4. Taft : Criminology (latest Edition)
5. Pillai : Principles of Criminology lectures 2, 3, 4, 5, 6, 9, 11 and 12.
6. Cavan : Criminology part-I Omitting Chapter 2, part II - full
7. Lamborse, Cassre : Crime, its cause and remedies.
8. Different Reports published by Government of India from time to time.

9. Moral Approach to Criminal Law by Radzinowicz and Turnet.
  10. New Horizons in Criminology by Barnes and Tatters.
  11. Pioneers in Criminology edited by Mannheim.
  12. Criminology by Bonger.
  13. From Punishment to Prevention by P.K. Sen.
  14. Penology-Old and New by P.K. Sen.
  15. Rationale of punishment by Oppenheimer.
  16. Crime, Courts and Probation.
  17. Ahmed Siddique : Penology Problems and Perspectives
  18. Female Criminality : A Socio-legal Study.
- IV- Forensic Science and Criminal Investigation**
- The role of Forensic Sciences in Criminal and Civil Cases.
- The basic question in investigation Bono; the scene of crime; discovery of traces of physical evidence; classification and reference to classified record; systematization and classification of physical evidence and comparison with suspected material; the principles of exchange ; the principles of heredity Taxonomy etc.
- The Establishment of Identity of Individuals.
- The Establishment of partial Identity of Individuals : Footprints : hair skin, blood grouping; physical peculiarities.
- The Establishment of the Identity of Physical Objects by Shape and Size : Identifying marks and impression made by physical objects : shoe prints, type and tread marks; die and tool marks; marks of fracture marks,
- The Establishment of the Identity of Physical Objects by Physical and Chemical Analysis : Paint; coloured objects; metals; alloys; glass and the earthen wares; cement; plaster; bricks; soil minerals; etc.
- Questioned Documents and the Identification of Handwriting; its types and identification; Inks : pencils and writing instruments; handwriting habit and flow; disguised writing; comparison of handwriting; points of identity; samples; various types of forgery and their identification; additions; erasures alterations; seals; rubberstamps; wax writing; pointing; blocks.
- The Identification Fire-Arms and Cartridge and Related Problems: types of fire-arms and their use; time and range of firing; identification of a fire-arm with a cartridge case and bullet; Miscellaneous fire-arms problems like origin or direction or direction of fire.

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- VIII Injuries to Persons : Evidentiary value of details of injuries; trace left by the weapon used; its range and direction; danger to clothing worn by the victim and related problems; the flow of blood from injuries; the shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects; accidental deaths and suicides.
- IX Miscellaneous forensic Science Methods : Restoration of numbers; examination of the walking, picture of footprints; clothing; copper wire; pieces of wood etc.
- X Evidentiary value of Physical Evidence as Evaluated a Forensic Science laboratory viz., Evidence:-Fallibility of eye witness. The probative value of such evidence. Findings of scientific methods of investigation; their probative value, Assessment of Value from actual cases. Value to be assigned to the different types of exhibit.

#### Paper V- Forensic Medicine and Toxicology

1. Injuries : (Hurt)
  - (a) Definition in law (Sec. 319, 320 I.P.C.) Grievous Injury.
  - (b) Classification
  - (c) Cardinal Fractures of different types of injuries
  - (d) Injuries of special regions.
  - (e) Age of injuries
  - (f) Medico legal aspects.
2. Burns and Scalds :
  - (a) Classification of burns
  - (b) Causes of death after burns
  - (c) Simple and grievous burns
  - (d) Area of the body surface in burns and its relationship
  - (e) Self-inflicted, accidental, suicidal, homicidal, burns
  - (f) Ante-mortem and post-mortem burns
3. Asphyxia and Drowning:
  - (a) Cause of asphyxia, post-mortem appearances.
  - (b) Various types of violent asphyxial deaths like hanging, strangulation throttling and traumatic asphyxia, and the post-mortem appearances commonly seen in these conditions
  - (c) Drowning-Cardinal post-mortem signs.
    - (i) Cadaveric Spasm of Hand
    - (ii) Signs in the air passages
    - (iii) Stomach contents
    - (iv) Signs in the legs

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(v) Demonstration of diatoms in the Viscera

#### Sexual Offences :

##### (a) Rape

- (i) Definition (Sec. 375 I.P.C.)
- (ii) Examination of the Victim : Anatomy of Hymen.
- (iii) Positive signs of rape
- (iv) Examination of the accused
- (v) Medicolegal aspects.

##### (b) Sodomy

- (i) Examination of the victim
- (ii) Signs in the habitual passive agent
- (iii) Examination of the accused

#### Autopsy :

##### (a) Procedure - Aims and Objects - Difficulties

##### (b) Problem :

- (i) Time scene death—Description of post-mortem changes. Estimation of time since death from rigor post-mortem staining. Putrefaction adipocere formation, mummification, changes in the eyes, skin, printer and secondary relaxation. In drowning cases from flotation of the body. In dead bodies after burial from the degree of digestion of stomach contents. From the change in the cerebra spinal fluid and the narrow cells of the sternum.
- (ii) Cause and manner of a death
- (iii) Ante-mortem or post-mortem injuries.
- (iv) Examination of human remains, skeletal and mutilated remains. Establishment of age, sex and stature for the purpose of identify.

Infanticide : Definition dead born, still born viable factus, criteria for separate existence.

Identification : Rule and Procedure.

Identification of blood stains : Physical, Chemical & Ser.....  
Grouping, its basic principles.

Insanity : Modern concept-classification legal test of insanity.  
Restraint of an alleged lunatic-restraint of the insane. Civil  
Criminal responsibility of a lunatic. Testamentary capacity  
Insanity order on petition.

Poisons : Classification of poisons. Diagnosis of poisoning,  
Examination of poisoning cases. Brief Toxicology of the following



common poisons-Oplum, dhatura barbiturates, Cannabis Ind  
Arenic. Cooper Sulphate. Lead; Strychnine, Cocain, Alcohol  
organophourus compounds, carbon monoxide, hydrocyanic acid  
Potassium Synide, phosphorus, Snake bite.

9. Intoxication : Definition (Sec. 85 & 86 I.P.C.) regarding alcohol  
intoxication. Alcohol, ganja, bhang, dhatura, opium morphine.

*Suggested Reading for Paper IV and V*

1. Modern Criminal Investigation : Harry Soderman and John J. Conell (Published by Fund & Wagnals Co. Inc., New York)
2. Criminal Investigation : Paul L. Krik, Ph.D. (Published by Int Science Publishers, Inc., New York)
3. Criminal Investigation : Cr. A. and Cross (Published by Sw and Maxwell Limited; London).
4. Police Act, (Act V of 1861)
5. Rajasthan Habitual Offenders Act.
6. Rajasthan Police Regulations for Reference purpose only
7. Downen, T.A. : Text Book of Forensic Pharmacy.
8. Gour, A.N. : Fire Arms, Forensic Ballistics, Forensic Chemistry and Criminal Jurisprudence.
9. Dr. Gurbax Singh : Firearms and Ballistics
10. Lucas A. : Forensic Chemistry and Scientific Criminal Investigation.
11. Lund Quist F. : Methods of Forensic Science (Vol. I)
12. Moreland, N. : Science in Crime Detection Illustrated.
13. Swipson, F. : Forensic Medicine
14. Modi, J.P. : Medical Jurisprudence and Toxicology.

**Paper VI-Elements of Criminal procedure and Proof in Criminal Trials Cr. P.C.**

- General including classification of criminal cases-summary warrant bailable-non-bailable-non cognizable : Constitution and Jurisdiction of Courts; Complaint & F.I.R. Case : Investigative Procedure : Framing of Charges ; Trial Procedure : Security for keeping peace.
- Indian Evidence Act. Sections.
  - (i) Burden of Proof - 101-106
  - (ii) Confession-24-30
  - (iii) Presumption-114
  - (iv) Accomplice-133
  - (v) Relevancy-5-11, 14, 15
  - (vi) Character Evidence-52-53

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(vii) Expert Witnesses-45, 46 & 51

(viii) Examination in Chief & Cross examination- 145, 153

**One year Diploma Course in Legislative Research and Drafting**

For Diploma course in Legislatives Research & Drafting. Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.

Each Paper shall be of three hours duration and carry 100 marks.

**SYLLABUS**

**Paper I- Principles, Policies and Processes of Government with Special Emphasis on Constitutional Law.**

*Reference Work Recommended :*

- Aspects of Indian Constitutional Law by G.N. Joshi
- Parliamentary Procedure in India by A.R. Mukerjee
- Practice and Procedure of Indian Parliament by S.S. More.
- Rules of Procedure and Conduct of Business in Lok Sabha, Published by the Lok Sabha
- Bubhan Kashyap : Parliamentary Procedure-Law, Privileges, Practice and Precedents.

**Paper II Principles of Legislation**

*Reference Work Recommended:*

- Benham : Theory of Legislation
- Law Brown : Underlying Principles of Modern Legislation
- Law and Public Opinion in England
- Legislative Methods and Forms
- System of Law Making
- Evolution of World Legal System.
- Public Opinion in England in the 20th Century.
- Law and Procedure with Special
- of Powers
- on Subordinate Legislation from 1964

Legislative Law in India.

in India Published by the Indian Law Institute

of Administrative action by A.T. Markose.

Administrative Law, Case and Comments by W. Gellhorn

Bye.

**Paper IV - Legislative Problems solving with special emphasis on available devices for enforcement of legislation, sanctions and remedies.**

**Reference Work Recommended :**

1. The Law of Specific Relief in India by Hamam Singh (Chapter VI, VII, IX and X)
2. Law of Specific Relief by A.N. Gau (Chapters VII and VIII of Vol. II)
3. Dr. Gurbax Singh : Specific Performance.
4. The Law of Crime by Ratan Lal Dhiraj Lal Thakore (Chapter III)
5. The Law of Damages and Compensation by Rameshwara Rao.
6. Code of Civil Procedure by D.V. Chitale and S. Rao (7th Edition). (Section and orders relating to Constitution of Courts. Execution of Decrees, issue of injunctions and appointment of receivers)
7. The State Legislative Institution by J.B. Fordham : Particularly Chapter III of Laws and People.
8. The Legal Processes Basic, Problems in the making and application of Law by H.M. Hart and A.M. Sacks.

**Paper-V Technical and Mechanical Phase of Drafting including drafting exercise.**

**Reference Work Recommended :**

1. The Composition of Legislation by E.A. Diredger.
2. Legislative Forms and Procedure by E.A. Diredger.
3. Legislative Drafting by Reed Dicherson.
4. Cases and materials on Legislation with supplement problems in Statute constructions and Drafting by C.D. Nutting and S.D. Elliot
5. An introduction to Legislative Drafting by P.M. Bakshi
6. G.S. Karkara : Art of Writing Judgments.

Note : Only latest editions of the books are recommended.

**Paper VI - Interpretation of Statutes**

**Reference Work Recommended:**

1. Maxwell. The Interpretation of statutes.
2. Beal : Rules of Interpretation.
3. Odges : Interpretation of Statutes.
4. Narasimhan : Interpretation of States in British India.
5. Prof. T. Bhattacharya : Interpretation of Statutes.
6. Craies : Statute Law.

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7. G.P. Singh : Principles of Statutory Interpretation
8. Bindra, N.S. : Interpretation of Statutes
9. Nwaroop Jagdish : Legislation and Interpretation  
(One Year Diploma Course in Taxation Laws  
and Practice

**Note** - For Diploma Course in Taxation Law and Practice, Candidates must obtain for a pass at least 40% marks in individual papers and 40% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division  
Each Paper shall be of three hours duration and carry 100 marks.

## One Year Diploma Course in Taxation Laws and Practice

### SYLLABUS

#### **Paper I – Constitutional Law Problems in Taxation:**

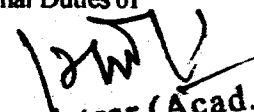
The paper provides the students instruction in the provisions of the Constitution which deal tax powers of the Union and the States, the Union State revenue distribution, constitutional limitations general and specific on taxation process. It also provides for a study into the impact of the relevant articulated tax policy formulation embodied in the Directive Principles of State Policy. The Breakup of the paper is as given below:

- I. Taxation and Taxes, Fee and Tax. Compulsory Deposits, Direct-Indirect Taxes.
- II. Law and Taxation, Article 265, Act or Ordinance; Article 245, Articles 246, 248. Relevant entries of the Union List (List I) and the State List (List II) of the Seventh Schedule to the constitution.  
Arts. 123 Union of India /s H.S. Dillon. Delegated Legislation, restrictions.
  - (i) Raj Narain V/s Chirman, Patna Administration Committee A.I.R. 195, S.C.
  - (ii) Shama Rao V/s Union Territory of Pondichery A.I.R. 1967, S.C. 1480.  
Legislation Procedure for Tax Law:  
Articles 109,110,111,117 and 118.
- III. Distribution of Union Revenues Articles 268-279, Finance Commission Articles 280-282. The Finance Commission (Miscellaneous provisions), Act, 195.
- IV. Uniform Taxation  
Articles 286, Inter State Sales Taxation.  
Bengal Immunity Co. Ltd. V/s State of Bihar, A.I.R. 1955, S.C. 661.  
Gwalior Rayons Ltd. V/s Assisnt Commissioner, A.I.R. 1974 S. C.  
Law Commission: Inter –State Sales Tax (Second Rept. 1956)
- V. Inter –State Commerce and Taxation Articles 300 -304.  
Automobiles (Rajasthan) – V/s State of Rajasthan, A.I.R. 1962 S.C. 1406.  
Atiabari Tea Co. Ltd. V/s State of Assam, A. I. R. 1951 S.C. 232  
Immunity of Instrumentbilities 285 & 289 V/s Sea Customs etc. A.I.R. 1963, S. C. 1760

#### **Suggested Readings:**

1. M. P. Jain: Indian Constitutional Law
2. Basu. D. D.: Indian Constitution
3. Seervai H. M.: Constitutional Law
4. Alice Jacob: The Finance Commission: Its Role in Adjustment of Union State Finance Relations Constitutional Developments since Independence I.L.I (1975)
5. Alice Jacob & S N Jain: Tax: Rental Arrangement, Replacement of Sales Tax, Additional Duties of Excise- Indian Constitution Trends and Issues I.L.I. (1978)

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## Paper II – Commercial Law and Accountancy:

- (i) Indian Contract Act, 1872 (Section 1 to 75 for sixty marks- section A)
- (ii) Commercial Accounts especially preparation of Trial Balance, Profit and Loss Account and Balance Sheet (for forty marks Section B)

### *Suggested Reading*

- (i) Singhal J.: Indian Contract Act (Latest Edition)
- (ii) Battliboy: Elementary Accounts

## Paper III- Income Tax and Practice :

Income Tax Act, 1961.

### *Suggested Reading :*

Kanga & Palkhivala: The Law and Practice of Income Tax

## Paper IV- Direct Tax Laws:

- (i) Wealth Tax Act, 1957
- (ii) Foreign Exchange management Act, 2003

### *Suggested Reading :*

- (i) Shiv Gopal: Commentaries on Estate Duty Act, 1957
- (ii) Kashav S Nair: Foreign Exchange Act, 2003
- (iii) Deelip Seth: Treatise on Foreign Exchange Management Act, 2003
- (iv) T. R. Ramamthy: Guide to Foreign Exchange Management, 2003
- (v) Ayyangar, Sample: The Three New Taxes

## Paper V- Indirect Tax Laws

- (i) GST Act (12 of 2017)
- (ii) Integrated GST Act 2017 (13 of 2017)

### *Suggested Readings :*

1. Inter-State Trade Barriers and Sales Tax Laws in India, Published by Indian Law Institute, New Delhi.
2. The Central Goods and Services Tax Act, 2017 (12 of 2017)
3. The Integrated Goods and Services Tax Act, 2017 (13 of 2017)
6. The Constitution (One hundred and First Amendment) Act, 2016
7. Gupta S.S. ; GST-How to meet your obligations (April 2017), Taxman Publications.
8. Halakandhi, S. ; G.S.T. (Vastu and Sevakar) (Hindi), Vol.-1, 201
9. Gutpa, S.S. ; Vastu and Sevkar, Taman Publication, 2017
10. Vastu and Sevakar Vidhan by Government of India.

Note : 1. More readings for this paper will be notified in due course of time.

2. Latest edition of text book may be used.

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## Paper VI- Law of Import-Export Regulation

**Introduction :** State Control over import and export of goods from rigidity to liberalization, Impact of regulation on economy. The Basic Needs of Export and Import Trade : Goods, Services, Transportation, International Regime.

Central Government and RBI, Foreign Trade Development and Regulation Act, 1942, Restrictions under customs law, Prohibition and Penalties-export-import formulation; **Guiding features-** control under F.E. MA, Foreign Exchange and Currency, Import of Goods, Export Promotion councils, Export oriented unites and export processing zones, **Control of Exports:** Quality control, Regulation on goods. Conservation of foreign exchange, Foreign exchange management, *Currency transfer.* Investment in foreign countries.

**Exim Policy : Changing Dimensions :** Investment Policy: NRIs, FIIs (Foreign Institutional Investors), FDI's Joint venture, Promotion on foreign trade, Agricultural products, Textile and cloths, Jewellery. Service Sector, **Law relating to Customs :** Prohibition on importation and exportation of goods, Control of smuggling activities in export-import trade, Levy of an exemption from customs duties, Clearance of imported goods and export goods, conveyance and warehousing of goods.

**Regulation of Investment :** Borrowing and lending of money and foreign currency, Securities abroad- issue of, Immovable property- purchase abroad, Establishment of business outside, Issue of derivatives and foreign securities-GDR (Global depositories receipts), ADR (American Depository Receipts) and Uro. Investment in Indian Banks, Repatriation and surrender terms in technology transfer agreements. Automatic approval schemes.

### *Suggested Readings :*

1. Government of India: Handbook of Import-export Procedures
2. Government of India Import and Export Policy (1997-2002)
3. Foreign Trade Development and Regulation Act, 1992 and Rules
4. Foreign Exchange Management Act. 1999.
5. Custom manual (Latest edition).

  
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## One Year Diploma Course in Law of Environment Protection

R 21 G-For Diploma Course in Law of Environment Protection. Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.

Each Paper shall be of three hours duration and carry 100 marks.

### SYLLABUS

#### Paper-I Environment Pollution-Law, Policy and Development Perspectives

Meaning of environment, pollution, pollutants, Policy of the Government to control pollution; Liability for environmental pollution under Law of Torts, Indian Penal Code, 1860; Criminal Procedure Code, 1973; and Factories Act, 1948; National Policy on Pollution Abatement, 1992; Proposed National Policy on Environment, 2006; National Population Policy, 2000.

#### Paper-II International Law and Environment Protection

International concern for protection of environment on earth; The Stockholm Declaration, 1972; The Nairobi Declaration, 1982; Convention on Ozone layer; European Community Convention on Chloro-Flouro Carbon etc.; Marine pollution and its related conventions; Internal and National movement against environmental pollution. Agenda 21, Convention on Biological Diversity, 1992; The Convention on Climate Change, 1992; Kyoto Protocol, 1995, Montreal Protocol, 1987; WTO and Environment.

#### Paper III - Prevention & Control of Pollution Laws

##### (a) Water (Prevention and Control of Pollution) Act, 1974

Provisions of the Act-Definitions; Central and State Pollution Control Boards-Powers and Functions; Discharge of sewage and trade pollutants; Offences under the Act; Pollution Control Boards.

##### (b) Air (Prevention and Control of Pollution) Act, 1981

Provisions of the Act-Definitions, Pollution Control Boards; Functions and Powers of the Board; Offences under the Act.

#### Paper-IV Environment (Protection) Act, 1986

Provisions of the Act-Definitions; Powers of the Central Government under the Act; Duties of the persons handling hazardous substance; Offences under the Act.

#### Paper V Constitutional & Supplementary Legislation Relating to Environment

- (i) The Constitution of India 1950-Articles 21, 25, 26, 47, 48-A and 51-A(g) Protection of environment under Articles 226 and 321 of the Constitution of Indian and relief provided thereunder.
- (ii) The National Environment Tribunal Act, 1995.
- (iii) The Public Liability Insurance Act, 1991.
- (iv) Noise Pollution-Meaning, causes and effects of noise pollution; Noise Pollution (Regulation and Control) Rules, 2000. The Rajasthan Noise Control Act, 1963

#### Paper VI-Law for the Protection of Forests & Wildlife

- (i) The Forest Act, 1927.
- (ii) The Forest (Conservation) Act, 1980
- (iii) The Wildlife (Protection) Act, 1972
- (iv) Cruelty Against Animals Act, 1960

#### Suggested Readings:

1. Dr. Gurbax Singh : Environment & Pollution Laws, Ed., 2005, Dominion Law Depot, Jaipur
2. Dr. G.S. Karkara : Environment Law, 2005 CLP, Allahabad
3. Dr. G.S. Karkara : Commentaries on the Public Liability Insurances Act, 1991, 1994 Law Publishers (India) Pvt. Ltd.
4. Prof. Satish Shastri : Environmental Law, Ed. 2nd 2006, Eastern Book Co., Lucknow.
5. Prof. Satish Shastri : Human Rights, Development and Environmental Law, Ed. 1st, 2006 Bharat Law Publication, Jaipur
6. Prof. Satish Shastri : Dhawani Pradhushan.
7. Kumar, S. Shantha : Introduction to Environmental Law, Ed. 2nd, 2005, Wadhwa & Company, Nagpur
8. Syam Divan & Armin Rosencranz : Environment Law and Policy in India Ed. 2nd, Indian Ed., 2004.
9. Patricia Birhle & Alan Boyle : International Law & the Environment, Ed. 2nd, 1st Indian Ed. 2004, Oxford University Press, New Delhi
10. Nicholas Rosen : Environmental Principles, 1st Published 2002, Oxford University Press, New Delhi.
11. Environmental and Pollution Law in 2 Vol., Ed. 2nd, 2005, Asla Law House, Hyderabad.
12. N. M. ... Relating to Environmental Pollution and ... Asla Law House, Hyderabad.
13. R.N. ... in India. Ed. 2nd. 2005 Orient

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- Publishing Co., New Delhi.
14. Mahika Gandhi & Others : Animal Laws of India Ed. 3rd, 2006 Universal Law Publishing Co., New Delhi
  15. P. Leela Krishnan : Environmental Law, Case Book Lexis Nexis (Butterworths), Indian Ed. New Delhi
  16. Brinle, Patricia and Allan Boyle : International Law and the Environment Oxford Clarendon, 1992.
  17. Blowers, Andres Ed. : Environmental Policy in International Context, 1996.
  18. Caldwell, Lynton Keith : International Environmental Policy : Emergence and Dimensions, 1991.
  19. Chandrashekharan, N.S. : Environmental Protection : Two Steps Forward, One Step Back, Journal of Indian Law Institute, Vol. 30, No. 2, April-June, 1998, PP 184-95
  20. Desai, Bharat : Enforcement of the Right to Environmental Protection through Public Interest Litigation in India", Indian Journal of International Law, Vol. 33, 1993, pp. 27-40.
  21. RLEK, Community Forestry Management in Protection Areas : A Van Gujjar Proposal (New Delhi : Natraj Publishers, 1997).
  22. Robert Nell : The Changing Global Environment (1994), (UNRISD, Forrest and Libelihood : The Social Dynamics of Deforestation in Developing Countries (London : Macmillan Press Ltd., 1995).
  23. Singh, Nagendra : Rights to Environment and Sustainable Development as a Principle of International Law, Journal of Law Institute, 1987, pp. 289-320.
  24. Singh, Rajkumar Deepak : Response of Indian Judiciary to Environmental Protection, Indian Journal of International Law, Vol. 38, no. 3, July-Sept. 1999, pp. 447-63.

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## RULES FOR THE AWARD OF GRACE MARKS

- A. UNDER GRADUATE/POST GRADUATE (MAIN/SUPPLEMENTARY) EXAMINATIONS UNDER THE FACULTIES OF ARTS, FINE ARTS, SCIENCE, COMMERCE, SOCIAL SCIENCE, EDUCATION, MANAGEMENT, HOMOEOPATHY, LAW, AYURVEDA AND ENGINEERING & TECHNOLOGY.

Grace marks to the extent of 1% of the aggregate marks prescribed for an examination will be awarded to a candidate failing in not more than 25% of the total number of theory papers, practicals, sessionals, dissertation, viva-voce and the aggregate, as the case may be, in which minimum pass marks have been prescribed; provided the candidate passes the examination by the award of such Grace Marks. For the purpose of determining the number of 25% of the papers, only such theory papers, practicals, dissertation, viva-voce etc. would be considered, of which, the examination is conducted by the University.

If 1% of the aggregate marks or 25% of the papers prescribed in a fraction, the same will be raised to the next integer. For example, if the aggregate marks prescribed for an examination are 450, grace marks to the extent of 4.5% will be awarded to the candidate, similarly, if 25% of the total number of papers is 4, the same will be raised to 4 papers in which grace marks will be given.

**B. DIPLOMA IN PHARMACY, BACHELOR OF PHARMACY, B.Sc. (NURSING) AND B.D.S. EXAMINATIONS**

1. A Student who obtains the required minimum pass marks in the total aggregate but fails to obtain the minimum pass marks in (i) two subjects, (ii) in one subject and in one practical or (iii) in two practicals, as the case may be, will be given grace marks according to the following scale, provided the candidate passes the examination by the award of such grace marks.

For 1 to 6 marks above the min. aggregate : 2 grace marks

For 7 to 12 marks above the min. aggregate : 3 grace marks

For 14 to 18 marks above the min. aggregate : 4 grace marks

For 19 and above the min. aggregate : 5 grace marks

- (i) The theoretical and practical tests (wherever held) in a subject will count as 2 subjects.
- (ii) In case it is necessary to secure minimum pass marks in one part of a subject the above rule will be applicable as follows.

"If a candidate fails in the compulsory part of the subject as well as in the whole subject, he will be deemed to have passed in the subject if the greater of the two deficiencies or where the two deficiencies are equal, one of them is covered by the grace marks to which he is entitled under the rules.

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2. No grace marks would be awarded to a candidate who appears in part/supplementary examination.

**C. M.B.B.S. AND B.A.L.P. (BACHELOR OF AUDIOLOGY, SPEECH AND LANGUAGE PATHOLOGY) EXAMINATIONS**

1. The grace marks upto a maximum of 5 marks will be awarded to a student who has failed only in one subject (Theory and/or practical) but has passed in all other subject.
2. No grace marks would be awarded to a candidate who appears in part/supplementary examination.

**General**

1. A candidate who passes in a paper/practical or the aggregate by the award of grace marks will be deemed to have obtained the necessary minimum for a pass in that paper/practical or in the aggregate and shown in the marks sheet to have passed by grace. Grace marks will not be added to the marks obtained by a candidate from the examiners nor will the marks obtained by the candidate be subject to any deduction due to award of grace marks in any other paper/practical or aggregate.
2. If a candidate passes the examination but misses First or Second Division by one mark, his aggregate will be raised by one mark so as to entitle him for the first or second division, as the case may be. This one mark will be added to the marks which he gets the least marks and also in the tabulation register below the marks obtained by the candidate. The marks



entered in the marks-sheet will be inclusive of one grace mark and it will not be shown separately.

3. Non appearance of a candidate in any paper will make him ineligible for grace marks. The place of a passed candidate in the examination list will, however, be determined by the aggregate marks he secures from the examiners, and he will not, by the award of grace marks, become entitled to a higher division.
4. Distinction won in any subject at the examination is not to be forfeited on the score that a candidate has secured grace marks to pass the examination.

**Note :** The grace marks will be awarded only if the candidate appears in all the registered papers prescribed for the examination.

  
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