JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. 111rd SEMESTER
SESSION 2013-14
(Criminal Law Group)
PAPER 1a
CRIMINOLOGY
PRIVILEGED CLASS DEVIANCE

Max. Marks: 100
Pass M. 40
Aggregate - 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus

1. Introduction
   1. Conceptions of white collar crimes
   2. Indian approaches to some economic offences
   3. Nature of privileged class deviance as providing a wider categorization of understanding Indian development
   4. Typical forms of such deviance
      1. Official deviance (deviance by legislation, ideas, bureaucrats)
      2. Professional deviance (journalists, teachers, doctors, lawyers, engineers, architects and publishers)
      3. Trade union deviance (including teachers, lawyers, urban property owners)
      4. Landlords deviance (caste-based deviance)
      5. Police deviance
      6. Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)
      7. Gender-based aggression by socially, economically and politically powerful

2. Official Deviance
   1. Conceptions of official deviance: permeable limit of discretionary powers
   2. The Chartist Valley (Life of Watanabe Masaki and the Prokishi Hantei)
   3. The Chartist Commune Report on the Moudra Affair
   4. The Chartist Commune Report on the Moudra Affair
   5. The Chartist Commune Report on the Moudra Affair


2.7
3. Police Deviance
   - Structures of legal restraint on police powers in India
   - Unconstitutionality of "third degree" methods and use of fatal force by police
   - Encounters, Killings
   - Police atrocities
   - The plea of superior orders
   - Rape and related forms of gender-based aggression by police and para-military forces
   - Reform suggestions espoused by the National Police Commissions

4. Professional Deviance
   - Unethical practices at the Indian bar
   - The Lentin Commission Report
   - The Press Council on unprofessional and unethical journalism
   - Medical malpractice

5. Response of Indian Legal Order to the Deviance of Privileged Classes
   - Vigilance Commission
   - Public Accounts Committee
   - Ombudsman
   - Commissions of Inquiry
   - The Prevention of Corruption Act, 1947
   - The Aditya Case

Select bibliography:

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JIWAJI UNIVERSITY, Gwalior (M.P.)

LL.M. IIIrd SEMESTER
SESSION 2013-14

PAPER: II

JUVENILE DELINQUENCY

Max M. 100
Pass M. 40
Aggregate - 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus

1. The Basic Concepts
   1. The concept of 'child' in Indian Constitution and Penal Code
   2. Delinquent juvenile
   3. "Neglected" juvenile
   4. The overall situation of children/youth persons in India with reference to crime statistics (of crimes by and against children)

2. Determining Factors of Juvenile Delinquency
   1. Differential association
   2. Anomie
   3. "Institutional" pressure
   4. Peer group influence
   5. Gang subculture
   6. Class differentials

3. Legislative Approaches
   1. Legislative approaches during the late colonial era
   2. Children's Act
   3. Legislative position in various States
   4. The Juvenile Justice Act
      1. Constitutional aspects
      2. Distinction between "Neglected" and "delinquent" juveniles
      3. Competent authorities
      4. Procedural safeguards for juveniles
      5. Powers given to government
      6. Community participation as envisaged under the Act

4. Indian Context of Juvenile Delinquency
   1. The child population percentage to total sex ratio and sex distribution
   2. Focal points of primary, intermediate and secondary education
   3. Prostitution and juvenile delinquency
   4. Repatriation and rehabilitation
   5. Special institutions for girls
   6. Other problems of the child's environment are not described
establishments, rap pickers family trade

1. Disincentive number, sex ratio, rape to adult crime, types of offences
committed, marriage, rate of increase background

2. Drug addicts

3. Victims
1. Of violence: sexual abuse, battered, killed by parents
2. Of criminal activities like bootlegging, drug pollution as a
response of protection approach

4. Judicial Contribution
1. Social action litigation concerning juvenile detention
2. Salient judicial decisions
3. Role of legal profession in juvenile justice system

5. Implementation
1. Involvement, bodies, personnel
2. Recruiting and funding agencies
3. Recruitment qualifications and salaries of fund
4. Other responsibilities of each agency/person
5. Coordination among related agencies
6. Accountability: annual reports and accessibility of public to juvenile
justice: institution

7. Personnel categories
1. State Welfare programmers health, nutrition, ICWS, grants in aid
2. Compulsory education
3. Role of community, family, voluntary, bodies, individuals

Select bibliography
K.S. Shrida, Adolescent Offender (1985)

United Nations, Beijing Rules on Treatment of Young Offenders (1985)


The United Nations Declaration on the Rights of Children

HRRTY periodic materials
IITWANJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2012-13

PAPER IIIrd
COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM

Max M. 100
Pass M. 40
Aggregate - 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus
1. Introductory
   1. Notions of "law", "coercion", "violence"
   2. Distinctions: "symbolic" violence, "institutionalized" violence, "structural violence"
   3. "Constitutional" and "criminal" speech. Speech as incitement to violence
   4. "Collective political violence" and legal order
   5. "Politics of legal and extra-legal "repression"

2. Approaches to Violence in India
   1. Religiously sanctioned structural violence: Caste and gender based
   2. Adivasi in India, Sikh, Muslim, Christian, and Islamic traditions in India
   3. Gandhi's approach to non-violence
   4. Discourse on political violence and terrorism during colonial struggle
   5. Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period

3. Violence against the Scheduled Castes
   1. Notion of atrocities
   2. Incidence of atrocities
   3. Uses of criminal law to combat atrocities or contain aftermath of atrocities
   4. Violence against women

4. Communal Violence
   1. Incidents and confluence of "communal" violence
   2. Erosion of civic amenities and property
   3. The role of police and other political parties in dealing with communal violence
   4. Notion of violence in public space and challenges in dealing with communal violence

5. Conclusions

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5. Criminal Liability
   1. Group Liability
   2. Vicarious Liability
   3. Strict Liability
   4. Absolute Liability
   5. Liability in Socio-economic and Socio-welfare offences.

Select bibliography:


A. R. Desai, "Violations of democratic Rights in India" (1986)


J. Haidvick, "Violence for Equality" (1990)


Rajni Kothari, "State Against Democracy" (1987)

G. Shah, "India Minorities and Nation Building: Indian Experience" (1983)

Syllabus

1. Introduction
   1. Nature of insurance contract, various kinds of insurance, proposal, policy, parties, consideration, need for utmost good faith, insurable interest, indemnity
   2. Insurance policy, law of contract and law of torts future of insurance need, importance and place of insurance
   3. Constitutional perspectives: the Entries 24, 25, 29, 30, 47 of List I Union List 23, 24, of List III

2. General Principles of Law of Insurance
   1. Definition, nature and history
   2. The risk: commencement, attachment and duration
   3. Assignment and alteration
   4. Settlement of claim and subrogation
   5. Effect of war upon policies

3. Indian Insurance Law: General
   1. History and development
   3. Mutual insurance companies and cooperative life insurance societies
   4. Double Insurance and re-insurance

4. Life Insurance
   1. Nature and scope
   2. Event insured against life insurance contract
   3. Circumstances affecting the risk
   4. Amounts recoverable under life policy
   5. Persons entitled to payment
   6. Settlement of claim and payment of money

5. Marine Insurance
   1. Nature and scope
   2. Classification of marine policies
   3. The Marine Insurance Act, 1963
   4. Marine insurance
   5. Insurable interest, insurable value
(iv) Marine insurance policy, condition, express warranties, construction of terms of policy
(v) Voyage deviation
(vi) Perils of the sea
(vii) Assignment of policy
(viii) Partial laws of ship and of freight, salvage, general average, particular charges
(ix) Return of premium

6. Insurance Against Accidents
1. The Fatal Accidents Act, 1855
   (i) Objects and reasons
   (ii) Assessment of compensation
   (iii) Contributory negligence
   (iv) Apportionment of compensation and liability
2. The Personal Injuries (Compensation insurance) Act 1963
   (i) Compensation payable under the Act
   (ii) Compensation insurance scheme under the Act Compulsory insurance

7. Property Insurance
1. Fire insurance
2. The Emergency Risks (Factories) Insurance
3. The Emergency Risks (Goods) Insurance
4. Policies covering risk of explosion
5. Policies covering accidental loss, damage to property
6. Policies covering risk of storm and tempest
7. Glass-plate policies
8. Burglary and theft policies
9. Live stock policies
10. Goods in transit insurance
11. Agricultural insurance

8. Insurance Against Third Party Risks
1. The Motor Vehicles Act, 1988
   (i) Nature and scope
   (ii) Effect of insolvency or death on claims of insolvent and death of parties, certificate of insurance
   (iii) Claims, tribunal, constitution, functions, application for compensation, procedure, powers and award
2. Liability Insurance
6. Nature and kinds of such insurance
7. Public liability insurance
8. Professional negligence insurance

   (i) Group life insurance
   (ii) Mediclaim, sickness insurance

Select bibliography

John Hanson and Christopals Henly, *All Risks Property Insurance* (1999), LLP
Asia, Hongkong

Peter Mac Donald Eggers and Patric Foss, *Good Faith and Insurance Contracts* (1998) LLP Asia, Hongkong


Collins's *Law of Insurance* (1997), Sweet & Maxwell

O'Marv on *Marine Insurance* (1993), Sweet & Maxwell


L.R. Hardy Ivamy, *General Principles of Insurance Law* (1979)


M. N. Sreenivasan *Law and the Life Insurance Contract* (1914)
Jawaharlal Nehru University, Gwalior (M.P.)
LL.M. SEMESTER
SESSION 2013-14

Paper: 1

Law of Export Import Regulation

Max M. 100
Pass M. 40
Aggregate: 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus

1. Introduction
   1. Scope and control over import and export of goods from Agility to Liberalization.
   2. Impact of regulation on economy.

2. The Basic Heads of Export and Import Trade
   1. Goods
   2. Services
   3. Transportation

3. International Regimes
   1. WTO Agreement
   2. WTO and tariff restrictions
   3. WTO and non-tariff restrictions
   4. International and transfer of technology
   5. Quota restriction and anti-dumping
   6. Removable regulations
   7. Quarantine regulations
   8. Dumping of discarded technology and goods in international market

4. General Law on Control of Imports and Exports
   1. General scheme
   2. Legislation: control
      1. Power of control Central government and RBI
      2. Foreign Trade Development and Regulation Act 1992
      3. Restrictions under customs law
   3. Prohibition and penalties
   4. Export Import licensing guiding features
      1. Control under FEMA
      2. Foreign exchange and currency
      3. Import of goods
      4. Export promotion councils
      5. Export (motivation, and support measures) regulations

5. 

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5. Control of Exports
   1. Quota control
   2. Regulation on goods
   3. Conservation of foreign exchange
      1. Foreign exchange management
      2. Currency transfer
   4. Investment in foreign enterprises

8. Exam Policy: Changing Dimensions
   1. Investment policy NBFCs, FII (foreign institutional investors), FDI
   2. Joint ventures
   3. Promotion of foreign trade
   4. Agricultural products
   5. Textiles and cloths
   6. Jewellery
   7. Service sector

7. Law Relating to Customs
   1. Prohibition on importation and exportation of goods
   2. Control of smuggling activities in export-import trade
   3. Levy of and exemption from customs duties
   4. Clearance of imported goods and export goods
   5. Conveyance and warehousing of goods

8. Regulation on Investment
   1. Borrowing and lending of money and foreign currency
   2. Securities abroad: issue of
   3. Immovable property purchase abroad
   4. Establishment of business outside
   5. Issue of debentures and foreign securities: GDR (global depository receipts), ADR (American depository receipts) and Ilo
   6. Investment in Indian banks
   7. Repatriation and surrender of foreign securities

9. Technology Transfer
   1. Restrictive terms in technology transfer agreements
   2. Automatic approval schemes

Select bibliography
   Foreign Trade Development and Regulation Act 1952 and Rules
   Foreign Exchange Management Act 1999
   Reserve Bank of India’s Foreign Exchange Regulation Authority Act 1972
   Reserve Bank of India Act 1934
JIWAJI UNIVERSITY, Gwalior (M.P.)
L.L.M. IIIrd SEMESTER
SESSION 2013-14
PAPER- III
BANKING LAW
Max. M. 100
Pass M. 40
Aggregate - 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus
1. Introduction
   1. Nature and development of banking
   2. History of banking in India and elsewhere - indigenous bankers
evolution of banking in India - different kinds of banks and their functions.
2. Law Relating to Banking Companies in India
   1. Controls by government and its agencies.
      2.1 On management:
         1. On accounting and audit
         2. Lending
         3. Credit policy
         4. Reconstitution and reorganization
         5. Suspension and winding up
   2.2 Contract between banker and customer: their rights and duties
3. Social Control over Banking
   1. Nationalization
   2. Evaluation of private ownership, nationalization and disinvestment
   3. Protection of deposits
   4. Priority lending
   5. Promotion of under privileged classes
4. Deposit Insurance
   1. The Deposit Insurance Corporation Act 1961: objects and purpose
   2. Establishment of Capital of DIC
   3. Registration of banking companies - insured banks, liability of DIC to
      depositors
   4. Relations between insured banks, DIC and Reserve Bank of India
5. Central Bank
   1. Establishment of central bank
   2. Objectives, functions and autonomy
   3. Independent central bank model
6. The Reserve Bank of India is the Central Bank.

Organizational structure

6. Functions of the RBI

1. Regulation of monetary mechanism of the economy
   1. Credit control
   2. Exchange control
   3. Monopoly of currency issue
   4. Bank rate policy formulation

7. Control of RBI over non-banking companies
   1. Financial companies
   2. Non-financial companies

6. Relationship of Banker and Customer

1. Legal character
2. Contract between banker and customer
3. Banker's lien
4. Protection of bankers
5. Customers
   1. Nature and type of accounts
   2. Special classes of customers: traders, miners, peasants, corporations, local authorities
6. Banking due to customers
7. Consumer protection: banking as service

7. Negotiable Instruments

1. Meaning and kinds
2. Transfer and negotiations
3. Holder and holder in due course
4. Presentment and payment
5. Liabilities of parties

8. Lending by Banks

1. Good lending principles and lending to poor masses
2. Securities for advances and their merits and demerits
3. Repayment of loans, rate of interest, protection against penalties
4. Default, recovery and debt recovery informal

9. Recent Trends in Banking System in India

1. New technology
2. Information technology
3. Automation and legal aspects
4. Automatic teller machine and use of internet
5. Smart card
6. Use of cash system
7. Use of credit

9. Bankers and their Banking Laws

1. Bankers and their Finance and Company Act
Select Bibliography

M. L. Tandon, Foreign Banking Law and Practice in India (1997) India Law
Houses, New Delhi, 2 volumes
K. G. Shekhar, Banking Transactions Practice (1991) UBS Publishers Distributors Ltd,
New Delhi
G. B. London
K. S. Kannan, Banking Reforms and India (1991) Tata 
Margvi, New Delhi
S. V. R. Marandega, and Chitra M. Jagadeeswari, Law Relating to Foreign Trade
India, Allied Publishers
K. A. M. B. Congestion on the Foreign Trade (Development and Regulation) Act, 1957
Uppalke, A.,
K. Publishing Co. Pvt. Ltd, Delhi
R. S. Narayana, The Recovery of Debts due to Banks and Financial Institutions
Bank, New Delhi
A. P. Anthony Pierre, Foreign Guarantees in International Trade
(Sweet & Maxwell, 1993)
(1999) U.P. London
University Press Agency, Nizamabad
National Committee Report on Secretaries Operations of Banks and Financial
Institutions (1993)
(1997)
JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2013-15
(Administrative Law Group)

PUBLIC AUTHORITIES: LIABILITY

Max. M. 400
Pass M. 40
Aggregate - 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus
1. Tortious Liability
   1. Sovereign immunity
      2. Commercial and non-commercial function
   2. Contractual liability
      1. Procedural aspects: Peacock - right dichotomy
      2. Blacklegging of contractors
2. Emerging Liability
   1. Personal accountability
      2. Compensation for negligence and right to life
      3. Accountability under consumer law
3. Privilege Against Disclosure
   1. Right to information
      2. Official secrecy
      3. Executive privilege
      4. Security of state and control on information
      5. Judicial review
4. Promissory Estoppel
   1. Legitimate expectation
      2. Constitutional dimensions

Select bibliography
Dhar & Sreenivas, Principles of Administrative Law (1989), Trilativ

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JIWJAI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2013-14

PAPER - IIIrd

PUBLIC AUTHORITIES AND POWER HOLDERS: CONTROLS ON
ADMINISTRATION

Max. 100

Pass M. 60
Aggregate - 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus
1. Oberoi
   1. The concept
   2. Comparative perspectives
   3. Evolving Indian models: Lokpal, Lokayukt institutions
   4. Present Position of Lokpal, Lokayukt
2. Commission of Inquiry
3. Vigilance Commissions
4. Investigation Agencies: the CBI
5. Inquiries by Legislative Committees
6. Legislative control
7. Financial Control: Comptroller and Auditor General
8. Judicial inquiries

Select bibliography
Laxmann & Jain, Principles of Administrative Law (1936) Trilochan
Donald C. Boulton, The Constitution (1965), George Allen and Unwin Ltd.
Toronto
JIWAFI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd SEMESTER
SESSION 2013-14
PAPER II
LOCAL SELF-GOVERNMENT LAW

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus
1. Historical Perspectives
   1. Early period
   2. Gram Swaraj, the Gandhian concept
2. Constitutional Scheme
   1. Objective Principles
   2. Structure and powers of local bodies
3. Legislative Powers
   1. Need for democracy and grass root planning
   2. Municipalities and corporations
   3. Gram Sabha
4. Other Legislative Powers
   1. Rule-making power of the State Government
   2. Regulations and Bye-laws
5. Financial Powers
   1. Levy of taxes
   2. Licensing power
   3. Financial resources and powers
6. Judicial and Quasi-judicial powers of the Local Bodies
7. Election to Local Bodies
8. Conduct of Meetings: Corporation, Municipal Council, Panchayat Committee and Gram Sabha
9. Institutional and Judicial Control
Select bibliography:

- Freund, The State and the Role of Law in a Mixed Economy
- Hovell, Brown and F. Ganiem, French Administrative Law
- Dicey, Introduction to the Law of the Constitution
- Hare, Jennings, Law and the Constitution
- Schmidt, S. Wahe, Legal Control of Government
- Cross, Discretionary Justice
- Jinn & Jinn, Principles of Administrative Law (1965), Trilip, Bombay
- Indian Law Institute, Government Regulation of People
- Srinivasan and Mehta, Local Government in Ancient India (1999), Daya Publishing Delhi, M. Vaidharamayna & M. Patalabhiram, Local Government in India (1999), Allied, New Delhi
PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS IN INDIA

Max M: 100
Pass M: 40
Aggregate: 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus

1. History and Development of Human Rights in Indian Constitution
   1.1 Constitutional Philosophy and Preamble
   1.2 Fundamental Rights
   1.3 Directive Principles of State Policy
   1.4 Fundamental Duties

2. Judicial Activism and Development of Human Rights Jurisprudence

3. Enforcement of Human Rights
   3.1 Formal enforcement mechanisms
      3.1.1 Role of Supreme Court
      3.1.2 Role of High Courts
      3.1.3 Role of Civil and Criminal Courts
      3.1.4 Statutory Tribunals
      3.1.5 Special Courts
   3.2 Role of India in implementing international norms and standards

Select Bibliography


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HUMAN RIGHTS OF DISADVANTAGED GROUPS: PROBLEMS AND ISSUES IN THE PROTECTION AND ENFORCEMENT

Max M. 100
Pass M. 40
Aggregate 50%

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus

1. Concept of Disadvantaged Groups
2. Emerging Human Rights Jurisprudence and the Role of the Judiciary
   a. Rights of women
   b. Rights of the child
   c. Rights of senior citizens
   d. Rights of disabled
   e. The tribal and other indigenous people
   f. The mentally ill
   g. The disabled persons
   h. Unorganized labour
   i. ‘Aids’ victims
   j. Rights of minorities
3. Enforcement of Human Rights
   a. Protection Laws of the Disadvantaged Groups: Problems and Issues
4. Future Perspectives of the Human Rights of the Disadvantaged

Select bibliography
- Prashant Chandra Tripathi, Crimes Against Working Women, (1998)
- Poonam Chetan and Prachi Chawla, Women and Legal Protection
- Philip Alston (ed. et al.), Child Rights and the Law
- Michael Davis, Women and International Human Rights
- paper
- M. K. Choudhury, Women’s Justice in the Administration of Criminal Justice
- paper
- Semin Dhal, Women and Human Rights: First and Last, (1999)
JIWAJI UNIVERSITY, GWALIOR (M.P.)
LL.M. IIIrd, SEMESTER
SESSION 2015-16
PAPER VI
INTERNATIONAL HUMANITARIAN LAW AND REFUGEE LAW

Max M. 100

Note: This paper shall be of 100 marks. Candidates are required to attempt five questions out of ten questions.

Syllabus

1. Humanization of Warfare,
   1. Amelioration of the wounded and sick
      1. Armed forces in the field
      2. Armed forces at sea, The shipwrecked
   2. Protection and facilities
      1. Prisoners of war
      2. Civilians in times of War
      3. Cultural properties

2. Control of weapons
   1. Conventional
   2. Chemical
   3. Biological
   4. Nuclear

3. Humanitarian law: Implementation
   1. Red Cross role
   2. National legislation

4. The Concept of refugees
   1. Definition of refugees and displaced persons, their problems
   2. The UN Relief and Rehabilitation Administration and other international refugee organizations international protection
   3. Protection under national laws

Appendix to current refugee problem
1. Repatriation, resettlement, local integration and assimilation
2. Transit
3. Return

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Select Bibliography


