**LL.M. TWO YEARS (2022-2023)**

**GROUP - \***

**CONSTITUTIONAL AND PUBLIC LAW**

**FIRST SEMESTER**

|  |  |  |  |  |
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| Code No. |  Paper  | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-101 | Research Methods and Legal Writing | 5 | 3 | 20 | 80 | 100 |
| LLM-104 | Indian Constitutional Law: The New Challenges | 5 | 3 | 20 | 80 | 100 |
| LLM-105\* | Fundamental Rights, Directive Principles and Fundamental duties | 5 | 3 | 20 | 80 | 100 |
| LLM-106\* | Administrative Law-I | 5 | 3 | 20 | 80 | 100 |
|  | **Sub Total** | **20** | **12** |  |  | **400** |
| **SECOND SEMESTER** |
| LLM-201 | Law and Social Transformation | 5 | 3 | 20 | 80 | 100 |
| LLM-202\* | Political Structure and Governance | 5 | 3 | 20 | 80 | 100 |
| LLM-203\* | Administrative Law-II | 5 | 3 | 20 | 80 | 100 |
|  | **Sub Total** | **15** | **9** |  |  | **300** |
| **THIRD SEMESTER** |
| LLM-301\* | Finances, Trade, Commerce and Intercourse and PSC under Indian Constitution | 5 | 3 | 20 | 80 | 100 |
| LLM-302\* | Judicial System in India | 5 | 3 | 20 | 80 | 100 |
| LLM-303\* | Practical Training (Teaching Assistance) | 5 | 3 | 20 | 80 | 100 |
|  | Sub Total | 15 | 9 |  |  | 300 |
| **FOURTH SEMESTER** |
| LLM-401\* | Dissertation | 10 | 5 |  |  | 100 |
| LLM-402\* | Viva | 10 | 5 |  |  | 100 |
|  | Sub Total | 20 | 10 |  |  | 200 |

**FIRST SEMESTER**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Code No. | Paper | L | Credits | Total Marks |
|  |  |  |  | Internal | External | Total |
| LLM-101 | Research Methods and Legal Writing | 5 | 3 | 20 | 80 | 100 |

**Unit-I**

**Introduction of Legal Research**

* Meaning; objectives and scope of legal research.
* Socio-legal Research in India
* Research Method *vis-à-vis* Research Methodology
* Kind of Legal Research- Doctrinal and Non-Doctrinal legal research; Inter/ Multidisciplinary, etc.
* Arm chair research *vis-à-vis* empirical research

**Unit-II**

**Research Design and Techniques**

* Primary and Secondary -Source
* Workable Hypothesis – formulation and evaluation
* Major steps in research design
* Sampling
* Survey and Case Study method

**Unit-III**

**Research Tools and Data Processing**

* Observation
* Interview and Schedule
* Questionnaire
* Socio - Metrics and Jurimetrics
* Data processing (deductions and Inductions) analysis and interpretation of data.

**Unit-IV**

**Legal Writing**

* Essentials of good legal writing
* Structured Legal Writing; Organization of Legal Material
* Report / Article writing in legal research
* Use of definitions, maxims, concepts, principles, doctrines in legal research
* Modern- Technology- Computer, Internet, etc.
* Citation, Reference and Footnoting Methodology
* Book review and case comments
* Dissertation and Thesis Writing
* Plagiarism as an offence in Research.

**Suggested Readings:**

1. Agrawal, S.K; Legal Education in India; Eastern Book House
2. Legal Research and Methodology; Indian Law Institute
3. Pauline, V.; Scientific Social Survey and Research; Prentice-Hall of India
4. Madhava Menon, N.R.; A Handbook of Clinical Legal Education; Tata McGraw Hill
5. William, J.Goode; Methods in Social Research; Tata McGraw Hill
6. Journal on Research Methodology; Indian Law Institute
7. Index to Indian and Foreign Legal Articles; National Law University, Delhi.

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| --- | --- | --- | --- | --- |
| Code No. | Paper | L | Credits | Total Marks |
|  |  |  |  | Internal | External | Total |
| LLM-104 | Indian Constitutional Law: The New Challenges | 5 | 3 | 20 | 80 | 100 |

**Unit–I**

**Constitution and Federalism**

* Concept of Constitution
* Meaning and idea of Constitution, Nature, Scope and Goal
* Constitution as Supreme law
* Forms of Government: Unitary and Federal-salient features of both
* Nature of Indian Federalism

**Unit-II**

**Legislative relations between Centre and State**

* Theory of Separation of Powers
* Separation of Powers under the Indian Constitution
* Interrelationship among the three organs of the state
* Distribution of Legislative Powers: The Scheme of the distribution of legislative powers in India, the judicial approach and the present position
* Recommendation of Sarkaria Commission & Venkatachaliah Commission
* Centre's responsibility and internal disturbance within states
* Directions of the Centre to the state under Articles 356 and 365

**Unit-III**

**Emerging regime of new rights and remedies**

* Concept and nature of fundamental rights
* Right to Equality
* Rights against Exploitation, Cultural Rights, Rights to Freedom of Religion
* Right to education; Commercialization of education and its impact; and Brain drain by foreign education market
* Directive Principles of State Policy and Fundamental Duties

**Unit-IV**

**Democratic Process**

* Nexus of politics with criminals and the business
* Election: Status of election commission, electoral reforms
* Coalition government: “stability, durability, and corrupt practice”
* Grass root democracy

**Unit-V**

**Constitutional Remedies, Emergency and Amendment of the Constitution**

* Right to Constitutional Remedies - Features of Writ Jurisdiction under Art. 32
* Concept of locus standi - Dynamic approach of Supreme Court on Public Interest Litigation – Judicial Activism - Comparison between Art. 32 and 226
* Freedom of trade and Commerce
* Types of Emergencies and their impact on Federal structure
* Recent amendments

**Suggested Readings:**

1. Pandey, J.N.,*Constitutional law of India*, Central Law Agency, 2019
2. Shukla,V.N.,*Constitution of India*, Eastern Book Company, 13th Edition, 2017
3. Jain, M.P., *Indian Constitutional Law,* J[ustice JastiChelameswar](https://www.amazon.in/s/ref%3Ddp_byline_sr_book_2?ie=UTF8&field-author=Justice+Jasti+Chelameswar&search-alias=stripbooks) (Editor), [Justice Dama Seshadri Naidu](https://www.amazon.in/s/ref%3Ddp_byline_sr_book_3?ie=UTF8&field-author=Justice+Dama+Seshadri+Naidu&search-alias=stripbooks) (Editor), LexisNexis, 8th Edition, 2018
4. Basu, D.D.,*Introduction to Constitution of India,* LexisNexis, 23rdEdition, 2018
5. Mahajan, V.P.,*Constitution of India,* Eastern Book Company, 7th Edition, 1991
6. Seervai,H.M.,*Constitution of India*, Vol. 1-3, 1992, Tripathi, Bombay
7. Kauper and Beytagh*Constitutional law: Cases and materials (Law school casebook series),*Publisher: Little, Brown; 5th Edition, 1982
8. Basu, D.D., *Select Constitutions of The World (Including International Charters)* Bhagbati Prasad Banerjee, B.M. Gandhi, LexisNexis, 4th Edition
9. Tripathi, *Constitution law of India,* Bombay H.M. Seervai (Vols. 3).
10. Derret, Duncan, *The State, Religion and Law in India*, OUP, 1999
11. Indian Law Institute, *Law and Social Change: Indo-American Reflections*, Tripathi Publications, 1988
12. Lingat, Robert, *The Classical Law of India*, Oxford, 1998
13. Baxi, Upendra, *The Crisis of the Indian Legal System*, Vikas Publications, 1982
14. Bhatt, P.Ishwar, *Law and Social Transformation*, Eastern Book Company, Lucknow,2008

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| --- | --- | --- | --- | --- |
| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-105\* | Fundamental Rights, Directive Principles and Fundamental duties | 5 | 3 | 20 | 80 | 100 |

**UNIT-I**

**Introduction**

* Evolution of Fundamental Rights, Impact of Universal Declaration of Human Rights and Constitutions of other countries
* Concepts of Fundamental Rights
* Definition of state under Art.12
* Inviolability of Fundamental Rights-Article 13
* Doctrine of Waiver
* Doctrine of Severability
* Doctrine of Eclipse
* Scope of definition of law under art.13

**UNIT-II**

**Right to equality**

* Art. 14 - Doctrine of Classification
* Doctrine of Arbitrariness
* Doctrine of Legitimate Expectation
* Art. 15- Prohibited grounds for discrimination (Art.15)
* Special provisions relating to women
* Protective discrimination in favor of Backward Classes
* Scheduled Castes and Scheduled Tribes
* Art.16- Equality of Opportunity in the matters of public employment
* Reservations in public employment
* Residence as prerequisite for employment

**UNIT-III**

**Right to Freedom and Personal Liberty**

* Art. 19- Fundamental freedoms under Art.19 and reasonable restrictions Art 19 (2) to (6)
* Doctrine of ex-post-facto law
* Doctrine of Double Jeopardy
* privilege against self-incrimination
* Protection of life and personal liberty
* Right to education

**UNIT-IV**

**Right against Exploitation and Constitutional Remedies**

* Safeguards against ordinary arrest and preventive detention
* Right against exploitations
* Art.25-30 Ambit of religious freedom, cultural and educational rights
* Art. 32 and 226- Right to constitutional remedies
* Emergency Provisions

**UNIT-V**

**Directive Principles of State Policy and Fundamental Duties**

* Relative importance of Directive Principles of State Policy (DPSP) and Fundamental Rights
* Nature of Directive Principles of State Policy
* Justiciability of Directive Principles of State Policy
* Social security and welfare provisions under Directive Principles of State Policy
* Economic rights
* Fundamental Duties – evolution, relationship between Fundamental Rights and Duties

**Suggested Readings:**

1. D.D. Basu, Constitution of India, Prentice-Hall of India (P) Ltd., 1996.
2. [Constitution of India](https://www.amazon.in/Constitution-India-V-N-Shukla/dp/9388206282/ref%3Dsr_1_1?qid=1568448376&refinements=p_lbr_books_authors_browse-bin%3AV.+N.+Shukla&s=books&sr=1-1)by V N Shukla, Eastern Book Company, Lucknow, 2018
3. The Constitutional Law of India by [Dr. J.N.Pandey, with a Foreword by Justice H.C.P.Tripathi](https://www.amazon.in/s/ref%3Ddp_byline_sr_book_1?ie=UTF8&field-author=Dr.+J.N.Pandey%2C+with+a+Foreword+by+Justice+H.C.P.Tripathi&search-alias=stripbooks), Central Law Agency, Allahabad
4. H.M. Seervai, Constitutional Law of India – Vol. I &II
5. Hidayatullah (Ed.), Constitution of India.
6. M.P.Jain, Indian Constitutional Law.
7. Subba Rao G C V Indian constitutional law
8. Saharay H K Constitution of India
9. Pylee M.V Our constitution government & politics
10. Tope T K Constitutional law of India

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| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-106\* | Administrative Law-I | 5 | 3 | 20 | 80 | 100 |

**Unit-I**

**Administrative Law**

* Definition,
* Nature, Scope and Functions

**Unit-II**

**Growth of Administrative Law in India**

* Basic Constitutional Principles: Indian Perspectives
* Rule of Law
* Separation of Powers
* Natural Justice

**Unit-III**

**Classification of Administrative Functions**

* Administrative Discretion
* Rules of Fairness
* Transparency and Accountability

**Unit-IV**

**Administrative Bodies**

* Lokpal and Lokayukt
* Right to Information
* Vigilance Commission
* Comptroller and Auditor - General of India
* Commissions of Inquiry
* Administrative Tribunals

**Unit-V**

**Delegated Legislation**

* Importance
* Need and Constitutionality of Delegated Legislation
* Conditional Legislation
* Controls on Delegated Legislation
* Parliamentary Control
* Procedural and Judicial Control

**Suggested Readings:**

1. D.D. Basu, Constitution of India, Prentice-Hall of India (P) Ltd., 1996.
2. [Constitution of India](https://www.amazon.in/Constitution-India-V-N-Shukla/dp/9388206282/ref%3Dsr_1_1?qid=1568448376&refinements=p_lbr_books_authors_browse-bin%3AV.+N.+Shukla&s=books&sr=1-1) by V N Shukla, Eastern Book Company, Lucknow, 2018
3. The Constitutional Law of India by [Dr. J.N.Pandey, with a Foreword by Justice H.C.P.Tripathi](https://www.amazon.in/s/ref%3Ddp_byline_sr_book_1?ie=UTF8&field-author=Dr.+J.N.Pandey%2C+with+a+Foreword+by+Justice+H.C.P.Tripathi&search-alias=stripbooks), Central Law Agency, Allahabad
4. H.M. Seervai, Constitutional Law of India – Vol. I &II
5. Hidayatullah (Ed.), Constitution of India.
6. M.P.Jain, Indian Constitutional Law.
7. Subba Rao G C V Indian constitutional law
8. Saharay H K Constitution of India
9. Pylee M.V Our constitution government & politics
10. Tope T K Constitutional law of India

**SECOND SEMESTER**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-201 | Law and Social Transformation | 5 | 3 | 20 | 80 | 100 |
|  LLM-202\* | Political Structure and Governance | 5 | 3 | 20 | 80 | 100 |
|  LLM-203\* | Administrative Law-II | 5 | 3 | 20 | 80 | 100 |
|  | Sub Total | 15 | 9 |  |  | 300 |

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| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-201 | Law and Social Transformation | 5 | 3 | 20 | 80 | 100 |

**Unit-I**

**Law and social transformation theoretical analysis**

* Models of social transformation
* Law as an instrument of social transformation
* Historical and social discourse
* Constitution’s orientation and response to social transformation
* Democracy and social transformation
* Constitutionalism and social transformation

**Unit-II**

**Language and the law**

* Language as a divisive factor
* Constitutional recognition of linguistic pluralism
* Constitutional guarantees to linguistic minorities
* Non-discrimination on the ground of language

**Unit-III**

**Community and the Law**

* Caste as a divisive factor
* Non-discrimination on the ground of caste
* Protective discrimination
* Affirmative action
* Reservation

**Unit-IV**

**Religion and Alternative Approaches to law**

* Religion as a divisive factor
* Freedom of religion and non-discrimination on the basis of religion under Indian Constitution
* Regionalism
* The Impact of multiculturalism and ethnicity
* Constitutional safeguards against regional barriers
* Equality in matters of employment
* The jurisprudence of Sarvodaya--- Gandhiji, VinobaBhave; Jayaprakash Narayan-Surrender of dacoits
* Concept of Gramanyayalayas.

**Unit-V**

**Modernization and the Law**

* Modernization as a value
* Modernization of social institutions through law
* Public interest litigation
* ADR system
* Lok Adalats
* Democratic decentralization and local self-government

**Suggested Readings:**

1. Kuppuswamy, B. and Kumar, B.V., *Social Change in India,*Konark Publisher Pvt Ltd, Delhi, 2006
2. Baxi, Upendra, 1985,*Towards a Sociology of Indian Law*, New Delhi, ICSSR/Satvahan Publications
3. Upendra,Baxi,*The Crisis of Indian Legal System*, New Delhi : Vikas, ©1982
4. Upendra,Baxi,*Law and Poverty: Critical Essays*, Bombay : N.M. Tripathi, 1988
5. Galenter, Marc, *Law and Society in Modern India*, OUP India, 1993
6. Freidman, W., *Law in Changing Society,* Sweet and Maxwell, South Asian Edition, 2nd Edition,2016
7. Hunt, Allan,*Sociological Movement in Law*, Palgrave, September 30, 1978
8. Sinha, Balbir Sahai,*Law and Social Changein India*, Deep & Deep, 1983
9. Desai, A. R.,*Social Background of Indian Nationalism,* Popular Prakashan Ltd.

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| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-202\* | Political Structure and Governance | 5 | 3 | 20 | 80 | 100 |

**Unit-I**

**Formation of Union of India and Units**

* Sovereign, Democratic and Republican characteristics of India
* Federal Principles of the Constitution
* Distribution of Powers between the Union and States
* Legislative
* Executive
* Financial

**Unit-II**

**Parliamentary System of Governance**

* Union Parliament and State Legislatures: Structure and Composition
* Functions
* Parliamentary Committees
* Powers, Privileges and Immunities of Houses,
* Members and Committees of the Parliament
* Council of Ministers

**Unit-III**

**President, Vice – President and Governor**

* Election of President, Vice – President and Governor
* Removal of President, Vice – President and Governor
* Immunities of President, Vice – President and Governor
* Powers and Functions of President, Vice – President and Governor

**Unit-IV**

**Panchayatsand Local Administrative Bodies**

* Panchayati Raj Institutions
* The Municipalities
* The Scheduled and Tribal Areas

**Unit-V**

**Services under The Union and The States**

* Recruitment and conditions of service of persons serving the Union or a State
* Tenure of office
* Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State
* All-India services
* Power of Parliament to vary or revoke conditions of service of officers of certain services
* Transitional provisions

**Suggested Readings:**

1. Kuppuswamy, B. and Kumar, B.V., *Social Change in India,*Konark Publisher Pvt Ltd, Delhi, 2006
2. Baxi, Upendra, 1985,*Towards a Sociology of Indian Law*, New Delhi, ICSSR/Satvahan Publications
3. Upendra,Baxi,*The Crisis of Indian Legal System*, New Delhi : Vikas, ©1982
4. Upendra,Baxi,*Law and Poverty: Critical Essays*, Bombay : N.M. Tripathi, 1988
5. Galenter, Marc, *Law and Society in Modern India*, OUP India, 1993
6. Freidman, W., *Law in Changing Society,* Sweet and Maxwell, South Asian Edition, 2nd Edition,2016
7. Hunt, Allan,*Sociological Movement in Law*, Palgrave, September 30, 1978
8. Sinha, Balbir Sahai,*Law and Social Changein India*, Deep & Deep, 1983
9. Desai, A. R.,*Social Background of Indian Nationalism,* Popular Prakashan Ltd.

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| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-203\* | Administrative Law-II | 5 | 3 | 20 | 80 | 100 |

**Unit-I**

**Comparative Administrative Law**

* French concept of Separation of Powers and Administrative Courts
* Droit Adminitratiff
* Administrative courts in France
* Councel d’ etat

**Unit-II**

**Evolution and significance of Administrative Law in various systems of governance**-

* From ancient to modern
* England
* USA
* Other systems

**Unit-III**

**Scope of Judicial Review**

* Scope of Judicial Review in UK
* Scope of Judicial Review in US
* Public Interest Litigation in India and US

**Unit-IV**

**Global Administrative Law**

* Globalization and Global Governance
* Players in Global Governance – Public, Private and Hybrid
* Emergence of Global Administrative Law: Bottom - up and Top - down approach
* Global Administrative Law: Perspectives of Developing Countries

**Unit-V**

**Procedural Fairness**

* Evolution and Significance of Natural Justice
* England: Judicial Process
* Doctrine of fairness and doctrine of legitimate expectation
* U.S.: Due process and judicial decision
* India: Through judicial decision-Doctrine of Fairness (Art.14, 19, 21)
* Doctrine of Legitimate Expectation
* Privilege against disclosure
* official secrecy
* Access to information

**Suggested Readings:**

1. Kuppuswamy, B. and Kumar, B.V., *Social Change in India,* Konark Publisher Pvt Ltd, Delhi, 2006
2. Baxi, Upendra, 1985,*Towards a Sociology of Indian Law*, New Delhi, ICSSR/Satvahan Publications
3. Upendra,Baxi, *The Crisis of Indian Legal System*, New Delhi : Vikas, ©1982
4. Upendra,Baxi, *Law and Poverty: Critical Essays*, Bombay : N.M. Tripathi, 1988
5. Galenter, Marc, *Law and Society in Modern India*, OUP India, 1993
6. Freidman, W., *Law in Changing Society,* Sweet and Maxwell, South Asian Edition, 2nd Edition,2016
7. Hunt, Allan, *Sociological Movement in Law*, Palgrave, September 30, 1978
8. Sinha, Balbir Sahai, *Law and Social Changein India*, Deep & Deep, 1983
9. Desai, A. R., *Social Background of Indian Nationalism,* Popular Prakashan Ltd.

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| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-301\* | Finances, Trade, Commerce and Intercourse and PSC under Indian Constitution | 5 | 3 | 20 | 80 | 100 |
| LLM-302\* | Judicial System in India | 5 | 3 | 20 | 80 | 100 |
| LLM-303\* | Practical Training (Teaching Assistance) | 5 | 3 | 20 | 80 | 100 |
|  | Sub Total | 15 | 9 |  |  | 300 |

**THIRD SEMESTER**

|  |  |  |  |  |
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| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-301\* | Finances, Trade, Commerce and Intercourse and PSC under Indian Constitution | 5 | 3 | 20 | 80 | 100 |

**Unit-I**

**Finance**

* Taxes
* Consolidated Funds
* Contingency Fund
* Distribution of Revenues between the Union and the States
* Duties levied by the Union but collected and appropriated by the State
* Grants from the Union to certain States
* Finance Commission

**Unit-II**

**Miscellaneous financial provisions and** Borrowing

* Expenditure defrayable by the Union or a State out of its revenues
* Exemption of property of the Union from State taxation
* Borrowing by the Government of India
* Borrowing by States

**Unit-III**

**Property, Contracts, Rights, Liabilities, Obligations and Suits and Right to Property**

* Succession to property, assets, rights, liabilities and obligations in certain cases and in other cases
* Property accruing as bona vacantia
* Things of value within territorial waters
* Power to carry on trade, etc
* Contracts, Suits and proceedings
* Right to Property

**Unit-IV**

**Trade, Commerce and Intercourse within the Territory of India**

* Freedom of trade, commerce and intercourse
* Power of Parliament to impose restrictions
* Restrictions on the legislative powers of the Union and of the States
* Restrictions on trade, commerce and intercourse among States
* Saving of existing laws and laws providing for State monopolies
* Appointment of authority for carrying out the purposes of articles 201 to 204

**Unit-V**

**Public Service Commissions**

* Appointment and term of office of members
* Removal and suspension
* Power to make regulations as to conditions of service of members
* Functions of PSCs
* Expenses of Public Service Commissions
* Reports of Public Service Commissions.

**Suggested Readings:**

1. Kuppuswamy, B. and Kumar, B.V., *Social Change in India,*Konark Publisher Pvt Ltd, Delhi, 2006
2. Baxi, Upendra, 1985,*Towards a Sociology of Indian Law*, New Delhi, ICSSR/Satvahan Publications
3. Upendra,Baxi,*The Crisis of Indian Legal System*, New Delhi : Vikas, ©1982
4. Upendra,Baxi,*Law and Poverty: Critical Essays*, Bombay : N.M. Tripathi, 1988
5. Galenter, Marc, *Law and Society in Modern India*, OUP India, 1993
6. Freidman, W., *Law in Changing Society,* Sweet and Maxwell, South Asian Edition, 2nd Edition,2016
7. Hunt, Allan,*Sociological Movement in Law*, Palgrave, September 30, 1978
8. Sinha, Balbir Sahai,*Law and Social Changein India*, Deep & Deep, 1983
9. Desai, A. R.,*Social Background of Indian Nationalism,* Popular Prakashan Ltd.

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| --- | --- | --- | --- | --- |
| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-302\* | Judicial System in India | 5 | 3 | 20 | 80 | 100 |

**Unit-I**

**Judicial System**

* Hierarchy of Courts in India
* Independence of Judiciary: Constitutional safeguards
* Supreme Court and its Jurisdiction under the Constitution
* High Courts and their Jurisdictions under the Constitution
* Subordinate Courts

**Unit-II**

**The Concept of Judicial Review**

* Democratic Legitimacy
* Judicial Review of Legislations
* Judicial Review and Basic Structure
* Doctrine of Judicial Review of Administrative Actions
* Judicial Review of Treaty Making and Implementation

**Unit-III**

**Limits on Judicial Review and Tribunals**

* Doctrine of Political Question
* Judicially Manageable Standards
* Powers and Functions of Tribunals
* Contempt of Court

**Unit-IV**

**Writs**

* Mandamus
* Certiorari
* Quo warranto
* Prohibition
* Habeas Corpus

**Unit-V**

**Judicial Process**

* Nature of Judicial Process
* Judicial Independence and Accountability
* Appointment and Removal of Judges
* Interpretation of Statutes and Constitution
* Doctrine of Stare Decisis – Ratio Decidendi and Obiter Dicta of a case
* Value Judgments in Law
* Judicial Reasoning
* Judicial Activism and Judicial Overreach

**Suggested Readings:**

1. Kuppuswamy, B. and Kumar, B.V., *Social Change in India,*Konark Publisher Pvt Ltd, Delhi, 2006
2. Baxi, Upendra, 1985,*Towards a Sociology of Indian Law*, New Delhi, ICSSR/Satvahan Publications
3. Upendra,Baxi,*The Crisis of Indian Legal System*, New Delhi : Vikas, ©1982
4. Upendra,Baxi,*Law and Poverty: Critical Essays*, Bombay : N.M. Tripathi, 1988
5. Galenter, Marc, *Law and Society in Modern India*, OUP India, 1993
6. Freidman, W., *Law in Changing Society,* Sweet and Maxwell, South Asian Edition, 2nd Edition,2016
7. Hunt, Allan,*Sociological Movement in Law*, Palgrave, September 30, 1978
8. Sinha, Balbir Sahai,*Law and Social Changein India*, Deep & Deep, 1983
9. Desai, A. R.,*Social Background of Indian Nationalism,* Popular Prakashan Ltd.

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| --- | --- | --- | --- | --- |
| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-303\* | Practical Training (Teaching Assistance) | 5 | 3 | 20 | 80 | 100 |

**FOURTH SEMESTER**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Code No. | Paper | L | Credits | Total Marks |
| Internal | External | Total |
| LLM-401\* | Dissertation | 10 | 5 |  |  | 100 |
| LLM-402\* | Viva | 10 | 5 |  |  | 100 |
|  | Sub Total | 20 | 10 |  |  | 200 |