HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,

SHIMLA

LL.M. **COURSE CODE: _____**

RESEARCH METHODOLOGY **CREDIT-03**

Module– 1
Nature and Purpose of Legal Research

1. Nature, Objectives and Purposes of Research; Aim of Social Research in Legal studies Research Method v. Research Methodology
2. Doctrinal Research
3. Non-Doctrinal Research
4. Types of legal Research: Descriptive; Exploratory, Explanatory, Analytical, Critical, Historical, Comparative
5. Legal Reasoning: Inductive and Deductive: Scope & Significance

Module-2
Nature and Types of Socio-legal Research

1. Types of Social research: Quantitative Research, Qualitative Research.
2. Formation of Research proposal: (i) Formulation of Research Problem (ii) Literature survey (iii) Framing Hypothesis (iv) Objectives of the study
3. Methodology: Collection of Data (i) Primary sources and (ii) Secondary sources
4. Techniques of Data Collection (i) Interview Technique (ii) Questionnaire Technique (iii) Observation Technique;
5. Identification of Methodological tools: (i) Survey, (ii) Sampling and (iii) Scaling techniques.

Module-3
Data Interpretation and Analysis

1. Quantitative Data Analysis
2. Data editing
3. Coding and Decoding
4. Data Entry & Tabulation
5. Hypotheses Testing & drawing inferences: Analysis of data

Module—4
Writing of Thesis

1. Components of Dissertation/Thesis
2. Organization of Research work; Chapters, Headings, Writing style,
3. Summary of results & Conclusion
4. Footnotes (uniformity in citation and method), Endnotes, Bibliography Arrangement
5. Search of Online and Off-line data, and Library Research

Prescribed Books:

1. Bakshi, P.M., *Legal Research and Law Reforms in S. K. Verma and M. Afzal Wani, (eds.), Legal Research and methodology (Indian Law Institute, New Delhi, 2nd Ed., 2011)*
2. Yaqin, Anwarul, *Legal Research and Writing Methods, LexisNexis, (2008)*
3. Jain, S.N., *Doctrinal and Non-Doctrinal Research, ILI, (1983)*
4. Ahuja, Ram, *Research Methods, (2001)*

Suggested Books:

1. Watt, Rober;, *Concise Legal Research, (2001)*
2. Kothari, C.R.; *Research Methodology: Methods and Techniques, (2006)*
3. Jain, R.B.; *Sampling Methods in Legal Research in S. K. Verma and M. Afzal Wani, (eds.), Legal Research and methodology (Indian Law Institute, New Delhi, 2nd Ed., 2011*
4. Ghosh, B.N.; *Scaling Techniques in Socio-legal research in S. K. Verma and M. Afzal Wani, (eds.), Legal Research and methodology (Indian Law Institute, New Delhi, 2nd Ed., 2011)*
5. Young, P.V.; *Scientific Social Surveys a. Research. An Introduction to the Background, Content, Methods, a. Analysis of Social Studies, 2ed. Prentice-Hall (1949)*
6. Garg, K.K.; *Research Methodology, Omega Publications, New Delhi,2006*

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HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,

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LL.M. **COURSE CODE: _____**

LAW AND JUSTICE IN A GLOBALIZING WORLD **CREDIT-03**

Module- 1
General Dialogue/Discourse on 'Law'
(10 Lectures)

1.1. Dominant Perspective(s) from the West: Hart/Dworkin/ Legal Pluralism.
1.2. Exploring the possibility of a Non-Western Perspective
1.3. Perspective from the South (Indian Perspective only)
1.4. Legal Materials' approaches of Hohfeld and others, and Alternative perspective(s)
1.5. Universalizing impact of studies in legal philosophy: Analysis of select Supreme Court judgements; contemporary interpretative practices

Module-2
Law, Liberty and Equality
(12 Lectures)

2.1. Liberty as a Philosophical Category
2.2. Ways to theorize/Conceive and practice Liberty
2.3. Viability of a rational and Constitutional conception of Equality
2.4. Non-Western conception of Equality/ Non-Libertarian Equality
2.5. Reasons responsible for increasing inequality; Inequality, Poverty and Economic Development in a Globalized World.

Module-3
Law, State and Religion; Property and State
(12 Lectures)

3.1. Different Conceptions of Secularism
3.2. Conception of Self, and religious Tolerance
3.3. Secularism and Collective Governance & Constitutional Aspects
3.4. Classical and Modern theories of Property; istorical/Comparative analysis of the theories
3.5. Possible ways to structure the relations of an institution of property, law and state;

Module-4
Political Economy of Law (or Some Selected Issues) in a Globalizing World; & Theories of Justice
(15 Lectures)

4.1. Some classical views on Law, Capitalism and State;
4.2. Basic ideas/theories on political Economy of Law and their relevance in a globalized world
4.3. Growth of globalization process in India; Law, law making, and its Interpretation in the contemporary milieu
4.4. Theories of Justice: John Rawls, Amartya Sen, Robert Nozick
4.5. Critics of Western Theories of Justice: M.K. Gandhi, Martha Nussbaum

Prescribed *Books:*

1. M. D. A. Freeman, *Lloyd's Introduction to Jurisprudence* (8th edn. Sweet & Maxwell, 2007).
2. Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (2nd edn. OUP 2012).
3. iii) Upendra Baxi and Frans Viljoen (eds.), *Transformative Constitutionalism: Comparing the Apex Courts of Brazil, India and South Africa* Pretoria University Law Press and National Law University Delhi (2014).
4. iv) C. Sunstein, *Free Markets and Social Justice* New York, Oxford University Press (1997).
5. v) B de Sousa Santos, *Towards a new legal common sense: Law Golobalisation and emancipation* Butterwoths (2nd edn. 2002).
6. vi) D. Schneiderman, *Constitutionalizing economic globalization: Investment rules and democracy's promise* Cambridge University Press (2008).

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HIMACHAL PRADESH NATIONAL LAW UNIVERSITY, SHIMLA

LL.M. **Paper Code: LLM**

CONSTITUTIONAL GOVERNANCE & FEDERALISM **CREDIT- 02**

Module- 1

THE CONCEPT OF FEDERALISM: INDIAN PERSPECTIVE

1. 1 The Form of Government in Indian Constitution
1. 2 Federalism: Concepts/Theories
1. 3 Patterns of Federal government - U.S.A., Australia, Canada, India.
1. 4 Indian Practices – Centralization vs. State Autonomy
1. 5 Dynamics and Trends of federalism in India

Module- 2
THE EXECUTIVE (GOVERNMENTS)

2.1 Nature and extent of executive powers of Union
2.2 Nature and extent of executive powers of States
2.3 Parliament: Structural and Functional Dimensions
2.4 Position of the Presidents
2.5 Position of Governor

Module- 3
LEGISLATIVE RELATIONS AND DOCTRINES TO INTERPRET CONSTITUTIONAL PROVISIONS

3.1 Distribution of legislative power
3.2 Territorial Nexus/ jurisdiction
3.3 Comparative study of distributions of power in other Federations: Canada, USA, Australia
3.4 Principles of Interpretations: Doctrines of Harmonious Construction, Pith and Substance, Colorable Legislation, and Repugnancy
3.5 Residuary Power of Legislations

Module- 4
EMERGENCY PROVISIONS & AMENDMENT TO THE CONSTITUION

4.1 Emergency provisions: Comparative Study of US, Australia & India.
4.2 National Emergency
4.3 Financial Emergency
4.4 Failure of Constitutional Machinery in a State
4.5 Amendment to the Constitution & Basic Structure Doctrine

Suggested Readings:

1. M.P. Jain, Constitutional Law of India (2016) pp.1-16.
2. H.M. Seervai, Constitutional Law of India (4th edn. Vol I, 2015) pp. 172-259.
3. Geoffrey R. Stone, at. el., Constitutional Law (7th edn. 2013) pp. 1-7.
4. K .C. Wheare, Federal Governments (1963) pp. 1-52.
5. Douglas V. Verney, Federalism, Federative Systems, and Federation: The United States, Canada, and India, 25 Publius, The Journal of Federalism 81- 97 (1995).
6. K.L. Bhatia, Federalism and Frictions in Centre-State Relations: A Comparative Review of Indian and German Constitution (2001).
7. Report of The Sarkaria Commission, (1987) Chap I, pp. 1-20, Chap II, pp. 22-92, Ch. VI. Pp.172- 189.
8. Report of the National Commission to Review the Working of the Constitution. (2003) Vol I, Chap. 2, Vol I, Chap. 8.
9. Gopal Subramaniam, Emergency Provisions under the Indian Constitution in B N Kripal ed. Supreme, but not Infallible (2000). Pp. 134-158.
10. Report of the National Commission to Review the Working of the Constitution (2002) and Consultation Papers. Vol 2, Book 2, pp. 891- 903, pp 927- 946.

Prescribed Readings:

1. D.D. Basu, Comparative Federalism (Lexis Nexis, 2007).
2. D.D.Basu, Introduction to the Constitution of India (Lexis-Nexis-Butterworth-Wadhwa, 2008).
3. M.P. Jain, Indian Federalism: A Background Paper in Alice Jacob ed., ***Constitutional Development since Independence*** 205-54 (1975).
4. Granville Austin, The Indian Constitution: Cornerstone of a Nation (OUP, 2008).
5. Petr Hogg, *Constitutional Law of Canada* (Student Edition, 2010).
6. Geoffrey R. Stone, at. el., *Constitutional Law* (7th edn. 2013).
7. M.P. Jain, Indian Constitutional Law (6th ed., Wadhwa, Nagaur).
8. Vikram David Amar, Mark Tushnet, Global Perspectives on Constitutional Law) OUP, 2009).
9. Zachery Elkins, Tom Ginsburg, James Melton, The Endurance of National Constitutions (Cambridge University Press, 2009).
10. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006).

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HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,

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SEMESTER- I

LL.M. **COURSE CODE: _____**

GLOBAL ADMINISTRATIVE LAW **CREDITS-02**

Module-1

INTRODUCTION TO ADMINISTRATIVE LAW

1.1 Meaning and Definition of Administrative Process; Reasons for its Growth; Development and Scope of Administrative Process

1.2 Rule of Law; With special reference to United Kingdom, United States, and France.

1.3 Separation of Power: With special reference to United States, France and India.

1.4 Administrative Adjudication: With special reference to United Kingdom, Germany and India.

1.5 Regulatory Mechanism: Need of Regulatory Bodies; Composition, Structure, Powers and Procedures of these Regulatory Bodies.

Module-2

ADMINISTRATIVE RULE MAKING AND CONTROL MECHANISM

2.1 Nature and Scope of administrative rule-making power;

2.2 Rules against delegation of rule-making power to the administrative authority;

2.3 Permissible limit and classification of administrative rule-making power;

2.4 Control mechanism of administrative rule-making power- procedural control, legislative control.

2.5 Judicial control.

Module-3

ADMINISTRATIVE DESCRETION AND PRINCIPLES OF NATURAL JUSTICE

3.1 Meaning of Discretion;

3.2 Judicial Review of conferment and exercise of discretionary power, abuse of discretionary power;

3.3 Grounds of Judicial Review:

3.4 Principles of Natural Justice

3.5 Principles of Natural Justice: Exceptions & Exclusionary Clause.

Module-4
TECHNIQUES OF JUDICIAL CONTROL

4.1 Judicial Review: Evolution & Evaluation: Judicial Review: Meaning and Kinds;

4.2 Judicial Review of Legislation, Judicial Review & Human Rights, Judicial Review & Parliamentary Democracy.

4.3 Judicial Review of Administrative Action: Judicial Remedies & Administrative Actions, Grounds for Judicial Review, Nature and Scope of Relief through Judicial Review;

4.4 Statutory Judicial Remedies: Injunctions, Declaratory Actions, Damages, Effect of Exclusion Clauses

4.5 Limitation on Judicial Review

Reports:

1. Report of Committee on Ministers' Powers (1932), Cmd. 4060 (Reprinted 1972)
2. Frank Committee Report on Committee on Administrative Tribunals and Enquiries, 1958
3. Leggett Committee Report on Tribunals for Users – One system One Service, 2001
4. Separation of Executive and Judicial Functions [Extracts from Law Commission of India, 14th Report on Judicial Administration, 1958]
5. Swaran Singh Committee Report, 1976
6. Law Commission of Indian Report in Promissory Estoppel (108th)
7. 215th Report of Law Commission of India.
8. 272nd Report of Law Commission of India (2018).

Books & Articles

1. Stephen G. Breyer and Richard B. Stewart, Administrative Law and Regulatory Policy (1979) Chapters 1-3
2. W. Friedman, Law in a Changing Society (1959) Chapter 11
3. Mike Taggart, "The Impact of Corporatisation and Privatisation on Administrative Law", 51 Australian Journal of Public Administration 368-373 (1992)
4. Peter Bayne, "Administrative Law and the New Managerialism in Public Administration", 62 The Australian Law Journal 1040-1045 (1988)
5. A.V. Dicey, Introduction to the Study of the Law of the Constitution (9th ed.) Chapters IV and XII
6. A.V. Dicey, "The Development of Administrative Law in England", 31 LQR 148 (1915)
7. Ramaswamy, "Rule of Law in a Planned Society", 1 JILI 31 (1959)
8. Upendra Baxi "Developments in Indian Administrative Law" in Public Law in India (A.G. Noorani ed.) (1982) 136

9. B. Bhardwaj, "Delegated Legislation in India", 1963 SCJ (J) 26
10. J.A.G. Griffith, "The Constitutional Significance of Delegated Legislation in England", 48 Mich L. Rev 1079 (1950)
11. Report of Committee on Ministers' Powers (1932), Cmd. 4060 (Reprinted 1972)
12. Alan Wharm, "Judicial Control of Delegated Legislation – The Test of Reasonableness", 36 Mod LR 611 (1973)
13. R.M. Jackson, "Judicial Review of Legislative Policy", 18 Mod. L. Rev. 571 (1955)
14. S.N. Jain, "Validity of Retrospective Delegated Legislation - The Court Develops a New Principle", 23 JILI 102 (1981)
15. Administrative Reforms Commission, Interim Report on the Problems of Redress of Citizens' Grievance (1966)
16. S.L. Rao "Policy and Legal Framework for Regulation" in Transition to a Liberalized Environment – Experiences and issues in Regulation (Leena Srivastava and S.K. Sarkar ed.) (1999) 27-32
17. S. Sunder and S.K. Sarkar "Framework for Regulation: The Indian Experience" in Transition to a Liberalized Environment – Experiences and issues in Regulation (Leena Srivastava and S.K. Sarkar ed.) (1999) 39-53

1. D.J. Galligan, Discretionary Powers; A legal Study of Official Discretion (1986)
2. D.J. Galligan, Discretion Powers (1990)
3. K.C. Davis, Discretionary Justice (1969)
4. S.A. De Smith, Judicial Review of Administrative Action (5th ed. 1997).
5. S.P. Sathe, Administrative Law (7th ed. 2004).
6. H.W.R. Wade and C. Forsyth Administrative Law (9th ed. 2005)
7. M.P. Jain and S.N. Jain, Principles of Administrative Law (6th ed. 2007)
8. I.L.I. Cases and Materials on Administrative Law
9. Peter Cane, An Introduction to Administrative Law (1987)
10. P.P. Craig, Administrative Law (5th ed. 2003)
11. S.H. Bailey, Cases, Materials and Commentary on Administrative Law (4th ed. 2005)
12. B.L. Jones, Garner's Administrative Law 7th ed. 1989)
13. David Foulkes, Administrative Law (8th ed. 1995)
14. David Pollard, Neil Parpworth and David Hughes Constitutional and Administrative Law (4th ed. 2007).
15. Ian Loveland, Constitutional Law, Administrative Law, and Human Rights (4th ed. 2006)
16. Neil Parpworth, Pollard David, Constitutional and Administrative Law (4th ed. 2006).
17. Peter Leyland & Gordon Anthong, Textbook on Administrative Law (5th ed. 2005)
18. Durga Das Basu, Administrative Law (6th ed., 2006).
19. Beatson, Mathews and Elliott's. Administrative Law Text and Materials (3rd ed. 2005)
20. Paul Jackson, O. Hood Phillips' Leading Cases in Constitutional and Administrative Law (6th ed. 1988).
21. Bernard Schwartz, Roberto L. Corrada, J. Robert Broun, Administrative Law : A Case Book (6th ed. 2006)

22. H.F. Rawlings, Judicial Review and Control of Government, 64 Public Administration (1986) 135-145.
23. S.N. Jain, Administrative Law Aspects of Maneka Gandhi, 21, Journal of Indian Law Institute (1979) 382-96.
24. K. Ganguli, Principles of Estoppel and Ultra vires in their application to the discharge of public duty by public authorities 41, Journal of the Indian Law Institute (1999) 335.
25. V. Rameshan, Promissory Estoppel and State Liability, 31 Journal of Indian Law Institute (1989) 482.
26. M.P. Singh. The Constitutional Principles of Reasonableness (1987) 3 SCC (Jour) 31.
27. K.C. Davis, Administrative Law Text (1971) 1-15.

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SEMESTER- I

LL.M. **COURSE CODE: _____**

CRIMINOLOGY & CRIMINAL JUSTICE ADMINISTRATION **CREDITS-02**

Module – I
Introducing Criminology

1.1 Origin, nature and scope of Criminology.
1.2 Concept of Social Deviance
1.3. Theories of Social Deviance
1.4. Socio-economic perspectives in Crime & its Causation
1.5 Schools of Thought: Classical School, Positive School, Sociological School of Criminology, Modern Criminology

Module- II
Theories of Crime Causation

2.1. Biological Theories of Crime
2.2. Psychological Theories of Crime
2.3 Sociological theories of Crime
2.4. Economic theory
2.5. White Collar Crimes, Organized crimes and Hate Crimes.

Module- III
Locating Theories of Criminology in Administration of Criminal Justice

3.1. Philosophies of Punishment.
3.2. Objectives of Different Types of Punishment.
3.3. Fair Trial: Investigation and Trial.
3.4. Institutional Victimization: Causes and Reflections.
3.5. Plea Bargaining: A balancing approach in Sentencing etc.

Module- IV
New Policy Paradigms in Criminal Justice Administration

4.1 Police and Prosecutorial System.
4.2. Idea behind procedural reforms in Criminal Trial.

4.3. Role of Victim in Criminal Justice Administration.
4.4. Juvenile Delinquency.
4.5. Correctional Administration.

LIST OF READINGS:

1. C. Beccaria, *Essay on Crime and Punishment*, (1804)
2. C. Lemert (ed.), *Social Theory: The Multicultural Readings,* Westview Press, (1993)
3. Chris Hale et al. (eds), *Criminology*, Oxford, University Press (2005)
4. Donald R. Taft, *Criminology*. 2nd Edt., Macmillan, New York (1964)
5. E. Durkheim, *The Division of Labour in Society*, The Free Press, New York (1933)
6. E. Hootan, *Crime and the Man*. Cambridge (1939)
7. Edwin Hardin Sutherland; Donald R Cressey, *Criminology*, Philadelphia, Lippincott (1974)
8. Gabriel Tarde, *Penal Philosophy*, Translated by R. Howell, Little, Brown and Company, Boston (1912)
9. George B. Bold et al, *Theoretical Criminology*, 4th Edt. (1998), Oxford University Press.
10. Ian Taylor, Paul Walton and Jock Young, (eds), *Critical Criminology*, Routledge and Kegan Paul, London (1975)
11. L. Siegel, *Criminology* 9th Edt. Thomson Wadsworth. (2006)
12. R. Gross, *Free Will and Determinism. Themes, Issues and Debates in Psychology*, 2nd Edn. Hodder & Stoughton, London, (2003)
13. R. Robert Douglas White, Fiona Haines, *Crime And Criminology: An Introduction*, Oxford University Press (2004)
14. Stuart Hall, Charles Critcher, Tony Jefferson, John Clarke and Brian Roberts, *Policing the Crisis: Mugging, the State, and Law and Order*, Macmillan, London (1978)
15. Wayne Morrison, *Theoretical Criminology: From Modernity to Post-Modernism*, Cavendis Pu. Ltd.
16. Willem Bonger, *Criminality and Economic Conditions*, W. Heinemann, London, (1916)
17. John E. Conklin, *Criminology*, 6th Edt. Allyn and Bacon, Boston (1998)
18. S. A. Mednick & K. O. Christiansen, *Biosocial Bases of Criminal Behaviour*, Gardner Press, New York (1977)
19. E. Hootan, *Crime and the Man*. Cambridge (1939)

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SEMESTER- I

LL.M **COURSE CODE: _____**

CRIMINAL JUSTICE AND HUMAN RIGHTS **CREDITS-02**

Module-1
Introduction to the Criminal Justice Process and Human Rights

1.1 Criminal Justice System and Process; Evolution and theories of origin of Criminal Law
1.2 Law defining Crimes and Criminal Procedure
1.3 Structural and Theoretical Components of Criminal Justice System
1.4 The importance of viewing Criminal Justice as a system
1.5 Justification for a Rights approach in Criminal Justice System

Module-2
Critical Issues in Administration of Criminal Justice and Governance

2.1 Institutional Incentives and Constraints: limited versus expanded jurisdiction
2.2 Constitutional Safeguards; Fair Trial Concept; Sentencing, Execution and Human Rights
2.3 Role of Human Rights Commission of India in Dispensation of Criminal Justice
2.4 Crime Prevention and Investigation: Role of Police in Criminal Justice System
2.5 Special legislation: Anti-terrorism laws and Preventive Detention Laws.

Module-3
Judiciary and Trends in Controlling Human Rights Violations

3.1 Crime Trends: Pendency, Disposal, Conviction rates
3.2 Role of Judiciary in securing human rights
3.3 Criminal Justice System and compensation to victims.
3.4 Role of PIL in Criminal Justice
3.5 Evaluation of Criminal Justice Administration: Observations of Law Commissions

Module-4
Understanding Various Concerns and Problems of Contemporary Criminal Justice System

4.1 Globalisation of human Rights Norms
4.2 Definition and Methodological Issues in Transnational Justice
4.3 Multinational Corporation and Human Rights
4.4 Historical Underpinnings and Problems of specific violations: Women's Right, Children Rights, Marginalised Groups, and Transgender Rights in Criminal Law.
4.5 Gaps between the standards laid down in international treaties, domestic legislation and their implementation

Prescribed Legislation:

1. Indian Penal Code,1860
2. Criminal Procedure Code, 1973
3. International Conventions.

Reference Books:

1. Theodor Meron. The Making of International Criminal Justice (Oxford University Press Inc., 2011).
2. N. Prabha Unnithan, Crime And Justice In India (Sage Publication, 2013).
3. Anthony Amatrudo and Leslie William Blake, Human Rights and the Criminal Justice System (Routledge, 2015).
4. Thom Brooks, The Right to Fair Trail (Ashgate Publishing Company, 2009).
5. Sue Hobbs & Christopher Hamerton, The Making of Criminal Justice Policy (Routledge, 2014).
6. Bellary Uma Devi, Arrest, Detention and Criminal Justice system- A study in the context of Constitution of India (Oxford Publications).
7. Anthony F.Lang, Jr, Punishment, Justice and International relations Ethics and Order after Cold war (Routledge, 2008).
8. The Oxford Handbook of the History of Crime and Criminal Justice (Paul Knepper & Anja Johasen eds., 2016).
9. Jonathan Doak, Victims Rights, Human Rights and Criminal justice: Recovering the role of 3rd parties (Oxford:Hart Publication, 2008).
10. Emmeson Ben Qc, Human Rights and Criminal Justice (Ben Emmerson Qc et al. eds., 3rd ed.2012).
11. Utrecht Law Review -The Protection of Fundamental Human Rights in Criminal Process-General Report

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SEMESTER-I

LL.M. **COURSE CODE: _____**

MEDIA LAW **CREDITS-02**

Module-1
Introduction-Media and it's Different Forms

1.1 Media: Mass Media- Print & Electronic
1.2 Role of Mass Media: Conditioning and socialization of community, addressing socio-cultural, and other forms of diversity.
1.3 Diversification of Ownership- Public vs. Private: Press; Media and Political control
1.4 Electoral Democratic Setup and Role of Media
1.5 Globalization & Mass Media.

Module-2
Freedom of Press: Constitutional Perspectives

2.1 Freedom of Press: Constitutional Perspectives.
2.2 Power to legislate- Article 246 read with the Seventh Schedule
2.3 The law relating to Mass Media employees
2.4 Advertisement – Its' inclusion within freedom of speech and expression
2.5 Freedom of Press & Price and Page Schedule Regulation; Newsprint Control Order

Module-3

Media, Paid News and Privacy

3.1 Investigative Journalism & Sting operation
3.2 Trial by Media and Fairness; Sting Operation and privacy issues; Paid News
3.3 Laws of defamation, obscenity, blasphemy and sedition
3.4 Media Reporting and Contempt of Court
3.5 Hate Speech

Module-4

Media Censorships, Social Reactions; Social Media; its' regulation and Public Sphere
4.1 Censorship: Print and Electronic Media
4.2 Social Media; its' pros and cons; Social Media its' differences with other media
4.3 Social Media and Intermediaries Liability

4.4 Universality of social media and state regulation issues; Social Media and Right to privacy
4.5 Social media as electoral stimulator

Prescribed Legislations:

1. The Constitution of India ,1950
2. The Press and Registration of Books Act (25 of 1867)
3. The Indian Telegraph Act of 1885
4. The India Press Act 1910.
5. The Press Law (Repeal and Amendment) Act of 1922 (14 of 1922)
6. The Representation of People Act, 1951.
7. The Cinematograph Act, 1952
8. The Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955
9. The Press and the Monopolies and Restrictive Trade Practices Act, 1969
10. The Contempt of Court Act, 1971
11. The Press Council Act, 1978
12. The Prasar Bharti (Broadcasting Corporation of India) Act, 1990
13. The Cable TV Networks (Regulation) Act 1995.
14. The Telecom Regulatory Authority of India Act, 1997
15. The Information Technology (Intermediary Guidelines) Rules, 2011/2018

Reports and Consultation Papers:

1. Law Commission's Consultation Paper on Media Law (2014)
2. 200th Law Commission of India Report on Trial by Media
3. Telecom Regulatory Authority of India, Report (2009).
4. The Chanda Committee Report, 1966
5. 52nd Report of the Parliamentary Standing committee on Information Technology
6. 31st Report of the Parliamentary Committee on Subordinate Legislation, 2012-13
7. Advisory on implementation of Section 66-A of the IT Act, 2000, Department of Electronics and Information Technology, 9th January, 2013
8. Report on Paid News, Press Council of India, 2010
9. 47th Report of the Parliamentary Committee on Information Technology

Prescribed Books:

1. Basu, Dr. Durga Das, *Law of the Press*, (LexisNexis, 2016)
2. Bloy, Duncan and Sara Hadwin, *Law and the Media*, (South Asian Ed. 2013)
3. Oates, Sarah, *Introduction to Media and Politics*, (2008)
4. Sebastian Paul, *Ethics and the Media*, (Lexis Nexis, 2015)
5. Jethmalani, Ram and D.S. Chopra, *Media Law,* (Thomson Reuters, 2014)
6. Wouter de Been et al, *Crossroads in New Media, Identitiy and Law*, (Palgrave Macmillan, 2015)
7. Renee C Allison and W Thomas Newton, *Reporter's Handbook on Media Law*, (California News Papers Publishers, 1991).
8. Carey, Peter, *Media Law*, (Sweet & Maxwell, 1996)
9. Wayne Overbeek, *Major Principles of Media Law*, (Harcourt Brace 1991)
10. Hakemulder, Jan R, *Media Ethics and Laws*, (Anmol Publications 1998)

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SEMESTER- I

LL.M. **COURSE CODE: _____**

VICTIMOLOGY **CREDITS-02**

Module-1
Victimology: Nature, Historical Origins and Development

1.1 Emergence, meaning and concept of victim, victimology and victimization
1.2 Relationship of Victimology with other sciences, Nature and Scope of Victimology
1.3 Theories of Victimology
1.4 Role of victims in the criminal phenomenon- Victim Precipitation, Victim's Responsibility
1.5 Status of Victim in the Criminal Justice System

Module-2
Typology of Victims

2.1 Victims outside of the Criminal Justice System
2.2 Victims of crime and abuse of power, Classification of Victims on the Basis of social, economic and political factors, Child and Elderly victims
2.3 Gender – Women and LGBT communities
2.4 Refugees and asylum seekers.
2.5 Globalisation and Marginalisation

Module-3
Status of Victim in the Criminal Justice Administration

3.1 Rights of Victims': International and National Approach
3.2 Role of Victim during Trial, Appeal etc.
3.3 Victim and their role in Compounding of Offences/Plea Bargaining
3.4 Victims' Right to Access to Justice
3.5 Rehabilitation and Victim Assistance Programmes

Module-4
Victim Compensation Schemes

4.1 Common law regarding Compensation in Tort and Civil law
4.2 Indian Legal Regime for Compensation (Criminal Procedure Code, Motor Vehicle Act, Probation of Offenders Act).
4.3 International Covenant on compensation to victims
4.4 Nature of Victim Rights Movement
4.5 Judicial attitude towards Compensatory Jurisprudence

Acts:

1. Code of Criminal procedure, 1973
2. The code of Civil Procedure, 1908
3. Motor Vehicle Act, 1988
4. Probation of Offenders Act, 1958.

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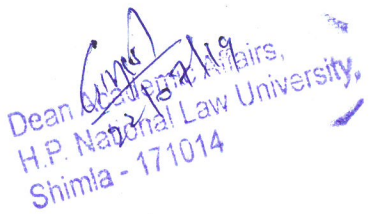
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