

COMPARATIVE CONSTITUTIONAL LAW

[Compulsory Paper-I]

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from each unit. The candidate shall be required to answer four questions in all, selecting one from each unit. All questions carry equal marks)

UNIT-I

CONSTITUTION & CONSTITUTIONALISM

- Constitution: Concept, Nature and Importance of Constitution-Evolution of Constitutional Values-Requisites of Ideal Constitution-Historical Evolution of Constitutional Government
- Constitutionalism: Concept-Evolution-Limitations on Government Power-Constitutional Supremacy-Separation of Power

UNIT-II

COMPARATIVE CONSTITUTIONS

- Scope of Comparative Constitutional Law: Need for Comparative Study of Constitutional Law in Constitution Making
- Types of Constitutions: Written Constitutions-U.S.A, Canada, Australia and India; Unwritten Constitutions-England

UNIT-III

JUDICIAL REVIEW & CIVIL RIGHTS

- Judicial Review-Fundamental Rights; Writ Jurisdiction-A Comparative Study
- Civil Liberties/Rights: Structure-Enforcement-Individual Rights-Group Rights-National Security

UNIT-IV
FEDERALISM

- Federalism: Concepts of Federalism and Federal Government-Conditions Essential for Federalism; Patterns of Federal Government: U.S.A, Australia, Canada and India
- New Trends in Federalism: Cooperative Federalism-Political factors Influencing Federalism, Central Control v. State Autonomy-Dynamics of Federalism

Suggested Readings:

1. Alexander M. Bickel: *The Least Dangerous Branch: The SC at the Bar of Politics*, Yale University Press, New Haven.
2. Anata Kumar Giri: 'The Rule of Law and Indian Society: From Colonialism to Post Colonialism', in P. Costa and D. Zolo (ed.), *The Rule of Law: History, Theory and Criticism*, Springer, The Netherlands.
3. Archibald Cox: *Court and the Constitution*, Houghton Mifflin, Boston.
4. B. Z. Tamanaha: 'Rule of Law in United States', in Randall Peerenboom (ed.), *Asian Discourses of Rule of Law*, Routledge, London.
5. Charles Fried: *Saying What the Law Is: The Constitution in the Supreme Court*, Universal Publishing Co. Pvt. Ltd., New Delhi.
6. Charles L. Black: *The People and the Court: Judicial Review in a Democracy*, The Macmillan Company, New York.
7. D. D. Basu: *Comparative Constitution Law*, LexisNexis India, Gurgaon.
8. D. D. Basu: *Introduction to the Constitution of India*, Lexis-Nexis, New Delhi.
9. Donald Kommers: 'The Value of Comparative Constitutional Law', 9 *J. Marshall J. Prac. & Pro.* 685 (1976).

10. Douglas V. Verney: 'The Struggle Over Judicial Review: Supreme Court and Limited Government', in M. P. Singh *et. al.*, (eds.), *Indian Judiciary and Politics: The Changing Landscape*, Manohar Book, New Delhi.
11. Ernest A. Young: 'Foreign Law and the Denominator Problem', 119 *Harv. L. Rev.* 148 (2005).
12. Goolam E. Vahanvati: 'Rule of Law: The Sieges Within', in Mool Chand Sharma & Raju Ramachandran, *Constitutionalism, Human Rights and the Rule of Law: Essays in Honour of Soli J Sorabjee*, Universal Book Publishing Co., New Delhi.
13. Granville Austin: *The Indian Constitution: Cornerstone of a Nation*, OUP, Oxford.
14. Gustavo Fernandes De Andrade, *Comparative Constitutional Law: Judicial Review*, 3(3)*University of Pennsylvania Journal of Constitutional Law* 989-997 (2001).
15. Jan Erk: *Explaining Federalism: State, Society and Congruence in Austria, Belgium, Canada, Germany and Switzerland*, Routledge, New York.
16. Jan M. Smits (ed.): *Elgar Encyclopedia of Comparative Law*, Edward Elgar, Cheltenham, UK.
17. Jeffrey Jowell: *The Rule of Law Today*, in Jeffrey Jowell and Dawn Oliver (ed.), *The Changing Constitution*, OUP, Oxford.
18. M. P. Jain: *Indian Constitutional Law*, LexisNexis India, Gurgaon.
19. M. P. Singh: *V.N Shukla's Constitutional Law*, Eastern Book Company, Lucknow.
20. Mark Tushnet: *The Constitution of the United States of America: A Contextual Analysis*, Hart Publishing Ltd, UK.
21. Mark Tushnet: 'The Possibilities of Comparative Constitutional Law,' 108 *Yale. L. J.* 1225 (1999).
22. Martha A. Field: 'The Differing Federalisms of Canada and the United States,' 55 *Law and Contemp. Probs.* 107 (1992).
23. Mathias Reimann and Reinard Zimmermann: *The Oxford Handbook of Comparative Law*, OUP, Oxford.

24. Michael Burgess: *Comparative Federalism, Theory and Practice*, Routledge, New York,
25. Nicholas Aroney: *The Constitution of a Federal Commonwealth: The Making and Meaning of the Australian Constitution*, Cambridge University Press, Cambridge.
26. Nuzhat Parveen Khan: *Comparative Constitutional Law*, Satyam Law International, New Delhi.
27. Roger P. Alford: 'In Search of a Theory for Constitutional Comparativism,' 52 *UCLA L. Rev.* 639 (2005).
28. S. P. Sathe: *Judicial Activism in India: Transgressing Borders and Enforcing Limits*, OUP, Oxford.
29. Sujit Choudhry: 'Globalisation in Search of Justification: Toward a Theory of Comparative Constitutional Interpretation,' 74 *Ind. L. J.* 819 (1999).
30. Tom Ginsburg: *Judicial Review in New Democracies: Constitutional Courts in Asian Cases*, Cambridge University Press, Cambridge.
31. Tony Blackshield and George Williams: *Australian Constitutional Law and Theory Commentary and Materials*, The Federation Press, Sydney.
32. U. Baxi: 'Rule of Law in India: Theory and Practice', in Randall Peerenboom (ed.), *Asian Discourses of Rule of Law*, Routledge, London.
33. Vicki C. Jackson and Mark V. Tushnet: *Comparative Constitutional Law*, Foundation Press, New York.



**CRIMINAL LAW
STREAM**

COMPARATIVE CRIMINAL PROCEDURE

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from each unit. The candidate shall be required to answer four questions in all, selecting one from each unit. All questions carry equal marks)

UNIT -I

CRIMINAL JUDICIAL PROCESS & FAIR TRIAL

- Criminal Judicial Process Models
 - Crime Control Model and Due Process Model.
 - Adversary Model and Inquisitorial Model.
- Concept of “Fair Trial” in criminal procedure and its essential elements
 - Media Trial v. Fair Trial
 - Broad features of Indian criminal justice procedures

UNIT - II

FUNCTIONARIES IN THE CRIMINAL JUSTICE SYSTEM

- Functionaries in the Criminal Justice System and their Role
 - The Police and Investigation
 - Prosecuting Agencies and Their Role
 - The Defence Counsel
 - The Trial Court
 - Prison Authorities

UNIT - III

FUNDAMENTAL HUMAN RIGHTS & CRIMINAL PROCEDURE

- Fundamental Human Rights and their protection, relation to criminal procedure of India, England and America.
 - Rights of accused and their constitutional protection
 - Rights on Arrest
 - Right to Legal Aid including Right to Speedy trial
 - Right against Double Jeopardy
 - Right to Bail
- Rights of Victims and their Role in Criminal Justice System
 - Compensation to victims
 - Plea Bargaining

UNIT - IV

EVIDENCE & EXTRADITION

- Law relating to Confessions in India and England, USA
- Concept of Dying declaration & its Evidentiary Value in India & UK, USA
- Extradition
 - Kinds of Extradition Treaties
 - Law and Practice as to Extradition
 - Relationship with the Cr.P.C.
 - Extra Territorial Jurisdiction of Cr.P C.

Suggested Readings:

I) Books:

1. Glanville Williams, *The Proof of Guilt*, Stevens & Sons, London
2. H.M. Seervai, *Constitutional Law of India*, Vol. I (Commentaries on relevant Articles of Fundamental Rights) Universal Law Publishing Co., New Delhi
3. Herbert L. Packer, *The Limits of Criminal Sanction*, Stanford University Press, California
4. Inbau, Thompson and Sonele, *Criminal Justice* Vol. II; Foundation Press, New York
5. J. S. Verma, *New Dimensions of Justice*, Universal Law Publishing Co., New Delhi
6. K.I. Vibhuti (Ed.), *Criminal Justice*, Eastern Book Company, Lucknow
7. Kelkar, R.V., *Outlines of Criminal Procedure*, Eastern Book Company, Lucknow
8. M. Monir, *Law of Evidence*, Universal Law Publishing - an imprint of LexisNexis
9. M.P.Jain, *Indian Constitutional Law*, LexisNexis, New Delhi
10. R. Deb. S. Pande, D.C. *Release on Bail, Law and Practice*, ILI Publication, New Delhi
11. Vepa P. Sarathi, *Law of Evidence*, Eastern Book Company, Lucknow

II) Reports:

1. Annual Survey of Indian Law on Criminal Procedure by Indian Law Institute, New Delhi.
2. Government of India, *Committee on Reforms of Criminal Justice System* (Ministry of Home Affairs, New Delhi, 2003)

3. Law Commission of India, *Forty-Eighth Report: Some Questions Under the Code of Criminal Procedure Rules 1970* (Government of India, New Delhi, 1972)
4. Law Commission of India, *Forty-First Report: The Criminal Procedure Code 1898* (Government of India, New Delhi, 1969)
5. Law Commission of India, *Fourteenth Report: Reform of Judicial Administration, Vol. 2* (Government of India, New Delhi, 1958)
6. Law Commission of India, *Sixty-Ninth Report: Indian Evidence Act, 1872* (Government of India, New Delhi, 1977)
7. Law Commission of India, *Thirty-Seventh Report: The Criminal Procedure Code 1898 (Sections 1-176)* (Government of India, New Delhi, 1967)
8. Law Commission of India, *Thirty-Sixth Report: Section 497-499 of the Cr.P.C., 1898 Grant of Bail with Conditions* (Government of India, New Delhi, 1967)
9. Law Commission of India, *Two Hundred Report: Freedom of Speech v. Fair Trial* (Government of India, New Delhi, 2006)
10. Report of the Expert Committee on Legal Aid Govt. of India (1973)
11. The Law Commission 268th Report, *Amendments to Criminal Procedure Code, 1973- Provisions Relating to Bail*, (May 2017)
12. The Law Commission 200th Report, *Trial by Media: Free Speech versus Fair Trial Under Criminal Procedure* (Amendments to the Contempt of Courts Act, 1971), 2006

III) Articles:

1. Joachim Herrman, 'Various Models of Criminal Proceedings,' *Indian Journal of Criminology* (1974)
2. Mohd. Gouse, 'The Pre Trial Criminal Process and the Supreme Court,' *IBR* (1986)
3. P.M. Bakshi, 'Continental System of Criminal Justice,' 419-28, *JILI*, Vol 36 (Oct-Dec. 1994)
4. P.N. Bhagwati, 'Human Rights and Criminal Justice,' Vol. 12 *Indian Bar Review* (1985)
5. P.N. Bhagwati, 'Human Rights in the Criminal Justice System,' 1-22, *JILI*, Vol. 27 (Jan.-March 1985)
6. Some Human Rights Implications, *Delhi Law Review* (1980)

CRIMINOLOGY

[Optional Paper-II]

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from m each unit. The candidates shall be required to answer four questions in all, selecting one from each unit. All questions carry equal marks.)

UNIT-I

CRIME & CRIMINOLOGY

- Crime: Concept, Origin & Evolution-Psychological, Social and Legal Aspects of Crime; Traditional Crimes-Crime against Property & Persons; Modern Crime, Organised Transnational, Socio-Economic Crime
- Criminology: Definition, Nature and Scope-Relevance in Contemporary Society
- Schools of Criminology: Pre-Classical Ideas-Classical and Neo-Classical School-Positive School-Cartographic School

UNIT-II

THEORIES - I

- Constitution Theories: Body Types, Hereditary Traits, Endocrine Glands
- Behaviourist Theories: Drives, Motives, Attitudes, Frustrations
- Psycho-Analytical Theories: Psychopathic Personality, Mental Health and Criminal Liability

UNIT-III

THEORIES - II

- Sociological Theories: Social Structural Theories and Social Process Theories
- Economic Theories: Contribution of Hegel, Karl Marx and William Aldrian Bonger

- Critical Criminology/ Radical Criminology

UNIT-IV

CRIME CONTROL & PREVENTION

- Development Policies and Crime Control: Inter-Religion, Inter-Caste, Inter-Ethnic, Group Tensions and Conflicts Terrorism and Insurgency
- Technology and Crime
- Crime Prevention and Peace Building: Role of the Family, Social Institutions, Judiciary, Police, Media and Civil Society

Suggested Readings:

1. Frank Schmalleger: *Criminology Today: An Integrative Introduction*, Prentice Hall, New Delhi.
2. Giriraj Shah: *Crime and Criminology*, Anmol Publications Pvt. New Delhi.
3. Henry W. Mannle and Hirscher J. Davis: *Fundamentals of Criminology*, Prentice Hall, New Delhi.
4. Jay Livingston: *Crime and Criminology*, Prentice Hall, New Jersey
5. Katherine S. Williams: *Textbook on Criminology*, Universal Law Publishing Co., Delhi.
6. Larry J. Siegal: *Criminology*, Wadsworth Thomson Learning, New Delhi.
7. Mike Brogden: *Crime, Abuse and the Elderly*, Lawman (Inc) Pvt Ltd, New Delhi.
8. N. V. Paranjape: *Criminology and Penology*, Central Law Publication, Allahabad, UP.
9. P. K. Atri: *Dynamics of Crime Prevention and Criminology*, Anmol Publications, New Delhi.
10. P. K. Atri: *Policy and Planning in Criminology*, Anmol Publications, New Delhi.
11. Ram Ahuja: *Criminology*, Rawat Publication, New Delhi.
12. Roger Hopkins Burke: *Introduction to Criminological Theory*, Lawman (Inc) Pvt Ltd, New Delhi.

LL.M. (Regular) Semester-I

13. S. S. Srivastava: *Criminology and Criminal Administration*, Central Law Agency, New Delhi.
14. Sheley F Joseph: *Criminology*, Wadsworth Thomson Learning, New Delhi.
15. Sue Titus Reid: *Crime and Criminology*, Holt Rinehart and Winston, New York.
16. Tara Gray: *Exploring Corrections*, Allyn and Bacon, Boston.
17. Victor Jupp, Pamela Daries & Peter Francis: *Doing Criminological Research*, Sage Publications, New Delhi.

GENERAL PRINCIPLES OF CRIMINAL LAW

[Optional Paper-III]

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from m each unit. The candidates shall be required to answer four questions in all, selecting one from each unit. All question carry equal marks.)

UNIT-I INTRODUCTION

- Origin and Development of Crime: Nature of Crime-Definition of Crime-Traditional and Modern Approach to Crime-Defining Criminal Conduct in Contemporary Society-Consensus and Conflict Perspectives in Crime-Philosophical versus Contextual Approaches to Crimes-Fundamental Elements of Crime: Human Being- *Mens Rea-Actus Reus*-Injury to Third Party; Causation in Crime-Morality and Criminal Law
- Historical Development of Indian Penal Code: Extent and Operation of the Penal Code-Significant Reform Areas and Trends

UNIT-II STAGES AND MENTAL ELEMENTS IN CRIME

- Stages in Commission of Crime: Intention-Preparation-Attempt-Commission of Crime; Complicit Criminality and Inchoate Crimes: Abetment-Conspiracy-Group or Joint Liability
- State of Mind in Crime: Intention-Negligence-Recklessness; Presumption of Culpable Mental State in Fixing Criminal Responsibility-Strict Liability in Crime: Exclusion of *Mens rea* in Public Welfare Offences

UNIT-III

PUNISHMENTS

- Punishment: Theories of Punishment-Retribution-Utilitarian Prevention-Deterrence-Behavioural Prevention-Incapacitation-Rehabilitation; Classical Hindu and Islamic Approaches to Punishment; Individualization of Sentence: Judicial Discretion in Awarding Sentence-Sentence Hearing-Minimum Mandatory Punishment
- Capital Punishment: Rationale-Constitutional Validity-Judicial Law Making-Rarest of Rare Cases; Kinds of Punishment: Imprisonment-Life Imprisonment-Simple-Rigorous-Solitary Confinement; Forfeiture of Property-Fine

UNIT-IV

GENERAL EXCEPTIONS OR CONDITIONS FOR NEGATIVING CRIMINAL LIABILITY

- General Exceptions: Position under English law and IPC-Excusable Defence-Justifiable Defence-Provocation as a Mitigating Factor in Criminal Liability
- Principles of Exculpation: Defence of Mistake-Defence of Insanity and Intoxication-Defence of Necessity and Bonafide Action-Private Defence: Right of Private Defence of Body-Right of Private Defence of Property

Suggested Readings:

1. C. K. Takwani: *Indian Penal Code*, Eastern Book Company, Lucknow.
2. D. R. Prem and C. K. Thakker: *Criminal Law and Practice*, Ashoka Law House, New Delhi.
3. Harish Chander: *The Indian Penal Code -A Critical Commentary*, Eastern Law House, Kolkata.
4. Justice K. T. Thomas & M.A. Rashid: *Ratanlal & Dhirajlal - The Indian Penal Code*, LexisNexis India, Gurgaon.

5. K. D. Gaur: *Commentary on the Indian Penal Code*, Universal Law Publishing Co. Pvt. Ltd., New Delhi.
6. Kirpal Singh Chhabra: *Quantum of Punishment in Criminal Law in India*, Panjab University, Chandigarh.
7. Kishore Prasad: *Problems and Solutions on Criminal Law*, Universal Law Publishing, Delhi.
8. K. S. N. Murthy & K. V. S. Sarma: *KSN Murthy's Criminal Law (Indian Penal Code)*, LexisNexis India, Gurgaon.
9. M. J. Allan: *Cases and Materials on Criminal Law*, Sweet and Maxwell, London
10. M. T. Molan: *Criminal Law*, Old Bailey, London.
11. Nicola Padfield: *Criminal Law*, Oxford University Press, New York.
12. P. S. A. Pillai: *Criminal Law- Incorporating the Criminal Law (Amendment) Act, 2013*, LexisNexis India, Gurgaon.
13. R. A. Nelson: *Indian Penal Code*, LexisNexis India, Gurgaon.
14. S. N. Misra: *Indian Penal Code (As amended by Criminal Law (Amendment) Act, 2013)*, Central Law Publications, Allahabad.
15. S. R. A. Rosedar: *Indian Penal Code*, LexisNexis India, Gurgaon.



**CORPORATE LAW
STREAM**

PUBLIC POLICY & CONTROL OF BUSINESS

[Optional Paper-I]

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from m each unit. The candidates shall be required to answer four questions in all, selecting one from each unit. All questions carry equal marks.)

UNIT-I

LEGAL REGULATION OF BUSINESS ACTIVITIES

- Rationale and Necessity of Public Control of Business: *Laissez Faire* Model, Controlled Economy, Welfare State Model; Control by Governmental and Non-Governmental Agencies-Counter Veiling Measures against Business-Regulation of Public Sector Companies, Multinational Companies and Small Scale Industries.
- Implication of Supra National Bodies such as the World Trade Organisation (WTO) in Controlling Practices within a Country.
- Regulation of Public Sector Companies: Parliamentary and Ministerial Control-Possibilities of Public Control following Disinvestments and Privatization-Bureau of Public Enterprises.

UNIT-II

REGULATION OF BUSINESS UNDER TAXATION LAWS

- Taxation as a Means to Establish a Just Social Order
- Profits and Gains of Business: Capital Gains-Assessment of Corporate Bodies
- Deduction to Certain Undertakings in Rural, Backward and Other Areas; Additional Income Tax on Undistributed Profits-General Outline.

UNIT-III

REGULATION OF BUSINESS UNDER LABOUR LAWS

- Labour laws as a Means to Protect Human Rights: Outlines of Regulatory Measures under the Heads Covering Areas of Labour Relations, Working Conditions, Safety and Health and Social Security Focusing *inter alia* on Workers Right to Information, Participation in Management, Role in Safety Regulation, Enforcement Mechanism etc.
- Peculiar Problems of Casual, Contract Workers and Workers in the Unorganized Sector
- India's Labour Framework in the Context of the International Labour Standards of the ILO-Exemptions from Labour Law for Export Processing Zones-Small Scale Business

UNIT-IV

REGULATION OF BUSINESS UNDER ENVIRONMENT PROTECTION LAWS

- Common Law Rights and Remedies: Classical & Common Law Remedies for Environmental Protection-Criminal & Tortious Dimensions
- Environmental Principles: Precautionary Principle-Polluter Pays Principle-Inter-generational Equity-Intra-Generational Equity-Common but Differentiated Responsibilities
- Environment Impact Assessment: Law & Practice-Public Participation

Suggested Readings:

1. Armin Roseneranz *et.al.*: *Environment Law and Policy in India*, South Asia Books, New Delhi.
2. C. B. Mamoria and Mamoria: *Dynamics of Industrial Relations in India*, Himalaya Publishing House, Mumbai.

LL.M. (Regular) Semester-I

3. C. R. Mc Connell & S. L. Brue: *Contemporary Labour Economics*, Mc Grow- Hill, New York.
4. G. B. Pai: *Labour, Law in India*, Butterworths, New Delhi.
5. Indrani Mukherjee: *Industrial Workers in a Developing Society*, Mittal Publications, New Delhi.
6. Jwitesh Kumar Singh: *Labour Economics-Principles, Problems and Practices*. Deep & Deep publications Pvt. Ltd., New Delhi.
7. K. K. Bagin & N. Gope: *State, Labour and Development*, Abhijeet Publication, New Delhi.
8. Meenu Agrawal: *Economic Reforms, Unemployment and Poverty*, New Century Publications, New Delhi.
9. P. S. Sangal, National and Multi-National Companies: *Legal Issues*, Bhagwati International Enterprises, Delhi.
10. Pramod Verma: *Labour Economics and Industrial Relations*- Tata McGraw Hill Publishing Co. Ltd., New Delhi.
11. S. N. Misrap: *Labour & Industrial Law*, Central Law Publication, Allahabad.
12. S. R. Myneni: *Labour Laws*, Asia Law House, Hyderabad.
13. T. N. Bhagoliwal: *Economics of Labour and Industrial Relations*, Sahitya Bhavan Publications, Agra.
14. V. D. Kulshreshtha: *Government Regulation of Financial Management of Private Corporate Sector in India*, N.M. Tripathi, Bombay.
15. Vikas Mundra : *Tax Laws and Practices*; Law Point Publications, Kolkata.

TAX POLICY AND TAX REFORMS

[Optional Paper-II]

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from m each unit. The candidates shall be required to answer four questions in all, selecting one from each unit. All questions carry equal marks.)

UNIT-I

TAXING POWER & CONSTITUTIONAL LIMITATIONS

Articles: 245, 246 & 248; Limitations on Legislative Power, Seventh Schedule, List I
Entries 82-92A, List II Entries 46-63; Articles: 265, 27, 205, 280, 289, 301 & 304

Cases:

1. *K.T. Mopil Nair v. State of Kerala*, AIR 1961 SC 557
2. *Quilon Municipality v. M/s. H.C. Ltd.*, AIR 1965 SC 1174
3. *Singerani Collieries Co. Ltd. v. CIT*, AIR 1966 SC 563
4. *Re Customs Act*, AIR 1963 SC 1760
5. *Corp. of Calcutta v. Liberty Cinema*, (1965) 2 SCR 477

UNIT-II

CENTRE-STATE FINANCIAL RELATIONS

Articles: 266, 268, 269, 270, 275, 276, 277, 280, 281, 282 & 283

UNIT-III

TAX POLICY OBJECTIVES VIS-A-VIS DIRECTIVE PRINCIPLES

Economic Growth: Tax Equity-Redistribution of Income & Wealth-Revenue
Resource Mobilisation-Social Justice

UNIT-IV
TAX REFORMS

Taxation of Agricultural Income and Wealth: Family as a Unit for Tax; Tax Evasion and Black Money: Measures Adopted like Tax Avoidance, Searches, Seizure and Voluntary Disclosure

Suggested Readings:

1. Agricultural Taxation in India - *Economic and Political Weekly*, August 1972
2. Income Tax Reforms - *Taxation* Vol. 48 AIR 1977 p. 87
3. Tax Avoidance and Family as a Unit for Tax: *The Commercial Law Gazette* Vol. 6, No. 12 (1983)
4. Taxation and Growth -*Financial Express* (25.01.1977 and 26.01.1977)
5. Case for IT Reforms-*Financial Express* (12.10.1976)
6. Reducing Case Tax Evasion-*Economic Times* (08.06.1997)
7. Challenging in Corporate Tax-*The Hindu* (04.01. 2003)

Books:

1. Arthur Berriedale Keith: *A Constitutional History of India 1600-1935*, Methuen & Co. Ltd., London.
2. B. B. Lal and N. Vashist: *Direct Taxes, Income Tax, Wealth Tax and Tax Planning*; Darling Kindersley (India) Pvt. Ltd., Delhi.
3. Balram Sangal and Jagdish Rai Goel: *All India VAT Manual (4 Vols.)*; Commercial Law Publisheres (India) Pvt. Ltd., Delhi.
4. Girish Ahuja and Ravi Gupta: *Professional Approach to Direct Taxes Law & Practice*; Bharat Publications, New Delhi.
5. Girish Ahuja and Ravi Gupta: *Systematic Approach to Income-tax, Service Tax and VAT*, Bharat Law House, New Delhi.
6. H. C. Mehrotra and Dr. S. P. Goyal: *Direct Taxes (with Tax Planning)*, Sahitya Bhawan, Agra.
7. H. M. Seervi: *Constitutional Law of India*, N.M. Tripathi, Bombay.

FACULTY OF LAW

8. J. K. Mittal: *Law, Practice & Procedure of Service Tax*; CCH India, (Walters Kluwer (India) Pvt. Ltd.), New Delhi.
9. Jagdish Swarup: *Constitution of India*, Modern Publications, New Delhi.
10. K. D. Gaur, *Tax Offences, Black Money and the Law*, Deep and Deep Publications, New Delhi.
11. M. C. Jain Kagzi: *The Constitutional of India*, India Law House, New Delhi.
12. M. P. Jain: *Indian Constitutional Law*, LexisNexis India.
13. Richard Miller Bird & Oliver Oldman : *Taxation in Developing Countries*, The John Hopkins Press, London.
14. Sampath Iyengars: *Law of Income Tax*, Bharat Law House Pvt. Ltd., New Delhi.
15. V. K. Singhanian: *Students Guide to Income-Tax including Service Tax/VAT*; Taxmann Publications Pvt. Ltd., New Delhi.
16. V. S. Datey: *Indirect Taxes Law and Practice*, Taxmann Publications, New Delhi.
17. V. S. Datey: *Service Tax Ready Reckoner*; Taxmann Publications, New Delhi.
18. Vikas Mundra : *Tax Laws and Practices*; Law Point Publications, Kolkata.

**COMPETITION LAW OF INDIA:
POLICY, ISSUES AND DEVELOPMENT
[Optional Paper-III]**

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UNIT-I

POLICY AND PRACTICES

Competition Law & Policies: Evolution of Competition Law in India; Monopolistic Trade Practices- Restrictive Trade Practices and Unfair Practices

UNIT-II

CONTROL & ABUSE

Anti-Competitive Agreement: Control of Cartels and Other Anti-Competitive Agreements; Abuse of Dominant Position-Enforcement Issues and Approaches-Combination, Mergers Amalgamations and Acquisition

UNIT-III

REGULATORY MECHANISM

Competition Commission of India: Duties, Powers and Functions of Commission and Duties of Director General-Competition Advocacy-Penalties-Competition Appellate Tribunal Efficient and Effective Competition Authority

UNIT-IV

EMERGING TRENDS IN COMPETITION LAW

Intellectual Property Rights and Competition Law-International Trade Law and Competition Law-International Competition Law

Suggested Readings:

1. Abir Roy & Jayant Kumar: *Competition Law in India*, Eastern Law House, Kolkatta
2. Kristy Middleton, Barry Rodger & Angus Mac Culloch: *Cases and Materials on UK and EC Competition Law*, Oxford University Press, Oxford.
3. Maher M. Dabbah: *EC and UK Competition Law: Commentary, Cases and Materials*, Cambridge University Press, Cambridge.
4. Mark Furse: *Competition Law of the EC and UK*, Oxford University Press, Oxford
5. P. Satyanarayana Prasad: *Competition Law and Cartels*, Amicus Books, ICFAI University Press, Hyderabad.
6. Philips E. Areeda & H. Hovenkoup: *Fundamentals of Anti-Trust Law*, ASPEAN Publications, New York.
7. Richard Whish: *Competition Law*, Oxford University Press, Oxford.
8. S. M. Dugar: *Commentary on MRTP Law, Competition Law & Consumer Protection Law*, Wadhwa, Nagpur.
9. T. Ramappa: *Competition Law in India- Policy, Issues and Development*, Oxford University Press, Oxford.
10. Vinod Dhall (ed.): *Competition Law Today*, Oxford University Press, Oxford.



**PERSONAL LAW
STREAM**

ISLAMIC JURISPRUDENCE

[Optional Paper-I]

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from m each unit. The candidates shall be required to answer four questions in all, selecting one from each unit. All questions carry equal marks.)

UNIT-I

HISTORICAL DEVELOPMENT

History of the Growth of The Muslim Legal System: Nature and Scope of Islamic Legal Theory-Muslim Schools of Thought-Concept, Origin and Development of Islamic Law- Definition of Law under Islam-Analysis of Western Definitions-Comparison-Development of Islamic Law- *Khilafat*-Elections

UNIT-II

SOURCES

Sources of Islamic Law: Basic Wisdom-Necessity of Revelation-Conflict Between Revelation & Secular Reason; Primary Sources: The Holy Quran-Quran as a source of Islamic Legislation-Interpretation of Quran-Legislative Functions of Quran; *Sunnah (Hadith)*-Jurisprudential Basis and Legal Validity of *Sunnah*- Legislative Functions of *Sunnah-Ijma*: Validity of *Ijma* as a Source of Islamic Jurisprudence-*Qiyas*: Arguments For and Against *Qiyas*; *Ijtihad*: Necessity of *Ijtihad*; Secondary Sources: *Istihsan-Istidlal*-Justice, Equity and Good Conscience-Legislations-Origin and Development of *Sunni* and *Shia* Schools

UNIT-III

ISLAMIC CONCEPT OF SOVEREIGNTY

Islamic Concept of Sovereignty: Western Concept of Sovereignty-Islamic Concept of *Shura*- Democracy and Islamic System of *Shura*- Fundamental Rights & Duties under Islam-Islamic Economic System-Ownership-Distributive-Power of State to Regulate the Economy

UNIT-IV

CONTEMPORARY CHALLENGES

Contemporary Challenges and Islamic Responses: Islamic Law and Indian Muslims-Scope of Legislation in Islam-Application of Statutory Rules to Muslims in India, Its Dimensions and Co-Relation with the Secular Legislations-Islamic Law and Human Rights

Suggested Readings:

1. Abdul Rahim: *The Principles of Muhammadan Jurisprudence*, Luzac and Company, London.
2. Ameer Ali, *Muhammadan Jurisprudence*, Vol. 1, Kitab Bhawan, New Delhi.
3. Ameer Ali, *Muhammadan Jurisprudence*, Vol. 2, Kitab Bhawan, New Delhi.
4. Asif Ali A. Faizee: *Outlines of Muhammadan Law*, Oxford University Press; Delhi
5. Asif Ali A. Faizee: *A Modern Approach to Islam*, Oxford University Press, Delhi.
6. Sir D.F. Mulla: *Principles of Mahomedan Law*, Lexis Nexis India, Gurgaon.
7. J. Schacht: *The Origin of Mohammedan Jurisprudence*, Clarendon Press, Oxford.
8. S. Mahmassni: (*Falsafat al-tashrifi-Islam*)-*Philosophy of Jurisprudence in Islam*, Beirut, 1946. [English Translation by F.J. Ziadeb (Beirut) Leiden, 1961].
9. Khalid Rasheed: *Muslim Law*, Eastern Book Co., Lucknow.
10. Tahir Mahmood: *Muslim Law in India and Abroad*, Universal Law Publishing Co., New Delhi

LL.M. (Regular) Semester-I

11. Mir Waliullah: *Muslim Jurisprudence and the Qur'anic Law of Crimes*, Adam Publishers & Distributers, New Delhi.
12. A.M. Bhattarcharjee: *Muslim Law and the Constitution*, Eastern Law House, Calcutta.

FAMILY PATRIARCHY AND GENDER JUSTICE

[Optional Paper-II]

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from m each unit. The candidates shall be required to answer four questions in all, selecting one from each unit. All questions carry equal marks.)

UNIT-I

THE CONCEPT OF PATRIARCHY

Concept of Patriarchy: Notions of Discrimination and Paternalism- Different Forms of Patriarchy-Patriarchic Character of Legal Administration- Problems of Access-Custodial Institution; Women and Law: Law as Protector and Law as an Instrument of Patriarchal Oppression-Patriarchal Notion of Public/Private Law Dichotomy- How 'Private' Law is a Device to Perpetuate Patriarchal, Social, Economic and Cultural Factors Contributing to Patriarchy.

UNIT-II

PATRIARCHAL ASPECTS OF INDIAN LAW-I

Patriarchal Aspects of Indian Law with regard to Family: Sexuality, Patriarchy and Social Reproduction; Patriarchy in Hindu, Christian, Islamic and Parsi Law and Traditions-Board Overview of Developments and Reforms in these Laws-Matrilineal Systems.

UNIT-III

PATRIARCHAL ASPECTS OF INDIAN LAW-II

Continuation of Separate Discriminatory Personal Laws-Conflict between the Right to Religion and the Right to Equality-Protective Legislations for Women- State Agencies and Women-National Commission for Women-Police-Judiciary

UNIT-IV

FAMILY AND EMERGING TRENDS

Family and Its Changing Patterns: New Emerging Trends-Working Women and their Impact on Spousal Relationship-Retention of Restitution of Conjugal Rights as a Matrimonial Remedy- Concept of Matrimonial Home-Property Rights of Women-Spousal Property; Domestic Violence-Gender based Specifications of Offences-Adultery, Rape, Martial Rape, Wife Beating and Dowry Death

Suggested Readings:

1. Bina Aggarwal: 'Patriarchy and the Modernizing State: An Introduction', in Agarwal Bina (ed.) *Structures of Patriarchy*, Kali for Women, New Delhi.
2. Sushila Aggarwal: *Status of Women*, Printwell Publishers, Jaipur.
3. Flavia Agnes: 'Protecting Women against Violence? Review of a Decade of Legislation 1980-89' 27 (17) *Economic and Political Weekly* WS 19-WS 33 (25th April, 1992)
4. Ram Ahuja: *Violence against Women*, Rawat Publication, Jaipur.
5. Olive Banks: *Faces of Feminism: A Study of Feminism as a Social Movement*, Martin Robertson, Oxford.
6. Kamla Bhasin: *What is Patriarchy?*, Kali for Women, New Delhi.
7. Monica Chawla: *Women and Law in India*, Deep & Deep Publications Pvt. Ltd., New Delhi.
8. S. K. Ghosh: *Women in Changing Society*, Ashish Publishing House, New Delhi.

9. Julia Cleves Mosse: *Half the World, Half A Chance: An Introduction to Gender Development*, Oxfam, UK.
10. Ratna Kapur (ed.): *Feminist Terrains in Legal Domain : Interdisciplinary Essays on Women and Law in India*, Kali for Women, New Delhi.
11. Ratna Kapur and Brenda Crossman: *Subversive Sites: Feminist Engagements with Law in India*, Sage Publications, New Delhi.
12. Maithreyi Krishnaraj (ed.): *Feminist Concepts : Part 1,2 and 3*, Contribution to Women's Studies Series-7, Research Centre for Women's Studies, SNDT Women's University, Bombay.
13. Gerda Lerner: *The Creation of Patriarchy*, Oxford University Press, New Delhi.
14. Maria Mies: *Indian Women and Patriarchy*, Concept Publishing Company, New Delhi.
15. Monica Chawla: *Gender Justice-Women and Law in India*, Deep & Deep Publications, New Delhi.
16. Ann Oakley and Mitchell, Juliet (ed.): *Who's Afraid of Feminism Seeing Through the Backlash*, Penguin, London.
17. Pam Rajput & Manvinder Kaur: 'Women's Studies in Higher Education in India: Some Reflections', 3(1) *Samyukta* (January 2003).
18. Sheila Ruth: *Issues in Feminism: An Introduction to Women's Studies*, Mayfield Publishing Company, California.
19. R. K. Sapru: *Women and Development*, Ashish Publishing House, New Delhi.
20. Shamusuddin Shams: *Women, Law and Social Change*, Ashish Publishing House, New Delhi.
21. Shulamith Firestone: *The Dialectic of Sex*, Bantam Books, N.Y.
22. M. N. Srinivas: *The Changing Position of Indian Women*, Oxford University Press, New Delhi.

GENERAL PRINCIPLE OF HINDU JURISPRUDENCE [Optional Paper-III]

(The entire syllabus is divided into four units. Eight questions shall be set in all with two questions from each unit. The candidates shall be required to answer four questions in all, selecting one from each unit. All questions carry equal marks.)

UNIT-I

CONCEPTUAL FRAMEWORK OF HINDU JURISPRUDENCE

Conceptual Framework of Hindu Jurisprudence: Constituents of Hindu Jurisprudence-Nature of Hindu Law-Law under Hindu Philosophy-Concept of *Rita* and Concept of Justice-Rule of Law, Morality and Religion-Law as Believed under Hindu Belief from Ancient to Modern Period

UNIT-II

SOURCES & SCHOOLS

Sources and School of Hindu Jurisprudence: Sources of Hindu Law with Regional or Other Relevant Variations; School of Hindu Jurisprudence and its Sub-Schools

UNIT-III

CONCEPTUAL FRAMEWORK OF HINDU JURISPRUDENCE

Jurisprudential Concepts under Hindu Law: Right and Duties-Possession and Ownership; Marriage and Divorce-Joint Hindu Family-Inheritance and Succession; Sonship and Adoption-Son's Pious Obligations

UNIT-IV

COMPARATIVE ANALYSIS OF HINDU & ISLAMIC JURISPRUDENCE

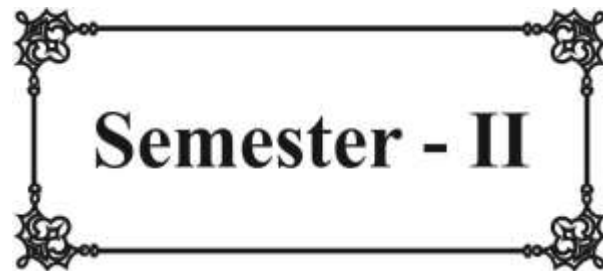
Comparative Analysis of Hindu and Islamic Jurisprudence in terms of Different Anglo-Saxon Schools of Jurisprudence: Natural Law School-Positivist School-Historical School-Sociological School

Suggested Readings:

1. A.G. Gupte: *Hindu Law*, Premier Publishing Co., Allahabad.
2. B.M. Gandhi: *Hindu Law*. Eastern Book Co., Lucknow.
3. Basant K. Sharma: *Hindu Law*, Central Law Publications, Allahabad.
4. H. S. Gaur: *The Hindu Code*, Allahabad Law Agency, Faridabad.
5. K. B. Agrawal: *Family Law in India*, Kluwer Law International, Netherlands.
6. Kulwant Gill: *Hindu Women's Right to Property in India*, Deep & Deep Publications Pvt. Ltd., New Delhi.
7. Kumud. Desai: *Law of Marriage and Divorce*, N.M. Tripathi Pvt. Ltd., Bombay.
8. P. K. Das: *Handbook on Hindu Succession (Property Rights of Women and Daughters)* Universal Law Publishing Co. Pvt. Ltd., Delhi.
9. P. K. Das: *New Law on Hindu Succession*, Universal Law Publishing Co. Pvt. Ltd., Delhi.
10. Paras Diwan & Pyushi Diwan: *Family Law*, Allahabad Law Agency, Faridabad.
11. Paras Diwan: *Law of Marriage and Divorce*, Universal Law Publishing Co. Pvt. Ltd., New Delhi.
12. Paras Diwan: *Modern Hindu Law*, Allahabad Law Agency, Faridabad.
13. Poonam P. Sexena: *Family Law Lectures-Family Law II*, LexisNexis, Gurgaon.
14. Prof Kusum: *Family Law Lectures-Family Law I*, LexisNexis, Gurgaon.
15. R. K. Aggarwal: *Hindu Law*, Central Law Agency, Allahabad.

LL.M. (Regular) Semester-I

16. Ranganath Misra: *Mayne's Treatise on Hindu Law & Usage*, Bharat Law House, New Delhi.
17. S. R. Myneni: *Hindu Law (Family Law I)* Asia Law House, Hyderabad.
18. Satyajeet A. Desai: *Mulla's Principles of Hindu Law*, Vol. I & II, LexisNexis India, Gurgaon.
19. T.V. Subba Rao & Dr. Vijender Kumar: *G. C. V. Subba Rao's Family Law in India*, S Gogia & Company, Hyderabad.
20. U. P. D. Kesri: *Modern Hindu Law*, Central Law Publications, Allahabad.



Semester - II

