

## Master of Laws (LL.M.)

(One-Year, Full Time Program)

### PROGRAM CURRICULUM

#### Specialization 4: International and Comparative Law

##### Trimester-I

S. No.	Course Code	Course Name	Periods			Credits
			L	T	P	
1	LLM F101	Comparative Public Law	3	0	0	3
2	LLM F102	Law and Justice in a Globalized World	3	0	0	3
3	-	Elective-I	2	0	0	2
<b>Total Credits</b>			<b>8</b>	<b>0</b>	<b>0</b>	<b>8</b>
<b>Total Periods</b>			<b>8</b>			

##### Trimester-II

S. No.	Course Code	Course Name	Periods			Credits
			L	T	P	
1	LLM F201	Research Methods and Legal Writing	3	0	0	3
2	LLM I202	International Environmental Law	2	0	0	2
3	-	Elective-II	2	0	0	2
<b>Total Credits</b>			<b>7</b>	<b>0</b>	<b>0</b>	<b>7</b>
<b>Total Periods</b>			<b>7</b>			

##### Trimester-III

S. No.	Course Code	Course Name	Periods			Credits
			L	T	P	
1	LLM I301	Public International Law	2	0	0	2
2	LLM I302	International Dispute Settlement	2	0	0	2
3	LLM I303	International Human Rights Law	2	0	0	2
4	LLM I304	Dissertation	-	-	-	3
<b>Total Credits</b>			<b>6</b>	<b>0</b>	<b>0</b>	<b>9</b>
<b>Total Periods</b>			<b>6</b>			

**Total Credits (Trimester I-III): 24**

S.No.	Course Code	List of Electives	Periods			Credits
			L	T	P	
<b>Elective-I (Select any one paper)</b>						
1	LLM I103E1	Air and Space Law	2	0	0	2
2	LLM I103E2	International Humanitarian Law	2	0	0	2
<b>Elective-II (Select any one paper)</b>						
1	LLM I203E1	International Organizations	2	0	0	2
2	LLM I203E2	International Criminal Law	2	0	0	2



Nurturing Knowledge. Empowering Minds.

## Master of Laws (LL.M.) (One-Year, Full Time Program)

### PROGRAM SYLLABI

<b>Course: COMPARATIVE PUBLIC LAW</b>			<b>Trimester: I</b>
<b>Course Code: LLM F101</b>	<b>L T P</b>	<b>3 0 0</b>	<b>Credits: 3</b>

**Objective:** To impart knowledge and understanding about the Constitution and its relationship with statehood, territoriality and citizenship, and compare Indian Government with other similar Governments like in England, USA and Canada.

#### SYLLABUS

**Comparative Law and Public Law 6**

Public law as distinct from private law, Comparative law applied to public law, Concept of a Constitution and its relationship with statehood, Territoriality and citizenship.

**Constitution and the Making of States 10**

Concept of State, Framing of constitution of USA, Australia and India, Recent constitutional developments in India, USA and UK, Amendment of Constitutions: flexibility and continuity as aspects of constitutionalism with special reference to provisions of UK, Canada, India and Australia.

**Organs of Government 10**

Executive, Legislative and Judiciary, Privileges of Executive and Legislature, Independence of judiciary in USA, India and UK, Judicial Review, Public Interest Litigation.

**Federalism 10**

Federalism: concept, nature and meaning, Quasi-federalism, Co-operative federalism, Protecting constitutional rights through the political process in India, USA and UK, Separation of Powers, Sarkaria Commission Report and Moily Commission Report.

**Text Books**

1. Singh, M. P.; *V.N Shukla's Constitution of India*; Eastern Book Company
2. Finer, S.E.; *Comparative Government*; Penguin Books

**Reference Books**

1. Barendt, E.M.; *An Introduction to Constitutional Law*; Oxford University Press
2. Cane, Peter; *Administrative Law*; Oxford University Press
3. Jain, M.P.; *Indian Constitutional Law*; LexisNexis

IMS Unison University

4. Loughlin, Martin; *The Idea of Public Law*; Oxford University Press

**Select Case Laws**

1. Asif Hameed v. State of J&K [AIR 1989 SC 1899]
2. State of Rajasthan v. Union of India [AIR 1978 SC 1361]
3. Keshavanand Bharati v. State of Kerala [(1976) 2 SCR 347]
4. Pandit M.S.M. Sharma v. Sri Krishna Sinha [AIR 1959 SC 395]

**Note:** The above list is illustrative and not exhaustive. The updated case laws will be discussed.

<b>Course: LAW AND JUSTICE IN A GLOBALIZED WORLD</b>			<b>Trimester: I</b>
<b>Course Code: LLM F102</b>	<b>L T P</b>	<b>3 0 0</b>	<b>Credits: 3</b>

**Objective:** To impart knowledge and understanding about the role that law plays in the contemporary Indian society, and its development in the context of globalized world.

### SYLLABUS

#### **Law and Social Change 6**

Law as an instrument of social change, Law as the product of traditions and culture, Secularism and its dimensions, Freedom of religion, Non-discrimination on the basis of religion, Religious minorities and the law.

#### **Role of Language, Regionalism in the Society 10**

Language and Religion, Non-discrimination on the ground of caste, acceptance of caste, Protective discrimination: reservation for scheduled castes, schedule tribes and backward classes, statutory commissions, and statutory provisions, Regionalism and the law: residence and business, and impermissibility of state or regional barriers, Reservations and merits and demerits.

#### **Law Related to Weaker Sections 6**

Women and the law: crimes against women, gender injustice and its various forms, Women's Commission, Empowerment of women: constitutional and other legal provisions, Children and marginalized sections of the society and the law: child labour, sexual exploitation, adoption and related problems, and child education and other related problems.

#### **Need for Reforms in Global Context 14**

Modernization of social institutions through law, Reform of family law, Agrarian reform, Industrial reform, Public Private Partnership model, Environmental protection, Criminal law: plea bargaining, Civil law: confrontation, consensus, mediation and conciliation (ADR), Lok-Adalats, Prison reforms, Judicial Reforms, Decentralization and local self-government.

#### **Text Books**

1. Baxi, Upendra; *The Crisis of the Indian Legal System*; Vikas Publishing House
2. Basu, Durga Das; *Introduction to the Constitution of India*; LexisNexis

#### **Reference Books**

1. Meagher, Robert F; *Law and Social Change: Indo-American reflections*; N.M. Tripathi
2. Galanter, Marc; *Law and Society in Modern India*; Oxford University Press
3. Lingat, Robert; *The Classical Law of India*; Oxford University Press
4. The Reports of Law Commission of India

#### **Select Case Laws**

1. Aruna Roy v. Union of India [(2002) 7 SCC 368]
2. Geeta Hariharan v. Reserve Bank of India [AIR 1999 SC 1149]

IMS Unison University

3. Vishakha v. State of Rajasthan [AIR 1997 SC 3011]
4. Bodhisatva Gautam v. Subhra Chakravarty [1996 (1) SCC 490]
5. M.C. Mehta v. State of Tamil Nadu [(1996) 6 SCC 756]
6. Delhi Domestic Working Women Forum v. Union of India [(1995) 1 SCC 14]
7. S.R. Bommai v. Union of India [(1994) 3 S.C.C. 1]
8. Bijoe Emmanuel v. State of Kerala [AIR 1987 SC 748]

**Note:** The above list is illustrative and not exhaustive. The updated case laws will be discussed.

<b>Course: AIR AND SPACE LAW</b>			<b>Trimester: I</b>
<b>Course Code: LLM II03E1</b>	<b>L T P</b>	<b>2 0 0</b>	<b>Credits: 2</b>

**Objective:** To impart knowledge about the development of Air and Space Law, and recent emerging issues in Air and Space law.

### SYLLABUS

#### **Introduction** **6**

Definition, nature, scope and sources of Air law, Development of Air law (Paris Convention, 1910; Paris Convention, 1919; Madrid Convention, 1926; Havana Convention, 1928; Warsaw Convention and Chicago Convention, 1944), Freedom and Sovereignty in the Air, Organizational setup of International Civil Aviation Organization (ICAO), Legislative, Administrative and Judicial functions, Economic and Technical regulations.

#### **Safety and Security in Civil Aviation** **6**

Aviation terrorism, International conventions, Regulations in India: air safety provisions, air traffic management, and legal regime of air space and outer space, Problems in application of air, space and telecommunication laws, State obligation to provide air navigation services.

#### **New Development in Air and Space Law** **6**

Technological development and problem in civil aviation, Airport management, Liability in international civil aviation, Space programs in India and its legal dimensions, Third party liability for surface damage, Space Law: definition, nature, scope, development, and sources, International co-operation for peaceful use, UN space treaties, The Space Treaty, 1967, The Rescue Agreement, 1968, The Liability Convention, 1972, The Registration Convention, 1975, The Moon Treaty, 1979, Partial Test Ban Treaty, 1963, Weather Modification Convention, 1977.

#### **International and Inter-Governmental organizations** **6**

Bilateral agreement in space activity, Satellite broadcasting and telecommunication, Use of space technology, Remote sensing, Disaster prediction, Warning and mitigation, Management of earth resources, Satellite navigation and location, Space communication, Commercialization of space activities: Public and private sector activities, IP rights, Organization of space activities: DOS, and ISRO.

#### **Text Books**

1. Azbeyratne, R.I.R.; *Legal and Regulatory Issues in International Aviation*; Transnational Publishers
2. Bhatt, S.; *The New Aviation Policy in India*; Lancer Books

#### **Reference Books**

1. Carole, Blackshaw; *Aviation Law and Regulation*; Pitman
2. Mani, V. S., Bhatt, S and Reddy, V. Balkista; *Recent Trends in International Space and Policy*; Lancer Books

<b>Course: INTERNATIONAL HUMANITARIAN LAW</b>			<b>Trimester: I</b>
<b>Course Code: LLM II03E2</b>	<b>L T P</b>	<b>2 0 0</b>	<b>Credits: 2</b>

**Objective:** To impart knowledge and understanding about the development of humanitarian law and rights of persons during war time.

### SYLLABUS

**International Humanitarian Law: An overview** **6**

Concept of International Humanitarian Law, Historical development, Application of criminal justice policy of International Humanitarian Law, Role of International Committee of the Red Cross, International Criminal Court.

**International Humanitarian Law and Conventions** **6**

Geneva Conventions: Humanisation of warfare, Treatment of wounded and sick, Treatment of armed forces in the field and sea, Treatment of the shipwrecked, Protection and facilities for prisoners of wars, Civilians at times of war.

**Refugees and International Humanitarian Law** **6**

Definition of refugees and displaced persons, and their problems, UN relief and rehabilitation administration, International refugees, International organizations and International protection, Status of refugees in India.

**Combating the Problems of Refugees** **6**

Strategies to combat refugees' problems, Repatriation, Resettlement, Local integration and rehabilitation, Role of United Nations High Commissioner for Refugees (UNHCR), Working of United Nations High Commissioner for Refugees (UNHCR), Role of Amnesty International.

**Text Books**

1. Singh, Gurdip; *International Law*; Macmillan
2. Wallace R; *International Human Rights*; Sweet and Maxwell Publication

**Reference Books**

1. Sieghart, Paul; *The International Law of Human Rights*; Oxford University Press
2. Hingorani, R; *Prisoners of War*; Oxford University Press
3. UNESCO; *International Dimensions of Humanitarian Law*; Henry Dunant Institute

**Select Case Laws**

1. Agiza v. Sweden [(2005) 121 HRR 958]
2. Judge v. Canada [(2004) 11 HRR 125]
3. Estrella v. Uruguay [(1983) 2 HRC 93]
4. Guerrero v. Colombia [1982 (1) HRC 112]
5. Aumeeruddy Cziffra v. Mauritius (Mauritian Women Case) [1981 HRC 67]

**Note:** The above list is illustrative and not exhaustive. The updated case laws will be discussed.



<b>Course: RESEARCH METHODS AND LEGAL WRITING</b>			<b>Trimester: II</b>
<b>Course Code: LLM F201</b>	<b>L T P</b>	<b>3 0 0</b>	<b>Credits: 3</b>

**Objective:** To impart knowledge and understanding about the process of conducting socio-legal research, organizing seminars, publication of law journals, and holding legal aid clinics.

### SYLLABUS

#### **Introduction 8**

Law and society: mutual relationship and interaction, Meaning of research, Objectives of legal research, Types of research, Nature and scope of socio-legal research, Factors affecting legal research, Inter-disciplinary research, Common law and Civil law systems, Legal writing and its significance.

#### **Legal Research and Methodology 10**

Sources of information, Identification and formulation of a research problem, Review of literature, Formulation of hypothesis, Research design, Methods of legal research: doctrinal and non-doctrinal research, Preparation of synopsis, Rules of interpretation.

#### **Research Techniques 10**

Data collection: tools and techniques, Sampling procedure, Survey and case study method, Scaling and Content Analysis, Use of Questionnaires, Schedule and Interview, Legal material, Interpretation and Analyzing Data, Statistical tools.

#### **Legal Writing and Para-legal Activities 8**

Report/Article writing, Citation methodology, Book review and case comments, Organization of seminars, Publication of journals, Clinical legal education: legal aid, legal literacy camp, legal survey, and law reforms.

#### **Text Books**

1. Agarwal, S.K; *Legal Education in India*; Eastern Book House
2. *Legal Research and Methodology*; Indian Law Institute

#### **Reference Books**

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

<b>Course: INTERNATIONAL ENVIRONMENTAL LAW</b>			<b>Trimester: II</b>
<b>Course Code: LLM I202</b>	<b>L T P</b>	<b>2 0 0</b>	<b>Credits: 2</b>

**Objective:** To impart knowledge about environmental jurisprudence at global level and to sensitize the students about emerging challenges in global environmental issues.

### SYLLABUS

**Introduction** **6**

Environmental protection: definition, meaning and nature, Causes of environmental crisis, UN Conventions on environment: an overview.

**Environmental Summits** **6**

Stockholm Declaration, 1972, World Charter for Nature, Earth Summit: Declarations and Conventions Adopted in Rio-1992, Agenda 21, U.N. Framework Convention on Climate Change 1992, Bio Safety Protocol, Nagoya Protocol 2010, Nagoya- Kuala Lumpur Protocol 2010, Kyoto Protocol 1997, Post-Kyoto Developments, RIO+21 Summit, Copenhagen Summit.

**International Conventions** **6**

Convention on the Control of Trans-Boundary Movement of Hazardous Wastes and their Disposal 1989, Protection of Ozone Layer: Vienna Convention and Montreal Protocol, and Ramsar Convention.

**International Institutions and Liability** **6**

Role of international institutions, Standards applied in civil and criminal liability, Intergovernmental Panel on Climatic Change, Climate change, Global warming and carbon credit.

**Text Books**

1. Birnie, Patricia, Boyle, Alan, and Redgwell, Catherine; *International Law and the Environment*; Oxford University Press
2. Singh, Gurdip; *Environmental Law in India*; Macmillan

**Reference Books**

1. Sands, Philippe; *Principles of International Environmental Law*; Cambridge University Press
2. Jaswal, P.S.; *Environmental Law*; Pioneer Publication
3. Nicholas, A. Robinson; *Training Manual on International Environmental Law*; Transnational Publishers Inc.

<b>Course: INTERNATIONAL ORGANIZATIONS</b>			<b>Trimester: II</b>
<b>Course Code: LLM I203E1</b>	<b>L T P</b>	<b>2 0 0</b>	<b>Credits: 2</b>

**Objective:** To impart knowledge about international institutions established to address international concerns, and examine the role of international organizations in the global arena.

### SYLLABUS

#### **International Organizations 6**

Definition, meaning, nature, scope, and importance, Historical developments, Types, Membership, Transnational functions, General and Specific assignments.

#### **League of Nations and United Nations 6**

Principal organs, Mandate system, Weaknesses, United Nations: establishment, preamble, purpose, principles, membership, suspension, expulsion and withdrawal, Principal organs of the UN: powers and role.

#### **Specialized Agencies of United Nations 6**

Relevant provisions related to: United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations International Children's Emergency Fund (UNICEF), United Nations Industrial Development Organization (UNIDO), International Labour Organization (ILO), World Health Organization (WHO), World Intellectual Property Organization (WIPO), World Trade Organization (WTO).

#### **Organizations for Economic Reconstruction 6**

Relevant provisions related to: International Monetary Fund (IMF), International Bank for Reconstruction and Development (IBRD), World Bank (WB), Asian Development Bank (ADB) and other financial arrangements.

#### **Text Books**

1. Gupta, S.P; *International Organization*; Allahabad Law Agency
2. Agrawal, H.O; *International Law and Human Rights*; Central Law Publication

#### **Reference Books**

1. Hurd, Ian; *International Organizations: Politics, Law and Practice*; Cambridge University Press
2. Singh, Gurdip; *International Law*, Macmillan
3. Oppenheim; *International Law*; Oxford University Press

<b>Course: INTERNATIONAL CRIMINAL LAW</b>			<b>Trimester: II</b>
<b>Course Code: LLM I203E2</b>	<b>L T P</b>	<b>2 0 0</b>	<b>Credits: 2</b>

**Objective:** To impart knowledge about international crimes, international criminal jurisprudence, and operation and functions of criminal justice system.

### SYLLABUS

**Origin and Development 6**

Nature of international crimes, Historical background, Causes and aggravating factors.

**Major International Crimes 6**

Meaning and definition, Genocide, Aggression, Organized crimes and corruption, War crimes, Crimes against humanity, Terrorism issues relating, Money laundering, Narco terrorism.

**Prevention and Punishment of International Crimes 6**

Jurisdiction, Extradition, Mutual legal assistance, Enforcement agencies, Interpol and Red Corner.

**International, Regional and Mixed Tribunals and International Criminal Court 6**

International, Regional and Mixed Tribunals: functions and scope, International Criminal Court: organization, structure, material and temporal jurisdiction, procedure, and evidence.

**Text Books**

1. Cryer, Robert, Friman, Hakan, Robinson, Darryl and Wilmschurst, Elizabeth; *An Introduction to International Criminal Law and Procedure*; Oxford University Press
2. William, A. Schabas; *An Introduction to the International Criminal Court*; Cambridge University Press

**Reference Books**

1. Cassese, Antonio, Acquaviva, Guido, Mary De Ming Fan and Whiting, Alex; *International Criminal Law: Cases and Commentary*; Oxford University Press
2. Gerhard, Werle; *Principles of International Criminal Law*; T.M.C. Asser Press
3. Gerry J. Simpson; *Law, War and Crime: War Crimes Trials and the Reinvention of International Law*; Polity Press

<b>Course: PUBLIC INTERNATIONAL LAW</b>			<b>Trimester: III</b>
<b>Course Code: LLM I301</b>	<b>L T P</b>	<b>2 0 0</b>	<b>Credits: 2</b>

**Objective:** To impart knowledge about public international law, practice, and recent developments.

### SYLLABUS

#### **Introduction and Recognition** **10**

Definition and nature, General and regional rules of international law, Distinction between Public International law and Private International law, Sources of international law (Article 38, Statute of the International Court of Justice), Relationship between international law and municipal law, Subjects of international law, Essential characteristics of a State in international law, Sovereignty of States, Recognition and States Succession.

#### **Intervention, Jurisdiction and State Responsibility** **4**

Intervention: meaning, nature, scope, and various doctrines, Jurisdictional issues on land, water and air, State responsibility for public and private acts.

#### **Extradition and Rule of Speciality Asylum** **5**

Definition, Purpose, Legal duty, Extradition of political offenders, Doctrine of double criminality, Rule of speciality asylum: meaning, right of asylum, and types of asylum, Diplomatic agents: meaning, functions, immunities and privileges, waiver of immunity, and important case laws.

#### **International Treaties** **5**

Meaning, Kinds, Formation, Important doctrines and principles, Reservations and termination.

#### **Charters and Statutes (As Amended)**

1. The Charter of United Nations
2. The Statute of International Court of Justice
3. The Reports of International Court of Justice (ICJ)

#### **Text Books**

1. Tandon, M.P.; *Public International Law*; Allahabad Law Agency
2. Kapoor, S.K.; *A Textbook on International Law*; Central Law Agency

#### **Reference Books**

1. Singh, Gurdip; *International Law*; Macmillan
2. Starke, J.G.; *An Introduction to International Law*; LexisNexis
3. Brownlie, Ian; *Principles of International Law*; Oxford University Press
4. Brien, John O; *International Law*; Cavendish Publishing Limited

<b>Course: INTERNATIONAL DISPUTE SETTLEMENT</b>			<b>Trimester: III</b>
<b>Course Code: LLM I302</b>	<b>L T P</b>	<b>2 0 0</b>	<b>Credits: 2</b>

**Objective:** To impart knowledge about the nature and scope of international disputes and techniques of resolving such disputes.

### SYLLABUS

**International Courts and Tribunals** **5**

Dispute adjudication and arbitration, International Court of Justice, Permanent Court of Arbitration, Human Rights Courts and Commissions, International Criminal Court, International Tribunal for the Law of Sea.

**Admissibility and Justiciability** **5**

Distinction between jurisdiction and admissibility, Absence of a necessary third party, Diplomatic protection: nationality of claims and exhaustion of local remedies, Investment treaty arbitration: contracts claims and treaty claims.

**International Adjudication** **7**

Characterisation, Law applicable to substantive issues, Jurisdiction and admissibility, Arbitration clause, Procedure, Capacity of parties, Issues of state responsibility, Remedies in international adjudication, Three forms of reparation: restitution, compensation, and declaratory judgments.

**International Decisions, Recognition and Enforcement** **7**

Interpretation and revision, Challenges before the International Court of Justice (ICJ), Challenges before the Municipal Courts at the seat of the arbitration, Special case for an International Centre for Settlement of Investment Disputes (ICSID), Annulment proceedings, New York Convention on the Recognition and Enforcement of arbitral awards.

**Text Books**

1. French, Duncan, Saul, Matthew and White, Nigel D.; *International Law and Dispute Settlement*; Hart Publishing
2. Tams, Christian J and Tzanakopoulos, Antonios; *The Settlement of International Disputes*; Hart Publishing

**Reference Books**

1. Hurd, Ian; *International Organizations: Politics, Law, Practice*; Cambridge University Press
2. Merrills, J.G; *International Dispute Settlement*; Cambridge University Press
3. Gupta, S.P; *International Organizations*; Allahabad Law Agency

<b>Course: INTERNATIONAL HUMAN RIGHTS LAW</b>			<b>Trimester: III</b>
<b>Course Code: LLM I303</b>	<b>L T P</b>	<b>2 0 0</b>	<b>Credits: 2</b>

**Objective:** To impart knowledge about the development and enforcement of international human rights law.

### SYLLABUS

#### **Introduction 6**

Human rights: concept, meaning, nature and scope, Historical developments, Human Rights under UN Charter, Universal Declaration of Human Rights.

#### **International Covenants 6**

International Covenant on Civil and Political Rights, 1966, Optional protocol, Social and Cultural Rights, 1966, Third generation rights, Right to self determination.

#### **Regional Conventions 6**

European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950, American Convention on Human Rights, 1969, African Charter on Human and People's Rights, 1981.

#### **Modern Perspective in Human Rights 6**

Terrorism and human rights, Genocide and human rights, War crimes and human rights, Narco terrorism and human rights, Discriminatory approach towards human rights, Enforcement in American, European, Asian, and African jurisdictions.

#### **Text Books**

1. Gupta, S.P; *International Organizations*; Allahabad Law Agency
2. Agarwal, H.O; *International Law and Human Rights*; Central Law Publication

#### **Reference Books**

1. Wallace R; *International Human Rights*; Sweet and Maxwell Publication
2. Lauterpachit, H; *International Law and Human Rights*; Archon Books

<b>Course: DISSERTATION</b>			<b>Trimester: III</b>
<b>Course Code: LLM I304</b>	<b>L T P</b>	<b>- - -</b>	<b>Credits: 3</b>

**Objective:** To give in-depth knowledge of research and familiarize the students about all aspects of research, and develop the art and skill of writing legal research papers.

#### **SYLLABUS**

Each student is required to prepare a dissertation so assigned in any area of Law under the supervision of concerned faculty. The objective of dissertation is to enable the student to acquire in-depth knowledge of the subject of his/her choice. It needs to be research based and should aim towards creating new knowledge in an area of Law.