

**Noida International University
School of Law and Legal Affairs
LL.M II Semester Syllabus
(Criminal and Security Law)**

Subject: Criminal Justice and Human Rights

Subject Code: LLM/CR/201

Credits: 02

COURSE CONTENT:

Unit I: Concept of Crime and Criminal Liability and Human Rights of Vulnerable Groups.

- Concept of Crime and Criminal Liability
- Role of the courts in dispensing criminal justice
- Human Rights Problems requiring the need of criminal justice -namely police atrocities, violence against women & children
- Communal and caste violence
- Terrorism and insurgency

Unit II: Protection of Human Rights in Criminal Justice Administration

- Protection from double jeopardy
- Self- incrimination
- Production before magistrate from police custody
- Fair trial
- Speedy trial
- Representation
- Protection from ex-post facto laws
- Legal aid
- Compensation, rehabilitation

Unit III: Administration of criminal Justice

- Ordinary Courts Special Courts
- International Criminal Court
- International norms on administration of criminal justice
- U.N. General Assembly Resolutions

Unit IV: Role of various Protection Agencies/Institutions

- National Human Rights Commission
- State Human Rights Commissions.
- Human Rights Courts
- Other Commissions.

Unit V:

- Emerging regime of new human rights in India.
- Taking guidance from Directive Principles of State Policy and Fundamental Duties. New Approach.

Books & References:

- 1) Kapoor, S.K. Human Rights Under International Law and Indian Law.
- 2) Srivastava, S.S. Criminology and Criminal Administration.
- 3) Anand, V.K. Human Rights.
- 4) Agarwal, H.O. International Law and Human Rights.
- 5) Agarwal, H.O. Implementation of Human Rights Covenants with Special Reference to India(New Delhi: D.K. Publishers, 1993)
- 6) Aroras, Nirman, "Custodial torture in Police Stations in India: A Radical Assessment", Journal of Indian Law Institute, vol.41, nos.3, and 4, 1999, pp. 513-29
- 7) Bajwa, G.S. and D.K. Bajwa, Human Rights in India : Implementation and Violations (New Delhi: D.K. Publishers, 1996)
- 8) Baxi, Upendra, "Clemency, Extradition and death: the Judicial Discourse in Kehar Singh ", Journal of Indian Law Institute, vol.30, no.4, Oct- Dec. 1998, pp.501-86.
- 9) Bhargava, G.S., "National Human Rights Commission: An Assessment of Its Functioning", in K.P. Saksena, ed.,Human Rights: Fifty Years of India's Independence (New Delhi: Gyan Publishing House, 1999), pp.106-118.
- 10) Amnesty International, "Campaign for the Abolition of Torture", Philosophy and Science Action, vol.5, nos. 3-4 1984, pp.205-208.
- 11) Aroras, Nirman "Custodial Torture in Police Station in India :A Radical Assessment", Journal of Indian Law Institute, vol. 41, nos.3 and 4, 1999, pp.513-29
- 12) Bag, R.K., "Domestic Violence and Crime Against Women: Criminal Justice Response in India ", Journal of Indian Law Institute, vol. 39, nos.2- 4, 1997, pp.359-75. 67
- 13) Batra,Manjula, Protection of Human Rights in Criminal Justice Administration : A study of the right of Accused in Indian and Soviet Legal System (New Delhi: Deep and Deep, 1989)
- 14) Bava,Noorjahan, ed., Human Rights and Criminal Justice Administration in India (New Delhi : Uppal Publishing House, 2000)
- 15) Bhagwati, P.N., " Human Rights in the Criminal Justice System ", Journal of the Indian Law Institute, vol. 27, no.1, 1985, pp 1-22.
- 16) Blackshield, A.R."Capital Punishment in India " , Journal of Indian Law Institute vol. 21 no.2, 1979, pp 137-226.
- 17) Burgers, J.H., "The Fights against Torture ", International Commission of Jurists, no.32, 1984,pp.47-48
- 18) Jaswal, P.S. and N. Jaswal , "Right to Personal Liberty and Handcuffing: Some Observations", Journal of the Indian Law Institute, vol.33, no.2, April- June 1991, pp.246-53
- 19) Sharma, S.C., Police and Human Rights (1999).
- 20) Upadhyay, C.M., Human Rights in Pre-trial Detention (1999).

**Noida International University
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Subject: White Collar Crime

Subject Code: LLM/CP/202

Credits: 02

COURSE CONTENT:

UNIT – I: Introduction

- Concept of white collar crime
- Indian approaches to socio-economic offences-
- Forms of privileged class deviance

UNIT II:

- Official deviance;
- Prevention of Corruption Act, 1988.

UNIT III:

- Police and politicians' deviance;
- N.N.Vorha Committee Report;
- Lokpal and Lokayukta institutions.

UNIT – IV

- Professional deviance;
- Medical profession
- The Lentin Commission Report;
- Legal profession
- Opinions of Disciplinary Committee of Bar Council of India.

UNIT – V

- Gender based deviance
- sexual harassment;
- Offences against scheduled castes and scheduled tribes

Books & References:

- 1) Ramachandra, Rao A.S. Commentary on Prevention of Corruption Act
- 2) Russel, On Crime.
- 3) Edwin H. Sutherland- Criminology
- 4) Ahmad Siddique. Criminology.
- 5) Upendra Baxi- The Crisis of Indian Legal system.
- 6) Upendra Baxi- Law and Poverty.
- 7) Upendra Baxi- Liberty and Corruption.
- 8) A.R.Desai- Violation of Democratic Rights in India.

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(Criminal and Security Law)

Subject: **MEDIA AND LAW**

Credits: 02

Subject Code: LLM/OP/203

COURSE CONTENT:

Unit I: Press-Freedom of Speech and Expression-

- Article 19 (1) (a) of the Indian Constitution includes Freedom of the Press
- Laws of defamation, obscenity blasphemy and sedition.
- Newsprint Control Order, Legal Status of Advertisement.

Unit II: Study of the Nature and Object of various legislations on Media Law:

- Official Secrets Act,
- The Press Council of India Act, 1978
- Regulatory Code of Conduct.

Unit III: Study of Case Laws

- *Saibal Kumar V. B.K.Sen* (1961) 3 SCR 460.
- *Sakal Papers V. Union of India* AIR 1962 SC 305
- *Express Newspapers (Pvt.) Ltd. V. Union of India*, AIR 1986 SC 872
- *Reliance Petrochemicals V. Proprietor of Indian Express* (1988) 4 SCC 592.
- *Harijai Singh V. Vijai Kumar* (1996) 6 SCC 466.
- *M.P.Lohia V. State of West Bengal* (2005) 2 SCC 686.

Unit IV: Constitutional Restrictions

- Radio and Television subject to law of defamation and obscenity
- Power to legislate-Article 246 read with the Seventh Schedule.
- Power to impose tax-licensing and licensing fee.

Unit V: Reports for Media Reforms

- Sanyal Committee Report
- 200th Report of Law Commission of India.

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Credits: 02

Subject Code: LLM/OP/204

UNIT-1 LAW RELATING TO EMPLOYMENT REGULATION

- Employment/Service Law- Recruitment Procedure- Rules Agencies — Employment Exchange
- Conditions of Service terms Central Civil Service Rules State Civil Service Rules Pay Commission Fixation of pay and other allowances- Law Relating to Civil Servants/Rules 'Doctrine of pleasure'
- Judicial Review Central Administrative Tribunal State Administrative tribunal- Powers and Functions Appeal Provision —Writs.

UNIT-11 INTRODUCTION TO LABOUR LEGISLATION

- Labour Laws: Concept, Origin, Objectives and Classification
- International Labour Organization — International Labour Organization and Indian Labour Legislations.

UNIT-III LAWS ON WORKING CONDITIONS (Health, Safety & Welfare Provisions)

- The Factories Act, 1948
- Child Labour (Prohibition and Regulation Act, 1986)

UNIT-IV LAW RELATING TO INDUSTRIAL RELATIONS

- History of Trade Union - Trade Union Act, 1926 –
- Collective bargaining - Process of Collective bargaining - Perquisites for collective bargaining - strikes/lockouts [pen-down, tool down, go slow, work to rule, stay in, sit in, picketing] - Gherao - Law relating to collective bargaining.
- Freedom of Association - Constitutional and legal aspects
- Industrial Disputes Act - Layoff - retrenchment - compulsory retirement - Voluntary retirement – superannuation.

UNIT-V LAWS FOR LABOUR WELFARE AND SOCIAL SECURITY

- Constitution and Labour Welfare —Right to work- Bonded Labour, child Labour -special provision for women and children- Law relating to protection of Women in work place
- Minimum Wage- Types and kinds of wage determination theories of wage Payment of Wages —Bonus Dearness allowance —basic wage and other wage
- Labour and Human Rights Equality of Opportunity in employment Equal Pay for Equal Work Equal Remuneration Act Maternity Benefit Shops and Establishment

Suggested Readings

- Mallick Service Law
- Ezo's Service Law in India
- Chabra Administrative Tribunal
- G B Singh's Commentary on The CCS & CCA Rules
- Central Social Service Rule
- Administration Training Tribunals Act.
- Shrivastava S. C. Social security and labour law Eastern Book Company Lucknow, 1985
- RN Choudhiy Commentary on the Workmen's Compensation Act 1923
- H K Saharay Industrial and Labour Laws of India 1987
- R W Rideout Principles of Labour Law 1988
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- Ramaswami and Uma R Industry and Labour
- Giri V V Labour Problems in Indian Industry
- Raman M P Political Involvement of Indian Trade Union
- O P Malhotra The Law of Industrial Disputes, Vol I [1988]
- Chetty Narayan Y Dynamics of Trade Unionism in India – Anmol Publications Pvt. Ltd., New Delhi - [2004].
- Mishra S N Labour and Industrial laws Central law publication Allahabad 20th Edition 2004
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Subject: Dissertation and viva Voice

Subject Code: LLM/DS/205

Credits: 03

COURSE CONTENT:

DISSERTATION: 150 MARKS

VIVA VOICE: 50 MARKS

**Noida International University
School of Law and Legal Affairs
LL.M II Semester Syllabus
(Corporate and Commercial Law)**

Subject: Intellectual Property Rights

Subject Code: LLM/CL/201

Credits: 02

COURSE CONTENTS:

UNIT I:

- Concept of Intellectual Property,
- Economic Importance of Intellectual Property,
- Introduction to the leading international instruments concerning IPR
- The Berne Convention,
- Universal Copyright Convention,
- The Paris Union TRIPS
- The World Intellectual Property Rights Organization (WIPO)
- The UNESCO.

UNIT II: Copy Right

- Introduction to Copyright,
- The Copyright Act, 1957,
- Copyright vis-à-vis Digital Technology,
- Software Copyright
- Implication of International Conventions in India

UNIT III: Trademark and Passing Off

- Introduction to Trade Mark and its Relevance and Need for Protection,
- Trade Mark Act, 1999.
- Passing Off
- Exhaustion of Right in Trade Mark Domain Name dispute
- Cyber squatting

UNIT IV:

- Introduction to Patents Indian Patent Act,
- 1970 International Regime relating to Patent:
- Convention and Treaties, Relevant provision under TRIPs,
- Drug Patent vis-a-vis Public Health,
- Software Patent.

UNIT - V

- Industrial Design: Need for Protection of Industrial Designs,
- The Designs Act 2000,
- International Regime relating to Industrial Design.
- Design: Integrated Circuit Layout,
- The Semiconductor Integrated Circuit Layout International Conventions.
- Law relating to Geographical Indication:
- Domestic as well as International Law Traditional Knowledge.

Books & References:

- 1) Cormish W.R., Intellectual Property, Patents, Trade Marks, Copy Rights and Allied Rights (1999), Asia Law House, Hyderabad.
- 2) VikasVashishth, Law and Practice of Intellectual Property (1999), Bharat Law House, Delhi.
- 3) P. Narayanan, Intellectual Property Law (1999), (Ed) Eastern Law House, Calcutta.
- 4) BibeckDebroy (ed.) Intellectual Property Rights (1998) Rajiv Gandhi Foundation, Delhi.
- 5) U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971).
- 6) W.R. Cornish, Intellectual Property (3rd Ed.) (1996) Sweet and Maxwell
- 7) W.R. Mann, Transfer of Technology (1982)
- 8) Mata Din, Law of Passing off and Infringement Action of Trade Marks (1986).
- 9) P.S. Sangal and Kishore Singh, Indian Patent System and Paris Convention: Legal Perspectives(1987).
- 10) K. Thairani, Copyright: The Indian Experience (1987)

**Noida International University
School of Law and Legal Affairs
LL.M II Semester Syllabus
(Corporate and Commercial Law)**

Subject: The Law of Corporate Finance and Securities Regulations

Subject Code: LLM/CL/202

Credits: 02

COURSE CONTENT:

UNIT I:

- Public Issue of Shares
 - Prospectus
 - Remedies for misrepresentation
 - SEBI and Stock Exchange guidelines
- Share Capital
 - Nature and Kind of Shares
 - Transfer, Transmission, Surrender and forfeiture of Shares
 - Purchase by Company of its own shares
 - Issue of shares at premium and discount
 - SEBI Guidelines

UNIT II:

- Shareholders' Rights (Various rights of shareholders and variation of shareholders rights.)
- Debentures; Difference between Share and Debentures; Kinds of Debenture;
- Remedies of Debenture Holder; Company Charges

UNIT III:

- Insider Trading; SEBI's Guidelines on Insider Trading
- Securities and Exchange Board of India (SEBI): Constitution, Powers and Functions

UNIT IV:

- Reconstruction, Amalgamation and Take Over: Provisions in Company Law and SEBI Guidelines
- Auditors:
 - Appointment, powers, duties and removal of auditors
 - Special Audit
 - Director Responsibility statement in Board Report
 - National Advisory Committee on Accounting Standards

Unit V: Corporate Governance Codes and Practices:

- Commonly Accepted Principles •
- Code of Conduct for Board of Directors & Senior Management • Subsidiary Companies
- Disclosures – Related Party Transactions Proceeds from public issues, rights issues, preferential issues etc.
- Disclosure of Director's interest in transactions; •
- Whistle Blower Policy
- Risk Management and Risk Mitigation • Report on Corporate Governance and Compliance Certificate

Books & References:

- 1) Avatar Singh, Company Law
- 2) S. C Tripathi, Modern Company law
- 3) Mallim, Chritine, A. Corporate Governance
- 4) Tricker Bob, Corporate Governance
- 5) Gower's Principles of Company Law, Sweet & Maxwell Thomson, 2006
- 6) Smith and Keenon's Company Law, Pearson Education Ltd., 2009
- 7) Suman Gupta: Shareholder's Democracy: Fact or Fiction, Publication Division, University of Delhi, 1992
- 8) Companies Act, 1956
- 9) Verma J.C., Corporate Mergers, Amalgamations & Takeovers, Bharat Law House, 2008

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Subject: **MEDIA AND LAW**
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**Noida International University
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Subject: **Employment and Labour Law**

Credits: 02

Subject Code: LLM/OP/204

UNIT-1 LAW RELATING TO EMPLOYMENT REGULATION

- Employment/Service Law- Recruitment Procedure- Rules Agencies — Employment Exchange
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- H K Saharay Industrial and Labour Laws of India 1987
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- Indian Law Institute Labour Law and Labour Relations [1987]
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- Raman M P Political Involvement of Indian Trade Union
- O P Malhotra The Law of Industrial Disputes, Vol I [1988]
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Subject Code: LLM/DS/205

Credits: 03

COURSE CONTENT:

DISSERTATION: 150 MARKS

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**Noida International University
School of Law and Legal Affairs
LL.M II Semester Syllabus
(Family and Social Security Law)**

Subject: Uniform Civil Code

Subject Code: LLM/FL/201

Credits: 02

COURSE CONTENT:

UNIT-I

- General Meaning and Significance of Uniform Civil Code
- Origin of Uniform Civil Code
- Difference between Uniform and Common Civil Code
- Need and Merits of Uniform Civil Code in India

UNIT-II

- Constitutional Provisions about Uniform Civil Code
- Position of Women under Muslim Law in India: Recent Development
- Gender Justice under Indian Constitution

UNIT-III

- Religion and Law: Freedom of Religion and non-discrimination on the basis of religion under Indian Constitution
- Secularism as a solution to the problem.
- Position of Muslim Personal Law in World (especially Muslim Countries)

UNIT-IV

- Uniform Civil Code: Legitimacy of Live-in-Relationships
- Special Marriages Act, 1954

UNIT-V

Recent Judicial Pronouncements of Uniform Civil Code with special reference to:

- (1) Mohd Ahmad Khan v. Shah Bano Begum
- (2) Sarla Mudgal v. Union of India

Suggested Readings Books

1. Fyzee, AAA; "Outlines of the Muhammad an Law"
2. Tahir Mahmood, Personal Law in Crises
3. S.S. Mahmood, A commentary on Muslim Family Law
4. Kiran Deshta, Uniform Civil Code in Retrospect and Prospect
5. Tahir Mahmood, Uniform Civil; Code Fiction and Facts

**Noida International University
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LL.M II Semester Syllabus
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Subject: Rights of Women and Their Protection

**Subject Code: LLM/FL/202
Credits: 02**

COURSE CONTENT:

UNIT-I

- Introduction and Historical Development of Women Rights
- Rights & Protection under Indian Constitution

UNIT-II

Comparative Study of Maintenance Provisions of Women under

- Hindu Law
- Muslim Law
- Christian Law
- Parsi Law

UNIT-III

Comparative Study of Property Rights of Women

- Hindu Law
- Muslim Law
- Christian Law
- Parsi Law

UNIT-IV

Protection to Wife under Criminal Law

- Cruelty by husband and relatives of husband – Section 498-
- Dowry Death – Section 304-
- Outrage the Modesty of woman- Section 354
- Rape
- Rights and Protection of Woman under the Code of Criminal Procedure, 1973
- Rights and Protection of Woman under Indian Evidence Act

UNIT-V

Rights & Protection of Woman through Special Laws

- Sexual Harassment Act, 2014
- The Protection for Women for Domestic Protection Act, 2005
- Dowry Prohibition Act, 1961

Books Recommended

- Paras Diwan- Indian Personal Laws
- Paras Diwan- Family Law
- B.P. Beri - Law of Marriage and Divorce in India
- S.N.Aggarwal- Matrimonial Remedies
- Kusum-Family Law Lectures-I
- Derrett- Introduction to Modern Hindu Law
- S.N.Aggarwal- Commentary on the Law of Maintenance
- S.N. Mishra- Indian Penal Code
- Rattanlal & Dhirajlal- The Indian Penal Code
- K.D.Gaur- Commentaries on the Indian Penal Code
- Rattanlal & Dhirajlal- The Code of Criminal Procedure
- Dr. N. Maheshwara- Law relating to Criminal Procedure Code
- P.M. Bakshi- The Constitution of India
- M.V.Pylee- Constitution Amendments in India
- Prof. M.P. Jain- Indian Constitutional Law

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Subject: **MEDIA AND LAW**
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Credits: 02

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- Indian Law Institute Labour Law and Labour Relations [1987]
- Dr. V G Goswami Labour and Industrial Laws [2004]
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LL.M II Semester Syllabus
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Subject: Dissertation and Viva Voice

Subject Code: LLM/DS/205

Credits: 03

COURSE CONTENT:

DISSERTATION: 150 MARKS

VIVA VOICE: 50 MARKS