

MASTER OF LAW (LL.M.)

SYLLABUS (From 2018-19)

Part- I

Part- II



Faculty of LAW
GOVIND GURU TRIBAL UNIVERSITY
BANSWARA

LL.M. Part- I Examination

4401- Legal theory and Judicial Process	(100 Marks)
4402- Law and Social Transformation in India	(100 Marks)
4403- Indian Constitutional Law - The New Challenges.	(100 Marks)
4404- Legal Education and Research Methodology	(100 Marks)
4405- Practical Examination:- Research Methodology	(100 Marks)

Paper writing base on

a. Doctrinal research	25 marks
b. Non - Doctrinal research	25 marks
c. Class room teaching (12 lecture in a year)	25 marks
d. Viva in voice	25 marks

- Note**
1. The topic will be same for doctrinal and non - doctrinal writings and will be write in one file in two parts i.e. part (a) and Part (b)
 2. All students have to take 12 classes of LLB for 25 marks under classroom teaching. Teaching will be assessed by the senior faculty members
 3. Viva voice will be taken by one internal and one external examiner on the date notified by the university. Viva will be based on paper writing to explain the knowledge of research methodology.

Part –II **(Branch - II-Criminal Law)**

5501- Comparative Criminal Procedure	(100 Marks)
5502- Penology: Treatment of Offenders	(100 Marks)
5503- Drug Abdication, Criminal Justice and Human Rights	(100 Marks)
5504- Juvenile Delinquency	(100 Marks)
5505- Dissertation	(100 Marks)

LL.M. Part – II (Branch -Criminal Law)

5401- Comparative Criminal Procedure	(100 Marks)
5402- Penology: Treatment of Offenders	(100 Marks)
5403- Drug Abdication, Criminal Justice and Human Rights	(100 Marks)
5404- Juvenile Delinquency	(100 Marks)
5405- Dissertation	(100 Marks)

LLM Final YR. 5401

5401- COMPARATIVE CRIMINAL PROCEDURE

Organisation of courts and Prosecuting Agencies:

Hierarchy of criminal courts and their jurisdiction, Nyaya Panchayats in India, Panchayats in tribal area, Organization of Prosecuting agencies for Prosecuting criminal, Prosecutors and the police Withdrawal of Prosecution.

Pre-trial Procedures: Arrest and questioning of the accused, The rights of the accused. The evidentiary value of statements / articles seized/ collected by the police, Right to counsel, Roles of the prosecutor and the judicial officer in investigation, Trial Procedure : The

accusatory system of trial and the inquisitorial system, Role of the Judge, the prosecutor or and defence attorney in the trial. Admissibility and inadmissibility of evidence, Expert evidence, Appeal of the Court in awarding appropriate punishment, Plea bargaining. Correction and Aftercare Services: Institutional correction of the offenders, General

Comparison- After care services in India and France, The role of the court in correctional programmes in India.

Preventive Measures in India: Provisions in the Criminal Procedure Code, Special enactments, Public interest Litigation: Directions for criminal Prosecution.

Select Bibliography:

- Ceylia Hamptom : Criminal Procedure
- Wikins and Cross : Outline of the Law of Evidence
- Archbold, Pleading: Evidence and Practice in Criminal Cases (2000) Eastern, Lucknow
- Sarkar : Law of Evidence

- K.N.Chandrasekharan Pillai (ed.): RV. Kelkar's : Outlines of Criminal Procedure
- Patric Devlin :The Criminal Prosecution in England
- American Series of Foreign Penal Codes Criminal Procedure Code of Peoples Republic of China
- John N. Ferdico: Criminal Procedure (1996). West Sanders & Young: Criminal Justice- (1994)
- Christina Van Den Wyngart : Criminal Procedure Systems in European Community Joel Samaha
- Criminal Procedure (1997), West Criminal Procedure Code, 1973 The French Code of Criminal Procedure
- 14th and 41st Report of Indian Law Commission
- The law will be taught with reference, wherever necessary to the procedures in India, England, US, France. Russia and China.

LLM Final yr. 5402

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5402 - PENOLOGY: TREATMENT OF OFFENDERS

Introductory, Definition of Penology, Theories of Punishment Retribution, Utilitarian prevention: Deterrence, Utilitarian: Intimidation, Behavioural prevention: Incapacitation, Behavioural prevention: Rehabilitation.- Expiation, Classical Hindu and Islamic approaches to punishment, The Problematic of Capital.

Punishment; Constitutionality of Capital Punishment, Judicial Attitudes through the statute law and case law towards Capital Punishment in India —An inquiry. Law Reform Proposals.

Approaches to Sentencing: Alternatives to imprisonment, Probation . Corrective labour, Fines, Collective fines, Reparation by the offender by the court,

Sentencing; Principal types of sentences in the Penal Code and special laws, Sentencing in white collar crime, Presentence hearing, Sentencing for habitual offender, Summary punishment, Plea bargaining.

Imprisonment : The state of india's jails today, The disciplinary regime of Indian prisons, Classification of prisoners, Rights of prisoner and duties of custodial staff, Deviance by custodial staff, Open prisons, Judicial.

Select Bibliography:

- S. Chhabra : The Quantum of Punishment in Criminal Law (1970).
- H.L.A. Hart : Punishment and Responsibility - (1968), .
- Herbert L. Packer.: The limits of Criminal Sanction (1968) AlfRoss: On Guilt Responsibility and