

**BHAKTA KAVI NARSINH MEHTA
UNIVERSITY - JUNAGADH**



FACULTY OF LAW
LL.M. Syllabus [CBCS]
Effective From June, 2020
Sem-III & IV

Bhakta Kavi Narsinh Mehta University
Govt. Polytechnic College, Bilkha Road,
Khadiya - Junagadh
Gujarat , India. Pin-362263
Website : www.bknmu.edu.in

BHAKTA KAVI NARSINH MEHTA UNIVERSITY – JUNAGADH

Faculty : Law

Subject : LL.M.

Semester : 03

ACADEMIC YEAR – 2020-21

Sr. no.	Level UG	Semester	Course Group Core Elective – 1 Elective – 2/ Allied/ SEC/DSE	Course (Paper Title) C – 01 E – 02	Paper No.	Credit	Teaching Hours	Internal Marks	External Marks	Practical Internal Marks	Practical External Marks	Total Marks
1	PG	LL.M. SEM.3	LEGAL EDUCATION & RESEARCH METHODOLOGY	CORE - 4	01	06	90	30	70	-	-	100
2	PG	LL.M. SEM.3	LEGAL RESEARCH PRACTICAL PAPER	CORE - 5	02	06	180	-	-	100	-	100
3	PG	LL.M. SEM.3	FORENSIC SCIENCE	ELECTIVE – 5	03	06	90	30	70	-	-	100
4	PG	LL.M. SEM.3	PRIVILEGED CLASS DEVIANCE	ELECTIVE – 6	04	06	90	30	70	-	-	100
TOTAL						24		90	210	100	-	400

BHAKTA KAVI NARSINH MEHTA UNIVERSITY – JUNAGADH

Faculty : Law

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Semester : 04

ACADEMIC YEAR – 2020-21

Sr. no.	Level UG	Semester	Course Group Core Elective – 1 Elective – 2/ Allied/ SEC/DSE	Course (Paper Title) C – 01 E – 02	Paper No.	Credit	Teaching Hours	Internal Marks	External Marks	Practical Internal Marks	Practical External Marks	Total Marks
1	PG	LL.M. SEM.4	DISSERTATION PROJECT, REPORT WRITING/VIVA, PRESENTATION	CORE - 6	01	15 + 03	225+ 45	-	-	-	150+ 50	150 50
2	PG	LL.M. SEM.4	POLICE & CRIMINAL JUSTICE SYSTEM	ELECTIVE – 8	02	06	90	30	70	-	-	100
TOTAL						24				-	-	300
GRAND TOTAL						96						1500

(SEMESTER – III)

Faculty of Law

Name of Course	Semester	Core/Elective/Allied/Practical/Project	Course/Paper Code	Course/Paper Title	Credit	Internal Marks	External Marks	Practical / Viva Exam Marks	External Exam Time Duration
LL.M.	3	Core		Legal Education and Research Methodology	6	30	70	-	Two Hours Thirty Minutes

MODULE – 1 :LEGAL EDUCATION AND RESEARCH METHODOLOGY.

Core Course

Course Objectives:

- A post-graduate student of law should get an insight into the objectives of legal education. He should have an exposure to programmes like organization of seminars, publication of law journals and holding of legal aid clinics.
- Law is taught in different ways in different countries.
- The LL.M course, being intended also to produce lawyers with better competence and expertise, it is imperative that the student should familiarize himself with the different systems of legal education.
- The lecture method both at LL.B level and LL.M level has many demerits. The existing lacunae can be eliminated by following other methods of learning such as case methods, problem method, discussion method, seminar method and a combination of all these methods.
- The student has to be exposed to these methods so as to develop his skills. Growth of legal science in India depends on the nature and career of legal research.
- The syllabus is designed to develop also skills in research and writing in a systematic manner.

Course Contents:

Unit - 1. Objectives of Legal Education

- 1.1 Lecture Method of Teaching – Merits and Demerits
- 1.2 The Problem Method.
- 1.3 Discussion Method and its suitability at postgraduate level teaching.
- 1.4 The Seminar Method of teaching.
- 1.5 Examination system and problems in evaluation – external and internal assessment.
- 1.6 Student participation in law school programmes – organization of seminars, publication of journal and assessment of teachers.
- 1.7 Clinical legal education – legal aid, arbitration, mediation.

Unit - 2 Research Methods.

- 2.1 Socio Legal Research.
- 2.2 Doctrinal and non-doctrinal.
- 2.3 Relevance of empirical research.
- 2.4 Induction and deduction.
- 2.5 Feminist methodology and legal Education.

Unit - 3 Identification of Problem of research.

- 3.1 What is a research problem ?
- 3.2 Survey of available literature and bibliographical research.
 - 3.2.1 Legislative materials including subordinate legislation, notifications and policy statements.
 - 3.2.2 Decisional materials including foreign decisions : methods of discovering the “rule of the case” tracing the history of important cases and ensuring that These have not been over-ruled; discovering judicial conflict in the area pertaining to the research problem and the reasons thereof.
 - 3.2.3 Juristic Writings – a survey of juristic literature relevant to select problems in India and foreign periodicals.
 - 3.2.4 Compilation of list of reports or special studies conducted relevant to the problem.

Unit – 4. Preparation of the Research Design.

- 4.1 Formulation of the Research problem.
- 4.2 Devising tools and techniques for collection of data :
 - Methodology.
 - 4.2.1 Methods for the collection of statutory and case materials and juristic literature
 - 4.2.2 Use of historical and comparative research materials.
 - 4.2.3 Use of observation studies.
 - 4.2.4 Use of questionnaires / interview.
 - 4.2.5 Use of case studies.
 - 4.2.6 Sampling procedures – design of sample, types of sampling to be adopted.
 - 4.2.7 Use of scaling techniques.
 - 4.2.8 Jurimetrics.
- 4.3 Computerized Research – A study of legal research Programmers such as Lexis and West law coding. Classification and tabulation of data – use of cards for data collection – Rules for tabulation. Explanation of tabulation data.
- 4.5 Analysis of data.

Unit - 5 Ethics in Legal research

- 5.1 Protection of Intellectual research from Plagiarism in the era of copyright law
- 5.2 The Researcher as the central Figure in legal research qualities of a good researcher and challenges in creating one.
- 5.3 Library Resources – Access and use of legal information resources know what – to – know – How
- 5.4 Literature Review

Text Books:

- 1. S.K. Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.
- 2. N.R. Madhava Menon, (ed.) A Handbook of Clinical Legal Education, (1988) Eastern Book Company, Lucknow.
- 3. ILI Publication, Legal Research and Methodology.
- 4. Legal Research methodology – Lexis Nexis – The Indian Law Institute

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Faculty of Law

Name of Course	Semester	Core/Elective/Allied/Practical/Project	Course/Paper Code	Course/Paper Title	Credit	Internal Marks	External Marks	Practical / Viva Exam Marks	External Exam Time Duration
LL.M.	3	Core		Legal Education & Research Methodology [Practical]	6	100	00	100	

PAPER = 2 : PRACTICAL EXAMINATION.

Course Objectives:

- Learning while doing
- Sensitize the students for research
- Sensitize the students for teaching
- Sensitize the students for social work

The practical examination shall be held at the end of the third semester on Research Methodology Law. Teaching and Clinical work. There shall be 25 Marks each for doctrinal research and for non doctrinal research and 25 marks each for law teaching and clinical work.

Course Contents:

Unit - 1. Research Methodology.

- i) Doctrinal research (25 marks).

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The materials indicated or collected during the assignment shall be evaluated by a team of faculty members.

- ii) Non-doctrinal research (25 marks).

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed by a team of faculty members.

2. Clinical work (25 marks).

The modalities can be evolved by the law school. One method is that the legal aid clinic of the law school can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint with court proceedings, working of a business organization, tackling of labour disputes, family disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual work turned out by him shall be assessed by a team of Faculty members.

Law Teaching (25 marks)

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes. Where LL.B. programme co-exists with LL.M. programme, the students may be asked to teach the LL.B. students. They can select any of the methods of teaching. In legal education practical, the LL.M. students are evaluated by a team of Faculty members.

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Faculty of Law

Name of Course	Semester	Core/Elective/Allied/Practical/Project	Course/Paper Code	Course/Paper Title	Credit	Internal Marks	External Marks	Practical /Viva Exam Marks	External Exam Time Duration
LL.M.	3	Elective Course		Forensic Science	6	30	70	-	Two Hours Thirty Minutes

MODULE -2A : FORENSIC SCIENCE - [Multi-disciplinary]

(Elective Course)

Course Objectives:

- Crime in the society is as old as human race.
- With the advancement of science and technology types and methods of crime have undergone a radical change.
- Intelligent criminal has been quick to exploit science and technology for commission of crime.
- Present scenario of criminal justice system is flexible
- Large percentage of criminals goes scot free. These frequent acquittals not only waste the huge amount of public money and precious time but embolden the criminals, escalate crime and multiply criminals.
- Now a days old techniques of criminal investigation has become obsolete
- Use of third degree does not find favour with the new generation of administrators, judges and the public at large.
- Forensic Science has proved a very useful tool for identification the crime, criminal and victim.
- The syllabus is designed to make aware the students of this recent Forensic Science and Technology.

Course Contents:

- Unit - 1. Principles & Perspectives.**
- 1.1 Meaning & Definition.
 - 1.2 Need & Principles.
 - 1.3 Function & Development.
 - 1.4 Tools & Techniques.
 - 1.5 Problems of Proof.

Unit - 2. Recent Advances in Forensic Science & Cyber Forensic.

- 1.1 Importance.
- 1.2 Nature
- 1.3 Classification.
- 1.4 Collection of Evidence.
- 1.5 Hypnosis
- 1.6 Truth Serum.
- 1.7 Brain Mapping Test.
- 1.8 The Polygraph-Lie-Detector Test.
- 1.9 Computer Crime

Unit – 3 Road Accidents. Alcohol & Drivers.

- 3.1 Scientific investigation and evaluation of clue, materials, Arson
- 3.2 Scientific investigation and evaluation of materials trace Analysis.
- 3.3 Nature, Location, Preservation, Collection and evaluation of trace materials, Identification, Comparison, Recording etc,
- 3.4 Tyre Impressions and skid marks.

Unit – 4 Nature, Identification, Classification, Collection, Location of Narcotics clue materials.

- 4..1. Opium, Morphine, Heroin, Pathadin, Barbiturates.
- 4.2 Cocaine, Amphetmines, Methaquion.
- 4.3 Cannabis, LSD, DMT.
- 4.4 Alcohol and Alcoholic Beverages.
- 4.5 Toxicology – Poison - Kinds of Poison.

Unit - 5. Role of Investigator.

- 5.1 Micro traces.
- 5.2 Importance & Nature.

- 5.3 Location & collection.
- 5.4 Forensic Problems.
- 5.5 Individual Micro traces and Ballistics
 - 5.5.1 Dusts content sample
 - 5.5.2 Hair & Fibre, Blood, Semen & other body fluids (Saliva, Urine, Faeces, Sweat, Nasal secretions, Tears)
 - 5.5.3 Bullet Identification , Direction, Time and Range of Fire.
 - 5.5.4 Wounds, handling, collection of preservation of evidence.
 - 5.5.5 Bomb disposal handling of explosives and examination of explosive residues
- 5.6 Death Investigator Post mortem examination (autopsy) Injuries, Age determination of living person Insanity.
- 5.7 Evaluation of skeletal remains formage, height, sex, time of death, mode of death, and identification including skull and site marks.
- 5.8 Finger Prints & Foot Prints and Hand writings & Documents Marks and Scratches, Ballistics, Explosives, Firearms, Dog tracking.

Book Recommended :

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|-----------------|---|
| Sharma B.R. | : Forensic Science. |
| Quzalbush Yawer | : Law of Lie Detector Narco-analysis etc. (2011) Universal |
| B.S.Nobar | : Forensic Science in crime Investigation (Reprint – 2015) Asia Law House |
| Case Law | : Related Forensic Science |

Faculty of Law

Name of Course	Semester	Core/Elective/Allied/Practical/Project	Course/Paper Code	Course/Paper Title	Credit	Internal Marks	External Marks	Practical / Viva Exam Marks	External Exam Time Duration
LL.M.	3	elective		Privileged Class Deviance	6	30	70	-	Two Hours Thirty Minutes

MODULE -3A : PRIVILEGED CLASS DEVIANCE (Elective Course)

Course Objectives:

- This course focuses on the "Criminality of the "Privileged classes". The definition of "privileged classes" in a society like India should not pose major problem at all; the expression nearly includes wielders of all forms of state and social (including religious) power.
- Accordingly, the course focuses on the relation between privilege power and deviant behaviour.
- The traditional approaches which highlight "white-collar offences", "socio-economic offences" or "crimes of the powerful" deal mainly with the deviance of the economically resourceful.
- The dimension of deviance associated with bureaucracy, the new rich (nouveau riche), religious leaders and organizations, professional classes and the higher bourgeoisie are not fully captured here.

Course Contents:

Unit - 1. Introduction.

- 1.1 Conceptions of white collar crimes
- 1.2 Indian approaches to socio-economic offences
- 1.3 Notions of privileged class deviance as providing a wider categorization of understanding Indian development.
- 1.4. Typical forms of such deviance
 - 1.4.1. Official deviance (deviance by legislators, judges, bureaucrats) Professional deviance : Journalists, teachers, doctors, lawyers,

engineers, architects & publishers.

- 1.4.3. Trade union deviance (including teachers, lawyers/urban property owners)
- 1.4.4. Landlord deviance (class/caste based deviance)
- 1.4.5. Police deviance
- 1.4.6. Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)
- 1.4.7. Gender-based aggression by socially, Economically and politically powerful.

Unit - 2. Official Deviance.

- 2.1. Conception of official deviance – permissible limit of discretionary powers.
- 2.2. The Chambal valley dacoit Vinoba Mission and Jai Prakash Narain Mission – in 1959 and 1971.
- 2.3. The Chagla Commission Report on LIC-Mundhra Affair
- 2.4. The Das Commission Report on Pratap Singh Kairon.
- 2.5. The Grover Commission Report on Dev Raj Urs.
- 2.6. The Maruti Commission Report
- 2.7. The Ibakkar –Natarajan Commission Report on Fairfax.

Unit - 3. Police Deviance.

- 3.1. Structures of legal restraint on police powers in India.
- 3.2. Unconstitutionality of “third-degree” methods and use of fatal force by police.
- 3.3. “Encounter” killings.
- 3.4. Police atrocities
- 3.5. The plea of superior orders
- 3.6. Rape and related forms of gender-based aggression by police and para-military forces.
- 3.7. Reform suggestions especially by the National Police Commissions.

Unit - 4. Professional Deviance.

- 4.1. Unethical practices at the Indian bar.
- 4.2. The Lentin Commission Report.
- 4.3. The Press Council on unprofessional and unethical Journalism.
- 4.4. Medical malpractices.

Unit - 5. Response of Indian Legal Order to the Deviance of Privileged Classes.

- 5.1. Vigilance Commission
- 5.2. Public Accounts Committee
- 5.3. Ombudsman
- 5.4. Commissions of Enquiry
- 5.5. Prevention of Corruption Act, 1947.
- 5.6. The Antulay Case.

Text Books:

B.B. Pande, „The Nature and Dimensions of Privileged Class Deviance“ in the Other Side of Development 136 (1987; K.S. Shukla ed.)

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[SEMESTER – 4]

Semester- IV

Sr. No.	Course Code	Course Title	Credit	Maximum Marks			Guidance Hours
				SEE	CCA	Total	
1.	CLW-4001	Compulsory (Core Course-6)		150	--	150	225
		(Dissertation / Project	15		--	50	45
		Report Writing / Viva, Presentation	3	50			
2.	ELW-4008	Elective Course-8 Police and Criminal Justice	06	70	30	100	90
		Sub-Total	24	270	30	300	360
		Grand Total	96	1500			

(Semester-IV)

Faculty of Law

Name of Course	Semester	Core/Elective/Allied/Practical/Project	Course/Paper Code	Course/Paper Title	Credit	Internal Marks	External Marks	Practical / Viva Exam Marks	External Exam Time Duration
LL.M.	4	Core		Dissertation / Project Report Writing / Viva, Presentation	6	00	200	200	Two Hours Thirty Minutes

CLW – 4001

**DISSERTATION / PROJECT as decided by
Head of the Department.**

Faculty of Law

Name of Course	Semester	Core/Elective/Allied/Practical/Project	Course/Paper Code	Course/Paper Title	Credit	Internal Marks	External Marks	Practical / Viva Exam Marks	External Exam Time Duration
LL.M.	4	Elective		Police And Criminal Justice	6	30	70	-	Two Hours Thirty Minutes

MODULE-1: Police and Criminal Justice **(Core Course)** _____

Course Objectives:

- Historical background of fundamentals.
- Police system, structural organization.
- Ethical value in democratic form of government with reference to legislative aspects.
- National police reference theory, law & order maintenance. Non criminalization on society.
- Offence free society.
- Exercise of powers & duties of police.
- Judicial dimension and role of advocates, with reference to prosecution.

Course Contents:

Unit - 1. The Police System

- 1.1. History of Modern Police in India
- 1.2. Structural organization at the Center
- 1.3 Structural organization in Gujarat State.

Unit - 2. Role of police in Democratic Society.

- 2.1. Role of police in Democratic Society.
- 2.2. Crime investigation.
- 2.3 Law and Order Management.
- 2.4 Criminalization of Police.
- 2.5 Politicization of police.

Unit - 3. Police Reforms

- 3.1. Selected Aspects of National police commissions Reports.
- 3.2. Justice Malimath Committee Report.
- 3.3 Mull Report.

Unit - 4. Powers and Duties of Police

- 4.1. Powers and duties under police acts (Indian Police Act & Bombay Police Act.)
- 4.2. Indian Penal Code
- 4.3. Criminal Procedure Code
- 4.4. Evidence Act and Others.

Unit - 5. Relationship between Police, Prosecution and Public

- 5.1. Relationship between Police and Prosecution
- 5.2. Police Public Relationship

Text Books:

- 1. Indian Police Act.
- 2. Bombay Police Act.
- 3. Govt. of India, Ministry of Home affairs, National Crime Records Bureau, Crime in India 2003.
- 4. Rao.S. Venu Gopal, Criminal Justice : Problems and perspectives in india, delhi, konark, 1991
- 5. Government of india, national Police Commission Repors.
- 6. Government of india, malimath committee Report, march 2003
- 7. Role of Police in criminal Justice System – S.K.Chaturvedi.
- 8. Handbook of Human Rights and criminal Justice in india : the system and procedure south asia human rights documentation understanding the police in india – Arvind Verma & KS Subramanian.

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