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# Sunrise University

Approved by Govt. of Rajasthan vide Sunrise University Act, 2011  
Recognized by UGC Act, 1956 u/s 2 (f)

## LLM Criminal Law (2 Years)

Code	Paper	Internal (40)			External (60)	Total
		MS1	MS2	IA		
<b>Semester-I</b>						
LLM1001	Legal Theory	10	10	20	60	100
LLM1002	Constitutional Law of India :New challenges	10	10	20	60	100
LLM1003	Legal Research Methodology	10	10	20	60	100
LLM1004	Elective – Law and social Transformation in India	10	10	20	60	100
						<b>400</b>
<b>Semester-II</b>						
BO12	<b>Opt-1</b> Comparative Criminal Procedure	10	10	20	60	100
BO13	<b>Opt.-2</b> Penology: Treatment of Offenders	10	10	20	60	100
BO14	<b>Opt.-3</b> Privileged Class Deviance	10	10	20	60	100
BO15	<b>Opt.-4</b> Drug Addiction, Criminal Justice and Human Rights	10	10	20	60	100
OO5	Practical					100
						<b>500</b>
<b>Semester-III</b>						
BO16	<b>Opt.-5</b> Juvenile Delinquency	10	10	20	60	100
BO17	<b>Opt.-6</b> Collective Violence	10	10	20	60	100
						<b>200</b>
<b>Semester-IV</b>						
OO6	Dissertation (equal to 2 papers)					200
						<b>200</b>
						<b>1300</b>



## Semester-I

Semester-I						
LLM1001	Legal Theory	10	10	20	60	100
LLM1002	Constitutional Law of India :New challenges	10	10	20	60	100
LLM1003	Legal Research Methodology	10	10	20	60	100
LLM1004	Elective – Law and social Transformation in India	10	10	20	60	100
						<b>400</b>

### LEGAL THEORY

#### UNIT - I

Positivism - Relation between Law and Morality, Analytical Positivism, Imperative Theory of Law, Pure theory of Law, the concept of Law.

#### UNIT - II

Historical and Sociological approach to Law: Theory of Volkgeist, Anthropological approach to law, purpose theory, living law theory, social engineering;

#### UNIT - III

Post sociological approach realism, Justice Cardozo: Judicial process, Justice Holmes, critical legal studies, Feminist Philosophy;

#### UNIT - IV

Justificatory theories in shaping the concept of Human Rights, Theology, Natural law and natural rights, Utilitarianism - Right based theory and collective rights;

#### UNIT - V

Modern theories of Human Rights, Rawls Theory of Justice: Nozick - Ronald Dworkin, Right to Solidarity, Global Justice: meaning and application;

#### SUGGESTED READINGS :

I. Bodenheimer – Jurisprudence : The Philosophy and Method of Law

II. Dennis Lloyd - Jurisprudence

III. Dias – Jurisprudence

IV. Friedman – Legal Theory

V. G.W. Paton – Jurisprudence

VI. Rawls: Theory of Justice

VII. Robert Nozick – Anarchy, State and Utopia

VIII. Ronald Dworkin – Taking Rights Seriously

IX. S.C. Kashyap, Human Rights and Parliament (1978)

X. Salmond – Jurisprudence

XI. U. Baxi, The Crisis of the Indian Legal System (1982), Vikas Publishing House, New Delhi.

XII. Upendra Baxi, "Law, Democracy and Human Rights": 5 Lokayan Bulletin 4 (1987)

XIII. V.D. Mahajan – Jurisprudence



## CONSTITUTIONAL LAW OF INDIA AND NEW CHALLENGES

### UNIT - I

Making of the Constitution :Demand for a Constitution framed by a Constituent Assembly; The Cripps' offer of 1942; The Wavell Plan of 1945; The Cabinet Mission Plan, 1946; The Mountbatten Plan, 1947; The Indian Independence Act, 1947; Constituent Assembly in India and framing of the Constitution; Formation of the Constituent Assembly of India; The issues before the Constituent Assembly; Passing of the Constitution; Dr. B. R. Ambedkar's contribution in the making of the Constitution; Date of Commencement of the Indian Constitution; Concepts of Constitutional Law and Constitutionalism; Forms and characters of various models of Constitution; Salient features of the Constitution of India;

### UNIT - II

Preamble - Meaning of the Preamble; Object, Purpose and Scope of the Preamble; Contents of the Preamble; Utility of Preamble in interpretation of the Constitution; Whether Preamble is part of the Constitution?

Citizenship (Articles 5-11) including relevant provisions of Citizenship Act, 1955(Sections 3 – 10); Union & State Executive (Articles 52-78 & 152-167); Union Judiciary, State Judiciary & Subordinate Judiciary (Articles 124-147 & 214-237); Writs (Article 32); Union and its Territory (Articles 1-4); Union & State Legislature (Article 79-123 & 168-213);

### UNIT - III

Legislative Relations between Union and States (Articles 245-255); State: Creation and Demand of new states; Need for widening the definition of State in the wake of liberalization; Accountability of State: Joint Parliamentary Committee & Public Account Committee; Emergency Provisions (Articles 352-360); Amendment of the Constitution (Article 368) with special reference to the Basic Structure Theory. Temporary provision (Article 370): Reorganization of Articles 370 and 35-A by the Constitution (Application to Jammu and Kashmir) Order 2019 and Re-Organization of Jammu and Kashmir through The Jammu And Kashmir Reorganization Act, 2019. (Basic Concepts and Future Effects);

### UNIT - IV

Fundamental Rights; General (Articles 12 & 13); Right to Equality (Articles 14-18); Right to Freedom (Article 19); Fundamental Duties (Article 51A); Right to Freedoms (Articles 20-22); Right against Exploitation (Articles 23 & 24); Freedom of Religion (Articles 25-28); Democratic Process-Grass Root Democracy: Democratic Decentralization and Local Self Government; Election: Mechanism and Procedure; Election Commission: Constitution and Status; Electoral Reforms: Transparency, Free, fair and fearless election; Coalition Government, Stability, Durability; Corrupt Practice; Nexus of politics with criminals and the business;

### UNIT - V

Cultural and Educational Rights (Articles 29 & 30); Right to property as constitutional right (Articles 31A-31D & 300A); Right to Constitutional Remedies (Articles 32- 35A); Directive Principles of State Policy (Articles 36-51); Trade, Commerce and Intercourse within the Territory of India (Articles 301-307); Safeguards to Civil Servants (Articles 309-311); Public Service Commission's (Article 315-323); Election Commission (Articles 324-329);

### SUGGESTED READINGS :

- I. Bakshi, P.M. : Constitution of India- 8th Edition, Universal Law Pub., 2017.
- II. Basu, D.D. : Introduction to the Constitution of India (English & Hindi)
- III. Basu, Durga Das : Shorter Constitution of India, 13th Edition, Wadhwa, 2012.
- IV. Constitution of India as amended up to-date
- V. Constitution (Application To Jammu And Kashmir) Order 2019
- VI. Granville Austin, Working of a Democratic Constitution- The Indian Experience, Oxford University Press.
- VII. H. M. Seervi, Constitutional Law of India, N.M. Tripathi.
- VIII. H.R. Khanna, Making of India's Constitution, Eastern Book Co., Lucknow Harper Collins Publication, India. 2019.
- IX. Jain, M.P. : Indian Constitutional Law- 5th Edition, Wadhwa, 2015.
- X. Kashyap Subhash C., Constitutional Law of India, Universal Law Publishing Co. Pvt. Ltd., 2015
- XI. M.P. Singh, V.N. Shukla's Constitution of India, Eastern Book Company, (2013).



- XII. Seervai, H.M. : Constitutional Law of India- 4th Edition, Universal Law Publishing Co. Pvt. Ltd., 2012.
- XIII. The Jammu and Kashmir Reorganisation Act, 2019
- XIV. Various Amendments made to the Constitution of India

## LEGAL RESEARCH METHODOLOGY

### UNIT - I

Legal Education: Methods & Objective: Lecture Method of Teaching: Merits and Demerits; The problem method; Discussion method and its suitability at postgraduate level teaching; The seminar method of teaching;

Examination system and problems in evaluation external and internal assessment; Student participation in law school programmes, organizations of seminars, publication of journal and assessment of teachers; Clinical legal education – legal aid, legal literacy, legal survey and law reform;

### UNIT - II

Research Method:

Socio-Legal Research; Doctrinal and non-doctrinal research; Relevance of empirical research; Induction and deduction; Identification problem of research – what is a research problem; Survey of available literature and preparation of bibliography; Legislative materials including subordinate legislation, notification and policy statements;

### UNIT - III

Research Materials:

Decisional materials including foreign decisions; methods of discovering the —rule of the casell; Juristic writings: A Survey of juristic literature, its relevance in selection of problems in India and foreign periodicals; Compilation of list of reports or special studies conducted relevant to the problems; Formulation of the Research Problem, hypothesis; Devising tools and techniques for collection of data; Methods for the collection of statutory and case material and juristic literature; Use of historical and comparative research material; Use of observation studies; Use of the Case Studies; Use of questionnaires/interview; Sampling procedures, design of sample, types of sampling to be adopted; Use of scaling techniques; Jurimetrics;

### UNIT - IV

Data Collection:

Computerized Research: A study of legal research programmes such as lexis and West law coding; Classification and Tabulation of Data: use of cards for data collection, Rules for tabulation, Explanation of tabulated data; Analysis of Data – Qualitative and Quantitative;

### UNIT - V

Report Writing; Research report & techniques of writing research work; Citation rules and modes of legal writing, Case Analysis, Impact of Decisions of the Court;

### PAPER 1.5.(b)

### NON-DOCTRINAL RESEARCH AND VIVA-VOCE EXAMINATION (PRACTICAL)

(20 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 internally by a designated faculty member who are engaging LL.M. Classes regularly;

### SUGGESTED READINGS:

I. High Brayal, Nigel Dunnean and Richard Crimes, Clinical Legal Education: Active Learning in your Law School, (1998) Blackstone Press Limited, London.

II. S. K. Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.

III. M.O. Price, H.Bitner and Bysiewiez, Effective Legal Research (1978)

IV. William J. Grade and Paul K. Hatt, Methods in Social Research, Mc Graw-Hill Book V. Company, London

VI. H. M. Hyman, Interviewing in Social Research (1965)

VII. Payne, The Art of Asking Questions (1965)



- VIII. Erwin C. Surrency, B. Fielf and J. Crea, A Guide to Legal Research (1959)  
IX. Morris L. Cohan, Legal Research in Nutshell, (1996), West Publishing Co.  
X. Harvard Law Review Association, Uniform System of Citations.  
XI. I.L.I. Publication, Legal Research and Methodology.

## LAW AND SOCIAL TRANSFORMATION IN INDIA

### UNIT - I

Law and Social Change: A Theoretical Perspective:

Relationship of Law with social change; Law as an instrument of social change; Law as the product of traditions & culture: Evaluation in the light of colonization & common law system; Impact of Social movements on social change.

Religion and the Law: Religion: Meaning, relationship with law; Religion as an integrative or divisive factor; Secularism: meaning and its contribution in Indian society, Freedom of religion and non-discrimination on the basis of religion; Religious minorities and the law;

### UNIT - II

Languages and the Law:

Formation of linguistic States and its impact on policy in governance; Constitutional guarantees to linguistic minorities; Language policy and the Constitution: Official languages, multi language system; Non-discrimination on the ground of language.

Community and the Law: Caste System in Indian Society; Caste: Socio-Cultural reality as a divisive and integrative factor; Non-discrimination on the ground of caste; Acceptance of caste as a factor to undo past injustices: An Analysis; Protective discrimination: Scheduled Castes, Tribes and Backward Classes; Reservation Policy: Statutory Commission Statutory Provision;

### UNIT - III

Regionalism and the Law:

Regionalism: A Divisive or an integrative factor; Concept of India as one Unit; Freedom of movement, residence and business, impermissibility of state or regional barriers; Equality in matters of employment: the slogan 'son of the soil' and its practice; Admission to educational institutions: preference to residents of a State;

### UNIT - IV

Modernization and the Law:

Modernization as a value: Constitutional perspective reflected in Fundamental Duties; Modernization of Social Institution through Law; Reform of Family Law; Agrarian Reform; Industrial Reforms: Free Enterprise v. State Regulation, industrialization v environmental protection; Reform of Court Processes: i. Criminal Law : Plea Bargaining, Compounding & Payment of Compensation to Victim ii. Civil Law:(ADR)Confrontation iii. Consensus,

Mediation & Conciliation, Lok Adalats Women, Children and the Law:

Status of Women in Indian Society; Crimes against Women; Gender injustice: forms, causes and remedies; Women's Commission; Empowerment of Women: Constitutional and other legal provisions; Child Labour; Sexual Exploitation; Adoption, maintenance and related problems; Child and Education;

### UNIT - V

Alternative approaches to Law: Jurisprudence of Sarvodaya, Gandhiji, Vinoba Bhave, Jai Prakash Narain; Socialist thought on Law & Justice: An enquiry through Constitutional debates on the right to property; Indian Marxist Critique of Law & Justice; Naxalite movement: Causes & Cure;

### SUGGESTED READINGS:

I. Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford.

II. D.D. Basu, Shorter Constitution of India (1996), Prentice – Hall of India(P) Ltd., New Delhi.

III. H.M. Seervai, Constitutional Law of India (1996), Tripathi.

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## II SEMESTER

Semester-II						
BO12	<b>Opt-1</b> Comparative Criminal Procedure	10	10	20	60	100
BO13	<b>Opt.-2</b> Penology: Treatment of Offenders	10	10	20	60	100
BO14	<b>Opt.-3</b> Privileged Class Deviance	10	10	20	60	100
BO15	<b>Opt.-4</b> Drug Addiction, Criminal Justice and Human Rights	10	10	20	60	100
OO5	Practical					100
						<b>500</b>

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BO12 Comparative Criminal Procedure		
	<b>Objectives</b> To familiarize student with trials and criminal procedures	
Unit-I	Organization of Courts and Prosecuting Agencies: Hierarchy of criminal courts and their jurisdiction, Nyaya Panchayats in India, Panchayats in tribal areas, Organization of Prosecuting agencies for prosecuting criminal, Prosecutors and the police Withdrawal of prosecution	
Unit-II	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 defense attorney in the trial. Admissibility and inadmissibility of evidence, Expert evidence, Appeal of the Court in awarding appropriate punishment, Plea bargaining	
Unit-III	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	
Unit-IV	Preventive Measures in India : Provisions in the Criminal Procedure Code, Special enactments, Public Interest Litigation: Directions for criminal prosecution	
	<p><b>Text Books:</b></p> <ol style="list-style-type: none"> <li>1. Ceylia Hamptom : Criminal Procedure</li> <li>2. Wikins and Cross: Outline of the law of Evidence</li> <li>3. Archbold, Pleading: Evidence and Practice in Criminal Cases (2000) Eastern, Lucknow</li> <li>4. Sarkar : Law of Evidence</li> </ol> <p><b>Reference Books:</b></p> <ol style="list-style-type: none"> <li>1. K.N. Chandrasekharan Pillai (ed.): R.V. Kelkar's : Outlines of Criminal Procedure</li> <li>2. Patric Devlin : The Criminal Prosecution in England</li> <li>1. American Series of Foreign Penal Codes Criminal Procedure Code of People's Republic of China</li> <li>2. Criminal Procedure (1997), West Criminal Procedure Code, 1973 The French Code of Crimina Procedure</li> </ol>	
<b>BO13 Penology: Treatment of Offenders (Opt.-2)</b>		
	<b>Objectives</b> To teach student the concept of penology, sentencing and imprisonment	
Unit-I	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	
Unit-II	Approaches to Sentencing : Alternatives to Imprisonment, Probation, Corrective labour, Fines, Collective fines, Reparation by the offender by the court	
Unit-III	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	
Unit-IV	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 surveillance, basis, development Reforms	



	<p><b>Text Books:</b></p> <ol style="list-style-type: none"> <li>1. S. Chhabra : The Quantum of Punishment in Criminal Law (1970) H.L.A.Hart: Punishment and Responsibility _ (1968)</li> <li>2. Herbert L. Packer: The Limits of Criminal Sanction (1968) A1fRoss: On Guilt Responsibility and Punishment (1975)</li> <li>3. A.Siddique : Criminology (1984) Eastern, Lucknow</li> </ol> <p><b>Reference Books:</b></p> <ol style="list-style-type: none"> <li>1. Law Commission of India, Forty-Second Report, Ch. 3(1971)</li> <li>2. K.S. Shukla : 'Sociology of Deviant Behaviour' in 3 ICSSR Survey of Sociology and Social Anthropology 1969-179 (1986)</li> <li>3. Tapas Kumar Benerjee : Back-round to Indian Criminal Law (1990). R. Campjary &amp; Co., Kolkata</li> </ol>	
<b>B014 Privileged Class Deviance (Opt.-3)</b>		
	<p><b>Objectives</b></p> <p>To familiarize student with various kinds of deviances</p>	
Unit-I	<p>Introduction: Conceptions of white collar crimes, Indian approaches to socio-economic offences, Notions of privileged class deviance as providing a wider categorization of understanding Indian development. Typical forms of such deviance, Official deviance (deviance by legislators, judges, bureaucrats), Professional deviance: journalists, teachers, doctors, lawyers. engineers, architects and publishers. Trade union deviance (including teacher, lawyers/urban property owners); Landlord deviance (class/caste based deviance), Police deviance, Deviance on electoral process (rigging, both capturing impersonation, corrupt practices), Gender-based aggression by socially, economically and politically powerful</p>	
Unit-II	<p>Official Deviance : Conception of official deviance permissible limit of discretionary powers. The Chambal valley dacoit Vinoba Mission and Jai Prakash Narain Mission-in 1959 and 1971. The Chagla Commission Report on L1C-Mundhra Affair) The Das Commission Report on Pratap Singh Kairon, "Fire Grover Commission Report on Dev Raj Urs, The Maruti Commission Report, The Ibakkar Natarajarr Commission Report on Fairfax</p>	
Unit-III	<p>Police: Deviance : Structures of legal restraint on police powers in India; Unconstitutionality of "third-degree" methods and use of fatal force by police, "Encounter" killings, Police atrocities, The plea of superior orders, Rape and related forms of gender-based aggression by police and paramilitary forces, Reform suggestions especially by the National Police Commissions, Professional Deviance : Unethical practices at the Indian Bar, The Lentin Commission Report, The Press Council on unprofessional and unethical journalism Medical malpractice</p>	
Unit-IV	<p>Response of Indian Legal Order to the Deviance of Privileged Classes: Vigilance Commission, Public Accounts Committee, Ombudsman, Commissions of Enquiry, Prevention of Corruption Act, 1947, "CheAntualy Case</p>	
	<p><b>Text Books:</b></p> <ol style="list-style-type: none"> <li>1. Upendra Baxi : The Crisis of the Indian Legal System (1982) Vikas - Publishing House, New Delhi</li> <li>2. B.B. Pande : The Nature and Dimensions of Privileged Class Deviance' The Other Side of Development 136 (1987 : K.S. Shukla ed.)</li> <li>3. Upendra Baxi (ed.) : Law and Poverty: Essays (1988)</li> <li>4. Upendra Baxi : Liberty and Corruption : The Antualy Case and Beyond (1989)</li> </ol> <p><b>Reference Books:</b></p> <ol style="list-style-type: none"> <li>1. Suendranath Dwevedi and G.S. Bhargava : Political Corruption in India (1967)</li> <li>2. A.R. Desai (ed.) : Violation of democratic Rights in India (1986) A.G. Noorani: Minister's Misconduct (1974)</li> <li>3. Indra Rothermund : 'Patterns of Trade Union Leadership in Dhanbad Coal fields', 23 JILI522 (1981)</li> </ol>	



<b>B015 Drug Addiction, Criminal Justice and Human Rights (Opt.-4)</b>	
	<p><b>Objectives</b> To familiarize student with the evil of drug addiction, and its legal and human right aspets</p>
Unit-I	Introductory: Basic conceptions, Drugs'narcotics' psychotropic substances ", 'Dependence', "addiction", Crimes without victims, Trafficking in drugs, Primary drug abuse, How does one study the incidence of Drug Addiction and Abuse? Self-reporting, Victim-studies, Problems of comparative studies
Unit-II	Anagraphic and Social Characteristics of Drug Users; Gender, Age, Religiousness, Single individuals/ cohabitation, Socio-economic level of family, Residence patterns (urban/rural), Educational levels, Occupation, Age at first use, Type of Drugs use, Reasons given as cause of first use, Method of intake, Pattern of the use, Average Quantity and Cost, Consequences on addict's health (Physical/Psychic)
Unit-III	The International Legal Regime : Analysis of the background, text and operation of the Single Convention on Narcotic Drugs, 1961, 1972, Analysis of the Convention on Psychotropic Substances, 1972, International collaboration in combating drug addiction, The SARC and South-South Cooperation, Profile of international market for psychotropic substances, The Indian Regulatory System : Approaches to narcotic trafficking during colonial India, Nationalist thought towards regulation of drug trafficking and usage, The penal provisions (under the (PC and the Customs Act). India's role in the evolution. of the two international conventions, Judicial approaches to sentencing in drug trafficking and abuse, The Narcotic Drugs and Psychotropic Substances Act. 1985, Patterns to resource investment in India: policing adjudication, treatment, aftercare and rehabilitation
Unit-IV	Human Rights Aspects : Deployment of marginalized people as carrier of narcotics, The problem of juvenile drug use and legal approaches, Possibilities of misuse and abuse investigative prosecutory powers, Bail, The problem of different application of the Ugal Regimes, especially in relation to the resource less, The Role of Community in Combating Drug Addiction : Profile of Community initiatives in inhibition of dependence and addiction (e.g. de-addiction and after care. The role of educational systems, The role of medical profession, The role of mass media, Initiatives for compliance with regulatory systems, Law reforms initiatives
	<p><b>Text Books</b></p> <ol style="list-style-type: none"> <li>(eds.) : Drugs and the Criminal Justice System (1974)</li> <li>R.Cocken: Drug Absuse and Personality in Young Offenders (1971)</li> <li>G. Edwards Busch (ed.) : Drug Problems in Britin : A Reivew of Ten Years(1981)</li> <li>P Kondanram and Y.N. Murthy : Drug Abuse and Crime : A Preliminary Study, 7, Indian Journal of Criminology, 65-68 (1979)</li> </ol> <p><b>Reference Books</b></p> <ol style="list-style-type: none"> <li>P.R. Rajgopal : Violence and Response : A Critique of the Indian Criminal System (1988)</li> <li>United Nations, Economic and Social Reports of the Commission on Narcotic Drugs, United nations</li> <li>Social Defence, Research Institute (UNSDRI) Combating Drug Abuse and related Crimes (Rome, July 1984, Publication No. 21 )</li> </ol>
<b>005 Practical</b>	
	<p>The practical examination shall be held at the end of the second semester on Research Methodology, Law Teaching and Clinical work. There shall be 25 marks each for doctrinal research and for nondoctrinal research and 25 marks each for law teaching and clinical work. How the components of practical shall be evaluated is left to individual faculties of law. They can formulate their own models of assessment. However, for making the practical examination objective and meaningful, the following guidelines shall be adhered to.</p> <ol style="list-style-type: none"> <li>Research Methodology</li> </ol> <p>(i) Doctrinal research (25 marks)</p>

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# Sunrise University

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Recognized by UGC Act, 1956 u/s 2 (f)

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 group 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 themselves with court proceedings, working of a business organisation, tackling of labour 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 the faculty.

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 internally and externally.

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Semester-III						
BO16	<b>Opt.-5</b> Juvenile Delinquency	10	10	20	60	100
BO17	<b>Opt.-6</b> Collective Violence	10	10	20	60	100
						<b>200</b>

Semester-III	
<b>B016 Juvenile Delinquency (Opt. 5)</b>	
	<p><b>Objectives</b> To familiarize student with legislative framework of child crimes</p>
Unit-I	The Basic Concepts : The conception of child in Indian Constitution and Penal Code, Delinquent juvenile, Neglected juvenile, The overall situation of children/young persons in India, also with reference to crime statistics (of crimes by and against children), Determining Factors of Juvenile Delinquency : Differential association, Anomic, Economic pressure, Peer group influence, Gang subculture, Class differentials
Unit-II	Legislative Approaches : Legislative approaches during the late colonial era. Children's Act, Legislative position in various States, The Juvenile Justice Act, Constitutional Aspects, Distinction between Neglected and delinquent juveniles Competent authorities, Processual safeguards for juveniles, : Powers given to government, Community ' participation at envisaged under the Act'
Unit-III	Indian Context of Juvenile Delinquency : The child population percentage to total sex ratio, urban-rural-urban, Neglected below poverty line, physically and mentally disabled, orphans, destitutes vagrants, Labourers, In organized industries like zari, carpet, bidi, glass, In unorganized sector like domestic servant, shops and establishments rag-pickers family trade, Delinquent number, sex-ratio to audit crime, types of offences committed recidivism, rate of increase background, Drug addicts, Victims, 'Of violence sexual abuse,, battered, killed by parents, Of criminal activities like bootlegging, drug pollution as a response of protective approach, Judicial Contribution : Social action ligation concerning juvenile justice, Salient judicial decision, Role of legal profession in juvenile justice system.
Unit-IV	Implementation : Institutions, bodies, personnel. Recruiting and funding agencies, Recruitment qualifications and salaries or fund. Other responsibilities of each agency/ person, Coordination among related agencies, Accountability annual reports land accessibility of public to juvenile justice institution,. Preventive Strategies : State welfare programmes nutrition, ICWS grants-in-aid, Compulsory education Role of community, family, voluntary, bodies, individual,
	<p><b>Text Books</b></p> <ol style="list-style-type: none"> <li>1. National Institute of Social -Defence. Model Rules under the Juvenile Justice Act, 2000</li> <li>2. K.S. Shukla: Adolescence Offender: 1985</li> <li>3. Wyron Weiner: The Child and State in India (-1990)</li> </ol> <p><b>Reference Books</b></p> <ol style="list-style-type: none"> <li>1. The United Nations Declaration on the Right of Children (UNICEF periodic materials)</li> <li>2. United Nations : Beeijing Rules on Treatment of Young Offenders (1985)</li> </ol>
<b>B017 Collective Violence (Opt. 5)</b>	



	<p><b>Objectives:</b> To understand the legal aspects of various kinds of collective violence.</p>	
Unit-I	<p>Introductory: Notions of force, coercion, violence, Distinctions, symbolic violence. institutionalized violence structural violence, Legal orders a coercive normative order, Force monopoly of modern law, Constitutional and criminal speech : Speech as incitement to violence, Collective political violence and legal order; Notion of legal and extra repression</p>	
Unit-II	<p>Approaches to Violence in India : Religiously sanctioned structural violence: Caste and gender based. Ahimsa in Hindu, Jain, Buddhist, Christian and Islamic traditions in India, Gandhiji's approach to non-violence, Discourse on political violence and terrorism during colonial struggle, Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period, Agrarian Violence and Repression : The nature and scope of agrarian violence in the 18-19 centuries India, Colonial legal order as a causative factor of collective political (agrarian) violence, The Talangana struggle and the legal order. The Report of the Indian Human Rights Commission on Atwal Massacre</p>	
Unit-III	<p>Violence against the Scheduled Castes: Notion of Atrocities, Incidence of Atrocities, Uses of Criminal Law to combat atrocities or contain aftermath of atrocities, Violence against women'</p>	
Unit-IV	<p>Communal Violence : Incidence and courses of communal violence, Findings of various commissions of enquiry, The role of police and para-military systems in dealing with communal violence, Operation of criminal justice system tiring and in relation to communal violence</p>	
	<p><b>Text Books:</b></p> <ol style="list-style-type: none"> <li>1. U.Baxi: Dissent, Development and Violence in R. Meagher(ed.), Law and Social Change: Indo- American Reflections 92 (1988) U. Baxi (ed.) : Peasant Struggles in India (1979)</li> <li>2. A.R.Desai: Agrarian Struggles in India: After Independence (1986)</li> <li>3. A.R.Desai-Violation of Democratic Rights in India(1986)</li> </ol> <p><b>Reference Books</b></p> <ol style="list-style-type: none"> <li>1. Mark Jucrgensmever: "The Logic of Religious Violence : The Case of Punjab"<sup>22</sup> Contribution to Indian Sociology 65 (1988) Ranji Kothari : State Against Democracy (1987 )</li> <li>2. G. Shah : Ethnic Minorities and Nation Building: Indian Experience (1984)</li> <li>3. K.S. Shukla : "Sociology of Deviant Behaviour". in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986)</li> </ol>	

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## 4<sup>th</sup> Semester

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<b>Semester-IV</b>		
<b>006 Dissertation (equal to 2 papers)</b>		
	SEMESTER 1 <sup>ST</sup> , 2 <sup>ND</sup> AND 3 <sup>RD</sup> ALL SUBJECTS(ANY OF TOPIC).	

A large, semi-transparent watermark of the Sunrise University Alwar logo is centered on the page. It features a sun rising over an open book, with the text "SunRise UNIVERSITY ALWAR" below it.

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