



**JAYOTI VIDYAPEETH WOMEN'S UNIVERSITY,
JAIPUR**

**Faculty of Law and Governance
Department of Law**

SYLLABUS

**MASTERS OF LAW
(LLM)**

SESSION – 2022-24

DURATION – 2 YEARS/ 4 SEMESTER

**SYLLABUS FOR:
2 YEARS (CRIMINAL LAWS)**



PROGRAM DETAIL

Name of Program	-	MASTER OF LAW (Criminal Laws)
Program Code	-	LLM
Mode of Program	-	Semester
Duration of Program	-	2yrs/4 Semester
Total Credits of Program	-	96
Curriculum Type and Medium Choice	-	English



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SYLLABUS DETAIL

I SEMESTER (CCC)

S. No.	Course Nature	Credit	Name of Course
1	CCC	6	Law and social transformation in India
2	CCC	6	Indian Constitutional Law
3	CCC	6	Legal Theory and Human Rights philosophy
4	ECC	6	Recent Legal Developments in Criminal Laws- (Viva- voce and Project Work)
Total		24	

II SEMESTER

S. No.	Course Nature	Credit	Name of Course
1	CCC	6	Legal Education and Research Methodology
2	CCC	6	Judicial Process
3	ECC	6	Criminology and Criminal Justice Administration
4	ECC	6	Police Law and Administration
Total		24	



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III SEMESTER (ECC)

S. No.	Course Nature	Credit	Name of Course
1	ECC	6	Penology and Victimology
2	ECC	6	Privileged Class deviance
3	ECC	6	Cyber Crimes
4	ECC	6	Juvenile Delinquency
Total		24	

IV SEMESTER (ECC)

S. No.	Course Nature	Credit	Name of Course
1	ECC	6	Law of Crimes
2	ECC	6	Comparative Criminal Procedure
3	ECC	6	International Criminal Law
4	ECC	6	Dissertation
Total		24	



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Programme: Masters of Law (LLM- Criminal Laws)
Duration: 2 Years (4 Semesters)

Program Summary LLM-2years I-Semester

Course category	Course Name	C	T	D & T	P
CCC	Law and social transformation in India	6	5	0	1
CCC	Indian Constitutional Law	6	5	0	1
CCC	Legal Theory and Human Rights philosophy	6	5	0	1
ECC	Recent Legal Developments in Criminal Laws- (Viva- voce and Project Work)	6	5	0.5	0.5
Total Credits:		24	20	0.5	3.5

II- Semester

Course category	Course Name	C	T	D & T	P
CCC	Legal Education and Research Methodology	6	5	0	1
CCC	Judicial Process	6	5	0	1
ECC	Criminology and Criminal Justice Administration	6	5	0	1
ECC	Police Law and Administration	6	5	0	1
Total Credits:		24	20	0	4

III- Semester

Course category	Course Name	C	T	D & T	P
ECC	Penology and Victimology	6	5	0	1
ECC	Privileged Class deviance	6	5	0	1
ECC	Cyber Crimes	6	5	0	1
ECC	Juvenile Delinquency	6	5	0	1
Total Credits:		24	20	0	4

IV- Semester

Course category	Course Name	C	T	D & T	P
ECC	Law of Crimes	6	5	0	1
ECC	Comparative Criminal Procedure	6	5	0	1
ECC	International Criminal Law	6	5	0	1
ECC	Dissertation	6	5	0.5	0.5
Total Credits:		24	20	0.5	3.5

CCC represents Compulsory Core Course
 ECC represents Elective Core Course
 C represents number of Credit Per course
 T represents theory credit
 D&T represents demonstration and tutorials
 P represents practical, practice and seminar



LLM 1ST YEAR I SEMESTER

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;



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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., NewDelhi.
- III. H.M. Seervai, Constitutional Law of India (1996), Tripathi.
- IV. India Law Institute, Law and Social Change: Indo-American Reflections, Tripathi(1988)
- V. J.B. Kripalani, Gandhi: His life and Thought, (1970) Ministry of Information andBroadcasting,
- VI. M.P. Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay
- VII. Manushi, A Jornal about Women and Society.
- VIII. Marc Galanter (ed.), Law and Society in Modern India (1997) Oxford.
- IX. Robert Lingat, The Classical Law of India (1988), Oxford.



Indian Constitutional Law

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 toFreedom (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 SelfGovernment; Election: Mechanism and Procedure; Election Commission: Constitution andStatus; Electoral Reforms: Transparency, Free, fair and fearless election; CoalitionGovernment, 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 HarperCollins 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 PublishingCo. Pvt. Ltd., 2012.
- XIII. The Jammu and Kashmir Reorganisation Act, 2019
- XIV. Various Amendments made to the Constitution of India



LEGAL THEORY AND HUMAN RIGHTS PHILOSOPHY

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. Friedman – Legal Theory
- III. Rawls: Theory of Justice U. Baxi, The Crisis of the Indian Legal System (1982), Vikas Publishing House, NewDelhi.
- IV. Upendra Baxi, "Law, Democracy and Human Rights": 5 Lokayan Bulletin 4 (1987)
- V. V.D. Mahajan – Jurisprudence

Paper4-

Recent Legal Developments in Criminal Laws- (Viva- voce and Project Work)

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 is engaging LL.M. Classes regularly;



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SEMESTER II

LEGAL EDUCATION AND 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 case; 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;

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 Bysiewicz, Effective Legal Research (1978)
- IV. William J. Grade and Paul K. Hatt, Methods in Social Research, Mc Graw-Hill Book Company, London
- V. H. M. Hyman, Interviewing in Social Research (1965)



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JUDICIAL PROCESS

UNIT - I

Nature of Judicial Process:

Judicial process as an instrument of social ordering; Judicial process and creativity in Law: Common law model, legal Reasoning and growth of law, change and stability; The tools and techniques of judicial creativity and precedent; Legal development and creativity through legal reasoning under statutory and codified system.

UNIT - II

Special dimensions of Judicial Process in Constitutional Adjudication:

Notion of Judicial Review; Role in constitutional adjudication: various theories of judicial role; Tools and techniques in policy making and creativity in constitutional adjudication; Varieties of judicial and juristic activism; Problems of accountability & Judicial Law making.

UNIT - III

Judicial Process in India:

Indian debate on the role of judges and on the notion of judicial review; The -independence of judiciary and the -political nature of judicial process; Judicial activism and creativity of the Supreme Court: the tools and techniques of creativity- Judicial process in pursuit of constitutional goals and values: New dimensions of judicial activism and structural challenges; Institutional liability of courts its scope and limits.

UNIT - IV

The Concept of Justice:

The concept of justice and Dharma in Indian thought; Dharma as the foundation of legal ordering in Indian thought; The concept and various theories of justice in the western thought; Various theoretical bases of justice: The liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

UNIT - V

Relation between Law and Justice:

Equivalence Theories – Justice as nothing more than the positive law of the stronger class; Dependence theories: for its realization, Justice depends on law, but justice is not the same as law; The independence theories of justice as a means to an end, the relationship in the context of the Indian Constitutional ordering; Analysis of selected cases of Supreme Court where the Judicial Process can be seen as influenced by theories of Justice.

SUGGESTED READINGS :

- I. A. S. Anand, Judicial Review – Judicial Activism–Need for Caution, Journal of Indian Law Institute P. 149 (2000).
- II. Amartya Sen, 'Idea of Justice', Allen Lane & Harvard University Press, 2009
- III. Cordozo 'The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi
- IV. Henry J. Abraham, The Judicial Process (1998), Oxford University Press
- V. J. Stone. Legal System and Lawyer's Reasoning (1999), Universal Law Publishing Co., New Delhi
- VI. J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985), Butterworths.
- VII. Julius Stone. The Province and Function of Law Ch.1, PP 8-16, (2000) Universal Law Publishing Co., New Delhi
- VIII. Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.
- IX. S. P. Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2000)



CRIMINOLOGY AND CRIMINAL JUSTICE ADMINISTRATION

UNIT - I

Criminology: Definition, Nature and Scope, Methods of Studying, Importance and Classification of Crime
Criminal Behaviour: Explanations; Psychological Theories: Alcoholisms and Drugs; Crime and Social Processes: Economic Motivation, Socio-cultural Movements, Crime and Community, Female Offender, Influence of Mass-Media;

UNIT - II

Schools of Criminological Thought (Factors in Causation of Criminal Behaviour): Schools of Criminology: The Pre-Classical School; The Classical School; Neo-Classical School; Positivist Approach; Radical Positivism and Liberal Positivism: Cesare Lombroso; Enrico Ferri; Raffaele Garofalo; Gabriel Tarde

UNIT - III

Criminal Justice System (CJS):

Meaning, Purpose and Social Relevance; Legislative Process and CJS; Functionaries of CJS: Police, Prosecution, Judiciary, Prison; Control of Crime: Police and Law Courts: Prison System-Re-socialisation of the Offender, Rehabilitation of Discharged Prisoners in the Administration of Criminal Justice, Prevention of Crime Delinquency

UNIT - IV

Administration of Criminal Justice System (CJS):

Police: Fundamentals of Police Administration; Organization and Structure of Police; Police Act of 1861 – Recent State Enactment (The Rajasthan Police Act, 2007); Police Reforms in Independent India and Judicial Intervention; Policing in Modern Society- Different Approaches Including Community Policing etc.

UNIT - V

Role of various Agencies in Protection of Human Rights under Criminal Justice System (CJS):

International Level: Human Rights and the United Nations Charter; Normative and Institutional Framework of the UN; Role of the Permanent Organs of the UN, Human Rights; Commissions, UN High Commissioner for Human Rights;

National Level: The Protection of Human Rights Act, 1993; National Human Rights Commission; State Human Rights Commissions; Human Rights Courts; Other Commissions; Emerging regime of New Human Rights under CJS in India;

SUGGESTED READINGS*

- Qadri, and Ahmed Siddique, Criminology - Problems and Perspectives, Eastern Book Co., 6th Ed., 2009, Reprinted 2014.
- Pananjpe, N.V. Criminology and Penology, Central Law Publications, 2005.
- K.D.Gour, Criminal Law and Criminology, Deep & Deep Publications, India, 2003.
- Katherine S Williams: Textbook of Criminology, Universal Publication, (2001-Indian reprint)
- K.N. Pillai, Chandrasekharan, General Principles of Criminal Law, Eastern Book Co., 2005.
- Shukla Girjesh, Criminology, Lexis Nexis, New Delhi, 2013.



POLICE LAW AND ADMINISTRATION

Unit 1

Introductory

- i. Notions of "force", "coercion", "violence"
- ii. Distinction: "Symbolic violence", "Institutionalized violence", "Structural violence"
- iii. Legal order as a coercive normative order.
- iv. "Collective political violence" and legal order.
- v. Notion of legal and extra-legal "repression"

Unit 2

Agrarian Violence and Repression

- i. The nature and scope of agrarian violence in the 18-19 centuries India.
- ii. Colonial legal order as a causative factor of collective political (agrarian) violence
- iii. The Telangana struggle and the legal order
- iv. The Report of the Indian Human Rights Commission on Arwal Massacre

unit 3

Violence against the Scheduled Castes

- i. Notion of Atrocities
- ii. Incidence of Atrocities
- iii. Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities
- iv. Violence against Women.

Unit 4

Communal Violence

- i. Incidence and courses of "communal" violence
- ii. Findings of various commissions of enquiry
- iii. The role of police and para-military systems in dealing with communal violence
- iv. Operation of criminal justice system in relation to communal violence.

Unit 5

Contemporary issues and challenges in policing

- i. Contemporary issues in policing
- ii. Crimes against Children and Weaker Sections of the society
- iii. Role of police
- iv. Gender sensitization: Women police and their role in police work; Sexual Harassment at work place

SUGGESTED READINGS*:

- Upendra Baxi, The Crisis of the Indian Legal System, Vikas Publishing House, NewDelhi,(1982)
- Upendra Baxi (ed.), Law and Poverty: Essays, 1988.
- Glanville Williams – Textbook of criminal law
- Russel on Crime
- K.D. Gaur, Criminal Law: Cases and Materials (1999), Butterworths (India)



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SEMESTER III

PENOLOGY AND VICTIMOLOGY

UNIT - I

Penology:

Definition, Nature and Scope of Penology: Crime Control Mechanism: Police; Court; Public Prosecutor; Jail Administration; Open Prison; Theories of Crime Causation; Differential Association; Theory of Crime: Biological, Environmental, Socio-Economic and Psychological Factors affecting Crime;

UNIT - II

Probation of Offenders Act, 1958:(As amended):Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses; The Scheduled Castes And The Scheduled Tribes (Prevention of Atrocities) Act, 1989 and The Amendment Act, 2018:Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses;

UNIT - III

Different Kinds of Criminals: Different types of Crimes – Impact of Religion, Political Parties, Media, Family etc. on Crime; Recidivism; Capital Punishment: Constitutionality, Problems related to Capital Punishment, Judicial attitude in India towards Capital punishment; Relevant Case Laws and Law Reforms Proposals

UNIT - IV

Victimology:

Definition, Nature and Scope; Victim: Meaning and Kinds; Impact of Victimization:Physical, Economic and Psychological; Double / Secondary Victimization; Concept; Constituent Elements of Crime and Victimology; Nature and Scope of Victimology; Development of Victimology, Status of Victim in Criminal Justice System: Rights of Victim: Compensation to Victim of Crime; Statutory Provisions; Role of Judiciary; Rehabilitation of Victims of Crime;

UNIT - V

Punishment and Sentencing:

Types of Punishment; Theories of Punishment: Retribution; Deterrence; Preventive; Prohibitory; Reformatory; Expiatory; Utilitarian; Alternatives to Punishment Sentencing Policy; Remission; Commutation; Pardoning;

Access to Justice: Compensation to Victims of Crime; Rights of Victims During Trial; Legal Assistance to the Victims; Role of Victim at time of Granting Bail; Right of Victim to Appeal Malimath Committee Recommendations; Justice J.S. Verma Committee Report; Criminal Law Amendment Act, 2013 (Key Highlights); Victim Assistance Program;

SUGGESTED READINGS*:

- Daigle, E. Leah, Victimology, Safe Publication, 1sted. 2013.
- Gaur, K.D., Criminal Law and Criminology, Deep & Deep Publications, India,2003.
- Katherine S Williams: Textbook of Criminology, Universal Publication, (2001-Indian reprint)
- Paranjape, N.V. Criminology and Penology, Central Law Publications, 2005.
- Paranjape, Criminology, Penology with Victimology, Central Law Publication,16th Ed. 2014.
- Pillai, K.N. Chandrasekharan, General Principles of Criminal Law, Eastern BookCo., 2005.
- Qadri, S.M.A., and Ahmed Siddique, Criminology - Problems and Perspectives,Eastern Book Co., 6th Ed.,2009, Reprinted2014.



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PRIVILEGED CLASS DEVIANCE

Unit I: Introduction

Conception of white color crimes, Indian approaches to Socio-economic offences, Notions of privileged class deviance as providing a wider categorization of understand Indian development.

Unit II: Official Deviance

Conception of official deviance - permissible limit of discretionary powers Commissions on official deviance (The Chambal valley dacoit - Vinoba Mission and Jai Prakash Narain Mission - in 1959 and 1971, The Chagla Commission Report in LIC -Mundhra Affair, The Das Commission Report on Pratap Singh Kairon, The Grover Commission Report on Dev Raj Urs, The Maruti Commission Report, The Ibbakkar - Natarajan Commission Report on Fairfax)

Unit III: police deviance

Police Atrocities: Encounter killing and the plea of superior's orders, Structure of legal restraint on police power in India, Unconstitutionality of 'Third Degree' method and use of fatal force by Police.

Unit IV: professional deviance

Unethical practices by the Lawyers, Unethical practices by the Doctors, Unethical practices by the Media Persons.

Unit V Response of Indian Legal order to the Deviance of Privileged Classes

Prevention of Corruption Act, 1947, Vigilance Commission, Commission of Enquiry

SUGGESTED READINGS*:

- Kaplan, Howard B -Patterns of Juvenile Delinquency|| (Sage Pub., Beverly Hills, 1984).
- United Nations Beijing Rules on Treatment of Young Offenders, 1985.
- H S Becker Outsiders: The Studies in Sociology of Deviance, 1966.
- B.B. Pande, "The Nature and Dimensions of Privileged Class Deviance" in The Other Side of Development 136 (K.S. Shukla ed.) 1987;
- Upendra Baxi, The Crisis of the Indian Legal System, Vikas Publishing House, New Delhi, (1982)
- Upendra Baxi (ed.), Law and Poverty: Essays, 1988.



CYBER CRIMES

UNIT - I

Introduction to Cyberspace, Cybercrime and Cyber Law: Regulatory Framework of Information and Technology Act 2000; Offences and Penalties; The World Wide Web; Web Centric Business; e-Business Architecture, Models of E-Business, E-Commerce, Threats to Virtual World; Cyber Crimes: Difference between Traditional Crime and Cyber Crimes; Classification of Cyber Crimes: Against Person, Property and Government; Reasons for growth of Cyber Crimes;

UNIT - II

Kinds of Cyber Crimes: Cyber Squatting, Cyber Espionage, Cyber Warfare, Cyber Terrorism, Online Safety for Women and Children, Misuse of Private Information; Hacking; Digital Forgery; Cyber Stalking/Harassment; Cyber Pornography; Identity Theft & Fraud; Cyber Defamation Viruses (File Infectors, Boot Record Infectors, Boot and File Viruses); Web Jacking; Denial of Service Attack;

UNIT - III

Cyber Crime: Overview, Internal and External Attacks, Attack Vectors; Cyber Crimes Against Individuals; E-mail Spoofing and Online Frauds, Phishing and its Forms, Spamming, Cyber Bullying, Computer Sabotage, Pornographic offenses, Password Sniffing; Keyloggers and Screen-loggers; Cyber Crimes against Women and Children;

UNIT - IV

Cyber Crimes Against Organization: Unauthorized Access of Computer, Denial-of-service (DOS) attack, Backdoors and Malwares and its types, E-mail Bombing, Salami Attack,

Software Piracy, Industrial Espionage, Intruder attacks; Security Policies Violations, Crimes related to Social Media, A.T.M., Online and Banking Frauds. Intellectual Property Frauds;

UNIT - V

Cyber Crime and Cloud Computing: Different Types of Tools Used in Cybercrime, PasswordCracking; Online attacks, Offline attacks, Remote attacks, Random Passwords, Strong and weak passwords. Viruses and Its Types; Ransom-ware and Crypto-currencies; DoS and DDoS attacks and their types; Cyber Criminal Syndicates and Nation State Groups

SUGGESTED READINGS*:

- Nina Godbole and Sunit Belapore; -Cyber Security: Understanding Cyber Crimes, Computer Forensics and Legal Perspectives||, Wiley Publications, 2011.
- Shon Harris, –All in One CISSP, Exam Guide Sixth Edition||, McGraw Hill, 2013.
- Bill Nelson, Amelia Phillips and Christopher Steuart; -Guide to Computer Forensics and Investigations||,3rd Edition, Cengage, 2010 BBS.
- Atul Jain; -Cyber Crime: Issues, Threats and Management||, 2004.
- MajidYar; -Cybercrime and Society||, Sage Publications, 2006.
- Michael E Whiteman and Herbert J Mattord; -Principles of Information Security||, Vikas Publishing House, New Delhi, 2003.
- Matt Bishop, -Computer Security Art and Science||, Pearson/PHI, 2002.
- Karnika Seth; -Computers, Internet and New Technology Laws||, Lexis Nexis Buttersworth Wadhwa, 2012.



JUVENILE DELINQUENCY

Unit I

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.

Unit II:

Determining Factors of Juvenile Delinquency:

Differential association, Anomie, Economic pressure. Peer group influence. Gang sub-culture., Class differentials.

Unit III:

Legislative Approaches Legislative approaches during the late colonial era, Juvenile Justice Act, 2000, Constitutional Aspects, Competent Authorities, Powers given to government

Unit IV:

Indian Context of Juvenile Delinquency The child population percentage to total sex ratio, CHILD Labourers In organised industries & In unorganised section Drug Addicts, Victims of violence-sexual abuses, battered, killed by parents.

Unit V:

Judicial Contribution and Preventive Strategies ;Social Action Litigation concerning Juvenile Justice, Judicial decisions,State Welfare Programme health, Nutrition, Role of community, family, voluntary bodies.

References Books:

1. Chandana Sarkar: Juvenile delinquency in India: an etiological analysis
2. Ram Ahuja : Social problems in India
3. India. Central Bureau of Correctional Services: Juvenile delinquency: a challenge
4. Arvindrai N. Desai: Juvenile delinquency in India: a psychological analysis
5. Larry J. Siegel , Brandon C. Welsh : Juvenile Delinquency: Theory, Practice, and Law
6. Sheila Brown: Understanding Youth and Crime: Listening to Youth?



SEMESTER IV

LAW OF CRIMES

Unit – I: Introduction to Substantive Criminal Law

- a. Extent and operation of the Indian Penal Code
- b. Definition of Crime
- c. Fundamental elements of crime
- d. Stages in commission of a crime
- e. Intention, Preparation, Attempt

General Explanations and Exceptions

Unit – II: Abetment and Criminal Conspiracy

Punishment : (a) Theories: Deterrent, Retributive, Preventive, Expiatory and Reformatory Theory

(b) Punishment under the IPC: Fine, Imprisonment, Capital Punishment

Unit – III : Offences affecting the Human body

- a. Offences affecting life, causing miscarriage, or injuries to unborn children
- b. Offences of hurt, of wrongful restraint and wrongful confinement
- c. Offences of criminal force and Assault, offences of kidnapping and Abduction

Unit- IV: Offences against Women

- a. Obscene acts and songs
- b. Outraging the modesty of women
- c. Rape
- d. Cruelty by husband or relatives of husband
- e. Offences relating to marriage

Unit –V: Offences against Property & OFFENCE OF DEFAMATION

- a. Theft, Extortion, robbery and dAcoity
- b. Criminal misappropriation and criminal breach of trust
- c. Cheating
- d. Mischief
- e. Criminal trespass
- F. Defamation

References Books:

- T.Bhattacharya- The Indian Penal Code
- Ratanlal & Dhirajlal – The Indian Penal Code
- H.S. Gaur – Penal Law of India
- Glanville Williams – Textbook of criminal law
- Russel on Crime
- K.D. Gaur, Criminal Law: Cases and Materials (1999), Butterworths (India)



COMPARATIVE CRIMINAL PROCEDURE

UNIT I

- Organization of courts and Prosecuting Agencies
- Criminal Courts – Hierarchy and their Jurisdiction
- Nyaya Panchayats in India including Panchayats in Tribal areas.
- Organization or prosecuting agencies for prosecuting Criminals: Prosecutors and the police.
- Withdrawal of Prosecution.

UNIT II

- Pre Trial Procedures
- Rights of the accused
- Arrest and questioning of the accused; evidentiary value of statements/articles seized/collected by the police.
- Right to counsel
- Role of Prosecutor and judicial officer in investigation.

UNIT III

- Trial procedures
- Role of the Prosecutor, Defence attorney and the Judge in the trial.
- Evidence: Admissibility, Inadmissibility; Expert Evidence.
- plea Bargaining

UNIT IV

- Pre-sentence hearing Ss 235(2) and 248(2)
- Transfer of Cases
- Sentences
- Execution, Suspension, remission and commutation of sentences



UNIT V

- Correction and After care services
- Institutional correction of offenders
- After-care services in India and France General Comparison
- Role of court in correctional programs in India.
- Preventive measures in India: Provisions in the criminal Procedure Code; special enactments.
- Public Interest Litigation: Directions for Criminal Prosecution

Preferably the paper should be taught with reference to India, England, US, France, China and Russia wherever necessary.

Suggested Readings:

- Celia Hempton, Criminal procedure.
- Criminal Procedure Code, 1973.
- The French Code of Criminal Procedure.
- 14th and 41th Reports of Indian Law Commission.
- Kelkar's Outlines of Criminal Procedure.



INTERNATIONAL CRIMINAL LAW

Unit 1

'Horizontal' international Criminal Law

1. National jurisdiction to prescribe criminal laws
2. National jurisdiction to enforce criminal laws

Unit 2

Sources of Criminal law, Prosecution in National courts, the forms of jurisdiction, Conceptual matters, The 'traditional' heads of jurisdiction.

Unit 3

'Vertical' international criminal law

1. The substantive international law-The concept of international law
 - Crimes under general international law-
 - General
 - Imposing responsibility
 - Excluding responsibility
 - Treaty crimes
 - General
 - Focus on Treaty-based responses to terrorism
2. Enforcement
 - International crimes in municipal laws and courts:
 - Imposing and excluding responsibility
 - Immunity and inviolability
 - Amnesties and statutes of limitation

Unit 4

- International Criminal Tribunals:
 - The international criminal Tribunals for the former Yugoslavia and Rwanda
 - The Special Court for Sierra Leone
 - The International Criminal Court
- International criminal procedure: focus on the rights of accused

Unit 5

- Principles and procedures of International prosecutions, General Principles of Liability, Procedures of International Criminal Investigations and Prosecutions Sentencing, Penalties and Reparations to Victims
- The Future of International Criminal Law



Suggested Readings:

- Politics and Human Rights in International Criminal Law: Our Case Against NATO and the Lessons to be Learned From It', 25 Fordham International Law Journal 95-128 (2001)
- How America Gets Away With Murder: Illegal Wars, Collateral Damage and Crimes Against Humanity (Pluto Press, 2004)
- Three Dangers for the International Criminal Court: A Critical Look at a Consensual Project', 12 Finnish Yearbook of International Law 193-247 (2001)
- 'The Politics of International Criminal Justice', 13 European Journal of International Law 1261-1284 (2002)
- 'In Defense of Hybridity: Towards a Representational Theory of International Criminal Justice', 38 Cornell International Law Journal 725-751 (2005)
- 'From "Savages" to "Unlawful Combatants": A Postcolonial Look at International Humanitarian Law's "Other"', in Anne Orford (ed), International Law and its Others (CUP, 2006)
- 'A Special Tribunal for Lebanon: The UN Security Council and the Emancipation of International Criminal Justice', 21 Leiden Journal of International Law 485-512 (2008)



JAYOTI VIDYAPEETH WOMEN'S UNIVERSITY, JAIPUR

DISSERTATION

OBJECTIVES OF THE COURSE :

This course consists of the Dissertation which will comprise of writing a short project/thesis on a leading / recent topic in the elective branch which will test the research capabilities, aptitude and skills of the student.

Dissertation (Written Part)

Sequence of Pages: Cover Page/ Certificate/ Declaration/ Acknowledgment/ Preface/ Abbreviations/Table of Cases/ Contents/ Main Text/ Bibliography/ Appendixes

Note- the Students are advised to refer to the samples but in no case it should limit the creativity in writing. All the sample pages are based on the minimum requirements of a standard dissertation as well as imaginary particulars. The standard Bluebook Citation should be followed in making the Dissertation.

Viva - Voce

The Project shall be evaluated by one Internal and one External Examiner and the decision of External Examiner shall be final and binding.