



AMITY UNIVERSITY
— R A J A S T H A N —

Introduction of Course structure

LL.M Criminal Law

121045

Programme Code: ILM

Duration – 1 Year Full Time

Programme Structure

2020-2021

**AMITY LAW SCHOOL
AMITY UNIVERSITY RAJASTHAN**

Program Learning Outcomes - PLO

- 1) Interpretation and analysis of the legal and social problems and find solutions to the socio – legal problems by application of laws and regulations. Learn the art of doing doctrinal and empirical research which covers knowledge and implementation of various tools and techniques of research.
- 2) Enabling the students to explore and learn the detailed laws and the procedure pertaining to the Criminal law study and to analyse the judicial response to it.
- 3) Apply ethical principles and commit to legal professional ethics, responsibilities and norms of the established legal practices.
- 4) To Study the application of the legal principles and doctrines in a globalized world and compare it among various countries.

Credits Summary

LL.M Criminal Law						
01 Year/ 02 Semesters)						
Semester	Core Course (CC)	Domain Electives (DE)	Value Added Course (VAC)	Open Electives (OE)	Non Teaching Credit Courses (NTCC)	Total
I	13	-	-	-	2	15
II	12	-	-	-	-	12

CC = Core Course

DE = Domain Elective

OE = Open Elective

VA = Value Added Course

NTCC = Non- Teaching Credit Courses (NTCC)

LL.M –I SEMESTER

Code	Course	Category	L	T	P/FW	Credit Units
ILM 101	Research Method & Legal Writing	CC	3			3
ILM 102	Comparative Public Law/ System Of Governance	CC	3			3
ILM 103	Law And Justice In A Globalizing World	CC	3			3
AND001	Anandam-I	NTCC				2
SPECIALIZED BRANCH (Criminal Law)						
ILM104Cr. L	Criminology and Penology	CC	2			2
ILM105Cr. L	Victim Justice and Human rights	CC	2			2
Total			13			15

LL.M –II SEMESTER

Code	Course	Category	L	T	P/FW	Credit Units
ILM 205	DISSERTATION	CC			3	3
ILM 206	TUTELAGE	CC	1			1
Specialized Branch (Criminal Law)						
ILM 201 Cr.L	Comparative Criminal Procedure Law	CC	2			2
ILM 202 Cr.L	International Criminal Law	CC	2			2
ILM 203 Cr.L	White Collar Crimes	CC	2			2
ILM 204 Cr.L	Principles Of Criminal Liability And Felonious Torts	CC	2			2
Total			9		3	12

RESEARCH METHOD & LEGAL WRITING

Course Code : ILM 101

Credit Units : 03

Course Objectives:-

Law is a social science. Therefore principles and methodologies generally applicable to social science research are applicable in legal research also with a difference. The difference is that decided cases of different courts, legislations and their background often become the main data for analysis. Lawyers or legal researchers often try to deduct social and political facts and situations from them. This may lead to unreliable results. Hence it becomes necessary to equip a legal researcher with techniques of legal as well as social research.

Module I : Understanding About Research Methods

Scientific method of research and its limitation in social science research, Theoretical Study and empirical study (Qualitative and quantitative research), Legal Research: Socio-legal, historical and comparative analysis methods. Case law analysis in legal research: Scientific or objective method (ratio and obiter), reading a case in social, political, economic and historical background

Module II: Methodology Of Research

Literature review, Theoretical context, Hypothesis, Research problem and Research questions, Empirical research methods: Sampling and Survey

Module III: Framing A Research Proposal

Planning a Research Project/proposal, Problem Identification, Objectives of the study, Formulation of Research Design, Research Process, Problems and limitations in framing research proposal.

Module IV: Ethics In Research And Report Writing

Ethical Conundrums: Plagiarism, Types of plagiarism, Consequences of Plagiarism, Fabrication, Informed Consent, Blind Hypothesis, Codes and policies for Research Ethics. Report Writing: Steps in report writing, Components of Research Report, Kinds of research report, Precautions for writing research report

Examination Scheme:

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Texts & References:

- Legal Research Methodology, Rattan Singh, Lexis Nexis
- Research Methodology Methods and Techniques, C R Kothari, New Age International Publishers
- Legal Research Methodology , H N Tiwari, Commercial Books House

COMPARATIVE PUBLIC LAW/SYSTEM OF GOVERNANCE

Course Code : ILM 102

Credit Units : 03

Course Objectives

This course is designed to examine from a comparative perspective –legal structure and concepts that are found in Constitutions across the world.

Module 1:Introduction

Concept of comparative constitutional law and importance of the study of comparative constitutional law. Federalism : Concept, nature and meaning, Quasi- federalism, Co-operative federalism.

Module 2: Governance Structure in Comparative Perspective:

Separation of powers in UK, India and USA. Parliamentary democracy in UK and Britain, Parliamentary privileges in UK and India, parliamentary supremacy in UK, Role of Queen and Indian President in comparative perspective. Powers of the two houses in comparative perspective in India, UK and USA; Role of Judiciary and Judicial review in USA and India.

Module 3: Fundamental Rights in Comparative Perspective:

Comparison of fundamental rights in India and USA. Freedom of speech and expression, freedom of press, assembly and association, freedom of religion and protection of minority rights in India, freedom of religion in USA, Freedom of Profession and trade in India and USA.

Examination Scheme:

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Texts & References:

- D.D.Basu, Comparative Constitutional Law, 2nd ed., Wadhwa Nagpur, 2008,
- Mark Tushnet, The Possibilities of Comparative Constitutional Law (1999) 108 Yale.L.J. 1225.
- M.P. Jain, Indian Constitutional Law, 5th Ed., Wadhwa, Nagpur, 2003.
- V.N Shukla's Constitutional Law, (11th Ed.) Eastern Book Company.
- Reimann, Mathuas and Zimmermann, Reinard, The Oxford Handbook of comparative Law, OUP, Oxford, 2006
- Michael Burgess, Comparative Federalism, Theory and Practice, Routledge, NewYork, 2006.
- Vicki C. Jackson and Mark V. Tushnet, Comparative Constitutional Law, Foundation Press.
- M.V. Pylee – Constitutions of the world I,II. Universal law Publication Co.
- M.V. Pylee – Selected constitutions of the world II Edition. Universal Law Publication co.
- Vishanu Bhagwan Vidiya Bhushan Worlds Constitutions a comparative study IX edition Sterling Publisher PVT. Ltd.
- K.C. Wheare – Modern Constitution – Oxford University Press(1964)
- Barendt. E.M. An introduction to Constitutional Law; Oxford University Press
- Cane, Peter; Administrative Law; Oxford University Press
- Finer, S.E. Comparative Government; Penguin Books.
- Loughlin, Martin; The Idea of Public Law; Oxford University Press
- K.C. Wheare – Federal Government; Oxford University Press IInd Edition (1966)

LAW AND JUSTICE IN A GLOBALIZING WORLD

Course Code : ILM 103

Credit Units : 3

Course Objectives:

The main objectives of this course is to acquaint the students with historical background on the Law and Justice in the Globalized world & to understand the importance and interface of justice delivery system with the statutory and regulatory framework. Besides this to facilitate an understanding of the politics behind such legal framework and the emerging public policies concerning this field.

Module: I

Concept of law, Concept of Global Justice, Cosmopolitanism, Global distributive justice, Impact of Globalization in Judicial Process, Administration of Justice(Theories of Punishment).

Module : II

Globalization and Free Market: Natural Resources, Environment, Displacement for Development, Problem of Unemployment

Module : III

Globalization: Meaning, Reach and Form, Social, Political, and Economic Dimensions of Globalization, Impact of globalization on Human Rights and Trade Law, Impact of Globalization on Federalism and Democratic Law Making.

Examination Scheme:

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Suggested Readings

- Andrew Kuper, Democracy Beyond Borders: Justice and Representations in Global Institutions (OUP, 2006)
- Anthony McGrew, David Held (eds.), Governing Globalization: Power, Authority and Global Governance (Polity Press, 2002).
- David B. Goldman, Globalization and the Western Legal Tradition: Recurring Patterns of Law and Authority (Cambridge University Press, 2008).
- David Held, A Globalizing World? Culture, Economics, Politics (2004).

Anandam-I

Course Code:

Credit Units: 02

Course Objective/s:

The Course aims to instil the joy of giving in young students, turning them into responsible citizens who will build a better society. Through daily action, it will build the habit of service in students. During the course period, students will be expected to engage in individual and group acts of service and goodness.

Course Contents:

Students are expected to:

- i. Do at least one act of individual service each day
- ii. Record the act of service in dedicated Register/Personal Diary (PD)
- iii. Share the register/ PD in the time slot dedicated by the college
- iv. Undertake one group service project for 64 hours every term (outside college hours)
- v. Upload report on the group project on the Anandam platform
- vi. Participate in sharing and presentation discussions scheduled by department.

Faculty Coordinator will review the students' Register/PD if they recorded an act of goodness for that day. It will not be evaluated but just checked whether recorded or not. In this way student will finish portfolio of giving.

Evaluation Scheme:

- Register/PD: Minimum 32 entries (40%) and maximum 80.
- Project Participation: 2 hours X 8 days (per month) X 4 months = 64 hours

Credits	Evaluation Matrix and Grading (Total 64 hours)
02	32 hours: Grade C
	>32 to <44: Grade B
	>44 to <= 54: Grade A
	>54 to <= 64: Grade O

Evaluation Criteria:

In order to be eligible for credits, the students are expected to complete a minimum of 32 entries (40%) per semester in their Register/PD. For being eligible to special awards, all the group members are expected to have completed a minimum of 48 entries (60%) per semester.

The students will get an option to submit their projects for an award and recognition at department, university and state-level after review by competent committees respectively.

CRIMINOLOGY AND PENOLOGY

Specialization: Criminal Law

Course Code: ILM 104 Cr.L

Credit-02

Course Objective

In recent years, there seems to have been a transformation of criminological views regarding somewhat skeptical question of criminal accountability. A modern critic attacks the traditional criminological view on the ground that their search for characteristic differences between the class of criminals and the class of non-criminals rest upon erroneous assumption. Where asto study the modern trend in penology and sentencing procedures and to emphasize the humanist principle of individualizing punishment to suit the offender and his reconciliation. The penal policy should be aimed at protecting the society by preventing crime. It must be accepted that punishment is institutionalized violence and it can be justified only when it deters from indulging in criminal acts.

Module 1:

Concept and historical background of Crime under Indian and English legal system, Criminology Its Nature, Scope and its importance, Crime and Morality, Inter-relationship between Criminology, Penology and Victimology and criminal law , Basic Schools of Criminology: Pre-Classical, Classical and Neo-Classical, Positive and Sociological School, Concept of Crime.

Module 2 :

Penology: Importance and relevance in criminal justice administration, Punishment: Theories and their relevance, Different forms of punishment: Ancient and Modern, Contemporary crimes against Women: Causes of sexual offences, The problem of prostitution, Domestic violence against women, and Sexual harassment of women at work places. Capital Punishment , Theories of punishments,Different forms of punishment,Deterrent effect of capital punishment,Justification of capital punishment,Should euthanasia be legalizing,Prison administration - Prison system in India, The Problem of Prison Discipline, Problem of criminality in prison, Bar Against hand cuffing, Prison Reforms, Custodial torture in Prison, Victimologyand its scope.

Module 3:

Administration of Criminal Justice- Right to fair trial, Right to speedy trial , Norms under CrPC: Adversary trial system, Presumption of innocence , Presumption of innocence , Independent, impartial and competent judges , Public hearing in an open court , Knowledge of the accusation, Trial in the presence of the accused , Prohibition on double jeopardy (*ne bis in idem*) Rights of accused and convicted under the Constitution of India

Examination Scheme

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Text & References:

- Saxena R.N. The Immoral Traffic (Prevention) Act, 1956, 5 Th Editions 1996, the Law Book Pvt. Ltd, Allahabad-01
- Dr. Mehanathan M C, Law of Control on NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES in India, Edition 2002, Capital Law House, Delhi-32
- Ramchandran S. Commentaries on The prevention of Food Adulteration Act 1954, 6 th Edition 1997, S. Gogia and Company, Hyderabad
- etPer Barrie, Compensation for Personal Injuries, Edition 2000, Oxford University Press, New Delhi.
- Maguire Mike, Morgan Rod and Reiner Robert, 2007. The Oxford Handbook of Criminology, Oxford University Press.
- E. H. Sutherland, 1968, Principles of Criminology (6th Edition), Times of India Press, Bombay.
- Siegal Larry J, 2007, Criminology, Wordsworth Thomson Learning, New Delhi.
- Abuja Ram, 2000, Criminology, Rawat Publication, New Delhi.
- Paranjape NV, 2001, Criminology and Penology, 2nd edition, Central Law Publication, Allahabad, U.P.
- Williams Katherine S, 2004, Criminology, Oxford University Press
- Reid Sue Titus, 2006, Crime and Criminology, McGraw Hill Publishers.
- Brien, Martin O, 2008, Criminology, Routledge Publishers.

- Hagan Frank E, 2008, Introduction to Criminology, Sage Publications Inc
- Livingston J, 1996, Crime and Criminology, Prentice Hall, New Jersey.
- Schnalleger J Frank, 1999, Criminology Today: An Integrative Introduction, 2 nd edition, Prentice Hall, New Delhi.
- Mc Laughlin Eugene and Muncil John, 2001, The Sage Dictionary of Criminology, Sage Publication – London, Thousand Oaks, New Delhi.
- Quinney R. Richard, 1970, Problem of Crime, Dodd, Mead and Company Inc. USA.
- Crime in India published by National Crime Record Bureau, Ministry of Home Affairs, Delhi.
- Bawa, P.S., 1989, Policing for people, Rupa and co.
- Ramanujam T, 1942, Prevention and Detection of Crime, Madras Book Agency.
- Jeffery C Ray, 1971, Crime Prevention through Environmental design, Sage Publication. Inc.
- Gillling Daniel, 1997, Crime Prevention: Theory, Policy and Politics. UCL. Press Ltd. U.K.

VICTIM JUSTICE AND HUMAN RIGHTS

SPECIALIZED BRANCH (Criminal Law)

Course Code: ILM 105 Cr.L

Course credit: 02

Course Objective

In view of magnitude of the problem the existing machinery for control of crime, namely the police and courts have come under severe criticism. Much has been said against capital punishment and imprisonment as methods of preventing and control of crime. Nevertheless these continue to be the backbone of the system in India. The course dwells on these themes with a view to provide justice to the victims and develop among students a greater understanding of victims' justice and human rights. Compensation to the victims is undoubtedly an important component of Victim justice system.

Module 1: Introduction to Victimology:

1. Victimology: Concept & Objectives of Victimology, Definition of victim, Classification of victims, Theories: Function of victim's lifestyle, Dangerous times theory, Dangerous places theory, High risk occupations, and Routine Activity theory. Concept of **Penal Couple**
2. Criminal Law and the Victim: Role and Typology of Victims – nature of crime and category of victims: gender crimes, child abuse, bonded labour, Victim participation in crime. Primary and Secondary victimization
3. Rights and Protection to victims under Criminal Law: Protection of Civil Rights Act 1995, Dowry Prohibitions Act 1961, Prevention of Atrocities Act 1989, Domestic violence

Module 2 Administration of Victim Justice:

1. Victim interface with police: Custodial violence, police assistance in lodging FIR, Hospital test/treatment.
2. Victim Assistance: Concept of victim assistance, Restitution, Victim Compensation - Scheme Compensation under various laws- Sec. 357 of Cr.P.C
3. Justice to victims: State liability to pay compensation, Malimath Committee Report on victims, Law Commission of India 227th Report on Acid Attacks.
4. Community Responses: Victim Services, Victim Advocacy.

Module 3: Protection of Rights of Victims

1. Constitutional Rights of Victims: Right to apply for compensation. Right to be treated with dignity, respect and sensitivity.
2. International Perspectives of Victim's Rights: United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985
3. Restitution, Compensation and Assistance to Victims in U.S.A, U.K. and India
4. ~~Victim Welfare Schemes and Programmes~~

Examination Scheme

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Recommended Readings:

- N. V. Pranjape, Criminology and Penology, Central Law Publications, Allahabad
- AF Ali Adan, "Right of the Defendant: A Speedy Trial in the Criminal Proceedings", Criminal Law J. 108, (Apr.) 2002, J-87
- Ahmed Siddiqui, Criminology: Problems and Perspectives, Eastern Book Co. Lucknow
- BL Arora, Law of Speedy Trial in India, Universal Law Publishing, Delhi, 2007.
- Katherine S. Williams, Text book on Criminology
- Neeraj Tiwari, "Fair trial vis-à-vis criminal justice administration: A critical study of Indian criminal justice system," Journal of Law and Conflict Resolution, vol. 2(4), 2010, pp. 66-73,
- Robert A. Jerin, Current Issues in Victimology Research, Carolina Academic Press
- Andrew Karmen, Crime Victims: An Introduction to Victimology, Cengage Learning.
- Wayne Petherick, "Victimology: The Study Of Victims In Criminal Investigations
- Gurpreetsingh Randhawa, Victimology and Compensatory Jurisprudence, Central Law Publications, 2015.

LL.M – II Semester

DISSERTATION

Course Code: - ILM 205

Credit Units: - 3

The Dissertation submitted to the University shall be in accordance with the structure and format laid down as follows:

1. Research report should be printed on **A4 size paper on one side with font size 12, 1.5 Line spacing in “Times New Roman” along with foot notes font size 10 line spacing 1 in “Times New Roman”(End notes shall not be accepted)with minimum 150 number of pages.**
2. There must be a **preliminary submission of Research synopsis** of 15-20 pages in specified format to the allotted Supervisor for the said purpose positively on the assigned date. Modifications (if any) suggested by Guide must be incorporated so that final copy could be submitted to the ALS Record Room
3. Final Research work should be in **properly Hard bind form (in black colour with golden font in specified format)** and must be submitted in **3 copies** to the University after panel approval.
4. **All students are required to submit their respective topic and Synopsis of dissertation (Topic selected specifically from Honors Paper) on or before stipulated date positively. They have to send their topic of dissertation to their respective guides within stipulated time limit only.**
5. Students are required to submit **progress report of research at every 15 days interval** to their respective Guides.
6. Final dissertation topic shall be selected and registered after consulting/discussing with the allotted Supervisor taking all relevant factors into consideration.
7. Allotted Supervisors/ Guides are required to submit final list containing details of allotted students along with Dissertation Topic assigned to them to the Dean ALS in written on the same date assigned to submit the final topic positively.
8. **No request for the change of Dissertation Topic will be entertained after the submission of the said list.**
9. All the students are expected to submit their original work. Any form of plagiarism found in the final copy of the research report submitted by the student(s), he/she shall be subjected to disciplinary action of the appropriate authority.
10. The allotted guide shall have the discretion of not to accept the final research report submitted by the student(s), if he/She is not satisfied by the work done by the said student(s).
11. Students are supposed to submit their final research report **along with the soft copy** within the stipulated time. It is **mandatory to have signatures of Researcher and Scholar** in the Research Project at the time of presenting final copy before the panel.
12. **Research report produced after the said stipulated time shall not be accepted** by the appropriate authority.
13. **Presentation of Dissertation is mandatory** for each student on their respective approved topics that shall be of **minimum 10 minutes to maximum 15 minutes before the External Panel**. Students are required **to be in formal uniform on the date of final presentation** and should have his/her **own arrangements of pen drive and laptop for the presentation.**

14. Citations should follow the rules as detailed in *The Bluebook: A Uniform System of Citation, (19th Edition)* for a simple idea, contributors may refer to the table below which deals with some important formats of citation according to the Bluebook. This is not an exhaustive list and is not intended to be a comprehensive guide to the Bluebook itself. Contributors are encouraged to adhere to the Bluebook in its entirety for the purpose of maintaining uniformity in their citation format.
15. Research report should be properly page numbered, aligned, Justified and chronologically arranged as per the under mentioned format.

Evaluation Criteria for the Assessment of Dissertation Tenth Semester

The Evaluation of Dissertation of Tenth Semester will be out of **200 Marks**. It shall be done according to the following Criteria by the respective Faculty Supervisors:

A. Internal Assessment: For 100 Marks

- **Content Writing – Out of 50 Marks**
- **Analysis / Conclusion and Suggestion - Out of 20 Marks**
- **References & Annexure- Out of 10 Marks**
- **Methodology/ Data Collection – Out of 5 Marks**
- **Chapterization- Out of 5 Marks**
- **Typological Formatting- Out of 5 Marks**
- **Progress Report Evaluation (Feb - March) - Out of 5 Marks**

B. External Assessment: For 100 Marks

- **Presentation skills- Out of 15 Marks**
- **Domain of Subject Matter- Out of 40 Marks**
- **Conclusion Drawn- Out of 15 Marks**
- **Answer to the question by the Panel- Out of 30 Marks**

TUTELAGE

Course Code: ILM 206

Credit Units: 1

Course Objectives:-

- 1 To enhance research and teaching capability
- 2 In depth study of the topic concerned to solve the students query
- 3 To develop confidence and also communication skills / presentation skills

Rules

1. The study material (prepared by student) has to be submitted to the concern faculty on the same day of presentation. Lecture notes will be kept as record and will be included in evaluation.
2. Each class will be calculated separately and will be of 20 marks each and will be included for final evaluation
3. Each student will undergo 5 classes in total. The marking will be calculated accordingly
4. Mode of teaching can be lecture method / PPT method.
5. Every Student will be given four days time for preparation(approx).
6. Schedule of the student class and faculty allotted will be intimated on every Friday for next week.
7. Student may take guidance from faculty member for further improvement.
8. If a student fails in tutelage program, he / she have to repeat the same in next semester only along with the subsequent batch since in supplementary exam it is not possible to conduct tutelage classes.
9. In case of ill health of the faculty / student, student needs to do mutual arrangement for the class session after informing the coordinator. If the student does not report even after being informed earlier, he'll be marked absent and no marks will be allotted for that class.

Examination Scheme

Components	EE	5 classes
Weightage (%)	100	20 (per class)

Anandam-II

Course Code:

Credit Units: 02

Course Objective/s:

The Course aims to instill the joy of giving in young students, turning them into responsible citizens who will build a better society. Through daily action, it will build the habit of service in students. During the course period, students will be expected to engage in individual and group acts of service and goodness.

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Evaluation Scheme:

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	>54 to <= 64: Grade O

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The students will get an option to submit their projects for an award and recognition at department, university and state-level after review by competent committees respectively.

COMPARATIVE CRIMINAL PROCEDUREL LAW

Specialization: Criminal Law

Course Code ILM201 Cr.L

Course Credit-02

Course Objective:

To impart knowledge of enforcement criminal system in a comparative framework and to acquaint students with different systems of criminal law and criminal procedure particularly in UK & US criminal Procedure. Where it is necessary, the criminal procedure of France and Australia will also be discussed.

Module 1 Organization of Court and Prosecuting Agencies

Organization of Courts and Prosecuting Agencies Hierarchy of criminal courts and their jurisdiction, Organization of prosecuting agencies, Prosecutors and the police, Withdrawal of prosecution, Criminal Courts in UK and USA.

Module 2

Pre-Trial Procedures and Trial Procedures, Arrest and questioning of the accused, Rights of accused to fair trial, Trial procedures: Accusatory system of trial, and Inquisitorial system of trial, Role of the judge, The prosecutor and defense attorney in the trial, Principles of fair, Jury trial in USA and US.

Module 3 Admission and relevancy of evidences and Appeal

Admissibility and inadmissibility of evidence, Expert evidence, Appeal of the court in awarding appropriate punishment, Plea bargaining. Appeal in Supreme Court.

Examination Scheme

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Recommended Books

- Basu, D. D.; Criminal Procedure Code; LexisNexis
- Ratanlal and Dhirajlal; Indian Penal Code; Wadhwa Publication
- Comparative Criminal Procedure, Dr. Kanwal, Sheetal, Amar Law Publication
- Thaman, Stephen; Comparative Criminal Procedure: A Casebook Approach; Carolina Academi Press
- Nijboer, J.F.; Comparative Criminal Law and Procedure; Kluwer Publication
- Sluiter, Goran and Friman, Hakan; International Criminal Procedure: Rules and Principles; Oxford Press
- Kelkar R.V.; Revised by Pillai, P. S. A.; Outlines of Criminal Procedure Code; Lexis Nexis.

INTERNATIONAL CRIMINAL LAW

Specialization- Criminal Law

Course code: ILM202 Cr.L

Course Credit:02

Course Objective:

Widespread violations of international humanitarian law had become a practice in the contemporary world. Thus, growing concerns of the international community resulted in a demand for international criminal prosecution before an international criminal tribunal for those who committed heinous crimes recognized under customary international law as a threat to international peace and security. The culture of impunity, which existed and still exists, will be replaced by punishing those who are responsible for the violation of serious human rights and humanitarian law.

Module 1: Introduction

Notion of international criminal law, Historical Evolution of International Crime, Sources of international criminal law:- Primary Sources- Treaties, International Customary Law, and General Principles of Law; Secondary sources – judicial decisions and writings of publicists.State Sovereignty and International Criminal Law, Individual Responsibility under international criminal law: Important International Instruments:Treaty of Versailles, Nuremberg & Tokyo Trials,International Criminal Tribunal for Yugoslavia and Rwanda, the Genocide Convention, 1948, the Geneva Convention of 1949, International Law Commission's Draft Code of Crimes against the Peace and Security of Mankind

Module 2: International Crimes and Extradition.

Types of International Crime- Crimes against peace i.e armed conflict and internal rebellion, Crimes of apartheid, Forced disappearance, Genocide, Piracy, Slavery, War crimes. Extradition- Definition, Model treaty on extradition 1990 of UN.

Module 3: Module 3: Adjudicating Mechanism.

Rome Statute of ICC, International Criminal Court: Composition, Jurisdiction of the ICC. Limitations of ICC, , Important judgments of ICC, India's stance on ICC Interpol: Structure, jurisdiction and Governance.

Examination Scheme:

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Recommended Readings:

- R. Cryer, H. Friman, D. Robinson, E. Wilmschurst, *An Introduction to International Criminal Law and Procedure*, Cambridge University Press 2010, second ed.
- M.C. Bassiouni, *Introduction to International Criminal Law*, Transnational Publishers 2003.
- A.Cassese, *International Criminal Law*, Oxford University Press 2008, wyd. 2.
- A.Cassese, P. Gaeta, J.R.W.D. Jones (red.), *the Rome Statute of the International Criminal Court: A Commentary*, Oxford University Press 2002.
- Philippe Sands, ed., *From Nuremberg to the Hague: The Future of International Criminal Justice*, Cambridge, UK: Cambridge University Press, 2003
- Romano, A. Nollkaemper, J. Kleffner (red.), *Internationalized Criminal Courts and Tribunals: Sierra Leone, East Timor, Kosovo and Cambodia*, Oxford University Press 2004.
- W.A. Schabas, *the UN International Criminal Tribunals. The former Yugoslavia, Rwanda and Sierra Leone*, Cambridge University Press 2006.

WHITE COLLAR CRIMES

Specialization: Criminal Law

Course Code-ILM203Cr.L

Credit-02

Course Objective:

To study the concept of white collar crimes in details •To study the impact of white collar crime from Indian perspective • To study their impact of white collar crime on Indian Economy

Module-I Introduction to White Collar Crimes

White Collar Crime -Nature, Definition and Scope, Growth of White Collar Crime in India and Western Countries.Mensrea and White Collar Crime. Vicarious liability and strict liability in White Collar Crime

Module-II Corporate Crimes

Corporate Crimes- Meaning and Nature, Psychological and Socio-economic Factors underlying corporate frauds, Types of Corporate Crimes, Judicial attitude towards Corporate Crimes, Cyber Crimes

Module-III Specific White Collar Crimes and Laws

White collar crimes in different professions, Specific white collar crimes: Hoarding, Black marketing, Money laundering, Tax evasion, Food Adulteration Statutes dealing with White Collar Offences, Indian Scenario White Collar Crimes in Indian scenario. Corruption in government and politics, Black Money, Judicial response to white collar crimes in India

Examination Scheme:

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Recommended Readings:

- Gandhirajan, C K 2004, Organized crime, A P H Publishing Corporation
- Nair, P M 2002, Combating Organized crime, Konark Publishers
- Karan Raj, 2002, Dictionary of Terrorism and Bioterrorism, IVY Publishing House, Delhi.
- V Grover, 2002, Encyclopedia of International Terrorism, Vol. 1,2&3, Deep & Deep Publications, New Delhi.
- Shah, Giriraj, 2002, Encyclopedia of International Terrorism, Anmol Publications, New Delhi.
- Holmes, Ronald M, 2001, Murder in America, Sage Publications, New Delhi.
- Cambridge University Press, 2001, White Collar Crime Explosion: How to protect yourself and your company from prosecution
- Kelly, Robert J, 2000, Encyclopedia of Organized Crime in the United States from Capone's Chicago to the New Urban Underworld, Greenwood Press Westport. London.
- Viano, Emilio C 2000 Global Organized Crime and International Security, Ash gate Publishing Limited

PRINCIPLES OF CRIMINAL LIABILITY AND FELONIOUS TORTS

Specialization: Criminal Law

Course Code-ILM204 Cr.L

Credit Unit-02

Course Objective:

To acquaint the students with the Principles of Criminal Liability and the meaning of Felonious torts. To impart knowledge about the torts those are punishable under criminal liabilities given under Indian Penal Code. This study would give a visionary approach to study torts as an offence with the comparative study of tort and IPC.

Module I: Introduction to Felonious Torts:

Definition, Meaning, Nature and Scope, difference between Tort and Crime.

Module II: Principles of Criminal Liability:

Individual Liability, Joint and Constructive Liability, Strict Liability & Absolute Liability.

Module III: Types of Felonious Torts:

Assault, Criminal Conspiracy, Malicious Prosecution, Wrongful Confinement, Trespass, Public Nuisance, Negligence, Defamation, Inchoate Offences

Examination Scheme:

Components	CA	A	CT	EE
Weightage (%)	30	5	15	50

Recommended Books

- Prof. H.S. Gaur; Indian Penal Code (2 Vol. Set), 15th edition 2014, Eastern Book Company
- Ratanlal and Dhirajlal; Indian Penal Code; 33rd edition 2016, Wadhwa Publication
- Kutner; Advanced Torts, 3rd edition 2007, Carolina Academic Press,
- Shubha Ghosh, Acting Tort Law, 2nd edition 2012, West Publishing Co.
- Pillai, P S A; Law of Tort, 9th edition 2017,EBC
- Gandhi, BM; Law of Torts, th edition 2016, EBC