



தமிழ்நாடு டாக்டர் அம்பேத்கர் சட்டப் பல்கலைக்கழகம்  
**The Tamilnadu Dr. Ambedkar Law University**



**SCHOOL OF EXCELLENCE IN LAW**

**LL.M CBCS PATTERN**

**REVISED CURRICULUM**

**FROM ACADEMIC YEAR 2020-2021**

**DEPARTMENT OF CRIMINAL LAW AND  
CRIMINAL JUSTICE ADMINISTRATION**

## **DEPARTMENT OF CRIMINAL LAW AND CRIMINAL JUSTICE ADMINISTRATION**

The Tamil Nadu Dr. Ambedkar Law University Act, 1996 has the preambular objective of advancement and promotion of learning and knowledge of law in the education pattern of the state of Tamil Nadu. To provide suitable Post Graduate Courses and promoting Research in various fields of law is a principle obligation on the part of the university. Towards attaining the same, two – year LL.M. course Branch VI – Post Graduate Department of Criminal Law and Criminal Justice Administration was established in the year 2006 and the course was offered from the year 2007 under the semester pattern. The academic calendar and the curriculum are strictly as guided by the UGC. Subsequently, as mandated by the commission, the course was restructured under CBCS pattern, to design the same to be more students centric with holistic and flexible syllabi. Criminal law is a branch of law that relates exclusively to crime and the Criminal Justice System refers to a combination of state functionaries and processes which are involved in crime detection, its adjudication and correction of criminal conduct. The course is expected to provide the maximum sense of security to the people at large by dealing with crimes and criminals effectively, quickly and legally. The syllabi involves an advanced study of key laws and policies related to areas such as Contemporary and Applied Approach to Criminal Justice System, Law relating to Drugs and Enforcement Agencies, Economic Crime – Multidisciplinary and Cross National Perspective, Organized and Unorganized Crimes – Law and Policy , Digital Crime and Digital Forensic in Cyber Space, Law of Victimology And Human Rights – Juristic Perspective, Criminal Justice System – A Comparative Jurisprudence, Criminal Justice Research and Policy Development, Medical Ethics and Accountability, Criminalistic and Scientific Investigation – Law And Policy and Elite Class Deviance and Crime Accountability. The syllabus has been accordingly restructured with effect from the academic year 2020 – 21.

Controlling crime and achieving justice are goals that all societies must seek to achieve. Study of these subjects makes these goals possible. The future of the study of criminal law and criminal justice administration is quite robust. Increasingly it is called upon to contribute to the understanding of how crime prevention and control can be improved. The department continues to conduct various research initiatives in these areas and major issues to continue to address. Department besides imparting curriculum has been providing practical exposure to the students via visiting Central Prison, Forensic Sciences Department, Department of forensic medicine for Autopsy Visit, Trust way foundation De addiction centre and Juvenile Home Visit. Eligible candidates aspiring to pursue the course would ideally possess an innovative mind as the line of work requires them to answer hypothetical legal questions involving the criminal justice system. Successful postgraduates of Criminal Law and Criminal Justice Administrations interested in higher studies in the discipline may go for pursuing Ph. D & LLD in the subject. Such postgraduates find lucrative employment opportunities in areas such as National Legal Institutions, Law Firms, Defense, Criminologists, Detective, Criminal Lawyer, Forensic Science Technician, Lecturer / Professor.

# **THE TAMIL NADU DR. AMBEDKAR LAW UNIVERSITY**

## **BRANCH – VI**

### **DEPARTMENT OF CRIMINAL LAW AND CRIMINAL JUSTICE**

#### **ADMINISTRATION**

#### **LL.M. SYLLABUS**

##### **SPECIALIZED CORE PAPERS – 06**

1. Contemporary and Applied Approach to Criminal Justice System
2. Law relating to Drugs and Enforcement Agencies
3. Organized and Unorganized Crimes – Law and Policy
4. Law of Victimology and Human Rights – Juristic Perspective
5. Criminal Justice System – A Comparative Jurisprudence
6. Criminalistic and Scientific Investigation – Law and Policy

##### **DISCIPLINE SPECIFIC ELECTIVE PAPERS – 03**

7. Digital Crime and Digital Forensic in Cyber Space
8. Criminal Justice Research and Policy Development
9. Elite Class Deviance and Crime Accountability

##### **GENERIC ELECTIVE PAPERS – 02**

10. Economic Crime – Multidisciplinary and Cross – National Perspective
11. Medical Ethics and Accountability

## SUBJECTS IN SEMESTERS

<b>First Semester</b>	<ol style="list-style-type: none"> <li>1. Judicial Process (<b>Common Paper – I</b>)</li> <li>2. Legal Education and Research Methodology (<b>Common Paper – II</b>)</li> <li>3. Contemporary and Applied Approach to Criminal Justice System (<b>Specialized Core Paper – I</b>)</li> <li>4. Law relating to Drugs and Enforcement Agencies (<b>Specialized Core Paper – II</b>)</li> <li>5. Economic Crime – Multidisciplinary and Cross – National Perspective (<b>Generic Elective Paper – I</b>)</li> </ol>
<b>Second Semester</b>	<ol style="list-style-type: none"> <li>6. Constitutional Law: The New Challenges (<b>Common Paper – III</b>)</li> <li>7. Law and Social Transformation in India (<b>Common Paper – IV</b>)</li> <li>8. Organized and Unorganized Crimes – Law and Policy (<b>Specialized Core Paper – III</b>)</li> <li>9. Digital Crime and Digital Forensic in Cyber Space (<b>Discipline Specific Elective Paper – I</b>)</li> <li>10. Applied Research Methodology</li> </ol>
<b>Third Semester</b>	<ol style="list-style-type: none"> <li>11. Law of Victimology and Human Rights – Juristic Perspective (<b>Specialized Core Paper – IV</b>)</li> <li>12. Criminal Justice System – A Comparative Jurisprudence (<b>Specialized Core Paper – V</b>)</li> <li>13. Criminal Justice Research and Policy Development (<b>Discipline Specific Elective Paper – II</b>)</li> <li>14. Medical Ethics and Accountability (<b>Generic Elective Paper – II</b>)</li> </ol>
<b>Fourth Semester</b>	<ol style="list-style-type: none"> <li>15. Criminalistic and Scientific Investigation – Law and Policy (<b>Specialized Core Paper – VI</b>)</li> <li>16. Elite Class Deviance and Crime Accountability (<b>Discipline Specific Elective Paper – III</b>)</li> <li>17. Skill Enhancement Course</li> <li>18. Dissertation</li> </ol>

## PAPER – I

### CONTEMPORARY AND APPLIED APPROACH TO CRIMINAL JUSTICE SYSTEM

(Specialized Core Paper)

#### OBJECTIVES OF THE COURSE:

*Criminal Justice refers to the agencies of government charged with enforcing law, adjudicating crime, and correcting criminal conduct. The criminal justice system is essentially an instrument of social control: society considers some behaviour so dangerous and destructive that it either strictly controls their occurrence or outlaws them outright. It is the job of the agencies of justice to prevent these behaviours by apprehending and punishing transgressors or deterring their future occurrence. Although society maintains other forms of social control, such as the family, school, and church, they are designed to deal with moral, not legal, misbehaviour. Only the criminal justice system has the power to control crime and punish criminals. The central purpose of the Criminal Justice System is to deliver an efficient, effective, accountable and fair justice process for the public.*

*After undergoing the study, the student will be able to understand the following*

- *To understand the jurisprudential basis of crime, criminal justice system and administration in India.*
- *To acquire an understanding on correctional system and alternatives to imprisonment within the realm of criminal justice administration.*
- *To understand the role played by different functionaries in the criminal justice administration to meet the challenges of the modern India.*
- *The need for reforms and new challenges in the wake of growing importance and realisation of victim's rights and necessity to involve all the stakeholders for ensuring justice to all.*

#### COURSE OUTLINE

##### MODULE – I: Crime and Criminal law

- a) Meaning, Nature, Scope – Characteristic features of crime – Essential elements of crime – Classification of Crime – Theories of crime
- b) Factors / Causations leading to crime – Reactions to crime – Prevention of crime
- c) Principles of criminal law – Criminal law and its role

## **MODULE – II: Philosophy of Criminal Justice System**

- a) The Constitution and Criminal Justice System – Challenges of Criminal Justice System – Reform Strategy
- b) Ethics in Criminal Justice System – Issues in Criminal Justice System
- c) Stages of criminal justice process – Judicial Approach in Criminal Justice System

## **MODULE – III: Criminal Justice system – Its components and functions**

- a) Investigative agency – Police – Prosecution – Defence Counsel – Courts – History of the Prosecution of India – Nature, Scope and Role of Prosecution
- b) Constitutional Provision of Role of Prosecution – Powers and Duties of Prosecutor – Role of Judiciary
- c) Critical Analyses of Role of Prosecutor – Role of Prosecution in Other Countries

## **MODULE – IV: Constitution of Criminal Courts**

- a) Organization of Criminal Courts and Criminal Justice System – Control over Criminal Courts
- b) Accused and his Rights – Rights of Female Accused / Female Prisoners
- c) Law and procedure relating to Criminal Appeals, Revisions, Writ Petition and Special Leave Petitions

## **MODULE – V: Police Administration in Criminal Justice System**

- a) Development of police force – Hierarchical structure of police force – Principles and functions of policing – Duties of civil police – Rural policing in India – Problems in police service
- b) Custodial torture – Police Public cooperation – Judicial opinions on police force – Modernization of police force – Role of police in International Issues
- c) Role of police in administration of criminal justice system – Directions of the Supreme Court relating to police reforms.

## **MODULE – VI: Penology with punishments and prison reforms**

- a) Definition, objectives and scope of penology – Concept, definition, nature, forms and purposes of punishments
- b) Sentencing process – Mitigating & Extenuating circumstances in the decision making of sentence – Plea Bargaining – Alternatives to punishment.
- c) Therapeutic / Humanitarian approach to Prisoners – Measures to Reform criminals – Probation – Parole

## **MODULE – VII: Victimology: Victim and Victimisation**

- a) Definition, nature and scope of victims and victimology – Categorization of the victims
- b) Theories of victimology – Victim of crime and victim of Abuse
- c) Consequences of victimology – victim Redressal Programmes – International Recognition of Victims' Rights

## **MODULE – VIII: Restorative Justice Process in Contemporary Criminal Justice**

- a) History, Definition, Principles, Root and Values of Restorative Justice
- b) Restorative Justice in social context – Human rights and Restorative Justice
- c) Global appeal of Restorative Justice – Future of Restorative Justice

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3. Ahmad, Dr. "A Brief Analysis of Theories of Punishment in India." Available at SSRN 3561458 (2020).
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5. Machhi Singh v. State of Punjab, AIR 1983 SC 957
6. Kartar Singh v. State of Punjab, 1994 SCC (Cri) 899
7. Swami Shraddhanand v. State of Karnataka, AIR 2008 SC 3040
8. Ramji Missar v. State of Bihar, AIR 1963 SC 1088
9. Jagdev Singh v. State of Punjab, AIR 1973 SC 2427
10. Ram Naresh Pandey v. State of MP, (1974) 3 SCC 30
11. Musa Khan v. State of Maharashtra, 1976 Cr. LJ 1987 (SC)
12. Rajni Kanta v. State of Orissa, 1975 CrLJ 83
13. Mohammad Giasuddin v. State of AndhraPradesh, (1978) 1 SCR 153
14. M. H. Hoskot v. State of Maharashtra, (1978) 3 SCC 544
15. Sunil Batra v. Delhi Adm. (1978) 4 SCC 494
16. Sunil Batra v. Delhi Adm. (1980) 3 SCC 488
17. Sher Singh v. State of Punjab (1983) 2 SCC 344
18. Boddissattwa Gautam v. Subhra Chakraborty AIR 1996 SC 922
19. Chairman, Railway Board v. Chandrima Das – Manu / SC / 0046 / 2000
20. State of Andhra Pradesh v. Challa Ramakrishna Reddy, AIR 2000 SC 2083

## **LEARNING OUTCOME**

- *Demonstrate knowledge of the major areas of the criminal justice system: policing, courts, corrections and the history of those components.*
- *Trace the relationship between the criminal justice complex and the socioeconomic elements of the Indian society.*
- *Trace the various types of crime and criminals, the numerous theories of crime causation, and the relationship between crime and its various correlates.*
- *Trace the various social movements over the years, and how they have impacted the criminal justice system.*
- *Analyse scholarly research, governmental crime statistics, and public policy.*

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## PAPER – II

### LAW RELATING TO DRUGS AND ENFORCEMENT AGENCIES

(Specialized Core Paper)

#### OBJECTIVES OF THE COURSE:

*Drug abuse is a social evil. Narcotics and other dependence producing substances have been used in the world in one form or another since times immemorial. Likewise trading in these substances has been carried on over a considerable period of time. Narcotics came into widespread use in Western medical practice during the latter part of the 19th century. They had in their crude form, been known for the so – called beneficial effects for centuries and had been extensively used, both therapeutically and non – therapeutically, for their calming, intoxicating and presumed curative properties. However, introduction of these drugs shortly led to their abuse. The course is designed to understand the need of wider Drug Trafficking Laws in a national and global perspective and how these policies affect the society in an affirmative way. The notion of International Conventions and its legislative intent is embarked in a careful manner with a wider prospect of future analysis.*

*After undergoing the study, the student will be able to understand the following*

- *Understand the concept of Law of Narcotics in present scenario*
- *Study the role and significance of International treaties and conventions in policy management*
- *Study the working mechanism of contemporary institutions in narcotics law and policies*
- *Understand the legislation in the context of human rights approach.*

#### COURSE OUTLINE

##### **MODULE – I: Drugs – Narcotics – Psychotropic substances**

- a) Drugs – Narcotics – Psychotropic substances – Drug Dependence and Addiction – Primary drug abuse
- b) Trafficking in drugs – Drug addiction as a victimless crime – Drug related crimes
- c) Anagraphic and Social characteristics of Drug Users – Drugs: Their use and effects

##### **MODULE – II: International Legal Regime**

- a) Historical development of International Law on drug control
- b) Transnational Crime Convention – International Narcotics Control Board (INCB) – SAARC Convention on drug policies.

- c) US – India bilateral agreement on anti – narcotic cooperation – WHO – Health of the Victims – Drug Control Policy.

### **MODULE – III: Indian Regulatory System**

- a) Narcotic Drugs and Psychotropic Substances (NDPS) Act: Its Legislative Intent
- b) National drug control framework – National Crime Records Bureau (NCRB) – United Nations Office on Drugs and Crime (UNODC)
- c) Criminal Justice System – Crime Control Institutions – National Coordination Scheme

### **MODULE – IV: United Nation & Human Rights**

- a) Access to essential and control drugs – Rehabilitation of drug addicts – Anti drug Justice as Social Justice.
- b) Human Rights Abuses Committed Under the International Drug Control Regime – Punitive Drug Laws and Public Health Crisis
- c) International Guidelines on Human Rights and Drug Policy – Implementation of alternatives to uphold international human rights standards.

### **MODULE – V: Enforcement Mechanism**

- a) Drug Laws Enforcement: Judicial Response – Identifying and Tracing the forfeitable properties
- b) International Narcotic Control Strategy Report – Special Narcotic Courts
- c) Doctrine of Onus Probandi – Punitive or Reformative – Reformation of Narcotic Legislation (NDPS Act).

### **MODULE – VI: Victimology and Social Justice**

- a) Drug Abuse as a Social Problem – Anagraphic and Social Characteristics of Drug Users
- b) Victim's perception – Sociological factors – Marginalized and Underprivileged – Juvenile
- c) Psychoneuroimmunological mechanisms – Rehabilitation Measures – Towards Social Justice.

### **MODULE – VII: Drug Trafficking and Narco Terrorism**

- a) Counter Measures for dealing with drug trafficking – Political Scenario – Cross Border issues.
- b) Drugs and development: The global impact of drug use and trafficking on social and economic development
- c) Associated Crimes – Mandate of the United Nations Office on Drugs and Crime (UNODC)

## **MODULE – VIII: Sustainable Welfare and Development**

- a) Sustainable Solutions for Drugs Prevention
- b) National Action plan for Drug Demand Reduction – Social Impact of Drug Abuse.
- c) The Role of Community in Combating Drug Addiction – Regulatory Systems – Law Reform Initiatives – Social justice.

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## LEARNING OUTCOME

- *Able to discuss the history of drug abuse and subsequent policies in the India.*
- *Identify major drugs of abuse with their legal status, psycho – pharmacological effects, & sociological implications of drug use and drug policy*
- *Describe the political, programmatic, and policy elements known as the "war on drugs" and current related debates*
- *Find and summarize relevant information about current events bearing on policy debates over drugs*
- *Synthesize information from multiple sources and points of view into a coherent policy perspective*

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## PAPER – III

### ORGANIZED AND UNORGANIZED CRIMES – LAW AND POLICY

(Specialized Core Paper)

#### OBJECTIVES OF THE COURSE:

*The term "organised crime" brings to mind Drug Cartels, Mafias, Black Societies and Biker gangs. What do these groups have in common? What are their differences? What do they actually do? Organized and Unorganized Crimes Law and Policy aims to unpack and understand the dynamics of organized crime, its actors, groups, activities and organization as well as their geographical aspects. The subject explores from a theoretical and practical perspective the different approaches that have been used in order to explain and understand organized crime, as well as the policy responses to it. Case – based approaches will be used to illustrate throughout the course. This course analyses major 'organized crime' groups across the globe and the various forms of transnational crime encountered in the contemporary setting.*

*After undergoing the study, the student will be able to understand the following*

- *Provide students with a conceptual framework for studying the problem of organized crime.*
- *Present students with the historical background of organized crime.*
- *Provide an overview of various criminal organizations and their activities.*
- *Explore various control measures and policies for managing the illegal activities of essentially criminal organizations and the organized crimes of legitimate organizations.*

#### COURSE OUTLINE

##### MODULE – I: Introduction to Organized Crime

- a) Definition & scope of organized crime
- b) Types & characteristics of organized crime
- c) Causes of organized crime – Comparison between white – collar crime, corporate crime, and organized crime

##### MODULE – II: Categories of Organized Crime

- a) Predatory crime – Crime syndicate
- b) Criminal rackets – Business labour rackets – Gambling rackets
- c) Criminal rackets in commercial world – Political grafts

### **MODULE – III: Scope of Organized Crime in India**

- a) Drug Addiction, trafficking – national & international legal perspective
- b) Illicit trafficking of women & children, prostitution – Terrorism & Narco – Terrorism
- c) Economic crime, money laundering, scams, Hawala & Counterfeiting of Currency – Nexus of Organized crime and politics

### **MODULE – IV: Legal Analysis, Investigation & Prosecution of Organized Crime**

- a) Mensrea, modus operandi & criminal conspiracy in organized crime
- b) Role of Police in Investigation of organized crime
- c) Role of Judiciary, Trial and Sentencing in organized crime – Legal issues under IPC and Indian Evidence Act.

### **MODULE – V: Organized Crime, Threat to National Security & Preventive Action**

- a) Close linkage between organized crime and terrorism
- b) Maharashtra Control of Organized Crime Act, 1999 & Gujarat Control of Terrorism and Organized Crime Bill 2015.
- c) Issues & law related to Internal Security – The National Security Act, 1980. – Armed Forces (Special Powers) Act (AFSPA) 1958

### **MODULE – VI: Profiles of Organised Criminal Gangs**

- a) Vardharaja Mudaliar Gang – Dawood Ibrahim Gang – Chota Rajan Gang – Veerappan Gang of Karnataka
- b) Babloo Srivatsava and Irfan Goga Gangs – Arun Gawli and Amar Naik Gang
- c) Latif Gang – Rashid Gangs

### **MODULE – VII: Organized Crime in Transnational Jurisdiction**

- a) Features of transnational organized crime
- b) Indian's perspective on transnational organized crime
- c) Naples Declaration and Global Action Plan 24 Dec. 1994 – Role of United Nations in preventing International crime

### **MODULE – VIII: Notorious Organized Crime in Global Parameter**

- a) Organized crime in united states – Colombian drug trafficking gangs
- b) Jamaican possess – Chinese Organized crime – Triads in Hong Kong – Japanese Organized crime
- c) Vietnamese Organized crime – South African crime syndicate – Russian crime syndicate

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### **LEARNING OUTCOME**

- *Apply the main theoretical approaches to the study of organised crime and their evolution across time.*
- *Critically evaluate the contributions of different schools of thought to our understanding of organised crime.*
- *Identify the main characteristics, activities, actors, and forms of organised crime.*
- *Critically analyse organised crime policy at the local and international level.*
- *Understand and critically assess the macro and micro causes of transnational crime.*

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## PAPER – IV

### LAW OF VICTIMOLOGY AND HUMAN RIGHTS – JURISTIC PERSPECTIVE

(Specialized Core Paper)

#### OBJECTIVES OF THE COURSE:

*The law relating to the victims of crime has undergone drastic changes in the recent times. Though quite late, but yet the legislature has recognized the importance of the victims in the Indian Criminal Justice System and has, therefore, given them various rights by making amendments in the Cr P C 1973 from time to time. At the same time the Indian judiciary has become very sensitive towards the rights of the victims and has changed the interpretation of various important aspects of criminal jurisprudence to include the victims as a part of it such as right to “fair trial” of an accused. An important role has been played by various institutions and bodies such as Victimology and World Society of Victimology in the growth of Victimology in India.*

*After undergoing the study, the student will be able to understand the following*

- *Basic knowledge in different theories of victimology*
- *Understanding and knowledge of who is a victim of crime, their legal status, situation and needs*
- *Knowledge on social protection, support and redress for crime victims*
- *General knowledge and understanding of what distinguish and unites different types of crime victims*

#### COURSE OUTLINE

##### MODULE – I: Role and Typology of Victims

- a) Historical background, Meaning and Scope of victimology – Typology of victims – Categorization of victims – Theories of victimology
- b) Victimization Process – Relation between criminology, penology and victimology
- c) Role of the Victim in Crime: Victim Precipitation, Victim Facilitation, and Victim Provocation – Contributions of the Victims’ Rights Movement – Victimology Today

##### MODULE – II: Victims and Criminal Justice System

- a) Penal Laws and Victims of Crime
- b) Rules of Evidence and Plight of Victims
- c) Criminal Procedure and Role of Victim – Appeal and Presumption of Innocence

### **MODULE – III: International and National Developments in Victimology**

- a) International norms in victimology and victim rights
- b) Comparative issues and perspectives – Victims in international law and policy
- c) International victimisation studies – National Developments in Victim Protection – Constitutional Concern for Victims

### **MODULE – IV: Contemporary Issues in Victimology**

- a) Dimensions of victim vulnerability, Risk and Fear of crime – Vulnerable groups – Victimization – Children – Elderly people – LGBTQI – SC / ST – Refugees
- b) Victims of Hate Crimes – Human Trafficking – Terrorism – Victims of custodial crimes
- c) Intimate Partner Violence & Stalking – Types & Effects of Sexual Assault – Victimization at School & the Workplace – Cyber Victimology

### **MODULE – V: Consequences of Victimization**

- a) Victimization Consequences: Emotional, Psychological & Social – Trauma – Related Disorders: Post – Traumatic Stress Disorder & Acute Stress Disorder
- b) Stockholm Syndrome: Definition, Cases & Treatment – Complex PTSD: Symptoms, Treatment & Test
- c) Financial Consequences of Victimization – Crime Victims' Compensation: Process – Victim Impact Statement – Restorative Justice

### **MODULE – VI: Rights and Remedies for Victims of Crime**

- a) Rights to the Victims of Crime – Access to justice and fair treatment
- b) Compensation and Assistance
- c) The Right to Protection – Victim – Witness Rights through Assistance Programmes

### **MODULE – VII: Restitution and Rehabilitation of Victims of Crime**

- a) Compensation to Victims of Crime – Victim Compensation Scheme in United Kingdom & United States of America – The Criminal Injuries Compensation Authorities – Victim Compensation under the Code of Criminal Procedure, 1973
- b) Compensation to the Victim / Dependents in Heinous Crimes – Rehabilitation of Victims – Special Compensatory Provisions
- c) The Probation of Offenders Act, 1958 – The Motor Vehicles Act, 1988 – The Fatal Accidents Act, 1855 – Victims of Medical Negligence

## **MODULE – VIII: Recognizing Human Rights of the Victims of Crime**

- a) Victimological approaches to human rights jurisprudence – Human rights of victims vs. human rights of offenders a conflict zone
- b) Protection from double jeopardy, Self – incrimination, Production before magistrate from police custody, Fair and speedy trial, Representation, Protection from ex post facto laws, Legal aid,
- c) Compensation, Rehabilitation, Administration of criminal justice – Role of various Protection Agencies / Institutions

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#### **LEARNING OUTCOME**

- *Victim empowerment through the use of legislation, the media, public discourse, and private enterprise.*
- *Examine correlates of victimization and predictors of future victimization.*
- *Discuss victim participation in the criminal justice system decision – making, victim services and restitution, and restorative justice initiatives.*
- *Better interpret the changing world of crime, become a more informed citizen, and be better prepared to enter the world of professional criminology and criminal justice.*
- *Develop a global perspective of victimization.*

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## PAPER – V

### CRIMINAL JUSTICE SYSTEM – A COMPARATIVE JURISPRUDENCE

#### (Specialized Core Paper)

#### OBJECTIVES OF THE COURSE:

*Criminal Justice System – A Comparative Jurisprudence offers a comparative and critical investigation into criminal law, criminal procedure and criminal justice as it is conceptualised and also how it operates within the main legal traditions of the world (India, USA, UK, France and Russia). The subject explores the relationship between law, justice, crime and punishment and how each is manifest within contemporary legal systems. The subject uses comparative methodology to highlight similarities and differences between and within legal traditions. It also will assess the different criminal law processes and their outcomes and how these can inform criminal law reform in a global context.*

*After undergoing the study, the student will be able to understand the following*

- *Identify the structural features of the criminal justice systems in the main legal traditions of the world (India, USA, UK, France and Russia).*
- *Identify the structural features of the criminal justice systems in the main legal traditions of the world (India, USA, UK, France and Russia).*
- *Employ methods for classifying and comparing legal systems.*
- *Compare and contrast the character of the criminal laws and criminal responsibility in different traditions and explain the reasons for any difference.*
- *Interpret essential features of the selected substantive laws and procedural law through the social, historical and political values that underpin the different conceptions of crime and punishment.*

#### COURSE OUTLINE

##### MODULE – I: Comparative Criminal Justice System

- a) Meaning and significance of comparative Criminal Justice System.
- b) A comparative perspective on criminal justice & its main components.
- c) Impact of international criminal justice on comparative Criminal Justice.

##### MODULE – II: Comparative Criminal Law

- a) Histories and Functions of Comparative Criminal Law
- b) Principle of Legality (*Nulla Poena Sine Lege*)
- c) Analysis of Criminal Liability – General Principles of Criminal Liability

### **MODULE – III: Criminal Law – Comparative Jurisprudence**

- a) Jurisdiction
- b) Punishment Theory – Sentencing Jurisprudence
- c) Victims

### **MODULE – IV: Diverse systems and Models of Criminal Proceedings**

- a) Adversarial / Accusatorial and Inquisitorial Systems
- b) Crime Control Model and Due Process Model
- c) Indian system of Justice Administration and its challenges

### **MODULE – V: Pre – trial Processes**

- a) Bringing information about crime incident before the formal system (Police or Magistrate)
- b) Investigation of Crime – Bail and Remand
- c) Rights of Accused and Victim – Right to Counsel and Legal Aid – Principal Features of a Fair Trial

### **MODULE – VI: Trial Processes**

- a) Taking Cognizance by courts and committal proceedings – Hierarchy of Criminal Courts and types of trials
- b) Framing of Charge and Discharge Proceedings
- c) Acquittal or Conviction – Revision, Appeal and transfer of case for trial

### **MODULE – VII: Sentence Process**

- a) Pre – sentence hearing – Transfer of Cases
- b) Sentences – Execution, Suspension, remission and commutation of sentences
- c) Reformatory Sentence – Withdrawal from prosecution – Plea Bargaining – Compounding of Offences

### **MODULE – VIII: Role of Evidence in Criminal Justice System**

- a) Relevancy and admissibility, of facts – Relevancy of confessions and dying declarations
- b) Appreciating expert evidence in court – Relevancy and Admissibility of evidence collected through
- c) Forensic and other modern tools and techniques – Admissibility of evidence in Cyber Crime – Protection of Witnesses – Hostile witnesses

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## **LEARNING OUTCOME**

- *Develop an understanding of the interrelationship between crime and punishment from an international and comparative perspective.*
- *To compare and contrast criminal justice systems in terms of the major legal traditions used across the world.*
- *Demonstrate knowledge of critical issues confronting global criminal justice systems as well as the international criminal justice system.*
- *To identify mechanisms to deal with issues of human rights violators and perpetrators of international crimes.*
- *To compare similarities and differences that occurs in court structures and procedures in multiple countries as well as the international community.*

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## PAPER – VI

### CRIMINALISTIC AND SCIENTIFIC INVESTIGATION – LAW AND POLICY

#### (Specialized Core Paper)

#### OBJECTIVES OF THE COURSE:

*Forensic science is any kind of science used in the legal or justice system to support and uphold the law. When a crime has been committed and evidence is collected at the scene, scientists analyze it, arrive at scientific results and give expert court testimony about their findings. Forensic science concentrates on facts that prove something did or did not happen in a criminal or civil case. Regardless of their scientific specialty, all forensic scientists have the same goal: examining evidence from a crime scene using strictly scientific knowledge and principles in order to find facts about a criminal case. Because the outcomes are objective facts, forensic science can be useful both to the prosecution and the defense. Any discipline of forensic science can prove whether and how suspects and victims are linked to each other or to the crime scene itself. Criminalistic and scientific investigation has become one of the most important parts of any criminal case.*

*After undergoing the study, the student will be able to understand the following:*

- *Make students familiar with the field of forensic science which includes investigating a crime by applying forensic science principles.*
- *Enhance knowledge, in depth understanding and application of forensic science, policing and criminal investigation by teaching and research.*
- *Develop critical and analytical subject specific skills involving the principles, practices and techniques of specific field.*
- *Develop competence in research methods and presentation of information.*

#### COURSE OUTLINE

##### MODULE – I: Forensic Science and Crime Scene Management

- a) Forensic Science Unit – Tools and techniques in Forensic Science – Jurisprudence of Forensic Evidence and Constitutional Challenges – Human Rights and Comparative Forensic Analysis
- b) Forensic Photography – Crime Scene Management
- c) Collection, Handling, Admissibility and Challenges

## **MODULE – II: Forensic Dermatoglyphics and other impressions**

- a) Fingerprints and Palm prints – Biometrics
- b) Foot / Footwear / Tyre impressions – Lip prints, Ear prints and their significance
- c) Collection, Handling, Admissibility and Challenges

## **MODULE – III: Forensic Chemistry and Toxicology**

- a) Forensic Chemistry – Explosives – Ballistics
- b) Forensic Toxicology and Pharmacology – Drugs of Abuse
- c) Collection, Handling, Admissibility and Challenges

## **MODULE – IV: Questioned Documents**

- a) Introduction to Document Examination – Handwriting and Signature examination
- b) Typewritten and Printed Documents – Forgery Detection
- c) Collection, Handling, Admissibility and Challenges

## **MODULE – V: Forensic Anthropology**

- a) Personal Identification – Human Growth and Development
- b) Forensic Morphometry of Skeletal Remains – Forensic Odontology
- c) Collection, Handling, Admissibility and Challenges

## **MODULE – VI: Forensic Biology and DNA Profiling**

- a) Serology and Immunology – Forensic Biology
- b) DNA Profiling – DNA Polymorphism
- c) Collection, Handling, Admissibility and Challenges

## **MODULE – VII: Forensic Medicine and Psychology**

- a) Medico legal aspects of death – Injuries and investigations
- b) Forensic Entomology – Forensic Psychology
- c) Collection, Handling, Admissibility and Challenges

## **MODULE – VIII: Digital Forensic and Cyber Crime**

- a) E – data analysis – Types of cyber crimes
- b) Audio – video examination – Speaker Identification
- c) Collection, Handling, Admissibility and Challenges

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### **LEARNING OUTCOME**

- *Develop skills in forensic identification, forensic problem solving either independently or as a team member.*
- *Keep abreast with all recent developments and emerging trends in Forensic science, Ethics and the law.*
- *Identify a variety of specific career fields related to forensic science and law enforcement and that an individual cannot be an expert in all areas.*
- *Outline protocols used when a crime scene is being secured and evidence is being procured by law enforcement members.*

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## PAPER – VII

### DIGITAL CRIME AND DIGITAL FORENSIC IN CYBER SPACE

(Discipline Specific Elective Paper)

#### OBJECTIVES OF THE COURSE:

*Cyber Forensics is a branch of digital forensic science pertaining to evidence found in computers and digital storage media. The goal of cyber forensics is to examine digital media in a forensically sound and constructive manner with the aim of identifying, preserving, recovering, analyzing and presenting facts and evidence in a court of law. The courses are designed with a focus on strengthening students' knowledge in all areas of cyber security and digital forensics. This course provides hands – on experience in different computer forensics situations that are applicable to the real world. Students will learn different aspects of digital evidence: ways to uncover illegal or illicit activities left on disk and recovering files from intentionally damaged media with computer forensics tools and techniques.*

*After undergoing the study, the student will be able to understand the following:*

- *To demonstrate foundational knowledge and skills in Cyber forensics.*
- *To explain the role of digital forensics and the relationship of digital forensics to traditional forensic science, traditional science and the appropriate use of scientific methods*
- *To learn investigation tools and techniques, analysis of data to identify evidence, Technical Aspects & Legal Aspects related to cybercrime.*
- *Describe the procedures for selecting appropriate security components in preventing cybercrimes.*

#### COURSE OUTLINE

##### MODULE – I: Networks and Network Security

- a) Networking Architecture – Networking Technologies – Networking Topologies
- b) Network Protocols – Data Link Layer – Network Layer Protocols – Transport Layer
- c) Security Mechanisms in Networking Layers

##### MODULE – II: Cyber Space, Cyber Laws and Digital Crime

- a) Cyber Space – Cyber Laws – Digital Crime – cyber security
- b) Electronic Communication Devices – Communication Technologies in Cyber crime
- c) Classification of cybercrime – Classification of Cybercriminals – Challenges to cybercrimes

### **MODULE – III: Cybercrime – The present and the future**

- a) Cyber war – The present and the future
- b) Cryptocurrency – Bitcoins – Ethereum – Blockchain – Ransomware
- c) Deep Web and Dark Web – Counter measures to overcome challenges

### **MODULE – IV: Cyber Forensic Investigation**

- a) Forensic Examination Process – Methods in Forensic Analysis
- b) Benefits of Cyber Forensics – Classification of Cyber Forensics
- c) Challenges of Digital Forensics in Cyber Security

### **MODULE – V: Digital Evidence**

- a) Duplication and Preservation of Digital Evidence
- b) Acquisition and Handling of Digital Evidence
- c) Analysis and Admissibility of Digital Evidence – Challenges with Digital Evidence

### **MODULE – VI: Legal Issues, Information and Human Security**

- a) Law Enforcement / Criminal Prosecutions – Evidentiary Issues, Organizations and Standardizations
- b) Information security – Information processing – Secure program administration.
- c) Organizational and Human Security – Information security professionals – International Human Rights – Cybercrime a comparative analysis.

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## LEARNING OUTCOME

- *Demonstrate the ability to properly document a computer forensics investigation / analysis and create reports.*
- *Identify standards of professionalism an ethical behavior for information security and digital forensics professional and apply these standards successfully to ethical dilemmas.*
- *Interpret and appropriately apply the laws and procedures associated with identifying, acquiring, examining and presenting digital evidence*
- *Work collaboratively with clients, management, and / or law enforcement to advance digital investigations or protect the security of digital resources*
- *Students will be introduced to the current research in computer forensics. This will encourage them to define research problems and develop effective solutions.*

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## PAPER – VIII

### CRIMINAL JUSTICE RESEARCH AND POLICY DEVELOPMENT

#### (Discipline Specific Elective Paper)

#### OBJECTIVES OF THE COURSE:

*Criminal justice research and policy development will introduce research methods used in criminology and criminal justice. The nature of scientific inquiry, issues in research methods, and statistical concepts used in quantitative analyses will be explored. The content is designed to familiarize with the basic ideas, techniques, and problems associated with conducting criminological and criminal justice research. The study will provide with the analytical, critical thinking skills necessary to understand empirical research and the tools necessary to conduct research project. The subject should be of interest and benefit to the intended policymakers in assessing the benefits of investing in criminal justice research, and, to researchers and practitioners who wish to become familiar with major research findings and methods for improving the research – to practice link.*

*After undergoing the study, the student will be able to understand the following*

- *To understand the basic principles, overview of scientific inquiry in criminal justice, identify scholarly research, and field research methods.*
- *To understand causation, operationalize, conceptualize, measure in research methods and different levels of measurement in research methods.*
- *To understand various research methods used to study criminology, including how to critically review criminological research*
- *To recognize strengths and weaknesses of research designs.*

#### COURSE OUTLINE

##### MODULE – I: Scientific Inquiry and Field Research

- a) Criminal Justice Inquiry – Personal Human Inquiry, Errors in Personal Human Inquiry – Foundations of Social Science – Purposes of Research – Differing Avenues for Inquiry
- b) Field Research, Appropriate topics – The Various Roles of the Observer – Asking Questions
- c) Gaining Access to Subjects – Recording Observations – Linking Field Observations and Other Data – Validity, Reliability, Generalizability of Field Research.

## **MODULE – II: General Issues in Research Design**

- a) Research Design – Causation in the Social Sciences – Criteria, Causes
- b) Validity and Causal Inference – Introducing Scientific Realism – Units of Analysis – Social Artifacts – The Ecological Fallacy – Reductionism
- c) The Time Dimension in Research – Designing a Research Project – Preparing a Research Proposal

## **MODULE – III: Concepts, Operationalization, Measurement and Survey Research**

- a) Conceptions and Concepts – Operationalization Choices – Measurement, types, Levels, Implications – Reliability, Validity – Composite Measures – Typologies, An Index of Disorder
- b) Topics Appropriate to Survey Research – Guidelines for Asking Questions, Question types, Statements, Biased Items and Terms, Designing Self – Report Items
- c) Questionnaire Construction – Self – Administered Questionnaires – Software applications used – In – Person Interview Surveys – Role of Interviewer, General Rules, Software applications – Telephone Surveys, Video Conference – Specialized Interviewing, Focus Groups

## **MODULE – IV: Experimental and Quasi – Experimental Designs**

- a) Experimental and Quasi – Experimental Designs
- b) The Classical Experiment, Variables, Pretesting and Post – testing, Experimental and Control Groups, Double – Blind Experiments, Selecting Subjects, Randomization – Experiments and Causal Inference – Experiments and Threats to Validity
- c) Variations in the Classical Experimental Design – Variations in Time – Series Designs, Variable – Oriented Research and Scientific Realism

## **MODULE – V: Agency Records, Content Analysis, and Secondary Data**

- a) Agency Records, Content Analysis, and Secondary Data
- b) Types of Agency Records – Units of Analysis and Sampling – Reliability and Validity
- c) Content Analysis – Units, Sampling, Coding, Illustrations – Secondary Analysis

## **MODULE – VI: The Influence of Criminal Justice Research**

- a) Role of Criminal Justice Researches conducted in India.
- b) Policing – Patrol Operations, Criminal Investigation, Specialized Offender / Offense Operations – Prosecution – The Case – Attrition Problem, Dealing with Career Criminals – Sentencing – Reassessing Sentencing Objectives, Sentencing Reform – Corrections –

Prison Crowding, Releasing Pretrial Detainees from Jail, Parole Issues, Attempts to Make Probation a Safer Sentencing Alternative

- c) Product – Oriented Research – Products for Policing Applications, Technical Research for Prosecution and the Courts, Other Technical Research – Assessing the Benefits of Research and Increasing the Return on Research Investment

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### **LEARNING OUTCOME**

- *Think critically about important issues in criminal justice research methodology*
- *Problem – solve solutions to methodological problems*
- *Enhance communication skills and READING: / research / writing acumen*
- *Review published research to determine specific strengths and weaknesses of the research methodology as well as understand basic concepts of social research.*
- *To understand the influence of criminal justice research for policy development.*

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## PAPER – IX

### ELITE CLASS DEVIANCE AND CRIME ACCOUNTABILITY

#### (Discipline Specific Elective Paper)

#### OBJECTIVES OF THE COURSE:

*Elite deviance, committed by the upper echelons of society, and organized crime threaten development and the rights and security of people across and within nations. These types of illegal and harmful activities, as well as collusion and linkages between the actors involved, are of major concern to governments, non – governmental organizations (NGOs), and supranational institutions. A Socio – economic offence does not only extend the scope of the subject matter of white – collar crime, but is also of wider import towards elite class deviance. Various parameters and dimensions of elite class deviance and criminality committed in India are described in the different MODULE – s in this course. In designing teaching materials for this course, current developments in deviance, as reflected in newspapers / journals, law reports and legislative proceedings will be highlighted.*

*After undergoing the study, the student will be able to understand the following:*

- *To understand the features and dimensions socio – economic , white – collar offences and elite class deviance*
- *To identify the difference between socio – economic and white – collar offences, white – collar offences and elite class deviance*
- *To get the idea of the laws and governmental efforts to regulate and control elite class deviance and accountability.*
- *To examine the empirical linkages between elite deviance, organized crime, and conventional (non – elite) crime cross – nationally.*

#### COURSE OUTLINE

##### MODULE – I: Crime and Deviance

- a) Theories of Deviance: Individualistic versus Sociological Theories, Functionalism & Anomie Theories, Conflict and Threat Theories, Labeling Theory.
- b) Typical forms of Deviance: Official deviance – Professional deviance – Police deviance – Electoral Deviance – Trade union deviance, Landlord deviance (class / caste-based deviance) – Gender based aggression.
- c) Indian approaches to socio – economic offences – Notions of Elite class deviance.

## **MODULE – II: White Collar Crimes**

- a) Conceptions of white collar crimes – Growth of white collar crimes in India – Chronological Background
- b) White collar crime and blue – collar crime – Report on white collar crime in India – Santhanam Committee – Wanchoo Committee – 29th & 47th Report of Law Commission of India
- c) White collar crime in other professions – Legislation against white collar crime in India.

## **MODULE – III: Official Deviance**

- a) Conception of official deviance – Malfeasance – Misfeasance – Non – feasance – Discretion and legality – Permissible limit of discretionary powers
- b) Deviance by Legislators, Judges and Bureaucrats – Official Enquiry into Deviance and Corruption – Commission Report on Official Deviance
- c) Judicial Control of Official Discretion – Commissions on official deviance

## **MODULE – IV: Police Deviance**

- a) Police Deviance – Structures of legal restraint on police power in India – Typology of Police Deviance – Police atrocities
- b) Police and Para – Military forces – Professional conduct and ethics
- c) Accountability and Reform in Policing – Human Rights approach

## **MODULE – V: Professional Deviance**

- a) Moral and Ethics – Professional Ethics
- b) Unethical practices at the Indian bar – The Press Council on unprofessional and unethical journalism
- c) Medical malpractice – Deviant behaviour by Teachers, Engineers & Architects

## **MODULE – VI: Indian Legal Order and New criminal jurisprudence**

- a) Indian Legal Order to Elite Classes Deviance – Investigation, trial and punishment – Public Accounts Committee
- b) Vigilance Commission – Ombudsman – Lokpal and Lokayukta – Commissions of Enquiry – Prevention of Corruption Act, 1988
- c) Need for New criminal jurisprudence

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## LEARNING OUTCOME

- *To differentiate between deviance and crime and categorize the different types of deviant behaviour*
- *To determine why certain behaviours are defined as deviant while others are not.*
- *To understand the legal control mechanism in India to combat elite class deviance and crime.*
- *The course will describe the characteristics of disciplinary social control and their relationship to normalizing societies*
- *Trial, punishment and prevention of elite class criminality will be critically examined towards policy reform perspective.*

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## PAPER – X

### ECONOMIC CRIME – MULTIDISCIPLINARY AND CROSS – NATIONAL PERSPECTIVE

(Generic Elective Paper)

#### OBJECTIVES OF THE COURSE:

*Economic crime is fraud in its various manifestations, is among the costliest of all criminal activities the proliferation of anonymous financial transactions is accompanied by a commensurate proliferation of opportunities for betrayal of trust. There are several major forms of economic crime which confront society in the new millennium. The various categories of economic crimes are not mutually exclusive, but are intended to illustrate the range and variety of economic crime. Economic crime covers a wide range of offenses, from financial crimes committed by banks, tax evasion, insurance fraud, illicit capital heavens, money laundering, crimes committed by public officials (like bribery, embezzlement, traffic of influences, etc.) among many others. This subject will highlight various parameter of economic crime in national and international perspective.*

*After undergoing the study, the student will be able to understand the following:*

- *Economic crime is not limited to crimes committed in the public sector, but also extends to those perpetrated by economic actors in the private sector.*
- *Will understand the major economic institutions such as cooperatives, insurance and stock – exchange.*
- *Will understand the major causes of economic crime and to explore the related problems.*
- *Will understand some of the major problems faced in coping with economic crime in the areas of detection, investigation, prosecution.*

#### COURSE OUTLINE

##### MODULE – I: Economic Crime in a Globalizing Society

- a) Economic Crimes – Across the World – Typology, New Trends and Countermeasures
- b) Measuring the Impact of Economic Crime – Economic crime: A Comparative Analysis
- c) Prevention and control of Economic crime

##### MODULE – II: Bank Frauds – Prevention and Detection

- a) Banking sector fraud – Fraud risk management at Banks
- b) Banking Regulations (Including Codes & Ethic)
- c) Investigation – Implementation – Preventive security controls in Indian banking industry

### **MODULE – III: Debit and Credit Card Fraud**

- a) Types and Techniques of Debit and Credit Card Frauds – Payment Systems: Domestic and International
- b) Debit and Credit Card Fraud Detection Techniques – Challenges in Debit and Credit Card Detection
- c) Regulation and governance – Countermeasures to combat card payment fraud

### **MODULE – IV: Frauds in Insurance Sector**

- a) Types of insurance fraud – Detecting insurance fraud
- b) Risk Management in General and Life Insurance – Grievance Redressal Mechanism in General Insurance – Mechanism to identify, Avoid, Prevent Frauds
- c) Vigilance Mechanism in General Insurance – Role & Significance of Information Technology in Insurance Frauds

### **MODULE – V: Securities and Capital Markets**

- a) Functions of Capital Market – Structure of Capital Market – Difference between Capital Market and Money Market
- b) Role of SEBI in Capital Market – Legal and Regulatory Framework of Securities Markets
- c) Recent Developments in the Indian Capital Market

### **MODULE – VI: Legal Processes and Regulatory Framework for Economic Crimes**

- a) Legal Frame work to prevent, control Economic Crimes
- b) Regulatory & Rating Agencies – Regulatory Authorities – Financial Intelligence – Investigation
- c) International Endeavors – Mutual Legal Assistance Treaty

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### **LEARNING OUTCOME**

- *The subject will act as a springboard for future research and also be useful for new Developing Countries which may have to encounter a similar economic crime phenomenon.*
- *Will explore the problem of domestic legislation, when the – circumstances and proceedings of the crime take place outside the territorial jurisdiction of India.*
- *Aims to analyze the fact that, unlike other crimes, economic crimes may continue to increase in the coming years, adversely affecting economic, national and international security situations.*
- *Interpret and appropriately apply the laws and procedures associated with identifying, acquiring, examining and presenting digital evidence*
- *Students will be introduced to the current research in economic crimes. This will encourage them to define research problems and develop effective solutions.*

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## PAPER – XI

### MEDICAL ETHICS AND ACCOUNTABILITY

(Generic Elective Paper)

#### OBJECTIVES OF THE COURSE:

*Medical law is a fascinating field of study as advances in medical research and new technologies shift the boundaries of medicine. New health issues are emerging and patient rights are increasingly taking centre stage. New and complex medico – legal dilemmas arise in clinical practice, in the realities of human health, and in the relationships between patients and healthcare professionals. Healthcare is not just confined to clinical practice but also has philosophical aspects in terms of medical ethics to it. This brings forth the necessity of the philosophy of medical ethics and principles in practice that every medico legal professional should understand. As advocacy is intrinsic to policymaking, the current crisis in health care suggests that new strategies for improving the quality and broadening the scope of health professions' advocacy are needed.*

*After undergoing the study, the student will be able to understand the following:*

- *Covers all the conventions and codes of conduct including Nuremberg code, declaration of Geneva, and the physician's pledge by the World Medical Association (WMA), along with other international codes.*
- *Provides comprehensive reference material to gain a broader understanding of codes of conduct and the ethical practices.*
- *Puts a light on all the rights and the codes of conduct to be followed by doctors.*
- *Emphasizes the aspects of competence, advance directives, and negligence that play a vital role in ethical practice in medicine.*

#### COURSE OUTLINE

##### MODULE – I: Medical Jurisprudence

- a) The Scope of Medicine – Indian Medical Council – functions of Indian Medical Council – Medical Register – Medical Education – Recognition of Foreign Medical Qualification
- b) State Medical Council – Functions of State Medical Council – Medical Register – Disciplinary Control – Warning Notice
- c) Rights and Privileges of a Registered Medical Practitioner – Health Statistics

## **MODULE – II: Professional Conduct, Etiquette and Medical Ethics**

- a) Law and Ethics – The International code of medical ethics – The Indian code of Medical ethics – Universal Principles in Medical Ethics – Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002
- b) Medical Ethics – Duties of Physicians to their Patients – Duties of Physician in Consultation – Responsibilities of Physicians to each other
- c) Unethical Acts – Misconduct – Punishment and Disciplinary Action

## **MODULE – III: Medical Practice and Professional secrecy**

- a) Hippocratic oath – Declaration of Geneva, 1948 (Physician's Oath)
- b) Informed Consent – Medical Confidentiality – Revealing confidentiality Information – Therapeutic Privilege
- c) HIV / AIDS & Confidentiality – Privileged Communications – Excessive Disclosure

## **MODULE – IV: Medical Negligence (Medical Malpractice)**

- a) Civil Negligence – Criminal Negligence – Duty of care – Dereliction of Duty
- b) Damage – Reasonable Foreseeability of Damage – Calculated Risk Damage – Novus Actus Interveniens – Res Ipsa Loquitur
- c) Contributory Negligence – Corporate Negligence – Product Liability – Therapeutic Misadventure – Defense against Negligence

## **MODULE – V: Accountability in the Medical Profession**

- a) Position of medical laws and ethics in India – Criminalization of Medical Negligence
- b) Tortious Liability of Medical Professionals – Contractual Liability of Medical Professionals – Liability of the Medical Professionals under the Consumer Protection Act, 1986
- c) Medication Errors – Legal issues in New born intensive care – Legal aspect of Bioterrorism

## **MODULE – VI: Ethics and Legal Medicine**

- a) Clinical Trial Ethics – International Guidelines – The Nuremberg Code – The Declaration of Helsinki – Health insurance and professional liability
- b) Ethics and Bio Ethics – Life care planning: Ethical and Legal Issues – Liability of Health care Entities for Negligent care
- c) Medical product liability – Liability in Telemedicine – Professional liability in emergency medicine

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4. Achutrao Haribhau Khodwa & Others v. State of Maharashtra & Other (1996) 2 SCC 634
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7. Indian Medical Association v. V.P. Shantha & Others (1995) 6 SCC 651
8. C.P. Sreekumar (Dr.), MS (Ortho) v. S. Ramanujan (2009) 7 SCC 130
9. Kusum Sharma & Ors vs Batra Hospital & Medical Research II (2010) SLT 73
10. Dr. M. Kochar vs Ispita Seal FIRST APPEAL NO. 368 OF 2011, decided on December 12, 2017
11. V.N. Shrikhande vs Anita Sena Fernandes [(2011) 1 SCC 53]
12. Dr. Laxman Balakrishna Joshi vs. Dr. Trimbark Babu Godbole AIR 1969, SC 128
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19. Bolam v. Friern Hospital Management Committee [1957] 1 W.L.R. 582, 586
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## LEARNING OUTCOME

- *To equip with better decision-making skills that will help to elevate their practice and observe fulfilling victims' outcomes that also abide by the moral principles associated with the practice.*
- *Gain in – depth knowledge about medical law, ethics, and the duties & responsibilities.*
- *Understanding of medico – legal issues not just in the legal context, but with a sound grounding in ethics, social and theoretical contexts.*
- *The learners will understand the repercussions of unethical acts and misconduct in the practice.*
- *Develop skills and attitudes that can direct their conduct during their practicing career while also being sensitive towards the ethical issues that they may face on a day – to – day basis.*

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