



தமிழ்நாடு டாக்டர் அம்பேத்கர் சட்டப் பல்கலைக்கழகம்
The Tamil Nadu Dr. Ambedkar Law University



SCHOOL OF EXCELLENCE IN LAW

LL.M CBCS PATTERN

CURRICULUM

FROM ACADEMIC YEAR 2024 – 2025

**COMMON PAPERS FOR
ALL DEPARTMENTS**

THE TAMIL NADU DR.AMBEDKAR LAW UNIVERSITY

LL.M SYLLABUS

COMMON PAPERS FOR ALL DEPARTMENTS

COMMON PAPERS – 04

1. Legal Education and Research Methodology
2. Judicial Process
3. Constitutional Law: The New Challenges
4. Law and Social Transformation in India

SKILL ENHANCEMENT PAPERS – 02

1. Ability Enhancement Paper – I
2. Ability Enhancement Paper – II

VALUE ADDED COURSE – 02

1. Communication Skills
2. Personality Development & Soft Skills

THE TAMIL NADU DR.AMBEDKAR LAW UNIVERSITY

LL.M SYLLABUS

COMMON PAPERS FOR ALL DEPARTMENTS

COMMON PAPER - I

LEGAL EDUCATION AND RESEARCH METHODOLOGY

OBJECTIVES OF THE COURSE

Globalization has called upon the law to execute numerous responsibilities in society and lawyers are expected to act as change agents and social engineers in governance and development. If law is a tool for social engineering and social control, it should be studied in the social content. This means integrating law subjects with social and behavioural sciences. This would enable the lawyer to solve problems in socially acceptable ways and assist in developing public. A post-graduate student of law should get an insight into the objectives of legal education. The LL.M course, being intended to produce lawyers with better competence and expertise, it is imperative that the student should familiarize himself with the different systems of legal education. The pedagogy and andragogy method both at LL.B level and LL.M level has to be exposed to develop his skills. Growth of legal science in India depends on the nature and career of legal research. The syllabus is designed to develop skills in research and writing in a systematic manner that brings an obligation to imbue future generations with an understanding of and appreciation for the rule of law, judicial system, and the role of a profession.

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

- To meet ever-growing demands of the society and be thoroughly equipped to cater to the complexities of the different situations.*
- To impart appropriate professional training to produce efficient lawyers.*
- To inculcate law students with the operative legal rules both substantive and procedural.*
- Equip the student with the necessary theoretical and practical skills to deal with the diverse and expanding world of legal practice.*

COURSE OUTLINE

MODULE I – LEGAL EDUCATION – PURPOSE AND BACKGROUND

- a) Aims and objectives of legal education – Legal education and social change - Educational administration and infrastructure of law school
- b) Agencies of legal education–UGC - Advocates Act Legal education and special role of BCI-Challenges in Legal Education System – National Law Schools
- c) Legal Education in Tamil Nadu – TNDALU- Directorate of Legal Studies – Deemed Universities

MODULE II – GLOBALIZATION OF LEGAL EDUCATION AND INDIA

- a) Impact of Globalization on Legal Profession – Promotion of Exciting Research Frontier – Validity of foreign law courses
- b) Global Curriculum and Programme- Global Faculty and Collaboration - Ethical Implications of Globalization of Legal Profession
- c) Impact of Privatisation of Legal Education in India – Scholarships to pursue further research in foreign countries

MODULE III – LEGAL RESEARCH AND METHODS

- a) Research - Research methods – Research Methodology
- b) Legal Research – Meaning – need for legal research – scope of legal research - Understanding sources of legal research – identifying primary and secondary sources of law.
- c) Kinds of legal research - Doctrinal and Empirical Approaches to legal research – relevance of various methods and approaches - Qualitative and Quantitative research

MODULE IV – RESEARCH METHODOLOGY

- a) Steps in research – research process – identifying the topic - research problem – Review of literature - identification of the research gap.
- b) Formulation of hypothesis – steps for drafting a workable hypothesis – kinds of hypothesis – survey of available research – research design
- c) Identifying tools for data collection – primary and secondary sources – questionnaire – interview – sampling – case study – jurimetrics - Classification and tabulation of data - use of cards for data collection – Importance of ICT in Research – Using Word Processors (such as MS Word) for table of contents, footnotes and bibliography writing - Online Forms and Sheets including Google tools -Use of Power Point Presentations – Online meeting platforms.

MODULE V – ANALYSIS AND INTERPRETATION OF DATA

- a) Deductive and Inductive methods in research – Coding Data – Analysing Data – Summarizing Data –Variables-Tools for Summarizing Variables–Statistical Inference–Various kinds of analysis and tools such as SPSS.
- b) Preparing and writing a research report – Analysis, discussion, conclusions and recommendations – article writing, dissertation and thesis difference- book review and case comments
- c) Research ethics – plagiarism – how to avoid plagiarism – citations methods and online tools for citation –citation reference and footnoting – bibliography.

MODULE VI – LEGAL PEDAGOGY AND RESEARCH

- a) Methods of Teaching – Lecture, Discussion, Problem Solving, Seminar, Clinical and Role Playing methods of teaching
- b) Bloom’s taxonomy and subsequent developments – Setting Question Papers (standards in multiple-choice and Descriptive questions) Classroom Management – Supervision and Evaluation

BIBLIOGRAPHY

RECOMMENDED READING:

BOOKS

1. Berelson B : Content Analysis in Communication Research.
2. Beveridge WIR-Art of Scientific investigation.
3. Black & Champion-Research Methodology.
4. C. M. Coroll and Frederic Coroll : Methods of Sociological Research.
5. Campbell, Fox Kentey-Students guide to Legal writing.

INDIAN JOURNAL OF SOCIAL WORK:

1. Qualitative research design: A interactive approach Maxwell, Joseph A, Sage Publication, New Delhi, 1996.
2. Participatory research and evaluation: experiment in research as a process of liberation- Fernandes Walter, Rajesh Tandon. Indian Social Institute, New Delhi, 1856.
3. Doing legal research: A guide for social scientists and mental health professionals, Morris Roberta, Sales Bruce D, Shuman Daniel W. Sage Publication, London.
4. Research Methodology: A step by step guide for beginners-Kumar Ranjit, Sage Publication, London, 1996.

5. Developing effective research proposals-Punch Keith, Sage Publication, Londoan, 2000.

JOURNALS/ ARTICLES

1. A.S. Anand, "Legal Education in India - Past, Present and Future", 3 SCC (Jour.) 1 (1998).
2. A. Lakshminath, "Legal Education, Research and Pedagogy – Ideological perceptions", Journal of Indian Law Institute, Volume 50:4, 2008
3. Wexler D.B and Winick B.J., "Essays in Therapeutic Jurisprudence", by American Psychological Association available at <https://psycnet.apa.org/record/1991-98773-000>.
4. Norman J. Finkel, "Commonsense Justice, Psychology and the Law: Prototypes that are common, senseful, and not" Journal of Psychology, Public Policy and Law, Volume 3, No.2-3, pp.461-489 available at <https://doi.org/10.1037/1076-8971.3.2-3.461>.
5. D.C. Mukherjee, "Practical Side of Law Teaching", 2 *Journal of Bar Council of India*, 1973.

FURTHER READING: BOOKS

1. S.K. Sharma, "Legal Profession in India, Sociology of Law and Legal Profession: A Study of Relations between Lawyers and their Clients"
2. S.S. Sharma, " , Deep & Deep Publications, New Delhi, 1993.
3. David J. McQuoid-Mason (Ed.), "*Legal Aid And Law Clinics In South Law*", Howard College, University of Natal, 1985.
4. P.L. Mehta, Sushma Gupta, "Legal Education and Profession in India" (2000).
5. Sigmund Freud, "The Essentials of Psycho-Analysis", Vintage Classics. U.K
6. Jain S. N. : Legal Research and Methodology.
7. N. R. Madhava Menon (ed.) A Handbook of Clinical Legal Education (1988), Eastern Book Company, Lucknow.
8. S. K. Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.
9. Erwin C. Surrency, B. Fielf and J. Crea, A Guide to Legal Research (1959).
10. Festinger L. and Katz, Daniel : Research Methods in the Behavioural Sciences.

JURNALS / ARTICLES

1. A.T. Markose, "A Brief History of the Steps taken in India for Reform of Legal Education", 68 Journal of the All India Law Teachers Association, 1968.
2. Antoinette Sedillo Lopez, "Learning Through Service In A Clinical Setting: The Effect Of Specialization On Social Justice And Skills Training", 7 Clinical Law Review 307 (2000- 2001).
3. Ralph Underwager & Hollida Wakefield, "Poor Psychology produces Poor Law", Journal of Law and Human Behaviour, 1992, Volume 16 No.2, pp.233-243 available at <https://doi.org/10.1007/BF01044800>.
4. Frank J. Macchiarola, "Teaching in Law School: What are we doing and what more has to be done?" 71 1994.
5. "Institutionalizing A Social Justice Mission for Clinical Legal Education: Cross-National Currents From India And The United States", 13 Clinical Law Review 165 (2006-2007).
6. Frank S. Bloch, Iqbal S. Ishar, "Legal Aid, Public Service and Clinical Legal Education:Future Directions from India and the United State", Mic. J. Int'l. L. (1990).
7. JagatNarain, "Legal Aid - Litigational or Educational: An Indian Experiment", 28 JILI (1986).
8. Jennifer Howard, Learning to "Think Like A Lawyer" Through Experience, 2 Clinical Law Review 167 (1995).
9. Jon C. Dubin, "Clinical design for Social Justice Imperatives", 51 S.M.U. L. REV. 1461 (1997-1998).
10. Krishna Iyer, "Professions for the People: A Third World Perspective", XXII IBR (1995).

REPORTS

1. American Bar Association, "Section of Legal Education and Admissions to the Bar, Legal Education and Profession Development - An Educational Continuum", Report of the Task Force on Law Schools and the Profession: Narrowing the Gap, (ABA 1992). Government of India, Ministry of Law, Justice and Company Affairs, Department of Legal Affairs, "Report of Expert Committee on Legal Aid :Processual Justice to the People" (1973).
2. Government of India, Ministry of Law, Justice and Company affairs, Department of Legal Affairs, "Report of Expert Committee on Legal Aid: Processual Justice to the People" (1973)

3. Government of India, Ministry of Law, Justice and Company Affairs, Department of Legal Affairs, “Report on National Juridicare: Equal Justice - Social Justice”(1977)
4. Law Commission of India, 14th Report on Reform of Judicial Administration” (1958).
5. Law Commission of India, 184th Report on The Legal Education and Professional Training and Proposal for Amendments to the Advocates Act 1961 and the University Grants Commission Act, 1956”.

COMMON PAPER – II

JUDICIAL PROCESS

OBJECTIVES OF THE COURSE

The Constitution, a living document is said to be always in the making. The judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social mores. This course aims to study the nature of judicial process and the role of the judges as policy makers and as the participants in evolving political principles of governance in the comparative aspects. Another objective of this paper is the study comparative view of how the Judiciary manages itself for its effective productive results.

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

- *Nature of Judicial Process and its techniques.*
- *Role of Judges as Policy makers and as participants in evolving political principles of governance.*
- *Comparative aspects of Judicial Management and Administration.*
- *Legal progression and creativity through legal reasoning under statutory and codified systems.*

COURSE OUTLINE

MODULE I - NATURE OF JUDICIAL PROCESS

- a) Judicial process: Inquiry- Law, Justice, Ethics and Morality.
- b) Components of Legal Reasoning- Deductive, Inductive, Analogy and dialectical reasoning
- c) The tools and techniques- Judicial Polymics, Judicial Axiology.

MODULE II - DIMENSIONS OF JUDICIAL PROCESS

- a) Methods of interpretation- Constitutional Interpretation, Statutory Interpretation in Civil and Common Law Countries.
- b) Concept of Judicial Review, Judicial Activism and Judicial Self Restraint.
- c) Judicial Accountability, Transparency and Independence- Bangalore Principles

MODULE III - JUDICIAL PROCESS IN INDIA

- a) Structure of Judicial System in India- Alternative adjudication- Nyaya Panchayats
- b) Judicial Process and PIL/ Social Action Litigation and Development.

- c) Judicial Policy Making- Evolution of Doctrines and Principles-Brandies Brief, Jurimetrics.

MODULE IV - JUDICIAL PROCESS IN CONSTITUTIONAL AMENDMENT

- a) Doctrine of Prospective overruling- Colorable legislation- Harmonious interpretation.
- b) Doctrine of Basic Structure Theory and Recent its Developments
- c) Constitutional Amendment position in America.

MODULE V - JUDICIAL PROCESS IN USA

- a) Judicial Structure in USA- Jury System
- b) Due Process of Law- Judicial Review and American Democracy- the classic debate.
- c) Independence of Judiciary as aspect of Separation of Powers.

MODULE VI - JUDICIAL PROCESS IN UK

- a) Parliamentary Sovereignty and Judicial Supremacy- English Version of Judicial Review- Interpretation of Statues and Constitution by Judiciary.
- b) Common Law and Doctrine of Precedent.
- c) Fusion of Powers v. Separation of Power.

MODULE VII - JUDICIAL MANAGEMENT

- a) Case Management System in UK, USA, Australia and India- Master of Roaster in India.
- b) Lord Woolf's Report on "Case Management" (UK)- Australian Law Reform Commission on "Judicial and case Management" –
- c) National Case Management System (NCMS) in India- E- Courts- Court Manager.

MODULE VIII - JUDICIAL ADMINISTRATION

- a) Selection and Appointment of Judges- Transfer- manpower and Planning including finance.
- b) JIA- Mounting arrears and the reasons.
- c) Work load- Patterns of Court Management- Law Commission Recommendation.

BIBILIOGRAPHY

RECOMMENDED READING:

BOOKS

1. A. Lakshminath, "Precedent in Indian Law: Judicial Process" EBC Publication (2009).

2. Aharon Barak, *The Judge in a Democracy* (Princeton University Press, 2008).
3. S.P. Sathe, *Judicial Activism in India: Transgressing Borders and Enforcing Limits* (2003).
4. Bernard C. Gavit, Ralph F. Fuchs, *Cases and Materials on an Introduction to Law and the Judicial Process* (1952).
5. Mauro Cappellletti, *The Judicial Process in Comparative Perspective* (Clarendon Press: Oxford, 1989).

JOURNALS/ARTICLES

1. P. Puneeth, “Independence of Judiciary: In Search of Conceptual Clarity” 3 *Jindal Global Law Review* 87 (September 2011)
2. S. P. Sathe, “India: From Positivism to Structuralism” in Jeffrey Goldsworthy, *Interpreting Constitutions: A Comparative Study* (OUP, 2006)
3. Upendra Baxi, “The Avatars of Indian Judicial Activism: Explorations in the Geographies of [In] justice” in S.K. Verma and Kusum (ed.), *Fifty Years of the Supreme Court of India: Its Grasp and Reach* (OUP, 2001).
4. David A. Nelson, “The Nature of Judicial Process Revisited” 22 *N. Ky. L. Rev.* 563 (1994 – 1995).
5. Thomas R. McCoy, “Logic vs. Value Judgment in Legal and Ethical Thought” 23 *Vand. L. Rev.* 1277 (1969 – 1970).

FURTHER READING:

BOOKS

1. Sudhanshu Ranjan, *Justice, Judocracy and Democracy in India: Boundaries and Breaches* (Routledge, 2012).
2. Upendra Baxi, *Courage, Craft and Contention: The Indian Supreme Court in the Eighties* (1985)
3. Shimon Shetreet and Christopher Forsyth, *The Culture of Judicial Independence: Conceptual Foundations and Practical Challenges* (Martinus Nijhoff Publishers, 2011).
4. Rupert Cross, J W Harris, *Precedent in English Law* (Clarendon Law Series, 1991).
5. Rajeev Dhavan and Alice Jacob, *Selection and Appointment of Supreme Court Judges: A Case Study* (1978).
6. P. St. J. Langan, *Maxwell on The Interpretation of Statutes* (2004).

7. Dr. Vijay Chitnis, Judicial Process (2013)
8. Cardozo, The Nature Of The Judicial Process (1921)
9. K.L. Bhatia, Judicial Review and Judicial Activism (1997)
10. Henry J. Abraham, The Judicial Process (1997)

JOURNALS/ARTICLES

1. Arthur T. Von Mehren, The Judicial Process: A Comparative Analysis, The American Journal of
2. Dr. Justice B.S. Chauhan, The Legislative Aspect of the Judiciary: Judicial Activism and Judicial Restraint, Tamil Nadu State Judicial Academy Journal.
3. M. P. Singh, "Securing The Independence of the Judiciary-The Indian Experience", Indiana Law Review.
4. S.P Sathe "Judicial Activism: The Indian Experience" Washington Journal of Law and Policy, 2001.
5. Arthur L. Corbin, "The Judicial Process Revisited: Introduction" 71 Yale L. J. 195 (1961 – 62).
6. Introduction to action research, Greenwood, davydd J. Levin, Morten, sage Publication, London, 1998.
7. Methodology in social research : Dilemmas and perspective essays in honour of R. Mukharjee, Sage Publication, New Delhi, 2000.
8. Justice Ranganath Misra, "Supreme Court Legal Aid Committee, New Delhi: Its Aims,Activities and Achievements", 5 SCC Jour. (1995).
9. MadhavaMenon N.R., "Restructuring the Legal Profession for Strengthening Administration of Justice", XXII, IBR (1995).
10. Mohammad Ghouse, "Legal Education in India: Problems and Perspective", (Book review) 19 J.I.L.I. (1977).

CASES FOR GUIDANCE

1. Marbury v. Madison 5 U.S. 137.
2. The State of Madras v. Srimathi Champakam Dorairajan 1951 AIR 226.
3. Indira Nehru Gandhi vs Shri Raj Narain & Anr 1975 AIR 2299.
4. D.M. Jabalpur v. S. Shukla (1976) 2 SCC 521.
5. Mohd. Admed Khan v. Shah Bano Begum AIR 1985 SC 945.
6. Olga Tellis v. Bombay Municipal Corporation 1985 SCC (3) 545.

7. I.R Coelho and State of Tamil Nadu AIR 2007 SC 861
8. Aruna Ramachandra Shanbaug v. UOI (2011) 4 SCC 454.
9. Lily Thomas and Union of India (2013) 7 SCC 653.
10. Hussainara Khatoon (I) v. UOI.
11. M.C. Mehta v. Union of India A.I.R. 1987 S.C. 1086
12. Bandhua Mukti Morcha v. Union of India, AIR 1984 S C 802
13. Nandini Satpathy v. P.L. Dani A.I.R. 1978 S.C. 1025
14. M.H. Hoskot's case A.I.R. 1978 S.C. 1548.
15. Hussainara Khatoon's case A.I.R. 1979 S.C. 1377
16. Francis Coralie Mullin v. Administrator, Union Territory of Delhi A.I.R. 1981 S.C. 746
17. Vishaka v. State of Rajasthan (AIR 1997 SC 3011)
18. M.C. Mehta v. State of T.N., AIR 1997 S C 699
19. Sunil Batra v. Delhi Administration 1980 Cri.L.J. 1099.
20. Bhim Singh v. State of Jammu and Kashmir, 1985 (4) SCC 677

LEARNING OUTCOMES

After completing of the course the students will be able to-

- *Critically analysis the judicial creativity in the process of social ordering.*
- *Recognize the role of the judges as policy makers.*
- *Under the role of Judge in Democracy.*
- *Understand the intricacies of judicial creativity and judicial law making. Compare and Analysis the different methods of Judicial and Case management systems.*

COMMON PAPER - III

CONSTITUTIONAL LAW: THE NEW CHALLENGES

OBJECTIVES OF THE COURSE

The Constitution, a living document, is said to be always in the making. The judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social mores. Constitution being the fundamental law, an insight into its new trends is essential for a meaningful understanding of the legal system and processes. The post graduate students in law who had the basic knowledge of Indian Constitutional Law at LL.B level, should be exposed to the new challenges and perspectives of constitutional development while they are allowed to choose an area of law for specialization. Obviously, rubrics under this paper require modification and updating from time to time.

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

- *The profound influence of the Indian Constitution through Preamble.*
- *The combination of Rigidity and Flexibility.*
- *People as the source of Authority.*
- *The impact of the Indian Constitution on Judicial Independence.*

The following syllabus prepared with this perspective will be spread over a period of one semester.

COURSE OUTLINE

MODULE I - FEDERALISM

- a) Creation of new states - Allocation and share of resources - Distribution of Grants in Aid - The inter-state disputes on resources - Rehabilitation of internally displaced persons
- b) Centre's responsibility and internal disturbance within States - Directions of the Centre to the State under Article 356 and 365
- c) Federal Comity: Relationship of trust and faith between Centre and State - Special status of certain States - Tribal Areas, Scheduled Areas

MODULE II - CONCEPT OF "STATE" AND "EQUALITY"

- a) Need for widening the definition in the wake of liberalization
- b) Right to equality: privatization and its impact on affirmative action.
- c) Judicial expansion of "State" and "Equality"

MODULE III - FUNDAMENTAL RIGHTS, DIRECTIVE PRINCIPLES OF STATE POLICY & FUNDAMENTAL DUTIES

- a) Freedom of press and challenges of new scientific development - Freedom of speech and right to broadcast and telecast - Right to Strike, Hartal and Bandh.
- b) Emerging regime of new rights and remedies - Reading Directive Principles and Fundamental Duties into Fundamental Rights.
- c) Empowerment of women.

MODULE IV - COMMERCIALIZATION OF EDUCATION

- a) Brain drain by foreign education market
- b) Right of Minorities to establish and administer educational institutions and state control.
- c) New Education Policy – Current challenges and proposal for reforms

MODULE V - JUDICIAL INDEPENDENCE

- a) Judicial activism and judicial restraint – Judicial independence - Appointment, transfer and removal of judges – Tribunals.
- b) PIL: implementation
- c) Compensatory Jurisprudence.

MODULE VI - SEPARATION OF POWERS

- a) Doctrine of Separation of Powers - Stresses and Strains
- b) Accountability: executive and judiciary
- c) Latimer House Principles

MODULE VII - SECULARISM

- a) Religious Fanaticism
- b) Essentials and Non-Essentials of Religious Freedom
- c) Transjudicialism of secular principles.

MODULE VIII - DEMOCRATIC PROCESS

- a) Election – Election Commission: Status – Electoral Reform Law
- b) Coalition government, 'stability, durability, corrupt practice'
- c) Nexus of politics with criminals and the business – Grass root democracy

Note:

No specific literature is suggested for this course since the course materials obviously depends upon the latest developments. These developments in the areas specified in the course can be gathered from the recent materials such as case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values.

COMMON PAPER - IV

LAW AND SOCIAL TRANSFORMATION IN INDIA

OBJECTIVES OF THE COURSE

This course is designed to offer the teacher and the taught with - (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and (b) a spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law. The endeavour is to make the students aware of the role the law has played and has to play in the contemporary Indian society

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

- *The interdependence of the law with other social systems.*
- *That law is the reflection of the will and wish of the society.*
- *That law is binding because most people in society consider it to be.*
- *The role of law in transformation of the society.*

The following syllabus prepared with this perspective will be spread over a period of one semester.

MODULE I - LAW AND SOCIAL CHANGE

- a) Law as an instrument of social change
- b) Law as the product of traditions and culture
- c) Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.

MODULE II - RELIGION AND THE LAW

- a) Religion as a divisive factor – Secularism as a solution to the problem – Reform of the Law on secular lines: problems and perspectives
- b) Freedom of religion and non-discrimination on the basis of religion
- c) Religious minorities and the law.

MODULE III - LANGUAGE AND THE LAW

- a) Language as a divisive factor: Formation of linguistic states - Constitutional guarantees to linguistic minorities.

- b) Language policy and the Constitution: Official language; multi-language system
- c) Non-discrimination on the ground of language.

MODULE IV - COMMUNITY AND THE LAW

- a) Caste as a divisive factor - Non-discrimination on the ground of caste - Acceptance of caste as a factor to undo past injustices.
- b) Protective discrimination: Scheduled castes, tribes and backward classes
- c) Reservation, Statutory Commissions, Statutory provisions.

MODULE V - REGIONALISM AND THE LAW

- a) Regionalism as a divisive factor - Concept of India as one unit - Right of movement, residence and business; impermissibility of state or regional barriers.
- b) Equality in matters of employment: the slogan "Sons of the soil" and its practice
- c) Admission to educational institutions: preference to residents of a state.

MODULE VI - WOMEN & CHILDREN

- a) Crimes against women - Gender injustice and its various forms.
- b) Women's Commission - Empowerment of women: Constitutional and other legal provisions.
- c) Child Labour - Sexual exploitation - Adoption and related problems - Children and education.

MODULE VII - MODERNIZATION AND THE LAW

- a) Modernization as a value: Constitutional perspectives reflected in the Fundamental Duties - Modernization of social institutions through law - Reform of family law - Agrarian reform - Industrialization of Agriculture.
- b) Industrial reform: Free enterprise v. State regulation - Industrialization v. environmental protection.
- c) Reform of court processes - Criminal law: Plea bargaining; compounding and payment of compensation to victims - Civil law: (ADR) Confrontation v. Consensus; Mediation and Conciliation; Lok Adalats - Prison reforms - Democratic Decentralization and Local Self- Government.

MODULE VIII - ALTERNATIVE APPROACHES TO LAW

- a) The Jurisprudence of Sarvodaya - Gandhiji, Vinoba Bhave, Jayaprakash Narayan - Surrender of dacoits; concept of Grama Nyayalayas.
- b) Socialist thought on law and justice: An enquiry through constitutional debates on the right to property.
- c) Indian Marxist critique of law and justice - Naxalite movement: causes and cure.

BIBLIOGRAPHY

RECOMMENDED READING:

BOOKS

- 1. Marc Galanter (ed.), Law and Society in Modern India (1997) Oxford,
- 2. Robert Lingat, The Classical Law of India (1998), Oxford
- 3. U. Baxi, The Crisis of the Indian Legal System, Vikas Publishing House Pvt Ltd, New Delhi, 1982.
- 4. U. Baxi (ed.), Law and Poverty Critical Essays (1988). Tripathi, Bombay.
- 5. U.Baxi, Towards A Sociology of Indian Law, Satvahan, 1986.
- 6. U.baxi, Indian Supreme Court and Politics, Eastern Book Company, 1980
- 7. Duncan Derret, The State, Religion and Law in India (1999). Oxford University Press, New Delhi.
- 8. D.D. Basu, Shorter Constitution of India (1996), Prentice - Hall of India (P) Ltd., New Delhi.
- 9. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (2000)
- 10. Armol Publications, Delhi. Savitri Gunasekhare, Children, Law and Justice (1997)

FURTHER READING:

BOOKS

- 1. M.P.Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay.
- 2. Sharyn L. Roach Anleu, Law and Social Change, Sage Publications, 2000
- 3. Elizabeth Kolsky, Colonial Justice in British India, White Violence and Rule of Law, Cambridge University Press, 2010,
- 4. James Jaffe, Ironies of Colonial Governance, Law, Custom and Justice in Colonial India, Cambridge University Press, 2015

5. Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford
6. H.M. Seervai, Constitutional Law of India (1996), Tripathi.
7. M.N. Srinivas, Social Change in Modern India, Orient Longman India, 2000
8. William Gould, Hindu Nationalism and the Language of Politics in Late Colonial India, Cambridge University Press, 2004
9. Sage Indian Law Institute, Law and Social Change: Indo-American Reflections, Tripathi (1988)
10. J.B. Kripalani, Gandhi: His Life and Thought, (1970) Ministry of Information and Broadcasting, Government of India

CASES FOR GUIDANCE

Cases such as ‘**Nirbhaya**’ which have had significant impact in the society, where the common was talking how the law must be, what kind of punishment must be imposed.

1. Vishaka v State of Rajasthan 1997
2. Sharaya Bano v Union of India 2017
3. Shankari Prasad v Union of India 1951
4. Golak Nath v State of Punjab 1967
5. Keshvananda Bharti v State of Kerela 1973
6. Minerva Mills v UOI 1980
7. AK Gopalan v State of Madras 1950
8. Maneka Gandhi v UOI 1978
9. K. Puttuswamy v UOI 2017
10. M.R. Balaji v State of Mysore 1962
11. Indira Sawhney v Union of India 1993
12. Ajit Singh v State of Punjab 1999
13. M. Nagraj v Union of India 2006
14. Ashok Thakur v Union of India 2008
15. Mohini Jain v State of Karnataka 1992
16. Unni Krishnan J.P. v. State of Andhra Pradesh 1993
17. L. Chandra Kumar v UOI 1997
18. Waman Rao v Union of India 1981
19. Gian Kaur v State of Punjab 1996
20. Aruna Shanbaug v UOI 2011

LEARNING OUTCOMES

After completing of the course the students will be able to -

- *Understanding the importance of Law as an instrument of Social Change.*
- *Understanding that law is a product of traditions and culture.*
- *Understanding the common law system and institutions in India.*
- *Understanding the development of law and legal institutions in India.*

Ability Enhancement Paper - I
3 CREDITS
COMPULSORY FOR ALL DEPARTMENTS

OBJECTIVES OF THE COURSE

This course is structured to ensure a comprehensive integration of advanced legal research, practical training and academic evaluation, thereby strengthening the overall professional competence of LL.M. students. **The Internship component** provides meaningful field exposure in courts, law offices, tribunals, legal aid centres, regulatory authorities or similar institutions, enabling students to observe institutional functioning, understand procedural laws, engage with real case materials and appreciate professional ethics in practice. **The Doctrinal Research component** focuses on developing analytical and interpretative skills through systematic study of statutes, judicial precedents, rules, regulations and scholarly writings, equipping students to identify legal issues, critically analyse legal materials and formulate well-reasoned conclusions grounded in authoritative sources. **The Viva Voce component** serves as an evaluative mechanism to assess students' depth of understanding, research aptitude, articulation skills and ability to critically reflect upon both their research work and internship experience.

Credit pattern for this course

Internship Credit- 1

Doctrinal Credit-1

Viva Credit- 1

Total Credit- 3

Ability Enhancement Paper – II
3 CREDITS
COMPULSORY FOR ALL DEPARTMENTS

OBJECTIVES OF THE COURSE

This course is designed to strengthen empirical legal research skills while also nurturing academic competence among LL.M. students. **The Teaching component** provides students with an opportunity to engage in academic interaction, thereby developing their presentation skills, subject clarity and confidence expected of future legal educators. **The Non-Doctrinal Research component** requires students to identify a research problem, frame appropriate research questions, formulate hypotheses, design research instruments, collect data and analyse it, using suitable qualitative and quantitative methods. **The Viva Voce component** assesses students' understanding of empirical methodology, analytical ability, interpretation of data and their capacity to clearly present and defend their research findings.

Credit pattern for this course

Teaching Credit- 1

Non- Doctrinal Credit-1

Viva Credit- 1

Total Credit- 3

THE TAMILNADU DR. AMBEDKAR LAW UNIVERSITY

LL.M. (CBCS) PROGRAMMES, SCHOOL OF EXCELLENCE IN LAW

COMMUNICATION SKILLS FOR LAW GRADUATES

Course Code - COMVA101

Teaching hours - 30

Semester: I

Credits- 2

Course Objectives:

- **To develop effective communication skills.**
- **To help the students in building interpersonal skills.**
- **To learn active listening and responding skills.**

MODULE- I : SOFT SKILLS

6 hrs.

Soft Skills: An Introduction - Meaning, Definition and Significance of Soft Skills -Process and Measurement of Soft Skill Development - Types of Soft Skills - Listening and Monitoring Skills - Communicative, Socializing Soft Skills - Top 60 Soft Skills - Employability Skills - Life Skills - People Skills – Soft Vs. Hard Skills – Soft Skills in Work place - Problem Solving Skills – Soft Skills on a Resume.

Self-Discovery : Discovering the Self; Setting Goals; Beliefs, Values, Attitude, Virtue.

Positivity and Motivation: Developing Positive Thinking and Attitude; Driving out Negativity; Enhancing Motivation Levels.

MODULE – II : VERBAL COMMUNICATION

6 hrs.

Importance of good communication – The communication process Recommendations for Improving the Quality of Conversations – Written Communication Advantages of Verbal Communication – Disadvantages of Verbal Communication – Purposes of Communication – Clarification and Understanding.

MODULE – III : NON-VERBAL COMMUNICATION

6 hrs.

Different levels of Communication - Non-verbal communication and body language in relationships Types of nonverbal communication and body language – Using body language and nonverbal communication successfully – Tips for successful nonverbal communication – Improving nonverbal communication skills - History – Characteristics of nonverbal communication – Clothing and bodily characteristics – Physical environment – Proxemics – Chronemics – Monochronic Time – Polychronic Time – Kinesics – Haptics – Paralanguage – The relation between verbal and nonverbal communication – The relative importance of verbal and non-verbal communication – Difficulties with nonverbal Communication.

MODULE – IV : INTER PERSONAL COMMUNICATION

6 hrs.

Critical Thinking – Group dynamics – Organizational Conflict – Personal conflict – Role of Conflict – Conflict within groups – Results of Group Conflicts – Conflict Resolution – Strategies for Managing Group Conflicts Emotional Intelligence.

MODULE – V : ASSERTIVE BEHAVIOUR

6 hrs.

Definition – Bill of Assertive Rights – Component of Assertive Behaviour - Reducing Anxiety and Promoting Relaxation – Techniques of Assertiveness – Important aspect of Assertive Behaviour – Evaluating Assertiveness – Definition of Assertiveness – Three Basic Types of Behaviour – Passive Behaviour – Aggressive Behaviour – Assertive Behaviour – Important to Be Assertive – Becoming Assertive – Common Passive Aggressive Behaviours – Competence – Competence and Competency frame works.

MODULE – VI : TEAM BUILDING

6 hrs.

Reasons for team building – Team building exercises and their purpose – Communication exercise – Problem solving/decision making exercise – Planning/adaptability exercise – Trust exercise - Sub Groups of team building exercises – Models of team behavior – Organizational development.

MODULE – VII : MEETING

6 hrs.

Selecting participants – Developing Agendas – Opening Meetings – Establishing Ground Rules for Meetings – Time Management – Evaluations of Meeting Process – Evaluating the Overall – Meeting – Closing Meetings – Orchestrating the Meeting – Other Techniques to make Meetings more Effective – Meeting Agenda Tutorial – Getting a Meeting under way – During the Meeting – Before commencement of Meeting – Successful Meeting – Success for the Organization.

Reference Books:

- HAIGH RUPERT. **Legal English**, Second edition published by Rout ledge-Cavendish, London and New York.2009.
- English and Soft Skills – S.P. Dhanavel, Orient Black swan India, 2010
- E Handouts of Rensselaer Polytechnic, USA.[necessary permission has to be obtained by the course instructor for classroom use] www.rpi.edu
- Gupta, Ruby and Anugrah Rohini Lall. Basic Technical Communication. Cambridge University Press, 2009.
- Hoover, Hardy. Essentials for the Scientific and Technical Writer.1970;
- Rpt.New York: Dover Publications, Inc.,1980
- Kirkman, John. Good Style for Scientific and Engineering Writing. London: Pitman Publishing Ltd., 1980.

**Marks Pattern for Value Added Course/ Communication Skills:
50 Marks:**

- | | |
|------------------------------|-------------------|
| 1. Project: | - 20 marks |
| a. Submission | - 12 marks |
| b. Presentation | - 8 marks |
| 2. Expression Skills: | - 15 marks |
| a. Self-Introduction | - 5 marks |
| b. Reading skills | - 5 marks |
| c. Group Discussion | - 5 marks |
| 3. Written Test | - 10 marks |
| 4. Attendance | - 5 marks |
| Total | - 50 marks |

PERSONALITY DEVELOPMENT AND SOFT SKILLS

Course Code – COMVA201

Teaching hours - 30

Semester: II

Credits- 2

Course Objectives:

- **To develop effective inter personal skills and ethical behaviour.**
- **To help the students in understanding the ethics of governance both in public and private sectors.**
- **To learn professional etiquette skills.**
- **To strengthen negotiation skills, advocacy, drafting and report writing skills.**

MODULE- I: ETHICS

6 hrs.

Resolving Ethical Dilemmas in the Workplace and Value Conflicts – Introduction to Business Ethics – The Character and Values and Ethics – Basic Honesty and Conformity to Law – Conflict of Interest – Service Orientation and Procedural Fairness – The Ethic of Democratic Responsibility – The Ethic of Public Policy Determination – Influences on Ethical Behaviour – Ethical / Responses – Building an Ethical Climate – History of Ethics in Business – Corporate Ethics Policies – Corporate Social Responsibility – Ethical Corporate Governance – Environmental Issues – Pollution – Way to Prevent Land Pollution – Air Pollution – Ways to Prevent Air Pollution – Water Pollution – The Sources of Water Pollution–Ways to Prevent Water Pollution – Workplace Ethics – Marketing Ethics – Market Research Market Approach to Consumer Protection – Problems with the assumption of full information –Moral duties to consumers under contractual theory – Due care of the manufacture’s duties to consumers – Caveat Emptor – Commercial Advertising – Ethics of Finance.

MODULE - II: PROFESSIONAL ETIQUETTE

6 hrs.

Importance of Professional Etiquette – Basic Professional Etiquette Tips – Conversation Etiquettes – Handshake Etiquettes – Introduction and Greeting Etiquettes – Electronic Communication Etiquettes – Dining Etiquettes – General Etiquettes – Professional Etiquettes in the Workplace – Involuntary bodily functions – Acknowledgement of Rank and Status - Corporate Party Manners – Professional Etiquettes when Dining – General Tips for Professional Etiquettes – The Elevator Shuffle – Meeting and Greeting.

MODULE - III: GENERAL MANAGEMENT

6 hrs.

Concepts of organizing – Work Specialization – Chain of Command – Authority – Delegation –Accountability – Stress Management for Lawyers - 7 Tips to reduce Lawyer Stress Levels in the workplace – Final Notes on lawyer stress levels – Lawyers need to recognize that stress sometimes comes with the territory – Not to simply accept the stress – Recognize when the stress levels are high – Feeling the pressure – Expressing the feeling with others and recognizing that one is not alone - Ensure to work at a firm that shares core values and beliefs – Build by creating strong law firm processes which incorporate the latest legal technology - Offer clients alternative fee arrangements, hire paralegals and find a mentor with whom one can speak to whenever feel stressed.

MODULE - IV: NEGOTIATION SKILL FOR LAWYERS

6 hrs.

Introduction – Understanding Negotiation- Definition and Importance of Negotiation – Types of Negotiation-Essential Skills for Indian Lawyers in Negotiation – Communication Skills – Tips for successful Negotiation – Conclusion.

MODULE - V: ROLE OF LAWYER

6 hrs.

History– Responsibilities – Oral Argument in the Courts – Research and Drafting of Court Papers – Advocacy (Written and Oral) in administrative hearings – Client intake and counseling – Legal Advice – Protecting Intellectual Property – Negotiating and Drafting Contracts – Conveyancing – Prosecution and Defense of Criminal Suspects - Earning the right to practice law – Specialization – Organization – Professional Associations and Regulations – Regulating Lawyers – Voluntary Associations of Lawyers – Cultural perception of Lawyers – Lawyer playing different Role – The Role of the Lawyer in the Civil and Common Law Systems.

MODULE - VI: TRANSACTIONAL ANALYSIS

6 hrs.

Philosophy – History – Development – Core Models and Concepts are part of TA – Transactions and Strokes –Kinds of transactions – Redefining and Discounting - Injunctions and Drivers – Biological feeling of nausea.

MODULE - VII : WRITING OF REPORTS

6 hrs.

Introduction – Method of Write Reports – Writing Better Reports – Report Writing – Workshop Project Progress Reports – Field Workers Routine Report – The essentials of good / effective report writing are as follows – Report writing Format – Tips for good writing –Academic Writing – Informal Writing – Formal Writing.

Reference Books:

- HAIGH RUPERT. **Legal English**, Second edition published by Rout ledge-Cavendish, London and New York.2009.
- English and Soft Skills–S.P.Dhanavel, Orient Black swan India, 2010
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b. Reading skills - 5 marks
c. Group Discussion - 5 marks

- 3. Written Test** - 10 marks

- 4. Attendance** - 5 marks

Total - 50 marks
