

 <p>Estd. 1962 "A++" Accredited by NAAC (2021) With CGPA 3.52</p>	<p align="center">SHIVAJI UNIVERSITY, KOLHAPUR 416 004, MAHARASHTRA PHONE : EPABX - 2609000, BOS Section - 0231-2609094, 2609487 Web : www.unishivaji.ac.in Email: bos@unishivaji.ac.in शिवाजी विद्यापीठ, कोल्हापूर, ४१६ ००४, महाराष्ट्र दूरध्वनी - इपीबीएक्स - २०६०९०००, अभ्यासमंडळे विभाग : ०२३१- २६०९०९४, २६०९४८७ वेबसाईट : www.unishivaji.ac.in ईमेल : bos@unishivaji.ac.in</p>		
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Ref. No./SU/BOS/Law/ 299

Date: 06/05/2025

To,

The Principal,
Shahaji Law Colleges,
Shahupuri, Kolhapur

Subject: Regarding syllabi of LL.M. – Part - II Criminal Law Under
The faculty of Humanites.

Sir/Madam,

With reference to the subject mentioned above I am directed to inform you that the University authorities have accepted and granted approval to the revised syllabi, equivalence and nature of question paper of (Master of Law) LL.M. Part – II (Sem III & IV) Criminal Law under the Faculty of Humanities.

This syllabi shall be implemented from the academic year 2025-26 onwards. A soft copy containing the syllabus is attached herewith and it is also available on university website www.unishivaji.ac.in (Online Syllabus).

The question paper on the pre-revised syllabi of above mentioned course will be set for the examinations to be held in October/November 2025 & March/April, 2026. These chances are available for repeater students, if any.

You are therefore, requested to bring this to the notice of all students and teachers concerned.

Thanking you,

Yours faithfully


(Dr. S. M. Kubal)
 Dy. Registrar

Encl : As above

Copy to, For Information and necessary action.

The Dean, Faculty of Humanities.	Eligibility Section.
The Chairman, Respectice, BOS	P. G. Seminar Section.
Director, Board of Examinations & Evaluation	P. G. Admission Section.
Appointment A & B Section	Affiliation Section (T. 1 & T 2)
Internal Quality Assorance Cell (IQAC)	Computer Center/I. T. Cell.
Other Exam -I Section	

SHIVAJI UNIVERSITY, KOLHAPUR



A++ Accredited by NAAC (2021)
With CGPA 3.52 Grade

Syllabus For MASTER OF LAW Criminal Law

**Under
Faculty of Humanities**

Second Year of Two-year LL.M.

Programme

Choice Based Credit System (CBCS)

(To be implemented from Academic Year: 2025-26)

LL. M. – Part II**CRIMINAL LAW- COURSES****Semester III**

Sr No	Course/ Subject	Marks
1.	Criminal Justice and Procedural Fairness	100
2.	Criminal Justice and Sentencing Policy	100
3.	International Criminal Law	100
4.	Right to Information- SEC	50
		350

Semester – IV

Sr No	Course/ Subject	Marks
1.	Dissertation	300
2.	Public Interest Litigation- SEC	50
		350

LL. M. – II: Criminal Law:**Credit Allotment**

FIRST YEAR LL.M.: SEMESTER - I						
Sr No	Courses	Subjects	Pattern	Total Marks	Lectures Per week hrs	Total Credits
1	Specialization	Criminal Justice and Procedural Fairness	60:40	100	4	4
2	Specialization	Criminal Justice and Sentencing Policy	60:40	100	4	4
3	Specialization	International Criminal Law	60:40	100	4	4
4	SEC	Right to Information- SEC	-	50	2	2
	Total		-	350	14	14

FIRST YEAR LL.M.: SEMESTER - II						
Sr No	Courses	Subjects	Pattern	Total Marks	Sessions Per week hrs	Total Credits
1	Core Course	Dissertation	-	300	12	12

2	SEC	Introduction to Human Rights	-	50	2	2
		Total	-	350	14	14

LL. M. – II
Criminal Law
Semester III

Paper I
Criminal Justice and Procedural Fairness

Maximum Marks- 100

Objectives of the Course:

The objective of the Criminal Justice and Procedural Fairness course is to provide an in-depth understanding of the principles, frameworks, and practices that ensure fairness, equity, and justice in criminal proceedings. This course explores the theoretical foundations of criminal justice, due process, and rule of law, emphasizing the balance between state authority and individual rights. It critically examines key aspects of procedural fairness, including fair trial rights, access to justice, evidentiary standards, and protections against arbitrary detention and wrongful convictions. Through comparative and contemporary perspectives, students will analyze domestic and international legal frameworks, landmark judicial decisions, and emerging challenges in criminal adjudication. The course aims to equip students with the analytical and practical skills necessary to assess, critique, and contribute to the development of fair and effective criminal justice policies and procedures.

Unit I - Fair trial and Procedural Safeguards

- 1.1 Adversarial and inquisitorial System
- 1.2 Presumption of innocence
- 1.3 Burden of proof and Evidence
- 1.4 Constitutional safeguards through fundamental rights

Unit II- Bail or Jail

- 2.1 Political ploy and protection of liberty
- 2.2 Prison torture and suicide
- 2.3 Bail- Need and Procedure
- 2.4 Landmark Judicial verdicts

Unit - III Crime registration to Fair Investigation

- 3.1 Registration of FIR- delays and denials – is it big hassle to victim?
- 3.2 Investigation Procedure and Lacunas
- 3.3 Filing of Charge sheet – political interventions
- 3.4 Judicial inquiry and control during investigation

Unit IV- Criminal Justice and Accused Protection

- 4.1 Arrest Procedure and Guidelines, D.K. Basu to Paramvir Singh Saini Cases
- 4.2 Remand, Bail and Discharge
- 4.3 Speedy Justice and protection of Liberty
- 4.4 Plea Bargaining and Compounding

Unit V- Trial procedure and Emerging trends

- 5.1 Right of Victim to be Heard and to make Appeal
- 5.2 Victim Impact Assessment (VIA)
- 5.3 Witness protection versus Hostile Witness

5.4 Challenges before criminal Law enforcement agencies

Reference Books/ Bibliography:

1. Handbook of Human Rights and Criminal Justice in India: The System and Procedure – South Asia Human Rights Documentation Centre
2. Ratanlal & Dhirajlal's The Code of Criminal Procedure" – Justice K. T. Thomas and M. J. Sethna
3. Principles of Criminal Law" – Dr. K. I. Vibhute
4. Law of Bail, Bonds, Arrest and Custody" – Justice P. S. Narayana
5. The Indian Evidence Act" – Dr. V. Krishnamachari
6. Criminal Justice India Series" – N. R. Madhava Menon

Paper II

Criminal Justice and Sentencing Policy

Maximum Marks- 100

Objectives of the Course:

This course aims to provide an in-depth understanding of the principles, policies, and practices of criminal justice and sentencing. It explores the theoretical foundations of punishment, the role of judicial discretion in sentencing, and the impact of sentencing policies on crime prevention and rehabilitation. The course critically examines the Indian criminal justice system in comparison with global perspectives, highlighting contemporary debates on sentencing reforms, restorative justice, and human rights considerations. By the end of the course, students will develop analytical skills to assess sentencing frameworks, judicial decisions, and legislative policies while advocating for fair and effective criminal justice practices.

Unit I - Conceptualizing sentencing policy in India: Problems and perspectives

- 1.1 The Matrix of Punishment in India
- 1.2 Sentencing Powers and Procedural Limitations Under BNSS
- 1.3 Individualization of Punishment: The Anchor of Indian Sentencing Policy
- 1.4 Safeguards in Sentencing Policy- Challenges in Sentencing Policy In India

Unit II - Sentencing discretion in India: arbitrary sentencing and modalities to arrest arbitrariness-a comparative study

- 2.1 Theorizing Sentencing 'Disparity', 'Discrimination', and 'Inconsistency'
- 2.2 Sources of Inconsistency and Disparity in the Indian Sentencing System
- 2.3 Modalities to Arrest Arbitrariness in Sentencing
- 2.4 Attempted Reforms in India

Unit III - A critical analysis of death penalties and life imprisonment

- 3.1 Death Penalty: Introduction, Survival and Re-introduction
- 3.2 'Rarest of Rare' Doctrine: A Rolling Snowball Of Bleeding Disparity
- 3.3 Judicial Codification of Life Imprisonment-Towards Determinate Sentencing- 4 phase approach
- 3.4 Difficulties in Working Out Life Sentences

Unit IV- Clemency, Concessionary and short sentencing

- 4.1 Sources of Clemency, Concessionary and Short Sentencing
- 4.2 Remission and Commutation under substantive and Procedural Codes
- 4.3 Practices of different States in Allowing Remission - Consistency and Inconsistencies
- 4.4 The Model Jail Manual 2016 – Requirements and Implications

Unit V- Compensation in criminal cases- legislative trends

- 5.1 Three patterns of compensation
- 5.2 Legislative Trends in the Development of Compensation in Criminal Cases
- 5.3 Judicial Expositions
- 5.4 Alternatives to Sentencing I – Pre-Trial Process and Alternatives to Sentencing II– During -Trial Process

Reference Books/ Bibliography:

- 1. Sentencing and Criminal Justice" – Andrew Ashworth
- 2. Sentencing Policy in India: A Study of Criminal Justice System" – IJMRT Journal
- 3. Sentencing Policy in Indian Criminal Justice System: An Analysis with Reference to Compoundable Offences" – Honey Malhotra
- 4. Determination of Sentences in India: Policy and Practice" – International Annals of Criminology
- 5. Committee on Reforms of Criminal Justice System" – Ministry of Home Affairs, Government of India
- 6. Sentencing: Theory and Practice" – e-PG Pathshala

Paper III International Criminal Law

Maximum Marks- 100

Objectives of the Course:

The International Criminal Law course aims to provide a comprehensive understanding of the legal frameworks, institutions, and principles governing the prosecution and punishment of international crimes. This course explores the evolution, sources, and jurisdiction of international criminal law, focusing on core crimes such as genocide, war crimes, crimes against humanity, and aggression. It examines the role of international tribunals, including the International Criminal Court (ICC), ad hoc tribunals, and hybrid courts, in ensuring accountability for grave violations of human rights. The course also critically analyzes issues of state sovereignty, individual criminal responsibility, defenses, procedural fairness, and challenges in enforcement. By engaging with case studies, landmark decisions, and contemporary debates, students will develop the analytical and practical skills necessary to navigate and contribute to the evolving field of international criminal justice.

Unit I - International Criminal Law: Introduction

- 1.1 International Criminal Law Meaning and Concept
- 1.2 History of International Jurisdiction
- 1.3 Concept of International Crime and rise of Individual Criminal
- 1.4 Main Actors in the field of International Criminal Law

Unit II- Notion and General Features of the International Criminal Law

- 2.1 Sources of International Criminal Law
- 2.2 Principles of interpretations
- 2.3 Role of United nations
- 2.4 Other regional organizations to prevent crime

Unit III - International Crimes - I

- 3.1 Genocide
- 3.2 Crimes against humanity
- 3.3 War Crimes

3.4 Crime of aggression

Unit IV- International Crimes - II

- 4.1 Transnational Crimes
- 4.2 Terrorism and Hijacking and torture
- 4.3 Piracy
- 4.4 Cross border entry

Unit V- International Response to Combat International Crime

- 5.1 Rome Statute, 1998- History and Provisions
- 5.2 International Criminal Court- Jurisdiction and operation
- 5.3 International Criminal Police organization-INTERPOL
- 5.4 Extradition and mutual assistance of nations

Reference Books/ Bibliography:

- 1. International Criminal Law and International Criminal Court – Dr. Nirmal Kanti Chakrabarti
- 2. A Textbook on International Criminal Law – Dr. K.C. Joshi
- 3. International Criminal Law and Human Rights – Dr. Manoj Kumar Sinha
- 4. International Criminal Law: Issues and Challenges – Dr. K.C. Joshi
- 5. International Criminal Law and Child Rights – Dr. Ved Kumari
- 6. International Criminal Law and Transitional Justice – Dr. R. K. Dixit

Paper IV

Right to Information- SEC

Maximum Marks- 50

Objectives-

To familiarize students with their fundamental right to know whether public administration works as per the provisions of laws and statutes under which they have been appointed. This course also deals with developing and enhancing skills of enquiry about functioning of Government Authorities as guaranteed by the Constitution of India Art. 19 and 21.

Unit I – Introduction

- 1.5 Introduction to the Right to information Act. 2005.
- 1.6 Important Definitions.
- 1.7 Statement of Objectives and Reasons.
- 1.8 Right to information Act and obligations of public authorities.

Unit II – The Central Information Commission

- 2.1 Constitution of Central Information Commission.
- 2.2 Term of Office and Conditions of Service.
- 2.3 Removal of the Chief Information Commission.

Unit III – The State Information Commission

- 3.1 Constitution of State Information Commission.
- 3.2 Term of Office and Conditions of Service.
- 3.3. Removal of the State Chief Information Commission.

Unit IV- Powers and functions of the Information Commissions, appeal and penalties

- 4.1 Duties of the Central Information Commission or State Information Commissions.
- 4.2 Powers of a civil court while trying a suit under the Code of Civil Procedure, 1908.
- 4.3 Appeal
- 4.4. Penalties

Unit V – Miscellaneous

- 5.1 Protection of action taken in good faith.
- 5.2 Act to have overriding effect.
- 5.3 Bar of jurisdiction of courts.
- 5.4 Act not to apply to certain organizations.

Unit VI- Monitoring and Reporting

- 6.1 Appropriate Government to prepare programmes.

Unit VII - Power to make rules by appropriate Government

- 7.1 Laying of rules.
- 7.2 Power to remove difficulties.

Unit VIII – Schedules and Forms

- 8.1 First Schedule.
- 8.2 Second Schedule.
- 8.3 Forms.

Select Bibliography:

- 1. Right to Information Act, 2005 Bare Act and Commentary.
- 2. All other sources of Books and Law Reports.

**LL.M Part – II
Semester - IV**

**Paper I
Dissertation and Viva-Voce**

Maximum Marks: 300

- 200 Marks for Term Work and 100 Marks for Viva Voce.
- Students are required to select a burning topic based on socio-legal studies for research work and by way of documentary and non-documentary or empirical research methodology and submit the 'Thesis' in hard bound after taking guidance from the allotted supervisor. The Report should be as per the standard format and submit in at least 150 to 200 pages.

Objectives of the Course:

To inculcate research skills in the students, that they will be able to find out the truth about socio-legal issues. To equip them with critical reasoning and expressing their opinion with a Significant research and suggest certain feasible suggestions. To make the LL.M. program in Criminal Laws research oriented, every student has to carry out Dissertation work selecting any topic from the subjects taught in the last three semesters applying Legal Research Methodology which is to be submitted for evaluation internally externally has to appear for viva-voce.

**Paper II
Public Interest Litigation SEC**

Max. Marks: 50

Objective of the Course: SEC

The majority of the people of our Country are Subjected to the denial of 'access to justice' and overtaken by despair and helplessness, they continue to remain victims of an exploitative Society where economic

power is Concentrated in the hands of a few and it is used for perpetuation of domination over large masses of human beings. The strategy of public interest litigation has been evolved by the Supreme Court with a view to bringing justice within the easy reach of the poor and disadvantaged sections of the Community. This course aims at training the budding lawyers to be learned citizens who may be able to file PILs which may help the poor, needy and downtrodden people to have justice.

Syllabus:

Unit I – Introduction

- 1.1 Concept of Judicial Activism.
- 1.2 Meaning and Definition of PIL.
- 1.3 Significance of PIL.

Unit II – Genesis and Evolution of PIL in India: Some Landmark Judgments

- 2.1 Origin and Development of PILs
- 2.2 Landmark Judgments

Unit III – Factors Responsible for the Growth of PIL in India

- 3.1 The character of the Indian Constitution.
- 3.2 The liberal interpretation of locus standi.
- 3.3 Judicial innovations to help the poor and marginalized

Unit IV – Who Can File a PIL and Against Whom?

- 4.1 Any citizen under:
 - 4.1.1 Under Art 32 of the Indian Constitution, in the Supreme Court.
 - 4.1.2 Under Art 226 of the Indian Constitution, in the High Court.
- 4.2 Essential Ingredients for PIL
- 4.3 PIL against State / Central Govt., Municipal Authorities and not any private party.

Unit V – Significance of PIL

- 5.1 Access to Court to seek legal redress
- 5.2 Instrument of Social Change
- 5.3 To make Justice accessible to the poor and the marginalized
- 5.4 Democratizes the access of justice to all
- 5.5 Public participation in judicial review

Unit VI – Certain Weaknesses of PIL

- 6.1 Problem of competing rights
- 6.2 Overburden of PIL by vested interest
- 6.3 Judicial Overreach
- 6.4 Inordinate delays in the disposal of PIL cases

Unit VII – Procedure to File a Public Interest Litigation

- 7.1 In High Courts.
- 7.2 In Supreme Court.
- 7.3 Court Fees
- 7.4 Procedure

Unit VIII –Conclusion

- 8.1 Criticism against PIL
- 8.2 PIL: Present Scenario

Select Bibliography:

1. M.P. Jain, 'Indian Constitutional Law', vol-I (5th Ed., 2003, Wadhwa Nagpur).
2. Durga Das Basu, 'Commentary on the Constitution of India', vol-II (8th Ed., 2008, Lexis Nexis, Butterworth Wadhwa).
3. P.N. Bhagwati, "Judicial activism".
4. Jill Cottrell, "Third generation rights and social action litigation," in Adelman and Paliwala, Law and crisis.
5. Ahuja, Sangeeta, People, Law and Justice. A Case Book on PIL, Vol.I, Orient Longman Ltd., New Delhi, 1997.
6. Austin, Granville, The Indian Constitution – Cornerstone of a Nation, Oxford University Press, New Delhi, 1996.
7. Basu, Durga Das, Comparative Constitutional Law, Prentice Hall of India (P) Limited, New Delhi, 1984.