



DR. B.R. AMBEDKAR NATIONAL LAW UNIVERSITY, SONEPAT

(Established by the Haryana State Legislature Act No. 15 of 2012)

SYLLABUS

**Course Name: Comparative Constitution
Law & Governance**
Course Code: ML101

Session	Programme:	Semester:	L	T	P	Credit	Contact Hrs. per Week:
2025-26 onwards	<u>Two year LL.M.</u>	I	3	1	0	4	4
							Total Hrs.: 60

Course-specific Objectives

1. To introduce core concepts of Constitution and Constitutionalism through comparative legal systems.
2. To compare government structures in U.S., U.K., and India, focusing on institutional frameworks.
3. To analyze legislative, executive, and judicial functions in a comparative constitutional environment.
4. To understand the evolving nature of constitutions through amendments and judicial interpretations.
5. To explore governance issues, citizen rights, and constitutional remedies in three major democracies.

Course-specific Outcomes

- After the completion of this course, students will be able to:
1. Understand the core constitutional principles across jurisdictions and evaluate their impact on governance.
 2. Compare various forms of government and analyze the functioning of state organs in the U.S., U.K., and India.
 3. Understand different models of the state and evaluate governance practices promoting accountability.
 4. Critically assess constitutional amendment procedures and identify limitations on amending powers.
 5. Analyze the doctrine of judicial review, its scope, and will understand the functioning of government of U.S., U.K., and India.

SCHEME OF EXAMINATION

Examination shall be divided into two components:

- I.** Continuous Internal Assessment = 30 marks
- II.** End Term Examination = 70 marks



Continuous Internal Assessment (CIA)-30 m <ul style="list-style-type: none"> Continuous assessment parameters are designed to promote the cognitive ability and to enhance research & analytical skills. CIA is a teacher-driven exercise which is part of class-room teaching-learning process. Teacher will inculcate this assessment within teaching methodology of the given course. Drafting of PIL/ Seminar Research Paper/Term Paper & Presentation of 30marks in total (20 marks written submission and 10 marks for presentation). Anyone of the mentioned assignment shall be allocated by the subject teacher to the students which shall carry 30marks (20 marks written submission and 10 marks for presentation). Students shall be encouraged to make use of ICT tools for their assignments. Mode of CIA varies from course to course; it primarily includes practical teaching, learning & assessment as per requirement of the legal profession from that specific course. 		End-term Examination-70 marks	
Mode of Continuous Evaluation / Assessment		Marks	
I	i. Drafting of PIL/ Seminar or Research Paper/Term paper	20 + 10 = 30	End Term Examination
	ii. Presentation		
Total		30	70
Details on pattern of End Term Examination:			



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1. Three hours examination of 70 marks will be conducted as per schedule of the examination released by the University. The end term question paper shall consist of Five Questions in all.
2. The first question is compulsory and it shall contain short answer-type questions from all the modules, carrying 2.5 marks each and the student shall be required to attempt all the four questions.
3. Question No. 2, 3, 4 and 5 shall be long-answer-type questions from all the four modules and students shall be required to attempt either of the given two options from each module. Each long answer type question shall carry 15 Marks.

4. Pattern of question paper:

Question Paper will be divided into five-sections (Section A, B, C, D, & E)

- **Section A (Short-questions)**

- Total 04 questions of 2.5 marks each
- One question from each Module will necessarily be framed therein Sec. A
- There will be no choice in Section A

- **Sections B, C, D, & E (long questions)**

- Questions in Sec. B, C, D. & E will contain long questions of 15 marks each;
- Questions in above four Sections will cover Module I, II, III, & IV respectively
- Internal Choice will be there in long-questions
- One of the optional questions, within every section of the question paper, will necessarily be an application / problem-based question, and the other optional question will be a theory / concept-based question.

Note: Question paper will cover all modules equally / proportionately keeping in view the course objectives and the outcomes.

COURSE CONTENT

Module No.	Content	Contact Hrs.
I	1 The Concept of Constitution & Constitutionalism i. Meaning and Idea of Constitution, ii. Constitution as a Dynamic and Supreme Law	15



	<ul style="list-style-type: none"> iii. Concept of Constitutionalism iv. Essential features of constitutionalism v. Distinction between Constitution and Constitutionalism <p>2 Study of Comparative Constitutional Law</p> <ul style="list-style-type: none"> (i) Relevance & significance of comparative constitutional law <ul style="list-style-type: none"> a) Sources of constitution and constitutional law b) Judicial precedents of common law countries as source of judicial pronouncements in India (ii) Problems and Concerns in Using Comparison 	
II	<p>1. Constitutional Principles</p> <ul style="list-style-type: none"> i. Rule of law ii. Modern Concept of Rule of Law iii. Social and economic rights as part of rule of law iv. Separation of powers v. The doctrine of Checks and Balances vi. Position of Rule of Law and Separation of Powers in the Indian Constitution <p>2. Constitutional foundations of powers</p> <ul style="list-style-type: none"> i. Legislative Power ii. Executive Power iii. Judicial Power iv. Appointment of Judges and Judicial Accountability v. Role of Courts and Fundamental Rights vi. Role of the Courts in ensuring Good Governance 	15
III	<p>1. State and Governance</p> <ul style="list-style-type: none"> i. The concept of Good Governance ii. The methods to ensure Good Governance iii. State and Civil Liberties <p>2. Forms of Governments</p> <ul style="list-style-type: none"> i. Federal and Unitary Forms 	15



	<ul style="list-style-type: none"> a) Features, Advantages and Disadvantages b) Models of Federalism Quasi – federalism <p>Parliamentary and Presidential Forms of Government</p>	
IV	<p>1. Amendment of the Constitution</p> <ul style="list-style-type: none"> i. Methods of Amendment ii. Limitations on the Amending Power: Comparative Perspective iii. Theory of Basic Structure: Origin and Development <p>2. Constitutional Review</p> <ul style="list-style-type: none"> i. Concept and Origin of Judicial Review ii. Methods of Constitutional Review iii. Judicial and Political Review iv. Concentrated and Diffused Review v. Anticipatory and Successive Review <p>Limitations on Judicial Review</p>	15

PEDAGOGY

Teaching methodology is course-specific and aims at enhancing the research skills & professional growth of the students. Further, it aims at contributing socio-legal development of the country by considering aims & objectives of various initiatives of the state, like, NEP-2020, Viksit Bharat – 2047 and Sustainable Development Goals & holistic development of the students.

Pedagogy of this course integrates theoretical knowledge through lecture of law with its practical dimensions, focusing on law and its relation with inter-disciplines. This course will be delivered through class-room lectures, interactive discussions (Socratic method), tutorial methods and experiential learning & research-based exercise. Participatory techniques will be employed to encourage critical analysis and ethical reasoning.

Use of documentaries, visual media, and ICT tools will further aid in enhancing engagement & contextual understanding of the students. Emphasis will be laid on developing understanding of contemporary issues related to this course. It revolves around application of the law in real-life situations so that the students are able to satisfy expectations of the legal profession and research prospects. Accordingly, methods of teaching, evaluation & assessment have been devised in this course.



SUGGESTED READINGS

LIST OF BOOKS

Essential Readings:

- D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur).
- D.D. Basu, Comparative Federalism (Lexis Nexis, 2007)
- D.D. Basu, Introduction to the Constitution of India (Lexis-Nexis-Butterworth Wadhwa, 2008).
- M.V. Pylee, Constitution of the World (Universal, 2006)
- Mahendra P. Singh, Comparative Constitutional Law (Eastern Book Company, 1989).
- M.P. Singh, Comparative Constitutional Law (Eastern Book Company, 2011).
- Dr. Subash Kashyap, Framing of Indian Constitution (Universal Law, 2004).
- S.N. Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).

Suggested Readings:

- David Strauss, The Living Constitution (OUP, 2010).
- Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008)
- Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006).
- Neral Devins and Louis Fisher, The Democratic Constitution (OUP, 2010).
- Sudhir Krishna Swamy, Democracy and Constitutionalism in India – A study of the Basic Structure Doctrine (POUP, 2009)
- Sunil Khilnani, Vikram Raghavan, Arun Thiruvengadam, Comparative Constitutionalism in South Asia (POUP, 2013).
- Vikram David Amar, Mark Tushnet, Global Perspectives on Constitutional Law (OUP, 2009).
- Granville Austin, The Indian Constitution: Cornerstone of a Nation (OUP, 2008).
- Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A Cornerstone of Good Governance (Oxford University Press, 2010).

Note:

Suggested readings/case laws are not exhaustive. Students are advised to read latest edition of the books and to refer E-sources like: *West Law*; *JSTOR*, *Heinonline*, *EPW*, *Manupatra*, *website of Law Commission of India*, *liiofindia.org*. National Judicial Grid



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SYLLABUS							
Course Name: Legal Research and Teaching Methods Course Code: ML102							
Session 2025-26 onwards	Programme: <u>Two year LL.M.</u>	Semester: I	L	T	P	Credit	Contact Hrs. per Week: 4
			3	1	0	4	Total Hrs.: 60
Course-specific Objectives		1. To introduce students to the fundamental concepts, scope, and importance of legal research.					
		2. To guide the students in developing their understanding of different research methodologies, including doctrinal and empirical approaches.					
		3. To familiarize students with essential research tools, techniques, and sources of legal information.					
		4. To guide the students in cultivating their analytical and critical thinking skills required for conducting independent legal research.					
		5. To enable students to apply research methodologies effectively in academic writing and legal teaching.					
Course-specific Outcomes		After the completion of this course, students will be able to:					
		1. Understand the objectives, nature, and various types of legal research.					
		2. Formulate a research problem and design appropriate research methodology.					
		3. Identify and apply suitable tools and techniques for legal research.					
		4. Collect, analyze, and interpret legal and socio-legal data effectively.					
		5. Conduct independent legal research and present findings in academic format.					
SCHEME OF EXAMINATION							
Examination shall be divided into two components:							
I. Continuous Internal Assessment = 30 marks							
II. End Term Examination = 70 marks							
Continuous Internal Assessment (CIA)-30 m				End-term Examination (70 marks)			
• Continuous assessment parameters are designed to							



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<p>promote the cognitive ability and to enhance research & analytical skills. CIA is a teacher-driven exercise which is part of class-room teaching-learning process. Teacher will inculcate this assessment within teaching methodology of the given course.</p> <ul style="list-style-type: none">• Drafting Research Synopsis for dissertation/ Preparing Research Design or Course Curriculum Drafting & Presentation. Anyone of the mentioned assessment shall be assigned by the subject teacher to the students which shall carry 30 marks (20 marks written submission and 10 marks for presentation). Students shall be encouraged to make use of ICT tools for their assignments.• Mode of CIA varies from course to course; it primarily includes practical teaching, learning & assessment as per requirement of the legal profession from that specific course.				
Mode of Evaluation / Assessment		Marks	Mode of Evaluation	Marks
I	i. Drafting Research Synopsis for dissertation or Preparing Research Design or Course Curriculum Drafting	20 + 10 = 30	End Term Examination	70
	ii. Presentation:			
Total		30		
Details on pattern of End Term Examination:				
<div>1. Three hours examination of 70 marks will be conducted as per schedule of the examination released by the University. The end term question paper shall consist of Five Questions in all.</div> <div>2. The first question is compulsory and it shall contain short answer-type questions from all the modules,</div>				



carrying 2.5 marks each and the student shall be required to attempt all the four questions.

3. Question No. 2, 3, 4 and 5 shall be long-answer-type questions from all the four modules and students shall be required to attempt either of the given two options from each module. Each long answer type question shall carry 15 Marks.

4. Pattern of question paper:

Question Paper will be divided into five-sections (Section A, B, C, D, & E)

• **Section A (Short-questions)**

- Total 04 questions of 2.5 marks each
- One question from each Module will necessarily be framed therein Sec. A
- There will be no choice in Section A

• **Sections B, C, D, & E (long questions)**

- Questions in Sec. B, C, D. & E will contain long questions of 15 marks each;
- Questions in above four Sections will cover Module I, II, III, & IV respectively
- Internal Choice will be there in long-questions
- One of the optional questions, within every section of the question paper, will necessarily be an application / problem-based question, and the other optional question will be a theory / concept-based question.

Note: Question paper will cover all modules equally / proportionately keeping in view the course objectives and the outcomes.

COURSE CONTENT

Module No.	Content	Contact Hrs.
I	1. Introduction to Research <ul style="list-style-type: none">i. Meaning, Nature, Objectives and Need for Researchii. Types of Research; Doctrinal and Non-Doctrinal legal researchiii. Reasoning in legal researchiv. Ethics in Researchv. Information Technology and Legal Research 2. Legal Research: Methods -Comparative Legal Research, Qualitative Research, Empirical and Quantitative Research	15



<p>II</p>	<p>1. Designing Research</p> <ul style="list-style-type: none"> i. Meaning & scope of research design ii. Research area v. research topic v. research problem v. research issues iii. Preliminary research: literature review iv. Identification and Formulation of research problem v. Research Objectives, Questions and Hypothesis vi. Framing Research Design 	<p>15</p>
<p>III</p>	<p>1. Legal Research: Tools</p> <ul style="list-style-type: none"> i. Sampling process ii. Tools and Techniques <ul style="list-style-type: none"> a. Ethnographic Approaches b. Observation studies c. Questionnaire, Interview Schedule, & Survey d. Case-Study e. Focused Group Discussion <p>2. Data Analysis and Legal Writing</p> <ul style="list-style-type: none"> i. Approaches and techniques of Data Analysis ii. Data validation iii. Report writing and Referencing 	<p>15</p>
<p>IV</p>	<p>1. Role of Teachers in Growth & Development of Legal Education Framework, including Law Colleges & Students</p> <p>2. Teaching Learning Process and Evaluation in Legal education Framework</p> <ul style="list-style-type: none"> i. Stakeholders in Teaching Learning Process ii. Legal Pedagogy: Conceptual Framework iii. Nature & Kinds of Teaching Methods iv. Teaching Methods & Nature of Course Curriculum v. Teaching Methods & Alignment with Course Objectives & Programme Outcomes (COs & POs) vi. Examination / Evaluation / Assessment & its Alignment with Course 	<p>15</p>



	Objectives & Programme Outcomes	
	vii. Examination / Evaluation / Assessment & Final Outcomes	
PEDAGOGY		
<p>Teaching methodology is course-specific and aims at enhancing the research skills & professional growth of the students. Further, it aims at contributing socio-legal development of the country by considering aims & objectives of various initiatives of the state, like, NEP-2020, Viksit Bharat – 2047 and Sustainable Development Goals & holistic development of the students.</p> <p>Pedagogy of this course integrates theoretical knowledge through lecture of law with its practical dimensions, focusing on law and its relation with inter-disciplines. This course will be delivered through class-room lectures, interactive discussions (Socratic method), tutorial methods and experiential learning & research-based exercise. Participatory techniques will be employed to encourage critical analysis and ethical reasoning.</p> <p>Use of documentaries, visual media, and ICT tools will further aid in enhancing engagement & contextual understanding of the students. Emphasis will be laid on developing understanding of contemporary issues related to this course. It revolves around application of the law in real-life situations so that the students are able to satisfy expectations of the legal profession and research prospects. Accordingly, methods of teaching, evaluation & assessment have been devised in this course.</p>		
SUGGESTED READINGS		
LIST OF BOOKS		
<u>Essential Readings:</u>		
<ul style="list-style-type: none">• Verma, SK & Wani, Afzal V (eds) (2001). <i>Legal Research and Methodology</i>. New Delhi: Indian Law Institute.• Baxi, U (1975). <i>Socio-legal research in India: A Programschrift</i>, New Delhi: Indian Council of Social Science Research• Bryman, A (2015) <i>Social Research Methods</i>, Oxford University Press.• Sinha, M.K. & Kharb, D. (2016) <i>Legal Research Methodology</i>. New Delhi: Indian Law Institute.• Jain, S.N., “Legal Research and Methodology”• Jain, S.N., “Doctrinal and Non-doctrinal Research” in <i>Legal Research and Methodology</i>, ILI		
<u>Suggested Readings:</u>		



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- Frederic Schauer, Thinking like a Lawyer, Harvard University Press, 2009
- Michael G. Maxfield and Earl Babbie, Research Methods for Criminal Justice and Criminology, Thompson Learning, 2001
- Winston Jackson, Research Methods: Rules for Survey Design and Analysis, PHI, 1988
- Lindsay Prior, Using Documents in Social Research, Sage Publication, 2003
- Alan Bryman, Social Research Methods, Oxford University Press, 2001
- M. N. Borse, Handbook of Research Methodology, Modern Methods And New Techniques, Srinivas Publication, 2005.
- A.K. Phophalia, Modern Research Methodology, Paradise Publishers, 2010.
- Peter Clough and Cathy, But Brown, A Students' Guide For Research Methodology, Sage Publication, 2002
- C.R. Kothari, Research Methodology: Methods & Techniques, New Age International Publishers, 2006.
- Anwarul Yaquin, Legal Research and Writing Methods, LexisNexis Butterworths Wadhwa, Nagpur, 2008

Note:

Suggested readings/case laws are not exhaustive. Students are advised to read latest edition of the books and to refer E-sources like: *West Law*; *JSTOR*, *Heinonline*, *EPW*, *Manupatra*, *website of Law Commission of India*, *liiofindia.org*. National Judicial Grid



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SYLLABUS							
Course Name: Law & Justice in the Globalised World Course Code: ML103							
Session 2025-26 onwards	Programme: <u>Two year LL.M.</u>	Semester: I	L	T	P	Credit	Contact Hrs. per Week: 4
			3	1	0	4	Total Hrs.: 60
Course-specific Objectives		Teaching learning activities under this course will aim at					
		<div>1. Examining the evolving conceptions of law and justice in a rapidly globalizing world.</div> <div>2. Analyzing the impact of globalization on legal systems, judicial institutions, and governance structures.</div> <div>3. Exploring the political economy of globalization and its influence on lawmaking and justice delivery.</div> <div>4. Assessing the role of international legal instruments in protecting the rights of marginalized communities.</div> <div>5. Understanding the global legal responses to marginalized groups, environmental challenges etc. with focus on Sustainable Development Goals ‘SDGs’ and their relevance to justice frameworks.</div>					
Course-specific Outcomes		After the completion of this course, students will be able to:					
		<div>1. Understand and evaluate different theoretical approaches to the concept of justice.</div> <div>2. Analyze the political and economic dimensions of globalization and their legal implications.</div> <div>3. Assess how globalization affects the administration and accessibility of justice.</div> <div>4. Identify and interpret international legal instruments related to rights and social justice.</div> <div>5. Apply legal knowledge to advocate for marginalized groups, environmental challenges and address SDGs and global justice issues.</div>					



SCHEME OF EXAMINATION

Examination shall be divided into two components:

I. Continuous Internal Assessment = 30 marks

II. End Term Examination = 70 marks

Continuous Internal Assessment:

- Continuous assessment parameters are designed to promote the cognitive ability and to enhance research & analytical skills. CIA is a teacher-driven exercise which is part of class-room teaching-learning process. Teacher will inculcate this assessment within teaching methodology of the given course.
- Seminar Research Paper/ Term paper & Presentation of 30 marks. Anyone of the mentioned assessment shall be assigned by the subject teacher to the students which shall carry 30 marks (20 marks written submission and 10 marks for presentation). Students shall be encouraged to make use of ICT tools for the assignments.
- Mode of CIA varies from course to course; it primarily includes practical teaching, learning & assessment as per requirement of the legal profession from that specific course.

End-term Examination (70 marks)

Mode of Evaluation / Assessment		Marks	Mode of Evaluation	Marks
I	i. Seminar Research Paper/ Term Paper	20 + 10 = 30	Examination	70
	ii. Presentation			
Total		30		



Details on pattern of End Term Examination:

1. Three hours examination of 70 marks will be conducted as per schedule of the examination released by the University.
2. The end term question paper shall consist of Five Questions in all.
3. The first question is compulsory and it shall contain short answer-type questions from all the modules, carrying 2.5 marks each and the student shall be required to attempt all the four questions.
4. Question No. 2, 3, 4 and 5 shall be long-answer-type questions from all the four modules and students shall be required to attempt either of the given two options from each module.
5. Each long answer type question shall carry 15 Marks.
6. Pattern of question paper: Question Paper will be divided into five-sections (Section A, B, C, D, & E)
 - **Section A (Short-questions)**
 - Total 04 questions of 2.5 marks each
 - One question from each Module will necessarily be framed therein Sec. A
 - There will be no choice in Section A
 - **Sections B, C, D, & E (long questions)**
 - Questions in Sec. B, C, D. & E will contain long questions of 15 marks each;
 - Questions in above four Sections will cover Module I, II, III, & IV respectively
 - Internal Choice will be there in long-questions
 - One of the optional questions, within every section of the question paper, will necessarily be an application / problem-based question, and the other optional question will be a theory / concept-based question.

Note: Question paper will cover all modules equally / proportionately keeping in view the course objectives and the outcomes.

COURSE CONTENT

Module No.	Content	Contact Hrs.
I	1. Theories of Law and Theories of Justice: historical development 2. Principle of Natural Justice 3. Contemporaneous theories of justice: commutative and distributive justice	15



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	<ol style="list-style-type: none"> 4. Restorative Justice: contemporaneous legislative perspective & judicial approach 5. Theories of liberty, freedom, just & fairness, equality, & justiciability 	
II	<ol style="list-style-type: none"> 1. Meaning of Globalization, It's Impact on Social, Political and Economic Development 2. Impact of Globalization on Judicial Process and Administration of Justice. 3. Operationalization of liberty in a democratic society <ol style="list-style-type: none"> a. Constitutional Freedoms and reasonable restrictions b. Debates on Euthanasia c. Death penalty d. Civil disobedience e. Affixing liability 	15
III	<ol style="list-style-type: none"> 1. The concept of Basic Human Needs- Economic and Social 2. Basic Needs and the concept of Human Rights 3. Humanitarian Intervention 4. Principle of Responsibility to Protect (R2P) 5. Human Rights and Environment 	15
IV	<ol style="list-style-type: none"> 1. Child protection and Child Rights: legislative perspectives 2. Feminist Legal Theory 3. LGBT issues and judicial perspective 4. Sociology of Public Interest Litigation/ Social Action Litigation for Social change 5. Legislative action & judicial perspective in r/o undertrials 6. Rights of disabled people: legislative perspective 	15

PEDAGOGY

Teaching methodology is course-specific and aims at enhancing the research skills & professional growth of the students. Further, it aims at contributing socio-legal development of the country by considering aims & objectives of various initiatives of the state, like, NEP-2020, Viksit Bharat – 2047 and Sustainable Development Goals & holistic development of the students.



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Pedagogy of this course integrates theoretical knowledge through lecture of law with its practical dimensions, focusing on law and its relation with inter-disciplines. This course will be delivered through class-room lectures, interactive discussions (Socratic method), tutorial methods and experiential learning & research-based exercise. Participatory techniques will be employed to encourage critical analysis and ethical reasoning.

Use of documentaries, visual media, and ICT tools will further aid in enhancing engagement & contextual understanding of the students. Emphasis will be laid on developing understanding of contemporary issues related to this course. It revolves around application of the law in real-life situations so that the students are able to satisfy expectations of the legal profession and research prospects. Accordingly, methods of teaching, evaluation & assessment have been devised in this course.

LIST OF BOOKS / READINGS

Essential Readings:

- John Rawls, A Theory of Justice (Harvard University Press, 1971)
- Amartya Sen, The Idea of Justice (2009)
- M.K. Gandhi, Hind Swaraj or Indian Home Rule (Navjiwan Trust, 1938)
- Martha Nussbaum, Frontiers of Justice: Disability, Nationality, Species Membership, Chapter 2 (2006)
- Jagdish Bhagwati, In Defense of Globalization (Oxford University Press, 2007)
- Upendra Baxi, Dual Standards of Justice Since Globalization, reported at <http://www.bhopal.net/dual-standards-of-justice-since-globalisation-prof-upendra-baxi/> (2006)

Articles:

- Ved Kumari, Gender Analyses of Indian Penal Code in Amita Dhanda and Archana Parashar (ed), Engendering Law Essays in honour of Lotika Sarkar, 139-160 (1999)
- Upendra Baxi, From Human Rights to the Right to be a Woman, Engendering Law, Essays in honors of Lotika Sarkar (EBC) 1999 pp. 117-138.
- Kirti Singh, 'Violence against women and the Indian Law' in Violence, Law and Women rights in South Asia (ED) Savitri Goonesekere (2004) Sage pp. 77-147.
- UN Convention on Rights Of Child
- Upendra Baxi, Taking Suffering Seriously: Social Action Litigation in the Supreme Court of India, Law



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and Poverty (ed) U. Baxi 387-415 (1988).

- Upendra Baxi, *Law Struggle and Social Changes: An Agendum for Social Activities*, 35 *Social Action* 118-25 (1985).
- Parmanand Singh, **Access to Justice: Public Interest Litigation and the Indian Supreme Court**, 10-11, *Delhi Law Review* 156-73 (1981-82).
- Parmanand Singh, **Judicial Socialism and Promises of Liberation**, 28 *J.I.L.I.* 336-47 (1986).
- Upendra Baxi, **Untouchability: Constitutional, Law and Plan**, *Law and Poverty* (ed) Upendra Baxi 165-75 (1988).
- Upendra Baxi, **The Protection of Civil Rights Act, Pitfalls in Implementation**, *Law and Poverty* (ed) U.

Suggested Readings:

- Eric Hobsbawm, **How to Change the World** (2012), pp. 399-419
- Karl-Heinz Ladeur (ed.), **Public Governance in the Age of Globalization** (2004).
- Laura Valentini, **Justice in a Globalizing World: A Normative Framework** (OUP, 2011)
- Judge Hisashi Owada, **Some Reflections on Justice in a Globalizing World**, 97
- American Society of International Law – Proceedings of the 101st Annual Meeting
- (April 2-5, 2003).
- Wenhua Shan, Penelope Simons et al., **Redefining Sovereignty in International**
- **Economic Law** (Hart Publishing, 2008).
- William Twining, **General Jurisprudence: Understanding Law from a Global**
- **Perspective**, Cambridge University Press, 2009.
- Michael Freedman (ed.), *Lloyd's Introduction to Jurisprudence* (8th ed. 2008), Chapter on **Feminist Jurisprudence**
- Morris Gatens, **A Critique of the Sex/Gender Distinction** in *Feminism and Subjectivity*, pp. 139-154
- Kamla Bhasin, **What is Patriarchy?** (1993)

Note:

Suggested readings/case laws are not exhaustive. Students are advised to read latest edition of the books and to refer E-sources like: *West Law*; *JSTOR*, *Heinonline*, *EPW*, *Manupatra*, *website of Law Commission of India*, *liiofindia.org*. National Judicial Grid



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SYLLABUS							
Course Name: Alternate Dispute Resolution Mechanisms							
Course Code: ML104							
Session 2025-26 onwards	Programme: Two year LL.M.	Semester: I	L	T	P	Credit	Contact Hrs. per Week: 4
			3	1	0	4	Total Hrs.: 60
Course-specific Objectives	Teaching-learning activity under this course will aim at:						
	1. Introducing the concept, philosophy, and significance of Alternate Dispute Resolution in the legal system. 2. Familiarizing the students with various ADR methods such as arbitration, mediation, conciliation, and negotiation. 3. Assisting the students in analyzing the legal framework governing ADR in India and international jurisdictions. 4. Equipping the students with practical skills for conducting ADR proceedings and drafting related documents. 5. Encouragng critical thinking on the role of ADR in reducing litigation and promoting access to justice						
Course-specific Outcomes	After completion of this course, Students will be able to:						
	1. Understand the concept and objectives of various ADR mechanisms. 2. Differentiate between arbitration, mediation, conciliation, and negotiation. 3. Interpret and apply legal provisions governing ADR processes in India and globally. 4. Demonstrate basic skills required for participating in and facilitating ADR proceedings. 5. Evaluate the effectiveness of ADR in resolving disputes and promoting justice delivery.						
SCHEME OF EXAMINATION							
Examination shall be divided into two components:							
I. Continuous Internal Assessment = 30 marks							



II. End Term Examination = 70 marks			
Continuous Internal Assessment (CIA)-30 m <ul style="list-style-type: none"> Continuous assessment parameters are designed to promote the cognitive ability and to enhance research & analytical skills. CIA is a teacher-driven exercise which is part of class-room teaching-learning process. Teacher will inculcate this assessment within teaching methodology of the given course. Designing ADR tasks, workshops etc, stimulating exercises on drafting e.g. Mediation and other ADR plans. CIA shall focus on an interactive teaching style; teaching conflict resolution, negotiation and communication skills Mediation Plan Drafting/ ADR techniques & Practical Strategies for Resolving Conflict & Presentation shall be of 30 marks (20 marks written submission and 10 marks for presentation). Anyone of the mentioned assessment shall be assigned by the subject teacher to the students which shall carry 30 marks (20 marks written submission and 10 marks for presentation). Students shall be encouraged to make use of ICT tools for the assignments. Mode of CIA varies from course to course; it primarily includes practical teaching, learning & assessment as per requirement of the legal profession from that specific course. 		End-term Examination (70 marks)	
Mode of Evaluation / Assessment	Marks		



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I	i. Mediation Plan Drafting/ ADR techniques & Practical Strategies for Resolving Conflict ii. Presentation	20 + 10 = 30	Examination	70
Total		30		

Details on pattern of End Term Examination:

1. Three hours examination of 70 marks will be conducted as per schedule of the examination released by the University.
2. The end term question paper shall consist of Five Questions in all.
3. The first question is compulsory and it shall contain short answer-type questions from all the modules, carrying 2.5 marks each and the student shall be required to attempt all the four questions.
4. Question No. 2, 3, 4 and 5 shall be long-answer-type questions from all the four modules and students shall be required to attempt either of the given two options from each module.
5. Each long answer type question shall carry 15 Marks.
6. Pattern of question paper:

Question Paper will be divided into five-sections (Section A, B, C, D, & E)

- **Section A (Short-questions)**

- Total 04 questions of 2.5 marks each
- One question from each Module will necessarily be framed therein Sec. A
- There will be no choice in Section A

- **Sections B, C, D, & E (long questions)**

- Questions in Sec. B, C, D. & E will contain long questions of 15 marks each;
- Questions in above four Sections will cover Module I, II, III, & IV respectively
- Internal Choice will be there in long-questions
- One of the optional questions, within every section of the question paper, will necessarily be an application / problem-based question, and the other optional question will be a theory / concept-based question.

Note: Question paper will cover all modules equally / proportionately keeping in view the course objectives and the outcomes.



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COURSE CONTENT		
Module No.	Content	Contact Hrs.
I	1. Introduction to Arbitration, Mediation, Conciliation and Negotiation Meaning, Scope and Importance & Concept and Essential features of ADR mechanism 2. Need of Arbitration in International and Indian Law Adjudication vs Mediation 3. Techniques of Mediation 4. Mediation Ethics and Obligations of Mediation, Conciliation and Negotiation 5. Conciliation: Nature and Modes of Conciliation 6. Techniques and approach to Negotiation	15
II	1. International Dispute Resolution i. Foreign Award ii. New York Convention iii. Geneva Convention iv. Enforcement of Foreign Award: Public Order	15
III	1. Supreme Court's Module on Mediation i. Civil and Commercial Mediation ii. Family Mediation iii. Victim-offender Mediation	15
IV	1. International Practices i. Comparative study of Mediation <i>wrt</i> India, USA And UK ii. Comparative Study of Conciliation <i>wrt</i> India, USA And UK iii. Negotiation for International Relations and Disputes	15
PEDAGOGY		
Teaching methodology is course-specific and aims at enhancing the research skills & professional growth of the students. Further, it aims at contributing socio-legal development of the country by considering aims & objectives of various initiatives of the state, like, NEP-2020, Viksit Bharat – 2047 and Sustainable Development Goals &		



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holistic development of the students.

Pedagogy of this course integrates theoretical knowledge through lecture of law with its practical dimensions, focusing on law and its relation with inter-disciplines. This course will be delivered through class-room lectures, interactive discussions (Socratic method), tutorial methods and experiential learning & research-based exercise. Participatory techniques will be employed to encourage critical analysis and ethical reasoning.

Use of documentaries, visual media, and ICT tools will further aid in enhancing engagement & contextual understanding of the students. Emphasis will be laid on developing understanding of contemporary issues related to this course. It revolves around application of the law in real-life situations so that the students are able to satisfy expectations of the legal profession and research prospects. Accordingly, methods of teaching, evaluation & assessment have been devised in this course.

LIST OF BOOKS

Essential Readings:

- Avtar Singh, Law of Arbitration and Conciliation, Eastern Book Company, 2013(10th Edition)
- Bansal, A. K. Law of international commercial arbitration, Universal, Delhi, (2010)
- David St. John, Judith Gill, Mathew Gearing, Russell on Arbitration, Sweet & Maxwell, 23rd ed. 2013.
- O. P. Malhotra & Indu Malhotra, The Law and Practice of Arbitration and Conciliation, 3rd ed. (2014).
- Justice P.S. Narayan, The Arbitration and Conciliation Act, 4th ed. (2007).
- Chawla, S.L. Law Of Arbitration and Conciliation, Eastern Law House (2004)
- Markanda P.C., Law Relating to Arbitration and Conciliation, Wadhwa Nagpur
- Sriram Panchu, Mediation Practices & Law, Lexis Nexis Butterworth,.
- S. Susheela, Mediation Readers Handbook, Asia Law House.

Suggested Readings:

- Abraham P. Ordover and Andrea Doneff, Alternatives to Litigation : Mediation, Arbitration, and the Art of Dispute Resolution, Notre Dame: National Institute for Trial Advocacy, 2002
- Mediation in India, A Toolkit, USEFL, The Mediator's Handbook by Ruth Chariton and Micheline Dewdney .
- The Fundamentals of Family Mediation by John M. Haynes and Stephanie Charlesworth.
- Ashwini Kumar Bansal, International Commercial Arbitration - Practice and Procedure (Enforcement of



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Foreign Awards - Covering more than 75 Countries), Universal Law Publication Co. Pvt. Ltd, 1st ed. (2014).

- Justice R.S. Bachawat, Anirudh Wadhwa, Anirudh Krishnan, Law of Arbitration and Conciliation with Exhaustive Coverage of International Commercial Arbitration & ADR, Lexis Nexis Butterworth, 5th ed. (2013)

Note:

Suggested readings/case laws are not exhaustive. Students are advised to read latest edition of the books and to refer E-sources like: *West Law*; *JSTOR*, *Heinonline*, *EPW*, *Manupatra*, *website of Law Commission of India*, *liiofindia.org*. National Judicial Grid