SARDAR PATEL UNIVERSITY
Vallabh Vidyanagar, Gujarat
(Reaccredited with 'A' Grade by NAAC)
Syllabus with effect from the Academic Year 2026-2027

LL.M. (Cyber Law and Cyber Security) Semester: III

Course Code	PL03CCLS01	**Title of the Course**	Judicial Process
Total Credits of the Course	5	**Hours per Week**	

Course Objectives:	1. The aim of the course is to make the learners aware about the nature and scope of judicial process, interpretive techniques, relevance of law to provide justice, role of judge's social engineering helping the state to maintain law and order and shape contents of law with the passage of time. 2. The course is useful for the learners in learning the method to read and analyze the judgments, techniques of drawing the analogies by judges from the arguments of the counsels, application of legal principles and legal concepts to resolve the disputes for operational zing the law. 3. To understand how judicial process is an instrument of social ordering. 4. To understand the various tools and techniques of judicial creativity and precedent. 5. To understand the meaning and limitations of independence of judiciary and the political nature of judicial process. 6. To understand the relation between law and justice with the help of various theories.

Unit	**Description**	**Weightage* (%)**
1.	**Nature of Judicial Process** 1.1 Judicial Process as an instrument of social ordering 1.2 Judicial process and creativity in law – common law model – Legal Reasoning and Growth of law – change and stability 1.3 The tools and techniques of judicial creativity and precedent 1.4 Legal development and creativity through legal reasoning under statutory and codified systems **1.5 Doctrine of *Stare Decisis*** **1.6 Doctrine of *Ratio Decidendi*** 1.7 **Doctrine of *Obiter Dicta***	20%
2.	**Special Dimensions of Judicial Process in Constitutional Adjudication** 2.1 Notions of judicial review 2.2 'Role' in constitutional adjudication – various theories of judicial role 2.3 Tools and techniques in policy-making and creativity in constitutional adjudication	20%

	2.4 Varieties of judicial and juristic activism 2.5 Problems of accountability and judicial law-making **2.6 Judicial Activism in Constitutional Amendments with special reference to Basic Structure Doctrine**	
3.	**Judicial Process in India** 3.1 Indian debate on the role of judges and on the notion of judicial review 3.2 The "independence" of judiciary and the "political" nature of judicial process 3.3 Judicial activism and creativity of the Supreme Court – the tools and techniques of creativity 3.4 Judicial process in pursuit of constitutional goals and values – new dimensions of judicial activism and structural challenges 3.5 Institutional liability of courts and judicial activism – scope and limitations 3.6 **Judicial Over-reach** 3.7 **Appointments and Removal of Judges** 3.8 **Recent Trends – 2018 Press Conference by Supreme Court Judges, Post-retirement Appointments**	20%
4.	**The Concepts of Justice** 4.1 The concept of justice or Dharma in Indian Thought **4.2** Dharma as the foundation of legal ordering in Indian thought. 4.3 The concept and various theories of justice in the western thought 4.4 Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition	20%
5.	**Relation between Law & Justice** 5.1 Equivalence Theories – Justice as nothing more than the positive law of the stronger class 5.2 Dependence theories – For its realization justice depends on law, but justice is not the same as law 5.3 The independence of justice theories – means to end relationship of law and justice – The relationship in the context of the Indian constitutional ordering 5.4 Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.	20%

PSDA (Professional Skill Development Activities)
❖ Statutes and Judgment Analysis
❖ Preparation of One Research Paper/Research Article
❖ Access to Legal Resources: E-Library, E-Books and E-Database
❖ Developing Comparative Analysis Skills

Teaching-Learning Methodology	• Lecture Method • Power Point Presentation(including audio/video) • Expert talk • Case study

Evaluation Pattern		
Sr. No.	Details of the Evaluation	Weightage
1.	Internal Written / Practical Examination (As per CBCS R.6.8.3)	20%
2.	Internal Continuous Assessment in the form of Practical, Viva-voce, Quizzes, Seminars, Assignments, Attendance (As per CBCS R.6.8.3)	10%
3.	University Examination	70%

Course Outcomes: Having completed this course, the learner will be able to	
1.	The course will help the learners to understand the intricacies of judicial process and growth of law through the judgments. It will sharpen the logic and enable the learners to evaluate the impact of the judgments on impact constituencies.
2.	Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of the concept of justice and its various theoretical foundations is required. This paper, therefore, intends to familiarise the students with various theories, different aspects and alternative ways, of attaining justice.

Suggested References:	
Sr. No.	**References**
1.	**Text books:** 1. The Province and Function of Law, Henry J. Abraham 2. The Nature of Judicial Process (1995) Universal, New Delhi 3. The Judicial Process (1998) 4. Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworth • Cardozo, The Nature of Judicial Process (1995), Universal, New Delhi
2.	**Reference books:** 1. Legal Theory (1960), Stevens, London, Bodenheimer 2. Jurisprudence – the Philosophy and Method of the Law (1997), Universal, Delhi 3. The Indian Supreme Court and Politics (1980), Eastern, Lucknow

	4. The Supreme Court of India – A Socio-Legal Critique of Its Juristic Techniques (1977), Tripathi, Bombay • J. Stone, Legal System and Lawyers' Reasoning's (1999), Universal, New Delhi • Edward H. Levi, An Introduction to Legal Reasoning (1970), University of Chicago
3.	**Journal:** 1. Indian Journal of Constitutional & Administrative Law Indian Constitutional Law Review

On-line resources to be used if available as reference material
On-line Resources: 1. SWAYAM 2. Manupatra 3. Hein Online 4. JStor 5. Bloomsbury

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LL.M. (Cyber Law and Cyber Security) Semester: III

Course Code	PL03CCLS02	**Title of the Course**	Legal Education & Research Methodology
Total Credits of the Course	5	**Hours per Week**	

Course Objectives:	1. Research is a desire to search or to find out or to explore an unknown area to find an answer. It is a quest for acquiring knowledge. Research is a careful investigation or inquiry especially through search for new facts in any branch of knowledge. Legal Research means research in law which deals with the principles of law and legal institutions. 2. The objective may be to discover new facts or to verify the existing facts, to propound a new legal concept or to analyze existing law and give suggestions for a new law. In order to carry out a research to completion successfully a researcher must be aware of the research methods i.e. the method of doing research. 3. A research method is a systematized investigation to gain new knowledge about the phenomena or problems. It is the technique of conducting research and study of the technique of doing research is research methodology. In a broader sense the research methodology includes the research methods as well as the philosophy and practice of the whole research process. 4. A good research method is crucial for conducting proper research and getting useful results. This course is designed to give an insight into the meaning and significance of research methods for legal research to the law students in contemporary times. 5. It aims to provide an understanding of the various types of research methods and the different techniques of legal research and legal writing with a view to equip the students for further research in law. 6. To study how and why Legal Education was introduced in India. 7. To be enabled to understand the Importance of Legal Education.

Unit	Description	Weightage(%)
1.	1.1 **Importance of Legal Education** 1.2 Objectives of Legal Education **1.3 History of Legal Education in India** **1.4** Lecture Method of Teaching – Merits and Demerits 1.5 The problems Method	20%
2.	2.1 Discussion Method and its suitability at postgraduate-level teaching 2.2 The Seminar method of Teaching	20%

	2.3 Examination System and Problems in Evaluation – External and Internal Assessment	
3.	3.1 Student participation in law school programmes-Organization of Seminars, publication of journal and assessment of teachers 3.2 Clinical, Legal Education – legal aid, legal literacy, legal survey and law reform 3.3 **Research Methods** 3.3.1 Socio-legal Research 3.3.2 Doctrinal and non-doctrinal 3.3.3 Relevance of empirical research 3.3.4 Induction and deduction • **Legal Education & Its Methods:** **Hands-on training related to Course Design including curriculum development (content, teaching pedagogies and evaluation scheme)**	20%
4.	**Identification of Problem of Research** 4.1 What is a Research Problem? 4.2 Survey of available literature and bibliographical research 4.3 Legislative materials including subordinate legislation, notification and policy statements 4.4 Decisional materials including foreign decisions, methods of discovering the rule of the case tracing the history of important cases and ensuing that these have not been over-rules; discovering judicial conflict in the area pertaining to the research problem and the reason thereof. 4.5 Juristic writings-a survey of juristic literature relevant to select problems in India and foreign periodicals. 4.6 Compilation of list of reports or special studies conducted relevant to the problem.	20%
5.	**Preparation of the Research Design** 5.1 Formulation of the research problem 5.2 Devising tools and techniques for collection of date: Methodology 5.2.1 Methods for the connection of statutory and case materials and jurists Literature 5.2.2 Use of historical and comparative research materials 5.2.3 Use of observation studies 5.2.4 Use of questionnaires/interview 5.2.5 Use of case studies 5.2.6 Sampling procedures – design of sample, types of sampling to be adopted 5.2.7 Use of scaling techniques 5.2.8 Jurimetrics 5.3 Computerized Research – A Study of legal research programmes such as Lexis and West Law Coding	20%

	5.4 Classification and tabulation of data – use of cards for data collection – Rules for tabulation, Explanation of tabulated data 5.5 Analysis of data • **Preparation of Research Proposal** • **Quantitative Tools and Techniques**	

PSDA (Professional Skill Development Activities)
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❖ Developing Comparative Analysis Skills

Teaching-Learning Methodology	• Lecture Method • Power Point Presentation (including audio/video) • Expert talk • Case study

Evaluation Pattern		
Sr. No.	**Details of the Evaluation**	**Weightage (%)**
1.	Internal Written / Practical Examination (As per CBCS R.6.8.3)	20%
2.	Internal Continuous Assessment in the form of Practical, Viva-voce, Quizzes, Seminars, Assignments, Attendance (As per CBCS R.6.8.3)	10%
3.	University Examination	70%

Course Outcomes: Having completed this course, the learner will be able to	
1.	To understand the meaning, definition, nature and scope of research.
2.	To understand the implications of research and develop their interest to contribute in addition of knowledge.
3.	To acquaint students with various types of research methodology helping them to formulate hypothesis, awareness about the techniques of data collection, interpretation of data, drawing of observation, etc.

Suggested References:	
Sr. No.	**References**
1.	**Text books:** 1. Legal Education in India (1973), Tripathi Bombay – S.K. Agrawal
2.	**Reference books:** 1. Nigel Dunean and Richard Crimes, Clinical Legal Education: Active Learining in your Law School (1998) Blackstone Press Ltd. London 2. H. Bitner and Bysiewiez, Effective Legal Research (1978) – M.O. Price 3. Methods in Social Research, McGraw Hill Book Company, London – William J. Grade & Paul K. Hat 4. The Art of Asking Questions (1965) – Payne 5. Legal Research in Nutshell (1996), West Publishing Co. – Morris L. Cohan 6. Legal Research and Methodology – ILI Publication

On-line Resources
1. SWAYAM
2. Hein Online
3. Manupatra
4. JStor
5. Bloomsbury

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LL.M. (Cyber Law and Cyber Security) Semester: III

Course Code	PL03ECLS01	**Title of the Course**	Privacy and data protection
Total Credits of the Course	5	**Hours per Week**	

Course Objectives	1. Doctrine & Constitutional Privacy: To understand the concept, evolution, and constitutional dimensions of privacy alongside the impact of emerging technologies. 2. Legal & Regulatory Frameworks: To examine domestic and international legal instruments governing data protection, privacy rights, and cybercrime prevention. 3. Data Risks & Policy Initiatives: To analyze emerging data risks, enforcement challenges, and national policy initiatives concerning data security. 4. Cyberspace & Surveillance Issues: To evaluate digital privacy concerns, state surveillance practices, emerging technologies, and the right to be forgotten. **5.** Governance & Digital Security: To apply legal principles and standards of responsible data governance, privacy compliance, and cybersecurity.

Unit	**Course Content**	**Credit**
I	**1. Evolution of Privacy Doctrine** 1.1Concept and Nature of Privacy 1.2Constitutional Right to Privacy in India 1.3Technology vs. Privacy	1
II	**2. National and International Legal Regime Related to Data Protection** 2.1 Indian Legal Framework 2.2 International Instruments and Laws 2.3 Privacy Measures to Combat Cyber Crimes	1
III	**3. Data Protection- Challenges, Initiatives and Road Ahead** 3.1 Emerging Data Risks 3.2 Implementation and Enforcement Challenges 3.3 India's Policy Initiatives 3.4 Road Ahead	1
IV	**4. Privacy Issues in Cyber Space** 4.1 Privacy and Emerging Technologies 4.2 Right to be forgotten 4.3 Privacy on the Internet	1
	5. The Statutory Compliance Architecture, Enforcement, and Remedies under the Digital Personal Data Protection Act, 2023 5.1 Statutory Governance Architecture & Fiduciary Classifications 5.2 The Consent Mechanism and Processing Grounds 5.3 Rights & Duties of Data Principals and Enforcement Machinery 5.4 Breach Management, Penal Regime, and State Exemptions	1

	Important Cases • Justice K.S. Puttaswamy (Retd.) v. Union of India (2017) 10 SCC 1 • Justice K.S. Puttaswamy (Retd.) v. Union of India (Aadhaar Case) (2019) 1 SCC 1 • Manohar Lal Sharma v. Union of India (Pegasus Case) (2021) SCC OnLine SC 985 • People's Union for Civil Liberties (PUCL) v. Union of India (1997) 1 SCC 301 • Karmanya Singh Sareen & Anr. v. Union of India & Ors. (2023 / SLP (C) No. 804/2017) • Internet and Mobile Association of India (IAMAI) v. Reserve Bank of India (2020) 10 SCC 274 • Virendra Khanna v. State of Karnataka (2021 SCC OnLine Kar 5032) • Selvi v. State of Karnataka (2010) 7 SCC 263	

- **Assessment and Evaluation**

Sr. No.	Assessment/Evaluation	Component	Weightage (%)
1	Continuous Internal Evaluation	Seminars, Assignments, Quizzes, Class Regularity,	30%
2	End-Semester Examination	Written Exam/Practical Exam Project Evaluation (Report, Presentation, Viva)	70%

- **Suggested Learning Materials Books:**

Sr. No.	Title	Author(s)	Edition/Year	Publisher
1	Informational Privacy: Constitutional and Common Law Remedies	N. R. Nariman	1st Edition (2025)	Eastern Book Company (EBC)
2	Law relating to information technology e-commerce, e-governance and cybercrimes	D. P. Mittal	2025 Edition	Commercial Law Publishers
3	Cyber Crimes	Talat Fatima	3rd Edition (2022/latest reprint)	Eastern Book Company (EBC)
4	Cyber law & crimes	Barkha, & Mohan U. R. 2017		Asia Law House.

- **Online Resources (Open Source)**

Sr. No.	Description of Resource(s)	Web link
1	NCERT — Cyber Laws Governing Online World in India	https://ejournals.ncert.gov.in/index.php/ET/article/view/3780
2	SAGE Cybersecurity Article	https://journals.sagepub.com/doi/10.1177/00195561241284886
3	SWAYAM	https://swayam.gov.in/
4	EdX	https://www.edx.org/

LL.M. (Cyber Law and Cyber Security) Semester: III

Course Code	PL03ECLS02	**Title of the Course**	Cyber Welfare and International Humanitarian Law
Total Credits of the Course	5	**Hours per Week**	

Course Objectives	6. **Cyber Warfare Typologies:** To examine the legal nature, actors, and methods of cyber warfare in modern conflicts. 7. **IHL Applicability:** To analyze how the Geneva Conventions and customary IHL apply to military cyber operations. 8. **Thresholds & Cyber Weapons:** To evaluate legal criteria for armed attacks, attribution, and the classification of cyber weapons. 9. **Targeting Principles:** To assess compliance with distinction, proportionality, and necessity regarding civilian digital infrastructure. 10. **Humanitarian Protections & Autonomy:** To investigate legal safeguards for vital digital networks and autonomous military cyber systems.

Unit	Course Content	Credits
I	**1. Introduction to Cyber Warfare** 1.1 Definition and classification of cyber operations 1.2 Types of cyber conflicts (state vs. state, non-state actors) 1.3 Cyber attacks vs. cybercrime	1
II	**2. Foundations of International Humanitarian Law (IHL)** 2.1 Historical development and core principles 2.2 Geneva Conventions and Additional Protocols 2.3 Customary IHL and its application to cyber contexts 2.4 Distinction between combatants and civilians in cyberspace	1
III	**3. Application of IHL to Cyber Operations** 3.1 Threshold of armed conflict in cyberspace 3.2 Attribution of cyber attacks to states or armed groups 3.3 Use of force under Article 2(4) of the UN Charter and Article 51 (self-defense) 3.4 Legal status of cyber weapons and autonomous systems	1
IV	**4. Principles of IHL in Cyberspace** 4.1 Distinction: Civilian vs. military cyber infrastructure 4.2 Proportionality: Balancing civilian harm with military advantage 4.3 Necessity and Humanity in cyber targeting 4.4Legal protections for medical and humanitarian digital systems	1
	5. The Law of Neutrality, State Responsibility, and Cyber War Crimes 5.1 The Law of Neutrality in Cyber Warfare 5.2 State Responsibility, Due Diligence, and Countermeasures 5.3 Cyber Operations as International Crimes (Rome Statute & ICC) 5.4 Dispute Settlement, Judicial Recourse, and Reparations Important Cases • Corfu Channel Case (United Kingdom v. Albania) (ICJ, 1949) • Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States) (ICJ, 1986)	1

	• Prosecutor v. Duško Tadić (ICTY Appeals Chamber, 1999) • Legality of the Threat or Use of Nuclear Weapons (ICJ Advisory Opinion, 1996) • Armed Activities on the Territory of the Congo (DRC v. Uganda) (ICJ, 2005) • ICC Office of the Prosecutor Statement on Cyberwarfare (Situation in Ukraine, 2023–2024) • Estonia Cyber Attacks (2007) • Stuxnet Attack on Natanz Uranium Enrichment Facility (Iran, 2010)	

- **Assessment and Evaluation**

Sr. No.	Assessment/Evaluation	Component	Weightage (%)
1	Continuous Internal Evaluation	Seminars, Assignments, Quizzes, Class Regularity,	30%
2	End-Semester Examination	Written Exam/Practical Exam Project Evaluation (Report, Presentation, Viva)	70%

- **Suggested Learning Materials Books:**

Sr. No.	Title	Author(s)	Edition/Year	Publisher
1	Law relating to information technology e-commerce, e-governance and cybercrimes	D. P. Mittal	2025 Edition	Commercial Law Publishers
2	Cyber Crimes	Talat Fatima	3rd Edition (2022/latest reprint)	Eastern Book Company (EBC)
3	Cyber Forensics in India: A Legal Perspective	N. Sharma	1st Edition (2017)	Universal Law Publishing

- **Online Resources (Open Source)**

Sr. No.	Description of Resource(s)	Weblink
1	Springer — Ensuring a Responsible AI Future in India	https://link.springer.com/article/10.1007/s43681-023-00370-w
2	Article 2(4) of the UN Charter and Article 51 (self-defense)	https://legal.un.org/repertory/art51.shtml
3	SWAYAM	https://swayam.gov.in/
4	EdX	https://www.edx.org/

LL.M. (Cyber Law and Cyber Security) Semester: III

Course Code	PL03ECLS03	**Title of the Course**	Digital evidence and forensic Investigation
Total Credits of the Course	5	**Hours per Week**	

Course Objectives	11. Digital Evidence Foundations: To understand the concepts of digital evidence, basic evidence law principles, and the role of cyber forensics in investigations. 12. Forensic Tools & Techniques: To examine tools, methodologies, and technological processes utilized in digital forensic investigations. 13. Admissibility & Chain of Custody: To apply Indian legal standards governing the seizure, preservation, documentation, and admissibility of electronic evidence. 14. Forensic & Policy Challenges: To evaluate legal, procedural, technical, and institutional hurdles emerging in cyber forensic practice. **15.** Investigation Protocols: To assess statutory stages, inquiry procedures, and law enforcement best practices in investigating cyber offenses.

Unit	**Course Content**	**Credit**
I	**1. Digital Evidence** 1.1 Evidence Law as Applicable to Real World Crimes in Nutshell 1.2 Cyber Forensics- Tools and Techniques 1.3 Legal Admissibility in India	1
II	**2.Challenges in context of Cyber Crime** 2.1 Introduction to Cyber Forensics 2.2 Tools and Methods of Digital Forensics 2.3 Forensic Processes and Documentation	1
III	**3. Challenges and Future Trends in Cyber Forensics** 3.1 Legal and Procedural Hurdles 3.2 Emerging Complexities 3.3 Policy and Institutional Gaps	1
IV	**4. Investigations of Cyber Crime** 4.1 Cyber Crime Investigation Stages 4.2 Role of Investigating Authorities 4.3 Procedures and Best Practices	1
	5. Constitutional Safeguards, Expert Testimony, and Transnational Digital Evidence 5.1 Constitutional Boundaries in Digital Evidence Collection 5.2 Role, Status, and Cross-Examination of the Forensic Expert 5.3 Transnational Digital Forensics and Cross-Border Evidence Retrieval 5.4 Spoliation of Digital Evidence and Tampering Liability Important Cases • Virendra Khanna v. State of Karnataka (2021 SCC OnLine Kar 5032) • Selvi v. State of Karnataka (2010) 7 SCC 263 • Ram Shringar Kaithwas v. State of Madhya Pradesh (2023)	1

	• Anvar P.V. v. P.K. Basheer (2014) 10 SCC 473 • Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal (2020) 7 SCC 1 • State (NCT of Delhi) v. Navjot Sandhu (2005) 11 SCC 600 (Parliament Attack Case) • Ramesh Chandra Agrawal v. Regency Hospital Ltd. (2009) 9 SCC 709 • Tomaso Bruno & Anr. v. State of Uttar Pradesh (2015) 7 SCC 178 • Daubert v. Merrell Dow Pharmaceuticals, Inc. 509 U.S. 579 (1993) (US Supreme Court)	

- **Assessment and Evaluation**

Sr. No.	Assessment/Evaluation	Component	Weightage (%)
1	Continuous Internal Evaluation	Seminars, Assignments, Quizzes, Class Regularity,	70%
2	End-Semester Examination	Written Exam/Practical Exam Project Evaluation (Report, Presentation, Viva)	30%

- **Suggested Learning Materials Books:**

Sr. No.	Title	Author(s)	Edition/Year	Publisher
1	Law relating to information technology e-commerce, e-governance and cybercrimes	D. P. Mittal	2025 Edition	Commercial Law Publishers
2	Cyber Crimes	Talat Fatima	3rd Edition (2022/latest reprint)	Eastern Book Company (EBC)
3	Cyber Forensics in India: A Legal Perspective	N. Sharma	1st Edition (2017)	Universal Law Publishing
4.	Artificial Intelligence Law and Evidence with Cyber Crimes	D. Juneja	2024 Edition	Bharat Law House

- **Online Resources (Open Source)**

Sr. No.	Description of Resource(s)	Weblink
1	NCERT — Cyber Laws Governing Online World in India	https://ejournals.ncert.gov.in/index.php/ET/article/view/3780
2	SAGE Cybersecurity Article	https://journals.sagepub.com/doi/10.1177/00195561241284886
3	SWAYAM	https://swayam.gov.in/
4	EdX	https://www.edx.org/