



AMAR SEWA MANDAL'S

## LATE GOVINDRAO WANJARI COLLEGE OF LAW

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Ref : NAAC 2022/ Extended Profile Deviations/Cr1-1

Date- 27-07-2022

<b>Criteria 1.1</b>	Number of courses offered by the Institution across all programs during the last five years
<b>Findings of DVV</b>	"Provide syllabus copy or brochure for all courses offered by the Institution across all programs for the year 2016-17, 2017-18, 2018-19 and 2019-20, 2020-21."
<b>Response / Clarification</b>	1. Syllabus Copy for all courses offered for all assessment year is attached. <b>(Appendix I)</b>

*Inaukey*

Co-ordinator, IQAC  
Late. Govindrao Wanjari College of L:  
Nandanvan, Nagpur.



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NAGPUR

# Appendix I

## **B.A. LL.B (5 YEAR) COURSE**

### **DETAILED SYLLABUS**

#### **Format and Distribution of Marks in the Question Papers of the End Semester Examination & Instructions**

##### **1] For all subjects except Legal language and English:**

Every Question Paper of Theory Subject of 80 marks except that of Legal Language and English shall be modelled on the following Pattern:

1. There shall be 9 questions in all, generally covering all units in the syllabus.
2. Out of that Question No 1 will be compulsory and shall consist of short notes type questions. The students must attempt any four (4) short notes out of six (6). Question no 1 shall be of 20 marks.
3. All other questions shall have to be answered in the descriptive. They shall be of 10 marks each, and out of which the students will be required to solve any six (6).

##### **2] For Papers in the English Subject of all Semesters (i.e. English I to IV):**

1. There will be three sections in the Question paper namely, Section A, Section B and Section C.
2. The Question paper shall have 10 questions in all.
3. Question No.1 and one Question each from Section B and Section C shall be compulsory.
4. 5 Questions out of the remaining 7 questions have to be answered in the descriptive.

##### **3] For Paper in the Subject of Legal Language & Legal Writing:**

1. There will be two sections in the Question paper namely, Section A and Section B.
2. The Question paper shall have 10 questions.
3. Question No.1 in Section A and Question no.10 of Section B shall be compulsory and shall be of 10 marks each.
4. Question No.10 shall be divided as 10(a) and 10(b) and shall carry 5 marks each (10 marks in all)
5. All other questions shall be as per the instructions given in the question paper and any 6 questions have to be answered out of the remaining 8 questions, each carrying 10 marks.
6. The question relating to Legal Terminology shall have 6 choices out of which candidate shall be required to write any 5. Each of the terminology shall carry 2 marks
7. The question relating to legal maxims shall have 4 choices out of which the candidate shall be required to answer any 2. Each of the maxim shall carry 5 marks

## **B.A. LL.B. I Semester (5 years Course)**

**Course Code: 1.1**

### **ENGLISH – I**

#### **SECTION A**

**Unit 1** – Seven prose sections from EASY ENGLISH ed. By Suresh Chandra, S. Chand Publication. (30) Marks

- Essentials of Education – Sir R. Livingstone
- Child Marriage – M.K. Gandhi
- My Lost Dollar – Stephen Leacock
- A Tiger for Malgudi – R.K. Narayan
- Unsure Flight – Shobha Rani
- The Disappearing Igloo –
- The Golden Watch – Mulk Raj Anand

#### **SECTION B**

**Unit 2** – Composition

An essay of about 250 words on any general topic (10) Marks

**Unit 3** – Creative Writing

- Paragraph writing & Development of writing skills with emphasis on the area of legal study.

(20) Marks

#### **SECTION C**

**Unit 4** – Grammar

Sentence, Phrase & Clause, Noun, Pronoun, Verb, Adverb & Adjectives, Prepositions & Conjunctions, Articles & Modals, Punctuation & Capital Letter, Tenses, One Word Substitution.

(10) Marks

**Unit 5** – Vocabulary

- Synonyms and Antonyms
- Prefixes and Suffixes

(10) Marks

**Books Recommended –**

1. High School English Grammar and Composition by Wren and Martin, S. Chand & Company Ltd.
2. Foundation English by R.K Dwivedi and A. Kumar, Macmillan India Ltd. publication.
3. Formulas of English Grammar (for the students of law) by Indu Prakash, New Era Law publications, Delhi.

**Textbook prescribed-**

EASY ENGLISH edited by Suresh Chandra, S. Chand publication.

**Course Code: 1.2**

**POLITICAL SCIENCE–I**

**UNIT-I**

Nature and scope of Political Science; Relation of Political Science with Law

**UNIT-II**

- The State Theories of origin of state,- Divine Right Theory, Social Contract Theory,
- Elements of State
- Distinction between State and Society, Association, Government and Nation.
- Sovereignty- meaning, characteristics and Austin's theory of Sovereignty.

**UNIT III**

- Pluralism - Meaning and essential features.
- Secularism- Meaning and importance

**UNIT-IV**

Nation and Nationality

**UNIT-V**

Political Ideas of Karl Marx and Mahatma Gandhi

**UNIT VI**

- Democracy- Meaning, Kinds, Conditions necessary for successful working of Democracy ,
- Socialism -Meaning and arguments Democratic Socialism

**Suggested Readings:**

- 1) Principles of Political Science - A. C. Kapoor
- 2) Principles of Political Science - R.C. Agrawal
- 3) Political Theory - L.S. Rathore & S.A. H. Haqqi

**B.A. LL.B. I Semester (5 years Course)**

**Course Code: 1.3.1**

**OPTIONAL PAPER**

**ECONOMICS I**

**Micro-economics**

**Unit-1**

**Introduction to economics**

- Definition of economics,
- Relevance of economics in law,
- Basic principles of economics and economic laws,
- Nature and scope of micro economics.

**Unit-2:**

**Consumer Behaviour**

- Cardinal utility analysis: Law of diminishing Marginal Utility, Equi-marginal Utility

**Unit 3:**

**Theory of Demand and Supply**

- Concept
- Law of demand and its determinants
- changes in demand
- Law of Supply and determinants of supply
- Equilibrium of Demand Supply analysis
- Elasticity of Demand and supply with types and Measurement

**Unit 4 :**

**Indifference Curve Analysis of Demand**

- Revealed Preference Theory of Demand: Logic of Ordering.
- Marshall's Measure of Consumer Surplus ,
- Indifference Curve Analysis of Demand: Income, Substitution and Price Effects – Hicks-Allen and Slutsky.

**Unit 5:**

**Cost of Production and Cost Curves**

- Concepts of Cost,
- Concepts of Average Revenue and Marginal Revenue,
- Theory of Short-Run and Long Run Costs,
- Economies of Scale: Internal and External economies of scale.

## **Unit 6:**

### **Theory of Production:**

- Concept of production, total product, average product, marginal product,
- Return to factor and return to scale.

## **Unit 7 :**

### **Price and Output under Perfect Competition, Monopoly and Monopolistic Competition:**

- Classification of Market Structures,
- Meaning and Conditions of Perfect Competition: Short-Run and Long Run Equilibrium of the Perfectly Competitive Firm.
- Monopoly and Imperfect Competition Market Monopoly: Definition, Characteristics, Types, Price determination under monopoly,
- Price discrimination under monopoly, Monopoly Control,
- Monopoly and Monopolistic Competition: Definition, Characteristics,
- Price determination under Monopolistic competition,
- Product Differentiation Oligopoly: Definition, Characteristics, Price Leadership

### **Unit 8 : Factors of production and Factor Pricing:**

- Factor of production,
- Features of land, labour, capital, entrepreneur,
- Theories of Distribution: Marginal Productivity and Modern Theory of Distribution;
- Theories of Rent: Ricardo and Modern Theory of Rent;
- Theories of Wages: Modern Theory of wages, Wages determination under imperfect competition;
- Theories of Interest: Lovable fund and Keynes liquidity Preference theory of Interest;
- Theories of Profit: Uncertainty theory of Profit, Dynamic theory of profit, Innovation theory of profit.

### **Suggested Readings:**

1. Ahuja H.L., Advanced Economic Theory: Microeconomics Analysis, 13<sup>th</sup> Edition, S. Chand and Co. Ltd., New Delhi.
2. Jhingan M. L., Micro Economics Analysis, Vrinda Publications.
3. Dewett K. K., Modern Economic Theory, S Chand and Co. Ltd., New Delhi.
4. Koutsoyiannis A., (1979) Modern Microeconomics, 2nd edition, Macmillan Press, London.
5. Sen A., (1999) Microeconomics: Theory and Application, Oxford University Press, London.
6. Seth M. L., Microeconomics.



**Course Code: 1.3.2**

**OPTIONAL PAPER**

**SOCIOLOGY I**

**UNIT-I**

- Nature, Definition and Scope of Sociology
- Sociology and law

**UNIT-II**

- The Sociological Perspective and Legal Education
- Culture and Society
- Socialization norms and values
- Social Status and Roles
- Meaning of Status
- Status and Society
- Determination of Status

**UNIT-III**

Social Stratification.

- Nature and Types
- Social versus natural inequalities.
- Social stratification – a Functional perspective
- Social stratification – a Marxian perspective

**UNIT-IV**

Social groups

- Classification of groups
- Chief characteristics of group life
- Importance of primary group
- Secondary groups
- Clan, siblings, Caste and Tribe
- Critical appraisal of caste
- Critical appraisal of class
- Concept of Social Justice

**UNIT-V**

The Family

- The family- a universal social institution
- Universal functions of family
- Basic and irreducible functions of family
- Characteristics, types, functions of family,
- Changes in modern family,
- Disorganization of family,
- Modern families and their problems.

## **UNIT-VI**

### **Marriage**

- Types of marriages
- Polygamy and Polyandry, Bigamy, etc.
- Family Relations Law

### **Suggested Readings:**

1. Bishwanath Ghosh : Contemporary social problem of India
2. R.N. Mohanty : Social problems in India
3. R. N. Sharma : Social problems in India
4. R. N. Sharma : Society and culture in India
5. Sudha Dixit : Indian Society and Indian Social Problems

**Course Code: 1.4.1**

**OPTIONAL PAPER**

**HISTORY I**

**Ancient Period: From Earliest Times to 713-14 A.D**

**Unit – I**

**Sources of Ancient Indian History**

- Archaeological Sources
- Literary Sources
- Foreign Accounts

**Unit – II**

**Kingship**

- Theories Regarding the Origin of Kingship
- Duties of a King and Checks on his Powers
- Qualifications and Role of Ministers

**Unit – III**

**Nature of the State in Ancient India**

- Types of States –Monarchy & Republic
- Nature, Aim and Functions of the State

**Unit – IV**

**Administrative System in Ancient India**

- Vedic Administration
- Maurya Administration
- Gupta Administration

**Unit – V**

**Religious Movements in Ancient India**

- Buddhism
- Jainism

## **Unit – VI**

### **Judicial Administration in Ancient India**

- Ancient Law Givers
- Judges and Jury System
- Royal Courts and other Popular Courts
- Crimes and Punishment

## **Unit – VII**

### **Heritage of Ancient India**

- Social Heritage
- Cultural Heritage

### **Suggested Readings:**

1. A.S. Alteker: State and Government in Ancient India.
2. Beni Prasad: State in Ancient India
3. R.C. Majumdar: Ancient India
4. D.D. Kosambi: The Culture and Civilization of Ancient India
5. R.K. Mookerjee: Hindu Civilization
6. K.L. Khurana: Ancient India
7. K.P.Jaiswal: Hindu Polity
8. Beni Prasad: The Political Theory in Ancient India
9. D.R. Bhandarkar: Some Aspects of Ancient Indian Polity
10. Nagendra Singh: Juristic Concepts of Ancient Indian Polity
11. Nagendra Nath: Law Aspects of Ancient Indian Policy
12. A.K.Sen: Studies in Ancient Indian Political Thought

**B.A. LL.B. I Semester (5 years Course)**

**Course Code: 1.4.2**

## OPTIONAL PAPER

### PHILOSOPHY – I

#### Unit I

##### Indian Philosophy – Concept of Darshan

##### Indian Logic

- Nyaya Darshan –
  - Theory of knowledge
  - 4 Prama Aprama
- Pramans (Sources of knowledge)
- 1) Perception, 2) Inference 3) Comparison, 4) Testimony.
- Logical Concepts involved in inference.

Hetu, Sadhya, Paksha, Pakshdermata Vyapti Parmarsh & Anumiti (only definition)

#### Unit II

- Kinds of Inference
  - Swarthanuman, (स्वार्थानुमान),
  - Pararthanuma (परार्थानुमान)
- Fallacies. (5 types) (Material fallacies)
  - Savyabhichara,
  - Viruddha
  - Satpratipaksha
  - Asidha
  - Badhita

#### Unit III

##### Western Logic –

- Traditional Logic
  - Kinds of Inference : Deductive inference & Inductive Inference
  - Laws of Thought
  - Proposition – its classification; Categorical proposition; Rules for reducing ordinary proposition to standard form of categorical.
  - Venn's diagram - Distribution of terms

## **Unit IV**

- Categorical Syllogism-
- Structure and General rules & their violation leading to Fallacies.
- Verification of the validity by Venn's diagram.

## **Unit V**

- Non Formal Fallacies.

### **Suggested Readings :-**

- 1) Introduction to Indian Philosophy - Chatterjee and Datta
- 2) Elements of Indian Logic and Epistemology  
-C.B. Bhattacharya.
- 3) Outlines of Indian Philosophy – Dr. Jadunath Sinha
- 4) Introduction to Logic – I.M. Copi
- 5) Deductive Logic – Bholanath Roy
- 6) Bharatiya Tatvadyan – Shriniwas Hari Dixit (भारतीय तत्त्वज्ञान – श्रीनिवास हरी दीक्षित)
- 7) Bharatiya Tarkashastra – Dr Vrushali Kulkarni (भारतीय तर्कशास्त्र – डॉ. वृषाली कुलकर्णी)

**B.A.LL.B I Semester (5 years Course)**

**Course Code 1.5**

**Legal Language and Legal Writing**

## **SECTION A**

### **UNIT –I-GENERAL STUDY OF LAW**

- Definition of Law
- Functions of law
- Kinds of Law
- Classification of Law
- Sources of Law
- Rights and Remedies

### **UNIT -II – CHARACTERISTICS OF LEGAL LANGUAGE**

- Meaning of Legal Language
- Scope and Domain of Legal Language
- Problems of Legal Language
- Interpreting the Law

### **UNIT -III – LEGAL TERMINOLOGY**

- Ad hoc, Ad interim, Animo attestandi, Alibi, Ad valorem, Ambiguitas – patent, Ambiguitas – latents, Amicus Curiae, Animus possidenti, Bona Fide(s), Corpus juris civilis, Caveat emptor, De facto, De jure, Detenu, En masse, Ex officio, Ex-cathedra, Ex-parte, Ex-gratia, En-route, Ens legis, Ex post facto, Factum valent, In pari delicto, In pari material, In lieu of, In personam, In rem, Inter se, Impasse, In situ, Inter alia, In toto, Ipso facto, Intra vires, Jure Divino, Jus in rem, Jus ad rem, Jus tertii, Jus in re aliena, Jus in re propria, Jus gentium, Jus natural, Laissez faire, Legalis homo, Lex loci, Locus standi, Magnum bonum, Magnum opus, Mala fides, Modus operandi, Mutatis and mutandis, Note bene, Novus homo, Onus probandi, Obiter dictum, Prima facie, Quid pro quo, Res integra, Res nullius, Sine qua non, Socius criminis, Sans, Status quo, Suo motu, Ultra vires, Vox populi vox dei.

### **UNIT -III – LEGAL MAXIMS**

- Actus dei nemini facit injuriam
- Actus non facit reum nisi mens sit rea
- Actus personalis moritur cum persona
- Audi alteram partem
- Communis error facit jus
- Damnum sine injuria
- Delegates non potest delegare
- Ex turpi causa non oritur action
- Falsus in uno falsus in omnibus
- Generalia specialibus non derogant
- Ignorantia facit excusat ignorantia juris non excusat
- Injuria sine damno
- Nemo dat quod non habet
- Novus actus interveniens or nova causa interveniens

- Noscitur a sociis
- Par in partem imperium non habet
- Qui facit per alium facit per se
- Respondeat superior
- Res ipsa loquitur
- Res non potest peccare
- Ubi jus ibi idem remedium
- Vigilantibus non dormientibus, jura subveniunt
- Volenti non fit injura

#### **UNIT -IV – FUNDAMENTAL PRINCIPLES OF LEGAL WRITING**

Concision, clarity and cogency

- Simplicity of structure
- Title
- Heading
- Use of italics
- Numbers
- Definition of terms
- Contractions
- Use of first person
- Ellipses & alterations
- Citations, references and foot notes

#### **UNIT-V – LEGAL DRAFTING OF PLEADINGS**

- Notices
- Affidavit
- Agreement of sale
- Promissory note
- Complaint
- Written statement
- Will

#### **SECTION B**

#### **UNIT -VI – PARAPHRASING AND SYNOPSIS WRITING**

- Legal passages from legal articles for paraphrasing
- Synopsis writing of paragraphs from case laws or judgements/Case Comments.

#### **Suggested Readings:**

1. Peter Tiersma, Legal Language (University of Chicago Press, 1999).
2. Legal Language and Legal Writing – S.C.Tripathi



3. Legal Language, Legal writing and general English – Prof. Dr. Saria Gupta and B. P. Agrawal
4. Outline of Legal language in India – Dr. Anirudh Prashad
5. Legal Language and Legal rights – S. N. Mishra
6. Legal language and Legal rights – Tandon

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

**B.A. LL.B. II Semester (5 years Course)**

**Course Code: 2.1**

## **English – II**

### **SECTION A**

**Unit 1** – Seven prose selections from SESAME (An Anthology of English prose) etd. By K.K. Reddy, S. Chand publication (30)

#### **Marks**

- Socrates – J.B. Neilson
- On the rule of the Road – A.G. Gardiner
- The Secret of Work – Swami Vivekanand
- Knowledge and Wisdom – Bertrand Russell
- Tolstoy's Home K.P.S. Menon
- How to Make a Speech – Edgar I. Baker
- The role of Universities – Jawaharlal Nehru

### **SECTION B**

**Unit 2** – Composition

An essay of about 300 words on any socio-legal issue or social topics of legal interest (10)  
Marks

**Unit 3** – Creative Writing

- Developing a Counter-view of the given topic in a paragraph of 150-200 words. (10)
- Expansion of an idea into a paragraph of 150-200 words. (05)
- Precis Writing (05)

### **SECTION C**

**Unit 4** – Introduction to communication

- Definition; importance of communication skills for a professional; verbal, nonverbal and paralinguistic communication; the communication model; Written v/s oral communication
- Nonverbal Communication - Writing a professional letter, Avoiding repetition, sexist language, removing unnecessary words. (15)

**Unit 5** – Paraphrase-writing of the given unseen prose/passage (05)

#### **Books Recommended –**

1. High School English Grammar and Composition by Wren and Martin, S. Chand Publication.
2. English for Law students by Uma Shankar Singh, Allahabad Law Agency Publication.
3. The Law and the Lawyers – M.K. Gandhi

4. Developing Communication skills by Mohan and Banerji

**Textbook Prescribed** – SESAME edited by K.K. Reddy, S. Chand publication.

**B.A. LL.B. II Semester (5 years Course)**

**Course Code: 2.2**

**POLITICAL SCIENCE – II**

## **Unit- I**

- Organs of Government- Legislature , Functions and Methods of Legislature
- Executive- Types of Executive ; Functions of Executive
- Judiciary- Functions of Judiciary; Independence of Judiciary; Judicial Review.

## **Unit- II**

- Unitary forms of Government Merits and Demerits
- Federal form of Government - Features , Merits and Demerits
- Confederation

## **Unit- III**

- Concept of Rule of Law,
- Theory of Separation of Powers,
- Checks and Balances

## **Unit-IV**

- Parliamentary form of Government- Features ; Merits and Demerits
- Presidential form of Government- Features, Merits and Demerits

## **Unit V**

- Political Parties- Importance of Political Parties in a Democracy; Types of Political Parties; Functions of Political Parties.

## **Suggested Readings: -**

Principles of Political Science -A. C. Kapoor

Principles of Political Science - R. C. Agrawal

## **Course Code – 2.3.1**

### **OPTIONAL PAPER**

### **ECONOMICS II**

#### **Macro-economics**

##### **Unit 1:**

##### **Introduction of Macro Economics and National Income:**

- Nature, scope and features of macro economics
- Basic concepts of circular flow of economic activity – two, three and four sector model.
- Concepts of National Income, Importance, methods of calculating National Income, difficulties in measurement of National Income,

##### **Unit 2 :**

##### **Unemployment**

- Types of Unemployment,
- Causes of unemployment
- Measures of unemployment.

##### **Unit 3:**

##### **Consumption Function:**

- Keynes theory of employment
- Average and Marginal Propensity to Consume,
- Factors influencing consumption function,
- Importance of propensity to consume,
- Keynes' psychological law of consumption,
- short run and long-run consumption function,

##### **Unit 4:**

##### **Multiplier and Investment Function:**

- Meaning, Types of Multiplier, Its Working,
- Investment Function: Autonomous and Induced Investment,
- Marginal Efficiency of capital and Investment

##### **Unit 5:**

##### **Commercial and Central Bank**

- **Commercial Banks:** Functions and Credit creation of commercial Banks,
- **Central Bank and Credit Control:** Meaning, Definition, Characteristics, Importance, Functions, and Credit Control of Central Bank,

##### **Unit 6:**

##### **Cooperative Bank and Private Banking System:**

- Cooperative bank: function and credit societies
- Non-performing Assets,
- Electronic Banking and CORE Banking,

- Innovation in Banking Sector- ATM, Debit and Credit Card, Plastic Card, Smart Card, Cheque Card, Electronic Purse, Laser Card,
- Bankers Clearing House – Automated Clearing House, Online Banking, Advanced Ledger posting machine, MICR Technology, Cheque Clearing, Electronic fund transfer, Internet Banking, Electronic Cheque, Electronic Clearing Service, DEMAT Account, Private sector Banks in India

#### **Unit 7:**

##### **Demand and supply for money and its Changes in value:**

- Quantity theory of money,
- Fisher's equation and Cambridge equation,
- Measurement of money supply,
- RBI approach to money supply-M, M1, M2, M3, high powered money
- Meaning and types of inflation, inflationary gap, theories of inflation: demand pull, cost push and mixed inflation,
- effects and measures of inflation,
- Growth of inflation in developing economies.
- Causes, effects and measures of deflation.
- Concept of disinflation and reflation,
- Effects of stagflation.

#### **Unit 8:**

##### **Health Economics and Statistics:**

- Health Economics: Meaning, Areas of Health Economics, Causes of Health Problems in India, Sources of health finance.
- Statistics : Central tendency, Dispersion: Definition, Objects, Nature, Properties of good measures of Dispersion, Coefficient of Variation (Theory and applicable problem on simple and discrete series)

##### **Books Recommended :**

1. Jhingan M. L., Macro Economics Analysis, Vrinda Publications.
2. Gupta R. D. and Rana A.S. (1998) Post Keynesian Economics, Kalyani Publishers, Ludhiana.
3. Keynes J. M. (1936) : General Theory of Employment, Interest and Money.
4. Shapiro E. (1996): Macroeconomic Analysis, Galgotia Publication, New Delhi.
5. Dornbusch R. and F. Stanley (1997) Macroeconomics, Mc Graw Hill Inc., New York.
6. Seth M. L., An Introduction to Keynesian Economics.
7. Hanson, A Monetary Policy and Fiscal Policy.
8. Ahuja H.L. , Macro Economics for Business and Management.

### **B.A.LL.B II Semester (5 years Course)**

## **Course Code – 2.3.2**

### **OPTIONAL PAPER**

### **SOCIOLOGY- II**

#### **UNIT-I**

##### Women and Society

- The role of women – genes and biology
- Role of women- culture and society
- Cultural division of labour
- Gender stereotyping

#### **UNIT-II**

##### Child Marriage and Widow Re-marriage

- Causes of Child Marriage
- Demerits of Child Marriage
- Measures to prohibit child marriage
- Cause and Effect of prohibiting widow re-marriage
- Social movement against prohibition of widow re-marriage
- Legislation relating to widow re-marriage

#### **UNIT-III**

##### Religion

- The origin and evolution of religion
- Religion – a functionalist perspective
- Religion – a Marxian perspective
- Religion and social change

#### **UNIT-IV**

##### Population Explosion

- Causes & consequences of population explosion
- Remedial measures
- Population policy of Government of India

#### **UNIT-V**

##### Unemployment

- Causes & consequences of unemployment
- Types of unemployment
- Governmental efforts to solve the problem

**Suggested Readings:**

1. Bishwanath Ghosh : Contemporary social problem of India
2. R.N. Mohanty : Social problems in India
3. R. N. Sharma : Social problems in India
4. R. N. Sharma : Society and culture in India
5. Sudha Dixit : Indian Society and Indian Social Problems
6. G. R. Madam : Indian Social Problems Vol-I and II
7. C. B. Mamoria : Social Disorganization and Social Problems in India
8. Dr. Ogale : The Tragedy of Too Many
9. Ram Ahuja : Social Problem in India



**Course Code – 2.4.1**

**OPTIONAL PAPER**

**HISTORY II**

Medieval period: 713-14 to 1800 A.D

**UNIT – I**

**Advent of Islam**

- Early Life and Career of Prophet Mohammad
- Teachings of Prophet Mohammad
- Spread of Islam

**UNIT – II**

**Nature and State of Government in Medieval India**

- Political administration of Delhi Sultanate
- Political administration of Mughals
- Political administration of Vijayanagar Empire

**UNIT – III**

**Rise of Maratha Power**

- Early Life and Career of Shivaji
- Maratha Administration under Shivaji

**UNIT – IV**

**Economic and Revenue Administration in Medieval India**

- Under the Delhi Sultanate
- Under the Mughals
- Under the Marathas

**Unit V –**

**Judicial Administration in Medieval India**

- Sources of Law
- Popular Law Courts
- Judicial Procedures

- Crimes and Punishments

## **Unit VI**

### **Emergence of Synthetic Culture**

- Bhakti Movement
- Sufi Movement
- Sikhism

## **Unit VII**

### **Advent of Islam into India**

- Invasion of Mohammad- bin-Qasim in India
- Mahmud Ghazni's invasion in India
- Muhammad Ghori-Battles of Tarain

### **Suggested Readings:**

1. A.L.Shrivastava: The Mughal Empire
2. K.N.Chitnis: Socio-economic of Medieval India
3. K.N.Chitnis: Glimpses of Medieval Indian States and Institutions
4. S.R.Sharma: Mughal Government and Administration

## **B.A.LL.B II Semester (5 years Course)**

**Course Code – 2.4.2**

### **OPTIONAL PAPER**

### **PHILOSOPHY- II**

#### **Unit I**

##### **Inductive Logic:-**

- Inductive and Deductive Inference
- Need of Induction  
Problem of Induction.
- Inductive Generalization and its Characteristics.

#### **Unit II**

##### **Methods of Induction:-**

- Simple enumeration
- Analogy –  
Analogical Arguments.  
Verification of Analogical arguments as Sound or Unsound.
- Scientific Induction.

#### **Unit III**

##### **Grounds for Induction:-**

- Material Ground –  
Observation & Experiment.
- Formal Ground  
Uniformity of Nature and Law of Causation

#### **Unit IV**

##### **Hypothesis:-**

- Importance of Hypothesis  
Definition and Nature of Hypothesis
- Origin and Good Conditions of Hypothesis
- Verification of Hypothesis & Concept of Crucial Instants
- Adhoc Hypothesis

## **Unit V**

### **Mills Experimental Methods:-**

(Based on Concept of Causation).

- Principal of Elimination
- 5 types of experimental methods.

### **Suggested Readings:**

1. Introduction to Logic – I.M. Copi.
2. Introduction to Logic – Pratik Hurley
3. Inductive Logic – Bholanath Roy.

## **B.A. LL.B. II Semester (5 years Course)**

### **Course Code 2.5**

### **LAW OF TORTS**

#### **UNIT I**

- Evolution of Law of Torts, Common Law developments
- Principles of justice, Equity and Good Conscience
- Nature, Scope, Characteristics and Objects of Law of Torts
- Distinction between Tort and Contract, Tort and Crime

#### **UNIT II**

- Principles of Liability- Fault & No-fault Liability
- Essential elements of Torts
- Malfeasance, Misfeasance & Non-feasance
- Place of Motive under law of torts
- Justifications/ General Defences In Tort

#### **UNIT III**

- Extinguishment of liability
- Capacity & Parties in Torts: Who may sue and who may not be sued

#### **UNIT IV**

- Defamation
- Trespass to Land and Trespass to person
- Negligence, Doctrine of Contributory Negligence; Res Ipsa Loquitur
- Nuisance
- Liability: Liability of State (Doctrine of Sovereign immunity); Vicarious liability, Strict Liability and Absolute Liability

#### **UNIT V**

- Legal Remedies: Doctrine of Causation, Remoteness of Damages; Judicial Remedies: Damages, Injunction, Specific Restitution of Property; Extra-Judicial Remedies.

**Suggested Readings:**

1. D.D. Basu, The Law Of Torts, Kamal , Calcutta.
2. D.M.Gandhi, Law Of Tort, Eastern Book Company Lucknow.
3. Ratanlal And Dhirajlal, The Law of Tort, Universal Publishers ,Delhi.
4. J. N. Pandey, Law of Tort, Central Law Publication Allahabad.
5. Salmond and Heuston –On the Law of Torts (2000) Universal, Delhi.
6. W.V.H. Rogers, Winfield & Jolowicz on Tort, Sweet & Maxwell, London.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. III Semester (5 years Course)**

### **Course Code 3.1**

### **ENGLISH III**

#### **SECTION A**

##### Unit I

(30 marks)

1. Four Modern Short Stories from MODERN SHORT STORIES: A READER compiled and edited by Department of English and Modern European languages, Lucknow University, published by S. Chand & Company Ltd., New Delhi.
  - i) The Rocking – Horse Winner – D. H. Lawrence
  - ii) The Man from Kabul – R. Tagore
  - iii) The Barber's Trade Union – Mulk Raj Anand
  - iv) The Axe – R. K. Narayan

#### **SECTION B**

##### Unit II

(15 marks)

Composition – An essay of about 350 words on any current legal topic

##### Unit III: Creative Writing

- 1) Report Writing – Business Reports, Officials Reports, Newspaper Reports, and Legal Reports.(Case Law based)

#### **SECTION C**

##### Unit IV:

Writing a job application, making a C.V. and facing interview. Writing Agenda, general Notices, Minutes and Resolutions.

##### Unit V:

Translation of a legal passage from English to Hindi or Marathi.

Text book prescribed –

1. Modern Short Stories: A Reader's compiled and ed. by Department of English and modern European languages, Lucknow University, published by S. Chand & Company Ltd, New Delhi.

Books recommended –

1. English for Law students by Uma Shanker Singh, Allahabad Law Agency Publication.
2. Legal Language, Writing and General English by J.S. Singh, Allahabad Law Agency Publication.



## **Course Code 3.2**

### **POLITICAL SCIENCE III**

#### **Unit - I**

- Law –Meaning and Sources
- Law - Liberty, Law and Morality,
- Liberty - Meaning and Nature, Specific Kinds, Liberty and Authority

#### **Unit-II**

- Equality - Meaning and nature, Specific kinds , Equality and Liberty
- Justice- Meaning and Nature, Political, Economic, Social and Distributive Justice

#### **Unit – III**

- Rights – Meaning, Nature and specific kinds; Theories of Rights

#### **Unit – IV**

- Power, Authority and Legitimacy Types of Authority

#### **Unit – V**

- Political Obligation - Meaning and Nature , Characteristics, Limitations
- Political Participation

#### **Suggested Readings:**

1. Contemporary Political Theory- J. C. Johari
2. Political Theory - Dr. S.R. Myneni

## **Course Code 3.3.1**

### **OPTIONAL PAPER**

### **ECONOMICS III**

#### **Indian Economy - I**

##### **Unit 1**

###### **Indian Economy:**

- Nature of Indian Economy
- Nature and types of economy- Capitalist-, Socialist, Mixed
- Basic features and Changing structure of Indian Economy

##### **Unit 2:**

###### **Agriculture:**

- Role of agriculture in Indian economy
- Technological aspects- Agricultural inputs and shifts production function
- Regional disparities of Indian
- Cropping pattern in India,

##### **Unit 3:**

###### **The Agriculture and Industrial Sector:**

- Agriculture price policy,
- Sources of Agricultural Credit- Institutional Credit and Non- Institutional Sources,
- Agricultural marketing,
- Policies for Sustainable Agriculture,
- Problems Of Agricultural Labour ,
- Agricultural Crisis In India

##### **Unit 4:**

###### **Industrial Policies in India:**

- Industrial Policies of 1991 : Privatization, Liberalisation and Globalization,
- Role of Public and Private Sector In Indian Economy.
- Concept of Disinvestment
- Trends in Industrial Production and Productivity
- Types of Industrial Finance,

##### **Unit 5:**

###### **Industrial Structure and economic growth:**

- Pattern of industrialization-Public, Private ; large and small industries
- Industrial finance in India
- Industrial labour – problems related to factors of production in industries
- Industrial Sickness in India

##### **Unit 6:**

## **Employment and Poverty Employment**

- Demographic features, , Population, Urbanization and Migration
- Extent of employment- organized ,unorganized sector,
- Meaning, Types, causes and problems of unemployment,
- Labour problem in India, problems of child labour and exploitation of labour.
- Concept of poverty, Vicious circle of poverty, Rural and Urban poverty alleviation programme

## **Unit 7:**

### **External Sector:**

- Structure and direction of foreign trade;
- India's Balance of payments; Foreign Capital and Aid India's Exchange Rate Policy;
- Foreign Exchange Reserves and Capital Account Convertibility Multinational Corporation, FERA and FEMA;
- Globalisation and its impact on Indian economy;
- Features of international organisation : IMF, GATT, WTO, ABD, SAARC.

### **Suggested Readings:**

1. Datt R. and K.P.M. Sundharam (2002): Indian Economy, S. Chand and Co. Ltd, New Delhi.
2. Misra S.K. and V.K. Puri (latest), Indian Economy, Himalaya, Publishing house, Mumbai.
3. Dhingra I. C., March of The Indian Economy.
4. Bhagwati Jagdish and Arvind Pangariya: Reforms and Economic Transformation In India, Axford University.
5. Singh Ramesh, Indian Economy.
6. Kapila Uma : Indian Economy: Performance and Policy academic foundation.

## **B.A. LL.B. III Semester (5 Years Course)**

### **Course Code 3.3.2**

### **OPTIONAL PAPER**

### **SOCIOLOGY III**

#### **UNIT-I**

##### Deviance

- Physiological and Psychological theories
- Deviance- a functional perspective
- The function of deviance
- Who makes the Law?
- Who breaks the Law?
- Who gets caught?
- Who enforces the Law?
- Society without crime

#### **UNIT-II**

##### Corruption

- Causes
- Impact
- Corruption among people ; solutions
- Political corruption
- Legislations to prevent corruption

#### **UNIT-III**

##### Black Money

- The concept of black money
- Causes of generating black money
- Effects of black money in society
- Measures to control black money

#### **UNIT-IV**

##### White Collar Crime

- The concept of white collar crime
- Forms of white collar crime
- Causes of white collar crime
- Characteristics of white collar criminals

## **UNIT-V**

### **Drug abuse and Drug addiction**

- Nature and impact of drugs abuse
- Motivation in drug usages
- Role of family and peer group in controlling drug abuse
- Measures to combat Drug trafficking
- Treatment of addicts and preventing drug abuse

## **UNIT-VI**

### **Problem of AIDS**

- The concepts
- Means of transmitting the virus
- Stages in the development of the disease
- Role of family, peer group and voluntary organizations for caring the infected persons.

### **Suggested Readings:**

- Bishwanath Ghosh : Contemporary social problem of India
- R.N. Mohanty : Social problems in India
- R. N. Sharma : Social problems in India
- R. N. Sharma : Society and culture in India
- Sudha Dixit : Indian Society and Indian Social Problems
- G. R. Madam : Indian Social Problems Vol-I and II
- C. B. Mamoria : Social Disorganization and Social Problems in India
- Dr. Ogale : The Tragedy of Too Many
- Ram Ahuja : Social Problem in India

**B.A. LL.B. III Semester (5 Years Course)**

**Course Code- 3.4.1**

## **OPTIONAL PAPER**

### **HISTORY III**

Modern Period: From 1498 to 1857

#### **UNIT - I**

**Advent of the Europeans-Factors Leading to the Arrival of European Companies in India.**

- The Portuguese
- The Dutch,
- The English,
- The French

#### **UNIT - II**

**Growth of British Empire in Bengal.**

- Battle of Plassey.
- Battle of Buxar
- Dual Govt in Bengal
- Grant of Diwani

#### **UNIT - III**

**Administrative Structure under the East India Company**

- Administrative Reforms under Lord Warren Hastings
- Lord Cornwallis and his Permanent Land Settlement
- Administrative Reforms under Lord William Bentinck
- Lord Wellesley's Subsidiary Alliance System
- Lord Dalhousie's Administrative Measures with Special Reference to his Policy of Doctrine of Lapse

#### **UNIT -IV**

**Growth of Judiciary-Early Charters of East India Company**

- Judicial Plan of 1772
- Regulating Act of 1773
- Act of Settlement of 1781
- Judicial Reforms under Lord Cornwallis and Lord William Bentinck

#### **UNIT -V**

**Some Landmark Cases**

- Raja Nandakumar's Case(1775)
- The Patna Case(1777-79)
- The Cossijurah Case(1779-80)

## **UNIT -VI**

### **Growth of Modern Means of Communication System and Educational Policies under the British**

- Development of Railways,
- Postal System,
- Telegraph and Public Works Department
- Introduction of English Education in India
- Woods Dispatch as the Magna Charta of Modern Education in India.

## **UNIT -VII**

### **Revolt of 1857**

- Causes of the Revolt,
- Nature of the Revolt,
- Queen's Proclamation Act of Better Governance.

### **Suggested Readings:**

1. B.L.Grover and S.Grover: A New Look at Modern Indian History
- 2...V.D.Mahajan: Modern Indian History from 1707 to the Present Day
3. B.B.Mishra: Administration of East India Company
4. Majumdar, Raychaudhari and Dutta: An Advanced History of India
5. M.P.Jain; Outlines of Indian Legal History
6. M.P.Jain: Constitutional Law of India
7. M.Rama Jois; Legal and Constitutional History of India
8. A.B.Keith: Constitutional History of India
9. J.K.Mittal: Indian Legal and Constitutional History
10. K.B.Keshwani: History of Modern India
11. P.K.Mishra:Political History of India
12. P.E.Robert: History of British India
13. S.C.Sarkar and K.K.Dutta : Modern India History
14. R.P.Manasi: British in India

## **B.A. LL.B. III Semester (5 Years Course)**

### **Course Code- 3.4.2**

## **OPTIONAL PAPER**

### **PHILOSOPHY III**

#### **Unit I**

##### **Ethics:**

- Definition, Scope, Nature and Characteristics of Ethics
- Moral Concepts – Good, The Absolute Good, Right, Duty, Virtue, Moral Obligation.
- Kinds of Action – Voluntary, Involuntary, Non Voluntary.
- Moral and Non Moral actions.

#### **Unit II**

##### **Moral Judgment:**

- Nature of Moral Consciousness.
- Distinguish moral Judgment from Logical and Aesthetic Judgment.  
Distinguish Ethical Statement from descriptive statement.
- Nature of Moral Judgment
- Motive and Intention, Means and Ends.

#### **Unit III**

##### **Ethical Theories:**

##### **Hedonism-**

- Ethical hedonism – Charvak's hedonism
- Utilitarianism -
- Bentham quantitative hedonism
- Mill qualitative hedonism

#### **Unit IV**

##### **Rationalism :-**

- Kant's concept of Imperative  
Categorical & Hypothetical
- 3 Maxims of Morality
- Nishkam Karma

#### **Unit V**

##### **Ethical punishment:**



- Retributive
- Preventive
- Reformative
- Capital

**Suggested Readings:**

1. A Manual of Ethics – Jadunath Sinha
2. outlines of Ethics – Dr. R.N. Sharma
3. Ethics – William K. Frankena
4. Outlines of Indian Philosophy – Dr. Jadunath Sinha
5. A Manual of Ethics – J.S. Mackenzie

## **Course Code- 3.5**

### **LAW OF CONTRACT – I**

#### **UNIT – I**

- History – Formation of Contract; Agreement and Contract; Definitions & Classification
- Offer and Acceptance – Communication
- Revocation – Essential elements
- Invitation to Offer – Tenders.
- Consideration –Nudum Pactum- Essential elements – Privity of Contract and of Consideration
- Exceptions – Unlawful Consideration and its effect.
- Contractual Ability — Time and Place of Contract
- E-contracts- legal effect of E-contracts

#### **UNIT – II**

- Capacity to Contract
  - Minor's Agreements and its effects
  - Persons of unsound mind
  - Persons disqualified by Law.
- Free Consent : Coercion - Undue influence – Misrepresentation – Fraud – Mistake
- Legality of Object – Void Agreements – Agreements against Public Policy – Wagering Agreements – Its exceptions
- Contingent Contracts.

#### **UNIT – III**

- Discharge of Contracts and its various Modes - by performance – Time and place of performance – Performance of reciprocal promises - Appropriation of Payments
- Discharge by Agreement
- By operation of Law
- By frustration (Impossibility of Performance)
- By Breach (Anticipatory and Actual).

#### **UNIT – IV**

- Remedies for Breach of Contracts
  - Damages – Remoteness of damages – Ascertainment of damages
  - Injunction – When granted and when refused
  - Restitution
  - Specific performance when granted and when not granted
  - Quasi Contracts.

**Suggested Readings:**

1. Anson: Law of Contract, Clarendon Press, Oxford, 1998.
2. Krishnan Nair: Law of Contract , S.Gogia & Co., Hyderabad 1995.
3. G.C.V. Subba Rao: Law of Contract, S.Gogia & Co., Hyderabad 1995.
4. T.S.Venkatesa Iyer: Law of Contract, revised by Dr. Krishnama Chary, S. Gogia & Co.
5. Avtar Singh: Law of Contract , Eastern Book Company, Lucknow, 1998
6. Law of Contract by Mulla, Lexis Nexix
7. S.K. Kapoor: Law of Contract, Central Law Agency

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

## Course Code 4.1

### ENGLISH – IV

Total marks – 80

#### SECTION A

Unit I

(30 Marks)

Two prose – “Selections from MY INDIA – THE INDIA ETERNAL” by Swami

Vivekananda published by the Ramakrishna Mission Institute of Culture, Calcutta.

- i) Education – The Panacea
- ii) True Religion

Two Prose – “Understanding India-Reflections on Indian Polity, Secularism and Sustainable Environment”; Edited by Keralavarma; Trinity Press

- iii) Brother Abdul Rahman – Amarlal Hingorani
- iv) Roots – Ismat Chughtai

#### SECTION B

Unit II

(10 marks)

Composition – Paragraph writing on Socio-legal or legal issues or topics.

Unit III

(20 marks)

Communication skills

Using the language :

1. Conversation practice; Pronunciation; Correct Usage and Common Errors; Spelling rules;
2. Oral Presentations; Body language in the communication process; The advocate as conductor: painting the picture; my physical presence; where do I look; masking my anxiety; what do I call people; opening statements; agendas; questioning my witnesses; helping the decision maker to understand

#### SECTION C

Unit IV

(10 marks)

Creative writing – Paraphrasing of an unseen passage

Unit V

(10 marks)

Translation of a legal passage from English to the mother tongue (Hindi or Marathi)

#### Books Recommended

1. Understanding India-Reflections on Indian Polity, Secularism and Sustainable Environment; Edited by Keralaverma; Trinity Press
2. Developing Communication skills by Mohan and Banerji
3. Winning Advocacy by Hugh Selby and Graeme Blank p75-110

#### Textbook Prescribed –

1. My India – The India Eternal by Swami Vivekananda published by the Ramakrishna Mission Institute of Culture, Calcutta.

#### Reference books –

1. ‘English for Law Students’ by Uma Shanker Singh published by Allahabad Law Agency.
2. ‘High School English Grammar and Composition’ by Wren and Martin.

## **Course Code 4.2**

### **POLITICAL SCIENCE – IV**

#### **UNIT-I Nature and Importance of Political Theory**

- Concept of Ideology
  - Ideology as the Science
  - Ideology and the Totalitarianism

#### **UNIT-II Concept of Citizenship**

- Nature of citizenship
- Theories of Citizenship
- Libertarian Theory
- Communitarian Theory

#### **UNIT-III**

- Process of Social Change- nature of Social change;
- Marxist Theory of Revolutionary Change
- Liberal Theory of Incremental change -Concept of Development

#### **UNIT-IV Sources of Indian political Thought –**

- The Vedas
- The Mahabharat
- . The Smirits

#### **UNIT-V Political ideas of Kautilya**

- Kautilya's view on Kingship
- Danda
- Civil Administration- Rural Administration
- Judiciary & laws of Justice;
- Types of Courts ; Procedure in the Court

#### **UNIT-VI**

- Political ideas of Manu
- Functions of State;
- Dandaneeti;
- Taxation; Law ;
- Justice and Judicial System

#### **UNIT-VII**

Humanism in India -M.N. Roy‘ Radical Humanism

**Suggested Readings:**

1. Political Theory O.B. Gauba
2. Political Science for Law Students Dr. S.R.Myneni
3. Political Theory V.D. Mahajan

## **Course Code 4.3.1**

### **OPTIONAL PAPER**

### **ECONOMICS – IV**

#### **Indian Economy - II**

##### **Unit 1:**

##### **Economic Development and Growth**

- Meaning and features of Economic Development And Factors Affecting Economic Development,
- Indicators And Measurement Of Economic Development,
- Concept Of Sustainable Development,- Definition, Background, Issues , Objectives and Goals
- Concept Of Inclusive Growth- need, elements of inclusive growth,
- Impact and Challenges of Inclusive growth on Indian Economy.

##### **Unit 2:**

##### **Planning and Policy**

- Meaning and Definition of five year plan with Objectives,
- Broad achievement and failures of five year plans,
- NITI (National Institution for Transforming India) Aayog - Objectives, Structure.
- Regional planning,
- Features of Current Economic Survey of India,
- Special Economic Zone (SEZ) - Definition, Objectives and its impact on Indian Economy,
- Concept of Economic Reforms and Fiscal sector in India.

##### **Unit 3:**

##### **Public Finance**

- Meaning, Nature, Scope and Importance of Public Finance,
- Source of Public Revenue,
- Fiscal and Monetary policy in India,
- Indian Tax Structure,
- Classification of Taxes,
- Shifting and Incidence of Taxes,
- Features of Indian Tax System.
- Goods and Services Tax (GST),

##### **Unit 4:**

##### **Public debt and Expenditure:**

- Meaning And Types of Public Debt,
- Problems of Public Debt,
- Meaning of Budget,
- Concept of Deficit: Revenue, Fiscal And Primary Deficit,
- Gender Budgeting,



- Features of Current Year Budget,
- Finance Commission – Centre-State Conflicts.

#### **Unit 5:**

##### **International Trade I**

- India's Foreign Trade,
- Trends in Export And Imports,
- Composition And Direction of Indian Foreign Trade,
- India's Free Trade and Preferential Trade Agreements
- BRICS and its impact on Indian Economy
- India and World Trade Organization,
- Balance of Payments,
- Export Promotion,
- Export-Import Policy,
- Foreign Direct Investment.
- Foreign Portfolio Investment,
- Multinational Corporations.

#### **Suggested Readings :**

1. Datt R. and K.P.M. Sundharam (2002): Indian Economy, S. Chand and Co. Ltd, New Delhi.
2. Misra S.K. and V.K. Puri (latest), Indian Economy, Himalaya, Publishing house, Mumbai.
3. Dhingra I. C., March of The Indian Economy.
4. Bhagwati Jagdish and Arvind Pangariya: Reforms and Economic Transformation In India, Axford University.
5. Singh Ramesh, Indian Economy.
6. Kapila Uma : Indian Economy: Performance and Policy academic foundation.
7. Jhingan M. L., International economics and finance, (2014), Vrinda Publication, New Delhi.
8. Bhagwati J.,(1981), International economics, International Thompson Publishing, New York.
9. Soderston Bo(1991),International economics, The Macmillan Press Ltd., London.
10. Mithani D. M. (2003), International economics, Himalaya Publishing House, Mumbai.
11. Desai S. S. M. and N. Bhalerao (2003), International economics, Himalaya Publishing House, Mumbai.
12. Ellsworth P. T., The International economy
13. Gottfried V., International Economics.

## **Course Code 4.3.2**

### **OPTIONAL PAPER**

### **SOCIOLOGY – IV**

#### **UNIT-I**

- Human ecology
- Rural communities
- Urban communities and Tribal Communities and their characteristics
  - Issues and problems
- Village, Municipalities and Corporations
- Gram Swaraj
- Gram Nyalaya
- Role of local bodies in Law enforcement.
- Community Development

#### **UNIT-II**

##### Poverty

- Definition and measurement of poverty
- Absolute poverty
- Relative poverty
- Subjective poverty
- Rural Poverty
- Bonded Labour
- Agricultural Labour,
- Rural Employment,
- Town and Country Planning

#### **UNIT-III**

- Role of GOs and NGOs in rural and urban settings
- Corporate social responsibility in combating rural and urban problems.

#### **UNIT-IV**

- Problems of the Vulnerable Classes
- Problems of the Scheduled Castes
- Problems of the Scheduled Tribes
- Problems of the Other Backward Classes
- The reservation policy in India to solve their problems
- Problems and Status of Women, Children and the Legal Control.

- Problems of the Aged, Physically Challenged and the Legal Control.

## **UNIT-V**

- Social Work and Social Action
- Law and Public Opinion
- Law as an Instrument of Social Change
- Approaches and concepts to understand the process of social change
- Trends of change in Indian Society
- Social role of judiciary
- Public interest litigation

### **Suggested Readings:**

- Harvy Johnson: Sociology - Systematic Instruction
- Sharma : Sociology;
- M. Haralambos: Sociology - Themes and Perspectives, Delhi, Oxford University Press
- N.K. Bose: The Structure of Hindu Society, New Delhi, Orient Longman
- David G., Mandelrsum: Society in India, Bombay, Popular Prakashan
- Romesh Thappar (ed): Tribe, Caste and Religion in India, New Delhi, Macmillan
- Andre Betelle: Inequality and Social Change, Delhi, Oxford University Press
- Andre Betalle: The Backward Classes and New Social Order, Delhi, Oxford
- A.R Desai, Rural Sociology
- M.N. Srinivas, Caste in Modern India

## **Course Code 4.4.1**

### **OPTIONAL PAPER**

### **HISTORY – IV**

#### **UNIT-I Socio-religious Reform Movements**

- Brahmo Samaj and Raja Ram Mohan Roy
- Arya Samaj and Swami Dayanand Saraswati
- Prarthana Samaj
- Ramakrishna Mission
- Theosophical Society
- Lower Caste Movement and Role of Mahatma Jyotiba Phule and Dr.B.R.Ambedkar

#### **UNIT-II Administration of India under British**

- Lord Lytton –Administration
- Lord Ripon-Administrative Reforms
- Lord Curzon-Internal Administration

#### **UNIT-III Rise of Indian National Movement**

- Causes Leading to the Rise of Nationalism in India
- Birth of Indian National Congress
- Era of Moderates
- Era of Extremists

#### **UNIT-IV Struggle for Freedom under Gandhi ji**

- Non-co-operation Movement
- Civil Disobedience Movement
- Quit India Movement

#### **UNIT-V Constitutional Developments (1909-1935)**

- Indian Council Act of 1909
- The Government of India Act of 1919
- Simon Commission
- Nehru Report
- Government of India Act of 1935

#### **UNIT-VI Constitutional Developments (1937-1950)**

- August Offer

- Cripps Mission
- Cabinet Mission Plan
- Indian Independence Act
- Constitution of India

#### **UNIT-VII Impact of British Rule on Indian economy**

- Industries
- Agriculture
- Trade and Commerce

#### **REFERENCE BOOKS:**

1. B.L.Grover and S.Grover; A New Look at Modern Indian History
- 2... V.D.Mahajan: Modern Indian History from 1707 to the Present Day
3. B.B.Mishra: Administration of East India Company
4. Majumdar, Raychaudhari and Dutta: An Advanced History of India
5. M.P.Jain; Outlines of Indian Legal History
6. M.P.Jain: Constitutional Law of India
7. M.Rama Jois; Legal and Constitutional History of India
8. A.B.Keith: Constitutional History of India
9. J.K.Mittal :Indian Legal and Constitutional History
10. K.B.Keshwani: History of Modern India
11. P.K.Mishra: Political History of India
12. P.E.Robert: History of British India
13. S.C.Sarkar and K.K.Dutta: Modern India History
14. R.P.Manasi: British in India
15. G.C.Rankin: Background of Indian Law

**B.A. LL.B. IV Semester (5 Years Course)**

**Course Code 4.4.2**

## **OPTIONAL PAPER**

### **PHILOSOPHY – IV**

#### **Unit I**

##### **Applied ethics:**

- Ethics – Descriptive, Normative, Metaethics & Applied Ethics
- Nature and Scope of Applied ethics

#### **Unit II**

##### **Legal Ethics:**

- Nature of Legal ethics –
- Primary duties of Lawyer
- Problem before legal ethics

#### **Unit III**

##### **Medical Ethics:**

- Development of medical ethics
- Principles of Medical Ethics
- Doctor's virtue,
- Problem of Surrogacy
- Female infanticide & Ethical Consideration in Organ transplant and Organ donation.

#### **Unit IV**

##### **Euthanasia :-**

- Concept of Mercy Killing and Mercy death
- Argument in favour and against of Euthanasia

#### **Unit V**

##### **Equality :-**

- Equality and its implication
- Basis of Equality
- Racial Difference and Racial Equality
- Sexual Difference and Sexual equality

##### **Suggested Readings:**

1. Practical ethics – Peter Singer
2. Indian Philosophical Quarterly

3. Vol. 44 Journal of the Department of Philosophy – Savitribai Phule Pune University.
4. Narain's Ethics – P. Jain (Lakshminarain Agrawal Agra)

**B.A. LL.B. IV Semester (5 Years Course)**

**Course Code- 4.5**

**LAW OF CONTRACT –II**

## UNIT – I

- Contract of Indemnity – Documents/Agreements of Indemnity - Definition, Nature and Scope - Rights of indemnity holder – Commencement of the indemnifier's liability
- Contract of Guarantee – Definition, Nature and Scope – Difference between contract of indemnity and Guarantee – Rights of surety – Discharge of Surety – Extent of Surety's liability – Co-surety.
- Contract of Bailment – Definition – Kinds – Duties of Bailer and Bailee – Rights of Finder of goods as Bailee – Liability towards true owner – Rights to dispose off the goods.
- Contract of pledge – Definition – Comparison with Bailment – Rights and duties of Pawnor and Pawnee

## UNIT – II

Agency:

- Definition & Creation of Agency
- Kinds of Agents & Distinction between Agent and Servant
- Rights and Duties of Agent
- Relation of Principal with third parties
- Extent of Agents authority – Personal liability of Agent
- Termination of Agency.

## UNIT – III

Indian Partnership Act :

- Definition – Nature, Mode of determining the existence of Partnership
  - Registration of Firms
  - Relation of Partner to one another
  - Rights and duties of partner
  - Relation of partners with third parties; Joint and Several liability
  - Types of partners
  - Admission of partners – Retirement – Expulsion – Death - Dissolution of Firm.
- Salient Features of Limited Liability Partnership Act, 2008.**

## UNIT – IV

Sale of Goods Act:

- The Contract of sale
- Conditions and Warranties
- Passing of property
- Transfer of title



- Performance of the Contract
- Rights of Unpaid Seller against goods
- Remedies for Breach of Contract

## **UNIT – V**

### **Government Contracts**

#### **Suggested Readings:**

1. Avtar Singh - Law of Contract
2. J. P. Verma - The Law of Partnership in India
3. Saharay H. K - Indian Partnership and Sale of Goods Act
4. Krishnan Nair - Law of Contract Hire Purchase Act
5. Pollock and Mulla - Indian Contract Act

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

**B.A.LL.B V Semester (5 Years Course)**

**Course Code – 5.1**

**CONSTITUTIONAL LAW - I**

## **UNIT – I:**

- Historical Background to the Framing of the Indian Constitution: General Idea about the Constituent Assembly of India.
- Preamble – Nature & Significance
- Salient Features of the Constitution of India
- Citizenship under the Indian Constitution

## **UNIT – II**

- Fundamental Rights : Its meaning, nature & significance; Relationship of Fundamental Rights and Human Rights
- State: Definition and Judicial Interpretation
- Law: Meaning of Law and Judicial Review; Laws inconsistent with, or in derogation of Fundamental Rights; Doctrine of Eclipse; Doctrine of Severability

## **UNIT – III**

Right to Equality : Articles 14-18 and Judicial Interpretation thereof:

- Concept and Significance of the Right to Equality: Equality before Law and Equal Protection of Laws; Doctrine of Reasonable Classification; New doctrine of Equality: Equality and Arbitrariness; Judicial Interpretation of the Right to equality
- Prohibition Against Discrimination
- Equality in Public Employments
- Abolition of Untouchability
- Abolition of Titles

## **UNIT- IV**

Right to Freedoms : Articles 19-22 and Judicial Interpretation thereof:

- Freedoms and the Reasonable Restriction on the exercise of those freedoms under Article 19
- Protection against *ex-post facto* laws; Protection against Double Jeopardy; Privilege against Self-Incrimination
- Right to Life and Personal Liberty
- Right to Education
- Protection Against Arrest and Preventive Detention

## **UNIT – V:**

Right Against Exploitation: Articles 23, 24: Judicial Interpretation thereof

- Prohibition against Forced Labour
- Prohibition against Child Labour

Right to Freedom of Religion: Articles 25-28: Judicial Interpretation thereof

- Concept of Secularism
- Religious freedom of the Individual & Religious Denominations
- Restrictions on Right to freedom of religion; Essential Religious Practices Test
- State responsibility in matters of religion

Cultural and Educational Rights: Articles 29 & 30: Judicial Interpretation thereof

## **UNIT VI:**

Right to Constitutional Remedies: Article 32 and Judicial interpretation thereof

- Writ Jurisdiction – Meaning, nature and significance
- Article 32 and the different kinds of writs
- Article 226 – Its nature and comparison with Article 32
- Public Interest Litigation

## **UNIT VII:**

Directive Principles of State Policy

- Concept of Welfare State and Social Justice
- Meaning, Nature and Significance of Directive Principles – Non-justiciability of Directive Principles
- Relationship between Fundamental Rights and Directive Principles

Fundamental Duties

- General nature
- Enforceability of Fundamental Duties.

## **Suggested Readings:**

1. M P Jain, Indian Constitutional Law, Wadhwa & Company, Nagpur
2. V N Shukla, Constitution of India, Eastern Book Company, Lucknow
3. Granville Austin, Indian Constitution: Cornerstone of a Nation, Oxford University Press, New Delhi
4. H M Seervai, Constitutional Law of India (3 Volumes) Universal Law Publishing Co Pvt Ltd
5. GCV Subba Rao, Indian Constitutional Law, S Gogia & Company, Hyderabad
6. J N Pandey, Constitutional Law of India, Central Law Agency, Allahabad
7. Dr D D Basu, Introduction to the Constitution of India, Lexis Nexis.

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

**B.A.LL.B V Semester (5 Years Course)**

**Course Code – 5.2**

**POLITICAL SCIENCE - V**

## **UNIT-I**

International Relations:

- Meaning, Nature and Importance,
- Role of International Law in International Relations

## **UNIT-II**

- Elements of National Power
- National Interests – Kinds and Methods for the promotion of National Interests

## **UNIT-III**

Impact of Cold War and New Cold War on International Relations

## **UNIT-IV**

Non- Alignment:

- Meaning
- Factors responsible for the adoption of Non- Alignment
- Relevance of Non- Alignment

## **UNIT- V**

United Nations:

- Origin, Objectives, Purpose, Principles
- Organs of UN- General Assembly, Security Council, ICJ - Functions.

## **UNIT-VI**

Diplomatic Theory:

- Types of Diplomacy, Immunities and Privileges of Diplomats
- Basic Principles of Foreign Policy

## **Suggested Readings :**

1. International Relations and Organisations , Eastern Book Depot. Lucknow B.S. Murthy

2. International Relations Prakash Chander and Prem Arora Cosmos Book Ltd. New Delhi
3. The study of International Relations Quincy Wright

**B.A. LL.B. V Semester (5 Years Course)**

**Course Code 5.3**

# **FAMILY LAW –I (HINDU LAW)**

## **UNIT I**

- Introduction, Concept of Hindu and Sources of Hindu Law- Modern and Ancient
- Two Principal Schools of Hindu Law
- Application of Hindu Law.

## **UNIT II**

- Traditional concept of Hindu Marriage
- The Hindu Marriage Act, 1955
- Matrimonial Remedies - Maintenance and Alimony.

## **UNIT III**

- Hindu undivided family, Mitakshara Joint Family-Formation and Incidents-Property under both Schools
- Karta: Position, Powers, Privileges and Obligations, Debts, Doctrine of Pious Obligation, Partition and Reunion.

## **UNIT IV**

- Inheritance and Succession - Historical perspective of traditional Hindu Law relating to Inheritance
- The Hindu Succession Act, 1956 along with recent State and Central Amendments to Hindu Succession Act;
- Stridhana : Woman's Property
- Gifts and Testamentary Succession
- Wills

## **UNIT V**

- Law relating to Hindu Minority and Guardianship: Kinds of Guardians; Duties & Powers of Guardians
- The Hindu Adoption and Maintenance Act, 1956;
- Maintenance : Provisions under various legislations and Judicial interpretations

## UNIT VI

- Family Courts Act ,1984 : Salient Feature; Constitution of Family Court; Jurisdiction; Powers; Appeals & Revisions;
- Lok Adalats in Settlements of Disputes relating to Marriage and Divorce ;Uniform Civil Code ( Article 44 of the Indian Constitution);

### **Suggested Readings:**

1. Paras Diwan ,Family Law of Marriage and Divorce in India (1984).Allahabad Law Agency.
- 2.Mulla's, Principles of Hindu Law, Butterworth co.
- 3.Diwan Paras , Modern Hindu Law, Allahabad Law agency, Faridabad.
4. Subbba Rao, G C V , Family Law
- 5.Saharaj, H K Laws of Marriage and Divorce, Eastern Law House
6. Singh Jaspal,Hindu Law of Marriage & Divorce, pioneer publication.
7. Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC Publication, Chandrapur.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

**B.A. LL.B. V Semester (5 Years Course)**

**Course Code 5.4**



# **LAW OF CONSUMER PROTECTION AND THE RIGHT TO INFORMATION**

## **Unit-I**

- Brief History of Consumer Movements in India
- Aims and Objectives of Consumer Protection Act - Rights of Consumers under Consumer Protection Act
- Definitions- Complainant, Complaint, Consumer, Defects, Deficiency, Service, Goods Hazardous to Life & Safety, Unfair Trade Practices, Restrictive Trade Practices

## **Unit- II**

- Concept and Meaning of Consumer under Consumer Protection Act
- Consumer Protection Councils- Central, State and District
- Consumer Protection Councils- Composition, Objects and functions of the Councils

## **Unit –III**

- Consumer Disputes Redressal Agencies
  - District Forums, State Commissions, National Commission
  - Composition, Jurisdiction, Procedure, Powers and functions of the Consumer Forums
  - Relief to the Complainant, Penalties under CPA
- Supreme Court of India on Consumers Rights

## **Unit -IV**

### **Right To Information Act**

- Significance of Right to Information in Democracy
- Constitutional Basis for Right to Information
- Aims and Objectives of the Right to Information Act
- Definitions- Appropriate government, Competent Authority, Information, Public Information Officer, Public Authority, Record, Right to Information

## **Unit-V**

- Right to Information and obligations of Public Authorities

- Mandatory disclosure of Information, Public Information Officer, Request for obtaining Information and Disposal of Request
- Exemption from Disclosure of Information
- Severability, Third Party Information

#### **Unit -VI**

- Information Commission- Central and State Commissions
- Powers and Functions of the Information Commissions
- Appeal and Penalties
- Supreme Court of India on Right to Information

#### **Suggested Readings:**

1. J.N. Boriwala, Commentry on Consumer Protection Act, 1986, Universal Pub. Delhi.
2. P.K. Majumdar, The Law of Consumer Protection in India (1998), Orient Publishing Co. , New Delhi.
3. R.M. Vats, Consumer and the Law (1994), Universal, Delhi,
4. Consumer Protection Act- Bare Act
5. Right to Information Act 2005 – Bare Act
6. N.K. Acharya, Right to Information Act 2005, Asia Law House, Hyderabad
7. N.K. Jain Right to Information- Concept, Law and Practice, Regal Publication, New Delhi

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

**B.A.LL.B. V Semester (5 Years Course)**

**Course Code: 5.5**

## **Environmental Law**

### **UNIT I:**

- Meaning and Concept of Environment, Environment Pollution
- Ozone depletion, Global Warming Climate Change
- Causes and effects of Environment degradation
- Ancient Indian approach towards Environment Protection.

### **UNIT II:**

- International Environmental Regime
- Stockholm Declaration on Human Environment, 1972
- Role of UNEP for the Protection of Environment
- Kyoto Protocol 1997
- Biodiversity Convention 1992.

### **UNIT III:**

- The Air (Prevention and Control of Pollution) Act 1981
- The Water (Prevention and Control of Pollution) Act 1974
- The Environment (Protection) Act 1986
- Noise Pollution Regulations and Control Rules, 2000

### **UNIT IV:**

- The Laws relating to Preservation Conservation and Protection of forest and wild life
- Biodiversity Act - Salient features and authorities under the Act
- Hazardous Waste Management and Handling Rules, 1989
- Municipal Solid Waste Management and Handling Rules 2000
- Biomedical Waste Management and Handling Rules 1998

### **UNIT V:**

- Common Law Remedies- Trespass, negligence
- Theories of strict Liability and absolute Liability
- National Environment Tribunal

### **UNIT VI:**

- Art. 48A and Art. 51A(g) of the Constitution of India
- Right to wholesome environment
- Right to development
- Role of Indian Judiciary in the evolution of environmental jurisprudence.

**Suggested Reading:**

- Dr. N.Maheshwora Swamy: A Text Book on Environmental Law
- P. Leela Krishna: Environmental Law in India
- Dr. Padma: Environmental Protection and the Law
- Divan and Rosencranz: Environmental Law and Policy in India
- S.Shantha Kumar's: Introduction to Environmental Law
- Dr.S.R. Myneni: Environmental Law
- Paras Divan: Studies on Environmental Cases
- V.K.Krishna Iyer: Environment Pollution and Law

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

**B.A.LL.B. VI Semester (5 Years Course)**

**COURSE CODE 6.1**

## **CONSTITUTIONAL LAW – II**

### **UNIT – I:**

#### Legislature under the Indian Constitution

- Union and State Legislatures - Composition, Powers, Functions
- Privileges of the members of legislature; Privileges and Fundamental Rights
- Anti-Defection Law – X Schedule

#### Executive under the Indian Constitution

- President and Union Council of Ministers
- Powers and functions of the office of the President
- Governor and State Council of Ministers – Dual capacity of the Governor
- Powers and functions of the Governor

### **UNIT – II:**

#### Judiciary under the Constitution

##### Supreme Court of India

- Appointment of Judges
- Powers and Jurisdictions of the Supreme Court: Original, Appellate and Advisory Jurisdiction – Articles 131, 32, 136, 143

##### High Courts

- Appointment and Transfer of Judges
- Powers and Jurisdiction of the High Courts – Articles 226 & 227

#### Independence of Judiciary & Judicial Accountability

### **UNIT – III:**

- Concept of Co-operative and Competitive Federalism
- Centre State Relations - Legislative, Administrative and Financial Relations

### **UNIT- IV:**

- Freedom of Interstate Trade, Commerce and Inter course
- Services under the State - All India Services; Doctrine of Pleasure & Its Exceptions

### **UNIT – V:**

#### Emergency:

- Need of Emergency Provisions
- Different kinds of Emergency - National, State and Financial emergency
- Impact of Emergency on Federalism and Fundamental Rights

#### **UNIT VI:**

Amendment of the Constitution:

- Need of provisions for Amendment of the Constitution
- Power and procedure of amendment of the Indian Constitution
- Amendability of Fundamental Rights & the Basic Structure Theory

#### **Suggested Readings:**

1. M P Jain, Indian Constitutional Law, Wadhwa & Company, Nagpur
3. V N Shukla, Constitution of India, Eastern Book Company, Lucknow
4. Granville Austin, Indian Constitution: Cornerstone of a Nation, Oxford University Press, New Delhi
5. H M Seervai, Constitutional Law of India (3 Volumes) Universal Law Publishing Co Pvt Ltd
6. GCV Subba Rao, Indian Constitutional Law, S Gogia & Company, Hyderabad
7. J N Pandey, Constitutional Law of India, Central Law Agency, Allahabad
8. Dr D D Basu, Introduction to the Constitution of India, Lexis Nexis.

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

**B.A. LL.B. VI Semester (5 Years Course)**

**Course Code 6.2**

# **POLITICAL SCIENCE VI**

## **Unit –I**

- Foreign policy and its determinants: Meaning & Objectives
- Factors: Internal and External

## **Unit –II**

- Détente and its Impact Meaning
- Factors which prompted Detente.

## **Unit III**

Expansion of International Community and Decolonisation

- Meaning of Colonialism
- Decolonialism
- UN Charter and the Colonial people
- Bandung Conference

## **UNIT –IV**

Neo-Colonialism and Racialism

- Methods
- Racialism, Racial discrimination
- Eradication of Racialism

## **Unit V**

Quest for N. I. E. O.

- Cancun Summit and New NIEO
- Commonwealth Heads and NIEO
- India and New International Economic Order

## **Unit VI**

Arms Trade and its impact on Third World.

- Arms Trade in recent years
- Impact of Arms on Third World.

Role of the Third World in International System.

## **Unit VII**

India's Foreign policy

- India's Foreign policy after 1962
- Relation with USSR
- Relation with USA
- India and her Neighbours with special reference to Pakistan

**Suggested Readings**

1. International Relations Prakash Chander and Prem Arora
2. International Relations Dr. S.R. Myneni India,
3. US and Pakistan ,1947- 2004, Diplomatic relations- Dr.Uma Chatterji
4. International relations and World Politics -S.N.Dhar

**B.A. LL.B. VI Semester (5 Years Course)**

**Course Code 6.3**



## **FAMILY LAW –II (MUSLIM LAW)**

### **UNIT I**

- Development of Islamic Law: Advent of Islam & development of Muslim Law
- Schools and Sources of Islamic Law
- The *Shariat Act, 1937*.

### **UNIT II**

- Concept of Marriage (Nikah): Definition, object and nature
- Essential requirements of a Muslim marriage, Classification of marriage
- Legal effects of valid, void and irregular marriage
- Muta marriage
- Dower
- Divorce (Talaq); Modes of Divorce; Divorce under the Dissolution of Muslim Marriages Act, 1939; Legal Effects of Divorce.

### **UNIT III**

- Guardianship: Meaning and Kinds of Guardianship
- Parentage- Legitimacy and Acknowledgement- Special Rules regarding Legitimacy; Acknowledgement of Paternity; Conditions of a valid acknowledgement; Effects of acknowledgement; Distinction between Acknowledgement and Adoption.

### **UNIT IV**

- Maintenance: Persons entitled to maintenance-a) wife b) children c) aged/infirm parents
- Maintenance of divorced women-provisions under the *Criminal Procedure Code* 1973; Maintenance of divorced Muslim Women under the *Muslim Women (Protection of Rights on Divorce) Act, 1986*.
- Relevant provisions for maintenance under *Domestic Violence Act*.

### **UNIT V**

- Will and Inheritance: Will-Meaning, difference between will and gift, Will made in death-bed or during illness;
- Muslim law of Inheritance- General Principles of Inheritance; Classes of Heirs-Shia and Sunni schools.

### **UNIT VI**

- Pre-emption

- Law of Gifts
- Law of Wakf.

**Suggested Readings:**

- 1 A.A.A Fyzee- Outline of Mohammedan Law.
- 2 A.M Bhattacharjee-Muslim Law and Constitution, Easter Law House, Calcutta.
- 3 Purohit DR. Nishi ,The principles of Mohammedan Law, Orient publications.
- 4 Mulla- Mohammedan Law Butterworth Co.
- 5 Paras Diwan - Family Law. ,Allahabad Law Agency, Faridabad
- 6 Qureshi, M.M- Muslim Law.
- 7 Myneni, S R, Muslim Law.
- 8 Hidayatulla, M, Principles of Mohammedan Law.
- 9 Qazal Basha Yawer, Principles of Muslim Law, Modern Law house.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

**B.A. LL.B. VI Semester (5 Years Course)**

**Course Code 6.4**

**LAW OF CRIMES**

## **UNIT I**

- Concept and meaning of crime
- Distinction between crime and tort
- Elements of Crime-Actus Reus and Mens rea
- Stages of crime
- Codification of Law of Crimes in India
- Application of the Indian Penal Code- Territorial and Extra Territorial application
- General Explanations
- Kinds of Punishments.

## **UNIT II**

- General exceptions under Indian Penal Code
- Abetment
- Criminal Conspiracy

## **UNIT III**

Offences affecting human body (offences affecting human life):

- Culpable Homicide and Murder
- Hurt and Grievous Hurt
- Wrongful restraint and Wrongful confinement
- Criminal force and Assault
- Kidnapping and abduction

## **UNIT IV**

- Offences Against Women :Eve teasing, Rape, Custodial rape, relevant provisions under Criminal Amendment Act, 2013; relevant legislative provisions in relation to Prevention of immoral traffic, Prohibition of indecent representation of women and Dowry Death.
- Offences relating to Marriage – Cruelty by Husband and relatives of Husband, Bigamy
- Adultery.

- Defamation.

## **UNIT V**

- Offences against Property: Theft, Extortion, Robbery & Dacoity, Cheating, Mischief, Criminal Trespass, Criminal misappropriation and Criminal breach of trust.
- Offences by or relating to public servants.
- Offences against the State.
- Offences against Public Peace and Tranquility.

### **Suggested Readings:**

1. Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa & Co., 2000.
2. Achutan Pillai: Criminal Law, Butterworth Co., 2000.
3. Gour K.D.: Criminal Law - Cases and Materials, Butterworth Co., 1999.
4. Kenny's: Outlines of Criminal Law, (1998 Edition)
5. Smith & Hogan's Criminal Law, Oxford
6. Glanvill Williams- Criminal Law, Universal Law Publishing Co.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. VI Semester (5 Years Course)**

### **Course Code 6.5**

### **COMPANY LAW**

## **UNIT I**

- Definition and attributes of Company
- Kinds of Companies including Multinational Companies
- Advantages and Disadvantages of Incorporation
- Consequences of non-compliance of the provisions of the Companies Act in matters of incorporation.

## **UNIT II**

- Formation of Company: Promoters- Meaning, duties and liability;
- Registration and Incorporation- E-Process and Formation of Company, Memorandum and Article of Association -Various clauses of Memorandum, Doctrine of Ultra-vires.
- Alteration of Memorandum, & Article of association,
- Binding force of Memorandum and Articles of Association,
- Doctrine of Constructive Notice, Doctrine of Indoor Management;
- Prospectus -Meaning and contents, Remedies for misrepresentation, Criminal liability

## **UNIT III**

- Shares –Definition, Types, Dematerialized shares (DEMAT), Allotment, Statutory restrictions
- Transfer of shares and Buy back of shares- procedure, practice
- Debentures – Definition, Kinds, Fixed and Floating charges, remedies of debenture holders,
- Debenture Trustee
- Insider Trading and the Amended SEBI (Prohibition of Insider Trading) Regulation, 2015 in India.

## **UNIT IV**

- Management of Company -Concept of Corporate Governance
- Directors and other Key Managerial persons – Position, Qualification, Disqualification, Appointment and Removal, Powers, Duties, Remuneration and Liability
- Company Secretary – Definition, Qualification, Statutory Duties and liabilities
- Meetings – Kinds, Procedure, Voting;

## **UNIT V**

- Minority Protection -Protection of Minority rights, Rule in Foss vs. Harbottle with Exceptions;
- Prevention of Oppression and Mismanagement;

## **UNIT-VI**

- Amalgamation, Take over, Mergers
- Issues in Competition Law relating to Mergers and Acquisitions
- Winding up of Company -Meaning, Voluntary Winding-up, Grounds for compulsory winding up; Appointment, Powers and Duties of Liquidator, Contributories,

## **UNIT-VII**

- Legal liability of company – civil and criminal,
- NCLT, NCLAT – Formation, powers etc.

**Suggested Readings:**

1. Ashwin Labnnai Shah, Lectures on Company Law, Tripathi Pvt. Ltd.; Mumbai
2. Avtar Singh, Indian Company Law, Eastern Book Company, Luknow
3. Ramaiya, Guide to Companies Act (Vol. 1 & 2), Wadhwa & Company, Nagpur
4. S. M. Shah, Lectures on Company Law, Tripathi, Bombay
5. S.S. Gulshan, Company Law, Excel Books
6. Dr. N. V. Paranjape, Company Law, Central Law Agency
7. B.K. Sen Gupta, Company Law, Eastern Law House, Kolkata
8. R. R. Pennington, Company Law, Butterworths

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**B.A.LL.B. VII Semester (5 Years Course)**

**COURSE CODE 7.1**

**JURISPRUDENCE**

## **UNIT – I:**

- Meaning, Nature and Value of Jurisprudence
- Sources of Law: Legislation, Precedent and Custom; Comparison between legislation and precedent.
- Relationship between Law and Morality; Law and Justice
- Administration of Justice: Civil and Criminal

## **LEGAL THEORY**

### **UNIT – II:**

- Natural Law School of Jurisprudence- General Approaches: Ancient, Medieval and Modern
- Analytical School of Jurisprudence
  - John Austin's theory of Law
  - Primary and Secondary Rules- Prof.H.L.A.Hart's Concept of Law
  - Pure theory of Law- Prof.Hans Kelsen
- School of Legal Realism -Justice Oliver Holmes' Bad Man Theory

### **UNIT – III:**

- Historical School of Jurisprudence
  - Savigny and the concept of Volkgeist
  - Legal Fiction- Sir Henry Maine
- Sociological School of Jurisprudence
  - Roscoe Pound's theory of Social Engineering

## **CONCEPTUAL JURISPRUDENCE**

### **UNIT – IV:**

- Legal Rights and Duties
  - Characteristics of Legal rights,
  - Hohfeld's Analysis of Rights
  - Kinds of Legal Rights
- Persons
  - Definition and Kinds
  - Legal status of : Animals, Unborn persons, Dead persons, Idols

### **UNIT- V:**

- Liability
  - Meaning, nature and Kinds
  - Difference between Civil and Criminal liability
  - Liability for negligent acts

- Exemptions from liability

#### **UNIT – VI:**

- Ownership
  - Meaning and essentials
  - Kinds of Ownership
- Possession
  - Meaning and Scope
  - Essential elements; Possession in fact and possession in law
  - Possessory remedies
- Property
  - Meaning and kinds
  - Modes of acquiring property

#### **UNIT VII:**

- Gender Jurisprudence
  - Feminist jurisprudence
  - Emerging jurisprudence with regard to sexual minorities

#### **Suggested Readings:**

1. Salmond: Jurisprudence, Universal Publishers.
2. Paton : Jurisprudence
3. Allen : Law in the Making, Universal Publishers.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow.
5. Dias : Jurisprudence, Aditya Books.
6. Rama Jois, Legal and Constitutional History of India, Universal Law Publications, Delhi.

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

### **B.A. LL.B. VII Semester (5 Years Course)**

#### **Course Code 7.2**

### **CIVIL PROCEDURE CODE AND LIMITATION ACT**



## UNIT I

- Codification of Civil Procedure and Introduction to CPC — Principal features of the Civil Procedure Code.
- Hierarchy of courts
- Suits ; Parties to Suit; Framing of Suit — Institution of Suits — Bars of Suit
- Doctrines of *Sub Judice* and *Res Judicata*
- Place of Suing — Transfer of suits
- Territorial Jurisdiction ; ‘Cause of Action’ and Jurisdictional Bars
- Summons ; Service of Foreign summons.

## UNIT II

- Pleadings: Contents of pleadings; Forms of Pleading; Striking out / Amendment of Pleadings
- Plaint: Essentials of Plaint - Return of Plaint; Rejection of Plaint
- Production and marking of Documents; Written Statement; Counter claim — Set off ; Framing of issues.

## UNIT III

- Appearance and Examination of parties & Adjournments
- *Ex-parte* Procedure
- Summoning and Attendance of Witnesses — Examination — Admissions — Production, Impounding, Return of Documents
- Hearing ; Affidavit
- Judgment and Decree ; Concepts of Judgment, Decree, and Interim Orders and Stay ; Injunctions
- Appointment of Receivers and Commissions ; Costs
- Execution ; Concept of Execution; General Principles of Execution ; Power of Execution; Power of Executing Courts; Procedure for Execution; Modes of Execution
- Arrest and detention; Attachment and Sale.

## UNIT IV

- Suits in Particular Cases; Suits by or against Government ; Suits relating to public matters; Suits by or against minors, persons with unsound mind, - Suits by indigent persons – Interpleader suits
- Incidental and supplementary proceedings
- Appeals, Reference, Review and Revision — Appeals from Original Decrees; Appeals from Appellate Decrees; Appeals from Orders; General Provisions Relating to Appeals.

## UNIT V

- Law of Limitation — Concept of Limitation; Object of limitation - General Principles of Limitation
- Extension: Condonation of delay; Sufficient Cause — Computation of limitation
- Acknowledgment and Part-payment; Legal Disability; Provisions of the Limitation Act, 1963 (Excluding Schedule)

### Suggested Readings:-

1. Mulla, Code of Civil Procedure Code (1999) Universal, Delhi.
2. C.K. Thakkar, Code of Civil Procedure Code (2000) Universal, Delhi.
3. M.R. Mallik (ed) B.B. Mitra, On Limitation Act (1998) Eastern, Lucknow.
4. P.K. Majumdar and R. P. Kataria, Commentary On The Code of Civil Procedure Code- 1908, Universal, Delhi.
5. P.K. Mukharjee, Limitation Act, Allahabad Law Agency.
6. Shailendra Malik, Code Of Civil Procedure, Allahabad Law Agency.
7. Dr. Avtar Singh, Code of Civil Procedure, Central Law Publication, Allahabad.
8. Sarkar's Commentary on The Civil Procedure Code, Dwivedi, Allahabad Law Agency.
9. AIR Commentaries on Limitation Act, W.W. Chitaley, AIR Ltd., Nagpur.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made**

**applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

# **LABOUR LAW-I**

## **UNIT-I**

- Labour Capital conflicts - evolution of Labour laws- Laissez fair to Welfare State
- Constitutional Perspectives of Labour welfare and Industrial relations
- Concept of Collective bargaining;
- Trade Unions:
  - History of Trade Union Movement
  - The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions; Immunities
  - Amalgamation and dissolution of Unions
  - Reorganization of Trade Unions.

## **UNIT-II**

### **Prevention and Settlement of Industrial Disputes in India**

- The role of State in Industrial Relations
- The Industrial Disputes Act 1947 - Definition of industry - Industrial Dispute – Individual Dispute - workman- Lay off – Retrenchment - Closure -Award - Strike – Lockout

## **UNIT--III**

### **Authorities under the I D Act**

- Works committee – Conciliation - Court of inquiry - Labour Courts- Tribunal
- Powers and functions of authorities
- Voluntary Arbitration

### **Provisions under Chapter V-A & V- B of the Act**

- Alteration of conditions of service
- Management rights of action during pendency of proceedings – Recovery of money due from employer
- Unfair labour practices
- Miscellaneous provisions of the Act.

## **UNIT--IV**

### **Standing Orders**

- Concept and Nature of Standing Orders
- Scope and coverage
- Certification process – its operation and binding effect
- Modification and Temporary application of Model Standing Orders
- Interpretation and enforcement of Standing Orders and provisions contained in the Industrial Employment (Standing Orders ) Act 1946.

## **UNIT--V**

### **Disciplinary Proceedings in Industries**

- Charge sheet – Explanation – Domestic enquiry - Enquiry officer – Enquiry report – Punishment
- Principles of Natural Justice.

### **Suggested Readings:**

1. Srivastava: Law of Trade Unions , Eastern Book Company, Lucknow
2. Goswami : Labour and Industrial Law, Central Law Agency.
3. R.F. Rustomji : Law of Industrial Disputes : Asia Publishing House, Mumbai
4. S.N. Misra : Labour and Industrial Law
5. J.N. Malik : Trade Union Law
6. Khan& Khan : Labour Law , Asia Law House, Hyderabad
7. S.C. Srivastava : Industrial Relations and Labour Law, Vikas Publishing House

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# **LAW OF TAXATION**

## **Unit-I:**

- Constitutional basis of power of taxation —Arts. 265 to 289
- Scope of Tax Laws-Tax and Fee-Capital Receipt and Revenue Receipt
- Basic concept of Income Tax — Outlines of Direct Tax and Indirect Tax -- Definition of Income and Agricultural Income under Income Tax Act — Residential Status — Previous Year — Assessment Year — Computation of Income.

## **Unit-II:**

- Incomes which do not form part of Total Income;
- Heads of Income and Computation — Income from Salary, Income from House Property- Profits and Gains of Business or Profession-Capital Gains and Income from other sources.

## **UNIT-III:**

- Clubbing of Income; Set off and Carry Forward of Losses
- Deductions to be made in computing Total Income

## **Unit-IV:**

### **Law and Procedure**

- P.A.N. — Filing of Returns — Payment of Advance Tax -- Deduction of Tax at Source (TDS) -- Double Tax Relief
- Law and Procedure for Assessment- Kinds of Assessment, Penalties, Prosecution, Appeals and Grievances -- Authorities.

## **Unit-V :**

### **The Central Goods and Service Tax Act 2017**

- Nature and definitions in GST
- Administration and Collection of Tax
- Time and Value of supply
- Input tax credit
- Registration, Accounts and records, Returns, Assessment, Payment of Tax, Refund, Audit, Search and seizure
- Appeals and revision
- Advance Ruling

## **Unit-VI:**

### **The Integrated and Union Territories Goods and Service Tax Act 2017**

- The Integrated Goods & Service Tax Act 2017
- Administration and collection of tax
- Determination of nature of supply, place of supply, Refund, Zero Rated Supply
- Appointment of Tax and Settlement of funds.

**Suggested Readings :**

1. Dr. Vinod K. Singhania: Student Guide to Income Tax, Taxman, Allied Service Pvt. Limited.
2. Dr. Gurish Ahuja: Systematic Approach to Income Tax, Bharat Law House Pvt. Limited.
3. Taxman, Basis of GST
4. Taxman, GST Made Easy
5. Handbook of GST in India
6. Rakesh Garg, Sandeep Garg - Bloomsbury India Professional

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **Course Code 7.5**

### **CYBER LAW**

#### **Unit I**

##### **FUNDAMENTALS OF E-COMMERCE AND E-CONTRACTING:**

- Fundamentals of Computer and Web Technology
- Electronic data Interchange
- Salient Features of E-commerce
- Advantages and Limitations of E-Commerce
- Models of E-commerce
- Salient features of E-contract
- Formation of E-contracts and Types
- Need for Cyber Law

#### **Unit II**

##### **INFORMATION TECHNOLOGY ACT:-**

- Concept of Digital Signatures & Electronic Signatures

Technical issues: Cryptography, Concept of Public key and Private Key, Process of Formation and Verification.

Legal issues: Definition, Recognition and Authentication of digital & Electronic signature under IT Act, Certification Authorities and their role, Public Key Infrastructure under the IT Act

E-contracting under IT Act

#### **Unit III**

##### **CYBER CONTRAVENTIONS**

- Different Types of Civil Wrongs under the IT Act, 2000

#### **Unit IV**

##### **CYBER CRIMES AND THE IT ACT, 2000**

- Understanding Cyber Crimes,
- Types of Cyber Crimes,  
[Hacking, Cyber Stalking, Cyber Pornography, Cyber Terrorism, Cyber Defamation, Digital Forgery, Identity Theft and Fraud],
- Different Offences under the IT Act 2000

#### **Unit V**

##### **INTELLECTUAL PROPERTY ISSUES IN CYBER SPACE**



- Interface with Copyright Law and Patent Law,
- Trade mark and Domain name related issues.

## **Unit VI**

### **DISPUTE RESOLUTION IN CYBER SPACE**

- Concept of Jurisdiction in cyber space,
- issues of Jurisdiction in cyber Space,
- Jurisdiction under IT Act, 2000.,
- Dispute Resolutions

## **Unit VII**

### **CONSTITUTIONAL & HUMAN RIGHTS ISSUES IN CYBERSPACE**

- Freedom of Speech and Expression in Cyberspace
- Right to Access Cyberspace – Access to Internet
- Right to Privacy
- Right to Data Protection

### **Suggested Readings:**

1. Kamlesh N. & Murali D.Tiwari(Ed), IT and Indian Legal System, Macmillan India Ltd, New Delhi
2. K.L.James, The Internet: A User's Guide (2003), Prentice Hall of India, New Delhi
3. Chris Reed, Internet Law-Text and Materials, Universal Law Publishing Co., New Delhi
4. Vakul Sharma, Hand book of Cyber Laws, Macmillan India Ltd, New Delhi
5. S.V.Joga Rao, Computer Contract & IT Laws (in 2 Volumes), 2005 Prolific Law Publications, New Delhi
6. T.Ramappa, Legal Issues in Electronic Commerce, Macmillan India Ltd, New Delhi
7. Indian Law Institute, Legal Dimensions of Cyber Space, New Delhi
8. Pankaj Jain & Sangeet Rai Pandey, Copyright and Trademark Laws relating to Computers, Eastern Book Co, New Delhi
9. Farouq Ahmed, Cyber Law in India
10. S.V.Joga Rao, Law of Cyber Crimes and Information Technology Law, 2007, Wadhwa & Co, Nagpur
- 11 Rodney D. Ryder, Guide to Cyber Laws, Wadhwa and Company, Nagpur

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. VIII Semester (5 Years Course)**

### **Course Code 8.1**

## **ADMINISTRATIVE LAW**

### **UNIT I:**

Nature and Scope of Administrative Law

- Meaning, Definition and Evolution of Administrative Law
- Reasons for growth of Administrative Law
- Distinction between Administrative law and Constitutional Law

### **UNIT -II**

Basic concepts of Administrative Law

- Rule of Law : Interpretation of Dicey's Principle of Rule of Law ; Modern trends in the Indian context
- Theory of Separation of Powers — Position in India, UK and USA

### **UNIT -III**

- Delegated Legislation :
  - Meaning, Reasons for the growth and Classification of delegated legislation
  - Judicial and Legislative Control of Delegated legislation
- Administrative Adjudication
  - Meaning and Reasons for emergence
  - Control mechanism
- Classification of Administrative actions : Legislative, Quasi-judicial, Administrative and Ministerial functions

### **UNIT -IV**

- Principles of Natural Justice
- Judicial Control of Administrative Action : Grounds of Judicial Control: Judicial Review and Writ Jurisdiction: Articles 32, 226, 227, 136 and 13
- Administrative discretion and its control.

### **UNIT –V**

- Ombudsman: Lokpal and Lok Ayukta
- Liability of the State in Torts and Contracts ; Rule of Promissory Estoppel
- Commissions of Inquiry
- Central Vigilance Commission
- Public Corporations and their control mechanisms.

**Suggested readings**

1. M.P. Jain and S.N. Jain, Principals of Administrative Law, Wadhwa and Company, Nagpur.
2. Dr. S. P. Sathe , Administrative Law, Butterworths, New Delhi.
3. Durga Das Basu and A.K.Nandi, Administrative Law, Kamal Law House, Calcutta.
4. H.W.R. Wade and Christopher Forsyth, Administrative Law, Clarendon Press, Oxford
5. A. K. Shrivastav, Administrative Law (2 Vols.), Delhi Kamal Prakashan
6. Indian Law Institute, Cases and Materials on Administrative Law in India
7. J.C. Garner, Administrative Law, Butterworths, New Delhi

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. VIII Semester (5 Years Course)**

### **Course Code 8.2**

### **CRIMINAL PROCEDURE CODE**

#### **UNIT I - Introduction**

- Object, extent, Nature and scope of Criminal Procedure
- Preliminary Considerations - a. Classification of offences
  - b. Distinction between Investigation, Inquiry and Trial
  - c. Constitution of Criminal Courts and Its Power
  - d. Functionaries under the Code (Police, Public Prosecutor)

#### **UNIT II – Arrest**

- Meaning and purpose of arrest
- Arrest with a warrant
- Arrest without a warrant
- Arrest by a private Person
- Arrest of a woman
- Arrest how made

#### **UNIT III - Maintenance of Wives, Children and Parents**

- Essential conditions for granting maintenance
- Jurisdiction of Magistrates
- Alteration of allowance
- Cancellation of the order of the maintenance

#### **UNIT IV – Search and Seizure**

- Search with a warrant
- Search without warrant
- General provisions relating to searches
- Illegalities in a search and its consequences

#### **UNIT V – Investigation**

- Meaning and purpose of Investigation
- Who can investigate?

- When police can investigate?
- Information to the police
- F.I.R. and procedure after the recording of the F.I.R
- Evidentiary value of statements made to the police
- Investigation in the case of unnatural deaths and suicides, in police custody etc.

#### **UNIT VI – Charge And Trials**

- Framing of charge
- Form and content of charge
- Separate charges for distinct offences
- Discharge - pre-charge evidence

#### **Trials-** Trial before a court of session

- Trial of warrant cases
- Procedure for trial in a summons case
- Summary trials
- Plea Bargaining

#### **UNIT VII – Bail, Appeal, Reference, Revision and Transfer**

- **Bail:**
  - Concept, purpose: constitutional overtones
  - When release on bail is mandatory?
  - When release on bail is Discretionary?
  - Anticipatory bail
- Appeal
- Reference to High Court
- Revision
- Transfer of cases

#### **Suggested Readings:**

1. Ratanlal Dhirajlal, Criminal Procedure Code (1999) Universal, Delhi.
2. K I Vibhute, Durga Das Basu Criminal procedure Code, 1973, Lexis Nexis.
3. S C Sarkar, Sarkar the Code of Criminal Procedure Code, Lexis Nexis.
4. K D Gaur, Textbook on the Code of Criminal Procedure, Universal Law Publishing.
5. S N Mishra, The Code of Criminal Procedure, Central Law Publications.
6. Chandrasekharan Pillai (ed.) Kelkar's Outlines of Criminal Procedure (2001), Eastern,

Lucknow.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. VIII Semester (5 Years Course)**

### **Course Code 8.3**

### **LABOUR LAW - II**

#### **UNIT I**

##### The Remunerative Aspects

- Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies
- Whitley Commission Recommendations
- Provisions of Payment of Wages Act 1936 - Timely payment of wages - Authorised deductions – Claims
- Minimum Wages Act 1948 - Definitions - Types of wages -Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims -Remedy.

#### **UNIT -II**

##### Bonus

- Concept : Right to claim Bonus – Full Bench formula - Bonus Commission
- Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus
- Eligibility of Bonus - Disqualification of Bonus - set on – set off of allocable surplus
- Minimum and Maximum Bonus-Recovery of Bonus.

#### **UNIT -III**

##### Employees Security and Welfare aspect

- Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes.
- Social Security Legislations
  - Law relating to workmen's compensation - The Workmen's Compensation Act 1923 – Definitions -Employer's liability for compensation - Nexus between injury and employment - payment of compensation - penalty for default
  - Employees State Insurance Act 1948 – Application - Benefits under the Act - Adjudication of disputes and claims – ESI Corporation.

#### **UNIT -IV**

- Employees Provident Fund and Miscellaneous Provisions Act 1952
  - Contributions ; Schemes under the Act; Benefits.

- The Maternity Benefit Act 1961 - Definitions-Application - Benefits.
- The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination - Controlling authorities.

## **UNIT -V**

- The Factories Act 1948
  - Chapters dealing with Health, Safety and Welfare of Labour.
  - Provisions Relating To Hazardous Processes
  - Working Hours Of Adults
- Employment Of Young Persons
  - Salient features of the Child Labour (Prohibition and Regulation) Act 1986.

### **Suggested Readings:**

1. S.N.Misra, Labour and Industrial Laws, Central law publication 22<sup>nd</sup> edition. 2006.
2. N.G. Goswami, Labour and Industrial Laws, Central Law Agency.
3. Khan & Kahan, Labour Law-Asia Law house, Hyderabad
4. K.D. Srivastava, Payment of Bonus Act, Eastern Book Company
5. K.D. Srivastava, Payment of Wages Act
6. K.D. Srivastava, Industrial Employment (Standing Orders) Act 1947
7. S.C.Srivastava, Treatise on Social Security
8. V.J.Rao, Factories Law

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**



## **B.A. LL.B. VIII Semester (5 Years Course)**

### **Course Code 8.4.1**

### **BANKING LAW (OPTIONAL PAPER)**

#### **UNIT – I**

##### Indian Banking Structure

- Origin & Evolution of Banking Institutions
- Types and functions of banks - Commercial banks – Functions
- Banking Companies in India
- RBI - Constitution, Management and Functions
- Banking Regulation Act, 1949
- State Bank of India, UTI, IDBI, RRBs, Local banks

#### **UNIT - II**

##### Employment of funds

- Loans and Advances- Guarantees
- Advances secured by Collateral securities
- Agency Services
- Financing of Exports
- Special Banking Services
- Advances to Priority Sectors and Credit Guarantee schemes
- Securitization Act, 2002. (SARFAESI Act, 2002)

#### **UNIT - III**

##### Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002):

- Negotiable Instruments - Kinds - Holder and holder in due course – Parties – Negotiation- Assignment – Presentment – Endorsement – Liability of parties – Payment in due course – Special rules of evidence - Material alteration – Noting and protest – Paying banker and collecting banker – Bills in sets
- Penal provisions under NI Act
- Banker's book evidence Act, 1891.

#### **UNIT – IV**

##### Banker and customer Relationship

- Definition of banker and customer
- General relationship – Special relationship

- Banker's duty of secrecy,
- Banker's duty to honour cheques,
- Banker's lien, and banker's right to set off
- Appropriation of payments - Garnishee order
- Customer's duties towards his banker.
- Opening of New Accounts
- Special types of customers - Minor's A/C, Joint A/C, Partnership A/C, Company's A/C, Married women's A/C, Trust A/C, Joint Hindu family A/C - Illiterate persons, lunatics, executors
- Precautions required in case of administrators, clubs, societies and charitable institutions to open an account

## UNIT – V

### Ancillary Services and E- Banking

- Remittances - General, DD, MT, TT, Traveler's cheques, bank orders, credit card, debit/smart cards, safe deposit vaults, gift cheques, stock invest.
- E-Banking - Definition – E-Banking includes - Internet banking, mobile banking, ATM banking, computerized banking –
- E- banking services – retail services – wholesale services – E- Cheque-authentication- Cyber Evidence
- Banking Ombudsman.

### Suggested Readings:

1. M. L. Tannan- Law of Banking.
2. M. S. Parthasarathy (Ed.), Khergamvala - Negotiable Instruments Act.
3. Taxman: *Law of Banking*, India Law House
4. R.N. Chaudhary, Banking Laws, Central Law Publications,Allahabad.
5. Avtar Singh – Negotiable Instruments Act.
6. Basu - Review of Current Banking: Theory and Practice.
7. Paget- Law of Banking.
8. L. C. Goyle- The Law of Banking and Bankers.
9. Relevant provisions of Information Technology Act, 2000

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. VIII Semester (5 Years Course)**

### **Course Code 8.4.2**

### **INSURANCE LAW (OPTIONAL PAPER)**

#### **UNIT – I**

##### **Introduction**

- Nature- Definition
- History of Insurance- History and development of Insurance in India
- Insurance Act, 1938 – The Insurance Laws (Amendment) Act 2015, Empowerment of IRDAI, Health Insurance, Consumer Welfare
- Insurance Regulatory Authority Act, 1999: Its role Powers and Functions of the Insurance Regulatory and Development Authority.
- Rights and Liabilities of Insurer and Insured person,
- Life Insurance Contract – Nature and Scope, Establishment and Functioning of LIC.

#### **UNIT – II**

##### **Contract of Insurance**

- Classification of contract of Insurance
- Nature of various Insurance Contracts-
- Principles of utmost good faith – non disclosure –Misrepresentation in Insurance Contract
- Insurable Interest
- Premium: Definition-method of payment, days of grace, forfeiture, return of premium, Mortality
- The risk –Meaning and scope of risk, Causa Proxima, Assignment of the subject matter.

#### **UNIT – III**

##### **Life Insurance:**

- Nature and scope of Life Insurance
- Kinds of Life Insurance.
- The policy and formation of a life insurance contract- Event insured against Life Insurance contract- Circumstance affecting the risk- Amount recoverable under the Life Policy- Persons entitles to payment- Settlement of claim and payment of money
- Life Insurance Corporation Act, 1956- Insurance against third party rights
- General Insurance Act, 1972
- The Motor Vehicles Act, 1988 – Sec. (140-176), Nature and scope- Absolute or no fault liabilities, Third party or compulsory insurance of motors vehicles- Claims Tribunal- Public Liability Insurance –Legal aspects of Motor Insurance –Claims – Own Damages Claims – Third Party Liability Claims.

#### **UNIT – IV**

##### **Fire Insurance:**

- Nature and scope of Fire Insurance –
- Basic Principles – Conditions & Warranties – Right & Duties of Parties – Claims Legal

Aspects.

- Introduction to Agriculture Insurance – History of Crop Insurance in India – Crop Insurance Underwriting, Claims, Problems associated with Crop Insurance – Cattle Insurance in India.

## **UNIT – V**

Marine Insurance:

- Nature and Scope, Classification of Marine policies-
- Insurable interest, Insurable values-
- Marine insurance and policy - Conditions and express warranties- Voyage deviation- Perils of sea- Loss- Kinds of Loss- The Marine Insurance Act, 1963 (Sections 1 to 91).

### **Suggested readings:**

1. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India.
2. M. H. Srinivasan - Principles of Insurance Law.
3. E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters.
4. Insurance Act, 1938.
5. The Marine Insurance Act, 1963.
6. General Insurance (Business) (Nationalization) Act, 1972.
7. The Life Insurance Corporation Act, 1956.
8. Motor Vehicle Act, 1988.
9. M.N. Srinivasan, Principles of Insurance Law (1997), Ramaiya Publishers
10. Avatar Singh : Law of Insurance , Eastern Book Company, Lucknow
11. K.S.N. Murthy and KVS. Sharma: Modern Law of Insurance in India, (2002), Butterworths, Delhi

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## Course Code 8.5

### CLINICAL PAPER I

#### ALTERNATE DISPUTE RESOLUTION (ADR)

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to III of Section -A and assigned to the students. The Student shall be required to attend and observe the proceedings of Lok Adalats, Family Courts, Tribunals and other ADR Systems and shall record at least 10 proceedings in the diary.. The record and Report shall be submitted within the stipulated time to the evaluation Committee constituted by the College with a Full Time Teacher and Practicing Advocates. The mode of Assessment shall be as follows:-

A) Record on Topics from Unit I to III – **40 Marks**

(Internal marks to be awarded by the evaluation Committee)

B) Diary on Lok Adalat, Family Court, Tribunals & other ADR Proceedings - **40 Marks**

(To be awarded by both External & Internal Examiner jointly)

C) Viva – Voce **20 Marks**

( to be awarded by both External & Internal Examiner jointly)

**Note :- Student shall get atleast 45% of the marks in each of the above components.**

#### Unit-I:

##### Alternate Dispute Resolution

- Characteristics , Advantages and Disadvantages; Unilateral — Bilateral — Triadic (Third Party) Intervention
- Techniques and processes : Negotiation — Conciliation — Arbitration — Distinction between Arbitration, Conciliation and Negotiation.

#### Unit-II:

##### The Arbitration and Conciliation Act, 1996 :

- Historical Background and Objectives of the Act
- Definitions of Arbitration, Arbitrator, Arbitration Agreement
- Appointment of Arbitrator & Termination of Arbitrator
- Proceedings in Arbitral Tribunal -- Termination of Proceedings
- Arbitral Award -- Setting aside of Arbitral Award — Finality and Enforcement of Award
- Appeals – Enforcement of Foreign Awards.
- Conciliation – Appointment of Conciliators
- Powers and Functions of Conciliator ; Procedure
- Settlement of disputes through conciliation.

#### Unit-III:

##### Other Alternative Dispute Resolution Systems :

- Tribunals
- Lokpal and Lokayukta

- Lok Adalats
- Family Courts.
- Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure Code.

**. Suggested Readings:**

1. O.P. Tiwari : *The Arbitration and Conciliation Act* (2nd Edition): Allahabad Law Agency.
2. Johar's : *Commentary on Arbitration and Conciliation Act, 1996*: Kamal Law House.
3. Acharya N.K.: *Law relating to Arbitration and ADR*, Asia Law House, Hyderabad
4. Tripathi S.C.: *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.
5. Avatar Singh: *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.
6. KSR Murthy: *An introduction to ADR Mechanism*, Gogia Law Agency, Hyderabad
7. P.C. Rao : *Alternate Dispute Resolution* , 2001 Edition, Universal Book Traders, New Delhi.
8. S.D. Singh: *Alternate Dispute Resolution*, Universal Book Traders, New Delhi.

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## **Course Code: 9.1**

### **PUBLIC INTERNATIONAL LAW**

#### **UNIT I:**

- Origin, Development and Definition of International Law
- Nature and Basis of International Law
- Sources of International Law
- Relationship between Municipal Law and International Law (Monism, Dualism, British, American and Indian Practice)
- Subjects of international law

#### **UNIT II:**

- State: essential characteristics of a State in International Law
- Sovereignty of States, Kinds of states, Rights and duties of states
- State succession: Definition and Kinds of Succession
- Consequences of state succession
- Succession in respect of International Organization
- State Jurisdiction
- State Territory and modes of acquisition and loss of state territory

#### **UNIT III:**

- Responsibility of states, kinds and consequences.
- Recognition: Definition of State Recognition
- Recognition of Government
- Theories and Modes of Recognition
- Legal Effects of Recognition

#### **UNIT IV:**

- Extradition & Asylum
- Nationality
- Diplomatic agents, Consuls and other representatives
- Formation of treaties
- Mode of consent, Reservation and termination.

#### **UNIT V:**

- League of Nations
- The United Nations Organization: Preamble, purposes and principles of UN Charter
- UN principal organs and their composition and functions
- Specialized agencies: UNESCO, WHO, ILO, IMF.
- Settlement of international disputes.



## **UNIT VI:**

- The Legal Regime of the Seas
- Evolution of the Law of the Sea
- United Nations Convention on the Law of the Seas
- Maritime Belt, Contiguous Zone, Continental Shelf, Exclusive Economic Zone
- The High Seas
- Land Locked States
- International Tribunal for the Law of the Sea

### **Prescribed Books:**

- 1 J. G. Starke- An Introduction to International Law.
- 2 P.W. Bowett- International Institutions.
- 3 J. B. Brierly - The Law of Nations.
- 4 D. H. Harris - International Law (Cases and Materials).
- 5 Oppenheim - International Law( Volume I, Peace)
- 6 S. K. Kapoor - International Law and Human Rights.
- 7 Agrawal H O-International Law & Human Rights, Central Law Publication, Allahabad.
- 8 Rebecca Wallace, International Law
- 9 Brownlie, Principles of International law
10. M.P. Tandon, Public International Law, ALA.

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**





**B.A. LL.B. IX Semester (5 Years Course)**  
**Course Code 9.2**

**Law of Evidence**

**UNIT I**

- Introduction to Law of Evidence
- The Indian Evidence Act, 1872 — Salient features of the Act
- Other acts which deal with evidence. (Special reference to C.P.C., Cr.P.C., IT Act)
- Meaning and kinds of Evidence
- Interpretation clause — May Presume, Shall presume and Conclusive proof - Fact, Fact in issue and Relevant facts
- Distinction between Relevancy and Admissibility
- Standard or Degree of Proof in Civil / Criminal Proceeding
- Doctrine of *Res Gestae*— Motive, preparation and conduct — Conspiracy —When Facts not otherwise relevant become relevant — Right and custom — Facts showing the state of mind etc.

**UNIT II**

- Admissions & Confessions: General Principles concerning Admissions
- Differences between "Admission" and "Confession"
- Confessions obtained by inducement , threat or promise
- Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material — Admissibility of Confessions made by one accused person against co-accused.
- Dying Declarations and their evidentiary value
- Other Statements by persons who cannot be called as Witnesses
- Admissibility of evidence of witnesses in previous judicial proceedings in subsequent judicial proceedings.

**UNIT III**

- Relevancy of Judgments — Opinion of witnesses — Expert's opinion — Opinion on Relationship especially proof of marriage

- Facts which need not be proved
- Oral and Documentary Evidence - General Principles concerning oral evidence and documentary evidence
- Primary and Secondary evidence
- Modes of proof of execution of documents
- Presumptions as to documents
- General Principles regarding Exclusion of Oral by Documentary Evidence.

#### UNIT IV

- Rules relating to Burden of Proof
- Presumption as to Dowry Death
- Estoppel — Kinds of estoppel — Res Judicata, Waiver and Presumption.

#### UNIT V

- Competency to testify
- Privileged communications
- Testimony of Accomplice
- Examination in Chief, Cross examination and Re-examination — Leading questions  
Lawful questions in cross examination; Compulsion to answer questions put to witness
- Hostile witness — Impeaching the credit of witness
- Refreshing memory — Questions of corroboration
- Improper admission and rejection of evidence.

#### Suggested Readings:

1. BatukLal: *The Law of Evidence*, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir: *Principles and Digest of the Law of Evidence*, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. M Monir: *Textbook on Law of Evidence*, Universal Law Publicing 2012.
4. Avtar Singh: *Principles of the Law of Evidence*, 11th Edn. Central Law Publications.
5. V. Krishnama Chary: *The Law of Evidence*, 4th Edn. S.Gogia& Company, Hyderabad.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. IX SEMESTER (5 Years Course)**

### **Course Code 9.3**

## **INTELLECTUAL PROPERTY LAW**

### **UNIT-I**

- Meaning, Nature, Classification and protection of Intellectual Property
- The main forms of Intellectual Property — Copyright, Trademarks, Patents, Designs, Geographical Indications, Plant Varieties, Traditional Knowledge.

### **UNIT –II**

- Introduction to the leading International instruments concerning Intellectual Property Rights The Berne Convention ; Universal Copyright Convention; The Paris Union; Patent Cooperation Treaty
- The World Intellectual Property Organization (WIPO)
- International Trade Agreements concerning IPR — WTO — TRIPS.

### **UNIT -III**

#### **The Copy Right Act, 1957**

- Historical evolution
- Meaning of copyright — Copyright in literary, dramatic and musical works, computer programmes and cinematograph films
- Neighboring rights —Rights of performers and broadcasters, etc.
- Registration of Copyright ; Term of Copyright;
- Ownership and Assignment of copyright — Author's special rights
- Notion of infringement —Criteria of infringement — Infringement of copyright in films, literary and dramatic works
- Authorities under the Act — Remedies for infringement of copyright
- Rome Convention,1961; WIPO Copyright Treaty dealing with protection of Digital Technology and the Internet (Protection of right of authors in the digital environment).

### **UNIT –IV**

#### **Intellectual Property in Trademarks and the rationale of their protection**

- The Trade Marks Act, 1999— Definition of Trademarks — Service Mark, Well known Trade Mark& Certification Marks; Distinction between Trademark and

Property Mark - Registration — Passing off- Infringement of Trademark — Criteria of Infringement — Remedies – Madrid Agreement.

- The Designs Act, 2000 — Definition and characteristics of Design Law in India — Protection and rights of design holders — Copyright in design — Registration — Remedies for infringement. Trademark and Domain Name Interface

## **UNIT –V**

### **Patents**

- Concept of Patent ; Historical overview of the Patents Law in India — Patentable Inventions
- Kinds of Patents
- Procedure for obtaining patent
- The Patents Act, 1970: Recent amendments
  - Rights and obligations of a patentee
  - Term of patent protection
  - Use and exercise of rights
  - Exclusive Marketing Rights
  - Right to Secrecy
  - The notion of abuse of patent rights
  - Infringement of patent rights and remedies available.

## **UNIT - VI**

- Page Geographical indication
- Plant varieties
- Traditional knowledge.
- Bio piracy,
- Patentability of Biotechnology and micro- organisms
- Lisbon Agreement for the Protection of Appellations of Origin and their International Registration.

### **Suggested Readings :**

- 1) G.B. Reddy – Intellectual property Rights & Law, Gogia Law agency Hyderabad.
- 2) Comish W.R. Intellectual Property, Patents, Trademarks, Copyrights and Allied Rights.
- 3) Vikas Vashisht – Law and Practice of intellectual Property, (1999), Bharat Law House Delhi.
- 4) P. Narayanan – Intellectual Property Law, (1999), (ed), Eastern Law House, Calcutta.



5) Bibeck Debroy – (ed), Intellectual Property Rights, (1998), Rajiv Gandhi Foundation, Delhi.

6) Comish W.R. – Intellectual Property, (3rd Edn), (1996), Sweet & Maxwell.

7) W.R. Mann – Transfer of Technology (1982).

8) Mata Din – Law of Passing Off and Infringement Action of Trademarks (1986).

9) P.S. Sangal & Kishore Singh – Indian Patent System and Paris Convention – Legal

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A.LL.B. IX Semester (5 Years Course)**

### **Course Code: 9.4**

#### **LAND LAWS**

##### **UNIT I**

- Classification of lands
- Ownership of Land, absolute and limited ownership (tenancy, lease etc.)
- Doctrine of Eminent Domain
- Doctrine of Escheat and Bona Vacantia
- Constitutional Remedies – Right to Property

##### **UNIT II**

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013

- Definitions
- Determination of Social Impact and Public Purpose
- Preliminary Investigation for determination of Social Impact and Public Purpose
- Special Provision to Safeguard Food Security
- Notification and Acquisition
- Rehabilitation and Resettlement Award
- Procedure and Manner of Rehabilitation and Resettlement
- National Monitoring Committee for Rehabilitation and Resettlement
- Establishment of Land Acquisition, Rehabilitation and Resettlement Authority
- Apportionment of Compensation, Payment and Temporary Occupation of Land
- Offence and Penalties.

##### **UNIT III**

- The Maharashtra Regional and Town Planning Act, 1966
- Definitions
- Provisions Relating to Regional Plan
- Establishment of Region and alteration of limits
- Constitution, Power and Duties of Regional Planning Board
- Regional plan; Contents, Procedure and Publication of Regional plan
- Development Plan; Contents, Procedure and Publication
- Interim development plan
- Penalty for Unauthorized development
- Preparation and Contents of Town Planning scheme; New Town Development Authority

## UNIT IV

- The Maharashtra Land Revenue Code, 1966
- Revenue Officers
- Chief Controlling Authority, Revenue Officer in districts and their power and duties
- Classes of persons holding land - Disposal of intestate occupancies-Occupancies to be transferable and restriction on transferability;
- Procedure for Conversion of use of land from one purpose to another
- penalty for using land without permission
- Procedure for Construction of Water Course Through others Land
- Removal of encroachment of land vesting in Government, regularization of encroachment
- Summary eviction, Relinquishment of alienated land- Right to relinquished land

## UNIT V

- The Maharashtra Land Revenue Code, 1966
- Penalty for default of payment of land revenue
- Process of recovery of arrears, Arrest and Detention of defaulter
- Boundary and Boundary Marks
- Fixation, Determination and demarcation of Boundaries, disputes regarding boundaries
- Straightening out crooked boundaries
- Land record, Record of right, Register of Mutation
- Nistarpatrik and WajibUIUrj
- Appeal ,Revision and Review, Maharashtra Revenue Tribunal

### Suggested Readings:

1. A. K .Gupte and Dighe , The Maharashtra Land Revenue Code ,1966Hind Law House ,Pune
2. Sameer Tendulkar and H. M. Bhatt, MRTP Act 1966, Noble Law House, Mumbai
- 3 .Bare act, The Maharashtra Land Revenue Code, 1966
4. Bare Act, MRTP Act 1966
5. S. R. Majumdar, The Maharashtra Regional town Planning Act,Bhupesh Publication.
6. Bare Act, Maharashtra Rent Control Act 1999
7. Bare Act, The Right Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

**B.A. LL.B. IX Semester (5 Years Course)**

## Course Code 9.5

### HEALTH LAW

#### UNIT I

- Interrelationship Between Law and Medicine

##### **Right to Health-**

- International Perspective- UDHR, 1948 (Art.25); ICESCR, 1966(Art.12): Declaration of Geneva, 1948.
- Constitutional Perspectives- Fundamental Rights- Right to Health care, Right to Life, Right to Clean Environment, Right to Emergency Medical Care.
- Directive Principles of State policies- Art. 39(a), 47, 48-A.

#### UNIT II

##### **Health- Legislative Perspective-**

- Drugs and Cosmetics Act, 1940
- The Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994
- The Transplantation of Human Organs Act, 1994
- The Medical Termination of Pregnancy Act, 1971
- Overview of the Mental Health Act, 1987

#### UNIT III

##### **Public Health and Law-**

- Overview of-AIDS and Law
- Health and the Environment
- Offences Affecting Public Health under IPC

#### UNIT IV

##### **Medical Profession and Law**

- Doctor- Patient Relationship
- Informed Consent
- Medical Confidentiality

- Medical Negligence- Liability: Civil, Criminal and Liability under Consumer Protection Act, 1986.
- Indian Medical Council and Association
- Regulation of Bio-Medical Waste

## **UNIT V**

### **Contemporary Issues-**

- Surrogacy- Social, Legal & Ethical Issues
- Euthanasia in India
- Malnutrition in India

### **Suggested Readings:**

1. M.P.Jain, Indian Constitutional Law, Wadhwa & Co, Nagpur.
2. Dr.U.Chandra, Human Rights, Allahabad Law Agency.
3. Dr.Nandita Adhikari, Law and Medicine, Central Law Publications, Allahabad.
4. Shyam Divan, Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press.
- 5.Dr. Lily Shrivastava, Law and Medicine, Paper Back, Universal Law Publishing Co.
6. P.K. Sasidharan, Healthy India, notionpress.com, Chennai.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

**Course Code 9.6**  
**CLINICAL PAPER-II**  
**PROFESSIONAL ETHICS & PROFESSIONAL ACCOUNTING**  
**SYSTEM**

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to IV of Section -A and assigned to the students & a Report on 50 select opinions of Disciplinary committee of Bar Council of India and 10 Major judgments of the Supreme Court relating to the Contempt of Court specified in Section B. The record and Report shall be submitted within the stipulated time to the evaluation Committee constituted by the College with Full Time Teacher and Practicing Advocates. The mode of Assessment is as follows:-

A) Record on Topics from Unit I to IV **40 Marks**  
(Internal marks to be awarded by the evaluation Committee)

B) Report on opinions of Disciplinary committee of Bar Council of India & judgments of the Supreme Court **40 Marks**  
(to be awarded by both External & Internal Examiner jointly)

C) Viva – Voce **20 Marks**  
(to be awarded by both External & Internal Examiner jointly)

**Note: A Student shall get at least 45% of the marks in each of the above components.**

**SECTION –A**

**UNIT-I**

- The legal profession and its responsibilities;
- The equipment of the lawyer;
- Conduct in court;
- Professional conduct in general;
- Privileges of a lawyer;

**UNIT-II**

- Seven lamps of advocacy
- Advocates duties towards public, clients, court, and other advocates and legal aid ;
- Bar Council Code of Ethics.

**UNIT-III**

- Disciplinary proceedings
- Professional misconduct
- Disqualifications
- Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings

- Disciplinary Committees -- Powers and functions - Disqualification and removal from rolls. Contempt of Court Act, 1972

#### **UNIT-IV**

Accountancy for lawyers:

- Need for maintenance of accounts
- Books of accounts that need to be maintained- Cash Book, journal and ledger
- Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts
- The cash and bulk transaction- The Cash book- Journal proper especially with reference to client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

#### **SECTION –B**

#### **Selected major judgments of the Supreme Court:**

1. *In the matter of D, An Advocate*, AIR 1956 SC 102.
2. *P.J.Ratnamv.D.Kanikaram*, AIR1964 SC 244.
3. *N.B.Mirzanv.The disciplinary committee of Bar Council of Maharastra and Another*, AIR 1972 SC 46.
4. *Bar Council Of Maharastrav.M.V.Dabholkar, etc.*, AIR 1976 SC 242.
5. *V.C.Rangaduraiv.D.Goplan and others*, AIR 1979 SC 201.
6. *Chandra Shekhar Soniv.Bar Council of Rajasthan and Others*, AIR 1983 SC 1012.
7. *In Re an Advocate*, AIR 1989 SC 245.
8. *In Re Vinay Chandra Mishra*, 1995 (Vol-I) IBR 118.
9. *Supreme Court Bar Associationv.Union of India*, AIR 1998 SC 1895.
10. *Ex-Capt. Harish Uppalv.Union of India*, AIR 2003 SC 739.
- 11 Any other recent judgments of Supreme Court selected and given by concerned teacher

#### **Selected opinions of the Bar council of India**

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 153
4. DC Appeal No. 20/94 1997 (Vol. 3 &4) IBR 193
- 5 BCI Tr. Case No. 76/95 1997 (Vol. 3 &4) IBR 201
- 6 DC Appeal No.43/96 1997 (Vol. 3 &4) IBR 207
- 7 DC Appeal No.18/91 1997 (Vol. 1 & 2) IBR 271
- 8 DC Appeal No.24/90 1996 (Vol.1) IBR 135
- 9 DC Appeal No.19/93 1996 (Vol.1) IBR 152
- 10 BCI Tr. Case No.104/90 1996 (Vol.1) IBR 155
- 11 BCI Tr. Case No.52/89 1994 (Vol.1) IBR 187
- 12 BCI Tr. Case No.127/88 1992 (Vol. 3 &4) IBR 125
- 13 BCI Tr. Case No.39/87 1992 (Vol. 3 &4) IBR 147
- 14 BCI Tr. Case No.39/89 1992 (Vol. 3 &4) IBR 149
- 15 BCI Tr. Case No.16/88 1989 (Vol.1) IBR 99
- 16 BCI Tr. Case No.2/88 1989 (Vol.1) IBR 102
- 17 BCI Tr. Case No.52/88 1989 (Vol.2) IBR 110
- 18 DC Appeal No.41/87 1989 (Vol.2) IBR 122
- 19 BCI Tr. Case No.29/81 1989 (Vol.2) IBR 245
- 20 DC Appeal No.14/88 1989 (Vol.2) IBR 258
- 21 BCI Tr. Case No.14/80 1989 (Vol.2) IBR 264



- 22 DC Appeal No.24/87 1989 (Vol.2) IBR 273
- 23 DC Appeal No.46/86 1989 (Vol.2) IBR 280
- 24 DC Appeal No.3/88 1989 (Vol.2) IBR 285
- 25 BCI Tr. Case No.2/80 1989 (Vol.2) IBR 289
- 26 BCI Tr. Case No.10/86 1989 (Vol. 3 &4) IBR 520
- 27 BCI Tr. Case No.101/88 1989 (Vol. 3 &4) IBR 524
- 28 DC Appeal No.23/88 1989 (Vol. 3 &4) IBR 532
- 29 DC Appeal No.35/87 1989 (Vol. 3 &4) IBR 536
- 30 BCI Tr. Case No.27/88 1989 (Vol. 3 &4) IBR 542
- 31 BCI Tr. Case No.6/84 1989 (Vol. 3 &4) IBR 560
- 32 BCI Tr. Case No.24/86 1989 (Vol. 3 &4) IBR 563
- 33 DC Appeal No.10/88 1989 (Vol. 3 &4) IBR 572
- 34 DC Appeal No.45/74 1988 (Vol. 1 &2) IBR 182
- 35 DC Appeal No.23/87 1989 (Vol.1& 2) IBR 187
- 36 DC Appeal No.6/81 1988 (Vol.1& 2) IBR 193
- 37 BCI Tr. Case No.16/86 1988 (Vol.1& 2) IBR 197
- 38 DC Appeal No.41/86 1988 (Vol.1& 2) IBR 200
- 39 DC Appeal No.33/86 1988 (Vol. 3 &4) IBR 354
- 40 DC Appeal No.21/85 1988 (Vol. 3 &4) IBR 359
- 41 BCI Tr. Case No.43/82 1988 (Vol. 3 &4) IBR 364
- 42 DC Appeal No.28/86 1988 (Vol.3& 4) IBR 374
- 43 DC Appeal No.64/74 1987 (Vol.2) IBR 314
- 44 DC Appeal No.30/84 1987 (Vol.2) IBR 319
- 45 DC Appeal No.40/86 1987 (Vol.3) IBR 488
- 46 DC Appeal No.10/86 &10A/86 1987 (Vol.3) IBR 491
- 47 DC Appeal No.7/86 1987 (Vol.3) IBR 496
- 48 DC Appeal No.7/81 1987 (Vol.4) IBR 735
- 49 DC Appeal No.12/86 1987 (Vol.4) IBR 745
- 50 BCI Tr. Case No.57/87 1987 (Vol.4) IBR 753
- 51 Any other recent opinion/decision of Disciplinary committee of BCI, selected and given by concerned teacher

### **Prescribed Books:**

1. K.V.Krishnaswamy Iyer- Professional Conduct and Advocacy.
2. B.S.Raman- Accountancy.
3. N. R. Madhava Menon- Clinical Legal Education.
4. Dr. B. Malik- Art of Lawyer (New Delhi, Universal Book Agency, 1999) – Relevant articles
5. Contempt of Court Act, 1971
6. Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
7. Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
8. Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Allahabad Law Agency.
9. Siroh: Professional Ethics, Central Law Publications, Allahabad.
10. Ramachandra Jha: Selected Judgements on Professional Ethics published by Bar Council of India Trust, 2002.
11. Dr. G.B. Reddy: Practical Advocacy of Law, 2nd Ed. 2005. Gogia Law Agency. Hyderabad

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A.LL.B. X Semester (5 Years Course)**

**Course Code: 10.1**

### **INTERPRETATION OF STATUTES**

#### **UNIT- I**

##### **INTRODUCTION**

- Law making: The role of Legislature, Executive and Judiciary.
- Meaning and scope of the term “Statute”.
- The Process of Law Making (The draft, bill, Act, Assent & operation).
- Parts of a Statute & Classification of Statutes
- Meaning, nature and scope of the term “Interpretation”.
- Need and Purpose of Interpretation
- Difference between Interpretation and Construction.

#### **UNIT-II:**

##### **GENERAL THEORIES**

- Presumptions.
- Basic Principles
  - The Function of the Court is to interpret the law and not to legislate
  - Intention of Legislature
  - Statute must be read as a whole
  - Statute to be workable and effective
  - Plain Language must be given effect irrespective of consequences

#### **UNIT-III:**

##### **RULES OF INTERPRETATION**

- Literal/Grammatical Rule of Construction
- Golden Rule of Construction
- Mischief Rule of Construction (Rule in Heydon’s Case)
- Rule of Purposive Construction.
- Rule of Harmonious Construction.
- Strict and Liberal Construction

#### **UNIT-IV:**

##### **SUBSIDIARY RULES OF CONSTRUCTION**

- Same word same meaning, use of different words,
- Rule of Last Antecedent,
- Non Obstinate Clause,
- legal fiction,

- Mandatory and Directory Provisions,
- Conductive and Disjunctive words ‘or’/‘and’,
- Construction of general words - Noscitur A Socis; Rule of ejusdem generis, Words of rank, Redendo Singula Singulis etc.

## **UNIT-V:**

### **AIDS TO CONSTRUCTION**

Understanding the need and importance of Aids to constructions

- **Internal Aid to Construction**  
Preamble, Definition, Sections, Heading, Marginal Notes, Punctuation, Illustrations, Provisions, Explanation and Schedule.
- **External Aid to Construction**  
Parliamentary History, Historical Facts and surrounding circumstances, socio-political and economic developments, reference to other statutes, contemporanea exposition and other external aids.

## **UNIT-VI:**

### **INTERPRETATION WITH RESPECT TO SUBJECT MATTER AND PURPOSE**

- Constructions of Penal & Remedial Statutes
- Constructions of Taxing Statutes
- Constructions of Welfare Statutes
- Construction of Substantive and Procedural Statutes.

## **UNIT-VI:**

### **THE GENERAL CLAUSES ACT, 1897**

- Rules of Construction under the General Clauses Act, 1897
- Repeal : Effect of Repeal : Temporary and Perpetual Statutes: Their expiry and repeal
- Prospective and Retrospective Operation of statutes
- Effect of amendment to statutes.
- Revival of repealed enactments

### **Suggested Readings:**

1. G.P. Singh: Principles of Statutory Interpretation, Lexis Nexis, 14<sup>th</sup> Edn., 2016.
2. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, 5<sup>th</sup> Edition, 2010.
3. Maxwell: Interpretation of Statutes, Butterworths Publications, 1976, 12<sup>th</sup> Edition.
4. N.S. Bindra's : Interpretation of Statutes, Lexis Nexis, 12<sup>th</sup> Edition

4. Crawford: Interpretation of Statutes, Universal Publishers.
6. Cross, Statutory Interpretation
7. Avtar Singh :- Introduction to Interpretation of Statutes, Butterworth Wadhwa
8. B.M. Gandhi : Interpretation of Statutes, 2<sup>nd</sup> Edition, Eastern Book Co.

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**Course Code: 10.2**

## **TRANSFER OF PROPERTY**

### **Unit I**

- Meaning and concept of property
- Kinds of property
- Transfer of property
- Transferable and non-transferable property
- Who can transfer
- Operation of transfer
- Mode of transfer
- Conditional transfer
- Void and unlawful conditions : Condition precedent and condition subsequent; Vested and contingent interest ; Transfer to unborn person

### **Unit II**

- Doctrine of Election
- Covenants
- Transfer by ostensible owner
- Doctrine of Feeding the Grant by Estoppel
- Doctrine of Lis Pendens
- Fraudulent Transfer
- Doctrine of Part-performance.

### **Unit III**

#### **Sale**

- Essential features
- Mode of Sale
- Rights and liabilities of parties.

#### **Mortgage**

- Kinds of Mortgages
- Rights and liabilities of mortgagor and mortgagee
- Marshalling and Contribution
- Charges.

### **Unit IV**

## Lease

- Essential features
- Kinds of leases
- Rights and liabilities of lessor and lessee
- Termination of lease: Forfeiture

## Exchange

## Gifts

- Different types of gifts
- Registration of Gifts

## Transfer of Actionable Claims.

## Unit V

- Easements :Definition of easement
- Distinction between Lease and License
- Dominant and Servient Tenements.
- Acquisition of property through testamentary succession : Will; Codicil; Capacity to execute Will ;Nature of bequests; Executors of Will; Rights and Obligations of Legatees

## Suggested Readings:

1. Mulla : *Transfer of Property*, Butterworths Publications.
2. Subba Rao GCV: *Commentaries on the Transfer of Property Act*.
3. Krishna Menon: *Law of Property*.
4. Upadhyaya's *Common Matrix of Transfer of Property*.

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A.LL.B. X Semester (5 Years Course)**

**Course Code: 10.3.1**

### **OPTIONAL PAPER**

#### **HUMAN RIGHTS**

##### **UNIT I:**

- Human Rights: Meaning, Evolution of Human Rights
- Ancient and Natural law perspective
- Classification of Human Rights
- Generations of Human Rights
- Sources of International Human Rights Law
- Importance and Significance of Human Rights

##### **UNIT II:**

- U.N. Charter and Human Rights
- Universal Declaration of Human Rights and its legal significance
- International Covenant on Economic, Social and Cultural Rights, 1966
- International Covenant on Civil & Political Rights, 1966
- The Vienna Conference on Human Rights
- Human Rights Council

##### **UNIT III:**

- Regional Conventions on Human Rights: The European Convention on Human Rights, 1950
- The American Convention on Human Rights, 1969
- African Charter on Human and Peoples Rights
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- International Convention on Genocide, Apartheid, Slave Trade, Trafficking in Person and Prostitution.

##### **UNIT IV:**

- Human Rights in India
- Human Rights and Indian Constitution
- The Protection of Human Rights Act, 1993
- National Human Rights Commission
- State Human Rights Commission
- National Commission for Minorities
- National Commission for Safai karamcharis



- National Commission for Women
- National Commission for Backward Classes and National Commission for Schedule Castes and Schedule Tribes
- Judicial activism & Protection of Human Rights in India
- Role of Non-Governmental organization in the Promotion and Protection of Human Rights

#### **UNIT V:**

- International Conventions on Human Rights and Vulnerable Groups:
- Disabled Persons,
- Indigenous Persons,
- Persons with HIV- AIDS,
- Women & Children,
- Refugees,
- Aged Persons,
- Minorities and Tribal
- Collective Rights- Right to Development
- Right to Self Determination
- Right to Healthy Environment

#### **Suggested Readings:**

- 1 Wallace, International Human Rights, 1996 Sweet & Maxwell
2. Theodor Meron (ed.), Human Right in International Law
3. S.K.Kapoor, Human Right under International Law & Indian
4. Dugmarti Rao, HIV/AIDS and Law, Ethics and Human Rights, Discovery Publishing House, New Delhi.
5. Dr. H.O.Agrawal, International Law and Human Rights, Central Law Publication
- . Dr. Awasthi and Kataria, Law Relating to Protection of Human Rights

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A.LL.B. X Semester (5 Years Course)**

### **Course Code 10.3.2**

### **OPTIONAL PAPER**

### **WOMEN & LAW**

#### **UNIT-I:**

- Historical background and status of women in ancient India
- Constitutional Provisions and gender justice
- Relevant provisions relating to women in Directive Principles of State Policy and Fundamental Duties under the Indian Constitution.

#### **UNIT-II:**

- Laws relating to marriage, divorce, succession and maintenance under the relevant personal laws with special emphasis on discrimination of women
- Special Marriage Act
- Maintenance under Cr. P.C.

#### **UNIT-III:**

- Special provisions relating to women under the Indian Evidence Act, 1872
- Offences against women under Indian Penal Code
- Outraging the modesty of women
- Sexual Harassment
- Rape
- Bigamy
- Mock and fraudulent marriages
- Sexual Harassment of women at Workplace (Prevention, Prohibition & Redressal) Act, 2013
- Causing miscarriage
- Insulting women

#### **UNIT-IV:**

- Social-Legal position of women and the law
- Dowry Prohibition Act, 1961
- Medical Termination of Pregnancy Act, 1971
- Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex selection) Act, 1984
- Immoral Traffic (Prevention) Act
- Law relating to domestic violence

#### **UNIT –V:**

- Relevant provisions relating to women under Maternity Benefit Act, 1961

- Factories Act and other Labour & Industrial Laws
- Position of Women under International instruments
- Salient features of Convention for Elimination of all forms of Discrimination Against Women (CEDAW)

**Suggested Readings:**

1. S.P. Sathe: *Towards Gender Justice*.
2. Dr. Vijay Sharma: *Protection to woman in Matrimonial home*
3. Dr. Sarojini Saxena: *Femijuris*(Law relating to Women in India)
4. Dr. Archana Parsher: *Women and Social Reform*
5. Dr. Paras Diwan: *Dowry and protection to married women*
6. Mary Wollstonecraft: *A Vindication of the rights of women*.
7. Dr. G.B.Reddy: *Women and Law*, 2nd Edn. Gogia Law Agency, Hyderabad, 1998.
- 8 Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC publication, Chandrapur

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. X Semester (5 Years Course)**

### **Course Code 10.4**

## **INSOLVENCY AND BANKRUPTCY LAWS**

### **UNIT I –**

- Brief history of the Insolvency and Bankruptcy Code
- Objectives and Purpose of the Insolvency and Bankruptcy Code
- Comparison of Insolvency Process under the Companies Act 2013 and the Insolvency and Bankruptcy Code of 2018.

### **UNIT II –**

#### **Corporate Insolvency Resolution Process**

- Persons who may initiate the process (Sec. 6 to 11)
- Time-limit for Completion of Resolution and Moratorium Process (Sec. 12 to 14)
- Fast Track Corporate Insolvency Resolution Process (Sec. 55 to 58)
- Procedure relating to Insolvency Resolution Process (Sec. 15 to 32)
- Liquidation Process (Sec. 33 to 54)

### **UNIT III –**

#### **A] Insolvency of Corporate Person**

- Voluntary Liquidation of Corporate Persons (Sec. 59 to 67)
- Offences and Penalties (Sec. 68 to 77)

#### **B] Insolvency of Individuals and Partnership Firms**

- Application and Definition
- Fresh Start Process
- Insolvency Resolution Process (Sec. 94 to 120)
- Bankruptcy Order for Individuals and Partnership Firms

### **UNIT IV –**

#### **Administration and Distribution of the Estate of the Bankrupt**

- Bankruptcy Trustee – Functions, Duties, Rights and Powers (Sec. 149 to 152)
- Distribution of Estate of the Bankrupt (Sec. 153 to 178)

### **UNIT V –**

#### **Authorities under the Code**

- Adjudicating Authorities for Individual and Partnership Firms
- Powers of Civil Court and Appeals
- Insolvency and Bankruptcy Board of India – Constitution of the Board, Powers and Functions
- Insolvency Professionals

- Inspection and Investigations

**Suggested Readings –**

1. Insolvency and Bankruptcy Code, 2016 (with Amendment of 2018) – Bare Act
2. Treatise on Insolvency and Bankruptcy Code - by V.S. Wahi (Bharat 2<sup>nd</sup> Edition Reprint, August 2018)
3. The Insolvency and Bankruptcy Code, 2016 with Rules and Regulations - Bloomsbury
4. Taxmann's Guide to Insolvency and Bankruptcy Code – V.S. Datey
5. Commentary on The Insolvency and Bankruptcy Code, 2016 (Second Edition) – Mazar Saeed (Thomson Reuters)
6. Guide to Insolvency and Bankruptcy Code, 2016 – Mamta Bhargava (Corporate Law Advisor)
7. Bharat's Insolvency and Bankruptcy Code Ready Reckoner – Kamal Garg
8. Bharat's Guide to Insolvency and Bankruptcy Code – D.K. Jain

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **B.A. LL.B. X Semester (5 Years Course)**

### **Course Code 10.5**

### **CLINICAL PAPER III**

### **MOOT COURT AND INTERNSHIP**

This paper has three components of 30 marks each and viva-voce for 10 marks.

- (A) Moot Court (30 marks):** Every student is required to participate in at least three moot courts in the X Semester with 10 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

Marks will be given on the basis of written submission and oral advocacy. Written submissions shall include brief summary of facts, issues involved, provisions of laws and arguments, citation, prayer, etc. Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law; authorities quoted, court manners, etc. Written Memorials submitted by the students shall be kept by the College for Further Verification.

The performance of student in the moot court shall be evaluated by a committee consisting of (i) Principal of the College (ii) an Advocate with 10 years experience at the Bar; and (iii) the teacher concerned.

- (B) Observance of Trial in two cases, one Civil and one Criminal (30 marks):**

Students are required to attend courts to observe at least one civil and one criminal case. They shall maintain a record and enter the various steps observed during their attendance on different days in the court. The Court Observation Record submitted by the students should be evaluated by a committee consisting of (i) Principal of the College/the concerned teacher (ii) External Examiner appointed by the University and (iii) an Advocate with 10 years experience at the Bar. Court attendance shall be compulsory and details shall be recorded in a Record Book kept therefor. This may be carried under the supervision of a teacher of the college. This scheme will carry 30 marks.

- (C) Interviewing Techniques and Pre-Trial Preparations and Internship/Court Visit Diary (30 marks):**

Each student should observe two 'interview sessions' of clients either in the Lawyer's Office or in the Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student has to further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This shall be recorded in the diary which will carry 15 marks. The diary shall clearly indicate the dates on which the above observations are made and they shall be authenticated by

the advocate concerned. Evaluation of the above diary shall be made by the committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, and (iii) an Advocate with 10 years experience at the Bar.

**(D) Viva-voce (10 marks):**

There shall be viva-voce examination on all the above three components. The Viva-voce Board consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and (iii) an advocate with 10 years experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

**Note:**

- 1. Attendance of the students in all the four components of the paper shall be compulsory.**
- 2. The above records, diary certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for further verification.**

**Suggested Readings:**

1. Dr. Kailash Rai: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law Publication.
2. Amita Danda: *Moot Court for Interactive Legal Education*, Gogia Law Agency, Hyderabad.
3. Blackstone's: *Books of Moots*, Oxford University Press.
4. Mishra: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law, Allahabad.

**Note:** In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

## **Course Code 10.6**

### **CLINICAL PAPER IV**

### **DRAFTING, PLEADINGS AND CONVEYANCING**

Class-room instruction and simulation exercises on the following items shall be extended. However there is no end semester theory examination for this course.

#### **Unit I**

**Drafting:** General Principles of Drafting and relevant Substantive Rules shall be taught.

#### **Unit II**

##### **Pleadings:**

- (i) Civil—Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision.
- (ii) Petition under Article 226 and 32 of the Constitution of India - Drafting of Writ Petition and PIL Petition.
- (iii) Criminal— Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

#### **Unit III**

##### **Conveyancing:**

Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

##### **Practical Exercises**

Apart from teaching the relevant law, the course includes not less than 15 (fifteen) practical exercises in drafting of pleadings carrying a total of 45 marks (3 marks for each) and 15 (fifteen) exercises in conveyancing carrying another 45 marks (3 marks for each exercise) and remaining 10 marks for viva-voce. These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted. These exercises shall be evaluated by a common committee consisting of (i) Principal of the College/the concerned teacher as Internal Examiner (ii) External Examiner appointed by the University (iii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts.

**Note: Attendance of the students for viva-voce shall be compulsory.**

##### **Suggested Readings:**



1. R.N. Chaturvedi : *Pleadings and Conveyancing*, Central Law Publications.
2. De Souza : *Conveyancing*, Eastern Law House.
3. Tiwari : *Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company
7. Narayana P.S.: *Civil Pleadings and Practice*, Asia Law House.
8. Narayana P.S.: *Criminal Pleadings and Practice*, Asia Law House.
9. Noshirvan H.Jhabvala: *Drafting, Pleadings, Conveyancing & Professional Ethics*.  
Jamhadar & Companes.
10. R.D.Srivastava: *The Law of Pleadings, Drafting and Conveyancing*, Central Law Agency

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**



**FACULTY OF LAW**

**CHOISE BASED CREDIT SYSTEM  
FOR  
LL.M. PROGRAM**

**FINAL DRAFT OF THE SYLLABUS**

# **FIRST SEMESTER**

## **COMPULSORY COURSE :- (CC – 01)**

### **LAW AND SOCIAL TRANSFORMATION IN INDIA**

Objective of the course:

This course is designed to offer the students 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.

The following syllabus will be spread over a period of one semester.

Syllabus of the Course:

- 1 Law and social change
  - 1) Law as an instrument of social change.
  - 2) Law as the product of traditions and culture. 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.
2. Reception of English Law in India:
  - 1) Development of judicial institutions and civil law in British India
  - 2) Role of Privy Council in India.
  - 3) Role of Justice, Equity and Good Conscience.
3. Community and the Law:
  - 1) Caste as a divisive factor
  - 2) Non - discrimination on the ground of caste.
  - 3) Acceptance of caste as a factor to undo past injustices.
  - 4) Protective discrimination: Scheduled castes, tribes and backward classes.
  - 5) Reservation: Statutory Commissions., Statutory provisions.
4. Modernisation and the Law:
  - 1) Modernisation as a value: Constitutional perspectives reflected in the fundamental duties.
  - 2) Industrial reform: Free enterprise V. State regulation - Industrialisation

5. Enforcement of Constitutional Values:
  - 1) Concept of India as one unit - Regionalism as a divisive factor
  - 2) Secularism .
  - 3) Directive Principles of State Policy - judicial response.
  - 4) Problems of Uniform Civil Code.
  - 5) Gender injustice ( Constitutional perspective )
  - 6) Children and Law . " "
6. Approaches to Law and Justice during the Nationalist Struggle:
 

Gandhi's Theory of State, Political and Legal Obligation.

Sources of Liberalism – The ideas of Phule, Ambedkar and Tilak.

Political and Legal thoughts of Nehru,

*Books Suggested for reading:*

- 1) A. V. Dicey – Law and Public Opinion in England, (1996)  
Universal Book Traders
- 2) Upendra Baxi – Towards a Sociology of Indian Law (Delhi, 1966).
- 3) M. C. Setalwad – The Common Law in India.
- 4) Vasudha Dhagamwar - Law, Power and Justice (1992).
- 5) M. P. Jain - Outlines of Indian Legal History, 5th Edn. 1999,  
Wadhwa & Co.
- 6) Legal & Constitutional History of India - Rama Jois, Vol -I & II,  
1990, N.M.Tripathi Pvt. Ltd. Bombay.
- 7) Rajeev Bhargava, Edited: Secularism & Its Critics, Oxford India,  
1999.
- 8) S.P. Shaw- Laws of the Child, ( 2000) Alia Law Agency , Allahabad.
- 9) B.R. Ghatak -. Ambedkar Thought ( 1997) APH Publishing Corporation , N.  
Delhi.
- 10) Verinder Gorver- Jawaharlal Nehru (1995) Deep and Deep Publication,  
N. Delhi.
- 11) S.R. Bakshi - Bal Gangadhar Tilak ( 1994) Annot Publications, N. Delhi.
- 12) Shyam S. Agarwalla - Religion and Caste Politics, (1998 ) Rawat Publications  
Jaipur and New Delhi.
- 13) A.S. Anand - Justice for Women concerns and expressions, ( 2002) Universal  
Law Publishing Co.Pvt. Ltd.

## **COMPULSORY COURSE :- CC - 02**

### **INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES.**

#### Objective 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 following syllabus will be spread over a period of one semester.

#### Syllabus of the Course:

##### 1) Nature and Scope of Rights:

- 1) Historical Background of Fundamental Rights in India.
- 2) Scope and Definition of Human Rights and Fundamental Rights.
- 3) Role of NHRC and Human Rights Courts.
- 4) Scope of Art.12 and Definition of 'State'.
- 5) Art. 13 and Rules of Interpretation with regard to Fundamental Rights-Doctrines.

##### 2. Equality and Social Justice (Art 14 -17).

##### 3. Scope of Art. 19:

- 1) Scope of the freedom under Art. 19(1) (a) - New Dimensions
- 2) Scope of other freedoms as guaranteed in Art. 19(1)(b) to (g). & Reasonable Restrictions .

##### 4. 1) Safeguards to persons accused of crime under Arts 20

- 2) Right to life and personal liberty - Nature, Scope and Expanding horizons of Art. 21.
- 3) Preventive Detention - Art . 22

##### 5. 1) Right to Freedom of Religion and Secularism - Arts. 25-28.

- 2) Cultural and Educational Rights of Minority Communities - Arts. 29 and 30.

##### 6. New Rights and Emerging Regime of Remedies:

- 1) Nature and Scope of Art.32.
- 2) Locus Standi - Public Interest Litigation.
- 3) Implementation of International Conventions of Human Rights.
- 4) Compensatory Justice.

7. Fundamental Duties and Directive Principles of State Policy - New Challenges
  - 1) Legal status, underlying object, nature and character of directives, classification and categories of directives.
  - 2) Interaction and Relationship between Fundamental Rights and Directive Principles and Duties.
8. Fundamental Rights and Emergency

### ***Books Suggested for Reading:***

- 1) H. M. Seervai – Constitutional Law of India. (1996) Tripathi.
- 2) M. Galanter – Competing Equalities: Law and the Backward Classes in India (1984).
- 3) Dr. Thrity Patel – Personal Liberty under The Constitution of India (B. Jain Publishers Delhi, 1993).
- 4) D. D. Basu – Constitution of India. (1996).
- 5) M. P. Jain – Constitutional Law of India.
- 6) V. N. Shukla – Constitution of India 9th Ed. 1994.
- 7) Ravi Prakash - Constitution, Fundamental Rights & Judicial Activism in India, 1997.
- 8) Justice Palok Basu - Law Relating to Protection of Human Rights Under the Indian Constitution and Allied Laws, (2002)

# International Law

## OPTIONAL CORE COURSE ( OCC –A 01)

### Nature and Sources of International Law

1. Historical Background and Theoretical Foundation of International Law :
  - 1) Definition and Character of International Law
  - 2) Historical Evolution and Development of International Law
  - 3) Basis of International Obligation
2. Concept of Source of Law and Methods of Law Formulation.
  - 1) Meaning of Source of Law
  - 2) Sources of International Law
  - 3) Hierarchy of the Sources
  - 4) Codification and Progressive Development of International Law and Role of International Law Commission and International Agencies
  - 5) Jus Cogens
3. Relationship between International Law and Municipal Law :
  - 1) Theories of Relationship
  - 2) Merits and Demerits of the Theories with regard to the Relationship between International Law and Municipal Law
  - 3) American, English and French Approaches towards the Relationship between Municipal Law and International Law
  - 4) Indian Practice and role of Indian Judiciary
4. Subjects of International Law:
  - 1) States
  - 2) Non - State Entities
  - 3) Individuals.
5. State :
  - 1) Nature and Functions of State under International Law
  - 2) Different kinds of states and Non – State Entities
  - 3) Associations or groups of States
  - 4) State territory, acquisition & loss of territory
  - 5) State jurisdiction , Territorial and Extra-territorial jurisdiction, Criminal jurisdiction and Universal jurisdiction in International Law
6. Recognition:
  - 1) Recognition of State and Government in General
  - 2) Recognition De jure and De Facto
  - 3) Legal effects of Recognition



7. State Responsibility:
  - 1) Nature and Kind of State Responsibility
  - 2) Responsibility for breach of treaty, contractual obligation and expropriation of foreign property
  - 3) Responsibility for International delinquencies
  - 4) Claims
8. State Succession:
  - 1) Definition of state succession
  - 2) Kinds and Theories of State Succession
  - 3) Rights and obligations arising out of State Succession

Books Suggested for Reading:

- 1) O. Connel, D. P. – International Law Vol. I & II.
- 2) S. K. Agrawal (Ed.) – Essays on the Law of Treaties (1972).
- 3) Roselyn Higgins – The Development of International Law through the Political Organs of the UN (1963).
- 4) D. J. Harris – Cases and Materials on International Law (Third Ed. 1983).
- 5) Francis M. Sekandi (ed.) – New Horizons in International Law (Second Revised Edition).
- 6) George Schwarzenberger – International Law.
- 7) Brownlie – Principles of Public International Law, 4<sup>th</sup> Edn. 1990.
- 8) Rebecca M. Wallace: International Law.
- 9) Melcolm N. Shaw: International Law.
- 10) Martin Dixon and Robert: Cases and Material on international law Mc. Corquodale.
- 11) Shabled Rosemat – Developments in the law of Treaties.

## **OPTIONAL CORE COURSE (OCC –A 02)**

### **Law of International Organizations**

1. Evolution and growth of International Organisations
2. Nature and Scope of International Organization:
  - 1) Nature and Legal personality: Public & Private
  - 2) Types of International Organisations: Private International Organisations (NGOs)
3. Universal International Organisation:
  - 1) League of Nations
  - 2) United Nations:
    - i) Principles and Purposes of United Nations
    - ii) Structure Composition and functions of organs of United Nations
    - iii) Law making process in the United Nations Resolutions
    - iv) UN Peace Keeping Function
    - v) Need for structural changes in United Nations Organisation
4. Executive Powers and Functions of the Secretary General of the UN
5. Specialised Agencies of the United Nations and their functions
6. Regional International Organisations :  
Council of Europe, OAS., OAU., NATO., SAARC., Arab League
7. Judicial Institutions:
  - 1) Historical Evolution
  - 2) Permanent Court of Arbitration
  - 3) Permanent Court of International Justice
  - 4) International Court of Justice – Composition, jurisdiction and functions
8. India and the United Nations

### Books Suggested for Reading.

- 1) S. S. Goodspeed – The Nature and Function of International Organization.
- 2) Edward Yewin – Legislative Powers in the UN and Specialized Agencies (1969).
- 3) Ingrid Detter – Law Making by International Organization.
- 4) Higgins – The Development of International Law through the Political Organs of the United Nations (1963).
- 5) D. W. Rowett – The Law International Institution.
- 6) Buth Russell – A History of UN Charter.
- 7) A Cassess (Ed.) United Nations Peace Keeping Legal Essay (1978).
- 8) Meurice Rertrend – The Third General World Organisation (1989).
- 9) M. Moskowitz – The Roots and Readhes of United Nations – Action and Decisions (1980).
- 10) Dr. J. N. Saxena (Ed.) – United Nations for a Better World, Lancers Book,P. B. 4236 New Delhi – 110 048.
- 11) Dr. Rahmatullah Khan – Implied Powers of the United Nations.
- 12) Sir Gerald Fitz Maurice – The Law and Procedure of the International Court of Justice, 1986.
- 13) Sabltai Rosenne – The World Court, What it is and how it works? 1995.
- 14) Felice Morgen Stern – Legal Problems of International Organisation, 1986.
- 15) Dr. S. K. Kapoor - International Law and Human Rights, Fourteenth edition ( 2002. )

## **GROUP B**

### **CONSTITUTIONAL LAW AND ADMINISTRATIVE LAW**

#### **OPTIONAL CORE COURSE (OCC-B 01)**

##### **CONSTITUTIONALISM AND PLURALISM.**

N.B. Students are expected to be familiar with relevant provisions of other constitutions of the World - USA, UK, Canada and Australia.

1. Constitutionalism:
  - 1) Meaning and nature of the concept of Constitutionalism - Historical Background of the concept- Liberal View, and Constitutionalism in Developing Societies.
  - 2) What is Constitution? Meaning, Nature and Importance of Constitution ; Sources of strain in the Modern Constitutional Practice.
  - 3) Locus of sovereignty and global concept of justice
    - a. emergence of supra national institutions for the protection and enforcement of rights
    - b. concept of global justice debate
  - 4) Definition of 'State' with Reference to Public Undertakings and Control Mechanism
3. Parliamentary Form of Government :
  - 1) Choice of Westminster Model - Presidential Vs. Parliamentary form of Government.
  - 2) President of India and his constitutional status.
  - 3) The Cabinet and the Doctrine of collective responsibility.
  - 4) Governor and his role in Indian Federalism.
  - 5) Party system and Anti-Defection Law.
  - 6) Parliamentary Privileges.
4. Judicial Review :
  - 1) Meaning, Basis and Constitutional significance.
  - 2) American Supreme Court on Judicial Review-Marbury V. Madison.
  - 3) Limits of Judicial review - Justiciability, Doctrine of Ripeness and Mootness.

5. Pluralism :
  - 1) Meaning, Nature and Characteristics of pluralistic society and Right to Self - Determination
  - 2) Religious, Ethnic, linguistic, cultural and political pluralism.
  - 3) Right to dissent in plural society.
  - 4) Role of Law in Pluralistic society .
  
5. Amendment
  - 1) Amendment of the Constitution and Basic Structure Doctrine.
  - 2) Effects of unconstitutionality and Doctrine of Prospective Overruling.
  - 3) 44th Amendment and Art.300- A of the Constitution of India.
  
6. Election Commission.
  - 1) Superintendence, direction and control of elections (Art. 324)
  - 2) Electoral roll - Adult suffrage.
  - 3) Power of the Parliament /Power of the legislature of a state to make provision with respect to election.
  - 4) Bar to interference by Court in Electoral matters.

Books Suggested for Reading :

- 1) Jain, Kashyap and Srinivasan (Ed.) - The Cases and Materials on the Union and State Relations.
- 2) M.P. Jain - Indian Constitutional Law.
- 3) D.D. Basu - Comparative Constitutional Law.
- 4) D.D. Basu- Legal Control of limited Government ( Tagore Lectures).
- 5) H.M. Seervai - Constitutional Law of India (1993)
- 6) K.C. Wheare - Federal Government (1963)
- 7) Granville Austin - the Indian Constitution; Cornerstone of a Nation (Oxford University 1972)
- 8) Justice E.S. Venkataramaiah and P.N. Bakshi- Indian Federalism - A Comparative Study (1992)
- 9) Subash C. Jain - The Constituion of India, Select Issues and Perceptions (Taxmann-2000).
- 10) D. J. De, - The Constitution of India, Vol I & II, Asia Law House ( Hyderabad) , (2003).

## **OPTIONAL CORE COURSE (OCC-B 02)**

### **FEDERALISM AND UNION - STATE RELATIONS**

N.B. : Students are expected to be familiar with relevant provisions of the Constitution of the world - USA, Australia and Canada.

2. Indian Federalism :

- 1) Essential features and requisites of federal government-Differences between Confederation and federation.
- 2) Pattern of Federal Government - USA, Australia, Canada, India.
- 3) Historical background of the federal structure of Government in India.
- 4) Why Federal government was chosen by the Constituent Assembly?
- 5) Recent trend from competitive to Co-operative Federalism - from two - to three-tier government, from National to World Federalism.
- 6) Decentralisation of power and federal structure.
- 7) role of supreme court as a impartial umpire
- 8) Jurisdiction of the Supreme Court to adjudicate the disputes between Centre and States and States inter se (Art.131).

1. Scheme of Distribution of Legislative and Administrative Powers:

- 1) General Scheme of Distribution of Legislative Powers and Art. 245 to 254.
- 2) Factors responsible for according paramountcy to the Centre.
- 3) Administrative Relations Art. 256-263.

2. Distribution of Fiscal Powers :

- 1) Scheme of allocation of Taxing Powers.
- 2) Extent of Union Power of Taxation.
- 3) Residuary Power.

Restrictions on Fiscal Powers :

- 1) Fundamental Rights.
- 2) Restrictions on the State's Power.
- 3) Inter- Governmental Tax Immunities - Doctrine- its origin and application in USA, Canada , Australia and India.

3. Distribution of Tax, Revenue and Financial Equilibrium:

- 1) Tax- Sharing under the Constitution.
- 2) Grants - in - aid. (Art. 275) and Specific Purpose Grants (282).
- 3) Borrowing power of the Government of India and the States.
- 4) Financial Emergency and its impact on the Federal Structure.

4. Planning Commission/Niti aayoga and Finance Commission.
  - 1) Finance Commission - Constitution, Function, Role and Work of the Commission.
  - 2) Planning Commission/ Niti aayoga and its Role.
  - 3) Formulation and Implementation of the Plan- the Role of Centre and the States - coordination between Planning Commission and Finance Commission.
  
5. Freedom of Trade and Commerce : Art. 301-307 :
  - 1) Freedom of Trade and Commerce.
  - 2) Limitations on the Powers of the Union and States with respect to freedom of Trade and Commerce.
  
6. Co-operative Federalism :
  - 1) Development from Competitive to Co-operative Federalism -Emerging Trends .
  - 2) Full Faith and Credit Clause.
  - 3) Inter-State Council.
  - 4) Zonal Councils.
  - 5) Inter-State Water Disputes.
  - 6) National Integration Council.

#### Books

#### Suggested for Reading :

- 1) K.C. Wheare - Federal Government (4th Ed. 1963)
- 2) D.T. Lakadawala \_ Union State Financial Relations (1967).
- 3) M.P. Jain - Indian Constitutional Law (1987)
- 4) H.M. Seervai - Constitutional law of India Vol.2,chap.-22.
- 5) Daniel J. Elazer- American Federalism Chap. 3&4. (1984)
- 6) Chandrapal, Centre - State Relations and Co-operative Federalism, Chap.5 & 8 (1983)

## **GROUP – C**

### **INTELLECTUAL PROPERTY LAWS**

#### **OPTIONAL CORE COURSE (OCC –C 01)**

#### **Concepts and Theories related to Intellectual Property Rights (Credits 4)**

##### **Unit I: Introduction**

- a. Origin and Historical Background of IPR
- b. Meaning and Definition of IPR
- c. Significance and Characteristics of IPR

##### **Unit II: Theories of Intellectual Property Rights: International Perspective**

- a. Locke's Theory on IPR.
- b. Hegel's Theory on IPR.
- c. Marxian Theory on IPR.

##### **Unit III: Concepts related to IPR**

- a. Copyright – Meaning, Nature, Scope and Definition.
- b. Patents– Meaning, Nature, Scope and Definition
- c. Trademarks– Meaning, Nature, Scope and Definition
- d. Trade Secrets– Meaning, Nature, Scope and Definition
- e. Trade Designs– Meaning, Nature, Scope and Definition
- f. Geographical Indications– Meaning, Nature, Scope and Definition

##### **Unit IV: Development of IPR:**

- a. International Law and Intellectual Property Rights - Significance of Legal Protection
- b. Historical Perspective of IPR in India
- c. Ethical, moral and human rights perspectives of IPR: An overview



**Suggestive Readings:**

1. W. Cornish & Llewelyn – Intellectual Property: Patent, Copyrights, Trade Marks & Allied Rights”, London Sweet & Maxwell.
2. Nard Madison- The Intellectual Property, Aspian Publication.
3. Carlosm Correa- Oxford commentaries on GATT/ WTO Agreements trade related aspects of Intellectual Property Rights, Oxford University Press.
4. David Bainbridge – Intellectual Property Law.
5. Paul L.C. Torremans (ed.) = Intellectual Property and Human rights, Wolters Kluwer
6. Nard, Barnes, Madison – The Law of Intellectual Property -2<sup>nd</sup> Edition, Wolters Kluwer
7. Helen Norman – Intellectual Property Law - Oxford University Press.

## **OPTIONAL CORE COURSE (OCC –C 02)**

### **LAW OF COPYRIGHT (Credits 4)**

#### **Unit I : Foundation of Copyright**

1. Historical background and Development of Copyright Law.
2. Idea/Expression Dichotomy.
3. Terms of Copyright.
4. Subject matter of Copyright.
5. Copyright in Literary, Dramatic and Musical Works, Sound Recording, Cinematograph Films, Copyright in Computer Programme, Author Special Rights.
6. Neighbouring Rights : right of performing artists, broadcasting organisations, broadcasting rights including satellite and cable distribution.

#### **Unit II : Registration and Rights**

1. Copyright Registration and Registrar.
2. Copyright Board-Power and Procedure.
3. Copyright Societies.
4. Ownership of Copyright and the Rights of the Owner.

#### **Unit III: Assignments and License**

1. Assignment.
2. License, Translation of Copyright, Compulsory Licenses.
3. Rights of Broadcasting, Organisation and of Performer.

#### **Unit IV: Infringement, Offences and Remedies**

1. Infringement-Criteria of Infringement, Infringement of Copyright-Films, Literary and Dramatic works, Importation and Infringement.
2. Fair use provisions.
3. Remedies for infringement of copyright.
4. Offence of infringement of copyright.

#### **Books Suggested for Reading:**

1. Melville B. Nimmer - Copyright and other Aspects of literary , musical and Artistic Works, 2nd Edn.
2. Baxi, U.The Law of Intellectual Property : Copyright law in India (1989)
3. P. Narayanan - Copyright and Industrial Design, 2nd Edn. 1995.
4. Thairani, K- Copyright : The Indian Experience (1987).
5. Lal's Copyright Act, 3rd Edn. 1995 Law Publications .

## **GROUP D**

### **BUSINESS LAW**

#### **OPTIONAL CORE COURSE (OCC- D 01)**

##### **CORPORATE LAW - I**

#### **I. Introduction:**

- a) Nature, purposes and types of business enterprises.
- b) Economic themes in the development of modern company law.
- c) Classification of companies and theories of corporate personality.
- e) Doctrine of Lifting the Corporate Veil.
- f) Concepts under company law
- d) Administration of Company Law- Authorities, their composition, powers and jurisdiction.

#### **II. Formation of company.**

- 1) Promotion and pre-incorporation contracts.
  - a) Concept of Promotion
  - b) Rights and Duties of Promoters
  - c) Pre-incorporation contracts.
- 2) The Mechanics of Company Formation under Old and New Company law.
  - a) Formation formalities.
  - b) Memorandum of Association.
    - i) Meaning, nature and content (Requirements under Old and new company law and other legislations)
    - ii) Doctrine of ultra vires - Scope, Effect, Remedies and Reforms of the doctrine .
    - iii) Amendment of MOA.
  - c) Articles of Association:
    - i) Meaning and nature.
    - ii) Doctrine of indoor management - Scope, Effect and Exceptions.
    - iii) Amendment of AOA.

#### **III Concept of Capital and Financing of Companies:**

- c) Kinds of Capital, Alteration, Reduction and Issue of Capital
- d) Share - Definition, Kinds, Classes of Shares, Allotment, Transfer, Transmission of Shares and Buy back of Shares.
- e) Debenture - Definition, Kinds and Rights of Debenture Holders, Charges, New Developments in Corporate Debt Financing.
- f) Inter- corporate Loans and Investments .

## Bibliography

- a) Gover's Principles of Company Law, 5th Edn. 1992, Sweet and Maxwell.
- b) Iyengar, T.R. Srinivasa : Company Promotion, Management & Incorporation , 2nd Edn. The Law Book co (P) Ltd.
- c) Dr.K.R. Chandratre : Transfer and Transimission of Shares and Debentures 3rd Edn. 1996 - Bharat Law House Publication.
- d) Badjatya : Model object Clause of Memorandum of Asociation of a company, 1995 Edn. Orient Publishing co.
- e) Ramaiya : Guide to the companies Act- (1998 )
- f) Boyle and Birds - Company Law 3rd Edn. 1997 Universal Law Publishing Co.Pvt. Ltd.
- g) J.H. Farrar and B.M. Hanniyan, Farrar's Company Law (1998) Butterworths
- h) Altman and subrahmanyam - Recent Advances in corporate Finance(1985) LBC.
- i) Y.D. Kulshreshta, Government Regulation of Financial Management of private Corporate sector in india (1986)

Journals - Journal of Indian Law Institute , Corporate Law Cases, Chartered Secretary, Law and Contemporary Problems.  
Statutory Materials - Companies Act

## **OPTIONAL CORE COURSE (OCC- D 02)**

### **COMPANY AND SECURITIES LAWS.**

#### **I. Management of Company.**

- 1) Concept of corporate Governance
- a) Directors and other Managerial Personnel - Qualification, Disqualification, Appointment and Removal, Powers, Position, Duties, Liabilities and Remuneration of Directors.
- b) Managing Director
- c) Manager and sole selling agents.
- d) Meetings of company
- e) Supremacy of majority and protection of minority: exceptions to Rule in Foss V. Harbottle.
- f) Oppression and Mismanagement: Meaning of and Relief against Oppression and Mismanagement.
- g) Corporate Civil and Criminal Liability.

#### **II. Regulation of companies by disclosure of information.**

- a) Themes underlying disclosure of information.
- b) Auditors - Appointment, Qualification, Disqualification and Removal.
- c) Audit committee.
- d) Investigation of affairs of companies - inspectors and their Powers, inspectors' report.

#### **III. Amalgamation, take over and mergers**

#### **IV. Corporate collapse - Winding up of company**

- a) Meaning and kinds of
- b) Grounds for compulsory winding up
- c) Appointment, Powers and Duties of Liquidator.
- d) Contributory.

#### **VI. Securities Laws in India.**

- a) Security Contract (Regulation) Act. Control of capital market - listing of Securities etc.
- b) National Stock Exchange /Recognized stock Exchange / OTC .Exchange
- c) Contracts and options in securities, Derives, listing of securities
- d) SEBI ACT and guidelines.
- e) Depositories Act - Demitting of Shares etc.
- f) Sources of capital raising in company:
  - a. Venture Capital, Institutional Financing
  - b. IDR, ADR, GDR
  - c. Public Financing Institutions
  - d. Mutual Fund and Other Collective Investment Schemes
  - e. Institutional Investments- LIC, UTI, banks
  - f. FDI, NRI investments

## Bibliography

- a) Prof. I.C.B. Gover's Modern Principles of company law 5th Edn 1992, Sweet and Maxwell .
- b) Boyle and Birds- Company Law
- c) V.H. Farrar and B. M. Hanniyan, Farrar's Company Law ( 1998 ) Butter worth
- d) Ramaiya : Guide to the companies Act, ( 1998 )
- e) Thayil Philip and Iyengar, T.R. Srinivasa - companies Director (their Rights, Duties, Power, obligations, Appoint ments, Classifications, Removal, Resignation etc. ) 2nd Edn - Law Book Co:(p) ltd.
- f) Iyengar, T.R. Srinivasa : Company Promotion, Management and incorporation, 2nd edn. The law Book co (p) Ltd.
- g) Dr. K.R. Chandratre, Bipin S. Acharya, Dr. S.D. Israni , K. Sethuraman: compendium on SEBI- Capital Issues and listing - 3rd Edn. 1996 Bharat law House publication.
- h) Bharats Manual of SEBI, 2000, Bharat Law Journals :- Same as under Paper IV.

## Group E

### ENVIRONMENT AND LEGAL ORDER

#### OPTIONAL CORE COURSE (OCC- E 01)

#### **Environmentalism and Indian Society**

##### **Chap 1. Concept of "Environment"**

1. Definition, Meaning and Scope of the term 'Environment' and 'Pollution'.
2. Meaning of the term 'Population ', 'Biome', 'Biosphere'
3. Meaning of the term 'Ecosystem: Macro-Ecosystem and Micro- Ecosystem',
4. Natural and Biological Sciences Interactions: Biogeochemical Cycles
5. Ecological Efficiencies and Eltonian Pyramid

##### **Chap.2 Relationship between Population, Environment and Development**

1. Population –Vs- Development
2. Development –Vs- Environment
3. Concept of 'Common Property' and 'State Property'
4. Notion of Doctrine of Public Trust

##### **Chap.3 Environment and Indian Cultural Tradition**

1. Ancient Beliefs
2. Medieval Writings
3. Religious Texts and Environment.

##### **Chap.4.Early Legislations dealing with Environment before 1947**

(Relevant Sections only)

- a) Shore Nuisance (Bombay and Colaba) Act, 1853
- b) Indian Penal Code, 1860
- c) The Police Act, 1861
- d) The Sarais Act, 1867
- e) Northern India Canal and Drainage Act, 1873
- f) Obstruction in Fairways Act, 1881
- g) Easement Act, 1882
- h) Orient Gas Company Act, 1887
- i) The Indian Fisheries Act, 1897
- j) Indian Ports Act, 1908
- k) Forest Act, 1927
- l) Motor Vehicles Act, 1958
- m) Merchant Shipping Act, 1958

## OPTIONAL CORE COURSE (OCC-E 02)

### Human Impact on Environment and Problems in India

#### **Chap 1. Pollution of Water**

1. Definition and Utilization of Water
2. Sources of Water Pollution
3. Surface and Ground Water Pollution
4. Biological, Chemical and Physical Parameters of Water
5. Water Purification and Pollution Prevention Strategies

#### **Chap 2. Pollution of Air**

1. Definition and Structure of Atmosphere
2. Sources of Air Pollution
3. Types of Air Pollutants: Primary and Secondary Pollutants
4. Air Pollutants and its Measurement and Standards
5. Effect of Air Pollutant on Health, Vegetation and Material
6. Air Purification and Pollution Prevention Strategies

#### **Chap 3. Pollution of Noise**

1. Definition, Meaning and Scope
2. Causes of Noise Pollution
3. Sources of Noise Pollution
4. Effect of Noise Pollution
5. Noise Pollution Prevention Strategies
6. Noise Pollution (Regulation and Control) Rules, 2000

#### **Chap 4. Solid Waste and Its Management**

1. Solid Waste: Definition and its Characteristics
2. Classification of Solid Waste
3. Sources of Solid Waste
4. Effect of Solid Waste on Health, Vegetation and Material
5. Solid Waste Pollution Prevention and Disposal Strategies
6. General Discussion: Land Pollution

#### **Chap 5. Hazardous Waste and Its Management**

1. Hazardous Waste: Definition and its Characteristics
2. Classification of Hazardous Waste
3. Effect of Hazardous Waste on Health, Vegetation and Material
4. Hazardous Waste Pollution Prevention and Disposal Strategies



## **GROUP - F**

### **LABOUR, CAPITAL AND LAW**

#### **OPTIONAL CORE COURSE (OCC-F 01)**

##### **LAW RELATING TO INDUSTRIAL ADJUDICATION--I**

	Unit I : Constitutional perspective and industrial adjudication 1. Constitutional goals protecting labour and capital enshrined in Part-II, IV and IVA of the Constitution. Art. 300A and Art. 323A and B. 2. Constitution framework for industrial policy and Legislative entries. 3. Jurisprudence of Industrial Adjudication, Constitutional Remedies and appeal.	
	Unit II: History of Industrial Adjudication from 1819 onwards	
	Unit III: Authorities under Industrial dispute Act 1947 1. Works committee 2. Grievances settlement Authority 3. Conciliation a. Government or public conciliation b. Essence of conciliation c. Conciliation officers d. Conciliation and reference e. Duties of conciliation officers f. Board of conciliation g. Duties of board h. Course of inquiry	
	Unit IV: 1. Labour courts 2. Industrial Courts 3. National Tribunal	
	Unit V: 1. Reference of Disputes to Boards Courts and Tribunals 2. Notice of change 3. Condition of service etc. to remain unchanged under certain circumstances during pendency of proceedings.	
	Unit VI: The industrial employment (Standing Orders) Act 1946.	

Books Suggested for Reading:

1. ILI-Labour Law and Labour Relations.
2. O.P.Malhotra-Law of Industrial Disputes,Vol-1 & 2
3. Kothari-Industrial Law, Vol-1& 2.
4. Report of National Commission on Labour (Relevant Provisions).
5. Rideout-Principles of Labour Law (1983).
6. Arya-Strikes, Lockouts and Gheraos.
7. Russel A Smith,et al-Collective Bargaining and Labour Arbitration,(1970)  
Part-2.
8. Justice D.D. Seth- Industrial Disputes Act, 1947 (1994)

## OPTIONAL CORE COURSE (OCC- F 02)

### Law Relating to Industrial Adjudication – II

	Unit I : 1. Arbitration 2. Exclusion of jurisdiction of civil courts and machinery under special statutes	
	Unit II : 1. Industrial adjudication as a modality of harmonizing interest of capital labour. 2. Employers prerogative and employees rights. 3. Guiding principles of industrial adjudication – equity and justice. 4. Resolution of industrial disputes by collective bargaining	
	Unit III : 1. Publication of reports and awards. 2. Payment of full wages to workmen pending proceedings in higher court. 3. Persons on whom settlements and awards are binding 4. Arbitration Award and its binding effect 5. Settlement and awards	
	Unit IV – Strikes and Lockouts 1. Prohibition of strikes and lockouts. 2. Illegal strikes and lock outs 3. Punishment for illegal strikes.	
	Unit V: Layoff, retrenchment, transfer and closure 1. Continuous service 2. Layoff 3. Retrenchment 4. Compensation to workmen in case of transfer of undertaking 5. Closure and compensation 6. Writ remedy	
	Unit VI: a. Unfair labour practices i. Prohibition of unfair labour practices ii. Penalties for committing unfair labour practices. b. Penalties i. Penalties for illegal strikes and lockouts ii. Penalty for instigation iii. Penalty for giving financial aid to illegal strikes and lockouts	

Books Suggested For Reading:

1. ILI-Labour Law and Labour Relations.
2. O.P.Malhotra-Law of Industrial Disputes,Vol-1 & 2
3. Kothari-Industrial Law, Vol-1& 2.
4. Report of National Commission on Labour (Relevant Provisions).
5. Rideout-Principles of Labour Law (1983).
6. Arya-Strikes, Lockouts and Gheraos.
7. Justice D.D.Seth-Industrial Disputes Act. 1947 (1994).
8. Russel A Smith,et al-Collective Bargaining and Labour Arbitration,(1970) Part

**CRIMINAL LAW (GROUP G)**  
**OPTIONAL CORE COURSE (OCC- G 01)**  
**PRINCIPLES OF CRIMINAL LAW**

**1. Historical Development**

- 1.1 criminal Jurisprudence in Primitive Ages
- 1.2 Criminal Law of the Hindu System
- 1.3 Mohammadan Criminal Law
- 1.4 Development of Criminal Law in India under the British Rule

**2. Nature and Concept of Crime**

- 2.1 Definition of Crime
- 2.2 Are Crimes and Torts Complementary
- 2.3 Criminal Law and Morality
- 2.4 Extend and Operation of IPC

**3. Fundamental Elements of Crime**

- 3.1 Elements of Crime
- 3.2 Mental Element in Crime
- 3.3 Modern Trends of Mens Rea
- 3.4 Mens Rea under the Penal Code

**4. Stages in Commission of a Crime**

- 4.1 Intention or Contemplation
- 4.2 Preparation
- 4.3 Attempt
- 4.4 Attempt and preparation distinguished
- 4.5 Accomplishment

**5. Group Liability and Criminal Liability**

- 5.1 Common Intention
- 5.2 Common Object
- 5.3 Vicarious Liability
- 5.4 Strict Liability
- 5.5 Criminal Liability of Corporation

## **6. Abetment and Criminal Conspiracy**

- 6.1 Abetment by instigation
- 6.2 Abetment by conspiracy
- 6.3 Abetment by intentional aiding
- 6.4 Abetment in General
- 6.5 Punishment for Abetment
- 6.6 Criminal Conspiracy
- 6.7 Punishment for Criminal Conspiracy
- 6.8 Proof of Conspiracy

## **7. General Exceptions**

- 7.1 Excusable Defence
- 7.2 Justifiable Defence

### **SUGGESTED READINGS:-**

1. Nigam R.C. Law of Crimes in India, (1965) Vol.I
2. Bentham : Principles of Penal Law
3. Burdick : The Law of Crime, Vol. I
4. Friedmann : Law in the Changing Society
5. Gandhi, B.M. : Indian Penal Code (1996)
6. Gaur, H.S. : Penal Law of India, 9th Edn.
7. Gaur, K.D. : Criminal Law : Cases & Materials (1975)
8. Smith and Hogan, Criminal Law, Oxford, 13<sup>th</sup>
9. Glanville Williams, Criminal Law, 2<sup>nd</sup> Edition, Universal Law Publishing Company;
10. Hall, Jerome : General Principles of Criminal Law (1960), 2nd Edn.
11. Huda, Shamshul : Principles of Law of Crime in British India (1902) (Reprint, 1993-Eastern Book Co., Lucknow)
12. Kenny's : Outlines of Criminal Law, 19th Edn. Universal Law Publishing Co.
13. Mayne, J.D. : Criminal Law of India, 4th Edn.
14. Nelson : Indian Penal Code
15. Rattan Lal, Dhiraj Lal, The Law of Crimes (20th Edn.)
16. Russel : On Crime, 12th Edn., Vol. I
17. Siddique, Ahmad : Criminology, 4th Edn., 1997
18. Stephen, James : History of Criminal Law, Vols. I & II
19. RatanLlal, Dhiraj Lal, The Indian Penal Code, 32<sup>nd</sup> Edition, Lexis Nexis.

## **OPTIONAL CORE COURSE (OCC-G 02)**

### **PENOLOGY: TREATMENT OF OFFENDERS**

#### **1. INTRODUCTORY**

- 1.1 Definition of Penology
- 1.2 Modern or New penology

#### **2. THEORIES OF PUNISHMENT**

- 2.1 Theory of Retribution
- 1.2 Deterrent Theory
- 1.3 Reformatory Theory
- 1.4 Efficacy of Punishment

#### **3. Forms of Punishment and Sentencing**

- 3.1 Principal types of sentences in the Penal Code
- 3.2 Sentencing in white collar crime
- 3.3 Sentencing for habitual offender
- 3.7 Constitutionality of Capital Punishment
- 3.8 Judicial Attitudes towards Capital Punishment in India

#### **4. The Prison Administration**

- 4.1 Classification of Prisoners
- 4.2 Rights of Prisoners and Duties of Custodial Staff
- 4.3 Open Prison
- 4.4 The Problem of Undertrial Prisoners
- 4.5 Prison Reforms

#### **5. Parole**

- 5.1 The Concept and Definition of Parole
- 5.2 The object of Parole
- 5.3 Judicial Trend in India
- 5.4 Essentials of an Ideal Parole System

#### **6. Probation of Offenders**

- 6.1 Concept and Definition of Probation
- 6.2 The Probation of Offenders Act, 1958

6.3 Scope of Probation under section 360 of Cr.P.C.

6.4 Judicial Trend.

**Suggested Readings:-**

1. S.Chhabbra, The Quantum of Punishment- in Criminal Law (1970) 7<sup>th</sup> Edition, Chandigarh Publication Bureau, Punjab University;
2. H.L.A.Hart, Punishment and Responsibility (1968), Clarendon Press, Oxford;
3. Herbert L, Packer, The Limits of Criminal Sanction (1968), Indiana University, Maurer School of Law;
4. A.Siddique, Criminology (1984), Eastern Book Company, Lucknow,
5. Law Commission of India, Forty-Second .Report Ch, 3 (1971)
6. Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R.Campray & Co., Calcutta;
7. Prof. n.V.Paranjape, Criminology and Penology with Victimology, Central Law Publications;
8. Arie Freiberg (Ed.), Penal Populism, Sentencing Councils and Sentencing Policy, (2007);
9. Consultation Paper on Capital Punishment, Law Commission of India, 2014.



# SECOND SEMESTER

## COMPULSORY COURSE :- (CC – 03)

### JURISPRUDENCE AND LEGAL THEORY

1. Law and Justice:
  - a) Scope of Jurisprudence: The concept of Law.
  - b) The Relation of Justice to Law and Ethics, Ethical and Legal Theory
  - c) Law and Morals - Mills, Hart Devlin Debate.
2. Natural Law Theories:
  - a) Historical Development in Ancient, Medieval and Renaissance Period
  - b) Twentieth Century Natural Law Revival.
  - c) Hart on Natural Law.
  - d) Fuller and Morality of Law.
  - e) Finnis and Restatement of Natural Law
3. Positivism and Analytical Theories of Law:
  - a) Jeremy Bentham's Utilitarianism and Analytical Positivism.
  - b) Austin's Theory of Law
  - c) The Pure Science of Law: Kelson's Theory.
  - d) Positivism-Meaning by Prof. Hart and Dworkin.
  - e) Analytical Positivism and the Indian Legal System.
4. Sociological Jurisprudence:
  - a) Roscoe Pound's Theory of Social Engineering and Theory of Interest.  
Laswell and Mcdaugal, Parsons, Selznick.
  - b) Jhering, Max Weber, Durkheim, Ehrlich.
  - c) Unger and the Development of Modern Law.
5. Historical and Anthropological Theories:
  - a) The German Historical School-Savigny and Volkgeist.
  - b) The English Historical School - Sir Henry Maine.
6. Concept of Rights:
  - a) Classification and Categorisation of Rights, Constitutional Rights, Unenumerated Rights Co-Relation of Rights with Duties, Hohfeld's Analysis.
  - b) Human Rights: Generation of Rights, French Revolution and Declaration of the Rights of Man, Debate on British Bill of Rights, American bill of Right, Declaration of Human Rights,

7. The Judicial Process and Theories of Adjudication:
  - a) The nature of judicial process and the institution of adjudication.
  - b) Doctrine of Precedent-Stare Decisis, Ratio Decidendi and Obiter Dicta- Precedent as a Source of Law.
  - c) Nature of Contemporary Judicial Process- Rule of Law, Doctrine of Independence of Judiciary as an aspect of Separation of Powers.
8. Legal Concepts:
  - a) Concept of Liability, moral, political and legal – Theories of liability Fault Liability, No-Fault Liability and Tstrict Liability.
  - b) Concept of Property – Ownership and Possession.
  - c) Corporate Personality / Legal Person.
9. Feminist Jurisprudence:
  - a) Origin – Main Enquires Equality and Defference, Feminist Legal Method
  - b) The Critical Legal Studies Movement, Post-Modernist Jurisprudence.

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#### Book Suggested for Reading:

- 1) Friedman W. -Legal Theory. (Fifth Edition), Universal Law Publishing Co-Pvt. Ltd.
- 2) Wayne Morrison - Jurisprudence from the Greek to Post - Modernism (1997).
- 3) Holand Sir R.W.M. - Thomas Erskine Holland The Elements of Jurisprudence 2001, Universal law Publishing Co Pvt. Ltd.
- 4) Freeman M.D.A. Lloyd's, Introduction to Swet and Maxwell Jurisprudence (7<sup>th</sup> Edition).
- 5) Dias Jurisprudence (Fifth Edition), Aditya Books, Butterworths.
- 6) P.J. Fitzgerald, Salmond on Jurisprudence (12<sup>th</sup> Edition) Universal Law Publishers
- 7) Rajeev Dhawan and Alice Jocab, Selection and Appointment of Superme Court Judges – a Case Study (1978
- 8) Bodenheimer, Edgar Jurisprudence The Philosophy and Method of the Law, (Revised Edition ) 1996 Universal Book Traders, New Delhi.

## **COMPULSORY COURSE :- (CC- 04)**

### **Legal Education and Research Methodology - I**

#### **1. Basic Concepts:**

- 1) Meaning and characteristics of research.
- 2) Meaning and characteristic of legal research.
- 3) Law and social science.

#### **2. Legal Research:**

- 1) Legal Impact Analysis.
- 2) Doctrinal and Non-doctrinal research.
- 3) Qualitative and Quantitative Research

#### **3. Developing Research Design:**

- 1) The nature and type of legal research:
  - i) Exploratory/ Formulative
  - ii) Explanatory
  - iii) Descriptive
  - iv) Historical
  - v) Experimental
  - vi) Diagnostic
  - vii) Analytical
- 2) Deriving objectives of legal research.
- 3) Major concepts and variables of the study.
- 4) Developing hypotheses and research questions.

#### 4. The Nature of Data in Legal Research:

- 1) The universe of the study.
- 2) The sampling design.
  - i) The adequacy of the sample size.
  - ii) Representatives of the sample.
- 3) Source of data, primary and secondary.

#### 5. Data Collection and Data Processing in Legal Research:

- 1) The Research Tools:
  - i) Interview schedule
  - ii) Questionnaire
  - iii) Observational schedule
- 2) The methods of data collection
  - i) Interviewing
  - ii) Entering the data on the questionnaire
  - iii) Observation
- 3) Editing, coding, preparation of master chart and tabulation.

#### 6. Report writing in Legal Research:

- 1) The form, the content and style of the report.
- 2) Analysis of the report.
- 3) Interpretation of data.
- 4) Chapterization.

#### 7. Legal Education:

- 1) Objectives of Legal Education
- 2) Method of Teaching
  - i) Lecture method -merits and demerits.
  - ii) The Problem method

- iii) Discussion method and its suitability at postgraduate level teaching
- 3) The Seminar Method of teaching
- 4) Clinical Legal Education, legal aid & legal literacy.
- 6) Finding the Law :
  - i) Citation : what is a citation, case citation
  - ii) Law Report
  - iii) Computer information system : Software Packages, practical exercises

***Books Suggested for Reading:***

- 1) Anderson, J. Durstan, B. H. Pooli, M.(1977) Thesis and Assignment Writing, Eastern Books Limited. New Delhi.
- 2) Bhandarkar and Wilkinson (1990) Methodology and Techniques of Social Research, Himalaya Publishing House, Bombay.
- 3) Goode, W. J. & Hatt, P. K. (1962) Methods of Social Research, McGraw Hill, New York.
- 4) Young, P.V. (1975) Scientific Social Surveys and Research Prentice Hall, New Delhi.
- 5) Jain S. N. Legal Research & Methodology I.L.I.(1983) Publication, Ed:, Tripathi Pvt. Ltd., Bombay.
- 6) Adem Stott,: Legal Research Series Editor julie Macfarlane 1996.
- 7) S.K. Agrawal (edn) , Legal Education in India (1973). Tripathi , Bombay.
- 8) N.R. Madhava Menon , (Edn) A Handbook of Clinical Legal Education, 1998 Eastern Book Co. Lucknow.
- 9) H. Brayne, N. Duncan & R.Grimes - Clinical Legal Education Active Learning in your Law School.. Oxford. 1998.

## **INTERNATIONAL LAW (GROUP A)**

### **OPTIONAL CORE COURSE (OCC-A 03)**

#### **International Humanitarian Law & Refugee Law**

##### **Part – A**

##### **International Humanitarian Law**

- I. Historical Development of IHL:
  - 1. History and Evolution.
  - 2. The Origin and Growth of IHL.
  - 3. Definition of IHL.
  - 4. Character of IHL.
  
- II. Sources of IHL: The Four Geneva Conventions of 1949
  - 1. Geneva Convention I.
  - 2. Geneva Convention II.
  - 3. Geneva Convention III.
  - 4. Geneva Convention IV.
  - 5. 1977 Additional Protocols.
  
- III. International Humanitarian Law and Human Rights.
  
- IV. International Committee of Red Cross:
  - 1. Growth and Development of ICRC.
  - 2. Additional Protocols.
  
- V. International Measures for Implementation of IHL:
  - 1. Serious Breaches of IHL.
  - 2. International Criminal Court.
  - 3. War Crimes Trials.
  - 4. National Measures for Implementation of IHL: The Geneva Convention Act, 1960.

**PART – B**  
**International Refugee Law**

- I. Historical Development of Refugee Law:
  - 1. Definition of Refugee.
  - 2. Right to Seek Asylum.
  - 3. Principle of Non-refoulement.
  - 4. Rights and responsibilities of Refugees.
- II. International Instruments and Regional Mechanism:
  - 1. Statute of the UNHCR.
  - 2. 1951 Convention Relating to the Status of Refugees.
  - 3. 1967 Protocol Relating to the Status of Refugees.
  - 4. OAU Convention.
  - 5. Cartagena Declaration.
- III. Link between Human Rights Instruments and Rights of Refugees:
  - 1. Rights of Women Refugees.
  - 2. Rights of Refugee Children.
- IV. International Strategies for Refugee Protection:
  - 1. Early Warning.
  - 2. Burden Sharing.
  - 3. Safety Zones.
  - 4. Right to Remain and Right to Return.
  - 5. Temporary Asylum.
  - 6. Refugees “surplice”.
- V. Internally Displaced Persons
- VI. Protection of Refugees in India:
  - 1. Protection without Legislation.
  - 2. Indian Critique of UNHCR and the Refugee Convention.
  - 3. Status of Refugees in India under UNHCR.
  - 4. Model National Law for Refugees.

**Books Suggested for Reading:**

- 1. Balchandran – Varghese – Introduction to IHL.
- 2. Goodwin Gill, The Refugee in International Law, 1983.
- 3. B. S. Chimni, International Refugee Law: A Reader, 2000.
- 4. Bulletin on IHL and Refugee Law.
- 5. Indian Society of International Law- Yearbook on IHL and Refugee Law.

## **OPTIONAL CORE COURSE (OCC- A 04)**

### **International Criminal Law**

- I. Introduction:
  1. Definition and Meaning of International Criminal Law.
  2. Historical Development of the Concept of International Criminal Law.
- II. Fundamentals of International Criminal Law:
  1. Notion of International Crimes.
  2. Individual Criminal Responsibility and Sources of International Criminal Law.
- III. Enforcement of International Criminal Law:
  1. Nuremberg and Tokyo Trials.
  2. Ad hoc Tribunals: Yugoslavia and Rwanda Tribunals.
  3. Contribution Ad hoc Tribunals in developing Individual Criminal Responsibility.
- IV. ICC:
  1. Evolution of International Criminal Court.
  2. Rome Statute of International Criminal Court, 1998: Structure, Jurisdiction and Working of ICC.
  3. Relationship of ICC with United Nations.
  4. Indian Perspective on ICC.
- V. War Crimes:
  1. Nature of War Crimes, Link between the Offence and Armed conflict.
  2. War Crimes in Internal Armed Conflicts.
- VI. Crimes against Humanity:
  1. Evolutionary Growth of the Concept of Crimes against Humanity.
  2. Constitutive Elements of the Crime against Humanity.
- VII. Genocide:
  1. Notion of Genocide.
  2. The 1948 Convention on Genocide.
- VIII. Crime against Peace/ Crime of Aggression:
  1. Evolution of the Concept of Crime against Peace.
  2. Contemporary Status of Crime of Aggression.



- IX. Other International Crimes:
  - 1. Meaning of the Concept of Other International Crimes such as Torture, Transnational Organised Crimes and Terrorism.
  - 2. Status of other International Crimes in the changing scenario and State Responsibility towards them.
- X. Modes of Criminal Liability:
  - 1. Different Modes of Criminal Liability.
  - 2. Defences available against such criminal responsibility.
- XI. Jurisdiction:
  - 1. Universal Jurisdiction.
  - 2. International Jurisdiction.
  - 3. National Jurisdiction.
- XII. State Co-operation, Enforcement of Sentences:
  - 1. Role of State Co-operation in enforcement of International Criminal Law.
  - 2. Future of International Criminal Law.

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**Books Suggested for Reading:**

- 1. Cassese, Antonio, International Criminal Law (Oxford University Press, London, 2008) ed.2<sup>nd</sup>.
- 2. Schabas, William A., An Introduction to the International Criminal Court, ( Cambridge University Press, Cambridge, 2011).
- 3. Ilias Bantekas, International Criminal Law (Hart Publishing, 2010).
- 4. Antonio Cassese, International Criminal Law: Cases and Commentary (OUP, 2011).
- 5. William A. Schabas and Nadia Bernaz, Routledge Handbook of International Criminal Law (Routledge, 2011).

## **GROUP B – CONSTITUTIONAL LAW AND ADMINISTRATIVE LAW**

### **OPTIONAL CORE COURSE :- (OCC- B 03)**

#### **NATIONAL SECURITY AND RULE OF LAW**

N.B. : Students are expected to be familiar with relevant provisions of the Constitution of the world - USA, Australia and Canada.

1. National Security , Public Order and Rule of Law.
  - 1) Concept and horizon of Rule of Law.
  - 2) National Emergency and its impact on federal structure of India.
  - 3) Failure of Constitutional Machinery under Art. 356.
  - 4) Scope of Art. 355.
2. Exceptional Legislation.
  1. unlawful activities prevention act 1967
  2. Salient feature , compositions, powers and functions of authorities
  3. Offences and penalties and appeals.
  4. concept of terrorism and problems of definitions.
  5. UN efforts to combat terrorism
  6. Marshal law, provisions in Britain and Indian constitution
3. Civil Liberties and Emergency :
  - 1) Preventive Detention and Safeguards
  - 2) Suspension of fundamental Article 19 on declaration of emergency
  - 3) President's Right to suspend right to move any court
  - 4) Article 21- special importance - its non-suspendability.

Books Suggested for Reading:

- 1) M.P.Jain - Indian Constitutional Law.
- 2) D.D. Basu - Comparative Constitutional Law.
- 3) H.M. Seervai , The Emergence, Future Safeguards and the Habeas Corpus :A Criticism (1978)
- 4) N.C. Chatterji and Parameshwar Rao, Emergency and the Law (1966).
- 5) Dr. M.C. Mehanathan , Law of Control on Narcotic Drugs and Psychotropic Substances in India
- 6) R.K. Agrawal and Alka Agrawal , The National Security Act, 1983.

## OPTIONAL CORE COURSE :- (OCC- B 04)

### ADMINISTRATIVE PROCESS

N.B. Students are expected to be familiar with relevant principles of Administrative Law of - UK, USA and France.

1. Nature, Scope and Necessity of Administrative Law :
  - 1) Nature, scope and approaches to the Administrative Law.
  - 2) Power, Accountability and Law.
  - 3) Emerging Trends - Positive Duties of Administration under the Modern Social Welfare Legislation and Compulsion of planning.
2. Rule of Law :
  - 1) Rule of law in England as propounded by Dicey.
  - 2) Rule of law in Modern Context.
  - 3) Notion of Rule of law under the Indian Constitution.
3. Separation of Powers :
  - 1) Doctrine of Separation of Powers as propounded by Montesque .
  - 2 ) Separation of Powers under the US Constitution.
  - 3) Spirit and basic purpose of Separation of Powers-Modern Context- Separation of powers under the Indian Constitution.
4. Classification of Powers and Functions of Administration :
  - 1) Administrative, Executive, Legislative, Quasi - Judicial Powers.
  - 2) Distinction between Administrative and Judicial and Quasi-Judicial Powers.
  - 3) Kraipak's Decision and obliteration of distinction.
  - 4) Administrative Instructions.
5. Legislative Powers of Administration :
  - 1) Meaning of Legislative Powers and Function.
  - 2) Essential Legislative Function.
  - 3) Necessity of Delegation of Legislative Powers.
  - 4) Constitutionality of Delegated Legislation.
  - 5) Excessive Delegation of Legislative Power.
  - 6) Legislative Control of Delegated Legislation.
  - 7) Judicial Control of Delegated Legislation- Doctrine of Ultra Vires - Substantive and procedural aspects.
  - 8) Sub- delegation.
6. Administrative Directions :
  - 1) Meaning , nature and Identification of Directions.
  - 2) Distinction between Direction and Rules.
  - 3) Need for Directions.
  - 4) Enforceability of Directions.

5) Directions to Quasi- Judicial and Statutory Bodies.

7. Administrative Discretion :

- 1) Nature of Executive power under the Constitution.
- 2) Formulation and Execution of Policy without law.
- 3) Discretionary Power-Nature and Necessity.
- 4) Conferment of Administrative Powers by Law.

Books Suggested for Reading :

- 1) M.P. Jain and S.N. Jain - Principles of Administrative Law (1987)
- 2) D.D. Basu - Comparative Administrative Law (1969)
- 3) De'Smith - Judicial Review of Administrative Action.
- 4) H.W.R. Wade- Administrative Law.
- 5) D.D. Basu - Administrative Law (1996)
- 6) M.P. Jain - Treaties in Administrative Law Vol. I (1996).
- 7) D.J. De - The Constitution of India, Vol. I & II (2002)
- 8) M.C. Jain Kagzi - The Indian Administrative Law, Sixth Edition, (2002)
- 9) P.P. Craig - Administrative Law, Third Edition, (1994)

# **INTELLECTUAL PROPERTY LAW**

## **OPTIONAL CORE COURSE (OCC –C 03)**

### **LAW OF PATENTS (Credits 4)**

#### **Unit I: Understanding Patents**

1. History of Patent Protection
2. Rationale behind Patent System
3. Kinds of Patents, Subject matter of Patentability
4. Product and process patent
5. Method and procedure of acquiring patent

#### **Unit II: Enforcement of Patents**

1. Term of Patent
2. Compulsory Licensing, rights of License holder
3. Rights and Obligations of the patentee

#### **Unit III: Exploitation of Patentee**

1. Infringement of Patents
2. Literal Infringement
3. Remedies for Infringement of Patents
4. Doctrine of Equivalents
5. Defences to Infringement

#### **Unit IV: General Provisions**

1. Revocation of Patents
2. Patent Search
3. Patent claims

#### **Books Suggested for Reading :**

1. Cornish, W.R.- Intellectual Property (1981) , Second Indian Reprint, 1993, Universal Book Traders, Delhi.
2. Vashishtha - Law and Practice of Intellectual Property in India, 1999.
3. P. Narayanan- Intellectual Property (2nd Edn.) 1999.
4. Sangal P.S. and Kishore Singh - Indian Patent System and Paris Convention : Legal Perspectives (1987).
5. Pearson and Miller- Commercial Exploitation of Intellectual Property 1 Edition, 1990.
7. Gopalkrishnan, N.S.- Intellectual Property and Criminal Law , 1st Edn, 1994, National Law School of India University, Bangalore.
8. T.A. Blanco white - Patents for Inventions, 5th Edn, 1983. Stevens and Sons.
9. P. Ganguli - Clearing up for Patents - Indian Scenario, Universal Press.

## **OPTIONAL CORE COURSE (OCC –C 04)**

### **LAW ON TRADEMARK, TRADE DESIGNS AND GEOGRAPHICAL INDICATIONS**

**(Credit 4)**

#### **Unit I: Law of Trade And Merchandise Marks (Trade Marks Act, 2000)**

1. Development of trade mark Law in India
2. Registration of Trade Marks : procedure and effect of registration, limitation, Prohibition against registration.
3. Certification of trademarks, foreign trade mark
4. Licensing and Assignment.
5. Goodwill, Passing off and infringement, rights of owner, rights of licensee,
6. remedies for infringement of trade mark

#### **Unit II: Law Of Trade Designs (The Designs Act, 2000) :**

1. Definitions, basic concepts, functional designs, inventor of designs and the rights.
2. Registration: procedure and benefits, registration authorities, their powers and functions.
3. Design Copyright, term of design, compulsory license, and right of licensee, assignment.
4. Protection of Design : infringement of design,
5. Remedies against infringement of Trade Designs.
6. Salient Features of Industrial Designs Act, 2001.

#### **Unit III: THE GEOGRAPHICAL INDICATIONS OF GOODS (REGISTRATION AND PROTECTION) ACT, 1999**

1. Registration and conditions for Registration of Geographical Indication.
2. Procedure for Registration of Geographical Indication.
3. Protection to trademarks and prior users.
4. Appeals for GI
5. Offences, penalties and procedure.

#### **Books Suggested for Reading:**

1. Cornish, W.R.- Intellectual Property (1981) , Second Indian Reprint, 1993, Universal Book Traders, Delhi.
2. Vashishtha - Law and Practice of Intellectual Property in India, 1999.
3. P. Narayanan- Intellectual Property (2nd Edn.) 1999.
4. P. Narayanan - Copyright and Industrial Design, 2nd Edn. 1995.
5. Wadhera

## GROUP D - BUSINESS

### OPTIONAL CORE COURSE (OCC- D 03)

#### ECONOMIC LEGISLATION

##### Unit I: Contract Law

- Law of Contract - General Principles of Contract
- Relevant Provision under Indian Contract Act.
- Government Contracts - Meaning, Nature, and special
- Problems relating to Govt. Contract.
- Rules and regulations of e-contract.

##### Unit II: Consumer Protection Act 1986

- Consumer dispute redressal agencies
- Concept of unfair and restrictive trade practice .
- Consumerism and impact of LPG on Indian consumer services.
- Constitutional aspect of consumerism.

##### Unit III: Indian Sale of Goods Act

##### Unit IV: Indian Partnership Act.

##### Unit V: Negotiable Instrument Act.

##### Bibliography:

- a) Anson- Law of contract (25th Edn.) 1979 .
- b) R.K. Abhichandani (Edn.) Pollock and Mulla on Contracts and specific Relief Acts (1999) Tripathi Publication.
- c) P.S. Atiya, Introduction to the Law of Contract, 1992 Reprint ( Claredon Law series)
- d) Dutt on contract (2000) Universal Publishers.
- e) Saraf D.N. Law of Consumer Protection in India (1995) Tripathi Publishers, Bombay.
- f) J.N. Barowalia Commentary on Consumer Protection Act, 1986 (2000) Universal Publishers, Delhi.
- g) P.K. Majumdar, The law of Consumer Protection in India (1998). Orient Publishing co, New Delhi.
- h) B.P. Saraf and M. Jhunjhunwala, law of Arbitration and Conciliation (2000), Snow White, Mumbai.
- i) G.K. Kwatra , The Arbitration and conciliation Law of India (2000) Universal, Delhi.
- j) A.K. Bansal Law of International Commercial Arbitration (1999), Universal, Delhi.

## **OPTIONAL CORE COURSE (OCC- D 04)**

### **LEGAL REGULATION OF ECONOMIC ENTERPRISES.**

- 1 Rationale of Government Regulation of Economic Activities by Government
  - i) Constitutional Perspective.
  - ii) Historical Background and Contemporary Issues.
  - iii) Judicial Review of Economic Regulation.
- 2 Economic Policy Resolutions;
  - i) Industrial Policies -old and new.
    - a) Its legal framework.
    - b) Public Sector, Private Sector, Joint Sector
    - c) Globalisation, Liberalisation: Meaning, dimensions, implications and impact of globalization.
  - ii) Price Policy Resolutions,
  - iii) Foreign Trade Policy Resolutions.
  - iv) Disinvestment and Legal Issues.
- 3 Development, Regulation and Control of Industrial and Trading Activities;
  - i) Industries (Development and Regulation) Act.
  - ii) Competition and Fairness in Competition; Competition Act. And its Philosophical basis.
  - iii) Foreign Trade Development and Regulation Act.
- 4 Control and Regulation of Capital and Finance;
  - i) Foreign Exchange Management Act including FDI and FII regulations.
  - ii) Money Laundering Act, 2005.
  - iii) COFEPOSA.
- 5 Selected Regulatory Authorities and their Composition Role, Power, Functions, etc.
  - i) Telecom Regulatory Authority,
  - ii) Broadcasting Regulatory Authority,
  - iii) Electricity Regulatory Authority.
  - iv) Insurance Regulatory Authority.

#### **Books Suggested for Reading:**

1. Industrial Policy Resolutions of 1948, 1956, 1991.
2. Industrial Licensing Policy of 1970, 1975.
3. Industrial Policy Statement 1973, 1977, 1980.
4. Report of Commission on Competition, 2001.
5. Taxmann's FEMA Manual.
6. Taxmann's Corporate Laws, 2003 Edition.
7. K. K. Ramani's Exchange Control Manual 1998, Snowwhite.



8. Bharat's FEMA Rules, Regulations, RBI Circular with allied Acts and Rules, 2000.
9. V. S. Datey – Economic Laws and Practices (2005), Taxmann Publication.
10. K. K. Dewette on Economics, S. Chand Publication.
11. Rudra Dutt, Himalaya Publication.

**Journals:**

1. Annual Survey of Indian Law, Published by Indian Law Institute New Delhi.
2. Corporate Law Cases.
3. Company Law Journal.
4. Political and Economic Weekly.

**Statutory Material:**

1. Competition Act, 2002.
2. Industries Development and Regulation Act, 1951.
3. Foreign Exchange Management Act, 1999.
4. Money Laundering Act, 2005.
5. Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974.
6. Foreign Trade Development and Regulation Act, 1992.

Theory: 80.

Internal Assessment: 20.

## **ENVIRONMENTAL AND LEGAL ORDER**

### **OPTIONAL CORE COURSE (OCC-E 03)**

#### **Environment: Laws, Policies and Structures**

##### **Chap 1. Environmental Legislation**

1. The Air (Prevention and Control of Pollution) Act of 1981
  - a) Framework of the Act
  - b) Scope of the Act
  - c) Machinery, Powers, Functions, Offences and Penalties under Air (Prevention and Control of Pollution) Act, 1981
2. The Water (Prevention and Control of Pollution) Act of 1974
  - a) Framework of the Act
  - b) Scope of the Act
  - c) Machinery, Powers, Functions, Offences and Penalties under Water (Prevention and Control of Pollution) Act, 1974
3. The Forest (Conservation) Act of 1980
  - a) Framework and scope of the Act
4. The Wild Life (Protection) Act, 1972
  - a) Framework and scope of the Act
5. The Environment (Protection) Act of 1986
  - a) Framework of the Act
  - b) Scope of the Act
  - c) Importance of Section 3 and 5 of the EPA
  - d) Violations and Penalties under the Act

##### **Chap 2. Constitutional Mandates and Environment**

1. Fundamental Rights and Environment
  - a) Right to Equality .....Article 14
  - b) Right to Information .....Article 19
  - c) Right to Life .....Article 21
  - d) Freedom of Trade vis-à-vis Environment Protection
2. The Forty-Second Amendment Act
3. Directive Principles of State Policy
4. Fundamental Duties
5. The Writ Jurisdiction
  - a) Public Interest Litigation : Preview
  - b) Locus Standi : Scope and Restriction

### **Chap 3. Other Remedies and Legislations**

(Relevant Portion only)

1. Criminal Procedure Code 1973
2. Code of Civil Procedure 1908
3. Indian Penal Code 1860
4. Law of Torts : Vicarious Liability
5. Human Rights and Environment
6. Class Action : Order 1 Rule 8 of C. P. C. 1908.
7. Green Courts
8. Public Liability Insurance Act, 1991
9. Legislations under Local Municipal Laws

### **Chap 4. Role of Government and Legislative Policies**

1. National Environmental Policy
2. National Forest Policy
3. National Water Policy and Conservation Strategy
4. Five Years Plans
5. Role of Ministry of Environment and Forests.

## OPTIONAL CORE COURSE (OCC- E 04)

### Paper IV

## International Environment Law and Global Issues

### Chap 1. International Environmental Campaigns

1. The United Nations Conference on Human Environment, 1972 (Stockholm Conference)
  - a) Framework of the Conference
  - b) Aims and Objectives
  - c) Concept of Sustainable Development
    - 1) Polluters Pay's Principle
    - 2) Precautionary Principle
    - 3) Concept of Equity
      - a) Inter-Generational Equity
      - b) Intra-Generational Equity
2. The United Nations Conference on Environment and Development, (UNCED) (Earth Summit 1992)
  - a) Framework of the Conference
  - b) Aims and Objectives
  - c) Earth Charter or Rio Declaration
  - d) Agenda 21 : Blue Print for action in 21<sup>st</sup> Century
  - e) Earth Summit Plus Five
3. The Johannesburg Declaration on Sustainable Development, 2002
  - a) Framework of the Declaration
  - b) Aims and Objectives
  - c) From *Stockholm* to *Rio De Janeiro* to *Johannesburg*
4. World Charter for Nature 1982

### Chap 2. Other Major International Environmental Arrangements

1. Kyoto Conference and Pact on Global Warming, 1997, and onwards
2. Noordwijk Declaration on Climate change, 1989
3. Helsinki Declaration on the Protection of Ozone Layer, 1989
4. Basel Convention, 1989
5. Nairobi Declaration, 1982

### Chap 3. Environmental Obligations

1. International Financing Policy
  - a) Global Environment Facility
  - b) World Environment Fund
2. United Nations Organisation and Environment
3. Millennium Development Goals 2000

### Chap 4. Global Environmental Issues and their Impacts

1. Global Warming
2. Oil Pollution
3. Ozone Layer Depletion
4. Green House Effect
5. Acid Rain

**Chap 5. Costal Zone and Marine Environment**

1. CRZ Notifications
2. Classification of Zones
3. Costal Zone Management Plans and Implementation
4. Marine Resources – Conservation and Exploitation
5. Marine Pollutants : Sources and Impacts

**LABOUR LAW - GROUP F**  
**OPTIONAL CORE COURSE (OCC- F 03)**

**Law Relating to Collective Bargaining and Trade Unions**

1.	Unit I: Freedom of Association a. Constitutional and Legal aspects of right to form association and union of India. b. International norms: Right to form association of industrial and unorganized Labour	
2.	Unit II : a. Historical development of Trade Union movement in India b. Registration of Trade unions under Trade Union Act 1926 c. Bombay Industrial Relation Act, 1946 d. MRTU and PULP Act 1971.	
3.	Unit III: Rights and liabilities of Registered Trade Unions under the TU Act, 1926 and MRTU and PULP Act 1971. a. Rights of Trade Union under the Trade Union Act. b. Recognition of Trade Union as bargaining agent. c. Rights privileges and duties of recognized unions. d. Unfair labour practices and victimization.	
4.	Unit IV: Concept and process of collective bargaining a. Nature, Definition and theories of collective bargaining. b. Advantages, Disadvantages, comparative appraisal. c. Types of bargaining at different levels – plant level, industry level and national level.	
5.	Unit V: Factors affecting collective bargaining a. Multi Unionism. b. Other factors c. Conditions for successful functioning of collective bargaining d. Constitutional provision towards workers participation in management – State Role.	
6.	Unit VI: Trade Union and Collective Bargaining a. Need objectives and functions of TU. b. Character of present Trade Union. c. Role of Trade Unions in the changing atmosphere of Globalization, Privatisation and Liberalisation. d. Collective bargaining getting a back seat today – a cause of concern.	

Books Suggested For Reading :

1. ILO-Collective Bargaining.
2. Otto Kahn Freund-Labour and the Law (1977).
3. ILI-Labour Law and Labour Relations (1987).
4. V. P. Arya-Strikes, Lockouts and Gherao.
5. Kothari - Industrial law, Vol. I & II.
6. Mary Sur-Collective Bargaining.
7. Russel A., Smith et. al-Collective Bargaining and Labour Arbitration (1970).
8. Rideont-Principles of Labour Law, Chap. 8,9 & 10 (1983).
9. Shrivastava S. C. –Industrial and Labour Relations.
10. R. Dayal, MRTU and PULP Act, 1971 (Act and Rules).
11. Abdul Majid – Legal Protection to unorganized labour 2000, Deep & Deep Publications Pvt.

## LABOUR LAW (GROUP F)

### OPTIONAL CORE COURSE (OCC –F 04)

#### LAW RELATING TO WAGES AND MONETARY BENEFITS

1.	Theories and Facets of Wages 1. Definition of wages 2. Theories of wages 3. Minimum fair and living wages 4. Bonus as deferred wage or share of profit 5. Allowances and concessions	
2.	1. National wage policy, problems and perspective wage board and pay commission. 2. Constitutional perspective on wages. 3. Constitutional ideals 4. Denial of minimum wage as forced labour 5. Right to Work. 6. Equal pay for equal work.	
3.	Wage Differentials 1. Private sector and public sector difference in wages 2. Factors of differential wages 3. Increase of wages – impact on price 4. Increase in price – impact on wages 5. Impact of tax on wage and price 6. Wages and consumer 7. Capacity of industry and wage fixation	
4.	Payment of wages under the payment of Wages Act 1936 1. Responsibility for payment of wages 2. Wage periods – time for payment deductions fines 3. Claims arising out of deductions and delay of payments 4. Procedure for filing and disposal of appeals 5. Enforcement machinery under the Act. Their power and functions.	
5.	Minimum wages 1. Minimum Wages Act 1948 and Maharashtra Amendment Act 1992. 2. Power of State Govt. to fix different rates for certain employment. 3. Procedure for fixation of wages. 4. Procedure for disposal of claims. 5. Concepts of Dearness allowance and principles for determination of DA.	
6.	Profit sharing and bonus 1. Concept of profit sharing – desirability 2. Concept of bonus 3. Bonus formula and bonus under payment of Bonus Act, 1965 4. Set on and set off 5. Available and allocable surplus.	

Books Suggested for Reading:



1. Raghuraj Singh- Movement of Industrial Wages in India (1995).
2. J.C. Sandersara & LL.Deshpande, Wage Policy and Wage Determination in India.
3. R.B.Sethi- Payment of Wages Act and Minimum Wages Act
4. G.L.Kothari-Wages, Dearness Allowance and Bonus.
5. S.B.L.Nigam-State Regulation of Minimum Wages (1955).
6. Menon- Foundations of Wage Policy.
7. R.D. Agarwal- Dynamics of Labour Relation in India. (1972)
8. O.P.Malhotra-Law of Industrial Disputes Vol.1 & 2 (5th Edn.).

# **CRIMINAL LAW**

## **OPTIONAL CORE COURSE (OCC- G 03)**

### **COMPARATIVE CRIMINAL PROCEDURE**

#### **1. ORGANISATION OF COURTS AND PROSECUTING AGENCIES**

##### 1.1 Hierarchy of criminal courts and their jurisdiction

##### 1.1.1 Nyaya Panchayats in India

##### 1.1.1.1 Panchayats in tribal areas

##### 1.2 Prosecutors and the police

##### 1.3 Withdrawal of prosecution

#### **2. PRE-TRIAL PROCEDURES**

##### 2.1 Arrest and questioning of the accused

##### 2.2 The rights of the accused

##### 2.3 The evidentiary value of statements /articles seized/collected by the police

##### 2.4 Right to counsel

##### 2.5 Roles of the prosecutor and the judicial officer in investigation

#### **3. TRIAL PROCEDURES**

##### 3.1 The accusatory system of trial and the inquisitorial system

##### 3.2 Role of the judge, the prosecutor and defence attorney in the trial.

##### 3.3 Admissibility and inadmissibility of evidence

##### 3.4 Expert Evidence

##### 3.5 Appeal of the court in awarding appropriate punishment

##### 3.6 Plea bargaining

#### **4. PROVISIONS IN THE CRIMINAL PROCEDURE CODE**

##### 4.1 Information to the Police and Their powers to Investigate

##### 4.2 Conditions Requisite for Initiation of Proceedings

##### 4.3 Complaints to Magistrate

##### 4.4 Commencement of Proceedings before Magistrate

##### 4.5 Appeals

##### 4.6 Provisions as to Bail and Bonds

#### **Suggested Readings :-**

1. Wilkiris and Cross, Outline of the Law of Evidence
2. Archbold, Pleading, Evidence and Practice in Criminal Cases
3. R.V.Kelkar's Outlines of Criminal Procedure, Eastern Book Co, Lucknow;
4. Ratan Lal, Dhiraj Lal, The Code of Criminal Procedure, Lexix Nexis;
5. Shailendra Malik, The Code of Criminal Procedure, Allahabad Law Agency;
6. Edwin H. Sutherland, Donald R. Cressey, Principles of Criminology, Universal Law Publishing Co, New Delhi;
7. Sir John Woodroffe, Commentries on Code of Criminal Procedure (2 volume);
8. V.S.R. Avadhani, V.Soubhagya Valli, Criminal Investigation (Law, Practice and Procedure), Asia Law Houose, ist Edition 2015;
9. S.P.Tyagi, Criminal Trial ( 2 Volume), Vinod Publications, 4<sup>th</sup> Edition 2013;
10. Y.H. Rao, Y.R.Rao, Criminal Trial, Fundamentals and Evidentiary Aspects, Lexis Nexis, 4<sup>th</sup> Edition 2008;
11. 14 th and 41st Reports of Indian Law Commission.

## OPTIONAL CORE COURSE (OCC- G 04)

### CRIMINOLOGY

#### **1. Criminology- Definition, Nature, Scope and utility**

- 1.1. Definition of Criminology
- 1.2. Nature, Scope of Criminology
- 1.3. Utility of Criminology
- 1.4. Relation between Crime and Society

#### **2. Schools of Criminology**

- 2.1. Pre-classical School of Criminology
- 2.2. The Classical School of Criminology
- 2.3. The Neo- Classical School of Criminology
  - Cesare Lombroso
  - Enrico Ferri
  - Raffaele Garofalo
  - Gabriel Tarde
- 2.4. Clinical School of Criminology
- 2.5. Sociological School of Criminology
- 2.6. The New Criminology

#### **3. Causation of Crime.**

- 3.1. Heredity and Crime
- 3.2. M' Naghten's Rule of Criminal Responsibility
- 3.3. Physical Factors and Genetics on Criminality
- 3.4. Freud's theory of Criminal behaviour
- 3.5. Psychological concept of crime
- 3.6. Conflict Theory
- 3.7. Group Therapy

#### **4. Prevention of Crime**

- 4.1. Prevention Policies
- 4.2. Crime Prevention
- 4.3. Kinds of Programmes
  - 4.3.1. General Programme

4.3.2 Local Community Organization

4.3.3 Group Work

4.3.4 Institutional Modification

## **5. Developing Trends in Criminology**

5.1. Female Criminality

5.2 Terrorism and State Violence

5.3. Victimology

5.4 White Collar Crime

### **SUGGESTED READINGS :--**

1. Edwin H. Sutherland, principles of criminology(latest Edition), Universal Law Publishing Co.
2. Garofolo,Criminology Parts I,II and III (Latest Edition).
3. Taft,Criminology (Latest Edition)Part-I-Ch 1,3 for study.
4. K.S. Pillai,Principles of Criminology( Tagore Law lectures) (1924);
5. Pillai K.S., Theories of Criminology;
6. Cavan :Criminology Part-I Omitting Chapter 2. Part II-full.
7. Lombroso,Casare,Crime,its cause and remedies.
8. Different Reports published by government of India form time to time.
9. Moral Approach to criminal Law by Radzinowicz and Turner.
10. New Horizons in Criminology by Barnes and Tetters.
11. Pioneers in Criminology edited by Minnhein.
12. Ahmad Siddique, Criminology-Problems and Perspectives
13. Prof N.V.Paranjape, Criminology and Penology with Victimology, Central Law Publications;
14. Katherine S. Williams, Text Book on Criminology, 7<sup>th</sup> Edition, Oxford;
15. Dr.N.Maheshwara Swamy, Criminology and Criminal Justice System, Adia Law House;
16. Upendra Baxi, The Crisis of the Indian Legal System, !982, Vikas Publishing House;
- K.D.Gaur(ed.), Criminal Law and Criminology, Deep and Deep Publications;

# THIRD SEMESTER

## COMPULSORY COURSE V (CC-05)

### HUMAN RIGHTS

- 1) Concept of Human Rights:
  - a) Meaning and nature of human rights.
  - b) Criteria to determine a particular right as human rights - what are human rights
  - c) Sources of human rights.
  - d) Cultural relativism and universalization of Human Rights.
- 2) Global and Regional Development of Human Rights and Duties.
  - A. Global :
    - 1) Human Rights prior to 1945
    - 2) UN Charter and Human Rights
    - 3) International Bill of Rights
  - B. Regional :
    - 1) European Convention on Human Rights.
    - 2) American Convention on Human Rights.
    - 3) African Charter on Human and Peoples' Rights.
3. Human Rights Protection System of the United Nations (Under Covenants of Political and Civil Rights):
  - a) The UN Commission on Human Rights.
  - b) The UN High Commission for Human Rights.
  - c) The UN Human Rights Committee (UNHRC) -  
Composition and Organization, Powers and Procedures,  
State Communications, Individual Communication, and Supervision
4. The Constitution and Human Rights and Duties :
  - a) Indian Declaration to the International Covenant ( 1979).
  - b) Inter- relationship between Fundamental Rights and Directive Principles of State Policy.
  - c) Expansion of Basic Needs- Judicial Interpretation on widening of the Directive Principles.
  - d. Judicial Activism and Human Rights Jurisprudence :
    - Poverty and inaccessibility of legal redress.
    - Role of judiciary in protecting human rights in India, Legal Aid
    - Judicial activism in the field of protection of : women in private, and public domain, children, bonded labour and prisoners, in the light of leading cases.
5. National Commission of Human Rights in India:
  - a) Background of the Protection of Human Rights Act, 1993
  - b) National Human Rights Commission-  
Powers, Functions, Structure and Composition
  - c) Human Rights Courts
  - d) Evaluation of the working of the Commission.

## **COMPULSORY COURSE :- CC-06**

### **LEGAL EDUCATION AND RESEARCH METHODOLOGY – PART II**

It includes submission of SOCIOL LEGAL RESEARCH PROJECT, Viva Voce and law teaching.

Sr. No.	ACTIVITY	CREDITS
1.	PROJECT REPORT EXTERNAL EXAM	2
2.	VIVA VOCE EXTERNAL EXAM	1
3.	LAW TEACHING EXTERNAL EXAM	1
	TOTAL	4

### **GUIDELINES FOR SOCIO-LEGAL RESEARCH .**

**A. Research scholars are required to follow the steps given below for preparation of Socio-Legal Research**

Research Methodology:

1. Title of the Study
2. Problem of the study
3. Rationale of the study
4. Objectives of the study
5. Hypothesis
6. Review of Literature
7. Operational concepts & Variables of the study
8. Research Design
  - i) Nature/ Type of the study
  - ii) Universe
    - \* Population
    - \* Sample and Sample size.
    - \* Sampling Method

- iii) Method of Data Collection
  - iv) Sources of Data Collection
  - v) Tools of Data collection
9. Limitations of Study
  10. Time Schedule
  11. Possible contribution of the study
  12. Chapterisation

**B. Socio-Legal Research shall have the following structure:**

- Cover
- Cover page
- Certificate
- Acknowledgement
- List of Case Laws.
- List of Tables
- List of Maps
- Abbreviations
- Contents

Chapter I     Theoretical Background

Chapter II    Research Methodology ( As given in A )

Chapter III   Analysis and Interpretation of Data

Chapter IV   Major Findings, Conclusions and Suggestion.

Bibliography

Annexures:

- Interview Schedules / Questionnaires
- Master Charts
- Acts, Bills, Maps, etc.

**C. Step by step procedure to be followed for Socio-Legal Research:**

- 1) Approval of the title
- 2) Collection of material
- 3) Review of literature



- 4) Problem
- 5) Objectives
- 6) Rationale
- 7) Hypothesis
- 8) Chapterization
- 9) Detuning the Universe of the study
- 10) Sampling Design
- 11) Research Questions/Interview Schedule
- 12) Collection of Data
- 13) Data Processing
- 14) Analysis and Interpretation of data
- 15) Report Writing
- 16) Preparation of Bibliography
- 17) Preparation of List of cases
- 18) Abbreviation

## LAW TEACHING

For Law Teaching, topics will be assigned to students in advance and they will be required to take a Lecture (class) for 30 minutes for LL.B or LL.M. Courses. They can select any one of the methods of teaching and the practical examination will be held in the Third Semester.

## **GROUP – A**

### **International Law**

#### **OPTIONAL CORE COURSE (OCC- A- 05)**

#### **Private International Law – I**

#### **General Principles, Choice of Jurisdiction and Choice of Law.**

1. Scope and Nature of Private International Law
2. Theories of Private International Law
3. Consecutive stages in conflicts, law proceedings, characterization, Renvoi and Choice of Law
4. Jurisdiction:
  - 1) Jurisdiction of Courts
  - 2) Domicile and Nationality
  - 3) Stay of suits and forum convenience clauses
5. Exclusion of Foreign Law and Sovereign Immunity
6. Recognition and Enforcement of Foreign Judgment and Foreign Arbitral Awards

#### **Books Suggested for Reading.**

- 1) Dicey: Conflict of Laws.
- 2) Cheshire: Private International Law.
- 3) Paras Diwan : Private International Law, Indian & English.

## **GROUP B**

### **CONSTITUTIONAL LAW AND ADMINISTRATIVE LAW**

#### **OPTIONAL CORE COURSE :- (OCC -B 05)**

#### **JUDICIAL CONTROL OF ADMINISTRATIVE POWERS**

N.B. : Students are expected to be familiar with relevant principles of Administrative Law of - UK, USA and France.

1. Judicial Control of Administrative Powers through Writs :
  - 1) Court as the Primary instrument of control of administrative action.
  - 2) Writ Jurisdiction of the High Courts and the Supreme Court.
  - 3) Conditions necessary for the exercise of writ jurisdiction - writ of Habeas Corpus, Mandamus, Certiorari, Quo-warranto and Prohibition.
  - 4) Public policy restraints on the exercise of power of judicial review under Arts 32 and 226-, exhaustion of remedies, Laches.
  - 5) Public Interest Litigation , Doctrine of Locus Standi and Compensatory Justice.
  - 6) Special Leave to Appeal to the Supreme Court and High Court's Power of Superintendence.
2. Natural justice
  - 1) Historical Development of the Concept of Natural Justice.
  - 2) Principles of Natural Justice.
  - 3) Essentials of Fair Hearing
  - 4) Bias and Personal Interest
  - 5) Failure of Natural Justice.
  - 6) Exceptions to the Rule of Natural Justice .
  - 7) Legitimate Expectation - Good Faith doctrine etc.
3. Ordinary Remedies.
  - 1) Distinction between ordinary remedies and remedies under Arts 226 and 32.
  - 2) Declaratory Judgments and Injunctions.
  - 3) Specific Performance and Civil Suits for Compensation against Government and public authorities.
4. Exclusion of Judicial Review and Ouster Clause :
  - 1) Formula of Exclusion clause or ouster clause.
  - 2) Scope of outer clause.
  - 3) Non-compliance with statutory provisions.

5. Judicial Control of Discretionary Powers :
- 1) Scope and Extent of Judicial Review in Discretionary Powers.
  - 2) grounds for control of administrative discretion    illegality, irrationality and procedural impropriety  
Duty to give reasons.
  - 3) Surrender or abdication of discretionary power.
  - 4) Non-compliance with Procedural Requirements.
  - 5) Administrative Discrimination.
  - 6) Limiting and Structuring Discretion.

Books Suggested for Reading :

- 1) M.P. Jain and S.M. Jain - Principles of Administrative Law (1987)
- 2) M.P. Jain - Cases and Material on Administrative Law in India  
( Wadhwa,1994).
- 3) H.W.R. Wade - Administrative Law.
- 4) S.P. Sathe - Administrative Law in India. (5th Edn.)
- 5) I.P. Massey - Administrative Law (2001).
- 6) B.L. Hansaria - Writ Jurisdiction under the Constitution.
- 7) S.P. Sathe - Right to Know (1991) Tripathi.
- 8) Basu D.D. - Administrative Law (1996)
- 9) Harra- Public Interest Litigation (1996)
- 10) M.P. Jain - Treatise on Administrative law (1996).

**GROUP – C**

**INTELLECTUAL PROPERTY LAWS**

**OPTIONAL CORE COURSE (OCC -C- 05)**

**INTELLECTUAL PROPERTY RIGHTS – CONTEMPORARY TRENDS IN INDIA**

**(CREDITS 4)**

**IPR and Technology:**

1. Software Patents
2. Software Licensing
3. Biotechnology and IPR
4. Plagiarism and copyright Issues
5. Domain Name Protection
6. Open Source Technologies and IPR

**IPR and Environment:**

1. Biological Diversity and IPR
2. Protection of Plant varieties and Farmers Rights
3. IPR and Indian Agricultural Issues
4. GMO and IPR

**IPR and Corporate Aspect:**

1. Undisclosed Information and Trade Secrets
2. Corporation's Right to Privacy
3. IPR and electronic Commerce

**IPR and Cultural Rights:**

1. IPR and Socio, Economic and Cultural Rights – Conflicts and Convergences
2. IPR and Cultural Relativism with reference to Traditional Knowledge
3. Right to Privacy and Confidentiality

**Books suggested for Reading:**

1. Cornish, W.R.- Intellectual Property (1981) , Second Indian Reprint, 1993, Universal Book Traders, Delhi.
2. Vashishtha - Law and Practice of Intellectual Property in India, 1999.
3. P. Narayanan- Intellectual Property (2nd Edn.) 1999.

## **GROUP D**

### **BUSINESS LAW**

#### **OPTIONAL CORE COURSE (OCC- D 05)**

#### **INTERNATIONAL TRADE LAW AND AGREEMENT (I)**

##### 1. International Trade Agreements:

- a) Regional Trade Agreements
- b) Bi-lateral Trade Agreements
- c) Multi-Lateral trade Agreements
- d) WTO Agreements – GATT, GATS, TRIPS

##### 2. Introduction to WTO:

- a) Origin of WTO
- b) Functions of WTO
- c) Principles of WTO- MFN and National Treatment
- d) Structure of WTO
- e) Trade Rules and Trade Barriers of WTO

##### 3. WTO and Special Agreements:

- a) Rules of origin
- b) Agreement on agriculture
- c) Anti-Dumping
- d) E - commerce
- e) Transfer of technology
- f) Dispute Settlement Mechanism
- g) GMO and WTO

##### 4. Problem areas of WTO

- a) Social clause
- b) Protection of environment
- c) Developing and Underdeveloped Countries- Role played of WTO

##### Bibliography.

1. Bandar Surendra, World Trade Organization and Developing Countries (1995) , Universal, Delhi.
2. Arun Goyal (ed.) WTO in the New Millenium (2000) , Academy

of Business Studies, New Delhi

3. Jayanta Bagchi, World Trade Organization: An Indian Perspective (2000) Eastern Law House, Calcutta.
4. A. K. Kaul, - UNCED, Our Common Future (1986) Oxford.
5. Legal Framework of UNCTAD in World Trade 1977, N.M. Tripathi, Bombay.
6. Report of Peoples Commission on GATT, 1996, Centre for Study of Global Trade System and Development, New Delhi.
7. GATT Accord and India - Edited by K.R. Gupta , Atlantic Publishers and Distributors.

#### JOURNALS / NEWSPAPERS.

1. Corporate Law Cases
2. Company Law Journal.
3. Annual Reports of World Bank
4. Political and Economic Weekly
5. Economic Times
6. Financial Times.

## Group E

### ENVIRONMENT AND LEGAL ORDER

### OPTIONAL CORE COURSE (OCC- E 05)

### Biological Diversity and Legal Order

#### Chap 1. Biodiversity and its necessity

1. Definitions
2. Meaning and Importance
3. Role of Flora and Fauna in maintaining Biodiversity
4. Threats to Biodiversity
5. Need for protection of Biodiversity
6. Biodiversity and Economic Valuation

#### Chap 2. Laws, Policies and Measures for Biodiversity

1. Convention on Biological Diversity, 1992
2. The Biological Diversity Act, 2002
3. Protection of Plant Varieties and Farmers Right Act, 2001  
(relevant portion only )
4. The Geographical Indications (Regulation and Protection) Act, 1999  
(relevant portion only )

#### Chap 3. Biodiversity and Ethical Issues

1. Utilization of flora for Bio-Medical purposes
  - a) Cosmetic Plants
  - b) Medicinal Plants
2. Utilization of fauna/animals for Bio-Medical purposes
3. Genetic Mutation of Seeds
4. Experimentation on Animals
5. Genetically Modified Organisms
6. Genetic Engineering
7. Biodiversity and Intellectual Property Rights

#### Chap 4. Biodiversity and Priority Sectors

1. Sanctuaries
2. Zoo and Parks
3. Biosphere Reserves
4. Protected Forest and Reserved Forests
5. Conservation of Biodiversity
  1. Role of NGO
  2. Role of Indigenous People
  3. Role of Media and Publications



## GROUP - F

### LABOUR, CAPITAL AND LAW

#### OPTIONAL CORE COURSE (OCC- F 05)

##### Social security Legislation - I

	<p>Unit I: Introduction</p> <ol style="list-style-type: none"><li>1. Meaning and concept of social security</li><li>2. Modality – social prescription, social assistance and social insurance</li><li>3. Distinction with labour welfare.</li></ol>	
	<p>Unit II: Constitutional perspectives</p> <ol style="list-style-type: none"><li>1. Fundamental rights – realization of rights through meaningful social security measures right to life the wider dimensions.</li><li>2. Right to adequate means of livelihood, free legal aid, public assistance in cases of unemployment, old age, sickness and disablement, maternity relief benefits.</li><li>3. Directive principles of state policy instrumental in achieving social security</li></ol>	
	<p>Unit III: The employees compensation Act 1923</p> <ol style="list-style-type: none"><li>a. Employers liability for compensation.</li><li>b. Types of injuries covered.</li><li>c. Amount of compensation in case of various injuries</li><li>d. Payment of compensation</li><li>e. Commissioner of workmens compensation his duties powers and procedure.</li></ol>	
	<p>Unit IV: The maternity Benefit Act 1961</p> <ol style="list-style-type: none"><li>a. Applicability</li><li>b. Nature of benefits and privileges available under the act.</li><li>c. Procedure for claiming payment.</li><li>d. Inspectors, their powers and functions penalties.</li></ol>	
	<p>Unit V: Employees state Insurance Act, 1948</p> <ol style="list-style-type: none"><li>a. Authorities under the Act – their powers and functions.</li><li>b. Employees state insurance fund contribution to the fund by employer and employees. Grant by central and state governments</li><li>c. Purposes for which fund may be expended</li><li>d. Benefits available, conditions under which available, person entitled.</li><li>e. Adjudication of dispute and claim.</li></ol>	
	<p>Unit VI: Comparison</p> <ol style="list-style-type: none"><li>1. Comparative analysis of provisions of ESIC regarding compensation with that of Employees Compensation Act, 1923.</li><li>2. Comparative analysis of maternity benefits available under Maternity benefit Act, 1961, ESIC 1948 and Mines Act, 1952.</li></ol>	

Books Suggested For Reading:

1. Dr.Vivek Bhattacharya- Social Security Measures in India.
2. Bakshi and Mitra- Workmen's Compensation Act and other Social Insurance Legislation.
3. K.D. Shrivastava- Commentaries on Employees State Insurance Act.
4. Larson- Workmen's Compensation Law.
5. Dr. C. B. Mamoria- Principles of Social Security.
6. V.R. Bhattacharya, Some Aspects of Social Security Measures in India( 1970).
7. S.C.Shrivastava, Social Security and Labour Laws ( 1985).
8. R.N. Choudhary, Commentary on the Workmen's Compensation Act 1923 (2000), Orient.
9. Munkman,Employer's Liability (1985), Chs. 1,2,3,22and 23.
10. Harry Calvert,Social Security Laws (1978).

# **CRIMINAL LAW**

## **GROUP - G**

### **OPTIONAL CORE COURSE (OCC- G 05)**

#### **CRIMINAL JUSTICE SYSTEM AND HUMAN RIGHTS**

#### **C O N T E N T S**

1. Introductory
  - 1.1 Meaning and Nature of Human Rights
  - 1.2 Human Rights and the United Nations Charter
  - 1.3 Primary Aims of Criminal Justice System
  - 1.4 Objects of Criminal Trial
  - 1.5 Cardinal Principle in Administration of Criminal Justice
  - 1.6 Human Rights in the Criminal Justice System
  - 1.7 Human Rights and Administration of Criminal Justice
2. Human Rights and Role of Criminal Courts
  - 2.1 Role of Courts in Dispensing Criminal Justice
  - 2.2 Delay in Trial of Criminal Cases- Remedial Measures
  - 2.3 Stay of Criminal case pending Civil Case
  - 2.4 High Courts Jurisdiction to direct impleadment of a person as accused
  - 2.5 Victim and Criminal Justice System
  - 2.6 Award of Compensation by Criminal Courts
3. Criminal Liability and Human Rights of Vulnerable Group
  - 3.1 Violence against Women and Human Rights
  - 3.2 Violence against Children: Criminal Justice Norms and Strategies
  - 3.3 Police atrocities and Human Rights
  - 3.4 Custodial Torture and Human Rights
4. Contemporary Issue and Criminal Justice System
  - 4.1 Dispensation of Justice and rights of persons with Disabilities
  - 4.2 Corruption in Public life and Its Criminological Implications
  - 4.3 Role of Criminal Law in Protecting the Environment
5. Protection of Human Rights in Criminal Justice

- 5.1. Protection from double jeopardy
- 5.2. self- incrimination
- 5.3.protection before magistrate from police custody,
- 5.4.fair trial
- 5.5.speedy trial
- 5.6. repersentation
- 5.7.appeal
- 5.8. protection from expost facto laws
- 5.9. legal aid
- 5.10. compensation and Rehabilitation.

#### **6. Administration of criminal Justice System**

- 6.1.Ordinary Courts, Special Courts,
- 6.2.District & State Human Rights Courts,
- 6.3. International Criminal Court,
- 7. Role of various Protection Agencies/Institutions
- 7.2.National Human Rights Commission
- 7.3.State Human Rights Commissions.
- 7.4.Human Rights Courts
- 7.5.Other Commissions.

#### **Suggested Readings:-**

1. K.D.Gaur, Criminal Law and Criminology, Deep and Deep Publications,
2. Justice Palok Basu, Law Relating to Protection of Human Rights, Modern Law Publications, New Delhi,
3. Agarwal, H.O. Implementation of Human Rights Covenants with Special Reference to India(New Delhi: D.K. Publishers, 1993)
4. Aroras, Nirman, "Custodial torture in Police Stations in India: A Radical Assessment", Journal of Indian Law Institute, vol.41, nos.3, and 4, 1999,
5. Bajwa, G.S. and D.K. Bajwa, Human Rights in India : Implementation and Violations (New Delhi: D.K. Publishers,1996)
6. Baxi, Upendra, "Clemency, Extradition and death: the Judicial Discourse in Kehar Singh ", Journal of Indian Law Institute, vol.30, no.4, Oct- Dec. 1998,

7. Bhargava, G.S., "National Human Rights Commission: An Assessment of Its Functioning", in K.P. Saksena, ed., Human Rights: Fifty Years of India's Independence (New Delhi: Gyan Publishing House, 1999)
8. Amnesty International, "Campaign for the Abolition of Torture", Philosophy and Science Action, vol.5, nos. 3-4 1984,
9. Aroras, Nirman "Custodial Torture in Police Station in India :A Radical Assessment", Journal of Indian Law Institute, vol. 41,nos.3 and 4, 1999,
10. Bag, R.K., "Domestic Violence and Crime Against Women:
11. Criminal Justice Response in India ", Journal of Indian Law Institute, vol. 39, nos.2- 4, 1997,
12. Batra, Manjula, Protection of Human Rights in Criminal Justice Administration : A study of the right of Accused in Indian and Soviet Legal System (New Delhi: Deep and Deep, 1989)
13. Bava, Noorjahan, ed., Human Rights and Criminal Justice Administration in India (New Delhi : Uppal Publishing House, 2000)
14. Bhagwati, P.N., " Human Rights in the Criminal Justice System ", Journal of the Indian Law Institute, vol. 27, no.1, 1985,
15. Blackshield, A.R."Capital Punishment in India " , Journal of Indian Law Institute vol. 21 no.2, 1979,
16. Burgers, J.H., "The Fights against Torture ", International Commission of Jurists, no.32, 1984,
17. Jaswal, P.S. and N. Jaswal , "Right to Personal Liberty and Handcuffing: Some Observations", Journal of the Indian Law Institute, vol.33, no.2, April- June 1991,
18. Sharma, S.C., Police and Human Rights (1999),  
Upadhyay, C.M., Human Rights in Pre-trial Detention (1999).

# **ELECTIVE SUBJECTS FOR THIRD SEMESTER**

## **ELECTIVE CORE COURSE (ECC - 01)**

### **Law of the Sea**

- I. Introduction to the Law of the Sea:
  1. Definition of the Law of the Sea.
  2. Evolution of the Law of the Sea.
  3. Legal Sources and Law-making Processes of Law of the Sea.
- II. Maritime Zones:
  1. Maritime Acquitry – Internal Waters, Territorial Seas, Archipelagic Waters, Straits used for International Navigation.
  2. Zones of Functional Jurisdiction – Contiguous Zone, Exclusive Economic Zone (EEZ), Continental Shelf.
  3. Maritime Boundary Delimitation.
- III. The Deep Sea-bed Area:
  1. Evolution of the Legal Regime concerning the Deep Sea-Bed and its Resources.
  2. The Legal Status and Definition.
  3. The Area as the Common Heritage of Mankind.
  4. Deep Sea-Bed, The 1982 Convention on Law of the Sea.
  5. Rights and Duties of States in the Deep Sea-Bed.
  6. International Sea-Bed Authority.
- IV. The Legal Regime of the High Seas:
  1. Definition and Development of Law.
  2. The notion of Freedom of High Seas.
  3. Rights and Duties of States relating to Shipping, Right of Hot Pursuit.
  4. High Seas, the 1982 Convention on Law of the Sea.
- V. Protection and Preservation of Marine Environment:
  1. General Obligations, Pollution from Land-based Sources, Pollution from Ships.
  2. Marine Scientific Research – Definition and General Principles, Co-operation and Exchange of Results.
  3. Conservation and Management of Living Resources – Maximum Sustainable Yield, Fish Stocks Agreement, Regional Fisheries Organisations.

VI. Settlement of Disputes:

1. Non-judicial Means to Settle Disputes.
2. Compulsory Jurisdiction of ITLOS (International Tribunal for the Law of the Sea.
3. Study of the Cases.

**Books Suggested for Reading:**

1. D. P. O'Connell, "The Juridical Status of The Territorial Sea", 45 British Yearbook of International Law 1971.
2. I. Brownlie, Basic Documents in International Law, (6<sup>th</sup> Edn.2008) Oxford University Press.
3. Churchill and Lowe, The Law of the Sea, 1999.
4. Juraj Andrassy, International Law and Resources of the Sea (Columbia University Press, 1970).
5. Oppenheim's International Law, Ninth Edn., Vol. 1, Edited by Sir Robert Jennings and Sir Arthur Watts, Logman Group U. K. Ltd. and Mrs. Tomoko Hudson, 1992.

## **ELECTIVE CORE COURSE (ECC – 02)**

### **LAW RELATED TO ALTERNATE DISPUTE REDRESSAL (CREDIT 4)**

#### **UNIT-I General:**

1. Different methods of dispute resolution; Inquisitorial method; Adversarial method;
2. Other methods- both formal and informal- like Arbitration, Conciliation, Negotiation, Mediation, etc.;
3. Advantages and disadvantages of above methods; Need for ADRs; International commitments; Domestic needs;
4. Suitability of ADRs to particular types of disputes; Civil Procedure Code and ADRs

#### **UNIT-II Arbitration:**

1. Meaning of arbitration; Attributes of arbitration; General principles of arbitration;
2. Different kinds of arbitration; Qualities and qualifications of an arbitrator;
3. Arbitration agreement and its drafting; Appointment of arbitrator; Principal steps in arbitration; Arbitral award;
4. Arbitration under Arbitration and Conciliation Act, 1996.

#### **UNIT-III Conciliation:**

1. Meaning; Different kinds of conciliation- facilitative, evaluative, court annexed, voluntary and compulsory;
2. Qualities of a conciliator; Duties of a conciliator; Role of a conciliator; Stages of conciliation; Procedure;
3. Conciliation under statutes- Industrial Disputes Act, 1947; Family Courts Act, 1984; Hindu Marriage Act, 1955; Arbitration and Conciliation Act, 1996.

#### **UNIT-IV Negotiation:**

1. Meaning; Different styles of negotiation; Different approaches to negotiation;
2. Phases of negotiation; Qualities of a negotiator; Power to negotiate.

#### **UNIT-V Mediation:**

1. Meaning; Qualities of mediator; Role of mediator;
2. Essential characteristics of the mediation process – voluntary, collaborative, controlled, confidential, informal, impartial & neutral, self-responsible;
3. Different models of mediation; Code of conduct for mediators.

#### **BOOKS SUGGESTED:**

1. *Bansal A K, Law of International Commercial Arbitration*
2. *Avatar Singh, Arbitration and Conciliation Act*
3. *Reports on International Commercial Arbitration*



## **ELECTIVE CORE COURSE (ECC-03)**

### **WOMEN AND CHILD LABOUR**

	<p>Unit I : Equal Remuneration Act, 1976</p> <ul style="list-style-type: none"><li>a. Duty of Employer to pay equal remuneration</li><li>b. No Discrimination in remuneration</li><li>c. Advisory committee.</li><li>d. Authorities for hearing and deciding complaints and claims.</li></ul>	
	<p>Unit II: Maternity Benefit Act, 1961</p> <ul style="list-style-type: none"><li>a. Right of payment of Maternity benefits</li><li>b. Notice of claim for maternity benefit and its payments.</li><li>c. Dismissal during absence of pregnancy.</li><li>d. Powers and duties of inspectors.</li></ul>	
	<p>Unit III : Benefits to women under different Act.</p> <ul style="list-style-type: none"><li>a. Benefits (Maternity) available under employees state Insurance Act, 1948.</li><li>b. Provisions for welfare of women under Factories Act, 1948</li><li>c. Relevant provisions of Mines Act, 1952</li><li>d. Relevant provisions of the Beedi and Cigar Workers (Conditions of Employment) Act 1966</li><li>e. Retirement Provisions of Plantation Act 1951</li></ul>	
	<p>Unit IV : Laws relating to protection of children</p> <ul style="list-style-type: none"><li>a. International Scenario</li><li>b. Declaration on the rights of the child 1959 – Preamble</li><li>c. Convention on the Rights of Child 1989 – Preamble, Part-I, II, III</li><li>d. The world summit for children 1990.</li><li>e. International Labour organization ILO</li></ul>	
	<p>Unit V: Indian Perspective</p> <ul style="list-style-type: none"><li>a. Constitutional provisions</li><li>b. The commission for protection of child Rights Act 2005.</li><li>c. National commission for protection of child rights</li><li>d. Children's Courts</li><li>e. Legislative measures {Child Labour (Prohibition and Regulation Act) 1986}</li><li>f. Child trafficking and abuse</li><li>g. Protection of children from sexual offences act.</li></ul>	

## SUGGESTED READING

1. Encyclopedia of human rights and women's development – Vol. V Vijay Kaushik and Bela Rani Sharma.
2. Lengthening Shadows Status of Women in India, Poonam and Chauhan.
3. Women in India- Legal and Human Rights Sadiq Ahamad Jilane Syed
4. Human Right and Child Labour in Indian Industries, Anu Saksena.
5. Symposium on Women's Rights at the workplace: Emerging Challenges and Legal Interventions, Asha Bajpai.
6. S.C.Shrivastava, Social Security and Labour Laws ( 1985).
7. Handbook of Law, Women and Employment in India: Policies, Issues Legislation and policies, by **Surinder Mediratta** , oxford publication
8. Child Labour in India: Rights, Welfare and Protection, **Deep & Deep Publications, 2011**
9. United Nations Convention on Rights of Child

## **ELECTIVE CORE COURSE (ECC -04)**

### **INTERNATIONAL ECONOMIC LAW**

1. Introduction:
  - i) Meaning and Nature of International Economic Law .
  - ii) Sources of International Economic Law.
  - iii) Development and evolution of IEL in pre and post World war periods.
  - iv) Changing Dimensions of International Economic Law .
  - v) Doctrine of Sovereignty over Wealth and Natural Resources
2. International Economic Agencies .
  - i) International Monetary fund (IMF):
    - a) Role and objectives .
    - b) Structure.
    - c) Resources .
    - d) Special Drawing Rights.
    - e) Conditionality Clause.
  - ii) International Bank for Reconstruction and Development (IBRD) :
    - a) Role and objectives .
    - b) Structure.
    - c) Resources.
    - d) Appraisal of Performance.
  - iii) World Bank
    - a) Role and objectives .
    - b) Structure.
    - c) Resources.
3. International Economic Institutions :
  - i) United Nations and its specialised agencies - Functions and role played in development of International Economic Law.
  - ii) United Nations conference on trade and Development (UNCTAD) :
    - a) Institutional framework
    - b) Objectives and functions
    - c) Role and achievements
  - iii) United Nations Commission for International Trade Law ( UNCITRAL):
    - a) Structure and functions
    - b) Role and Achievements
4. World Trade Organisation:
  - a) Historical background
  - b) Objectives.
  - c) Structure, function and jurisdiction.

## Bibliography.

1. Bandar Surendra, World Trade Organization and Developing Countries (1995) , Universal, Delhi.
2. Arun Goyal (ed.) WTO in the New Millenium (2000) , Academy of Business Studies, New Delhi
3. Jayanta Bagchi, World Trade Organization: An Indian Perspective (2000) Eastern Law House, Calcutta.
4. A. K. Kaul, - UNCED, Our Common Feature (1986) Oxford.
5. Legal Framework of UNCTAD in World Trade 1977, N.M. Tripathi, Bombay.
6. Report of Peoples Commission on GATT, 1996, Centre for Study of Global Trade System and Development, New Delhi.
7. GATT Accord and India - Edited by K.R. Gupta , Atlantic Publishers and Distributors.

## JOURNALS / NEWSPAPERS.

1. Corporate Law Cases
2. Company Law Journal.
3. Annual Reports of World Bank
4. Political and Economic Weekly
5. Economic Times
6. Financial Times.

## **ELECTIVE CORE COURSE (ECC -05)**

### **LAW OF PERSONS WITH DISABILITIES**

#### **UNIT I**

Meaning and nature of disability

Medical model of disability, social model of disability and Human Rights model of disability

#### **UNIT II**

History of law engagement with disability

Salient features of Persons with disability (equal opportunity, protection of Rights and Full participation) Act 1995

Power and functions of Central Coordination Committee and State Coordination Committee

Rights of persons with disability in employment, education

Reservation of persons with disability in employment and education

#### **UNIT III**

Social security of persons with disability

Special provisions for persons with severe disability

#### **UNIT IV**

International Law relating to persons with disability

Role of United Nations and its agency in the protection of Human Rights of persons with disability.

The UN convention on rights of Persons with Disability

The UN standard Rules for equal opportunities for Persons with Disability

#### **UNIT IV**

Role of NGOs in advocacy, protection and enforcement of human rights of Persons with Disability

#### **SUGGESTED READING :-**

1. Manual of Disability Law published by NHRC India.
2. Human Rights and Disability The current views and the future potential of United Nations Human Rights Instruments in the Context of Disability by *Gerard Quin & Trhesia Degeler & Ana Bruce. 2002*
3. Manual of Disability Law published by NHRC India.

# FOUNDATION COURSE

## LAW – I (CONSTITUTIONAL LAW)

### **UNIT NO- I :- FUNDAMENTAL RIGHTS**

- a) Right to Equality (Article 14 to 18)
- b) Fundamental Freedoms (Article 19 to Article 24)
- c) Secularism and Right to Religion (Article 25 to 28)
- d) Cultural and Minority Rights (Article 25 to 28)
- e) Right to Judicial Remedies (Article 226 and 32)

### **UNIT NO- II :- DIRECTIVE PRINCIPLES OF STATE POLICY AND FUNDAMENTAL DUTIES**

- a) Principles of Social Justice and Public Health.
- b) Protection of Interests of Women and Children.
- c) Protection of interests of workers.
- d) Protection of Environment.
- e) Local Self Government.
- f) Fundamental Duties

### **UNIT NO- III :- PARLIAMENTARY FORM OF GOVERNMENT**

- a) Characteristic of Parliamentary Form of Government
- b) Distinction between Parliamentary and Presidential Form of Government
- c) Doctrine of Collective Responsibility.

### **UNIT NO- IV :- EMERGENCY PROVISIONS**

- a) National Emergency
- b) Imposition of President's rule in the state.
- c) Financial Emergency.

### **UNIT NO- V :- AMENDMENT OF THE CONSTITUTION**

- a) Meaning of Constituent Power.
- b) Procedure for Amendment of the Constitution.
- c) Limitation on Powers of Constitutional Amendment.

BOOKS PRESCRIBED :-

- 1) H. M. Seervai – Constitutional Law of India. (1996) Tripathi.
- 2) M. Galanter – Competing Equalities: Law and the Backward Classes in India (1984).
- 4) D. D. Basu – Constitution of India.
- 5) M. P. Jain – Constitutional Law of India.
- 6) V. N. Shukla – Constitution of India
- 7) Ravi Prakash - Constitution, Fundamental Rights & Judicial Activism in India, 1997.
- 8) Justice Palok Basu - Law Relating to Protection of Human Rights Under the Indian Constitution and Allied Laws, (2002)

# **LL.M FOURTH SEMESTER**

## **COMPULSORY PAPER V (CC-06)**

### **JUDICIAL PROCESS AND RULE OF LAW**

#### **1. THE INSTITUTION OF THE JUDICIARY**

- a. Origins of the institution of the judiciary
- b. Judiciary as guardian of Fundamental Rights and of Constitutional values
- c. Doctrine of separation of powers and concept of independence of the judiciary; Concept of Judicial accountability
- d. Appointment of judges: Constitutional Provisions – Aspect of procedural fairness in the selection and appointment of judges

#### **2. JUDICIAL REVIEW**

- a. Origins of the concept of Judicial Review: Marbury vs Madison
- b. Nature and Scope of the power of judicial review – Constitutional Provisions: Part III and Part IV; Original and Appellate jurisdictions of the Supreme Court and High Court; Similarities and differences between Articles 32 & 226/227
- c. Doctrines of Mootness and Ripeness and Political Question

#### **3. DOCTRINE OF PRECEDENT:**

- a. Nature of Precedent – Stare decisis, Ratio Decidendi and Obiter dicta – binding nature of obiter dicta of the Supreme Court on the High Court
- b. Nature and scope of judicial law making – Prudential and Democratic objections
- c. The Concept of Complete Justice under Article 142 of the Constitution as an exception to the doctrine of Precedent
- d. Law declaratory role vs law constitutive role of the judiciary



#### 4. RULE OF LAW

- a. Nature, meaning and scope
- b. Dicean Concept of Rule of law
- c. Modern concept of Rule of law
- d. Rule of law as a political and legal ideal

#### **Books Suggested**

- 2. A V Dicey: Introduction to the Law of the Constitution
  - 3. HWR Wade: Administrative Law
  - 4. Jain and Jain: Principles of Administrative Law
  - 5. S P Sathe: Judicial Activism in India
  - 6. Dias: A Textbook of Jurisprudence
  - 7. Lloyd's Introduction to Jurisprudence, edited by MDA Freeman
  - 8. Benjamin Cardozo: The Nature of Judicial Process
  - 9. D D Basu: Constitutional Law
  - 10. M P Jain: Indian Constitution
- V N Shukla: Constitutional Law, M P Singh edition

## COMPULSORY COURSE :- CC - 07

### DISSERTATION (04 CREDITS)

Candidates are required to submit a dissertation of ATLEAST in the Range of 100-150 pages on a topic from the optional group offered by them. The dissertation is expected to be an in depth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, law review articles, books, monographs relevant to the topic in the form of footnotes and bibliographical references.

The candidates will be examined at an oral examination (viva) on the strength of the dissertation (written work.) The dissertation will carry 100 marks and it should be submitted (two copies) to Head of the Department one month before the Semester ends i.e. the Fourth Semester. The viva exam will be held in the month of May - June every year. The supervisor for dissertation shall be the teaching member of the Deptt. of Law., and affiliated colleges where LL.M. courses are taught. The students will be assigned the topic for dissertation by their supervisor in consultation with the Head of the Department within a month after the Semester has started.

After the dissertations have been submitted they shall be evaluated by the external examiner along with the Head of the Department and/or internal examiner. The examiner will evaluate the dissertation taking into account the following points:

- a) Coverage of subject matter.
- b) Arrangement and presentation.
- c) Research Methodology
- d) Nature of references and materials used.
- e) Critical appreciation and *original contribution* of the candidate.

Written Work – 75 Marks

Viva Voce - 25 Marks

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Total= 100 Marks

The students have to write their dissertations as per the guidelines of Research Methodology given below.

## **GUIDELINES FOR DOCTRINAL RESEARCH.**

### **A. Research scholars are required to follow the steps given below for preparation of Doctrinal Research**

Research Methodology:

1. Title of the Study
2. Problem of the study
3. Rationale of the study
4. Objectives of the study
5. Hypothesis
6. Review of Literature
7. Operational concepts & Variables of the study
8. Research Design
  - i) Nature/ Type of the study
  - ii) Method of Data Collection
  - iii) Sources of Data Collection
9. Limitations of Study
10. Time Schedule
11. Possible contribution of the study
12. Chapterisation

### **B. Doctrinal Research shall have the following structure :**

Cover  
Cover page  
Certificate  
Acknowledgement  
List of Case Laws.  
List of Tables  
Abbreviations  
Contents

## INTRODUCTION

- A. Theoretical Background
- B. Research Methodology ( As given in A. )

Chapter I

Chapter II

Chapter III

Chapter IV

Major Findings, Conclusions and Suggestion.

Bibliography

( Books, Journals (Articls) News papers, Websits, Research Reports, Magazines. etc. )

Annexures:

Acts, Bills, Maps, etc.

### **C. Step by step procedure to be followed for Doctrinal Research :**

- 1) Approval of the title
- 2) Collection of material
- 3) Review of literature
- 4) Problem
- 5) Objectives
- 6) Rationale
- 7) Hypothesis
- 8) Chapterization
- 9) Collection of Data
- 10) Analysis and Interpretation of data
- 11) Report Writing
- 12) Preparation of Bibliography
- 13) Preparation of List of cases
- 14) Abbreviation

# INTERNATIONAL LAW

## OPTIONAL CORE COURSE (OCC- A- 06)

### Private International Law - II

#### Specific Choice of Law Problems

1. Family Law:
  - 1) Marriages
  - 2) Matrimonial Causes
  - 3) Legitimacy and Legitimation
  - 4) Adoption
  - 5) Guardianship and Custody
2. Law of Property:
  - 1) Movable and Immovable Property
  - 2) Transfer of Tangible Movables
  - 3) Assignment of Intangible Movables
  - 4) Insolvency
  - 5) Succession
3. Law of Obligations:
  - 1) Contracts
  - 2) Torts

#### Books Suggested for Reading:

- 1) Dicey : Conflict of Laws.
- 2) Cheshire : Private International Law.
- 3) Paras Diwan : Private International Law, Indian & English.

# CONSTITUTIONAL & ADMINISTRATIVE LAW

## OPTIONAL CORE COURSE :- (OCC- B 06)

### **PUBLIC AUTHORITIES AND LIABILITY: CONTROLS ON MALADMINISTRATION**

1. Liability of Government.
  - 1) Liability of Government and Public Authorities in Torts and Contract; Promissory Estoppel.
  - 2) Government Privileges in Legal Proceedings.
  
2. Right to Know and Information :
  - 1) Jurisprudential and Constitutional Perspectives.
  - 2) American Freedom of Information Act, 1966 and English Official Secrets Act and Right to Know.
  - 3) Indian Official Secrets Act, 1923, Right to Information Act, 2002 and Right to know.
  - 4) Judicial Decisions.
  
3. Ombudsman :
  - 1) The concept.
  - 2) Comparative perspectives
  - 3) Evolving Indian models - Lokpal, Lokayukta Institutions.
  
4. Fact Finding Commission and Inquiry :
  - 1) Commission of Inquiry
  - 2) Vigilance Commission
  - 3) Investigation Agencies : the CBI
  - 4) Inquiries by Legislative Committees.
  - 5) Legislative Control
  - 6) Financial Control - Comptroller and Auditor General
  - 7) Judicial Inquiries.
  
5. Administrative adjudication :
  - 1) Need for devolution of Adjudicatory power on Administration.
  - 2) Administrative Tribunals and other Adjudicatory Authorities - Growth, Evolution and present Status.
  - 3) Nature and Character of Tribunals - CAT and SAT
  
6. Public Undertaking and Corporation :
  - 1) Reasons for Autonomous Bodies.
  - 2) Government Control, Parliamentary Control, Judicial Control.

Books Suggested for Reading :

- 1) M.P. Jain and S.N. Jain - Principles of Administrative Law (1987)
- 2) D.D.Basu - Comparative Administrative Law (1969)
- 3) H.W.R. Wade - Administrative Law.
- 4) De'Smith - Judicial Review of Administrative Action.
- 5) D.D. Basu \_ Administrative Law (1996)
- 6) M.P. Jain - Treaties in Administrative Law Vol. I (1996).

# **INTELLECTUAL PROPERTY LAW**

## **OPTIONAL CORE COURSE (OCC –C 06)**

### **GLOBAL LAW ON INTELLECTUAL PROPERTY RIGHTS (CREDITS 4)**

#### **Unit I: Introduction**

- a. International Law and Intellectual Property Rights - Significance of Legal Protection towards performers and broadcasting organization.
- b. IPR and International Institutions – WIPO, WTO, TRIPS , UNESCO

#### **Unit II: International Protection of Copyright-**

- a. WTO/TRIPS Agreement, The Berne Convention,
- b. Universal Copyright Convention, The Rome Convention,
- c. WIPO's Copyright Convention and Phonogram Treaty, 1996.

#### **Unit III: International Protection of Patents.**

- a. Patent Cooperation Treaty
- b. Paris Convention,
- c. WTO/TRIPS obligation.
- d. European Patent Convention

#### **Unit IV: International Protection of Trademark :**

- a. Paris Convention, Madrid Agreement,
- b. Nise Agreement and TRIPS Agreement.
- c. Trademark and Consumer Protection (Study of UNCTAD Report ),
- d. International Conventions and Agreements for Protection of Trade Design

#### **Books suggested for Reading:**

1. Intellectual Property and International Trade (1998), Kluwer Patent Cooperation treaty Hand
2. Book (1998), Sweet and Maxwell Christopher Wadlow : The Law of Passing Off (1998). Sweet and Maxwell.
3. W.R. Cornish : Intellectual Property Law (1999), Sweet and Maxwell.
4. Elizabeth Verke : Law of Patents (2005) Eastern Book Company, Lucknow.
5. S.K. Verma and Raman Mittal (Ed.) - Intellectual Property Right : A Global Vision (2006)
6. Indian Law Destitution publication, New Delhi.
7. Shiv Sahai Singh (Ed.)- The Law of Intellectual Property Right. (2004) Deep and Deep Publication, New Delhi.
8. Shahid Khan and Ragunath Mashelkar : Intellectual Property and Competitive Strategies in the 21st Century, (2006), Kluwer Law International.
9. P.S. Narayan : Intellectual Property Law in India. (2006) Gogia Law Agency, Hyderabad.



# BUSINESS LAW

## OPTIONAL CORE COURSE (OCC- D 06)

### INTERNATIONAL TRADE LAW AND AGREEMENT (II)

#### I International Sale of Goods :

1. Special trade terms in export sales - Definitions, kinds, Differences between Rights and duties of buyers and sellers.
2. Standardisation of terms in International Sales : Uniform Conditions of Export Sales - Role of UNCITRAL, International Chamber of Commerce Publications, Standard contract forms applied to specified international transactions .
3. Offer and acceptance .
4. Performance of contract.
5. Rights of unpaid seller
6. Countertrade.
7. Frustration of contract
8. Conflict of laws
9. Unification of the Law of International Sales.

#### II. Financing and Payment in International Trade.

1. Meaning, types and control of foreign investment
2. Bill of Exchange - Meaning
3. Letters of Credit - Characteristics and kinds.
4. Bank guarantees and other contract guarantees.

#### III. Transportation of Exports.

1. Carriage of Goods by Sea- Unimodal and Multimodal Transport, Contract of Carriage by Sea, Bills of Lading, Charterparty Liability of shipowner for loss or damage to goods.
2. Container transport - Course of business in container Transport, Legal problems of container transport.
3. Carriage of Goods by Air
4. Carriage of Goods by Land.

- IV. Insurance of Exports - Marine and Aviation Insurance.
- V. Dispute Settlement Non-judicial dispute settlement : Arbitration and Conciliation .

#### Bibliography.

1. Carr and Kidner - Statutes and Conventions on International Trade Law, 1993.
2. Jason Chuah - International Trade Law, Cavendish Publishing Ltd, London, 1995.
3. Motiwal and Awasthi International Trade, 1st edn, 1995. Bhowmik and co; New Delhi.
4. Clive M. Schmitthoff, Schmitthoff's, Export Trade, 8th Edn, 1986, Stevens and Sons, London.
5. Law of International Trade Transactions - ed. Rahmatullah Khan, Tripathi Pvt, Ltd, Bombay, 1973.
6. UNCITRAL Year Book, 1970-1995, United Nations, New York .
7. Dicey, Conflict of Laws.
8. Justice Kochu Thomen.- Bill of Lading.
9. Payne and Ivamy - Carriage of goods , 12th Edn., Butterworth.
10. M.C. Vaish, Sudama Singh : International Economic Law , 4th Edn., Oxford and IBH Publishing Co.
11. New Directions in International Trade Law , Vol I & II, Oceana Publications Inc.
12. B.C. Mitra - Law Relating to Bills of Lading and Charter party ( Air , Land and Sea) 1998.
13. Avtar Singh Law of Carriage ( Road , Rail , Air and Sea) 3rd Edn., Eastern Book Co.

## ENVIRONMENT AND LEGAL ORDER

### OPTIONAL CORE COURSE- (OCC-E 06)

#### Conservation of Resources and Management of Environment

##### **Chap 1. Natural Resources Management**

1. Definition
2. Classification of Natural Resources
  - a) Inexhaustible
  - b) Exhaustible
3. Concept of Resource Conservation
4. Factors affecting resources
5. Conservation of Important Natural Resources
  - a) Methods of Forest Conservation
  - b) Methods of Soil Conservation
  - c) Methods of Water Conservation
  - d) Methods of Wildlife Conservation
6. Natural Resource Accounting and its Necessity

##### **Chap 2. Environment Impact Assessment and Auditing**

1. Definition, Nature and Importance
2. Guidelines of Environment Impact Assessment
3. Economic Assessment of Resources
4. Environmental Status Evaluation
5. Cost – Benefit Analysis
6. Concept of Capacity Building

##### **Chap 3. Environment and Emerging Concepts**

1. Eco-Mark
2. Eco-Audit
  - a) Pre-Audit Activities
  - b) Post-Audit Activities
  - c) Benefits of Environmental Audits
3. Risk Assessment and Disaster Management Plan
4. Management System Certification: IS / ISO 14001: 1996

##### **Chap 4. Utilization of Renewable Energy Sources**

- 1) Solar Energy
- 2) Hydro-Power Energy
- 3) Ocean Energy
- 4) Geo-Thermal Energy
- 5) Bio-Energy

##### **Chap 5. Environment and Future Perspectives**

- 1) Development of Eco-Friendly Techniques
- 2) Public Participation and Decision Making
- 3) Globalization and its impact on Environment
- 4) Role of NGO in protection of Environment
- 5) Role of Media in protection of Environment

# LABOUR, CAPITAL AND LAW

## OPTIONAL CORE COURSE ( OCC-F 06)

### Social security Legislation - II

#### Unit I: The Factories Act 1948

1. Applicability of the Act
2. Powers of inspectors
3. Health, safety and welfare measures
4. Responsibility of the occupier in relation to hazardous processes
5. Prohibition of employment of children
6. Offences by workers
7. Penalties procedure and exemptions

#### Unit II: Employees Provident Fund Act 1952

1. Applicability of the Act.
2. Authorities their powers and functions
3. Contribution to the fund
4. Insurance scheme
5. Pension scheme

#### Unit III: Payment of gratuity Act, 1972

1. Concept of gratuity
2. Eligibility for gratuity and amount payable under the act.
3. Nomination facility
4. Duties of employer
5. Procedure for settlement of disputes as to amounts
6. Exemptions and penalties
7. Enforcement machinery under this Act its powers and functions

#### Unit IV: Unorganised labour and social security

1. Causes and problems of unorganized labour emerging, trends.
2. Unorganised labour and constitutional perspective.
3. Agricultural labour: Need for State initiative and support in providing social security to Agri. Labour.
4. Protection to the weaker sections of the labour – evolving trends.
  - a. Tribal labour
  - b. Domestic servants
  - c. Bonded labour
  - d. Contract labour

#### Unit V: Legislative measures

1. Equal remuneration Act 1976
2. The Plantation Labour Act 1951 (Provisions relating to women)
3. Mines Act (Provision Relating to women).
4. Human rights and child labour in Indian Industries.

#### Unit VI: Towards an ideal social security scheme: The futuristic

1. Comprehensive and integrated social security scheme – an utopian concept or a pragmatic approach?
2. Benefits and beneficiaries
3. Role of trade unions
4. Social security clause in collective bargaining agreements
5. Social security scheme by trade unions
6. Funding

#### Books Suggested For Reading:

1. State Legislations and other Welfare Schemes relating to Agricultural Labour.
2. Government of India, Agricultural Labour Enquiry.
3. Government of India , Report on the second Agricultural Labour Enquiry.
4. Government of India, Third Agricultural Enquiry.
5. Report of the National Commission on rural Labour (1991) New Delhi, Govt. of India, Ministry of Labour- Vol. II.
6. Encyclopedia of human rights and women's development – Vol. V Vijay Kaushik and Bela Rani Sharma.
7. Lengthening Shadows Status of Women in India, Poonam and Chauhan.
8. Women in India- Legal and Human Rights Sadiq Ahamad Jilane Syed
9. Human Right and Child Labour in Indian Industries, Anu Saksena.
10. Symposium on Women's Rights at the workplace: Emerging Challenges and Legal Interventions, Asha Bajpai.

# **CRIMINAL LAW**

## **OPTIONAL CORE COURSE (OCC-G 06)**

### **ORGANISED CRIME, TERRORISM AND INTERNATIONAL CRIME: NEW CHALLENGES**

- I Organized Crime
  - 1) Definition and Scope
  - 2) Characteristics of organized crime
  - 3) Types of organized crime
  - 4) Causes of organized crime
  
- II Classification of Organized Crimes
  - A) International Perspective
    - 1) Transnational organized crime
    - 2) Illicit Firearms trafficking
    - 3) Drug trafficking
    - 4) Money laundering scams and frauds
  
  - B) Indian Perspective
    - 1) Smuggling, Money Laundering and Hawala
    - 2) Terrorism
    - 3) Counterfeiting of Currency
    - 4) Drug trafficking: NDPS Act penal provisions
    - 5) Cyber Crimes and penal provisions in IT Act, 2000 (Sec.65, 66 & 67)
    - 6) Trafficking of women and children
    - 7) Trafficking of Human Organs (penal provisions)
  
- III Profiles of Criminal Gang / Investigation and Prosecution
  - 1) Criminal Intent and mensrea in such crimes
  - 2) Modus operandi of organized crime
  - 3) Role of Police in Investigation of organized crime
  - 4) Role of Judiciary, Trial and Sentencing in organized crime

#### IV Legislative Provisions in India

- 1) Maharashtra Control of Organized Crime Act, 1999
- 2) Relevant Provisions under IPC and Indian Evidence Act
- 3) Prevention, control and correctional strategies

#### V Laws relating to Transnational Organised Crime

- 1) Organised crime and United Nations
- 2) Naples Declaration and Global Action Plan 24 Dec. 1994 (Salient features)
- 3) United Nations Conventions Against Organized Crime 15<sup>th</sup> Dec. 2000 ( Salient features)
- 4) Extradition Treaty: Extradition Act 1962 (Relevant Provisions)

#### VI International Crimes

- 1) Emerging Crimes of International Nature
- 2) Objectives of International Criminal Law
- 3) Salient features of International Criminal Court.

### **Books of Reference**

#### Bare Acts

1. Narcotic Drugs and Psychotropic Substances Amendment (Act) 2001
2. Immoral Traffic (Prevention) Act, 1956
3. Maharashtra Control of Organised Crimes Act 1999
4. Naples Declaration and Global Action Plan, 1994
5. Extradition Treaty & Extradition Act, 1962

#### Books:

1. Mathur K.M., Crime, Human Rights and National Securities, Gian Publishing House, New Delhi -02
2. Nadan Kamat, Computer and Information Technology Law
3. Attra Chand, Terrorism Political Violence Security of Nation, Gian Publishing House, New Delhi -02.
4. William A Schabas, International Criminal Court, 1<sup>st</sup> Edition 2001, Cambridge University Press.

# **ELECTIVE SUBJECTS FOR FOURTH SEMESTER**

## **ELECTIVE CORE COURSE (ECC-06)**

### **BANKING LAW (CREDIT 4)**

#### **Unit I: Introduction:**

- 1) Evolution of banking and its history in India. Role of banking institutions in the socio-economic development of the country.
- 2) Structure and functions of different banking institutions- viz. Central Bank, Commercial Banks, Merchant Banks, Co-operative Bank, Specialised Banks, Financial Institutions.
- 3) Banker and Customer- nature and relationship, rights and duties, banker's lien, banking instruments, consumer protection: banking as service.

#### **Unit II: Law of Banking Regulations - Banking Regulation Act, 1949**

1. Social control over banking institutions, National Credit Council, loan melas.
2. Control by RBI and central government over business activities of banking institutions.
3. Control over accounts and audit.
4. Reconstruction and reorganisation
5. Suspension and winding up.
6. Control over non-banking financial institutions.
7. Nationalisation of banks, critical analysis of banks before and after nationalisation. Liberalisation policy and its impact on banking sector, disinvestment.

#### **Unit III: Reserve Bank Of India Act, 1934**

- 1) Evolution of Central Bank- constitutional background.
- 2) Characteristics and functions of RBI.
- 3) Legal status and organisational structure of RBI.
- 4) Regulating mechanism of RBI over other Banks

#### **Unit IV: Recovery of Loans**

- 1) Default in Repayment of Loans
- 2) Recovery of Debts Due to Banks and Financial Institution Act, 1993
- 3) The Securitisation Act 2002

#### **Unit V: Current Trends and use of latest Technology in Banking**

- 1) Internet Banking
- 2) ATM
- 3) Credit Cards, Debit Cards and Smart -Cards

#### **Unit VI: Negotiable Instruments**



- 1)Negotiable Instruments- meaning, characteristics and kinds, promissory notes, bills of exchange, Hundis and Cheques.
- 2)Discharge of parties from liability, discharge of instruments and consequences.
- 3) Dishonour of cheques and forgery of cheques.

**Books Suggested for Reading :**

- 1) Tannan's Banking Law and Practice in India 19th Edn. Vol. I & II ( 1999).
- 2) S.N. Gupta - The Banking Law in Theory and Practice 3rd Edn. Vol I & II (1999).
- 3)J. Milnes Holdens- The Law and Practice of Banking Vol. I & II 8th Edn. Univerial Law Publishing Co.Prt.Ltd.
- 4) L.C. Goyle - Law of Banking and Bankers, 1995, Eastern Law House, New Delhi.
- 5) B.R. Sharma - Bank Frauds - Prevention and Detection 2nd Edn. Universal.
- 6) P.S. Narayana's Law of Negotiable Instruments and Dishonour of Cheques , 1997, Asia Law House.
- 7) Richardson - A Guide to Negotiable Instruments 7th Edn. 1983 Butterworth
- 8) Tripathi ,Digest of Dishonour of Cheques 2000 Edn, Singh and Co, Allah.
- 9) Dr. R.G. Chaturvedi , Madhusudan Chaturvedi - Law of State Financial Corporations , 1998, Bharat Law Publications.

## ELECTIVE CORE COURSE (ECC-07)

### INSURANCE LAW

1. Nature of Insurance:  
History and essential elements, proposal, policy, parties, consideration, need for utmost good faith, insurable interest, indemnity, law of contract.
2. General principles of Law of Insurance:  
The risk, commencement, attachment and duration, assignment and alteration, settlement of claim and subrogation, Insurance Act, 1938, and Insurance Regulatory Development Authority Act, 2000, double Insurance and reinsurance.
3. Life Insurance:  
Nature and scope, insurable interest, accident and disability benefit, event insured against, life insurance contract, circumstances affecting the risk, persons entitled to payment, assignment and nomination.
4. General Insurance:
  - A. Marine Insurance:  
Nature and scope, classification of marine policies, Marine Insurance Act, 1963, Insurable interest, insurable value, conditions, express warranties, interpretation of terms of policies, voyage-deviation, perils of sea, assignment of policy, partial loss of ship, freight, salvage particular charges.
  - B. Property Insurance: -  
Fire Insurance, burglary and theft policies, goods in transit, livestock and agriculture insurance.
  - C. Third Party Risk Insurance: -  
Motor Vehicles Act, 1988, nature and scope, contributory negligence, effect of Insolvency or death claims Tribunal, constitution, functions, procedure, powers and award, public liability Insurance.
5. Miscellaneous Insurance Schemes: New Dimensions: -  
Group Life Insurance, Medical claim and Sickness Insurance.

#### Books Suggested for Reading

- 1) ER Hardy Ivamy - General Principles of Insurance law , 5th Edn. 1986, Butterworths, London.
- 2) Bharat's Manual of Insurance Laws - 2000.
- 3) Brijnandan Singh - Insurance Law, 4th Edn. 2000 , The University Book Agency, Allahabad.
- 4) Yodhishthira and Shrivastava - Banerjee's Law of Insurance, Vol. I & II 4th Edn. 1994, The Law Book Co.(P) Ltd., Allahabad.
- 5) Murthy and Sarma - Modern Law of Insurance in India, 2nd Edn., 1991, N.M.Tripathi (P) Ltd., Bombay.
- 6) Ivamy - Case Book on Insurance Law, 4th Edn., 1984, Butterworths.
- 7) Srinivasa - Cases on Insurance, Vol. I and II.
- 8) Taxmann's Regulations Framed under Insurance Regulatory and Development Authority Act., 2000.
- 9) B.N. Banerjee - Law of Insurance, 4th Edn., 1994, Vol I & II, Law Book Co (P) Ltd.
- 10) E.R.H. Ivamy, Marine Insurance 2nd Edn. 1974, Butterworths.
- 11) B.C. Mitra - The Law Relating to Marine Insurance , 2nd Edn., 1993, The University Book Agency, Allahabad..

## **ELECTIVE CORE COURSE :- (ECC-08)**

### **CYBER CRIMES**

#### **CHAPTERS**

##### **1. Introduction to Cyber Laws, Cyber Crimes.**

- 1.1. Meaning, Definition, Nature of Cyber crimes
- 1.2. Historical Genesis and Evolution of Cyber Crimes
- 1.3. International & Indian Laws on Cyber Crimes.
- 1.4. Computer and Internet basics

Computer Hardware & Networks:

The BIOS and Boot Process - Computer Memory - Hard Disks, Floppy Disks, CD ROMs and DVDs - Networks and Communications - Understanding the Internet: How the Domain Name System works - Email Concepts - World Wide Web concepts - Website Creation Concepts Forms, Interactivity, and Database-Driven Web Sites – Web Commerce.

##### **2. Cyber Crimes**

- 2.1. Definition of Cyber crime,
- 2.2. Malicious Code - Computer Viruses , Computer Worms ,Computer Trojans,
- 2.3. Web Hacking Foot printing, Port Scanning, E-Shoplifting Web Defacement, Denial of Service Attacks, Manipulating Cookies
- 2.4. Email Hacking: Email Hacking using Packet Sniffers, Email Hacking & Phishing, Email Frauds & Phishing, Email Bombing
- 2.5. Email Hijacking - Social Engineering.
- 2.6. Cyber Stalking,
- 2.7. Cyber Terrorism,
- 2.8. Pornography,
- 2.9. Cyber Bullying, Piracy.

### **3. Statutory Laws pertaining to Cyber Crimes in India:**

- 3.1. Information Technology Act, 2000,
- 3.2. Penalties & Offences under the Information Technology Act,
- 3.3. Offences under the Indian Penal Code, 1860,
- 3.4. Issues relating to investigation and adjudication of cyber crimes in India Digital evidence

### **4. Cyber Crime Investigation**

- 4.1. Introduction to Cyber Crime Investigation:
- 4.2. Basic Investigation Techniques
  - ☐ First Information Report
- Initialising a Search and Seizure Operation, Tracking & Tracing Emails,
- ☐ Final Form/ Report
- ☐ Computer evidence assessment checklist
- ☐ Computer evidence analysis checklist
- ☐ Computer evidence analysis report
- ☐ Cyber forensics analysis report Recovery of Digital Evidence,

### **5. Cyber Law Prevention measures and Data Safety.**

- 5.1. Cyber Law Prevention measures
- 5.2. Data Safety
- 5.3. Future Challenges

**Suggested Reading:-**

1. Dr.R.K.Chaubay, An Introduction to Cyber Crime and Cyber Law;
2. Dr.M.Dasgupta, Cyber crime in India;
3. Barkha & U.Ramamohan, Cyber laws and crimes;
4. Information Technology Act, 2000 ( The Information Technology (Amendment) Act, 2008);
5. Susan W. Brenner, Cyber Crime: Criminal Threats from Cyberspace, Greenwood Publishing Group, Praeger, California ( Also E-Book);
6. Sandeep Bhalla, Commentary on Information Technology Act, 2000 (India) [Kindle Edition] 2014 Edition (E-Book);
7. Dr. Jyoti Rattan, Cyber Laws and Information Technology, 4<sup>th</sup> Edition 2014, Bharat Law House;
8. Albert J. Marcellaa and Robert S. Greenfiled (Ed) (2002) Cyber Forensics, A Field Manual for collecting, examining and preserving evidence of computer crimes, Auerbach publications;
9. Deflem, Mathieu, and J. Eagle Shutt, 2006 “Law Enforcement and Computer Security Threats and Measures.” Pp. 200-209 in The Handbook of Information Security, Volume 2: Information Warfare; Social, Legal, and International Issues; and Security Foundations, edited by Hossein Bidgoli. Hoboken, NJ: John Wiley & Sons.
10. Giddens, A (1990) The Consequences of Modernity, Polity Press, Oxford.
11. Hafner, K. & Markoff, J. (1995) Cyberpunks: Outlaws and hackers on the computer frontier, New York revised by Simon and Schuster.
12. Hauben, Michael and Ronda Hauben (1997) Netizens: On the History and Impact of Usenet and the Internet. Wiley-IEEE Computer Society Press, New Jersey.

## **ELECTIVE CORE COURSE (ECC- 09)**

### **LAW, SCIENCE AND TECHNOLOGY (CREDIT 4)**

#### **Unit I: Introduction**

1. Development and Growth of Science and Technology and its impact on human Life.
2. Nexus between Law, Science and Technology
3. Role and Functions of Law towards the protection and growth of technology

#### **Unit II: Information Technology and Law**

1. Concept and meaning of cyber Law, Cyber Space, Cyber Matrix
2. Development of Cyber Law in India
3. Information Technology Act, 2000
4. Allied Legislations related to Information Technology
5. Future Challenges

#### **Unit III: Law related to Medical Technology**

1. Assisted Reproductive Technology and Issues related to Surrogacy
2. Cyber Forensic and Law
3. Technology and Health Issues (Human Rights Issues and Intellectual Property Rights)

#### **Unit IV: Law related to Nuclear Technology**

1. Concept and meaning of Nuclear Technology
2. Liability Issues and Nuclear Technology
3. Regulation of International Trade in Nuclear material
4. Legal Regime on Nuclear Technology in India

## ELECTIVE CORE COURSE (ECC- 10)

### CORPORATE SOCIAL RESPONSIBILITY

#### A. Unit I- Concept of CSR.

- Evolution of CSR
- Principles of CSR.
- Definition of CSR.

#### B. Indian approach to CSR.

- Policies reports.
- Company Act 2013.

#### C. Roles and responsibilities of corporate.

- Responsibilities towards society.
- Responsibilities towards environment.
- Civil and criminal liability.

#### D. Comparative study of approaches of CSR.

- US
- UK
- India.

#### Books Referred:

- Gover's Principles of Company Law, 5th Edn. 1992, Sweet and Maxwell.
- Iyengar, T.R. Srinivasa : Company Promotion, Management & Incorporation , 2nd Edn. The Law Book co (P) Ltd.
- Dr.K.R. Chandratre : Transfer and Transimission of Shares and Debentures 3rd Edn. 1996 - Bharat Law House Publication.
- Badjatya : Model object Clause of Memorandum of Asociation of a company, 1995 Edn. Orient Publishing co.
- Ramaiya : Guide to the companies Act- (1998 )
- Boyle and Birds - Company Law 3rd Edn. 1997 Universal Law Publishing Co.Pvt. Ltd.
- J.H. Farrar and B.M. Hanniyan, Farrar's Company Law (1998) Butterworths



# FOUNDATION COURSE

## LAW – II

### (GENERAL PRINCIPLES OF LAW)

#### **UNIT NO- I :-**

- a) Nature And Meaning of Law
- b) Sources of Law
- c) Relation between law, morality and justice.
- d) Meaning and scope of rights
- e) Correlativity of Rights and Duties.

#### **UNIT NO- II :-      GENERAL PRINCIPLES OF LAW OF TORTS**

- a) Meaning and nature of Torts
- b) Trespass
- c) Negligence
- d) Nuisance
- e) Remedies for Torts.

#### **UNIT NO- III :-      GENERAL PRINCIPLES OF CONTRACT**

- a) Meaning and functions of Contract.
- b) Essential elements of contract.
- c) Breach of Contract.
- d) Remedies for breach of contract.

#### **UNIT NO- IV :-      GENERAL PRINCIPLES OF LAW OF CRIME.**

- a) Meaning and Nature of Crime.
- b) Offences against persons.
- c) Offences against property.
- d) Exceptions to Criminal Liability.
- e) Various types of Punishment.

## **UNIT NO- V :- HUMAN RIGHTS**

- a) Nature and meaning of Human Rights
- b) Classification of Human Rights.
- c) International Bill of Rights  
UDHR, ICCPR, ICESCR
- d) Institutional Mechanism for investigation of Human Rights  
NHRC, SHRC, HC , SC

### **BOOKS PRESCRIBED :-**

- 1) Law of Torts by Ratanlal and Dhirajlal
- 2) Law of Crimes by K.D.Gour
- 3) Principles of Contract Law by Avtar Singh
- 4) Justice Palok Basu - Law Relating to Protection of Human Rights Under the Indian Constitution and Allied Laws, (2002)

## **LL.B (3 YEAR) COURSE DETAILED SYLLABUS**

### **Format and Distribution of Marks in the Question Papers of the End Semester Examination & Instructions**

#### **1] For all subjects except Legal language:**

Every Question Paper of Theory Subject of 80 marks except that of Legal Language shall be modelled on the following Pattern:

1. There shall be 9 questions in all, generally covering all units in the syllabus.
2. Out of that Question No 1 will be compulsory and shall consist of short notes type questions. The students must attempt any four (4) short notes out of six (6). Question no 1 shall be of 20 marks.
3. All other questions shall have to be answered in the descriptive. They shall be of 10 marks each, and out of which the students will be required to solve any six (6).

#### **2] For Paper in the Subject of Legal Language & Legal Writing:**

1. There will be two sections in the Question paper namely, Section A and Section B.
2. The Question paper shall have 10 questions.
3. Question No.1 in Section A and Question no.10 of Section B shall be compulsory and shall be of 10 marks each.
4. Question No.10 shall be divided as 10(a) and 10(b) and shall carry 5 marks each (10 marks in all)
5. All other questions shall be as per the instructions given in the question paper and any 6 questions have to be answered out of the remaining 8 questions, each carrying 10 marks.
6. The question relating to Legal Terminology shall have 6 choices out of which candidate shall be required to write any 5. Each of the terminologies shall carry 2 marks
7. The question relating to legal maxims shall have 4 choices out of which the candidate shall be required to answer any 2. Each of the maxims shall carry 5 marks

## **LL.B I Semester (Three years Course)**

### **Course Code 1.1**

## **CONSTITUTIONAL LAW – I**

### **UNIT – I:**

- Historical Background to the Framing of the Indian Constitution: General Idea about the Constituent Assembly of India.
- Preamble – Nature & Significance
- Salient Features of the Constitution of India
- Citizenship under the Indian Constitution

### **UNIT – II**

- Fundamental Rights : Its meaning, nature & significance; Relationship of Fundamental Rights and Human Rights
- State: Definition and Judicial Interpretation
- Law: Meaning of Law and Judicial Review; Laws inconsistent with, or in derogation of Fundamental Rights; Doctrine of Eclipse; Doctrine of Severability

### **UNIT – III**

Right to Equality : Articles 14-18 and Judicial Interpretation thereof:

- Concept and Significance of the Right to Equality: Equality before Law and Equal Protection of Laws; Doctrine of Reasonable Classification; New doctrine of Equality: Equality and Arbitrariness; Judicial Interpretation of the Right to equality
- Prohibition Against Discrimination
- Equality in Public Employments
- Abolition of Untouchability
- Abolition of Titles

### **UNIT- IV**

Right to Freedoms : Articles 19-22 and Judicial Interpretation thereof:

- Freedoms and the Reasonable Restriction on the exercise of those freedoms under Article 19
- Protection against *ex-post facto* laws; Protection against Double Jeopardy; Privilege against Self-Incrimination
- Right to Life and Personal Liberty
- Right to Education
- Protection Against Arrest and Preventive Detention

## **UNIT – V:**

Right Against Exploitation: Articles 23, 24: Judicial Interpretation thereof

- Prohibition against Forced Labour
- Prohibition against Child Labour

Right to Freedom of Religion: Articles 25-28: Judicial Interpretation thereof

- Concept of Secularism
- Religious freedom of the Individual & Religious Denominations
- Restrictions on Right to freedom of religion; Essential Religious Practices Test
- State responsibility in matters of religion

Cultural and Educational Rights: Articles 29 & 30: Judicial Interpretation thereof

## **UNIT VI:**

Right to Constitutional Remedies: Article 32 and Judicial interpretation thereof

- Writ Jurisdiction – Meaning, nature and significance
- Article 32 and the different kinds of writs
- Article 226 – Its nature and comparison with Article 32
- Public Interest Litigation

## **UNIT VII:**

Directive Principles of State Policy

- Concept of Welfare State and Social Justice
- Meaning, Nature and Significance of Directive Principles – Non-justiciability of Directive Principles
- Relationship between Fundamental Rights and Directive Principles

Fundamental Duties

- General nature
- Enforceability of Fundamental Duties.

## **Suggested Readings:**

1. M P Jain, Indian Constitutional Law, Wadhwa & Company, Nagpur
2. V N Shukla, Constitution of India, Eastern Book Company, Lucknow
3. Granville Austin, Indian Constitution: Cornerstone of a Nation, Oxford University Press, New Delhi
4. H M Seervai, Constitutional Law of India (3 Volumes) Universal Law Publishing Co Pvt Ltd

5. GCV Subba Rao, Indian Constitutional Law, S Gogia & Company, Hyderabad
6. J N Pandey, Constitutional Law of India, Central Law Agency, Allahabad
7. Dr D D Basu, Introduction to the Constitution of India, Lexis Nexis.

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

## **LL.B I Semester (Three years Course)**

### **Course Code 1.2**

### **LAW OF TORTS**

#### **UNIT I**

- Evolution of Law of Torts, Common Law developments
- Principles of justice ,Equity and Good Conscience
- Nature, Scope, Characteristics and Objects of Law of Torts
- Distinction between Tort and Contract, Tort and Crime

#### **UNIT II**

- Principles of Liability- Fault & No-fault Liability
- Essential elements of Torts
- Malfeasance, Misfeasance & Non-feasance
- Place of Motive under law of torts
- Justifications/ General Defences In Tort

#### **UNIT III**

- Extinguishment of liability
- Capacity & Parties in Torts: Who may sue and who may not be sued

#### **UNIT IV**

- Defamation
- Trespass to Land and Trespass to person
- Negligence, Doctrine of Contributory Negligence; Res Ipsa Loquitur
- Nuisance
- Liability: Liability of State (Doctrine of Sovereign immunity); Vicarious liability, Strict Liability and Absolute Liability

#### **UNIT V**

- Legal Remedies: Doctrine of Causation, Remoteness of Damages; Judicial Remedies: Damages, Injunction, Specific Restitution of Property; Extra-Judicial Remedies.

**Suggested Readings:**

1. D.D. Basu, The Law Of Torts, Kamal , Calcutta.
2. D.M.Gandhi , Law Of Tort, Eastern Book Company Lucknow.
3. Ratanlal And Dhirajlal, The Law of Tort, Universal Publishers ,Delhi.
4. J. N. Pandey, Law of Tort, Central Law Publication Allahabad.
5. Salmond and Heuston –On the Law of Torts (2000) Universal, Delhi.
6. W.V.H. Rogers, Winfield & Jolowicz on Tort, Sweet & Maxwell, London.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**



## **LL.B I Semester (Three years Course)**

### **Course Code 1.3**

## **FAMILY LAW – I (HINDU LAW)**

### **UNIT I**

- Introduction, Concept of Hindu and Sources of Hindu Law- Modern and Ancient
- Two Principal Schools of Hindu Law
- Application of Hindu Law.

### **UNIT II**

- Traditional concept of Hindu Marriage
- The Hindu Marriage Act, 1955
- Matrimonial Remedies - Maintenance and Alimony.

### **UNIT III**

- Hindu undivided family, Mitakshara Joint Family-Formation and Incidents-Property under both Schools
- Karta: Position, Powers, Privileges and Obligations, Debts, Doctrine of Pious Obligation, Partition and Reunion.

### **UNIT IV**

- Inheritance and Succession - Historical perspective of traditional Hindu Law relating to Inheritance
- The Hindu Succession Act, 1956 along with recent State and Central Amendments to Hindu Succession Act;
- Stridhana : Woman's Property
- Gifts and Testamentary Succession
- Wills

### **UNIT V**

- Law relating to Hindu Minority and Guardianship: Kinds of Guardians; Duties & Powers of Guardians

- The Hindu Adoption and Maintenance Act, 1956;
- Maintenance : Provisions under various legislations and Judicial interpretations

## UNIT VI

- Family Courts Act ,1984 : Salient Feature; Constitution of Family Court; Jurisdiction; Powers; Appeals & Revisions;
- Lok Adalats in Settlements of Disputes relating to marriage and Divorce ;Uniform Civil Code ( Article 44 of the Indian Constitution);

### Suggested Readings:

1. Paras Diwan ,Family Law of Marriage and Divorce in India (1984).Allahabad Law Agency.
- 2.Mulla's, Principles of Hindu Law, Butterworth co.
- 3.Diwan Paras , Modern Hindu Law, Allahabad Law agency, Faridabad.
4. Subbba Rao, G C V , Family Law
- 5.Saharaj, H K Laws of Marriage and Divorce, Eastern Law House
6. Singh Jaspal,Hindu Law of Marriage &Divorce, Pioneer publication.
7. Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC Publication, Chandrapur.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B I Semester (Three years Course)**

### **Course Code 1.4**

## **LAW OF CONTRACT – I**

### **UNIT – I**

- History – Formation of Contract; Agreement and Contract; Definitions & Classification
- Offer and Acceptance – Communication
- Revocation – Essential elements
- Invitation to Offer – Tenders.
- Consideration –Nudum Pactum- Essential elements – Privity of Contract and of Consideration
- Exceptions – Unlawful Consideration and its effect.
- Contractual Ability — Time and Place of Contract
- E-contracts- legal effect of E-contracts

### **UNIT – II**

- Capacity to Contract
  - Minor's Agreements and its effects
  - Persons of unsound mind
  - Persons disqualified by Law.
- Free Consent : Coercion - Undue influence – Misrepresentation – Fraud – Mistake
- Legality of Object – Void Agreements – Agreements against Public Policy – Wagering Agreements – Its exceptions
- Contingent Contracts.

### **UNIT – III**

- Discharge of Contracts and its various Modes - by performance – Time and place of performance – Performance of reciprocal promises - Appropriation of Payments
- Discharge by Agreement
- By operation of Law
- By frustration (Impossibility of Performance)
- By Breach (Anticipatory and Actual).

### **UNIT – IV**

- Remedies for Breach of Contracts
  - Damages – Remoteness of damages – Ascertainment of damages
  - Injunction – When granted and when refused
  - Restitution
  - Specific performance when granted and when not granted

- Quasi Contracts.

**Suggested Readings:**

1. Anson: Law of Contract, Clarendon Press, Oxford, 1998.
2. Krishnan Nair: Law of Contract , S.Gogia & Co., Hyderabad 1995.
3. G.C.V. Subba Rao: Law of Contract, S.Gogia & Co., Hyderabad 1995.
4. T.S.Venkatesa Iyer: Law of Contract, revised by Dr. Krishnama Chary, S. Gogia & Co.
5. Avtar Singh: Law of Contract , Eastern Book Company, Lucknow, 1998
6. Law of Contract by Mulla, Lexis Nexix
7. S.K. Kapoor: Law of Contract, Central Law Agency

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

## **LL.B I Semester (Three years Course)**

### **Course Code 1.5**

## **LEGAL LANGUAGE & LEGAL WRITING**

### **SECTION A**

#### **UNIT –I-GENERAL STUDY OF LAW**

- Definition of Law
- Functions of law
- Kinds of Law
- Classification of Law
- Sources of Law
- Rights and Remedies

#### **UNIT -II – CHARACTERISTICS OF LEGAL LANGUAGE**

- Meaning of Legal Language
- Scope and Domain of Legal Language
- Problems of Legal Language
- Interpreting the Law

#### **UNIT -III – LEGAL TERMINOLOGY**

- Ad hoc, Ad interim, Animo attestandi, Alibi, Ad valorem, Ambiguitas – patent, Ambiguitas – latents, Amicus Curiae, Animus possidenti, Bona Fide(s), Corpus juris civilis, Caveat emptor, De facto, De jure, Detenu, En masse, Ex officio, Ex-cathedra, Ex-parte, Ex-gratia, En-route, Ens legis, Ex post facto, Factum valent, In pari delicto, In pari material, In lieu of, In personam, In rem, Inter se, Impasse, In situ, Inter alia, In toto, Ipso facto, Intra vires, Jure Divino, Jus in rem, Jus ad rem, Jus tertii, Jus in re aliena, Jus in re propria, Jus gentium, Jus natural, Laissez faire, Legalis homo, Lex loci, Locus standi, Magnum bonum, Magnum opus, Mala fides, Modus operandi, Mutatis and mutandis, Note bene, Novus homo, Onus probandi, Obiter dictum, Prima facie, Quid pro quo, Res integra, Res nullius, Sine qua non, Socius criminis, Sans, Status quo, Suo motu, Ultra vires, Vox populi vox dei.

#### **UNIT -III – LEGAL MAXIMS**

- Actus dei nemini facit injuriam
- Actus non facit reum nisi mens sit rea
- Actus personalis moritur cum persona
- Audi alteram partem
- Communis error facit jus
- Damnum sine injuria
- Delegates non potest delegare
- Ex turpi causa non oritur action

- Falsus in uno falsus in omnibus
- Generalia specialibus non derogant
- Ignorantia facit excusat ignorantia juris non excusat
- Injuria sine damno
- Nemo dat quod non habet
- Novus actus interveniens or nova causa interveniens
- Noscitur a sociis
- Par in partem imperium non habet
- Qui facit per alium facit per se
- Respondeat superior
- Res ipsa loquitur
- Res non potest peccare
- Ubi jus ibi idem remedium
- Vigilantibus non dormientibus, jura subveniunt
- Volenti non fit injuria

#### **UNIT -IV – FUNDAMENTAL PRINCIPLES OF LEGAL WRITING**

Concision, clarity and cogency

- Simplicity of structure
- Title
- Heading
- Use of italics
- Numbers
- Definition of terms
- Contractions
- Use of first person
- Ellipses & alterations
- Citations, references and foot notes

#### **UNIT-V – LEGAL DRAFTING OF PLEADINGS**

- Notices
- Affidavit
- Agreement of sale
- Promissory note
- Complaint
- Written statement
- Will

#### **SECTION B**

#### **UNIT -VI – PARAPHRASING AND SYNOPSIS WRITING**

- Legal passages from legal articles for paraphrasing
- Synopsis writing of paragraphs from case laws or judgements/Case Comments.

**Suggested Readings:**

1. Peter Tiersma, Legal Language (University of Chicago Press, 1999).
2. Legal Language and Legal Writing – S.C.Tripathi
3. Legal Language, Legal writing and general English – Prof. Dr. Saria Gupta and B. P. Agrawal
4. Outline of Legal language in India – Dr. Anirudh Prashad
5. Legal Language and Legal rights – S. N. Mishra
6. Legal language and Legal rights – Tandon

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

## **LL.B II Semester (Three years Course)**

### **Course Code 2.1**

## **CONSTITUTIONAL LAW – II**

### **UNIT – I:**

#### Legislature under the Indian Constitution

- Union and State Legislatures - Composition, Powers, Functions
- Privileges of the members of legislature; Privileges and Fundamental Rights
- Anti-Defection Law – X Schedule

#### Executive under the Indian Constitution

- President and Union Council of Ministers
- Powers and functions of the office of the President
- Governor and State Council of Ministers – Dual capacity of the Governor
- Powers and functions of the Governor

### **UNIT – II:**

#### Judiciary under the Constitution

##### Supreme Court of India

- Appointment of Judges
- Powers and Jurisdictions of the Supreme Court: Original, Appellate and Advisory Jurisdiction – Articles 131, 32, 136, 143

##### High Courts

- Appointment and Transfer of Judges
- Powers and Jurisdiction of the High Courts – Articles 226 & 227

#### Independence of Judiciary & Judicial Accountability

### **UNIT – III:**

- Concept of Cooperative and Competitive Federalism
- Centre State Relations - Legislative, Administrative and Financial Relations

### **UNIT- IV:**

- Freedom of Interstate Trade, Commerce and Inter course
- Services under the State - All India Services; Doctrine of Pleasure & Its Exceptions

### **UNIT – V:**



Emergency:

- Need of Emergency Provisions
- Different kinds of Emergency - National, State and Financial emergency
- Impact of Emergency on Federalism and Fundamental Rights

#### **UNIT VI:**

Amendment of the Constitution:

- Need of provisions for Amendment of the Constitution
- Power and procedure of amendment of the Indian Constitution
- Amendability of Fundamental Rights & the Basic Structure Theory

#### **Suggested Readings:**

1. M P Jain, Indian Constitutional Law, Wadhwa & Company, Nagpur
1. V N Shukla, Constitution of India, Eastern Book Company, Lucknow
2. Granville Austin, Indian Constitution: Cornerstone of a Nation, Oxford University Press, New Delhi
3. H M Seervai, Constitutional Law of India (3 Volumes) Universal Law Publishing Co Pvt Ltd
4. GCV Subba Rao, Indian Constitutional Law, S Gogia & Company, Hyderabad
5. J N Pandey, Constitutional Law of India, Central Law Agency, Allahabad
6. Dr D D Basu, Introduction to the Constitution of India, Lexis Nexis.

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus.**

## **LL.B II Semester (Three years Course)**

### **Course Code 2.2**

### **LAW OF CRIMES**

#### **UNIT I**

- Concept and meaning of crime
- Distinction between crime and tort
- Elements of Crime-Actus Reus and Mens rea
- Stages of crime
- Codification of Law of Crimes in India
- Application of the Indian Penal Code- Territorial and Extra Territorial application
- General Explanations
- Kinds of Punishments.

#### **UNIT II**

- General exceptions under Indian Penal Code
- Abetment
- Criminal Conspiracy

#### **UNIT III**

Offences affecting human body (offences affecting human life):

- Culpable Homicide and Murder
- Hurt and Grievous Hurt
- Wrongful restraint and Wrongful confinement
- Criminal force and Assault
- Kidnapping and abduction

#### **UNIT IV**

- Offences Against Women :Eve teasing, Rape, Custodial rape, relevant provisions under Criminal Amendment Act, 2013; relevant legislative provisions in relation to Prevention of immoral traffic, Prohibition of indecent representation of women and Dowry Death.

- Offences relating to Marriage – Cruelty by Husband and relatives of Husband, Bigamy
- Adultery.
- Defamation.

## **UNIT V**

- Offences against Property: Theft, Extortion, Robbery & Dacoity, Cheating, Mischief, Criminal Trespass, Criminal misappropriation and Criminal breach of trust.
- Offences by or relating to public servants.
- Offences against the State.
- Offences against Public Peace and Tranquility.

### **Suggested Readings:**

1. RatanLal and Dhiraj Lal: Indian Penal Code, Wadhwa & Co., 2000.
2. Achutan Pillai: Criminal Law, Butterworth Co., 2000.
3. Gour K.D.: Criminal Law - Cases and Materials, Butterworth Co., 1999.
4. Kenny's: Outlines of Criminal Law, (1998 Edition)
5. Smith & Hogan's Criminal Law, Oxford
6. Glanvill Williams- Criminal Law, Universal Law Publishing Co.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B II Semester (Three years Course)**

### **Course Code 2.3**

## **FAMILY LAW II (MUSLIM LAW)**

### **UNIT I**

- Development of Islamic Law: Advent of Islam & development of Muslim Law
- Schools and Sources of Islamic Law
- The *Shariat Act, 1937*.

### **UNIT II**

- Concept of Marriage (Nikah): Definition, object and nature
- Essential requirements of a Muslim marriage, Classification of marriage
- Legal effects of valid, void and irregular marriage
- Muta marriage
- Dower
- Divorce (Talaq); Modes of Divorce; Divorce under the Dissolution of Muslim Marriages Act, 1939; Legal Effects of Divorce.

### **UNIT III**

- Guardianship: Meaning and Kinds of Guardianship
- Parentage- Legitimacy and Acknowledgement- Special Rules regarding Legitimacy; Acknowledgement of Paternity; Conditions of a valid acknowledgement; Effects of acknowledgement; Distinction between Acknowledgement and Adoption.

### **UNIT IV**

- Maintenance: Persons entitled to maintenance-a) wife b) children c) aged/infirm parents
- Maintenance of divorced women-provisions under the *Criminal Procedure Code* 1973; Maintenance of divorced Muslim Women under the *Muslim Women (Protection of Rights on Divorce) Act, 1986*.
- Relevant provisions for maintenance under *Domestic Violence Act*.

### **UNIT V**

- Will and Inheritance: Will-Meaning, difference between will and gift, Will made in death-bed or during illness;

- Muslim law of Inheritance- General Principles of Inheritance; Classes of Heirs-Shia and Sunni schools.

## **UNIT VI**

- Pre-emption
- Law of Gifts
- Law of Wakf.

### **Suggested Readings:**

- 1 A.A.A Fyzee- Outline of Mohammedan Law.
- 2 A.M Bhattacharjee-Muslim Law and Constitution, Easter Law House, Calcutta.
- 3 Purohit DR. Nishi ,The principles of Mohammedan Law, Orient publications.
- 4 Mulla- Mohammedan Law, Butterworth Co.
- 5 Paras Diwan - Family Law, Allahabad Law Agency, Faridabad
- 6 Qureshi, M.M- Muslim Law.
- 7 Myneni, S R, Muslim Law.
- 8 Hidayatulla, M, Principles of Mohammedan Law.
- 9 Qazal Basha Yawer, Principles of Muslim Law, Modern Law House.

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## **LL.B II Semester (Three years Course)**

### **Course Code 2.4**

## **LAW OF CONTRACT – II**

### **UNIT – I**

- Contract of Indemnity – Documents/Agreements of Indemnity - Definition, Nature and Scope - Rights of indemnity holder – Commencement of the indemnifier's liability
- Contract of Guarantee – Definition, Nature and Scope – Difference between contract of indemnity and Guarantee – Rights of surety – Discharge of Surety – Extent of Surety's liability – Co-surety.
- Contract of Bailment – Definition – Kinds – Duties of Bailer and Bailee – Rights of Finder of goods as Bailee – Liability towards true owner – Rights to dispose off the goods.
- Contract of pledge – Definition – Comparison with Bailment – Rights and duties of Pawnor and Pawnee

### **UNIT – II**

Agency:

- Definition & Creation of Agency
- Kinds of Agents & Distinction between Agent and Servant
- Rights and Duties of Agent
- Relation of Principal with third parties
- Extent of Agents authority – Personal liability of Agent
- Termination of Agency.

### **UNIT – III**

Indian Partnership Act :

- Definition – Nature, Mode of determining the existence of Partnership
  - Registration of Firms
  - Relation of Partner to one another
  - Rights and duties of partner
  - Relation of partners with third parties; Joint and Several liability
  - Types of partners
  - Admission of partners – Retirement – Expulsion – Death - Dissolution of Firm.
- Salient Features of Limited Liability Partnership Act, 2008.**

## **UNIT – IV**

Sale of Goods Act:

- The Contract of sale
- Conditions and Warranties
- Passing of property
- Transfer of title
- Performance of the Contract
- Rights of Unpaid Seller against goods
- Remedies for Breach of Contract

## **UNIT – V**

Government Contracts

### **Suggested Readings:**

1. Avtar Singh - Law of Contract
2. J. P. Verma - The Law of Partnership in India
3. Saharay H. K - Indian Partnership and Sale of Goods Act
4. Krishnan Nair - Law of Contract Hire Purchase Act
5. Pollock and Mulla - Indian Contract Act

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## **LL.B II Semester (Three years Course)**

**Course Code 2.5**

### **COMPANY LAW**

#### **UNIT I**

- Definition and attributes of Company
- Kinds of Companies including Multinational Companies
- Advantages and Disadvantages of Incorporation
- Consequences of non-compliance of the provisions of the Companies Act in matters of incorporation.

#### **UNIT II**

- Formation of Company: Promoters- Meaning, duties and liability;
- Registration and Incorporation- E-Process and Formation of Company, Memorandum and Article of Association -Various clauses of Memorandum, Doctrine of Ultra-vires.
- Alteration of Memorandum, & Article of association,
- Binding force of Memorandum and Articles of Association,
- Doctrine of Constructive Notice, Doctrine of Indoor Management;
- Prospectus -Meaning and contents, Remedies for misrepresentation, Criminal liability

#### **UNIT III**

- Shares –Definition, Types, Dematerialized shares (DEMAT), Allotment, Statutory restrictions
- Transfer of shares and Buy back of shares- procedure, practice
- Debentures – Definition, Kinds, Fixed and Floating charges, remedies of debenture holders,
- Debenture Trustee
- Insider Trading and the Amended SEBI (Prohibition of Insider Trading) Regulation, 2015 in India.

#### **UNIT IV**

- Management of Company -Concept of Corporate Governance
- Directors and other Key Managerial persons – Position, Qualification, Disqualification, Appointment and Removal, Powers, Duties, Remuneration and Liability
- Company Secretary – Definition, Qualification, Statutory Duties and liabilities
- Meetings – Kinds, Procedure, Voting;

#### **UNIT V**

- Minority Protection -Protection of Minority rights, Rule in Foss vs. Harbottle with Exceptions;
- Prevention of Oppression and Mismanagement;



## **UNIT-VI**

- Amalgamation, Take over, Mergers
- Issues in Competition Law relating to Mergers and Acquisitions
- Winding up of Company -Meaning, Voluntary Winding-up, Grounds for compulsory winding up; Appointment, Powers and Duties of Liquidator, Contributories,

## **UNIT-VII**

- Legal liability of company – civil and criminal,
- NCLT, NCLAT – Formation, powers etc.

### **Suggested Readings:**

1. Ashwin Labnnai Shah, Lectures on Company Law, Tripathi Pvt. Ltd.; Mumbai
2. Avtar Singh, Indian Company Law, Eastern Book Company, Luknow
3. Ramaiya, Guide to Companies Act (Vol. 1 & 2), Wadhwa & Company, Nagpur
4. S. M. Shah, Lectures on Company Law, Tripathi, Bombay
5. S.S. Gulshan, Company Law, Excel Books
6. Dr. N. V. Paranjape, Company Law, Central Law Agency
7. B.K. Sen Gupta, Company Law, Eastern Law House, Kolkata
8. R. R. Pennington, Company Law, Butterworths

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B III Semester (Three years Course)**

### **Course Code 3.1**

## **JURISPRUDENCE**

### **UNIT – I:**

- Meaning, Nature and Value of Jurisprudence
- Sources of Law: Legislation, Precedent and Custom; Comparison between legislation and precedent.
- Relationship between Law and Morality; Law and Justice
- Administration of Justice: Civil and Criminal

### **LEGAL THEORY**

### **UNIT – II:**

- Natural Law School of Jurisprudence- General Approaches: Ancient, Medieval and Modern
- Analytical School of Jurisprudence
  - John Austin's theory of Law
  - Primary and Secondary Rules- Prof.H.L.A.Hart's Concept of Law
  - Pure theory of Law- Prof. Hans Kelsen
- School of Legal Realism -Justice Oliver Holmes' Bad Man Theory

### **UNIT – III:**

- Historical School of Jurisprudence
  - Savigny and the concept of Volkgeist
  - Legal Fiction- Sir Henry Maine
- Sociological School of Jurisprudence
  - Roscoe Pound's theory of Social Engineering

### **CONCEPTUAL JURISPRUDENCE**

### **UNIT – IV:**

- Legal Rights and Duties
  - Characteristics of Legal rights,
  - Hohfeld's Analysis of Rights
  - Kinds of Legal Rights
- Persons
  - Definition and Kinds
  - Legal status of : Animals, Unborn persons, Dead persons, Idols

## **UNIT- V:**

- Liability
  - Meaning, nature and Kinds
  - Difference between Civil and Criminal liability
  - Liability for negligent acts
  - Exemptions from liability

## **UNIT – VI:**

- Ownership
  - Meaning and essentials
  - Kinds of Ownership
- Possession
  - Meaning and Scope
  - Essential elements; Possession in fact and possession in law
  - Possessory remedies
- Property
  - Meaning and kinds
  - Modes of acquiring property

## **UNIT VII:**

- Gender Jurisprudence
  - Feminist jurisprudence
  - Emerging jurisprudence with regard to sexual minorities

## **Suggested Readings:**

1. Salmond: Jurisprudence, Universal Publishers.
2. Paton : Jurisprudence
3. Allen : Law in the Making, Universal Publishers.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow.
5. Dias : Jurisprudence, Aditya Books.
6. Rama Jois, Legal and Constitutional History of India, Universal Law Publications, Delhi.

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## LL.B. III Semester (3 Years Course)

### Course Code 3.2

## CIVIL PROCEDURE CODE AND LIMITATION ACT

### UNIT I

- Codification of Civil Procedure and Introduction to CPC — Principal features of the Civil Procedure Code
- Hierarchy of courts
- Suits ; Parties to Suit; Framing of Suit —Institution of Suits — Bars of Suit
- Doctrines of *Sub Judice* and *Res Judicata*
- Place of Suing — Transfer of suits
- Territorial Jurisdiction ; ‘Cause of Action’ and Jurisdictional Bars
- Summons ; Service of Foreign summons.

### UNIT II

- Pleadings: Contents of pleadings; Forms of Pleading; Striking out / Amendment of Pleadings
- Plaint: Essentials of Plaint - Return of Plaint; Rejection of Plaint
- Production and marking of Documents; Written Statement; Counter claim — Set off ; Framing of issues.

### UNIT III

- Appearance and Examination of parties & Adjournments
- *Ex-parte* Procedure
- Summoning and Attendance of Witnesses — Examination — Admissions — Production, Impounding, Return of Documents
- Hearing ; Affidavit
- Judgment and Decree ; Concepts of Judgment, Decree, and Interim Orders and Stay ; Injunctions
- Appointment of Receivers and Commissions ; Costs

- Execution ; Concept of Execution; General Principles of Execution ; Power of Execution; Power of Executing Courts; Procedure for Execution; Modes of Execution
- Arrest and detention; Attachment and Sale.

#### **UNIT IV**

- Suits in Particular Cases; Suits by or against Government ; Suits relating to public matters; Suits by or against minors, persons with unsound mind, - Suits by indigent persons – Interpleader suits
- Incidental and supplementary proceedings
- Appeals, Reference, Review and Revision — Appeals from Original Decrees; Appeals from Appellate Decrees; Appeals from Orders; General Provisions Relating to Appeals.

#### **UNIT V**

- Law of Limitation — Concept of Limitation; Object of limitation - General Principles of Limitation
- Extension: Condonation of delay; Sufficient Cause — Computation of limitation
- Acknowledgment and Part-payment; Legal Disability; Provisions of the Limitation Act, 1963 (Excluding Schedule)

#### **Suggested Readings:-**

1. Mulla, Code of Civil Procedure Code (1999) Universal, Delhi.
2. C.K. Thakkar, Code of Civil Procedure Code (2000) Universal, Delhi.
3. M.R. Mallik (ed) B.B. Mitra, On Limitation Act (1998) Eastern, Lucknow.
4. P.K. Majumdar and R. P. Kataria, Commentary On The Code of Civil Procedure Code- 1908, Universal, Delhi.
5. P.K. Mukharjee, Limitation Act, Allahabad Law Agency.
6. Shailendra Malik, Code Of Civil Procedure, Allahabad Law Agency.
7. Dr. Avtar Singh, Code of Civil Procedure, Central Law Publication, Allahabad.
8. Sarkar's Commentary on The Civil Procedure Code, Dwivedi, Allahabad Law Agency.

9. AIR Commentaries on Limitation Act, W.W. Chitaley, AIR Ltd., Nagpur.

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## **LL.B. III Semester (3 Years Course)**

### **Course Code 3.3**

### **LABOUR LAW-I**

#### **UNIT-I**

- Labour Capital conflicts - evolution of Labour laws- Laissez fair to Welfare State
- Constitutional Perspectives of Labour welfare and Industrial relations
- Concept of Collective bargaining;
- Trade Unions:
  - History of Trade Union Movement
  - The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions; Immunities
  - Amalgamation and dissolution of Unions
  - Reorganization of Trade Unions.

#### **UNIT-II**

##### Prevention and Settlement of Industrial Disputes in India

- The role of State in Industrial Relations
- The Industrial Disputes Act 1947 - Definition of industry - Industrial Dispute – Individual Dispute - workman- Lay off – Retrenchment - Closure -Award - Strike – Lockout

#### **UNIT--III**

##### Authorities under the I D Act

- Works committee – Conciliation - Court of inquiry - Labour Courts- Tribunal
- Powers and functions of authorities
- Voluntary Arbitration

##### Provisions under Chapter V-A & V- B of the Act

- Alteration of conditions of service
- Management rights of action during pendency of proceedings – Recovery of money due from employer
- Unfair labour practices
- Miscellaneous provisions of the Act.

#### **UNIT--IV**

##### Standing Orders

- Concept and Nature of Standing Orders
- scope and coverage
- Certification process – its operation and binding effect
- Modification and Temporary application of Model Standing Orders

- Interpretation and enforcement of Standing Orders and provisions contained in the Industrial Employment (Standing Orders ) Act 1946.

## **UNIT--V**

### **Disciplinary Proceedings in Industries**

- Charge sheet – Explanation – Domestic enquiry - Enquiry officer – Enquiry report – Punishment
- Principles of Natural Justice.

### **Suggested Readings:**

1. Srivastava: Law of Trade Unions , Eastern Book Company, Lucknow
2. Goswami : Labour and Industrial Law, Central Law Agency.
3. R.F. Rustomji : Law of Industrial Disputes : Asia Publishing House, Mumbai
4. S.N. Misra : Labour and Industrial Law
5. J.N. Malik : Trade Union Law
6. Khan& Khan : Labour Law , Asia Law House, Hyderabad
7. S.C. Srivastava : Industrial Relations and Labour Law, Vikas Publishing House

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## **LL.B. III Semester (3 Years Course)**

### **Course Code 3.4**

## **LAW OF TAXATION**

### **UNIT-I :**

- Constitutional basis of power of taxation —Arts. 265 to 289
- Scope of Tax Laws-Tax and Fee-Capital Receipt and Revenue Receipt
- Basic concept of Income Tax — Outlines of Direct Tax and Indirect Tax -- Definition of Income and Agricultural Income under Income Tax Act — Residential Status — Previous Year — Assessment Year — Computation of Income.

### **UNIT-II:**

- Incomes which do not form part of Total Income;
- Heads of Income and Computation — Income from Salary, Income from House Property- Profits and Gains of Business or Profession-Capital Gains and Income from other sources.

### **UNIT-III:**

- Clubbing of Income; Set off and Carry Forward of Losses
- Deductions to be made in computing Total Income

### **UNIT-IV:**

#### Law and Procedure

- P.A.N. — Filing of Returns — Payment of Advance Tax -- Deduction of Tax at Source (TDS) -- Double Tax Relief
- Law and Procedure for Assessment- Kinds of Assessment, Penalties, Prosecution, Appeals and Grievances -- Authorities.

### **UNIT-V :**

#### The Central Goods and Service Tax Act 2017

- Nature and definitions in GST
- Administration and Collection of Tax
- Time and Value of supply
- Input tax credit
- Registration, Accounts and records, Returns, Assessment, Payment of Tax, Refund, Audit, Search and seizure
- Appeals and revision
- Advance Ruling

## **UNIT-VI:**

### **The Integrated and Union Territories Goods and Service Tax Act 2017**

- The Integrated Goods & Service Tax Act 2017
- Administration and collection of tax
- Determination of nature of supply, place of supply, Refund, Zero Rated Supply
- Appointment of Tax and Settlement of funds.

### **Suggested Readings :**

1. Dr. Vinod K. Singhania: Student Guide to Income Tax, Taxman, Allied Service Pvt. Limited.
2. Dr. Gurish Ahuja: Systematic Approach to Income Tax, Bharat Law House Pvt. Limited.
3. Taxman, Basis of GST
4. Taxman, GST Made Easy
5. Handbook of GST in India
6. Rakesh Garg, Sandeep Garg - Bloomsbury India Professional

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## **LL.B. III Semester (3 Years Course)**

### **Course Code 3.5**

### **CYBER LAW**

#### **UNIT I**

##### **FUNDAMENTALS OF E-COMMERCE AND E-CONTRACTING:**

- Fundamentals of Computer and Web Technology
- Electronic data Interchange,
- Salient Features of E-commerce,
- Advantages and Limitations,
- Models of E-commerce,
- Salient features of E-contract,
- Formation of E-contracts and Types,
- Need for Cyber Law

#### **UNIT II**

##### **INFORMATION TECHNOLOGY ACT:-**

- Concept of Digital Signatures & Electronic Signatures

Technical issues :- Cryptography, Concept of Public key and Private Key, Process of Formation and Verification.

Legal issues: Definition, Recognition and Authentication of digital & Electronic signature under IT Act, Certification Authorities and their role, Public Key Infrastructure under the IT Act

E-contracting under IT Act

#### **UNIT III**

##### **CYBER CONTRAVENTIONS**

- Different Types of Civil Wrongs under the IT Act, 2000

#### **UNIT IV**

##### **CYBER CRIMES AND THE IT ACT, 2000**

- Understanding Cyber Crimes,
- Types of Cyber Crimes,  
[Hacking, Cyber Stalking, Cyber Pornography, Cyber Terrorism, Cyber Defamation, Digital Forgery, Identity Theft and Fraud],
- Different Offences under the IT Act 2000

#### **UNIT V**

##### **INTELLECTUAL PROPERTY ISSUES IN CYBER SPACE**

- Interface with Copyright Law and Patent Law,
- Trade mark and Domain name related issues.

## **UNIT VI**

### **DISPUTE RESOLUTION IN CYBER SPACE**

- Concept of Jurisdiction in cyber space,
- issues of Jurisdiction in cyber Space,
- Jurisdiction under IT Act, 2000.,
- Dispute Resolutions

## **UNIT VII**

### **CONSTITUTIONAL & HUMAN RIGHTS ISSUES IN CYBERSPACE**

- Freedom of Speech and Expression in Cyberspace
- Right to Access Cyberspace – Access to Internet
- Right to Privacy
- Right to Data Protection

#### **Suggested Readings:**

1. Kamlesh N. & Murali D.Tiwari(Ed), IT and Indian Legal System, Macmillan India Ltd, New Delhi
2. K.L.James, The Internet: A User's Guide (2003), Prentice Hall of India, New Delhi
3. Chris Reed, Internet Law-Text and Materials, Universal Law Publishing Co., New Delhi
4. Vakul Sharma, Hand book of Cyber Laws, Macmillan India Ltd, New Delhi
5. S.V.Joga Rao, Computer Contract & IT Laws (in 2 Volumes), 2005 Prolific Law Publications, New Delhi
6. T.Ramappa, Legal Issues in Electronic Commerce, Macmillan India Ltd, New Delhi
7. Indian Law Institute, Legal Dimensions of Cyber Space, New Delhi
8. Pankaj Jain & Sangeet Rai Pandey, Copyright and Trademark Laws relating to Computers, Eastern Book Co, New Delhi
9. Farouq Ahmed, Cyber Law in India
10. S.V.Joga Rao, Law of Cyber Crimes and Information Technology Law, 2007, Wadhwa & Co, Nagpur
- 11 Rodney D. Ryder, Guide to Cyber Laws, Wadhwa and Company, Nagpur

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## **LL.B. IV Semester (3 Years Course)**

### **Course Code 4.1**

## **ADMINISTRATIVE LAW**

### **UNIT I:**

#### Nature and Scope of Administrative Law

- Meaning, Definition and Evolution of Administrative Law
- Reasons for growth of Administrative Law
- Distinction between Administrative law and Constitutional Law

### **UNIT -II**

#### Basic concepts of Administrative Law

- Rule of Law : Interpretation of Dicey's Principle of Rule of Law ; Modern trends in the Indian context
- Theory of Separation of Powers — Position in India, UK and USA

### **UNIT -III**

- Delegated Legislation :
  - Meaning, Reasons for the growth and Classification of delegated legislation
  - Judicial and Legislative Control of Delegated legislation
- Administrative Adjudication
  - Meaning and Reasons for emergence
  - Control mechanism
- Classification of Administrative actions : Legislative, Quasi-judicial, Administrative and Ministerial functions

### **UNIT -IV**

- Principles of Natural Justice
- Judicial Control of Administrative Action : Grounds of Judicial Control:  
Judicial Review and Writ Jurisdiction: Articles 32, 226, 227, 136 and 13
- Administrative discretion and its control.

### **UNIT –V**

- Ombudsman: Lokpal and Lok Ayukta
- Liability of the State in Torts and Contracts ; Rule of Promissory Estoppel
- Commissions of Inquiry
- Central Vigilance Commission
- Public Corporations and their control mechanisms.

**Suggested readings**

1. M.P. Jain and S.N. Jain, Principals of Administrative Law, Wadhwa and Company, Nagpur.
2. Dr. S. P. Sathe , Administrative Law, Butterworths, New Delhi.
3. Durga Das Basu and A.K.Nandi, Administrative Law, Kamal Law House, Calcutta.
4. H.W.R. Wade and Christopher Forsyth, Administrative Law, Clarendon Press, Oxford
5. A. K. Shrivastav, Administrative Law (2 Vols.), Delhi Kamal Prakashan
6. Indian Law Institute, Cases and Materials on Administrative Law in India
7. J.C. Garner, Administrative Law, Butterworths, New Delhi

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## **LL.B. IV Semester (3 Years Course)**

### **Course Code 4.2**

## **CRIMINAL PROCEDURE CODE**

### **UNIT I - Introduction**

- Object, extent, Nature and scope of Criminal Procedure
- Preliminary Considerations - a. Classification of offences
  - b. Distinction between Investigation, Inquiry and Trial
  - c. Constitution of Criminal Courts and Its Power
  - d. Functionaries under the Code (Police, Public Prosecutor)

### **UNIT II – Arrest**

- Meaning and purpose of arrest
- Arrest with a warrant
- Arrest without a warrant
- Arrest by a private Person
- Arrest of a woman
- Arrest how made

### **UNIT III - Maintenance of Wives, Children and Parents**

- Essential conditions for granting maintenance
- Jurisdiction of Magistrates
- Alteration of allowance
- Cancellation of the order of the maintenance

### **UNIT IV – Search and Seizure**

- Search with a warrant
- Search without warrant
- General provisions relating to searches
- Illegalities in a search and its consequences

### **UNIT V – Investigation**

- Meaning and purpose of Investigation
- Who can investigate?

- When police can investigate?
- Information to the police
- F.I.R. and procedure after the recording of the F.I.R
- Evidentiary value of statements made to the police
- Investigation in the case of unnatural deaths and suicides, in police custody etc.

#### **UNITVI – Charge And Trials**

- Framing of charge
- Form and content of charge
- Separate charges for distinct offences
- Discharge - pre-charge evidence

#### **Trials-** Trial before a court of session

- Trial of warrant cases
- Procedure for trial in a summons case
- Summary trials
- Plea Bargaining

#### **UNITVII – Bail, Appeal, Reference, Revision and Transfer**

- Bail: concept, purpose: constitutional overtones
- When release on bail is mandatory?
- When release on bail is Discretion?
- Anticipatory bail

#### **Appeal, Reference, Revision and Transfer --Appeal**

- Reference to High Court
- Revision
- Transfer of cases

#### **Suggested Readings:**

1. RatanlalDhirajlal, Criminal Procedure Code (1999) Universal, Delhi.
2. K I Vibhute, Durga Das Basu Criminal procedure Code,1973, Lexis Nexis.
3. S C Sarkar, Sarkar the Code of Criminal Procedure Code, Lexis Nexis.
4. K D Gaur, Textbook on the Code of Criminal Procedure, Universal Law Publishing.
5. S N Mishra, The Code of Criminal Procedure, Central Law Publications.
6. Chandrasekharan Pillai (ed.) Kelkar's Outlines of Criminal Procedure (2001), Eastern, Lucknow.



**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. IV Semester (3 Years Course)**

### **Course Code 4.3**

### **LABOUR LAW - II**

#### **UNIT I**

##### **The Remunerative Aspects**

- Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies
- Whitley Commission Recommendations
- Provisions of Payment of Wages Act 1936 - Timely payment of wages - Authorised deductions – Claims
- Minimum Wages Act 1948 - Definitions - Types of wages -Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims -Remedy.

#### **UNIT -II**

##### **Bonus**

- Concept : Right to claim Bonus – Full Bench formula - Bonus Commission
- Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus
- Eligibility of Bonus - Disqualification of Bonus - set on – set off of allocable surplus
- Minimum and Maximum Bonus-Recovery of Bonus.

#### **UNIT -III**

##### **Employees Security and Welfare aspect**

- Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes.
- Social Security Legislations
  - Law relating to workmen's compensation - The Employees's Compensation Act 1923 (Amended in 2009) – Definitions -Employer's liability for compensation - Nexus between injury and employment - payment of compensation - penalty for default
  - Employees State Insurance Act 1948 – Application - Benefits under the Act - Adjudication of disputes and claims – ESI Corporation.

#### **UNIT -IV**

- Employees Provident Fund and Miscellaneous Provisions Act 1952
  - Contributions ; Schemes under the Act; Benefits.

- The Maternity Benefit Act 1961 - Definitions-Application - Benefits.
- The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination - Controlling authorities.

## UNIT -V

- The Factories Act 1948
  - Chapters dealing with Health, Safety and Welfare of Labour.
  - Provisions Relating To Hazardous Processes
  - Working Hours Of Adults
- Employment Of Young Persons
  - Salient features of the Child and Adolescent Labour (Prohibition and Regulation) Act 1986.

### Suggested Readings:

1. S.N.Misra, Labour and Industrial Laws, Central law publication 22<sup>nd</sup> edition. 2006.
2. N.G. Goswami, Labour and Industrial Laws, Central Law Agency.
3. Khan & Kahan, Labour Law-Asia Law house, Hyderabad
4. K.D. Srivastava, Payment of Bonus Act, Eastern Book Company
5. K.D. Srivastava, Payment of Wages Act
6. K.D. Srivastava, Industrial Employment (Standing Orders) Act 1947
7. S.C.Srivastava, Treatise on Social Security
8. V.J.Rao, Factories Law

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. IV Semester (3 Years Course)**

### **Course Code 4.4.1**

## **BANKING LAW (OPTIONAL PAPER)**

### **UNIT – I**

#### Indian Banking Structure

- Origin & Evolution of Banking Institutions
- Types and functions of banks - Commercial banks – Functions
- Banking Companies in India
- RBI - Constitution, Management and Functions
- Banking Regulation Act, 1949
- State Bank of India, UTI, IDBI, RRBs, Local banks

### **UNIT - II**

#### Employment of funds

- Loans and Advances- Guarantees
- Advances secured by Collateral securities
- Agency Services
- Financing of Exports
- Special Banking Services
- Advances to Priority Sectors and Credit Guarantee schemes
- Securitization Act, 2002. (SARFAESI Act, 2002)

### **UNIT - III**

#### Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002):

- Negotiable Instruments - Kinds - Holder and holder in due course – Parties – Negotiation- Assignment – Presentment – Endorsement – Liability of parties – Payment in due course – Special rules of evidence - Material alteration – Noting and protest – Paying banker and collecting banker – Bills in sets
- Penal provisions under NI Act
- Banker's book evidence Act, 1891.

### **UNIT – IV**

#### Banker and customer Relationship

- Definition of banker and customer
- General relationship – Special relationship
- Banker's duty of secrecy,
- Banker's duty to honour cheques,
- Banker's lien, and banker's right to set off
- Appropriation of payments - Garnishee order
- Customer's duties towards his banker.
- Opening of New Accounts
- Special types of customers - Minor's A/C, Joint A/C, Partnership A/C, Company's A/C, Married women's A/C, Trust A/C, Joint Hindu family A/C - Illiterate persons, lunatics, executors
- Precautions required in case of administrators, clubs, societies and charitable institutions to open an account

## **UNIT – V**

### **Ancillary Services and E- Banking**

- Remittances - General, DD, MT, TT, Traveler's cheques, bank orders, credit card, debit/smart cards, safe deposit vaults, gift cheques, stock invest.
- E-Banking - Definition – E-Banking includes - Internet banking, mobile banking, ATM banking, computerized banking –
- E- banking services – retail services – wholesale services – E- Cheque-authentication- Cyber Evidence
- Banking Ombudsman.

### **Suggested Readings:**

1. M. L. Tannan- Law of Banking.
2. M. S. Parthasarathy (Ed.), Khergamvala - Negotiable Instruments Act.
3. Taxman: *Law of Banking*, India Law House
4. R.N. Chaudhary, Banking Laws, Central Law Publications, Allahabad.
5. Avtar Singh – Negotiable Instruments Act.
6. Basu - Review of Current Banking: Theory and Practice.
7. Paget- Law of Banking.
8. L. C. Goyle- The Law of Banking and Bankers.
9. Relevant provisions of Information Technology Act, 2000

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. IV Semester (3 Years Course)**

### **Course Code 4.4.2**

## **INSURANCE LAW (OPTIONAL PAPER)**

### **UNIT – I**

#### Introduction

- Insurance : Nature & Definition
- History and development of Insurance in India
- Insurance Act, 1938 – The Insurance Laws (Amendment) Act 2015, Empowerment of IRDAI, Health Insurance, Consumer Welfare
- Insurance Regulatory Authority Act, 1999: Its role Powers and Functions of the Insurance Regulatory and Development Authority.
- Rights and Liabilities of Insurer and Insured person,
- Life Insurance Contract – Nature and Scope, Establishment and Functioning of LIC.

### **UNIT – II**

#### Contract of Insurance

- Classification of contract of Insurance
- Nature of various Insurance Contracts-
- Principles of utmost good faith – non disclosure –Misrepresentation in Insurance Contract
- Insurable Interest
- Premium: Definition-method of payment, days of grace, forfeiture, return of premium, Mortality
- The risk –Meaning and scope of risk, Causa Proxima, Assignment of the subject matter.

### **UNIT – III**

#### Life Insurance:

- Nature and scope of Life Insurance
- Kinds of Life Insurance.
- The policy and formation of a life insurance contract- Event insured against Life Insurance contract- Circumstance affecting the risk- Amount recoverable under the Life Policy- Persons entitles to payment- Settlement of claim and payment of money
- Life Insurance Corporation Act, 1956- Insurance against third party rights
- General Insurance Act, 1972
- The Motor Vehicles Act, 1988 – Sec. (140-176), Nature and scope- Absolute or no fault liabilities, Third party or compulsory insurance of motors vehicles- Claims Tribunal- Public Liability Insurance –Legal aspects of Motor Insurance –Claims – Own Damages Claims – Third Party Liability Claims.

### **UNIT – IV**

#### Fire Insurance:

- Nature and scope of Fire Insurance –
- Basic Principles – Conditions & Warranties – Right & Duties of Parties – Claims Legal Aspects.
- Introduction to Agriculture Insurance – History of Crop Insurance in India – Crop Insurance Underwriting, Claims, and problems associated with Crop Insurance – Cattle Insurance in India.

## **UNIT – V**

### **Marine Insurance:**

- Nature and Scope- Classification of Marine policies-
- Insurable interest- Insurable values-
- Marine insurance and policy- Conditions and express warranties- Voyage deviation- Perils of sea- Loss- Kinds of Loss- The Marine Insurance Act, 1963 (Sections 1 to 91).

### **Suggested readings:**

1. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India.
2. M. H. Srinivasan - Principles of Insurance Law.
3. E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters.
4. Insurance Act, 1938.
5. The Marine Insurance Act, 1963.
6. General Insurance (Business) (Nationalization) Act, 1972.
7. The Life Insurance Corporation Act, 1956.
8. Motor Vehicle Act, 1988.
9. M.N. Srinivasan, Principles of Insurance Law (1997), Ramaiya Publishers
10. Avatar Singh : Law of Insurance , Eastern Book Company, Lucknow
11. K.S.N. Murthy and KVS. Sharma: Modern Law of Insurance in India, (2002), Butterworths, Delhi

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**



## **LL.B. IV Semester (3 Years Course)**

### **Course Code 4.5**

### **CLINICAL PAPER I**

### **ALTERNATE DISPUTE RESOLUTION (ADR)**

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to III of Section -A and assigned to the students. The Student shall be required to attend and observe the proceedings of Lok Adalats, Family Courts, Tribunals and other ADR Systems and shall record at least 10 proceedings in the diary.. The record and Report shall be submitted within the stipulated time to the evaluation Committee constituted by the College with a Full Time Teacher and Practicing Advocates. The mode of Assessment shall be as follows:-

A) Record on Topics from Unit I to III – **40 Marks**

(Internal marks to be awarded by the evaluation Committee)

B) Diary on Lok Adalat, Family Court, Tribunals & other ADR Proceedings **40 Marks**

(To be awarded by both External & Internal Examiner jointly)

C) Viva – Voce **20 Marks**

( to be awarded by both External & Internal Examiner jointly)

**Note :- Student shall get atleast 45% of the marks in each of the above components.**

#### **Unit-I:**

##### **Alternate Dispute Resolution**

- Characteristics , Advantages and Disadvantages; Unilateral — Bilateral — Triadic (Third Party) Intervention
- Techniques and processes : Negotiation — Conciliation — Arbitration — Distinction between Arbitration, Conciliation and Negotiation.

#### **Unit-II:**

##### **The Arbitration and Conciliation Act, 1996 :**

- Historical Background and Objectives of the Act
- Definitions of Arbitration, Arbitrator, Arbitration Agreement
- Appointment of Arbitrator & Termination of Arbitrator
- Proceedings in Arbitral Tribunal -- Termination of Proceedings
- Arbitral Award -- Setting aside of Arbitral Award — Finality and Enforcement of Award
- Appeals – Enforcement of Foreign Awards.
- Conciliation – Appointment of Conciliators
- Powers and Functions of Conciliator ; Procedure
- Settlement of disputes through conciliation.

#### **. Unit-III:**

Other Alternative Dispute Resolution Systems :

- Tribunals
- Lokpal and Lokayukta
- Lok Adalats
- Family Courts.
- Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure Code.

**. Suggested Readings:**

1. O.P. Tiwari : *The Arbitration and Conciliation Act* (2nd Edition): Allahabad Law Agency.
2. Johar's : *Commentary on Arbitration and Conciliation Act, 1996*: Kamal Law House.
3. Acharya N.K.: *Law relating to Arbitration and ADR*, Asia Law House, Hyderabad
4. Tripathi S.C.: *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.
5. Avatar Singh: *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.
6. KSR Murthy: *An introduction to ADR Mechanism*, Gogia Law Agency, Hyderabad
7. P.C. Rao : *Alternate Dispute Resolution* , 2001 Edition, Universal Book Traders, New Delhi.
8. S.D. Singh: *Alternate Dispute Resolution*, Universal Book Traders, New Delhi.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. V Semester (3 Years Course)**

**Course Code: 5.1**

### **PUBLIC INTERNATIONAL LAW**

#### **UNIT I:**

- Origin, Development and Definition of International Law
- Nature and Basis of International Law
- Sources of International Law
- Relationship between Municipal Law and International Law (Monism, Dualism, British, American and Indian Practice)
- Subjects of international law

#### **UNIT II:**

- State: essential characteristics of a State in International Law
- Sovereignty of States, Kinds of states, Rights and duties of states
- State succession: Definition and Kinds of Succession
- Consequences of state succession
- Succession in respect of International Organization
- State Jurisdiction
- State Territory and modes of acquisition and loss of state territory

#### **UNIT III:**

- Responsibility of states, kinds and consequences.
- Recognition: Definition of State Recognition
- Recognition of Government
- Theories and Modes of Recognition
- Legal Effects of Recognition

#### **UNIT IV:**

- Extradition & Asylum
- Nationality
- Diplomatic agents, Consuls and other representatives
- Formation of treaties
- Mode of consent, Reservation and termination.

#### **UNIT V:**

- League of Nations
- The United Nations Organization: Preamble, purposes and principles of UN Charter
- UN principal organs and their composition and functions
- Specialized agencies: UNESCO, WHO, ILO, IMF.
- Settlement of international disputes.

#### **UNIT VI:**

- The Legal Regime of the Seas
- Evolution of the Law of the Sea
- United Nations Convention on the Law of the Seas
- Maritime Belt, Contiguous Zone, Continental Shelf, Exclusive Economic Zone
- The High Seas
- Land Locked States
- International Tribunal for the Law of the Sea

#### **Prescribed Books:**

- 1 J. G. Starke- An Introduction to International Law.
- 2 P.W. Bowett- International Institutions.
- 3 J. B. Brierly - The Law of Nations.
- 4 D. H. Harris - International Law (Cases and Materials).
- 5 Oppenheim - International Law( Volume I, Peace)
- 6 S. K. Kapoor - International Law and Human Rights.
- 7 Agrawal H O-International Law & Human Rights, Central Law Publication, Allahabad.
- 8 Rebecca Wallace, International Law
- 9 Brownlie, Principles of International law
10. M.P. Tandon, Public International Law, ALA.

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**





## **LL.B. V Semester (3 Years Course)**

### **Course Code 5.2**

### **Law of Evidence**

#### **UNIT I**

- Introduction to Law of Evidence
- The Indian Evidence Act, 1872 — Salient features of the Act
- Other acts which deal with evidence. (Special reference to C.P.C., Cr.P.C., IT Act)
- Meaning and kinds of Evidence
- Interpretation clause — May Presume, Shall presume and Conclusive proof - Fact, Fact in issue and Relevant facts
- Distinction between Relevancy and Admissibility
- Standard or Degree of Proof in Civil / Criminal Proceeding
- Doctrine of *Res Gestae*— Motive, preparation and conduct — Conspiracy —When Facts not otherwise relevant become relevant — Right and custom — Facts showing the state of mind etc.

#### **UNIT II**

- Admissions & Confessions: General Principles concerning Admissions
- Differences between "Admission" and "Confession"
- Confessions obtained by inducement , threat or promise
- Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material — Admissibility of Confessions made by one accused person against co-accused.
- Dying Declarations and their evidentiary value
- Other Statements by persons who cannot be called as Witnesses
- Admissibility of evidence of witnesses in previous judicial proceedings in subsequent judicial proceedings.

#### **UNIT III**

- Relevancy of Judgments — Opinion of witnesses — Expert's opinion — Opinion on Relationship especially proof of marriage

- Facts which need not be proved
- Oral and Documentary Evidence - General Principles concerning oral evidence and documentary evidence
- Primary and Secondary evidence
- Modes of proof of execution of documents
- Presumptions as to documents
- General Principles regarding Exclusion of Oral by Documentary Evidence.

#### UNIT IV

- Rules relating to Burden of Proof
- Presumption as to Dowry Death
- Estoppel — Kinds of estoppel — Res Judicata, Waiver and Presumption.

#### UNIT V

- Competency to testify
- Privileged communications
- Testimony of Accomplice
- Examination in Chief, Cross examination and Re-examination — Leading questions  
Lawful questions in cross examination; Compulsion to answer questions put to witness
- Hostile witness — Impeaching the credit of witness
- Refreshing memory — Questions of corroboration
- Improper admission and rejection of evidence.

#### Suggested Readings:

1. BatukLal: *The Law of Evidence*, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir: *Principles and Digest of the Law of Evidence*, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. M Monir: *Textbook on Law of Evidence*, Universal Law Publicing 2012.
4. Avtar Singh: *Principles of the Law of Evidence*, 11th Edn. Central Law Publications.
5. V. Krishnama Chary: *The Law of Evidence*, 4th Edn. S.Gogia& Company, Hyderabad.



**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. V SEMESTER (3 Years Course)**

### **Course Code 5.3**

## **INTELLECTUAL PROPERTY LAW**

### **UNIT-I**

- Meaning, Nature, Classification and protection of Intellectual Property
- The main forms of Intellectual Property — Copyright, Trademarks, Patents, Designs, Geographical Indications, Plant Varieties, Traditional Knowledge.

### **UNIT –II**

- Introduction to the leading International instruments concerning Intellectual Property Rights The Berne Convention ; Universal Copyright Convention; The Paris Union; Patent Cooperation Treaty
- The World Intellectual Property Organization (WIPO)
- International Trade Agreements concerning IPR — WTO — TRIPS.

### **UNIT -III**

#### **The Copy Right Act, 1957**

- Historical evolution
- Meaning of copyright — Copyright in literary, dramatic and musical works, computer programmes and cinematograph films
- Neighboring rights —Rights of performers and broadcasters, etc.
- Registration of Copyright ; Term of Copyright;
- Ownership and Assignment of copyright — Author's special rights
- Notion of infringement —Criteria of infringement — Infringement of copyright in films, literary and dramatic works
- Authorities under the Act — Remedies for infringement of copyright
- Rome Convention,1961; WIPO Copyright Treaty dealing with protection of Digital Technology and the Internet (Protection of right of authors in the digital environment).

### **UNIT –IV**

#### **Intellectual Property in Trademarks and the rationale of their protection**

- The Trade Marks Act, 1999— Definition of Trademarks — Service Mark, Well known Trade Mark& Certification Marks; Distinction between Trademark and Property Mark - Registration — Passing off- Infringement of Trademark — Criteria of Infringement — Remedies – Madrid Agreement.

- The Designs Act, 2000 — Definition and characteristics of Design Law in India — Protection and rights of design holders — Copyright in design — Registration — Remedies for infringement. Trademark and Domain Name Interface

## **UNIT –V**

### **Patents**

- Concept of Patent ; Historical overview of the Patents Law in India — Patentable Inventions
- Kinds of Patents
- Procedure for obtaining patent
- The Patents Act, 1970: Recent amendments
  - Rights and obligations of a patentee
  - Term of patent protection
  - Use and exercise of rights
  - Exclusive Marketing Rights
  - Right to Secrecy
  - The notion of abuse‘ of patent rights
  - Infringement of patent rights and remedies available.

## **UNIT - VI**

- Page Geographical indication
- Plant varieties
- Traditional knowledge.
- Bio piracy,
- Patentability of Biotechnology and micro- organisms
- Lisbon Agreement for the Protection of Appellations of Origin and their International Registration.

### **Suggested Readings :**

- 1) G.B. Reddy – Intellectual property Rights & Law, Gogia Law agency Hyderabad.
- 2) Comish W.R. Intellectual Property, Patents, Trademarks, Copyrights and Allied Rights.
- 3) VikasVashisht – Law and Practice of intellectual Property, (1999), Bharat Law House Delhi.
- 4) P. Narayanan – Intellectual Property Law, (1999), (ed), Eastern Law House, Calcutta.
- 5) Bibeck Debroy – (ed), Intellectual Property Rights, (1998), Rajiv Gandhi Foundation, Delhi.
- 6) Comish W.R. – Intellectual Property, (3rd Edn), (1996), Sweet & Maxwell.

- 7) W.R. Mann – Transfer of Technology (1982).
- 8) Mata Din – Law of Passing Off and Infringement Action of Trademarks (1986).
- 9) P.S. Sangal & Kishore Singh – Indian Patent System and Paris Convention – Legal

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. V Semester (3 Years Course)**

**Course Code: 5.4**

### **LAND LAWS**

#### **UNIT I**

- Classification of lands
- Ownership of Land, absolute and limited ownership (tenancy, lease etc.)
- Doctrine of Eminent Domain
- Doctrine of Escheat and Bona Vacantia
- Constitutional Remedies – Right to Property

#### **UNIT II**

- The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013
- Definitions
- Determination of Social Impact and Public Purpose
- Preliminary Investigation for determination of Social Impact and Public Purpose
- Special Provision to Safeguard Food Security
- Notification and Acquisition
- Rehabilitation and Resettlement Award
- Procedure and Manner of Rehabilitation and Resettlement
- National Monitoring Committee for Rehabilitation and Resettlement
- Establishment of Land Acquisition, Rehabilitation and Resettlement Authority
- Apportionment of Compensation, Payment and Temporary Occupation of Land
- Offence and Penalties.

#### **UNIT III**

- The Maharashtra Regional and Town Planning Act, 1966
- Definitions
- Provisions Relating to Regional Plan
- Establishment of Region and alteration of limits
- Constitution, Power and Duties of Regional Planning Board
- Regional plan; Contents, Procedure and Publication of Regional plan
- Development Plan; Contents, Procedure and Publication
- Interim development plan
- Penalty for Unauthorized development
- Preparation and Contents of Town Planning scheme; New Town Development Authority

## UNIT IV

- The Maharashtra Land Revenue Code, 1966
- Revenue Officers
- Chief Controlling Authority, Revenue Officer in districts and their power and duties
- Classes of persons holding land - Disposal of intestate occupancies-Occupancies to be transferable and restriction on transferability;
- Procedure for Conversion of use of land from one purpose to another
- penalty for using land without permission
- Procedure for Construction of Water Course Through others Land
- Removal of encroachment of land vesting in Government, regularization of encroachment
- Summary eviction, Relinquishment of alienated land- Right to relinquished land

## UNIT V

- The Maharashtra Land Revenue Code, 1966
- Penalty for default of payment of land revenue
- Process of recovery of arrears, Arrest and Detention of defaulter
- Boundary and Boundary Marks
- Fixation, Determination and demarcation of Boundaries, disputes regarding boundaries
- Straightening out crooked boundaries
- Land record, Record of right, Register of Mutation
- Nistarpatrik and WajibUIUrj
- Appeal ,Revision and Review, Maharashtra Revenue Tribunal

### Suggested Readings:

1. A. K .Gupte and Dighe , The Maharashtra Land Revenue Code ,1966Hind Law House ,Pune
2. Sameer Tendulkar and H. M. Bhatt, MRTP Act 1966, Noble Law House, Mumbai
- 3 .Bare act, The Maharashtra Land Revenue Code, 1966
4. Bare Act, MRTP Act 1966
5. S. R. Majumdar, The Maharashtra Regional town Planning Act, Bhupesh Publication.
6. Bare Act, Maharashtra Rent Control Act 1999
7. Bare Act, The Right Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. V Semester (3 Years Course)**

**Course Code 5.5.1**

### **OPTIONAL PAPER**

### **HEALTH LAW**

#### **UNIT I**

- Interrelationship Between Law and Medicine

##### **Right to Health-**

- International Perspective- UDHR, 1948 (Art.25); ICESCR, 1966(Art.12): Declaration of Geneva, 1948.
- Constitutional Perspectives- Fundamental Rights- Right to Health care, Right to Life, Right to Clean Environment, Right to Emergency Medical Care.
- Directive Principles of State policies- Art. 39(a), 47, 48-A.

#### **UNIT II**

##### **Health- Legislative Perspective-**

- Drugs and Cosmetics Act, 1940
- The Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994
- The Transplantation of Human Organs Act, 1994
- The Medical Termination of Pregnancy Act, 1971
- Overview of the Mental Health Act, 1987

#### **UNIT III**

##### **Public Health and Law-**

- Overview of-AIDS and Law
- Health and the Environment
- Offences Affecting Public Health under IPC

#### **UNIT IV**

##### **Medical Profession and Law**

- Doctor- Patient Relationship
- Informed Consent
- Medical Confidentiality
- Medical Negligence- Liability: Civil, Criminal and Liability under Consumer Protection Act, 1986.
- Indian Medical Council and Association
- Regulation of Bio-Medical Waste

## UNIT V

### Contemporary Issues-

- Surrogacy- Social, Legal & Ethical Issues
- Euthanasia in India
- Malnutrition in India

### Suggested Readings:

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa& Co, Nagpur.
2. Dr.U.Chandra, *Human Rights*, Allahabad Law Agency.
3. Dr.Nandita Adhikari, *Law and Medicine*, Central Law Publications, Allahabad.
4. Shyam Divan, Armin Rosencranz, *Environmental Law and Policy in India*, Oxford University Press.
- 5.Dr. Lily Shrivastava, *Law and Medicine*, Paper Back, Universal Law Publishing Co.
6. P.K. Sasidharan, *Healthy India*, notionpress.com, Chennai.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**



## **LL.B. V Semester (3 Years Course)**

**Course Code 5.5.2**

### **OPTIONAL PAPER**

## **LAW OF CONSUMER PROTECTION AND THE RIGHT TO INFORMATION**

### **Unit-I**

- Brief History of Consumer Movements in India
- Aims and Objectives of Consumer Protection Act - Rights of Consumers under Consumer Protection Act
- Definitions- Complainant, Complaint, Consumer, Defects, Deficiency, Service, Goods Hazardous to Life & Safety, Unfair Trade Practices, Restrictive Trade Practices

### **Unit- II**

- Concept and Meaning of Consumer under Consumer Protection Act
- Consumer Protection Councils- Central, State and District
- Consumer Protection Councils- Composition, Objects and functions of the Councils

### **Unit –III**

- Consumer Disputes Redressal Agencies
  - District Forums, State Commissions, National Commission
  - Composition, Jurisdiction, Procedure, Powers and functions of the Consumer Forums
  - Relief to the Complainant, Penalties under CPA
- Supreme Court of India on Consumers Rights

### **Unit -IV**

#### **Right To Information Act**

- Significance of Right to Information in Democracy
- Constitutional Basis for Right to Information
- Aims and Objectives of the Right to Information Act
- Definitions- Appropriate government, Competent Authority, Information, Public Information Officer, Public Authority, Record, Right to Information

## **Unit-V**

- Right to Information and obligations of Public Authorities
- Mandatory disclosure of Information, Public Information Officer, Request for obtaining Information and Disposal of Request
- Exemption from Disclosure of Information
- Severability, Third Party Information

## **Unit -VI**

- Information Commission- Central and State Commissions
- Powers and Functions of the Information Commissions
- Appeal and Penalties
- Supreme Court of India on Right to Information

### **Suggested Readings:**

1. J.N. Boriwala, Commentry on Consumer Protection Act, 1986, Universal Pub. Delhi.
2. P.K. Majumdar, The Law of Consumer Protection in India (1998), Orient Publishing Co. , New Delhi.
3. R.M. Vats, Consumer and the Law (1994), Universal, Delhi,
4. Consumer Protection Act- Bare Act
5. Right to Information Act 2005 – Bare Act
6. N.K. Acharya, Right to Information Act 2005, Asia Law House, Hyderabad
7. N.K. Jain Right to Information- Concept, Law and Practice, Regal Publication, New Delhi

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

**LL.B V Semester (3 Years Course)**  
**Course Code 5.6**  
**CLINICAL PAPER-II**  
**PROFESSIONAL ETHICS & PROFESSIONAL ACCOUNTING**  
**SYSTEM**

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to IV of Section -A and assigned to the students & a Report on 50 select opinions of Disciplinary committee of Bar Council of India and 10 Major judgments of the Supreme Court relating to the Contempt of Court specified in Section B. The record and Report shall be submitted within the stipulated time to the evaluation Committee constituted by the College with Full Time Teacher and Practicing Advocates. The mode of Assessment is as follows:-

A) Record on Topics from Unit I to IV **40 Marks**  
(Internal marks to be awarded by the evaluation Committee)

B) Report on opinions of Disciplinary committee of Bar Council of India & judgments of the Supreme Court **40 Marks**  
(to be awarded by both External & Internal Examiner jointly)

C) Viva – Voce **20 Marks**  
(to be awarded by both External & Internal Examiner jointly)

**Note :- A Student shall get at least 45% of the marks in each of the above components.**

**SECTION –A**

**UNIT-I**

- The legal profession and its responsibilities;
- The equipment of the lawyer;
- Conduct in court;
- Professional conduct in general;
- Privileges of a lawyer;

**UNIT-II**

- Seven lamps of advocacy
- Advocates duties towards public, clients, court, and other advocates and legal aid ;
- Bar Council Code of Ethics.

**UNIT-III**

- Disciplinary proceedings
- Professional misconduct
- Disqualifications
- Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings

- Disciplinary Committees -- Powers and functions - Disqualification and removal from rolls. Contempt of Court Act, 1972

#### **UNIT-IV**

Accountancy for lawyers:

- Need for maintenance of accounts
- Books of accounts that need to be maintained- Cash Book, journal and ledger
- Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts
- The cash and bulk transaction- The Cash book- Journal proper especially with reference to client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

#### **SECTION –B**

#### **Selected major judgments of the Supreme Court:**

1. *In the matter of D, An Advocate*, AIR 1956 SC 102.
2. *P.J.Ratnamv.D.Kanikaram*, AIR1964 SC 244.
3. *N.B.Mirzanv.The disciplinary committee of Bar Council of Maharastra and Another*, AIR 1972 SC 46.
4. *Bar Council Of Maharastrav.M.V.Dabholkar, etc.*, AIR 1976 SC 242.
5. *V.C.Rangaduraiv.D.Goplan and others*, AIR 1979 SC 201.
6. *Chandra Shekhar Soniv.Bar Council of Rajasthan and Others*, AIR 1983 SC 1012.
7. *In Re an Advocate*, AIR 1989 SC 245.
8. *In Re Vinay Chandra Mishra*, 1995 (Vol-I) IBR 118.
9. *Supreme Court Bar Associationv.Union of India*, AIR 1998 SC 1895.
10. *Ex-Capt. Harish Uppalv.Union of India*, AIR 2003 SC 739.
- 11 Any other recent judgments of Supreme Court selected and given by concerned teacher

#### **Selected opinions of the Bar council of India**

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 153
4. DC Appeal No. 20/94 1997 (Vol. 3 &4) IBR 193
- 5 BCI Tr. Case No. 76/95 1997 (Vol. 3 &4) IBR 201
- 6 DC Appeal No.43/96 1997 (Vol. 3 &4) IBR 207
- 7 DC Appeal No.18/91 1997 (Vol. 1 & 2) IBR 271
- 8 DC Appeal No.24/90 1996 (Vol.1) IBR 135
- 9 DC Appeal No.19/93 1996 (Vol.1) IBR 152
- 10 BCI Tr. Case No.104/90 1996 (Vol.1) IBR 155
- 11 BCI Tr. Case No.52/89 1994 (Vol.1) IBR 187
- 12 BCI Tr. Case No.127/88 1992 (Vol. 3 &4) IBR 125
- 13 BCI Tr. Case No.39/87 1992 (Vol. 3 &4) IBR 147
- 14 BCI Tr. Case No.39/89 1992 (Vol. 3 &4) IBR 149
- 15 BCI Tr. Case No.16/88 1989 (Vol.1) IBR 99
- 16 BCI Tr. Case No.2/88 1989 (Vol.1) IBR 102
- 17 BCI Tr. Case No.52/88 1989 (Vol.2) IBR 110
- 18 DC Appeal No.41/87 1989 (Vol.2) IBR 122
- 19 BCI Tr. Case No.29/81 1989 (Vol.2) IBR 245
- 20 DC Appeal No.14/88 1989 (Vol.2) IBR 258
- 21 BCI Tr. Case No.14/80 1989 (Vol.2) IBR 264

- 22 DC Appeal No.24/87 1989 (Vol.2) IBR 273
- 23 DC Appeal No.46/86 1989 (Vol.2) IBR 280
- 24 DC Appeal No.3/88 1989 (Vol.2) IBR 285
- 25 BCI Tr. Case No.2/80 1989 (Vol.2) IBR 289
- 26 BCI Tr. Case No.10/86 1989 (Vol. 3 &4) IBR 520
- 27 BCI Tr. Case No.101/88 1989 (Vol. 3 &4) IBR 524
- 28 DC Appeal No.23/88 1989 (Vol. 3 &4) IBR 532
- 29 DC Appeal No.35/87 1989 (Vol. 3 &4) IBR 536
- 30 BCI Tr. Case No.27/88 1989 (Vol. 3 &4) IBR 542
- 31 BCI Tr. Case No.6/84 1989 (Vol. 3 &4) IBR 560
- 32 BCI Tr. Case No.24/86 1989 (Vol. 3 &4) IBR 563
- 33 DC Appeal No.10/88 1989 (Vol. 3 &4) IBR 572
- 34 DC Appeal No.45/74 1988 (Vol. 1 &2) IBR 182
- 35 DC Appeal No.23/87 1989 (Vol.1& 2) IBR 187
- 36 DC Appeal No.6/81 1988 (Vol.1& 2) IBR 193
- 37 BCI Tr. Case No.16/86 1988 (Vol.1& 2) IBR 197
- 38 DC Appeal No.41/86 1988 (Vol.1& 2) IBR 200
- 39 DC Appeal No.33/86 1988 (Vol. 3 &4) IBR 354
- 40 DC Appeal No.21/85 1988 (Vol. 3 &4) IBR 359
- 41 BCI Tr. Case No.43/82 1988 (Vol. 3 &4) IBR 364
- 42 DC Appeal No.28/86 1988 (Vol.3& 4) IBR 374
- 43 DC Appeal No.64/74 1987 (Vol.2) IBR 314
- 44 DC Appeal No.30/84 1987 (Vol.2) IBR 319
- 45 DC Appeal No.40/86 1987 (Vol.3) IBR 488
- 46 DC Appeal No.10/86 &10A/86 1987 (Vol.3) IBR 491
- 47 DC Appeal No.7/86 1987 (Vol.3) IBR 496
- 48 DC Appeal No.7/81 1987 (Vol.4) IBR 735
- 49 DC Appeal No.12/86 1987 (Vol.4) IBR 745
- 50 BCI Tr. Case No.57/87 1987 (Vol.4) IBR 753
- 51 Any other recent opinion/decision of Disciplinary committee of BCI, selected and given by concerned teacher

### **Prescribed Books:**

1. K.V.Krishnaswamy Iyer- Professional Conduct and Advocacy.
2. B.S.Raman- Accountancy.
3. N. R. Madhava Menon- Clinical Legal Education.
4. Dr. B. Malik- Art of Lawyer (New Delhi, Universal Book Agency, 1999) – Relevant articles
5. Contempt of Court Act, 1971
6. Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
7. Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
8. Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Allahabad Law Agency.
9. Siroh: Professional Ethics, Central Law Publications, Allahabad.
10. Ramachandra Jha: Selected Judgements on Professional Ethics published by Bar Council of India Trust, 2002.
11. Dr. G.B. Reddy: Practical Advocacy of Law, 2nd Ed. 2005. Gogia Law Agency. Hyderabad

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## **LL.B. VI Semester (3 Years Course)**

**Course Code: 6.1**

### **INTERPRETATION OF STATUTES**

#### **UNIT- I**

##### **INTRODUCTION**

- Law making: The role of Legislature, Executive and Judiciary.
- Meaning and scope of the term “Statute”.
- The Process of Law Making (The draft, bill, Act, Assent & operation).
- Parts of a Statute & Classification of Statutes
- Meaning, nature and scope of the term “Interpretation”.
- Need and Purpose of Interpretation
- Difference between Interpretation and Construction.

#### **UNIT-II:**

##### **GENERAL THEORIES**

- Presumptions.
- Basic Principles
  - The Function of the Court is to interpret the law and not to legislate
  - Intention of Legislature
  - Statute must be read as a whole
  - Statute to be workable and effective
  - Plain Language must be given effect irrespective of consequences

#### **UNIT-III:**

##### **RULES OF INTERPRETATION**

- Literal/Grammatical Rule of Construction
- Golden Rule of Construction
- Mischief Rule of Construction (Rule in Heydon’s Case)
- Rule of Purposive Construction.
- Rule of Harmonious Construction.
- Strict and Liberal Construction

#### **UNIT-IV:**

##### **SUBSIDIARY RULES OF CONSTRUCTION**

- Same word same meaning, use of different words,
- Rule of Last Antecedent,
- Non Obstinate Clause,
- legal fiction,

- Mandatory and Directory Provisions,
- Conductive and Disjunctive words ‘or’/‘and’,
- Construction of general words - Noscitur A Socis; Rule of ejusdem generis, Words of rank, Redendo Singula Singulis etc.

## **UNIT-V:**

### **AIDS TO CONSTRUCTION**

Understanding the need and importance of Aids to constructions

- **Internal Aid to Construction**  
Preamble, Definition, Sections, Heading, Marginal Notes, Punctuation, Illustrations, Provisions, Explanation and Schedule.
- **External Aid to Construction**  
Parliamentary History, Historical Facts and surrounding circumstances, socio-political and economic developments, reference to other statutes, contemporanea exposition and other external aids.

## **UNIT-VI:**

### **INTERPRETATION WITH RESPECT TO SUBJECT MATTER AND PURPOSE**

- Constructions of Penal & Remedial Statutes
- Constructions of Taxing Statutes
- Constructions of Welfare Statutes
- Construction of Substantive and Procedural Statutes.

## **UNIT-VI:**

### **THE GENERAL CLAUSES ACT, 1897**

- Rules of Construction under the General Clauses Act, 1897
- Repeal : Effect of Repeal : Temporary and Perpetual Statutes: Their expiry and repeal
- Prospective and Retrospective Operation of statutes
- Effect of amendment to statutes.
- Revival of repealed enactments

### **Suggested Readings:**

1. G.P. Singh: Principles of Statutory Interpretation, Lexis Nexis, 14<sup>th</sup> Edn., 2016.
2. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, 5<sup>th</sup> Edition, 2010.
3. Maxwell: Interpretation of Statutes, Butterworths Publications, 1976, 12<sup>th</sup> Edition.
4. N.S. Bindra's : Interpretation of Statutes, Lexis Nexis, 12<sup>th</sup> Edition



4. Crawford: Interpretation of Statutes, Universal Publishers.
6. Cross, Statutory Interpretation
7. Avtar Singh: Introduction to Interpretation of Statutes, Butterworth Wadhwa
8. B.M. Gandhi : Interpretation of Statutes, 2<sup>nd</sup> Edition, Eastern Book Co.

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## **LL.B. VI Semester (3 Years Course)**

**Course Code: 6.2**

### **TRANSFER OF PROPERTY**

#### **UNIT I**

- Meaning and concept of property
- Kinds of property
- Transfer of property
- Transferable and non-transferable property
- Who can transfer
- Operation of transfer
- Mode of transfer
- Conditional transfer
- Void and unlawful conditions : Condition precedent and condition subsequent; Vested and contingent interest; Transfer to unborn person

#### **UNIT II**

- Doctrine of Election
- Covenants
- Transfer by ostensible owner
- Doctrine of Feeding the Grant by Estoppel
- Doctrine of Lis Pendens
- Fraudulent Transfer
- Doctrine of Part-performance.

#### **UNIT III**

##### **Sale**

- Essential features
- Mode of Sale
- Rights and liabilities of parties.

##### **Mortgage**

- Kinds of Mortgages
- Rights and liabilities of mortgagor and mortgagee
- Marshalling and Contribution
- Charges.

## UNIT IV

### Lease

- Essential features
- Kinds of leases
- Rights and liabilities of lessor and lessee
- Termination of lease: Forfeiture

### Exchange

### Gifts

- Different types of gifts
- Registration of Gifts

### Transfer of Actionable Claims.

## UNIT V

- Easements :Definition of easement
- Distinction between Lease and License
- Dominant and Servient Tenements.
- Acquisition of property through testamentary succession : Will; Codicil; Capacity to execute Will ;Nature of bequests; Executors of Will; Rights and Obligations of Legatees

### Suggested Readings:

1. Mulla : *Transfer of Property*, Butterworths Publications.
2. Subba Rao GCV: *Commentaries on the Transfer of Property Act*.
3. Krishna Menon: *Law of Property*.
4. Upadhyaya's *Common Matrix of Transfer of Property*.

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## **LL.B. VI Semester (3 Years Course)**

**Course Code: 6.3.1**

### **OPTIONAL PAPER**

### **HUMAN RIGHTS**

#### **UNIT I:**

- Human Rights: Meaning, Evolution of Human Rights
- Ancient and Natural law perspective
- Classification of Human Rights
- Generations of Human Rights
- Sources of International Human Rights Law
- Importance and Significance of Human Rights

#### **UNIT II:**

- U.N. Charter and Human Rights
- Universal Declaration of Human Rights and its legal significance
- International Covenant on Economic, Social and Cultural Rights, 1966
- International Covenant on Civil & Political Rights, 1966
- The Vienna Conference on Human Rights
- Human Rights Council

#### **UNIT III:**

- Regional Conventions on Human Rights: The European Convention on Human Rights, 1950
- The American Convention on Human Rights, 1969
- African Charter on Human and Peoples Rights
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- International Convention on Genocide, Apartheid, Slave Trade, Trafficking in Person and Prostitution.

#### **UNIT IV:**

- Human Rights in India
- Human Rights and Indian Constitution
- The Protection of Human Rights Act, 1993
- National Human Rights Commission
- State Human Rights Commission
- National Commission for Minorities
- National Commission for Safai karamcharis

- National Commission for Women
- National Commission for Backward Classes and National Commission for Schedule Castes and Schedule Tribes
- Judicial activism & Protection of Human Rights in India
- Role of Non-Governmental organization in the Promotion and Protection of Human Rights

#### **UNIT V:**

- International Conventions on Human Rights and Vulnerable Groups:
- Disabled Persons,
- Indigenous Persons,
- Persons with HIV- AIDS,
- Women & Children,
- Refugees,
- Aged Persons,
- Minorities and Tribal
- Collective Rights- Right to Development
- Right to Self Determination
- Right to Healthy Environment

#### **Suggested Readings:**

- 1 Wallace, International Human Rights, 1996 Sweet & Maxwell
2. Theodor Meron (ed.), Human Right in International Law
3. S.K.Kapoor, Human Right under International Law & Indian
4. Dugmarti Rao, HIV/AIDS and Law, Ethics and Human Rights, Discovery Publishing House, New Delhi.
5. Dr. H.O.Agrawal, International Law and Human Rights, Central Law Publication
- . Dr. Awasthi and Kataria, Law Relating to Protection of Human Rights

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## **LL.B. VI Semester (3 Years Course)**

**Course Code 6.3.2**

### **OPTIONAL PAPER**

### **WOMEN & LAW**

#### **UNIT-I:**

- Historical background and status of women in ancient India
- Constitutional Provisions and gender justice
- Relevant provisions relating to women in Directive Principles of State Policy and Fundamental Duties under the Indian Constitution.

#### **UNIT-II:**

- Laws relating to marriage, divorce, succession and maintenance under the relevant personal laws with special emphasis on discrimination of women
- Special Marriage Act
- Maintenance under Cr. P.C.

#### **UNIT-III:**

- Special provisions relating to women under the Indian Evidence Act, 1872
- Offences against women under Indian Penal Code
- Outraging the modesty of women
- Sexual Harassment
- Rape
- Bigamy
- Mock and fraudulent marriages
- Sexual Harassment of women at Workplace (Prevention, Prohibition & Redressal) Act, 2013
- Causing miscarriage
- Insulting women

#### **UNIT-IV:**

- Social-Legal position of women and the law
- Dowry Prohibition Act, 1961
- Medical Termination of Pregnancy Act, 1971
- Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex selection) Act, 1984
- Immoral Traffic (Prevention) Act
- Law relating to domestic violence

#### **UNIT –V:**

- Relevant provisions relating to women under Maternity Benefit Act, 1961

- Factories Act and other Labour & Industrial Laws
- Position of Women under International instruments
- Salient features of Convention for Elimination of all forms of Discrimination Against Women (CEDAW)

**Suggested Readings:**

1. S.P. Sathe: *Towards Gender Justice*.
2. Dr. Vijay Sharma: *Protection to woman in Matrimonial home*
3. Dr. Sarojini Saxena: *Femijuris*(Law relating to Women in India)
4. Dr. Archana Parsher: *Women and Social Reform*
5. Dr. Paras Diwan: *Dowry and protection to married women*
6. Mary Wollstonecraft: *A Vindication of the rights of women*.
7. Dr. G.B.Reddy: *Women and Law*, 2nd Edn. Gogia Law Agency, Hyderabad, 1998.
- 8 Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC publication, Chandrapur

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## **LL.B. VI Semester (3 Years Course)**

**Course Code: 6.4**

### **Environmental Law**

#### **UNIT I:**

- Meaning and Concept of Environment, Environment Pollution
- Ozone depletion, Global Warming Climate Change
- Causes and effects of Environment degradation
- Ancient Indian approach towards Environment Protection.

#### **UNIT II:**

- International Environmental Regime
- Stockholm Declaration on Human Environment, 1972
- Role of UNEP for the Protection of Environment
- Kyoto Protocol 1997
- Biodiversity Convention 1992.

#### **UNIT III:**

- The Air (Prevention and Control of Pollution) Act 1981
- The Water (Prevention and Control of Pollution) Act 1974
- The Environment (Protection) Act 1986
- Noise Pollution Regulations and Control Rules, 2000

#### **UNIT IV:**

- The Laws relating to Preservation Conservation and Protection of forest and wild life
- Biodiversity Act - Salient features and authorities under the Act
- Hazardous Waste Management and Handling Rules, 1989
- Municipal Solid Waste Management and Handling Rules 2000
- Biomedical Waste Management and Handling Rules 1998

#### **UNIT V:**

- Common Law Remedies- Trespass, negligence
- Theories of strict Liability and absolute Liability
- National Environment Tribunal

#### **UNIT VI:**

- Art. 48A and Art. 51A(g) of the Constitution of India
- Right to wholesome environment



- Right to development
- Role of Indian Judiciary in the evolution of environmental jurisprudence.

**Suggested Reading:**

- Dr. N.Maheshwora Swamy: A Text Book on Environmental Law
- P. Leela Krishna: Environmental Law in India
- Dr. Padma: Environmental Protection and the Law
- Divan and Rosencranz: Environmental Law and Policy in India
- S.Shantha Kumar's: Introduction to Environmental Law
- Dr.S.R. Myneni: Environmental Law
- Paras Divan: Studies on Environmental Cases
- V.K.Krishna Iyer: Environment Pollution and Law

**NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. VI Semester (3 Years Course)**

### **Course Code 6.5**

### **CLINICAL PAPER III**

### **MOOT COURT AND INTERNSHIP**

This paper has three components of 30 marks each and viva-voce for 10 marks.

- (A) Moot Court (30 marks):** Every student is required to participate in at least three moot courts in the X Semester with 10 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

Marks will be given on the basis of written submission and oral advocacy. Written submissions shall include brief summary of facts, issues involved, provisions of laws and arguments, citation, prayer, etc. Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law; authorities quoted, court manners, etc. Written Memorials submitted by the students shall be kept by the College for Further Verification.

The performance of student in the moot court shall be evaluated by a committee consisting of (i) Principal of the College (ii) an Advocate with 10 years experience at the Bar; and (iii) the teacher concerned.

- (B) Observance of Trial in two cases, one Civil and one Criminal (30 marks):**

Students are required to attend courts to observe at least one civil and one criminal case. They shall maintain a record and enter the various steps observed during their attendance on different days in the court. The Court Observation Record submitted by the students should be evaluated by a committee consisting of (i) Principal of the College/the concerned teacher (ii) External Examiner appointed by the University and (iii) an Advocate with 10 years experience at the Bar. Court attendance shall be compulsory and details shall be recorded in a Record Book kept therefor. This may be carried under the supervision of a teacher of the college. This scheme will carry 30 marks.

- (C) Interviewing Techniques and Pre-Trial Preparations and Internship/Court Visit Diary (30 marks):**

Each student should observe two 'interview sessions' of clients either in the Lawyer's Office or in the Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student has to further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This shall be recorded in the diary which will carry 15 marks. The diary shall clearly indicate the dates on which the above observations are made and they shall be

authenticated by the advocate concerned. Evaluation of the above diary shall be made by the committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, and (iii) an Advocate with 10 years experience at the Bar.

**(D) Viva-voce (10 marks):**

There shall be viva-voce examination on all the above three components. The Viva-voce Board consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and (iii) an advocate with 10 years experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

**Note:**

- 1. Attendance of the students in all the four components of the paper shall be compulsory.**
- 2. The above records, diary certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for further verification.**

**Suggested Readings:**

1. Dr. Kailash Rai: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law Publication.
2. Amita Danda: *Moot Court for Interactive Legal Education*, Gogia Law Agency, Hyderabad.
3. Blackstone's: *Books of Moots*, Oxford University Press.
4. Mishra: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law, Allahabad.

**Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.**

## **LL.B. VI Semester (3 Years Course)**

### **Course Code 6.6**

### **CLINICAL PAPER IV**

## **DRAFTING, PLEADINGS AND CONVEYANCING**

Class-room instruction and simulation exercises on the following items shall be extended. However there is no end semester theory examination for this course.

### **UNIT I**

**Drafting:** General Principles of Drafting and relevant Substantive Rules shall be taught.

### **UNIT II**

#### **Pleadings:**

- (i) Civil—Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision.
- (ii) Petition under Article 226 and 32 of the Constitution of India - Drafting of Writ Petition and PIL Petition.
- (iii) Criminal— Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

### **UNIT III**

#### **Conveyancing:**

Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

#### **Practical Exercises**

Apart from teaching the relevant law, the course includes not less than 15 (fifteen) practical exercises in drafting of pleadings carrying a total of 45 marks (3 marks for each) and 15 (fifteen) exercises in conveyancing carrying another 45 marks (3 marks for each exercise) and remaining 10 marks for viva-voce. These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted. These exercises shall be evaluated by a common committee consisting of (i) Principal of the College/the concerned teacher as Internal Examiner (ii) External Examiner appointed by the University (iii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts.

**Note: Attendance of the students for viva-voce shall be compulsory.**

**Suggested Readings:**

1. R.N. Chaturvedi : *Pleadings and Conveyancing*, Central Law Publications.
2. De Souza : *Conveyancing*, Eastern Law House.
3. Tiwari : *Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company
7. Narayana P.S.: *Civil Pleadings and Practice*, Asia Law House.
8. Narayana P.S.: *Criminal Pleadings and Practice*, Asia Law House.
9. Noshirvan H.Jhabvala: *Drafting, Pleadings, Conveyancing & Professional Ethics*. Jamhadar & Companes.
10. R.D.Srivastava: *The Law of Pleadings, Drafting and Conveyancing*, Central Law Agency

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