

DETAILED SYLLABUS FOR LAW PAPERS IN
SEMESTER I

Sr. No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-101	Jurisprudence (Legal method, Indian legal system, and basic theory of law)	3	1	0	4
2	LLB- 102	Law of Tort and Consumer Protection Laws	3	1	0	4
3	LLB-103	Law of Contract I	3	1	0	4
4	LLB- 104	Constitutional Law I	3	1	0	4
5	LLB-105	Family Law I	3	1	0	4
6	LLB-106	Law of Crimes I (IPC)	3	1	0	4
7	BHU-102	English	1	1	0	2
8	BSD-181	Project & Seminar I	0	0	2	1
9	BSD-182	Skill Development I	0	0	2	1
Total Credit						28

JURISPRUDENCE
(LEGAL THEORY AND CONCEPTS OF LAW)

Module I: Introduction

- Meaning of the term 'jurisprudence'
- Norms and the normative system.
 - Different types of normative systems, such as of games, languages, religious orders, unions, clubs and customary practice.
 - Legal system as a normative order: similarities and differences of the legal system with other normative systems.
- Nature and definition of law.

Module II: Schools of Jurisprudence

- Analytical positivism
- Natural law
- Historical school
- Sociological school
- Economic interpretation of law
- The Bharat jurisprudence
- The Ancient: the concept of 'Dharma'
- The Modern: PIL, social justice, compensatory jurisprudence

MODULE III: Purpose of Law

- Justice
- Meaning and kinds
- Justice and law: approaches of different schools
- Power of the Supreme Court of India to do complete justice in a case: Article 142
- Critical studies
- Feminist jurisprudence

MODULE IV: Sources of Law

- Legislation
- Precedents: concept of stare decisis
- Customs
- Juristic writings

MODULE V: Legal Rights

- Concept
- Rights: kinds
- Right duty correlation

MODULE VI: Persons

- Nature of personality
- Status of the unborn, minor, lunatic, drunken and dead persons]
- Corporate personality
- Dimensions of the modern legal personality: Legal personality of non-human beings

MODULE-VII: Possession

- Concept
- Kinds of possession

MODULE VIII: Ownership

- Concept
- Kinds of ownership
- Difference between possession and ownership

MODULE IX: Property

- Concept
- Kinds of property

MODULE X: Liability

- Conditions for imposing liability
- Wrongful act
- Damnum sine injuria
- Causation
- Mens rea

- Intention
- Malice
- Negligence and recklessness
- Strict liability
- Vicarious liability

MODULE XI: Obligation

- Nature and kinds
- Sources of obligation

MODULE XII: Procedure

- Substantive and procedural laws: difference
- Evidence: Nature and kinds

Suggested Readings:

1. Bodenheimer Jurisprudence—The Philosophy and Method of Law (1996), Universal , Delhi.
2. Fitzgerald,(ed.) Salmond on Jurisprudence (1999) Tripathi, Bombay
3. W. Friedmann, Legal Theory (1999) Universal, Delhi.
4. V.D. Mahajan, Jurisprudence and Legal Theory (1996 re-print) , Eastern, Lucknow
5. M.D.A Freeman (ed.), Lloyd's Introduction t Jurisprudence, (1994), Sweet & Maxwell Paton G.W., Jurisprudence (1972) Oxford, ELBS
6. H.L.A. Hart, The Concepts of Law (1970) Oxford, ELBS
7. Roscoe Pond, Introduction to the Philosophy of Law (1998 Re-print) Universal, Delhi.
8. Dias, Jurisprudence (1994 First Indian re-print), Adithya Books, New Delhi.
9. Dhyani S.N., Jurisprudence: A study of Indian Legal Theory (1985), Metropolitan, New Delhi

LAW OF TORTS INCLUDING CONSUMER PROTECTIONLAWS **AND** **MOTOR VEHICLES ACT**

Module I: An Introduction to the Law of Torts

- Definition of Tort
- Distinction between Tort and other branches of law
- Interests protected by the Law of Torts
- Common Elements of Wrong doing:
 - ✓ Act,
 - ✓ Omission,
 - ✓ Malice,
 - ✓ Motive,
 - ✓ Recklessness etc
- Legal Principles:
 - ✓ Damnum Sine Injuria,
 - ✓ Injuria Sine Damno,
 - ✓ Ubi Jus IbiRemedium.

Module II: General Defenses

- Volenti Non Fit Injuria
- Plaintiff is Wrongdoer
- Inevitable Accident
- Act of God
- Private Defense
- Mistake
- Necessity
- Statutory Authority
- Act of State

Module III: Liability under Tort

- Fault Liability
- Strict Liability
- Absolute Liability
- Vicarious Liability
- State Liability
- Constitutional Torts

Module IV: Specific Torts: Trespass, Nuisance and Negligence

- Tort of Trespass- to Person, Land and Goods
- Tort of Nuisance- Private and Public
- Tort of Negligence- Duty of Care and Breach of Duty, Causation and Remoteness of Damage, Professional Negligence.

Module V: Dignitary Torts

- Defamation- Basic principles and defenses
- Breach of Confidence
- Privacy- an emerging tort

Module VI: Remedies under Torts

- Specific Restitution of Property
- Damages
- Injunction

Module VII: Consumer Protection under Tort Law

- Introduction to Consumer Protection Act, 1986
- Structure of Consumer Forum- National, State and District Forum
- Who is a 'consumer' under CPA? What are their rights?
- What are 'Services' under CPA? What is known as 'Deficiency in Services'?

Module VIII: Motor Vehicles Act, 1988

- Liability without fault in certain cases
- Insurance of Motor Vehicles against third party risks
- Offences, Penalties and Procedures

Bare Act:

1. *The Consumer Protection Act, 1986*
2. *The Motor Vehicles Act, 1988*

Suggested Readings:

1. D.D. Basu, *The Law Of Torts*, Kamal , Calcutta.
2. D.M.Gandhi , *Law Of Tort*, Eastern Lucknow.

3. Ratanlal And Dhirajlal, The Law of Tort, Universal, Delhi.
4. J. N. Pandey, Law of Tort, Central Law Publication Allhabad.
5. Salmond and Heuston – On the Law of Torts (2000) Universal, Delhi.
6. J.N Boriwala, Commentry on Consumer Protection act, 1986, Universal, Delhi.
7. P.K Majumdar, The Law of Consumer Protection In India (1998), Orient Publishing Co., New Delhi.
8. R. M Vats, Consumer and The law (1994), Universal, Delhi

LAW OF CONTRACT - I

Module I: Introduction

- Indian Contract Act, 1872
- Historical Background
- Contract: Meaning, Nature and Types
- Major Definitions under Indian Contract Act

Module II: Agreement

- Formation of an Agreement: (Ss. 2-10)
 - ✓ Intention to create legal relationship
- Proposal and Acceptance:
 - ✓ Their various forms,
 - ✓ Essential Elements
- Communication
- Revocation- Mode of Revocation of Offer Special Situations: (Ss. 2-10)

Module III: Capacity to Contract

- Legal Disability to Enter into Contract-
 - ✓ Minors, Persons of Unsound Mind
 - ✓ Effects of Minors Agreement
- Persons disqualified by Law
- Liability for Necessaries Supplied to the Minor
- Indian Contract Act, 1872, Sections 10, 11, 12, 64, 65, 68;
- Specific Relief Act, 1963,
- Section 33; Indian Majority Act, 1875

Module IV: Consideration

- Meaning and Nature of Consideration - *Nudum Pactum*
- Doctrine of Privity of Contract and of Consideration- Its Exceptions of consideration
- Adequacy of Consideration: Present, Past and Adequate Consideration
Unlawful Consideration and its Effect
- Indian Contract Act, 1872: Sections 2(d), 2(f), 23 and 25

Module V: Free Consent

- Consent – Definition
 - ✓ Free Consent and Vitiating Elements:
 - Coercion
 - Undue Influence
 - Fraud
 - Misrepresentation
 - Mistake
- Effect on Contracts influenced by any factor Vitiating Free Consent

Module VI: Limitations on Freedom of Contract

- Legality of Object
- Void and Voidable Agreements
- Agreements against Public Policy
- Agreements with Unlawful Consideration
- Agreements without Consideration
 - Agreements in Restraint of Marriage
 - Agreements in Restraint of Trade
 - Agreements in Restraint of Legal Proceedings
- Ambiguous and Uncertain Agreements
 - Wagering Agreements – Its exceptions
 - ☐ Contingent Contracts

Module VII: Discharge of a Contract

- By Performance
- Performance by Joint Promisors
- Discharge by Novation - Remission
- Accord and Satisfaction
- Appropriation of Payments
- Discharge by Impossibility of Performance - Doctrine of Frustration Discharge by Breach - Anticipatory Breach - Actual breach

Module VIII: Remedies for Breach of Contract

- Damages
 - ✓ Types of Damages
 - ✓ Remoteness of Damages
 - ✓ Ascertainment of Damages
- Quasi Contacts

Bare Acts:

- *The Indian Contract Act 1872*
- *The Sale of Goods Act 1930*
- *The Specific Relief Act 1963*
- *The Partnership Act 1932*

Suggested Readings:-

1. Avtar Singh - Law of Contract
2. Pollock and Mulla - Indian Contract Act

3. N D Kapoor – The Mercantile Law
4. Anson, Anson's Law of Contract

CONSTITUTIONAL LAW-I

Module I: Introduction to the Constitution and Constitutional Law of India

- Historical background to the Making of the Constitution of India
- Constituent Assembly and the Passing of the Constitution
- The Objectives Resolution and the Preamble to the Constitution of India
- Elucidating Key Concepts-
 - ✓ 'Sovereign Socialist Secular'
 - ✓ 'Democratic Republic'
 - ✓ 'Separation of Powers'
 - ✓ 'Rule of Law'

Module II: The Three Wings of Government

- Legislature: Structure of Parliament and State Legislatures, Mode of Election, Parliamentary Procedures, Voting, Powers and Functions- (Article 79-122, 148-151)
- Executive: Structure of Union and State Governments, Cabinet, Powers and Functions of PM / CM(Article 52-78, 123)
- Judiciary: Structure of the Courts, Jurisdiction, Appointment of Judges, Supreme Court as the Final Interpreter of the Constitution, Powers and Functions(Article 124-147, 214-227)

Module III: Federalism under the Indian Constitution: a Modularly Model

- Federalism: Meaning, Scope and Concepts
- Is India a true federation? Rationale behind Modularly nature.
- Separation of Powers- conceptual analysis, comparison with US model
- Legislative Relations between Union and State(Article 245-256)
- Financial Relations between Union and State(Article 265-289)
- Principles of Interpretation:
 - ✓ Territorial Nexus
 - ✓ Plenary Powers and Non-obstante clause
 - ✓ Harmonious Construction and Pith and Substance
 - ✓ Residuary Power
 - ✓ Repugnancy- Direct Conflict, Occupied Field and Intended Occupation
- [Cases- State of WB v UOI, State of WB v CPDR, GVK Industries v. UOI, Gujarat Univ. v. Krishna, Prafulla Kumar v. Bank of Commerce, Khulna, State of Rajasthan v. G. Chawla, UOI v. Harbhajan Singh Dhillon, Hoechst Pharmaceuticals v. State of Bihar, Deep Chand v. State of UP, Zaveribhai v. State of Bombay, M ..Karunanidhi v. UOI]

Module IV: Judiciary and its Independence (Article 124-147, 214-227)

- Independence of Judiciary: why so crucial?
- Transfer of Judges
- Judicial Review- HC powers of Superintendence u/A. 226., Supervision u/A. 227, Jurisdictions of the SC, Review and Curative Petition, Supreme Court as a Court of Record- Contempt Power
- [Cases-State of Karnataka v UOI, State of Rajasthan v UOI, Pritam Singh v State, Rupa Hurra v Ashoke Hurra, Delhi Judicial Service Assn.]

Module V: Executive and its Discretion (Article 52-78, 123)

- President as the ‘nominal head’ of the Executive
- ‘Aid and advice of the council of ministers’-Discretionary Powers of the President and Governors
- [Cases: Ram Jawaya Kapoor, UNR Rao, Shamsher Singh]
- Powers of Pardon
- [Cases: Maru ram, Kehar Singh, Swaran Singh, Epuru Sudhakar]
- Legislative Power of the Executive
- [Cases: AK Roy, DK Wadhwa]

Module VI: Amendment to the Constitution and Basic Structure Doctrine

- Understanding A. 368
 - ✓ ‘Procedure to Amend’ to ‘Power to Amend’
 - ✓ Impact of 24th and 25th Amendments
 - ✓ 42nd Amendment and the A. 368
- Evolution of Basic Structure Doctrine- Case Analysis
 - ✓ Pre-Keshavananda Bharati
 - [Cases: Shankari Prasad, Sajjan Singh, IC Golaknath]
 - ✓ Keshavananda Bharati
 - ✓ Post-Keshavananda Bharati
 - [Cases: Indira Gandhi, Minerva Mills, Waman Rao, Nagaraj, IR Coelho]

Module VII: Emergency Provisions

- Proclamation of Emergency under A. 352
 - ✓ Instances and Debates
 - ✓ Changes introduced by the 44th Amendment
 - ✓ Impact on Fundamental Rights- *ADM Jabalpur v. Shiv Kant Shukla*
- President’s Rule under A. 356
 - ✓ Instances and Debates
 - ✓ Judicial Review
 - ✓ Impact of Sarkaria Commission Recommendations
 - [Cases- State of Rajasthan, SR Bommai, Rameshwar Prasad]
- Financial Emergency under A. 360

Bare Acts:

- *Constitution of India, 1950*

Suggested Readings:

1. M.P.Jain, Indian Constitutional Law, Wadhwa & Co, Nagpur

2. V.N.Shukla, Constitution of India, Eastern Book Company, Lucknow
3. Granville Austin, Indian Constitution-Cornerstone of a Nation, OUP, New Delhi
4. H.M.Seervai, Constitutional Law of India (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, Indian Constitutional Law, S.Gogia & Co., Hyderabad

FAMILY LAW-I

Module I: An Introduction to Family Law

- Nature of Hindu Law,
- Who is Hindu & Sources of Hindu Law-Modern and Ancient
- Two Principal Schools of Hindu Law.
- Idea about the Muslim Law and its emergence

Module II: Law of Marriage and Dissolution

- Marriage-Evolution of the Institution of Marriage and Family (A detailed study of Hindu Marriage Act, 1955)
- Matrimonial Remedies:
 - ✓ Restitution of Conjugal Rights
 - ✓ Judicial Separation
 - ✓ Nullity of marriage
- Dissolution of Marriage : Theories – Forms of Divorce – Grounds for divorce under Special marriage Act – Various grounds of Divorce (Cruelty as a ground for divorce Desertion as ground for divorce, Adultery as a ground for divorce) – Divorce by Mutual Consent – Irretrievable Breakdown as a Ground for Dissolution
- Maintenance of neglected wives, divorced wives, minor children, disabled children, and parents who are unable to support themselves provisions under the Code of Criminal Procedure 1973 – Maintenance and Alimony;
- Customary Practices and legislative provisions relating to dowry prohibition-Maintenance under Hindu Marriage Act (Sec.24 & 25)
- Muslim Marriage: Essentials, classification of marriage – Legal effects of valid – void and irregular marriage - *Muta* marriage – Sources of Islamic law; Customary practices and State regulation – Pre-emption – Option of puberty – Kinds of Marriage under *Sunni* Law & *Shia* Law
- *Mehr*: Definition, Concept, Dower, Kinds of Dower, Rights of Wife in case of Unpaid *Mehr*
- Classification of Divorce (*Talaq*),
- Maintenance of Wife under Muslim personal law,
- Parentage and Legitimacy – Kinds and Powers of guardian

Module III: Schools of Hindu Law

- Mitaksara and Dayabhaga Schools.
- The difference between the Mitakshara and Dayabhaga Schools.

Module IV: Law relating to Minority and Guardianship

- Kinds of Guardians; Duties & Powers of Guardians;
- A detailed study of Hindu Adoption and Maintenance Act, 1956;
- Maintenance: Traditional Rights and Rights under Hindu Adoption & Maintenance Act 1956.

Module V: Civil Marriage and Emerging trends in Family Law

- Provisions of Special Marriage Act, 1954
- Emerging trends: Surrogacy – Live-in Relationship – IVF – Domestic Violence – Same Sex Marriage

Bare Acts

- *The Hindu Marriage Act, 1955*
- *The Hindu Adoption and Maintenance Act, 1956*
- *The Hindu Succession Act, 1956*
- *The Special Marriage Act, 1954*
- *The Dissolution of Muslim Marriages Act, 1939*
- *The Muslim Women (Protection of Rights on Divorce) Act, 1986*

Suggested Readings:

1. Paras Diwan - Family Law ,Allahabad Law Agency, Faridabad
2. Mulla -Hindu Law, Butterworth Publication
3. Mulla- Mohammedan Law Butterworth co.
4. Myneni, S R, Muslim Law(other Muslim Law, Family Law II)
5. A.A.A Fyzee- Outline of Mohammedan Law.
6. Hidayatulla, M, Principles of Mohammedan Law.
7. A.M Bhattacharjee-Muslim Law and Constitution, Easter Law House, Calcutta.
8. Subzari's, Hindu Law(ancient &modified).Ashok Grover & Sons ,Aurangabad

LAW OF CRIMES PAPER-I (IPC)**Module I:**

- Extent and operation of the Indian Penal Code,
- Definition of crime,
- Concept of crime- Definition and meaning of crime
- Distinction between crime and tort, Fundamental elements of crime
- Stage of a crime;
 - ✓ Intention
 - ✓ Preparation,
 - ✓ Attempt – Essentials of the attempt
 - ✓ Commission
- Impossible attempt, attempt and preparation distinguished- *Actus Reus* and *mens rea*

Module II:

- General Explanations and Exceptions (Sec.76-106)
- Definition Constructive joint liability – Mistake – Judicial and executive acts – Accident– Necessity – Infancy – Insanity – Intoxication – Consent – Good faith – Private defense

Module III:

- General exceptions - Abetment (Sec.107 to 116)
- Criminal Conspiracy (Sec 120-A and B)
- Offences against the State (Sec. 121-124A)
- Offences against public peace and Tranquility (Sec. 141-148, 159 and 160)

Module IV:

- Offences affecting human body:
 - ✓ Culpable Homicide and Murder
 - ✓ Hurt and Grievous Hurt
 - ✓ Wrongful restraint and Wrongful confinement
 - ✓ Criminal force and Assault
 - ✓ Kidnapping and abduction

Module V:

- Offences affecting human body:
 - ✓ Culpable Homicide and Murder
 - ✓ Hurt and Grievous Hurt
 - ✓ Wrongful restraint and Wrongful confinement
 - ✓ Criminal force and Assault
 - ✓ Kidnapping and abduction

Module VI:

- Offences against Women:
 - ✓ Rape – custodial rape – marital rape – Prevention of immoral traffic – Prohibition of indecent representation of women – Dowry Harassment – Dowry Death

Module VII:

- Offences affecting the public health:
 - ✓ Safety – convenience – decency and morals
- Unnatural offences-
- Offences against Property
 - ✓ Theft – Extortion – Robbery & Dacoity – Cheating – Mischief – Criminal Trespass – Criminal misappropriation and Criminal breach of trust.

Module VIII:

- Offences by or relating to public servants
 - ✓ False Evidence and Offences against Public Justice
 - ✓ Offences relating to documents
- Offences relating to Marriage
 - ✓ Cruelty by husband and relatives of husband Defamation.

Bare Act:

- *Indian Penal Code, 1860*

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)

**DETAILED SYLLABUS FOR LAW PAPERS IN
SEMESTER II**

Sr. No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-201	Law of Contract II	3	1	0	4
2	LLB-202	Constitutional Law II	3	1	0	4
3	LLB-203	Family Law II	3	1	0	4
4	LLB-204	Law of Crimes II (Cr.P.C)	3	1	0	4
5	LLB-205	Administrative Law	3	1	0	4
6	LLB-206	Property Law including Transfer of Property Act and Easement Act.	3	1	0	4
7	LLB-207	Business Ethics & CSR	1	1	0	2
8	BSD-281	Project & Seminar II	0	0	2	1
9	BSD-282	Skill Development II	0	0	2	1
Total Credit						28

LAW OF CONTRACTS II

Module I: The Contract Act, 1872

- Indemnity
 - ✓ Definition and nature
 - ✓ Extent of liability
 - ✓ Commencement of liabilities
- Guarantees
 - ✓ Definitions and essential features
 - ✓ Extent of Surety's liability
 - ✓ Discharge of surety from liability
 - ✓ Rights of surety
- Bailment
 - ✓ Definition and essential features
 - ✓ Duties of bailer and bailee
 - ✓ Rights of bailee.
- Agency
 - ✓ Definition and
 - ✓ essentials
 - ✓ Creation of Agency
 - ✓ Relation of Principal and Agent – Rights and Duties of agents
 - ✓ Relation of Principal with third party – Agent's Authority
 - ✓ Rights and liabilities of undisclosed principal
 - ✓ Personal liability of Agent – rectification
 - ✓ Determination of Agency

Module II: The Specific Relief Act, 1963

- Nature of specific reliefs
- Recovering possession of property
- Specific performance of contracts
- Contracts which can and which cannot be specifically performed
- Rescission of contract
- Cancellation of instruments
- Rectification of instruments
- Declaratory Decrees
- Injunction
 - ✓ Preventive relief- temporary and perpetual injunctions
 - ✓ Mandatory injunction

Module III: The Partnership Act, 1932

- General
 - ✓ Definition and nature of Partnership.
 - ✓ Essential elements of Partnership.
- Formation of Partnership
 - ✓ Partnership Deed.
 - ✓ Registration of firm – Consequences of non-registration.
- Rights and Liabilities of Partners
 - ✓ Mutual relationship between partners
 - ✓ Authority of Partner
- Admission and Outgoing of Partners
- Dissolution of Firms
 - ✓ Grounds
 - ✓ Consequences

Module IV: The Sale of Goods Act, 1930

- General
 - ✓ Definitions – Buyer, Seller, Goods.
 - ✓ Essentials of Sale, Sale and Agreement to sell.
- Conditions and Warranties – Doctrine of Caveat Emptor.
- ☐ Transfer of ownership
 - ✓ Passing of property
 - ✓ Transfer of title by non – owner
- Performance of Contract of Sale – Delivery
- ☐ Rights and liabilities of Buyers and Sellers.
 - ✓ Right of Unpaid Seller of goods

Module V: Negotiable Instruments Act, 1881

- Definition & Types of Negotiable Instruments
- Notes, Bills & Cheques
- Parties to a Negotiable Instrument
- Negotiation
- Presentment of a Negotiable Instrument
- Dishonour of a Negotiable Instrument
- Discharge of a Negotiable Instrument
- Banker & Customer

Bare Acts:

- *The Indian Contract Act 1872*
- *The Sale of Goods Act 1930*
- *The Specific Relief Act 1963*
- *The Partnership Act 1932*
- *The Negotiable Instruments Act, 1881*

Suggested Readings:-

5. Avtar Singh - Law of Contract
6. Pollock and Mulla - Indian Contract Act
7. N D Kapoor – The Mercantile Law
8. Anson, Anson's Law of Contract

CONSTITUTIONAL LAW II

Module I: Introduction to Citizenship

- Meaning of Citizenship
- Citizenship at the commencement of the constitution (Article 5,6,7)
- Citizenship under the Citizenship Act, 1955
- Issues related to citizenship

Module II: Fundamental Rights (General)

- Origin and development of Fundamental Rights
- Widest interpretation of Provision of Part III
- Suspension of Fundamental Rights
- Definition of “state” (Article 12)
 - ✓ Judicial interpretation in defining the scope and ambit of state
 - ✓ Is Judiciary included in the word “state”
- [Cases- University of Madras v Santa Bai, Electricity Board, Rajasthan v. Mohan Lal, Sukhdev Singh v. Bhagatram, R.D. Shetty v The International Airport Authority of India, Ajay Hasia v Khalid Mujib, Pradeep Kumar Biswas v. Indian Institute of Chemical Biology, Zee Telefilms Ltd UOI, Naresh v. State of Maharastra, A.R. Antulay v. R.S.Nayak]

Module III: Interpretation of Constitution

- Law inconsistent with Fundamental Rights (Article- 13)
- Meaning and Basis of Judicial Review
- Conceptual analysis and comparison with US model
- Application and Rules of Interpretation of Article 13
 - ✓ Voidness arising out of Lack of Legislative Competence
 - ✓ Doctrine of Severability – Doctrine of Eclipse – Doctrine of waiver
- Is Constitutional amendment a ‘law’ under Article- 13
- [Cases- Marbury v Madison, A.K. Gopalan v. State of Madras, State of Bombay v Balsara, R.M.D.C v. Union of India, Bhikaji v State of M.P, Shankari Prasad v UOI, GolakNath v State of Punjab, Kesavananda Bharti v State of Kerala]

Module IV: Right to Equality (Article 14-18) and Right to Freedom (19-22)

- Introduction
- Conceptual Analysis of Equality before Law and Equal Protection of Law
- Article 14 permits classification but prohibits class legislation
- Test of Reasonable Classification
- [Cases- Ramkrishna Dalmia v Justice Tendulkar, E.P. Royappa v. State of Tamil Nadu, Maneka Gandhi v UOI, R.D. Shetty v. Airport Authority]
- Article 14 and Legitimate expectation
- [Cases- Council of Civil Services Unions v. Minister for the Civil Services, Navjyoti Co-op. Group Housing Society v. UOI, FCI v M/s Kamdhenu Cattle Feed Industries, National Building Construction Corporation v. S. Ranghu Nattam)
- Non- Discrimination on the Grounds of Religion, Race, Caste, Sex or Place of Birth (Article- 15)
- [Case- State of U.P v Pradeep Tandon, Dr. Priti Shrivastav v. State of M.P]
- Equality of *Opport Moduley* in Public Employment (Article- 16)

- [Case- State of Kerala v N.M Thomas]
 - ✓ The Mandal Case – Position after Mandal case – Creamy Layer Concept
- [Case- Indra Sawhney v Union of India, Post Graduate Institute of Med. Ed. & Res. V. Faculty Association, E.V. Chinnaiah v state of A.P, Ashok Kumar Thakur v. UOI, M. Nagraj v UOI]
 - ✓ Reservation in Promotions (77th Amendment, 81st Amendment, 85th Amendment)
- Abolition of Untouchability (Article- 17)
- [Case- PUDR v UOI]
- Abolition of Titles (Article- 18)

Module V: Right to Freedom (19-22)

- Introduction
- The Six Freedom
 - a. Freedom of Speech and Expression
 - [Cases- National Anthem case, Bennett Coleman vs UOI, UOI v Navin Jindal, UOI v ADR]
 - b. Freedom of Assembly
 - c. Freedom to form Association
 - [Cases- Dharam Dutt v UOI, O.K.A Nair v UOI, Delhi Police Non-Gazetted Karmachari Sangh v. UOI]
 - d. Freedom of Movement
 - [Cases- CPI(Marxist) v Bharat Kumar]
 - e. Freedom of Residence
 - f. Freedom of Profession, Occupation, Trade or Business
 - [Cases- P. A. Inamder v State of Maharastra, B.R. Enterprises v State of U.P, Noise Pollution, *In re* , T.M.A.Pai Foundation v State of Karnataka
- Conceptual clarity of Reasonable Restriction.
- Instance of Reasonable Restrictions.
- Instances of Unreasonable Restrictions.
- Protection in Respect of Conviction for offences (Article 20)
 - ✓ Ex-post Facto law
 - ✓ Double Jeopardy
 - ✓ Protection against Self-Incrimination
- [Cases- Nandani Sathpathy v. P.L. Dani, Sampath Kumar v E.O. Enforcement Directorate, Madras]

Module VI: Protection of Life and Personal Liberty (Article 21)

- Introduction – Prior to Maneka Gandhi Decision – Maneka Gandhi’s Case- A new Dimension – Post Maneka Gandhi Case
- [Cases- A.K. Gopalan case, Kharak Singh Case v State of Punjab, Maneka Gandhi v. UOI, Francis Coralie v. Delhi Administration, Sunil Batra case, Hussainara Khatoon case, Olga Tellis v Bombay Municipal Corporation, M.C Mehta v UOI, PUDR v UOI, PUCL v UOI]
- Judicial Activism with Article 21
- Right to Education (Article- 21A)
- [Cases- Mohini Jain and Unni Krishnan case v State of A.P]
- Safeguards Against Arbitrary Arrest and Detention (Article- 22)

- [Cases- Joginder Kumar v State of U.P, D.K.Basu v State of W.B]

Module VII: Right against Exploitation (Article 23-24) and Right to Freedom of Religion (Article 25-28)

- Prohibition of ‘Traffic in Human Beings’ and Forced Labour
- Prohibition of employment of Children in Factories
 - [Cases- PUDR v UOI, Gaurav Jain v UOI, M.C Mehta v State of T.N, Bandhua Mukti Morcha v UOI]

Module VIII: Right to Freedom of Religion (Article 25-28)

- India is a Secular State
 - ✓ Secularism meaning and respect for different Religion
 - ✓ What is Religion
- Restriction on Freedom of Religion
- Freedom to manage religious affairs
- Right to establish and maintain Institution for Religious and Charitable purpose
- Right to manage ‘matter of Religion’
 - [Cases- S. R. Bommai v UOI, M. Ismail Faruqui v UOI, Bijoe Emmanuel v State of Kerala, Bramachari Sidheswarshai v State of W.B, Aruna Roy v UOI]

Module IX: Cultural and Educational Rights (Article- 29-30)

- Distinction between Article 29(2) and Article 15(1)
- Relationship between Article 29(1) and 30(1)
- Unaided minority educational institutions
- Unni Krishnan and St. Stephen’s Decision partly overruled
 - [Cases- Unni Krishnan v. state of A.P, St. Stephen college v University of Delhi, Frank Anthony Public School Employees Association v UOI, T.M.A PAI foundation v state of Karnataka, P.A. Inamdar v State of Maharashtra]

Module X: Right to Constitutional Remedies (Article 32-35)

- Introduction – Who can apply – A Dynamic approach:- Origin of Public Interest Litigation – Abuse of PIL- Guideline by Supreme Court – Judicial Activism vis-a-vis Judicial Restrain
- [Cases- Rupa Ashok Hura v. Ashok Hura, A.B.S.K Sang (Rly) v. UOI, PUDR v. UOI, Bandhua Mukti Morcha case, Sheela Barse v. UOI, Shiram Food and Fertilizer case, etc]

Module XI: Directive Principle of State Policy (Article 36-51)

- Introduction
- Objective of DPSP
- Modes of DPSP
 - ✓ Social and Economic Charter
- [Cases- M.C. Mehta case I,II]
 - ✓ Social Security Charter
- [Cases- Unni Krishnan Case, Centre of Legal Research v State of Kerala]
 - ✓ Comm Moduley Welfare Charter

- [Cases- Sarala Mudgal v UOI, Danial Latif v UOI,
- Relation between DPSP and FR
- DPSP given status of FR

Module XII: Fundamental Duties (Article 51A)

- Needs for Fundamental Duties
- Sources of Fundamental Duties
- Fundamental Duties- An aid to Interpretation of constitutional Provisions
- [Cases- AIIMS student union v. AIIMS, Aruna Roy v UOI]

Bare Acts:

- *The Constitution of India, 1950*

Suggested Readings:-

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad

FAMILY LAW II

Module I: Principles of Inheritance under Hindu Law

- Property Mitakshara and Dayabhaga Schools
- Principles of Inheritance: The Hindu Succession Act, 1956;
- General Rules of Succession of a Hindu Male and Female dying Intestate under the Hindu Succession Act;
 - ✓ Stridhan and Women's Estate;
 - ✓ Gifts and
 - ✓ Testamentary Succession-Wills.
- Formation and Incident under the Coparcenary Property under *Dayabhaga* and *Mitakshara*:
 - ✓ Extent and Mode of Succession
 - ✓ Karta of Joint Family: Position, Powers and Privileges
 - ✓ Debts: Doctrine of Pious Obligation and Antecedent Debts

Module II: Partition under Hindu Law

- Meaning,
- Division of Right and Division of Property: Persons Entitled to Demand Partition - Partition how Effected – Suit for Partition – Re-opening of Partition – Reunion

Module III: Principles of Inheritance under Muslim Law

- Shia and Sunni schools; Distribution of property
- Muslim Law of Property: Meaning and Concept of Will (Wasiyat) – Formalities – Will (Wasiyat) made in deathbed or during illness

Module IV: Gift (Hiba)

- Concept – Formality – Capacity – Revocability

Module V: Wakf

- Concept of wakf
 - ✓ Essential conditions – Kinds of Wakf – Creation of Wakf and its essentialities – completion – Legal consequences – Difference between conditional Wakf and Contingent Wakf – Revocation
- Mutawali
 - ✓ Definition – Competency and Incompetency of Mutawali – Appointment – Removal – Procedure of Removal

Module VI: Indian Succession Act, 1925

- Wills and Codicils
- Definition of will
- Essential Characteristics of a will
- Persons capable of making a will
- Probate
- Letter of Administration
- Executor
- Administrator
- Succession Certificate

Bare Acts

1. *The Hindu Marriage Act, 1955*
2. *The Hindu Adoption and Maintenance Act, 1956*
2. *The Hindu Succession Act, 1956*
3. *The Special Marriage Act, 1954*
4. *The Dissolution of Muslim Marriages Act 1939*
5. *The Muslim Women (Protection of Rights on Divorce) Act 1986*

Suggested Readings:

1. Paras Diwan - Family Law ,Allahabad Law Agency, Faridabad
 2. Mulla -Hindu Law, Butterworth Publication
 3. Mulla- Mohammedan Law Butterworth co.
 4. Myneni, S R, Muslim Law(other Muslim Law, Family Law II)
 5. A.A.A Fyzee- Outline of Mohammedan Law.
 6. Hidayatulla, M, Principles of Mohammedan Law.
 7. A.M Bhattacharjee-Muslim Law and Constitution, Easter Law House, Calcutta.
- Subzari's, Hindu Law(ancient & modified).Ashok Grover & Sons ,Aurangabad

CRIMINAL LAW PAPER II
CRIMINAL PROCEDURE CODE
&
PROBATION OF OFFENDERS ACT AND JUVENILE JUSTICE ACT

Module I: Introduction

- The Code of Criminal Procedure, 1973: Object, Scope and Extent of Cr.P.C.
- Definitions.
- Constitution of criminal courts and their powers.
- The importance of fair trial.
- The organization of Police, Prosecutor and Defence Counsel
- Distinction between cognizable and non-cognizable offences.

- Warrant and Arrest:
 - Power to Investigate
 - Steps to ensure presence of accused at trial :
 - ✓ Warrant and Summons cases.
 - ✓ Arrest with and without Warrant (Section 70-73 and 41).
 - ✓ The absconder status (section 82, 83, and 85).
 - ✓ Rights of arrested persons under Cr.P.C, and Article 22 (2) of the Constitution of India.

Module II: Pre-Trial Process

- Search and Seizure:
 - ✓ Search Warrant (section 83, 94, 97, 98) and Search without warrant:
 - ✓ Police search during investigation (section 165, 166, 153).
 - ✓ General Principles of Search (Section-100) and Seizure (Section-102):
Constitutional aspects of validity of Search and Seizure proceedings.
 - ✓ F.I.R (Section-154).
- Commencement of Proceedings (section 200, 201, 202).
- Dismissal of Complaint (section 203, 204).
- Bail, Bailable and Non-bailable Offences (section 436, 437, 438):
 - ✓ Cancellation of Bails (section 437 (5)).
 - ✓ Anticipatory Bail (section 438).
 - ✓ Appellate bail powers (section 389 (1), 395 (1), 437 (5)).
 - ✓ General Principles concerning Bail Bond (section 441 - 450).

Module III: Fair Trial

- Concept of fair trial.
- Presumption of innocence.
- Venue of trial Jurisdiction of Criminal Courts.
- Rights of accused (Section-221-224)-Constitutional Interpretation of Article 21 as a right to speedy trial.
- Charge.
- Form and content of Charge (section 211, 212, and 216).
- Separate charge for distinct offence (section 218, 219, 220, 221, 223).
- Discharge – pre- charge evidence.
- Preliminary pleas to bar trial.
 - ✓ Jurisdiction (section 26, 177- 189, 461, 462, 479).
 - ✓ Time Limitation (section 468 - 473).
 - ✓ Pleas of *Autrefois Acquit and Autrefois Convict* (section 300 and Art 22d).
- Compounding of offences.
- Trial before a Court of Session: Procedural steps and substantive rights.
- Summary trial (Sec 260-265).

Module IV: Judgment

- Form and content (section 354).
- Post conviction orders in lieu of punishment(section 360, 361, 31):
 - ✓ Emerging penal policy of Plea Bargaining.
- Modes of providing judgment (section 353, 362, and 363).
- Compensation and cost (section 357,358).

- Appeals, review and revisions-Reforms in Criminal Procedure Code:
 - ✓ Appeal before Supreme Court of India and High Courts (section 374, 379) and (Article 31, 132, 134, 136 of constitution of India)
 - ✓ Appeal to Sessions Court (section 374)
 - ✓ Special right to appeal (section 380)
 - ✓ Government appeal against sentencing (section 377, 378)
 - ✓ Judicial power in disposal of appeal (section 368)
 - ✓ Legal aid in appeals
 - ✓ Revisional jurisdiction (section 397- 405)
 - ✓ Transfer of cases (section 406, 407)

Module V: Preventive Measures

- Removal of Public Nuisance.
- Security Provisions.
- Maintenance of wife, children & parents.

Module VI: Probation and Parole

- Authority granting Parole.
- Supervision.
- Conditional release.
- Suspension of sentence.
- Procedure under Probation of Offenders Act, 1958:
 - ✓ Salient features of the Act.
- Juvenile Justice System:
 - ✓ Juvenile Justice (Care and Protection of Children) Act of 2000.
 - ✓ Procedure under Juvenile Justice Act.
 - ✓ Treatment and Rehabilitation of Juveniles.
 - ✓ Protection of Juvenile Offenders.
 - ✓ Legislative and Judicial Role.

Bare Acts:

- *The Code of Criminal Procedure, 1973.*
- *The Probation of Offenders Act, 1958.*
- *Juvenile Justice (Care and Protection of Children) Act, 2000.*

Suggested Readings:-

1. Ratanlal & Dhirajlal- Criminal procedure Code.
2. Chandrashekar Pillai, Kelkar Lectures on Criminal Procedure Code.
3. S.N.Mishra, The Code of Criminal Procedure
4. Shaileendra Malik, The Code Of Criminal Procedure.
5. R.N. Choudhari, Juvenile Justice in India.
6. K.L.Sethi, The Probation of offender Act, 1958.
7. Woodroffe, Commentaries on Cr.P.C.

ADMINISTRATIVE LAW

Module I: Introduction to Administrative Law

- Nature and scope of administrative law

- The growth of administrative law
- Relationship between administrative law and constitutional law
- Rule of law
- Separation of powers
- Droit Administratif

Module II: Classification of Administrative Action

- Pure administrative action
- Quasi-legislative action
- Quasi-judicial action
- Ministerial action
- Administrative instructions
- Administrative discretion

Module III: Rule-Making Power of the Administration/ Delegated Legislation

- Concept of delegated legislation and the need for administrative rule-making
- Classification of delegated legislation
- Restraints on delegation
- Constitutionality of delegated legislation
- Control over administrative rule-making: Parliamentary control – Procedural control – Judicial control

Module IV: Decision-Making or Adjudicatory Power of the Administration

- Concept of administrative adjudication and tribunals
- Need for administrative adjudication
- Court of law and the administrative agency exercising adjudicatory powers
- Modes of administrative decision-making
- Problems of administrative decision-making

Module V: Principles of Natural Justice

- Rule against bias
- *Audi Alteram Partem*
- Reasoned decisions or speaking orders
- Post-decisional hearing
- Exceptions to the rule of natural justice
- Effect of breach of natural justice

Module VI: Judicial Review of Administrative Action

- Jurisdiction of the Supreme Court & High Courts
- Public law review principles
- Doctrine of legitimate expectation
- Doctrine of public accountability
- Doctrine of proportionality
- Modes of judicial review
 - Public law review
 - Private law review

Module VII: Governance & People

- Principles of good governance
 - ✓ Transparency and public accountability
 - ✓ Right to know
- Remedies for maladministration
 - ✓ Ombudsman
 - ✓ Lokpal & Lokayukta
 - ✓ Central Vigilance Commission (CVC) & Central Bureau of Investigation (CBI)
 - ✓ Global administrative law

Module VIII: Liability of the Administration

- Liability of the administration in contract
- Liability of the administration in tort
- Privileges and immunities of the administration in suits
 - Privilege of notice
 - Privilege to withhold documents
 - Immunity from statute operation
 - Doctrine of promissory estoppel

Suggested Readings:

1. M.P. Jain and S.N. Jain, Principles 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

PROPERTY LAW

(Transfer of Property Act and Easement Act)

Module I: General Principles pertaining to Movable and Immovable Property

- General Definitions:
 - ✓ Immovable Property.
 - ✓ Attestation.
 - ✓ Notice.
 - ✓ Transfer of property (Meaning- Section 5).
 - ✓ Meaning of Property in Non-Transferable Properties ((Section 6).
- The concept of Transfer:
 - ✓ Persons Competent to Transfer (Section- 7).
 - ✓ Incidents of Transfer (Section-8).
 - ✓ Oral Transfer (Sections- 9).
 - ✓ Conditions Restraining Alienation (Sections 10 to 12).

- ✓ Transfer for Benefit of Unborn Person and Rule against Perpetuity (Sections 13 to 18).
- ✓ Vested and Contingent Interests (Sections 19 and 21).
- ✓ Conditional Transfers (Sections 25 to 29).
- ✓ Doctrine of Election (Section 35).

Module II: General Principles applicable to transfer of Immoveable Properties only

- Transfer by Transfer by ostensible owner (Sections 41)
- Doctrine of Feeding the Grant by Estoppel. (Section-43).
- Restrictive Covenant and Protection of Third Persons Rights (Sections 39 and 40).
- Lis Pendens (Section 52).
- Fraudulent Transfer (Section 53).
- Part-Performance (Section 53A).

Module III: Sale of Immovable Property

- Sale:
 - ✓ Essential features of Sale.
 - ✓ Definition:
 - Sale (Section- 54).
 - Exchange (Section-118).
 - ✓ Rights and liabilities of parties in Sale.
- Mortgages:
 - ✓ Definition:
 - Mortgage,
 - Mortgagor,
 - Mortgagee,
 - Mortgage Money,
 - Mortgage Deed (Section 58),
 - Charge (Section 100).
 - ✓ Kinds of Mortgage (Section 58).
 - ✓ Mode of Formalities for Creation of Mortgage (Section 59).
 - ✓ Rights and liabilities of mortgagor and mortgagee.
 - ✓ Right to Redeem, Partial Redemption, Clog on Redemption, (Section 60).
 - ✓ Marshalling and Contribution (Sections 81 and 82).
 - ✓ Subrogation (Sections 91 and 92).
 - ✓ Charge (Section-100).

Module IV: Lease of Immovable Property

- Lease:
 - ✓ Definition:
 - Lease (Section-105).
 - License (Section-52 The Indian Easement Act, 1882).
 - ✓ Essential features.
 - Kinds of leases.
 - Rights and liabilities of lessor and lessee.
 - How lease is made (Section-107).
 - Determination/Termination of Lease (Section 111).
 - Forfeiture (Section-114).

- Effect of Holding over (Section 116).
- Exchange (Section- 118).
- Gifts-Definition (Section 122).
 - ✓ Different types of gifts.
 - ✓ Registration of Gifts.
 - ✓ Transfer how affected ((Section 123).
 - ✓ Onerous Gift (Section 127).
 - ✓ Universal Donee (Section 128).
 - ✓ Transfer of Actionable Claims (Section-130).

Module V: Easements

- Definition of easement. (Section-4)
- Acquisition and Kinds of Easements.
- Distinction between Lease and License.
- Dominant and Servient Tenements.

Bare Acts:

- *The Transfer of Property Act, 1882*
- *The Indian Easement Act, 1882*

Suggested Readings:

1. Mulla, Transfer of Property Act.
2. Subba Rao, Transfer of Property Act.
3. V.P.Sarathy, Transfer of Property.
4. T.P.Tripathi, Transfer of Property Act.
5. S.N.Shukla, Transfer of Property Act.

DETAILED SYLLABUS FOR
LAW PAPERS IN
SEMESTER III

Sr. No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-301	Civil Procedure Code and Limitation Act	3	1	0	4
2	LLB-302	Labor Law I	3	1	0	4
3	LLB-303	Land Laws including ceiling and any other local laws	3	1	0	4
4	LLB-304	Corporate Law	3	1	0	4
5	LLB-305	Intellectual Property Rights	3	1	0	4
6	LLB-306	Clinical Paper I (Drafting, Pleading & Conveyancing)	3	1	0	4
7	EVS-302	Environmental Science	1	1	0	2
8	BSD-381	Project & Seminar III	0	0	2	1
9	BSD-382	Skill Development III	0	0	2	1
Total Credit						28

CODE OF CIVIL PROCEDURE & LIMITATION ACT

Module I: Introduction

- Historical perspective and Introduction to Civil Procedure Code.
- Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, *Mesne*- Profits, Affidavit, Suit.

Module II: Suits in General

- Important Concepts: *Res Sub-Judice*, *Resjudicata*, Restitution, *Caveat*, Inherent Powers of Courts
- Presumptions as to foreign Judgments.
- Execution of Judgement and Decree
- Jurisdiction and Place of Suing
- Institution of Suit
- Pleadings: Meaning, Object, General rules, Amendment of Pleadings
- Complaint and Written Statement
- Appearance and Non-Appearance of Parties
- ✓ Costs and Interests

Module III: Judgment and Execution

- Execution of Decrees and Orders,
- Death, Marriage and Insolvency of Parties,
- Withdrawal and Adjustment of Suits (Order XX-XXIII),

- Suits by or against the Government and Public Officers,
- Suits Involving a Substantial Question of Law,
- Suits by or against Corporation, Suits by or against Firms, Trustees, Executors and Administrators,
- Suits by or against Minors and Persons of Unsound Mind, Suits Relating to Matters

Module IV: Interim Orders

- Temporary Injunctions
- Summary Procedure
- Suits by Indigent persons
- Inter-pleader Suit

Module V: Appeal, Reference, Review and Revision

- Appeals from Original Decree
- Appeals from Appellate Decrees
- General Provisions relating to Appeals
- Reference to High Court
- Review
- Revision

Module VI: LIMITATION ACT, 1963

- Introduction and Historical background of the limitation Act
- Bar of Limitation
- Computation of period of limitation.

Bare Acts:

- *The Code of Civil procedure, 1908*
- *The Limitation Act, 1963*

SUGGESTIVE READINGS:

1. Sudipto Sarkar & V.R. Manohar, *Sarkar's Code of Civil Procedure* (2 Vols), Lexis Nexis India (11th Edn)
2. C.K. Takwani, *Code of Civil Procedure*, Eastern Book Company, 2010
3. M.R. Malik, *Ganguly's Civil Court, Practice and Procedure*, Eastern Law House, 2012
4. M.P. Tandon, *Code of Civil Procedure*, Allahabad Law Agency, 2005
5. Dinshaw Fardausi Mulla, *Mulla's Code of Civil Procedure*, Lexis Nexis (18th Edn)

LABOUR LAW I

Module I: Trade Unions and Collective Bargaining

- Trade Unionism in India
- Definition of Trade Union and Trade Dispute
- Registration of Trade Unions
 - ✓ Legal Status of Registered Trade Union
 - ✓ Mode of Registration

- ✓ Powers and Duties of Registrar
- ✓ Cancellation and Dissolution of Trade Union
- ✓ Procedure for Change of Name
- ✓ Amalgamation and Dissolution of Trade Union
- Disqualifications of Office-bearers, Right and Duties of Office-bearers and Members
- General and Political Funds of Trade Union
- Civil and Criminal Immunities of Registered Trade Unions
- Recognition of Trade Union
- Collective Bargaining

Module II: Resolution of Industrial Dispute

- Industrial Dispute Act, 1948
 - ✓ Industrial Dispute and Individual Dispute
 - ✓ Arena of Interaction and Participants: Industry, Workman and Employer
 - ✓ Settlement of Industrial Dispute
 - Works Committee
 - Conciliation Machinery
 - Court of Enquiry
 - Voluntary Arbitration
 - Adjudication: Labour Court, Tribunal and National Tribunal
 - ✓ Powers of the Appropriate Government under the Industrial Disputes Act, 1947
 - ✓ Unfair Labour Practice

Module III: Instruments of Economic Coercion

- Concept of strike
 - ✓ *Gherao*
 - ✓ *Bandhand* Lock-out
 - ✓ Types of Strike
 - ✓ Rights to Strike and Lock-out
 - ✓ General Prohibition of strikes and lock-outs
 - ✓ Prohibition of Strikes and Lock-outs in Public Utility Services
 - ✓ Illegal Strikes and Lock-outs
 - ✓ Justification of Strikes and Lock-outs
 - ✓ Penalties for Illegal strikes and Lock-outs
 - ✓ Wages for Strikes and Lock-outs
- Lay-off
 - ✓ Retrenchment
 - ✓ Transfer and Closure: Definition of Lay-off and Retrenchment Compensation
 - ✓ Compensation to Workmen in Case of Transfer of Undertaking Closure
 - ✓ Closure: Prevention and Regulation
 - ✓ Conditions: Precedent for Retrenchment
 - ✓ Special Provisions Relating to Lay-off, Retrenchment and Closure in Certain Establishments
 - ✓ Procedure for Retrenchment and Re-employment of Retrenched Workmen and Penalty c. Disciplinary Action and Domestic Enquiry
- Management's Prerogative during the Pendency of Proceedings
- Notice of Change

Bare Act:

- *The Trade Unions Act, 1926*
- *The Industrial Employment (Standing Orders) Act, 1946*
- *The Industrial Dispute Act, 1948*

References:

1. Indian Law Institute, *Cases and Materials on Labour Law and Labour Relations*, 1963
2. PL Malik, *Industrial Law*, Eastern Book Company, 2013
3. Dr. Goswami, *Labour and Industrial Law*, Central Law Agency, 2011
4. Surya Narayan Misra, *An Introduction to Labour and Industrial Law*, Allahabad Law Agency, 1978
5. S.C. Srivastava, *Industrial Relations and Labour Law*, Vikas Publishing House, New Delhi, 6th Edn., 2012
6. Chaturvedi, *Labour and Industrial Law*, Central Law Agency, 2004
7. S.C. Srivastava, *Commentaries on the Factories Act, 1948*, Universal Law Publishing House, Delhi, 2002
8. H.L. Kumar, *Workmen's Compensation Act, 192*, Universal Law Publishing, 2009
9. Surya Narayan Misra, *An Introduction to Labour and Industrial Law*, Allahabad Law Agency, 1978
10. S.C. Srivastava, *Industrial Relations and Labour Law*, Vikas Publishing House, New Delhi
11. M.S Siddiqui, *Cases and Materials on Labour Law and Labour Relation*, Indian Law Institute, 1963
12. P.L. Malik, *Industrial Law*, Eastern Book Company, 2013
13. Dr. Goswami, *Labour and Industrial Law*, Central Law Agency, 2011
14. Chaturvedi, *Labour and Industrial Law*, 2004
15. ZMS Siddiqi and M.Afzal Wani, *Labour Adjudication in India*, ILI, 2001.

LAND LAWS**(INCLUDING CEILING AND ANY OTHER LOCAL LAWS)****Module I: Land Reform**

- Concept of Land Reform;
- Land Reforms and India.

Module II: Land Reforms in WB

- Land Reforms in West Bengal;
- Operation Barga.

Module III: THE WEST BENGAL LAND REFORMS ACT, 1956

- ✓ *Raiyats*: Various rights; restrictions on rights (Sections 4-7)
- ✓ Pre-emption (Section- 8)
- Powers of Revenue Officer (Section 9, and powers under other provisions under the Act)
- Diluvated Land (Section 11)

- ✓ Partition of holding among Co- sharer *Raiyats* (Section 14)
- ✓ Restrictions on alienation of Land by Schedule Tribes (Sections 14A - 14I)
- ✓ Ceiling on Holding (Sections 14J - 14Z)
- ✓ *Bargadars* (Sections 15 - 21E)
- ✓ Principles of Distribution of Land (Sections 49 - 49A)

Module IV: THE LAND ACQUISITION ACT, 1894

- Definitions (Section 3)
 - ✓ Acquisition (Sections 4 - 10)
 - ✓ Reference to Court and Procedure thereon (Sections 18 - 28A)
 - ✓ Acquisition of land for Companies (Sections 38A - 44B)

Module V: THE WEST BENGAL PREMISES TENANCY ACT, 1997

- Definitions (Section 2)
 - ✓ Eviction: (Sections 6 - 7)
 - ✓ Fair Rent: (Sections 17 - 22)
- Appointment of Controller,
- Additional and Deputy Controller and Registrar: (Section 39)
- Final Hearing of certain applications: (Section 42)
- Appeal, Revision and Review: Fair Rent: (Section 43)

Module VI: THE WEST BENGAL APARTMENT OWNERSHIP ACT, 1972

- Definitions (Section 3)
- Common area & facilities and Bye laws (Sec-5-8)
- Common Profits & Expenses and declaration (Sec 9-10)
- Byelaws & Penalty (Sec 11-16)

Module VII: THE RIGHTS TO FAIR COMPENSATION & TRANSPERANCY IN LAND ACQUISITION, REHABILITATION & RESETTLEMENT ACT, 2013

- Determination of Social impact & Public Purpose
- Notification & Acquisition
- Rehabilitation & Resettlement Award
- Procedure and manner of Rehabilitation & Resettlement
- Committees & Authorities for Rehabilitation & Resettlement
- Apportionment of Compensation
- Payment
- Temporary Occupation of Land
- Offences & Penalties

Bare Acts:

- *The West Bengal Land Reforms Act, 1956*
- *The Land Acquisition Act, 1894*

- *The West Bengal Premises Tenancy Act, 1997*
- *The West Bengal Apartment Ownership Act, 1972*
- *The Rights To Fair Compensation & Transparency In Land Acquisition, Rehabilitation & Resettlement Act, 2013*

RECOMMENDED READING:

1. The West Bengal Land Reforms Act. : A. N. Saha,
2. The West Bengal Land Reforms Act. : SusantaSen,
3. The West Bengal Land Reforms Act. : D. P. Chatterjee,
4. The West Bengal Land Reforms Act. : Ashutosh Mukherjee

COMPANY LAW**Module I: Company Form and Structure**

- Corporate Personality – Concept and kinds
- Company – Definition, Nature, Characteristic feature
- Classification of companies
- Company vis-à-vis Body Corporate
- Company as distinguished from other forms of business
- Doctrine of piercing the corporate veil – Statutory exceptions and Judicial interpretations
- Promotion – Legal position of Promoters, Duties and Liabilities
- Pre-incorporation Contracts

Module II: Company - Registration and Incorporation

- Memorandum of Association – Importance and Contents
- Articles of Association – Significance and interrelationship
- Doctrine of Ultra Vires – Applicability, consequences
- Doctrine of Constructive Notice – Rule of presumption
- Doctrine of Indoor Management – Concept & exceptions
- Certificate of Incorporation and Commencement
- Deposits, Prospectus (meaning, issue and kinds)

Module III: Corporate Fund Raising

- Share/Equity Capital – Meaning and Nature of Shares, Kinds of Shares
- Rights issue, Bonus Issue - Rationale, mechanism
- Allotment –Principles & procedure
- Sweat Equity Shares
- Issue of shares at premium and discount
- Calls on shares, Forfeiture of shares
- Debenture/Debt Capital –Concept, Meaning and Kinds
- Shareholder vis-à-vis Debenture holder

Module IV: Corporate Management

- Directors – Meaning, Types, Qualifications, Disqualifications
- Legal Position of Directors
- Appointment and Removal of Directors
- Powers and Duties of Directors
- Meetings – Kinds and Requisites of valid meeting

Module V: Corporate Collapse

- Winding Up – Meaning and Types
- Modes of Winding Up and Procedure
- Winding Up by the Tribunal
- Voluntary Winding Up

Bare Acts:

- The Companies Act, 2013

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, Butterworth

INTELLECTUAL PROPERTY RIGHTS

Module I: Introduction

- The meaning of intellectual property
- Forms of intellectual property: copyright, trademarks, patents and designs
- New forms as plant varieties and geographical indications
- Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright, Convention, the Paris Convention, Trips, the World Intellectual Property Rights Organization (WIPO) and the UNESCO

Module II: Law of copyright in India

- Historical evolution of the copyright law
- Meaning of copyright
- Copyright in literacy, dramatic and musical works
- Copyright in sound records and cinematograph films
- Ownership of copyright
- Assignment and licence
- Copyright authorities
- Infringement of Copy right and remedies including Anton Pillor injunctive relief in India

Module III: Trademarks

- The rationale of protection of trademarks as an aspect of commercial and of consumer rights, Dilution Theories of trade mark
- Definition and concept of trademarks
- Registration of trademark- authorities under the trademark Act
- Passing off and infringement
- Remedies

Module IV: Design

- 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

Module V: Patents

- Concepts and Historical view of the patents
- Process of obtaining a patent, authorities
- Procedure for filling patents: patent co-operation treaty
- Prior publication or anticipation
- Rights and obligations of a patentee
- Compulsory licences

- Infringement; defences
- Injunctions and related remedies

Module VI: Miscellaneous

- Geographical indication,
- Plant varieties
 - ✓ Traditional knowledge
 - ✓ Bio piracy,
- Patentability of Biotechnology and micro organize
- New plant culture and breeds Act

Bare Acts:

- *The Trademarks Act, 1999.*
- *The Patents Act, 1970.*
- *The Copyright Act, 1957.*
- *The Designs Act, 2000.*
- *The Geographical Indications of Goods (Registration and Protection), 1999.*
- *The Protection of Plant Varieties and Farmers Rights Act, 2001.*
- *The Biodiversity Act, 2002.*

Suggested Readings:

1. Cornish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right, Asia Law House, Hyderabad.
2. Vikas Vashishth, Law and practice of Intellectual Property, Bharat Law House Delhi.
3. P. Narayanan, Intellectual Property Law, (ed) Eastern Law House, Calcutta
4. Bibeck Debroy (ed). Intellectual Property Right, Rajiv Gandhi Foundation, Delhi
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries
6. W.R. Cornish, Intellectual Property (3rd ed) Sweet and Maxwell
7. K. Thairani, copyright: The Indian Experience.

CLINICAL PAPER I **(DRAFTING, PLEADING AND CONVEYANCE)**

Module I: Drafting

- General principles of drafting and relevant substantive rules

Module II: Pleadings

- **Civil**
 - ✓ Complaint, Written Statements, Affidavit, Execution Petition,
 - ✓ Interlocutory application, Original Petition, Memorandum of
 - ✓ Appeal and Revision, Petition under Articles 32 & 226 of the
 - ✓ Constitution of India, PIL petition.
- **Criminal**
 - ✓ Complaint, Criminal Miscellaneous Petition, Bail

- ✓ Application, Memorandum of Appeal and Revision
- **Practical exercises**

Module III: Conveyence

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

VIVA VOCE – Marks 10

NOTE: Students will have to put in four weeks of internship compulsorily in Semesters VI, VIII, IX, X, The internship should be in the following Institutions or Organizations:

- NGO
- Trial and Appellate Advocates [compulsory]
- Judiciary,
- Legal Regulatory Authorities,
- Legislatures and Parliament,
- Market Institutions,
- Law Firms,
- Companies,
- Local Self-government,
- Other Legal Functionaries,
- Any other body approved by the University.

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.
5. R.D.Srivastava: The Law of Pleadings, Drafting and Conveyancing, Central Law Agency

DETAILED SYLLABUS FOR LAW PAPERS IN
SEMESTER IV

Sr. No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-401	Optional I	3	0	0	3
1	LLB-402	Labor Law II	3	0	0	3
2	LLB-403	Interpretation of Statutes	4	0	0	4
3	LLB-404	Arbitration, Conciliation and Alternate Dispute	3	0	0	3
4	LLB-405	Law of Crimes III (Evidence)	3	1	0	4
5	LLB-406	Public International Law	3	1	0	4
6	LLB-407	Management Practices & Entrepreneurship	1	1	0	2
7	BSD-481	Project & Seminar IV	0	0	2	1
8	BSD-482	Skill Development IV	0	0	2	1
Total Credit						25

LABOUR LAW II

Module I: The Minimum Wages Act, 1948

- Concept of Minimum Wage, Fair Wage, Living Wage and Need Based Minimum Wage
- Constitutional Validity of the Minimum Wages Act, 1948
- Procedure for Fixation and Revision of Minimum Wages
- Fixation of Minimum Rates of Wage by Time Rate or by Piece Rate
- Procedure for Hearing and Deciding Claims

Module II: The Payment of Wages Act, 1936

- Object, Scope and Application of the Act
- Definition of Wage
- Responsibility for Payment of Wages
- Fixation of Wage Period
- Time of Payment of Wage
- Deductions which may be made from Wages
- Maximum Amount of Deduction

Module III: The Factories Act, 1948

- Approval, Licensing and Registration of Factories
- Concept of “Factory”, “Manufacturing Process”, “Worker”, and “Occupier”
- General Duties of Occupier
- Measures to be taken in Factories for Health, Safety and Welfare of Workers
- Working Hours of Adults
- Employment of Young Person and Children
- Annual Leave with Wages

- Additional Provisions Regulating Employment of Women in Factory

Module IV: The Employee's Compensation Act, 1923

- Definition of Dependant, Workman, Partial Disablement and Total Disablement
- Employer's Liability for Compensation
 - ✓ Scope of Arising out of and in the Course of Employment
 - ✓ Doctrine of Notional Extension
 - ✓ When Employer is not liable
- Employee's Provident fund and miscellaneous provisions Act, 1952
- Employer's Liability when Contract or is engaged
- Amount of Compensation
- Distribution of Compensation
- Procedure in Proceedings before Commissioner
- Appeals

Module V: Retirement Benefits

- Employee's Provident fund and miscellaneous provisions Act, 1952
- Employees Pension Scheme, 1995 and Family Pension Scheme
- Social Security for the unorganized Sector

Bare Acts:

- The Minimum Wages Act, 1948
- The Payment of Wages Act, 1936
- The Factories Act, 1948
- The Employee's Compensation Act, 1923

Suggested Readings:

1. Indian Law Institute, *Cases and Materials on Labour Law and Labour Relations*, 1963
2. PL Malik, *Industrial Law*, Eastern Book Company, 2013
3. Dr. Goswami, *Labour and Industrial Law*, Central Law Agency, 2011
4. Surya Narayan Misra, *An Introduction to Labour and Industrial Law*, Allahabad Law Agency, 1978
5. S.C. Srivastava, *Industrial Relations and Labour Law*, Vikas Publishing House, New Delhi, 6th Edn., 2012
6. Chaturvedi, *Labour and Industrial Law*, Central Law Agency, 2004
7. S.C. Srivastava, *Commentaries on the Factories Act, 1948*, Universal Law Publishing House, Delhi, 2002
8. H.L. Kumar, *Workmen's Compensation Act, 1923*, Universal Law Publishing, 2009

INTERPRETATION OF STATUTES **(INTERPRETATION OF STATUTES AND PRINCIPLE OF LEGISLATION)**

Module I: Principles of Legislation

- Law-making - the legislature, executive and the judiciary

- Principle of utility
- Relevance of John Rawls and Robert Nozick – Individual interest to community Interest
- Operation of these principles upon legislation
- Distinction between morals and legislation

Module II: Interpretation of Statutes

- Meaning of the term 'statutes'
- Commencement, operation and repeal of statutes
- Purpose of interpretation of statutes.

Module III: Aids to Interpretation

- Internal aids
 - Title
 - Preamble
 - Headings and marginal notes.
 - Sections and sub-sections
 - Punctuation marks.
 - Illustrations, exceptions, provisos and saving clauses
 - Schedules
 - Non-obstante clause.
- External aids
 - Dictionaries
 - Translations
 - Travaux Preparatoires
 - Statutes in pari material
 - Contemporanea Exposito
 - Debates, inquiry commission reports and Law Commission reports

Module IV: Rules of Statutory Interpretation

- Primary Rules
 - Literal rule
 - Golden rule
 - Mischief rule (rule in the Heydon's case)
 - Rule of harmonious construction
- Secondary Rules
 - Noscitur a sociis
 - Ejusdem generis
 - Reddendo singula singulis

Module V: Presumptions in statutory interpretation Statutes are Valid

- Statutes are territorial in operation
- Presumption as to jurisdiction
- Presumption against what is inconvenient or absurd
- Presumption against intending injustice
 - Presumption against impairing obligations or permitting advantage from one's own wrong
 - Prospective operation of statutes

Module VI: Maxims of Statutory Interpretation

- Delegatus non potest delegare
- Expressio unius exclusio alterius
- Generalia specialibus non derogant
- In pari delicto potior est conditio possidentis
- Utres valet potior quam pareat
- Expressum facit cessare tacitum
- In bonam partem

Module VII: Interpretation with reference to the subject matter and purpose

- Restrictive and beneficial construction
 - Taxing statutes
 - Penal statutes
 - Welfare legislation
- Interpretation of substantive and adjunctival statutes
- Interpretation of directory and mandatory provisions
- Interpretation of enabling statutes
- Interpretation of codifying and consolidating statutes
- Interpretation of statutes conferring rights
- Interpretation of statutes conferring powers.

Module VIII: Principles of Constitutional Interpretation

- Harmonious construction
- Doctrine of pith and substance
- Colourable legislation
- Ancillary powers
- "Occupied field"
- Residuary power
- Doctrine of repugnancy

Suggested Readings:

1. G.P. Singh, Principles of Statutory Interpretation, (7th Edition) 1999, Wadhwa, Nagpur.
2. P. St. Langan (Ed.). Maxwell on The Interpretation of Statutes (1976) N.M. Tripathi, Bombay
3. K. Shanmukham, N.S. Bindras's Interpretation of Statutes, (1997) The Law Book Co. Allahabad.
4. V. Sarathi, Interpretation of Statutes, (1984) Eastern, Lucknow
5. M.P. Jain, Constitutional Law of India, (1994) Wadhwa & Co.
6. M.P. Singh, (Ed.) V.N. Sukla's Constitution of India, (1994) Eastern, Lucknow.
7. U. Baxi, Introduction to Justice K.K. Mathew's, Democracy Equality and Freedom (1978) Eastern, Lucknow.

CLINICAL PAPER II
(ALTERNATIVE DISPUTE RESOLUTION)

Module I: Concept of Arbitration

- Arbitration: Meaning scope and types
- Arbitration Agreement- Essentials, Kinds
- Who can enter into arbitration agreement?
- Validity
- Reference to arbitration
- Interim measures by court

Module II: Arbitration Tribunal

- Composition
- Jurisdiction
- Grounds of challenge
- Powers
- Procedure
- Court assistance
- Award, Rules of guidance, Form and content, Correction and interpretation
- Grounds of setting aside an award-Want of proper notice and hearing,
- Contravention of composition and procedure.
- Impartiality of the arbitrator
- Bar of limitations, *res-judicata*
- Consent of parties
- Enforcement
- Appeals

Module III: Conciliation

- Distinction between “conciliation”, “mediation”, and “arbitration”.
- Appointment of conciliator
- Interaction between conciliator and parties
- Communication, disclosure and confidentiality
- Suggestions by parties
- Settlement agreement and its effect
- Resort to judicial proceedings, legal effect
- Costs and deposit

Module IV: International Arbitration

- Enforcement of Foreign Award
- New York convention Award
- Geneva Convention Award

Module V: Rule making Power

- Legal Service Authorities Act, 1987
- Lok Adalat
- Legal Litreacy and Legal Aid Camp.

Bare Acts:

- Arbitration and Conciliation Act, 1996
- Legal Service Authorities Act, 1987

Suggested Readings:

1. Avtar Singh: Arbitration and Conciliation
2. Goyal: Arbitration and Conciliation Act
3. Shukla: Legal remedies

LAW OF CRIMES-III **(INDIAN EVIDENCE ACT)**

Module I: Introduction to Law of Evidence

- The main features of the Indian Evidence Act 1861
- Applicability of Evidence Act
- Administrative Tribunals
- Industrial Tribunals
- Commissions of enquiry
- Court- Martial
- ❖ **Conceptions in Law of Evidence**
- Facts: section 3 definition: distinction - relevant facts/facts in issue
- Evidence: oral and documentary
- Circumstantial evidence and Direct evidence
- Presumption
- “Proving” “not proving” and “disproving”
- Witness
- Appreciation of evidence

Module II: Facts: Relevancy

- The Doctrine of *res gestae*
- The problems of relevancy of “otherwise” irrelevant facts (section ii)
- Facts concerning bodies and mental state
- ❖ **Admission and Confessions**
- General principles concerning admission
- Differences between “admission” and “confession”
- Non- admissibility of confessions caused by “any inducement, threat or promise”
- Inadmissibility of confession made before a police officer
- Admissibility of custodial confessions
- Admissibility of “information” received from accused person in custody; with special reference to discovery based on “joint statement”
- Confession by co-accused
- The problems with the judicial action based on a “retracted confession”

Module III: Dying Declarations

- The justification for relevance of dying declarations
- The judicial standards for appreciation of evidentiary value of dying declarations
- Conclusive Evidence

- ❖ **Relevance of judgments**
 - Admissibility of judgments in civil and criminal matters
 - “Fraud” and “Collusion”.
- ❖ **Expert Testimony**
 - Who is an expert? : types of expert evidence
 - Opinion on relationship especially proof of marriage
 - Judicial defence to expert testimony

Module IV: Oral Documentary Evidence

- General principles concerning oral evidence, Primary / Secondary evidence.
- General principles concerning documentary evidence.
- General principles regarding exclusion of oral by documentary evidence, public & private documents.
- Special problems: re-hearing evidence
- Estoppel
- ❖ **Witness Examination and cross Examinations**
 - Competency to testify
 - State privilege
 - Professional privilege
 - Approval testimony
 - General principles of examination and Cross examination
 - Leading questions
 - Lawful questions in Cross-examination
 - Reexamination
 - Compulsion to answer questions put to witness
 - Hostile witness
 - Impeaching of the standing or credit of witness

Module V: Burden of Proof

- General principles conception of *onus-probans* and *onus-probandi*
- General and special exceptions to *onus probandi*
- The justification of presumption and of the doctrine of judicial notice
- Justification as to presumption as to certain offences
- Presumption as to dowry
- The scope of the doctrine of judicial notice
- ❖ **Estoppel**
 - Why estoppel? The rationale
 - Tenomacy Estoppel
 - Estoppel, res-judicial and waiver and presumption
 - Question of corroboration
 - Improper admission and of witness in civil and criminal cases

Bare Acts:

- *Indian Evidence Act, 1861*

Suggested Readings:

1. The Law of Evidence, Batuk Lal, Central law Agency
2. Sarkar and Manohar, Sarkar on evidence, Wadhwa & Co. Nagpur

3. Avtar Singh, Principles of Law of evidence, Central Law Agency, New Delhi
4. Ratanlal, Dhirajlal: Law of Evidence, Wadhwa Nagpur
5. Polein Murphy, Evidence, Universal Delhi
6. Albert S. Osborn, the Problem Proof. Universal Delhi

PUBLIC INTERNATIONAL LAW

Module I: Introduction

- International Law- Origin, Nature and Concept
- Types and jurisprudence of International law
- Relationship between International and Municipal Laws

Module II: Sources

- Custom
- Treaties
- General Assembly Resolutions
- Juristic Works
- General Principles & Other Sources

Module III: International Law: Nature and working

- Recognition: Theories, types, withdrawal etc.
- Extradition
- Law of the sea
- Trade and Environment: International law

Module IV: Legal Instruments

- Vienna Convention on Law of Treaties : Comprehensive view
- Multilateral and bilateral agreements : Types, nature and applicability
- Conventions, protocol, treaties, agreements and other international instruments : Conceptual analysis

Module V: United Nations and other International Institution

- United Nations : origin, nature, working and importance and other organs
- ICJ
- WTO

Module VI: States

- Definition
- Components
- Kinds of States
- Other related theories of State

Suggested Readings:

1. Starke – Introduction to International Law
2. Oppenheim - International Law
3. H.O. Agarwal- Human Rights And International Law
4. .S.K.Kapoor- International Law
5. S.K.Avesti And R.P.Kataria-Law Relating To Human Rights.
6. S.K.Verma – Public International Law
7. Nirmal .C.J (Ed.)- Human Rights In India
8. Brownlie – Principles Of International Law

DETAILED SYLLABUS FOR LAW PAPERS IN
SEMESTER V

Sr. No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-501	Optional II	3	0	0	3
2	LLB-502	Principles of Taxation Law	3	1	0	4
3	LLB-503	Optional III	3	1	0	4
4	LLB-504	Clinical Paper III (Professional Ethics & Professional Accounting system)	3	1	0	4
5	LLB-505	Optional IV	3	0	0	3
6	LLB-506	Optional V	3	0	0	3
7	BSD-581	Project & Seminar V	0	0	2	1
8	BSD-582	Skill Development V	0	0	2	1
Total Credit						23

LAW OF TAXATION

Module I: Income Tax Act

- Basic concepts, basis of charges of tax
- Definitions
- Residential status of assesses, its impact on tax liability.

Module II: Heads of Income

- General concepts
- Chargeability to tax
 - ✓ Admissible & inadmissible deductions,
 - ✓ Exclusions and deductions from income.
- Set off and carry forward of losses.
- Salaries
- Income from House Property
- Income from Profits of Profession and business
- Capital Gains
- Income from other sources
- Clubbing of income

Module III: Income Tax Authorities

- Powers & functions,
- Assessment
- Allotment of permanent account number,
- Economic criteria scheme.

Module IV: Appeal, Revision and Reference

- Appeal,
- Revision,
- Reference
- Rectification, (Sec.269N, 269 UJ)

Module V: Prosecution and Penalties

- Prosecutions under Income Tax Act, 1961
- Non- compliance,
- Contravention,
- Avoidance
- Evasion of tax.
- Penalties

Bare Acts:

- Income Tax Act, 1961

Suggested Readings:

1. Taxman: Tax Planning and Management, Taxman
2. Agarwal, A.N.: Indian Economics (Selected Chapters) Wishwa Prakashini, N.Delhi.
3. N.K. Palkhivala & B.A. Palkhivala (eds): Kanga and Palkhivala's Income Tax Law and Practice.
4. Agrawal, V.S.: Taxation of Salaries with Tax Planning, Professional Book Publishers, New Delhi.
5. V.S. Sunderam: Law of Income Tax in India.
6. K. Chaturvedi and S.M. Pithisaria: Income Tax Law.
7. V.P. Gandhi: Some Aspects of Indian Tax Structure: An Economic Analysis
8. T. Mathew: Tax Policy.
9. I.P.S. Siddhu: Company Taxation Cases.
10. Bhagwati Prasad: Direct Taxes: Law and Practice Wishwa Prakashan, New Delhi.

CLINICAL PAPER III
(PROFESSIONAL ETHICS)

Module I: Admission, Enrolment & Rights of Advocate

- Importance of Legal Profession.
- Persons who may be admitted as advocate on a State roll.
- Disqualification for enrolment
- Rights of Advocates
- State Bar Councils
 - ✓ Establishment and Organisation
 - ✓ Powers and Functions
- Bar Council of India
 - ✓ Organisation
 - ✓ Powers and Functions

Module-II: Ethics of Legal Profession

- Meaning, Nature and Need
- Duty to the Client

Module-III: Punishment for Professional or Other Misconduct

- Professional or other Misconduct- Meaning and Scope
- The Body or Authority empowered to punish for professional or other misconduct.
 - ✓ State Bar Council and its disciplinary committee
 - ✓ Bar Council of India- and its disciplinary committee
- Complaint against advocates and procedure to be followed by the Disciplinary Committee.
- Remedies against the order of punishment.

Module-IV: Bench Bar Relation

- Role of Judge on Maintaining Rule of Law
- Mutual Respect
- Maintenance of orderly society
- Invaluable aid of advocates to Judges
- Privilege of Advocates
- Duty to avoid interruption of Council
- Administration of Justice clean & Pure
- Uncourteous conduct, Misconduct of lawyers and Insulting Language.

Module-V Meaning and Categories of Contempt of Court

- Contempt of Court- Its meaning and Nature
- Kinds of Contempt
 - ✓ Criminal Contempt
 - Civil Contempt
- Contempt by Lawyers
- Contempt by Judges, Magistrates or other persons acting judicially
- Contempt by State, Corporate bodies & other officers

Module VI: The Advocates Act,1961

- Bar Councils
- Admissions & Enrolment of Advocates
- Right to Practise
- Conduct of Advocates
- Miscellaneous

Bare Acts:

- The Advocates Act, 1961.
- The Contempt of Courts Act, 1971.

Suggested Readings

1. J.P.S. Sirohi: Professional Ethics, Lawyer's Accountability, Bench- Bar Relationship.
2. Kailash Rai: Legal Ethics, Accountability, for Lawyer's, Bar-Bench Relation.

**DETAILED SYLLABUS FOR LAW PAPERS IN
SEMESTER VI**

Sr. No.	Course Code	SUBJECT	PERIODS			CREDI
			L	T	P	
1	LLB-601	Environmental Law including laws for the protection of the wild life and other living creatures including animal welfare	3	0	0	3
2	LLB-602	Optional VI	3	0	0	3
3	LLB-603	Clinical Paper IV (Moot Court & Trial Advocacy)	3	0	0	3
4	LLB-604	Optional VII	3	0	0	3
5	LLB-605	Optional VIII	3	0	0	3
6	LLB-606	Optional IX	3	0	0	3
7	BSD-681	Project & Seminar VI	0	0	2	1
8	BSD-682	Skill Development VI	0	0	2	1
Total Credit						20

**ENVIRONMENTAL LAW
(INCLUDING LAWS FOR THE PROTECTION OF THE WILD
LIFE AND OTHER LIVING CREATURES INCLUDING
ANIMAL WELFARE)**

Module I: Introductory

- The meaning and definition of environment Ecology – Ecosystems – Biosphere
Biomes – Ozone depletion – Global Warning – Climatic changes
- Need for the preservation, conservation and protection of environment
- Ancient Indian approach to environment
- Environmental degradation and pollution
 - ✓ Kinds, causes and effects of pollution.

Module II: Remedies and reliefs under Indian Law

- Common Law remedies against pollution
 - ✓ Trespass,
 - ✓ negligence, and
 - ✓ Theories of Strict Liability & Absolute Liability
- Relevant provisions of I.P.C. and Cr.P.C. and C.P.C., for the abatement of public nuisance in pollution cases

- Remedies under Specific Relief Act
 - ✓ Reliefs against smoke and noise
 - ✓ Noise Pollution.

Module III: Specific Laws

- Law relating to the preservation, conservation and protection of forests, wild life and endangered species, marine life, coastal ecosystems and lakes etc.
 - ✓ Prevention of cruelty towards animals.
 - ✓ The law relating to prevention and control of water pollution.
 - ✓ Air Pollution.
 - ✓ Environment pollution control mechanism.
 - ✓ Law relating to environment protection.
- National Green Tribunal

Module IV: Constitutional Provisions in regards to Environment in India

- Art. 48A and Art. 51A(g) of the Constitution of India
 - ✓ Right to wholesome environment
 - ✓ Right to development
 - ✓ Restriction on freedom of trade, profession, occupation for the protection of environment
 - ✓ Immunity of Environment legislation from judicial scrutiny(Art.31C)
- Legislative powers of the Centre and State Government
 - ✓ Writ jurisdiction

Module V: Role of Indian Judiciary in the Evolution of Environmental Jurisprudence.

Module VI International gatherings for Environment

- International Environmental Regime
 - ✓ Transactional Pollution - State Liability
 - ✓ Customary International Law
 - ✓ Liability of Multinational Corporations/Companies
- Stockholm Declaration on Human Environment, 1972
- The role of UNEP for the protection of environment
- Ramsar Convention 1971
- Bonn Convention (Migratory Birds) 1992
- Nairobi Convention, 1982 (CFCC) –
- Biodiversity Convention (Earth Summit), 1992
- Kyoto Protocol 1997,
- Johannesburg Convention 2002.
- Rio+20,2012

Bare Acts:

- *Environment (Protection) Act, 1986.*
- *Air (Prevention and Control of Pollution) Act, 1981.*
- *Water (Prevention and Control of Pollution) Act, 1974.*
- *Indian Forest Act, 1927.*
- *Forest (Conservation) Act, 1980.*
- *Wild Life Protection Act, 1972.*

Suggested Readings:

1. Paras Diwan : Environmental Law and Policy in India,
2. S.N. Jain (ed.): Pollution Control and the Law.
3. Armin Rosencranz and Shyam Divan: Environmental Law and Policy in India.
4. A. Agarwal (ed.): Legal Control of Environmental Pollution
5. Chetan Singh Mehta: Environmental Protection and Law
6. V.K. Krishna Iyer: Environment Pollution and Law
7. Paras Diwan: Studies on Environmental Cases.
8. Shah : Environmental Law
9. Dr. N. Maheshwara Swamy, Environmental Law, Asia Law House, Hyderabad.

CLINICAL PAPER - IV
(MOOT COURT AND TRIAL ADVOCACY)

Module I: Moot Court (20 + 20 = 40) Marks

- Every student is required to participate in at least 2 moot courts in the V Semester with 20 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 10 marks for written submissions and 10 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
 - HoD of the School of Juridical Science
 - An Advocate with 10 years' experience at the Bar; and
 - The teacher concerned.

Module II: Observance of Trial in Two cases,**One Civil and One Criminal (10 + 10 = 20) 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 assignment.

- The Court Observation Record submitted by the students should be evaluated by committee consisting of
 - HOD of the School of Juridical Science/the concerned teacher
 - External Examiner appointed by the University and
 - An Advocate with 10 years' experience at the Bar.

Module-III: Court attendance (10) Marks

- Court Attendance shall be compulsory and details shall be recorded in a Record Book kept therefore.
- This may be carried under the supervision of a teacher of the college.

Module-IV: Interviewing Techniques and Pre-Trial Preparations and

Internship/Court Visit Diary (10) 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 - **5** 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 **5** 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
 - Principal of the College/the concerned teacher
 - University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, JIS; and
 - An Advocate with 10 years' experience at the Bar and average be taken.

Module-IV: Viva-voce (20) Marks

- There shall be viva-voce examination on all the above three components.
- The Viva-voce Board consisting of
 - Principal of the College/the concerned teacher
 - University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and
 - 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.

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.

DETAILED SYLLABUS OF THE OPTIONAL PAPERS

1. **Competition Law**
2. **Human Rights**
3. **Comparative Constitution Law**
4. **Women and Law**
5. **Media & Law**
6. **International Investment Law**
7. **Corporate Governance**
8. **Direct Taxation**
9. **International Trade Law**
10. **Criminology, Penology & Victimology**
11. **Private International Law**
12. **Law of Insurance**
13. **Banking and Negotiable Instruments Act**
14. **IT Offences and Cyber Law**

COMPETITION LAW

Module I: Introduction

- Basic Concepts – Customer and Consumer – Market – Types of Market - Perfect Market, Monopoly, Oligopoly and Monopsony - Cartel - Predatory Pricing - Resale Price Maintenance - Competition – Models of Competition - Competition Policy - Competition Law - Goals of Competition Law.

Module II: History and Development of Competition Law

- History and Development of Competition Law -History and Development of Competition Law in India - Constitutional vision of social justice - Sachar
- Committee, MRTP Act - Salient features and its amendment in 1991 - Liberalization and Globalization - Raghavan Committee Report -Competition Act 2002 - An Overview of Competition Law in India - Important Definitions under the Competition Act, 2002

Module III: Regulation of Collusion in the Market

- Anti- Competitive Agreements under the Competition Act, 2002 - Appreciable Adverse effect on Competition in the Market - Determination of Relevant Market - Rule of Reason and *Per se* Rule - Horizontal and Vertical restraints – Exemptions – Penalties
- Prohibition of Anti- Competitive Agreements

Module IV - Regulation of Abuse of Dominant Position

- Introduction - Dominance in the Market - Relevant Market - Appreciable Adverse Effect on Competition in the Market - Abusive Conducts under the Competition Act, 2002 – Penalties
- Prevention of Abuse of Dominance

Module V - Regulation of Combinations

- Combinations: Merger, Acquisition, Amalgamation and Takeover -

Horizontal, Vertical and Conglomerate Mergers - Combinations covered under the Competition Act, 2002

- Regulations – Penalties - Regulation of Combinations

Module VI - Enforcement Mechanisms

- Enforcement Mechanisms under the Competition Act, 2002 - Competition Commission of India - Constitution of the CCI - Powers and Functions- Jurisdiction of the CCI – adjudication and appeals - Director General – Competition Appellate Tribunal-Enforcement Mechanisms under.

Module VII - Competition Advocacy and Emerging Trends in Competition Law

- Competition Advocacy in India and other foreign jurisdictions - Intellectual Property Rights and Competition Law - International Trade Law and Competition Law – International Competition Law

Bare Act

- The Sherman Anti-Trust Act, 1890
- The Clayton Act, 1914
- The Robinson-Patman Act, 1936
- Federal Trade Commission Act, 1914
- Celler-Kefauver Antimerger Act, 1950
- Competition Act, 2002 (India)
- Competition Act, 1998 (UK)
- Enterprise Act, 2002 (UK)
- MRTP Act, 1969 (India)
- Consumer Protection Act, 1986

Suggested Readings:

1. Vinod Dhall (ed.), Competition Law Today, Oxford University Press
2. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law 4th Edn. - 2006, Wadhwa, Nagpur
3. P. Satyanarayana Prasad, Competition Law and Cartels, Amicus Books, ICAFI University Press, 2007
4. Ramappa, Competition Law in India, Oxford University Press, 2006.
5. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law Wadhwa Nagpur (4th ed. 2006)
6. Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House, New Delhi, 2008.
7. Richard Whish, Competition Law, Oxford University Press, 2008
8. Mark Furse, Competition Law of the EC and UK, 6th Edn. – 2008, Oxford University Press
9. Suresh T. Vishwanathan, Law and Practice of Competition Act, Bharat
10. T. Ramappa, Competition Law in India, Oxford University Press, 2006

HUMAN RIGHTS

Module I: Theoretical Foundations of Human Rights and International Law

- Basic principles : sovereign equality of states - non-intervention - non use of force - international co-operation - peaceful settlement of disputes
- Individuals as subjects of international law
- State jurisdiction on terrorism, hijacking, narcotics, war crimes and crimes against peace
- Treatment of aliens

Module II: Historical development of the concept of human rights

- Human rights in Indian tradition : ancient, medieval and modern
- Human rights in Western tradition
 - ✓ Concept of natural law
 - ✓ Concept of natural rights
 - ✓ Human rights in legal tradition: International Law and National Law

Module III: UN and Human Rights

- Universal Declaration of Human Rights (1948) - individual and group rights
- Covenant on Political and Civil Rights (1966)
- Covenant on Economic, Social and Cultural Rights (1966)
- I L O and other Conventions and Protocols dealing with human rights
- Solidarity rights
- Disarmament: threat to human rights
- International HR Commission
 - ✓ Mandates to States
- Right to development

Module IV: Role of Regional Organizations

- European Convention on Human Rights
- American Convention on Human Rights
- African Convention on Human Rights
- SAARC

Module V: Protection agencies and mechanisms

- International Commission of Human Rights
 - ✓ Amnesty International
 - ✓ Non-Governmental Organizations (NGOs)
- European Commission on Human Rights/Court of Human Rights.
- U.N. Division of Human Rights
- International Labour Organization
- UNESCO
- UNICEF

Module VI: Impact and implementation of international human rights norms in India

- Human rights norms reflected in fundamental rights in the Constitution
- Directive Principles: legislative and administrative implementation of international

human rights norms

- Implementation of international human rights norms through judicial process

Module VII: Enforcement of Human Rights in India

- Role of courts: the Supreme Court, High Courts and other courts
- Statutory commissions- human rights, women's, minority and backward class

Suggested Readings:

1. S.K.Avesti and R.P.Kataria, Law Relating to Human Rights, Chh IV, V, VIII, XIV, XXIX and XXXIX
2. (2000) Orient, New Delhi
3. S.K.Varma, Public International Law (1998), Prentice-Hall, New Delhi
4. Peter J. Van Krieken (ed.), The Exclusion on Clause (1999), Kluwer
5. Human Rights Watch Women's Rights Project, The Human Rights Watch Global Report on Women's Human Rights (2000), Oxford
6. Ermacora, Nowak and Tretter, International Human Rights (1993), Sweet & Maxwell.
7. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell
8. Muntarhorn, The Status of Refugees in Asia (1992), Oxford.
9. Human Rights and Global Diversity (2001), Frank Cass, London
10. Nirmal.C.J. (ed.), Human Rights in India (2000), Oxford
11. Nirmal.B.C., The Right to Self determination in International Law (1995), Deep & Deep.
12. 11.P.R.Gandhi, International Human Rights Documents (1999) Universal, Delhi.

COMPARATIVE CONSTITUTION LAW

Module I:

- What is Comparative Constitutional Law? The Concept of the Comparative Constitutional Law, Importance of the Study of Comparative Constitutional Law, Functions & Aims of Comparative Constitutional Law, Sources of the Comparative Constitutional Law.
- The Comparative Constitutional Law: Province Determined, Definition, Nature, Scope and Classification of Different Forms of the Constitutions of the USA, UK, Canada and Australia. Concept of Constitution – Constitutional Law –General Constitutional Objectives.
- The Constitution and its relationship with Statehood, Territoriality and Citizenship

✓ **Cases:**

1. Cheatle V. The Queen (1993) 177 C.L.R. 541 (Austl.)
2. Edwards V. Attorney-General for Canada, [1930] A.C. 124 (P.C. 1929)-Persons Case
3. Jacobson V. Massachusetts, 197 U.S. 11, 31-33 & n.1 (1905)
4. Kindler V. Canada [1991] 2 S.C.R. 779
5. Law Society of Upper Canada V. Skapinker, [1984] 1 S.C.R. 357, 366
6. McCulloch V. Maryland, 17 U.S. (4 Wheat.) 316 (1819)
7. Muller V. Oregon, 208 U.S. 412, 419-20, n.1 (1908)
8. Printz V. United States 521 US 897 (1997)

9. R. V. Big M Drug Mart Ltd., [1985] 1 S.C.R. 295, 343-44 (Can.)
10. Roe V. Wade, 410 U.S. 113 (1973)
11. Roper V. Simmons 543 US 551 (2005)

Module II:

- The Constitutional Design, Drafting & Gender, Constitutional Drafting and External Influence, Panoramic Constitution Approaches, the Comparatives Dilemma, Constitutional Endurance.
- Forms of Government: Federal and Unitary
- Federal – USA, India, Australia, Canada, Switzerland etc.
- Unitary – UK, France

✓ Cases:

1. Goodyear India V. State of Haryana, AIR 1990 SC 781
2. Indira Nehru Gandhi V. Raj Narayan, AIR 1975 SC 2299
3. KeshavanandaBharati V. State of Kerala, AIR 1973 SC 1461
4. Minerva Mills Ltd. V. Union of India, AIR 1980 SC 1789
5. Nakara V. Union of India, AIR 1983 SC 130
6. Official Liquidator V. Dayanand, (2008) 10 SCC 1
7. P.A. Inamdar V. State of Maharashtra, (2005) 6 SCC 537

Module III:

- Constitutionalism, Legal Pluralism and International Regimes. The Twilight of Comparative Liberal-Democratic Constitutionalism.
- The Contemporary Constitutionalism as the Law of the Peoples.
- Constitutionalism and Rule of Law: Rights Regime and their Protection
- General Principles of the Separation of Powers in the Westminster System. The Doctrine of the New Separation of Powers; Democratic Legitimacy, Functional Specialization, Fundamental Rights and the New Separations

✓ Cases:

1. Griffin V. County School Board, Prince Edward County,
2. Griswold V. Connecticut, 381U.S. 479
3. Hammer V. Dagenhart, 247 U.S. 251 (1918)
4. Holden V. Hardy, 169 U.S. 366 (1898)
5. I.C. GolakNath V. State of Punjab, AIR 1967 SC 1643
6. 6.I.R. Coelho (Dead) By Lrs V. State of Tamil Nadu & Others, (2007) 2 SCC
7. KeshavanandBharati V. State of Kerala, AIR 1973 SC 1461
8. Kokkinakis V. Greece
9. Korematsu V. United States, 323 U.S. 214 (1944)
10. Lawrence V. Texas: The Right that Dare Not Speak Its Name, 117 Harv. L. Rev. 1893 (2004)
11. LeylaSahin V. Turkey
12. Lochner V. New York, 198 U.S. 45 (1905)
13. Malloy V. Hogan, 378 U.S. 1(1964)
14. Maneka Gandhi V. Union of India, AIR 1978 SC 593
15. Marbury V. Madison, 5 U.S. 137 (1903)
16. Milk Board V. Clearview Dairy Farm Inc., 69 B.C.L.R. 220 (Sup. Ct. 1986)
42. Miranda V. State of Arizona, 384 U.S. 436 (1966)

17. Murrays Lessee V. Hoboken Land and Improvement Co.

Module IV:

- The Judiciary, Law and the Comparative Constitutional Adjudication & Courts. The Judicial Engagement with Comparative Constitutional Law Perspective. Docket Control and Institutional Success of Constitutional Courts.
- The Supremacy of the Constitutions, Rule of Law & Due Process, Comparative Form of Judicial Review and the Rise of Weak-Form of Judicial Review, Independence of Judiciary, Judicial Activism, Constitutional Provision for the Protection of the Judiciary. Enforcement of Socio-Economic Rights, Governance in Transition to Democracy and Free Speech in a Global World.

✓ Cases:

1. A.P. Pollution Control Boards V. Prof. MV Nayudu, AIR 1999 SC 822
2. Anwar Ali Sarkar V. State of West Bengal, AIR 1952 SC 75
3. ArunaRamchandraShanbaug V. Union of India and Others, JT 2011 (3) SC 300
4. Barrios Altos V. Peru, IACHR Ser. C No. 75 (14 March 2001), para 189
5. BhagwanDass V. State (NCT) of Delhi, 2011 (5) 498
6. Bombay Hawkers Union V. B.M.C., (1985) 3 SCC 528
7. Budayeva V. Russia, [2008] ECHR
8. Center for PIL V. Union of India, 1995 Sppl. (3) SCC 382
9. Cerc V. Union of India, AIR 1995 SC 922
10. Charles Shobhraj V. Delhi Admin., (1978) 4 SCC 104
11. D.K. Basu V. State of West Bengal, (1997) 1 SCC 4116
12. Dandridge V. Williams, 397 U.S. 471 (1970)

Module V:

- Constitutional Law and Millennium Development Goals – Globalization and Constitutional Law
- Amending Powers – Limits

✓ Cases:

1. Marbury V. Madison, 5 US (1 Cranch) 137 (1803)
2. City of Boerne V. Flores, 521 US 507 (1997)
3. Cook V. Cook (1938) 162 C.L.R. 3760
4. Union of India V. Gopal, AIR 1978 SC 684
5. State of Karnataka V. Union of India, (1977) SCC 608.
6. M.S.M. Sharma V. Sri Krishna Sinha, AIR 1959 SC 395
7. Jatish Chandra Ghose V. Harisadhan Mukherjee, AIR 1961 SC 613
8. TejKiran V. Sajiva, AIR 1970 SC 1573

Suggested Readings:

1. D.D.Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur, 2008).
2. D.D.Basu, Comparative Federalism (Lexis Nexis, 2007).
3. DD Basu, Introduction to the Constitution of India (Lexis-Nexis-Butterworth-Wadhwa, 1.2008).
4. Dr. Subhash C Kashyap, Framing of Indian Constitution (Universal Law, 2004).
5. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen,

2006).

6. Granville Austin, The Indian Constitution: Cornerstone of a Nation (OUP, 2008).
7. M.P. Singh, Comparative Constitutional Law (Eastern Book Company, 2011).
8. M.P.Jain, Indian Constitutional Law (6th ed., Wadhwa, Nagpur).
9. Mark Tushnet, Why the Constitution Matters (Yale University Press, 2010)
10. Methods of Comparative Law (Edward Elgar Publishing, 2012).

WOMEN AND LAW

Module I: Constitutional perspective

- Equality provisions in the Constitution of India - Preamble,
- Fundamental Rights and Directive Principles.
- Personal laws – Unequal position of the women
- Uniform Civil Code towards gender justice
- Growth of feminism and Feminist Jurisprudence

Module II: International Commitments

- Universal Declaration of Human Rights
- Convention on the Elimination of all Forms of Discrimination against Women, 1979
- Declaration on the Elimination of Violence against Women, 1993

Module III: Women and Inheritance Rights

- Women's inheritance under the Hindu Joint Family System
- Right to inheritance by birth for sons only.
- Women's inheritance rights under Muslim Law
- Women's inheritance rights under Christian Law
- Women's inheritance rights under Parsi Law
- Matrimonial Property

Module IV: Women and Adoption and Guardianship rights

- Right of women to adopt a child
- Women and guardianship of minor

Module V: Women and Matrimonial Law -Concept, Divorce, and issue

- Women and Maintenance Rights
- Women and criminal law
 - ✓ Adultery
 - ✓ Rape
 - ✓ Dowry death
 - ✓ Cruelty to married woman
 - ✓ Bigamy
- Outraging the modesty of a woman
- Domestic violence (Domestic Violence Act , 2005)
- Miscarriage
- Social Legislations
 - ✓ The Dowry Prohibition Act,

- ✓ Prevention of Immoral Traffic
- ✓ Amniocentesis and foeticide
- Women and Employment
 - ✓ Labor force
 - ✓ Protective laws
 - ✓ Exploitation and harassment at workplace
- Woman Participation in Democratic Government
 - ✓ Parliament, State Legislatures and Local Bodies

Bare Acts:

- *The Indecent Representation of Women (Prohibition) Act, 1986.*
- *The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.*
- *The Dowry Prohibition Act, 1961.*
- *Protection of Women from Domestic Violence Act, 2005.*

Suggested Readings:

1. Indian Penal Code- Ralanlal Dhirajlal-Wadhwa
2. SITA (Suppression of Immoral Trafficking in Women)
3. Domestic Violence Act, 2005 – Dr. Preeti Mishra
4. Vishaka's Case, Chandrima Das Case.
5. Indira Jaising, Hand book on law of Domestic Violence.
6. Lawyers collective, Law relating to sexual harassment at work place- Universal Delhi.
7. Krishna Pal Malik, Women & Law, Allahabad Law Agency
8. Manjula Batra, Women and Law, Allahabad Law Agency.

MEDIA & LAW

Module I: Need of Law in Media

- Freedom of Speech and Expression under the Indian Constitution and Restrictions
- Media Personal Privileges
- Print Media and Press Law
- Broadcasting and its privileges
- Performer's Rights

Module II: Copyright Law

- Copyright violation and Media Laws
- Copyright amendments and print media

Module III: Defamation

- Provisions embodied in the Indian Penal Code
- Indecent Representation Act, 1986

Module IV: Media regulating bodies

- Print Media and Registration Act
- National Security Act Press Trust of India

- Censorship in India

Module V: Constitution of India and Media Laws

- Newspaper circulation and Fundamental Rights
- Art 19 of Indian Constitution and Reasonable restriction
- Media Trial

Suggested Readings:

1. MadhaviGoradia, Facet of Media Law
2. Media, Press and Telecommunication Law, 2007
3. DR. A. Verma, Cyber Crimes & Law

INTERNATIONAL INVESTMENT LAW

Module I: Historical Development of International Investment Law

- Meaning and definition of foreign investmen
- Concept of Foreign Investment
- Categorizing various forms of Foreign Investment
- Origins of the law of foreign investment: the early years – National Standards v International Minimum Standard – National Treatment and the *Calvo Doctrine*
- The Duty to Compensate and the *Hull Formula* – Greenfield Investment
- Merger and Acquisition, Joint Venture
- Relation between Law and Foreign Investment
- Relation between Foreign Investment and Trade

Module II: Principles of International Investment Law

- The fundamental principles of the law of foreign investment
- Expropriation
- Protection against expropriation
- Fair and equitable treatment
- Full protection and security
- National Treatment
- The MFN treatment
- Non-discrimination and fairness – ‘Umbrella Clause’

✓ **Cases:**

1. *Metalclad v. USA, Pope & Talbot,*
2. *S.D. Myers v. Canada,*
3. *Methanex v. USA,*
4. *Noble Ventures v. Romania,*
5. *Saluka Investments v. the Czech Republic)*

Module III: Foreign Investment under Bilateral and Regional Agreements

- Origins of BITs
- Concept of BITs
- Significance of BITs

- Concept of Regional Trade Agreements
- Shift from BITs to RTAs
- The Regional Agreements: NAFTA, ASEAN
- Concept of Multilateralism.

Module IV: International efforts in Regulation of foreign investment

- Havana Charter
- UN Declaration on Permanent Sovereignty over Natural Resources
- World Bank
- ICSID
- WTO and Foreign Investment
- Emphasis on the Need for an International Agreement

Module V: Dispute Settlement in International Investment

- ICSID, UNCITRAL, ICC and LCIA rules – How they interact and have an effect on the applicable law of an international investment dispute
- Applicable Law to the jurisdiction and merits in investment arbitration
- The Interaction of Sources of Law applicable to the interpretation and enforcement of an investment contract
- The Arbitration Award and Annulment Procedure Characteristics and structure of arbitration awards
- Analysis and preparation of commentaries
- Ways of annulment and preparation of the Annulment procedure
- ICSID Convention and New York Convention of 1958

CORPORATE GOVERNANCE

Module I: Concept & Evolution of Corporate Governance

- Economics of Organization and Information
- Theories of the Corporation that have a shaping influence upon
- Corporate Governance Practices
- Evolution of Corporate Governance
- Ancient and Modern Concept
- Concept of Corporate Governance
- Generation of Value from Performance
- Principles of Corporate Governance
- Beneficiaries of Corporate Governance
- Shareholder Activism and changing role of Institutional Investors
- Business Ethics vis-à-vis Corporate Governance
- Corporate Governance in various organizations
- Corporate Social Responsibilities and good corporate citizenship
- Impact of Information Technology and Non-stop Media Coverage giving unbridled access to company
- Information and violating privacy rights
- Understanding of the shareholder vs. stakeholder concept of governance

Module II: Corporate and Board Management

- Objective and scope: To provide a detailed insight into the concept, issues and practices that governs the corporate sector
- Corporate Business Ownership Structure
- Types of Directors
- Promoter/Nominee/Shareholder/Independent
- Rights, Duties and Responsibilities of Directors
- Role of Directors and Executives
- Responsibility for Leadership
- Harmony between Directors and Executives
- Training of Directors - need, objective, methodology
- Scope and Responsibilities and competencies for directors
- Executive Management Process
- Executive Remuneration
- Functional Committees of Board
- Rights and Relationship of Shareholders and Other Stakeholders
- Investor servicing and investor protection measures
- Good Secretarial practices and Standards for corporate disclosure
- Models of organizational behaviour and nature of managerial work
- Organizational cultures and controls
- Organizational Planning, Development and change
- Markets, Hierarchies and Networks
- Economics of Strategy
- Strategic Management
- Overview of Task of Strategic Management
- Theory of Multi-nationals, International Marketing and International Resource Management
- Attacks through hijacking of employees and customers
- Corporation and its Employees
- Customer Asset Management
- Recognition and Management of significant corporate risks; hedge funds (The work-life balance and corporate governance)
- Principles of Management Accounting and Audit
- Corporate Planning- Short term and Long term
- Disaster Management and Control

Module III: Legal and Regulatory Framework of Corporate Governance

- Objective and Scope: To provide expert knowledge of the legal and regulatory framework in respect of corporate governance in India and abroad
- Need for Legislation of Corporate Governance
- Legislative Provisions of Corporate Governance in Companies Act 1956,
- Securities (Contracts and Regulations) Act, 1956 (SCRA),
- Depositories Act 1996,
- Securities and Exchange Board of India Act 1992,
- Listing Agreement
- Banking Regulation Act, 1949
- Other Corporate Laws
- Legal Provisions relating to Investor Protection

- Legislative Framework of Corporate Governance in US, UK and other developed countries including Common
- Wealth Association for Corporate Governance (CACG),
- Organization for Economic Cooperation and Development (OECD) etc.
- Listing Requirements- Indian and International perspective
- Management Information System (MIS) and Corporate Disclosure Requirements covering
- Accounting Standards and Secretarial Standards
- Statutory standards and procedures – National and international
- Securities and Exchange Board of India's (SEBI)
- Electronic Data Information Filing and Retrieval System (EDIFAR)

Module IV: Board Committees and Role of Professionals

- Objective and Scope: To provide expert knowledge on the functioning of Board Committees
 - ✓ Board Committees
 - ✓ Audit Committee
 - ✓ Remuneration Committee
 - ✓ Shareholders' Grievance Committee
 - ✓ other committees
- Need, Functions and Advantages of Committee Management
- Constitution and Scope of Board Committees
- Board Committees' Charter
- Terms of Reference and Accountability and Performance Appraisals
- Attendance and participation in committee meetings
- Independence of Members of Board Committees
- Disclosures in Annual Report
- Integrity of Financial Reporting Systems
- Role of Professionals in Board Committees
- Role of Company Secretaries in compliance of Corporate Governance

Module V: Corporate Governance – Codes and Practices

- Major Expert Committees' Reports
- India (including Naresh Chandra Report) and Abroad
- Study of Codes of Corporate Governance
- Joint Ventures-National and International
- Case Studies on Corporate business ownership structure
- Core competency vis-à-vis diversified business
- Working of Transnational Corporations
- Public Vs Private Sector
- National and International
- Case Studies on Corporate Governance (Indian and overseas perspective)
- Best Practices of Corporate Governance
- Value Creation through Corporate Governance
- Corporate Governance Ratings (Rating mechanism in terms of firm disclosures)

Suggested Readings:

1. Smith and Keenan's, Company Law (2002)
2. Andrew Lidbetter, Company Investigations and Public Law (1999)
3. Saleem Sheikh & William Rees, Corporate Governance & Corporate Control (2002)
4. Avtar Singh, Company Law, 2007 Eastern Book Company, Lucknow.
5. Gower's Principles of Company Law 8th Edition 2008, R. Cambray & Co. Pvt. Ltd.
6. Smith and Keenan's Company Law.
7. S. K. Verma & Suman Gupta, Corporate Governance and Corporate Law Reform in India (2005)
8. Companies Act, 1956
9. Suman Gupta: Shareholder's Democracy: Fact or Fiction. (1992)
10. Companies Act, 2013

DIRECT TAXATION**Module I: Introduction to Income Tax**

- Income Tax:
 - ✓ Legal Framework
 - ✓ Types of Taxes
 - ✓ Canons of Taxation
- Definitions:
 - ✓ Assessment Year
 - ✓ Previous Year
 - ✓ Exceptions to the General Rule of Previous Year
 - ✓ Assessor
 - ✓ Person
 - ✓ Income
 - ✓ Casual Income
 - ✓ Gross Total Income
 - ✓ Agricultural Income
- Residential Status of an Individual
 - ✓ Resident
 - ✓ Not Ordinary Resident
 - ✓ Non- Resident
- Determination of Residential Status
- Incidence of Tax
- Problems on Scope of Total Income
- Exempted Incomes U/S 10 (Restricted To Individual Assessment).

Module II: Income from Salary and House Property:

- Meaning
- Basis of Charge
- Advance Salary
- Arrears of Salary
- Definition
 - ✓ Salary Allowances
 - ✓ Fully Taxable Allowance

- ✓ Partly Taxable Allowance
- ✓ Fully Exempted Allowances
- Perquisites
 - ✓ Tax Free Perquisites
 - ✓ Taxable Perquisites
 - ✓ Perquisites Taxable in all Cases
 - ✓ Perquisites Taxable Under Specified Cases
- Profits in Lieu of Salary
- Provident Fund
- Transferred Balance
- Deduction from Salary U/S16
 - ✓ Problems on Income from Salary (Excluding Retirement Benefits).
- Income From House Property
 - ✓ Basis of Charge
 - ✓ Deemed Owners
 - ✓ Exempted Incomes From House Property
- Treatment of Composite Rent Annual Value
 - ✓ Determination Annual Value
 - ✓ Treatment Of Unrealized Rent
- Loss Due to Vacancy
 - ✓ Deductions from Annual Value
- Problems on Income from House Property (Excluding Preconstruction Interest).

Module III: Profits and Loss from Business and Profession

- Meaning:
 - ✓ Business
 - ✓ Profession
 - ✓ Expenses Expressly
 - ✓ Allowed
 - ✓ Allowable Losses
- Expenses Expressly Disallowed to Sole Trader only and
- Problems on Profession Relating to Chartered Accountant, Advocate and Doctor.

Module IV: Computation of Total Income

- Income from Capital Gains and Income from Other Sources (Problems and Theory) and Deduction (Sections- 80C, 80CC, 80D, 80E, 80U)
- Simple Problems on Computation of Total Income of an Individual
- Skill Development Techniques, Form No.49A (PAN) and 49B
- Filling of Income Tax Returns, List of Enclosures, Preparation of Form 16
- Computation of Income Tax and the Slab Rates

Bare Acts:

- *The Income Tax Act, 1961*

Suggested Readings:

1. Singhania VK & Singhanian K, Direct Taxes-Laws and Practices, Taxmann
2. Gupta G & Ahuja A, Fundamentals of Taxation, Bharat Publication

3. Vinod Singhnia-Direct Taxes-Law and Practice
4. Ravi Kishore-Direct Taxes
5. J. P. Jakhotiya-Direct Taxes
6. Ahuja-Direct Taxes

INTERNATIONAL TRADE LAW

Module I: Theoretical Underpinnings of the Regulation of International Trade Law

- Development of International Trade Law
- Concerns of Trade Barriers
- Berton Woods System
- Formation of GATT
- Journey of GATT to WTO

Module II: The General Agreement on Tariffs and Trade

- Most Favoured Nation Principle
- Tariffs on International Goods
- National Treatment
- Elimination of Quotas
- Transparency
- Other Non-Tariff Barriers to Trade
- General and Security Exceptions
- Nullification or Impairment

Module III: Dispute Settlement

- Dispute Settlement under GATT
- Institutions Under DSU
- Dispute Settlement Under WTO
- Amicus Curiae , Burden of Proof, Judicial Economy and Standard of Review
- Implementation Mechanism
- Strengths and Weaknesses of Dispute Settlement Mechanism

Module IV: Trade Related Aspects of Intellectual Property Rights

- Trips Negotiations
- Structure of TRIPS
- TRIPS and Developing Countries
- TRIPS and Public Health
- TRIPS and Biodiversity

Module V:

- Advent of GATS
- Relationship GATT and GATS
- Specific Commitments

Module VI: Anti- Dumping

- Art. VI of GATT and Anti-Dumping Agreement
- Key definitions

- Material Inquiry and Casual Links
- Anti-Dumping Measures

Module VII: Safeguards

- Article XIX of GATT and Safeguard Agreement
- Safeguard Measures
- Investigation, MFN and Grey area Measures
- Limits on application Safeguard Measures
- Safeguard Measures and Balance of Payment

Module VIII: Subsidies and Countervailing Measures

- Article VI and XVI of GATT and Agreement on Subsidies and Countervailing Measures
- Prohibited and Actionable Subsidies
- Countervailing Measures
- Adverse Effect and Material Injury

Module IX: Trade and Environment

- Link between Trade and Environment
- Article XX of GATT and the two steps
- Agreement on Sanitary and Phytosanitary Measures
- Exports of Hazardous Substances and Wastes
- Environmental Taxes

Suggested Readings:

1. M. Matsushita, T. Schoenbaum and P. Mavroidis, The World Trade Organization: Law, practice and Policy.
2. Jhon H. Jackson, the Jurisprudence of GATT and the WTO, Cambridge
Autar Krishen Koul, The General Agreement on Tariff and Trade (GATT)/World Trade Organization (WTO): Law, Economics and Politics

CRIMINOLOGY, PENOLOGY & VICTIMOLOGY

Module I: Criminology

- Nature and extent of crime in India
- General approaches to crime control

Module II: Causes of Criminal Behaviour

- The Classical School of Criminology
- Sociological Theories
 - ✓ Anomie,
 - ✓ Sutherland's Differential Association theory
 - ✓ Reckless's Containment or Social Vulnerability theory
- Economic Theories
 - ✓ Bonger's analysis
 - ✓ Economic theories and their relevance
- Environment –
- Home and Community Influence

- Multiple Causation Approach to Crime

Module III: Police and the Criminal Justice System

- Functions of the police
- Difficulties of the police
- Police reforms

Module IV: White collar crime

- Nature and definition
- Causes of white-collar criminality
- White-collar crime in India
- Judicial approach

Module V: Organised crime

- Characteristics of organized crime
- Kinds of organized crime
- The West Bengal Control of Organised Crime Act,
- Terrorism

Module VI: Penology

- Punishment of offenders
 - Object of punishment
 - Theories of punishment - Retributive theory, Deterrent theory, Preventive theory, Reformatory theory
- Punishment under the Indian Criminal Law
 - Punishments under the IPC
 - Imprisonment
 - Problems associated with imprisonment- Prisonisation of offender
 - Alternative approaches – Probation, Parole, Suspended Sentence and Indeterminate Sentence
 - Open prisons and borstals
 - Prison reforms - Classification and individualization of offenders, religious and moral education, Prison Industry.
 - After-care programmes
 - Prisoners' rights
 - Solitary confinement, fettering and hand-cuffing
 - Capital punishment- Justifications for and against capital punishment- Judicial attitude regarding capital punishment and the concept of "rarest of rare cases"
 - Commutation, Pardon, and Remission of sentences
 - New forms of punishments – compensation to victims of crime - Public Censure- CommModuley Service- Disqualification from holding office - Externment

Module VII: Victims of Crime and criminal justice Nature and scope of Victimology

- Aspects of Victimology
- Rightful participation of victims in trials
- Dignity and respect to victims of crime

- Compensation to victims
- Legal, psychological and material support to victims
 - ✓ UN Declaration- Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985
 - ✓ Victim compensation in India- Section 357, Cr.P.C.- Section 5, the Probation of Offenders Act, 1958 - Judicial attitude

PRIVATE INTERNATIONAL LAW

Module I: Definition and Scope

- Private International Law- Definition and Scope, Exception to Private International Law
- Jurisdiction — Bases and Limitations
- Domicile

Module II: Procedural Aspects

- Procedure in Private International Law
- Foreign Judgments and Arbitral Awards

Module III: Private International Law vis-à-vis Personal Law

- Law of obligations
- Contracts
 - ✓ Proper Law doctrine
 - ✓ Particular Topics
- Law of Torts
 - ✓ Theories
 - ✓ English and Indian Law of Foreign Trade
- Marriage
 - ✓ Nature of Marriage;
 - ✓ Validity of Marriage
 - ✓ Matrimonial Causes, Divorce, Annulment, Recognition of Foreign Divorce Decrees
- Adoption and Custody of Children
- Law of Property including IPR and Succession

Selected Readings:

1. Broch, L.G, “The Recognition of Foreign Decrees of Divorce and Separation in Norwegian Laws”, Netherlands International Law Review vol. 14(1967).
2. Christian von, “Environmental Damage in Private International Law” Recuil Des Cours, no. 268, (The Hague, Boston, London: MartinusNhihoff Publishers, 1997)
3. De Nova Ro Dilfo, “Historical and Comparative Introduction to Conflict of Laws”, Recuil Des Cours, vol. II, no. 118, (Layde: A.W. Sijthoff, 1966).
4. Dolinger, Jacob, “Evolution of Principles for Resolving Conflicts in the Field of Contract and Torts”, Recuil Des Cours, no. 283 (The Hague, Boston, London: MartinusNhihoff Publishers, 2000).
5. Govindaraj, V.C., “The Rule of Selection” Rule in Conflict of Laws —The So — Called American Revolution: A Critique”, Indian Journal of International Law, vol. 45, no. 4 (2005)

6. Graveson, Ronad H., “Comparative Aspects of the General Principles of private International Law”, Recuil Des Cours, vol. II, no. 109, (Layde: AW. Sijthoff, 1963).
7. Graveson, Ronald, “Problems of Private International Law”, Recuil Des Cours, vol. 1, no. 141, (Layde: A.W. Sijthoff, 1974).
8. Govindraj, V. C., Conflict of Laws in India-Inter-territorial and Inter-personal Conflicts (Oxford University Press, New Delhi, 2011)
9. Grinsburg, Jane C., “The Private International Law of Copy Right in an Era of Technological Change”, Recuil Des Cours, no. 273 (The Hague, Boston, London: MartinusNhihoff Publishers, 1998).
10. Jambholkar, Lakshmi, Select Essays on Private International Law (Universal, New Delhi, 2011)

LAW OF INSURANCE

Module I: Origin and History of Insurance Law

- Nationalisation and Regulation of Insurance Business.

Module II: Insurance:

- Definition, Essentials, Nature, Kinds and Application of Doctrine of Utmost Good Faith and Doctrine of Indemnity
- Insurable Interest - Definition, Essentials, Nature and Person having Insurable Interest.
- Premium - Definition, Mode or Method of Payment, Days of Grace, Forfeiture and Return of Premium.
- The Risk - Meaning, Essentials, Scope, Alteration and Application of Doctrine of Causa Proxima.
- Assignment of Insurance Policy - Nature and Manner
- Warranty - Meaning, Characters, Kinds, the Effect of Breach of Warranty, Warranty and Representation.

Module III: Life Insurance

- Definition, Essentials, Nature, Scope, Event Insured, Circumstances Affecting the Risk Including Suicide, Categories of Insurance Policies.

Module IV: Fire Insurance

- Definition, Nature, Scope, Meaning of the Term, Fire, Loss by Fire, Categories of Fire Insurance Policy and the Application of Special Doctrine - Reinstatement, Subrogation, Contribution etc.

Module V: Marine Insurance

- Definition, Scope, Nature, Categories of Marine Insurance Policies, Insured Perils, Loss and Abandonment, Partial Losses and General Average, Measure of Indemnity.

Module VI: Miscellaneous

- Insurance (Burglary, Liability and Motor Vehicle) - Definition, Nature and Scope.

Module VII: Double Insurance of Reinsurance

Bare Acts:

- *Insurance Act , 1938*

Suggested Readings:

1. M. N. Srinivasan: Principles of Insurance Law, Wadhwa & Co.
2. Rajiv Jain: Insurance Law and Practice, Vidhi Publication Private Limited
3. Taxmann: Insurance Manual, Taxmann Publication Private Limited
4. Bharat: Manual of insurance Laws, Bharat Publication Private limited
5. Dr. Avtar Singh: Law of Insurance, Universal Publication Pvt. Limited
6. George E. Rejda: Principles of Risk Management and Insurance

Banking Law**Module I: History**

- Nature and Development of Banking

Module II: Concepts

- Relationship of Banker and Customer:
 - ✓ Banks Banking Business, Meaning of Customer, Types of Accounts, Banker as Borrower
 - ✓ Contract Between Banker and Customer- Their Rights and Duties
 - ✓ Banker's Lien
 - ✓ Banking Instruments;
 - ✓ Banking Services

Module III: Laws Regulating the Business of Banking (Salient Features Only)

- Banking Companies Act, 1949
- Reserve Bank of India Act, 1934
- Foreign Exchange Management Act , 1998

Module IV: Negotiable Instruments

- Meaning and Kinds of negotiable Instruments
- Indorsement, Negotiability and Assignability
- Holder and Holder in Due Course
- Rights and Liabilities of Paying and Collecting Banker
- Dishonour of Negotiable Instruments Including Criminal Liability of Drawer and Protection of Collecting Banker

Bare Acts:

- Banking Companies Act, 1949
- Reserve Bank of India Act, 1934
- Foreign Exchange Management Act , 1998

IT OFFENCES AND CYBER LAWS

Module I:

- Advantages and Disadvantages of Internet Technology
- Aims and Objectives of Information Technology Act
- Definitions: Computer, Computer Network, Computer Resource, Computer System, Asymmetric Crypto System
- Digital Signature and Electronic Signature Electronic Governance
- Attribution, Acknowledgement and dispatch of Electronic record
- Regulation of Certifying Authorities
- Electronic/Digital Signature Certificate
- Duties of Subscribers

Module II:

- Penalties and Adjudication
- Cyber Appellate Tribunal
- Offences.
- Network Service Providers not to be liable in certain cases
- Issues relating to Trademark and Domain Name
- Domain Name Dispute Resolution Policy
- Copyright issue relating to Internet

Module III: Cyber Crime

- Jurisdiction Issue in Cyber Crime
- Cyber Crime under Information Technology Act: National Perspective
- Cyber Crime under Information Technology Act: International Perspective
- International Convention on Cyber Crime
- Mobile Phones Crimes

Suggested Readings:

1. Bare Act of Information Technology Act,
2. Rodney Ryder, Guide to Cyber Laws, Wadhwa Nagpur, 2nd Edition, 2003
3. Vakul Sharma, Information Technology: Law & Practice, Universal Law Publishers, 2nd edition, 2007
4. Vakul Sharma, Handbook of Cyberlaws, Universal Law Publication, Reprint Edition 2010
5. Dr Farooq Ahemed, Cyber Law in India, New Era Law Publishers, 3rd edition, 2008
6. Prag Diwan and Shimmi Kapoor, Cyber and E-Commerce Law, Bharat Publishers, 2nd Edition, 2000
7. V.K. Unni, Trademarks and Emerging Concepts of Cyber Property Rights, Eastern Law House, 2005
8. D.P. Mittal, Law of Information Technology (Cyber Law), Taxmann, 2000
9. Dr Amita Verma, Cyber Crimes in India, Central Law Publishers, Allahabad, 2012
10. Diane Rowland & Elizabeth, Information Technology Law, 3rd Edition, Oxon Cavendish Publishing, 2006

