



Chhatrapati Shivaji Maharaj University B.A.LL. B(Hons.)

Academic Ordinances for **B.A.LL. B(Hons.)**

(Programme Structure & Evaluation Scheme)
Programme Code: BALB

Duration: 5 years



EFFECTIVE FROM SESSION: 2022-2023

Faculty of Law

**CHHATRAPATI SHIVAJI MAHARAJ
UNIVERSITY PANVEL, NAVI MUMBAI**

**(STATE PRIVATE UNIVERSITY ESTABLISHED UNDER ACT XXXII OF GOVT. OF MAHARASHTRA 2018 AND
RECOGNIZED BY THE UGC)**



Chhatrapati Shivaji Maharaj University _____ **BA LL.B(Hons.)**

About the Programme

The BALL.B(Hons.) programme is aimed at imparting knowledge on the fundamental principles of Law. This programme is beneficial for the students in the area of higher studies, career opportunities in both private and public sectors.

Ordinances

O1 . Eligibility:

Passed 10+2 examination. Obtained at least 45% (42% for OBC& 40 % for SC/ST) marks in the qualifying Examination.

O2 . Duration:

The **B.A.LL. B(Hons.)** programme will normally be of five academic years duration spanning over **ten semesters**.

Semester-wise Teaching and Evaluation scheme

Semester I

Course Code	Course Title	Hours/ Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB1050	Constitutional Law-I	3	1	0	30	70	-	-	100	4
LLBB1020	Law of Contract-I	3	1	0	30	70	-	-	100	4
HISG1010	History-I	3	1	0	30	70	-	-	100	4
SOCG1010	Sociology-I	3	1	0	30	70	-	-	100	4
EVSG2000	Environmental Studies	3	1	0	30	70	-	-	100	4
	TOTAL	15	5	0	150	350	-	-	500	20

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination



Semester II

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB2020	Law of Contract-II	3	1	0	30	70	-	-	100	4
LLBB2040	Constitutional Law-II	3	1	0	30	70	-	-	100	4
BALB2020	English-I	3	1	0	30	70	-	-	100	4
HISG3010	History-II	3	1	0	30	70	-	-	100	4
SOCG2010	Sociology-II	3	1	0	30	70	-	-	100	4
	TOTAL	15	5	0	150	350	-	-	500	20

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination

Semester III

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB1010	Family Law-I	3	1	0	30	70	-	-	100	4
LLBB1040	Tort, CP Act, MV Act	3	1	0	30	70	-	-	100	4
POSG2010	Political Science-I	3	1	0	30	70	-	-	100	4
ECMG3010	Economics -I (MICRO)	3	1	0	30	70	-	-	100	4
LLBB1030	Legal Language	3	1	0	30	70	-	-	100	4

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination



Semester IV

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB4010	Jurisprudence	3	1	0	30	70	-	-	100	4
LLBB2010	Family Law-II	3	1	0	30	70	-	-	100	4
LLBB2030	Law of Crimes	3	1	0	30	70	-	-	100	4
POSG3010	Political Science-II	3	1	0	30	70	-	-	100	4
ECMG4010	Economics -II (MACRO)									
	TOTAL	12	4	0	120	280	-	-	400	16

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination

Semester V

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB6010	Code of Criminal Procedure, Juvenile Justice Act, 2000 & Probation of Offenders Act, 1958	3	1	0	30	70	-	-	100	4
LLBB3010	Arbitration, Conciliation & ADR	3	1	0	30	70	-	-	100	4
LLBB3020	Human Rights & International Law	3	1	0	30	70	-	-	100	4
LLBB3030	Professional Ethics, Bar Bench Relations & Accountancy for lawyers	3	1	0	30	70	-	-	100	4
	TOTAL	12	4	0	120	280	-	-	400	16

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination



Semester VI

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB3040	Law of Evidence	3	1	0	30	70	-	-	100	4
LLBB4030	Law of Taxation	3	1	0	30	70	-	-	100	4
LLBB4040	Drafting, Pleading & Conveyancing	3	1	0	30	70	-	-	100	4
LLBB2310	Health Law	3	1	0	30	70	-	-	100	4
LLBB2320	Media Law	3	1	0	30	70	-	-	100	4
LLBB2330	Election Law	3	1	0	30	70	-	-	100	4
	TOTAL	12	4	0	120	280	30	70	400	16

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination

Semester VII

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB4020	Interpretation of Statutes	3	1	0	30	70	-	-	100	4
LLBB6030	Labor Laws	3	1	0	30	70	-	-	100	4
LLBB5030	Administrative Law	3	1	0	30	70	-	-	100	4
LLBB3320	Elective Comparative Laws	3	1	0	30	70	-	-	100	4
LLBB3330	Elective Conflict of Laws	3	1	0	30	70	-	-	100	4
	TOTAL	12	4	0	120	280	30	70	400	16

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination



Semester VIII

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB5020	Property laws including TP Act 1882 & Easement Act, 1882	3	1	0	30	70	-	-	100	4
LLBB6040	Land Laws	3	1	0	30	70	-	-	100	4
LLBB4320	Elective *Criminology & Penology	3	1	0	30	70	-	-	100	4
LLBB4310	Elective *Law relating to Women	3	1	0	30	70	-	-	100	4
	TOTAL	12	4	0	120	280	30	70	400	16

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination

Semester IX

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB5010	Code of Civil Procedure & Limitation Act, 1980	3	1	0	30	70	-	-	100	4
LLBB6020	Environmental law	3	1	0	30	70	-	-	100	4
LLBB5040	Company Law	3	1	0	30	70	-	-	100	4
LLBB5320	Elective Banking Laws	3	1	0	30	70	-	-	100	4
LLBB5330	Elective Insurance Laws	3	1	0	30	70	-	-	100	4
	TOTAL	12	4	0	120	280	30	70	400	16

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination



Semester X

Course Code	Course Title	Hours/Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB6050	Practical Training & Moot Courts	3	1	0	30	70	-	-	100	4
LLBB3310	Equity & Trust	3	1	0	30	70	-	-	100	4
LLBB5310	Intellectual Property Law	3	1	0	30	70	-	-	100	4
LLBB4330	RTI & PIL	3	1	0	30	70	-	-	100	4
BALB0320	Bankruptcy Laws	3	1	0	30	70	-	-	100	4
	TOTAL	12	4	0	120	280	30	70	400	16

L = Lecture, T = Tutorial, P = Practical, IA=Internal Assessment, ESE=End Semester Examination

*This course will be offered as a compulsory audit course for which passing marks are 40% in End Semester Examination.



BA- LLB. SEMESTER -I

**CONSTITUTIONAL LAW – I
(LLBB1050)**

Course Objectives:

To make the students understand the Indian Constitution, the supreme law of land along with fundamental rights, Directive Principles and various other important doctrines. Our country is governed by the provisions of Constitutional Law and Government will function complying with it.

Course Outcomes:

The student will be able to–

CO1: Develop understanding of Articles and Clauses of Indian Constitution

CO2: Understand the basic structure of three organs of Government and its functions.

CO3: Understand concepts and principles in quantum mechanics. Relate them to some applications.

CO4: Understand about basic features of Constitution and its Amendment

CO5: Understand about filing of cases if there is violation of the constitutional provisions.

Course Contents

UNIT-1 – I Introduction to Indian constitution

- 1.1 Salient features of Indian Constitution
- 1.2 Nature of Indian Constitution- Unitary or Federal
- 1.3 Preamble of Constitution
- 1.4 Citizenship

UNIT- 2 Definition of State (Article 12)

- 2.1 Laws inconsistent with Fundamental Rights (Article 13)
- 2.2 Laws inconsistent with Fundamental Rights (Article 13)
- 2.3 Doctrine of severability, eclipse, waiver

UNIT-3 – III Fundamental Right

- 3.1 Right to Equality (Article 14-18)
- 3.2 Freedom of Speech & Expression (Art. 19)
- 3.3 Protection in respect of conviction of offences (Art. 20)
- 3.4 Protection of Life & Personal Liberty (Art. 21)
- 3.5 Safeguards against arbitrary arrest & detention (Art. 22)

UNIT-4 – IV Fundamental Right

- 4.1 Right against Exploitation (Art. 23-24)
- 4.2 Right to Freedom of Religion (Art. 25-28)
- 4.3 Cultural & Educational Right (Art. 29-30)
- 4.4 Right to Constitutional remedies (Art. 32- 35)



UNIT-5 – V Directive Principles & Fundamental Duties

- 5.1 Directive Principles of State Policy (Art. 36-51)
- 5.2 Fundamental Duties (Art. 51A)
- 5.3 Basic Features of Constitution & Procedure for Amendment of Constitution

Suggested Reading:

- 1. N. Shukla, Constitution of India, Eastern Book Agency, 2014
- 2. P. Jain, Indian Constitutional Law, Lexis Nexis, 2013
- 3. D. Basu, Introduction to the Indian Constitution of India, (20th Ed. 2009)

References:

- 1. M. Seervai, Constitutional Law of India, Universal Law Publishing Co., Reprint 2013
- 2. Glanville Austin, Indian Constitution – cornerstone of the Nations, Oxford University Press, 1999
- 3. M. Bakshi, The Constitution of India, Universal Law Publishing Co., D. Basu, Shorter Constitution of India (14th Ed. 2008, reprint 2010)

CONTRACT – I

(LLBB1020)

Course Objectives:

To make the students familiarize with the concepts of Contract Act & Specific Relief Act. This will enable the students to understand all aspects of contract and agreements, its enforceability as well as remedies for breach of contract. Specific Relief Act which provides remedies for persons whose civil or contractual rights have been violated.

Course Outcomes (COs): The students will be able to learn

CO1: The essential elements of agreement/contract

CO2: About Commercial Contracts as well as its enforceability

CO3: The procedure of filing cases in case of breach of contract as well as other related issues

CO4: The application of the core aspect of Business/Commercial Law

Course Contents

(GENERAL PRINCIPLES OF CONTRACT AND SPECIFIC RELIEF ACT 1963)

UNIT-1: Introduction

Contract: Meaning, Nature and Types, Major Definitions under Indian Contract Act, 1872. Formation of an Agreement, Proposal and Acceptance-, Their various forms, Essential Elements, Counter Offer, Communication, Revocation, Mode of Revocation of Offer.

UNIT-2: Capacity to Contract & Free Consent

Free Consent and Vitiating Elements, Coercion, Undue Influence, Fraud, Misrepresentation, Mistake, Effects.



UNIT-3: Consideration & lawful object

Meaning and Nature of Consideration – Nudum Pactum, Doctrine of Privity of Contract and of Consideration, Its Exceptions, Exceptions of consideration, Adequacy of Consideration: Present, Past and Adequate Consideration, Unlawful Consideration and its Effect.

UNIT-4: Agreement declared to be void & Quasi – Contracts

Void and Voidable Agreements, Agreements against Public Policy, • Wagering Agreements & Contingent Contracts.

UNIT-5: Discharge of a Contract and Remedies for breach

By Performance, Performance by Joint Promisors, Discharge by Novation, Remission, Accord and Satisfaction, Clayton's Rule of Appropriation of Payments, Discharge by Impossibility of Performance, Doctrine of Frustration, Discharge by Breach, Anticipatory Breach, Actual breach. Remedies- Damages- Ascertainment of Damages, Doctrine of Quantum Meruit.

UNIT-6: Specific Relief Act, 1963

Recovering possession of property, Specific Performance: Injunctions, Declaratory Decrees, Preventive Relief.

Text Books:

1. Dr. Avtar Singh, Law of Contract, EBC, Lucknow (9th Edn. – 2005)
2. M. Krishnan Nair, Law of Contracts, Orient Longman, Hyderabad, (5th Edn. – 1996)
3. Chitty on Contracts, Sweet & Maxwell, London, Vol. I & II, (28th Edn. – 1999).

References:

3. Mulla : Indian Contract Act
4. Dessai : Indian Contract Act
5. Anson : English law of contract

HISTORY - I

Course Objectives: -

I-To acquaint the students with different sources of Ancient Indian History.

II-To enable the students to understand the political, socio-economic and cultural developments in the period under study

III- appreciate the rich cultural heritage in India.

IV-The course is designed to make the student aware about the making of modern India and the struggle for independence.

Course outcomes

I-Discuss the advent of administration

II-Understand the salient features of Indus valley civilization & Medieval India

III-Understand about the Socio-religious reform movements in 19th century.

IV-State the role of moderates and extremists in the freedom movement.



UNIT :-I Polity, State and Administration

(a) Ancient India

- 1) Vedic Polity
- 2) Mauryan State
- 3) Gupta Polity

(b) Medieval India

- 1) Chola Village Administration
- 2) Delhi Sultanat
- 3) Mughal State (Mansabdari System and Administrative Apparatus)

UNIT: -II

East India Company and its Administration (1757-1857)

(a) Regulating Act of 1773

(b)The Charter Act from 1773 to 1853

UNIT: -III

(a)The revolt of 1857 its origin and causes.

(b) Consequence of the revolt with special reference to:

(i)Queen's Proclamation (ii) Act for the better Government of India 1858

(c) Indian Councils Act of 1861

UNIT: IV

Struggle for Independence (1885-1909)

(a) (i) Indian National Congress and the work of the Moderates (1885-1905)

(ii)Indian Councils Act of 1892

(b)Rise of Extremists and Partition OF Bengal (1905)

(c) The Indian Council Act of 1909

UNIT: V

(a)(i) August Declaration (1917) and Montague-Chelmsford Report (1918)

(b)The Government of Indian Act, 1919 and its Consequences

(c)Simon Commission (1927), Nehru Report (1928) and Round Table Conferences

(d)Civil Disobedience Movement and the Government of India Act 1935

UNIT:VI

The Road to Partition

(a)Cripp's Mission (1942), Cabinet Mission Plan (1946) and the Indian Independence Act (1947)

(b)Genesis and Growth of Communalism and Partition of India

References Book:

- Bipan Chandra – India's Struggle for Independence (Penguin)
- A.S.Tripathi – Jurisprudence
- T.Rama Jois – Ancient Legal thought
- A.L. Basham – Wonder that was India, Part-I
- S.A.A. Rizvi – Wonder that was India, Part –II



- Mahajan V.D- Modern Indian History
- Mujumdar R.C - An Advance History of India

SOCIOLOGY-I

Course Objectives:

- Express an understanding of sociology's contributions to other disciplines such as Law, History and other social sciences.
- Elaborate an understanding of the usefulness and limitations of the sociological theories and various concepts and thoughts
- Illustrate the nature of Indian Society with major institutional blocs with special reference to (Family, Marriage, Kinship, Education, Religion, etc) in the legal framework
- Describe the role of culture and social structure in determining individual lives and be able to offer and identify illustrations of these processes.
- *Explain the effects of caste, class, gender and other forms of difference on society and be able to provide significant examples of these effects.*
- *Students ought to be able to identify the effect of law through sociological understanding at individual, institutional, and cultural levels.*

Course Contents/Syllabus:

	Weightage (%)
Module I: Introduction	
<ul style="list-style-type: none">– Sociology: Definition, Nature and Scope of Sociology;– Relevance of Sociology for the study of Law;– Relation with other social sciences: History, Anthropology and Political Science;– Introduction of eminent Sociologists August Comte, Emile Durkheim, Herbert Spencer, Max Weber, Karl Marx	20%
Module II: Basic concepts	
<ul style="list-style-type: none">– Society;– Community;– Association;– Institution.– Social Processes: Cooperation, Competition, Conflict.	10%
Module III: Marriage, Family, Kinship	
<ul style="list-style-type: none">– Marriage: Meaning, and Definition, Features, Functions, Types;– Family: Definition, Functions of family, Types;– Kinship: Definition, Classification, Degree and Forms.	20%
Module IV: Social Control	
	20%



<ul style="list-style-type: none">– Social Control: Meaning and Function; Distinction between formal and informal social control;– Informal Agencies of social control: Customs, Folkways, Mores and Religion;– Formal Agencies: Law, Public opinion, Media, and Coercion.	
Module V: Social Change in India	
<ul style="list-style-type: none">– Meaning; Nature or Characteristics of Social Change;– Factors of Social Change: Biological, Education, Technological, Social Legislation;– Customs and Law: Differences, Compliment and supplement each other.	20%
Module VI: Social Issues-I	
Beggary, Child Marriage, Youth Unrest and Scheduled Caste.	10%

Text References:

- Giddens, A. Sociology; Polity Press, UK; 1993
- Shankar Rao, Introduction to Sociology.S Chand Publisher, New Delhi.
- Davis, K. Human Society; Surjeet Publications, India; 2000
- Ahuja,Ram: Indian Social System,RawatPublications,Jaipur
- Ahuja,Ram: Indian Social Problems,RawatPublications,Jaipur



ENVIRONMENTAL STUDIES

Unit 1: Multidisciplinary nature of environmental studies (2 lectures) Definition, scope and importance, Need for public awareness.

Unit 2: Natural Resources: (8 lectures) **Renewable and non-renewable resources:**

Natural resources and associated problems.

a) Forest resources: Use and over-exploitation, deforestation, case studies. Timber extraction, mining, dams and their effects on forest and tribal people. b) Water resources: Use and over-utilization of surface and ground water, floods, drought, conflicts over water, dams-benefits and problems.

c) Mineral resources: Use and exploitation, environmental effects of extracting and using mineral resources, case studies.

d) Food resources: World food problems, changes caused by agriculture and overgrazing, effects of modern agriculture, fertilizer-pesticide problems, water logging, salinity, case studies.

e) Energy resources: Growing energy needs, renewable and non-renewable energy sources, use of alternate energy sources. Case studies.

f) Land resources: Land as a resource, land degradation, man induced landslides, soil erosion and desertification.

- Role of an individual in conservation of natural resources.
- Equitable use of resources for sustainable lifestyles.

Unit 3: Ecosystems (6 lecture) • Concept of an ecosystem.

- Structure and function of an ecosystem.
- Producers, consumers and decomposers.
- Energy flow in the ecosystem.
- Ecological succession.
- Food chains, food webs and ecological pyramids.
- Introduction, types, characteristic features, structure and function of the following ecosystem: -
 - a. Forest ecosystem
 - b. Grassland ecosystem
 - c. Desert ecosystem
 - d. Aquatic ecosystems (ponds, streams, lakes, rivers, oceans, estuaries)

Unit 4: Biodiversity and its conservation (8 lectures) • Introduction – Definition: genetic, species and ecosystem diversity.

- Biogeographical classification of India
- Value of biodiversity: consumptive use, productive use, social, ethical, aesthetic and option values
- Biodiversity at global, National and local levels.
- India as a mega-diversity nation
- Hot-spots of biodiversity.
- Threats to biodiversity: habitat loss, poaching of wildlife, man-wildlife conflicts. • Endangered and endemic species of India
- Conservation of biodiversity: In-situ and Ex-situ conservation of biodiversity.

Unit 5: Environmental Pollution (8 lectures) Cause, effects and control measures of:-

- a. Air pollution
- b. Water pollution
- c. Soil pollution
- d. Marine pollution
- e. Noise pollution



f. Thermal pollution

g. Nuclear hazards

- Solid waste Management: Causes, effects and control measures of urban and industrial wastes.
- Role of an individual in prevention of pollution.
- Pollution case studies.
- Disaster management: floods, earthquake, cyclone and landslides.

Unit 6: Social Issues and the Environment (7 lectures) • From Unsustainable to Sustainable development

- Urban problems related to energy
- Water conservation, rain water harvesting, watershed management
- Resettlement and rehabilitation of people; its problems and concerns. Case Studies • Environmental ethics: Issues and possible solutions.
- Climate change, global warming, acid rain, ozone layer depletion, nuclear accidents and holocaust. Case Studies.
- Wasteland reclamation.
- Consumerism and waste products.
- Environment Protection Act.
- Air (Prevention and Control of Pollution) Act.
- Water (Prevention and control of Pollution) Act
- Wildlife Protection Act
- Forest Conservation Act
- Issues involved in enforcement of environmental legislation.
- Public awareness.

Unit 7: Human Population and the Environment (6 lectures) • Population growth, variation among nations.

- Population explosion – Family Welfare Programme.
- Environment and human health.
- Human Rights.
- Value Education.
- HIV/AIDS.
- Women and Child Welfare.
- Role of Information Technology in Environment and human health.
- Case Studies.

Unit 8: Field work (Field work Equal to 5 lecture hours) • Visit to a local area to document environmental assets: river/ forest/grassland/hill/mountain • Visit to a local polluted site-Urban/Rural/Industrial/Agricultural

- Study of common plants, insects, birds.
- Study of simple ecosystems-pond, river, hill slopes, etc.

Textbook: Textbook for Environmental Studies for undergraduate courses of all branches of Higher Education, Erach Bharucha, Published by University Grants Commission. E-copy:

<https://www.ugc.ac.in/oldpdf/modelcurriculum/env.pdf>



BA- LLB. SEMESTER -II

LAW OF CONTRACTS II

Objective: The subject deals with special branch of Contracts viz. Partnership Act, 1932, Sale of Goods Act, 1930 Bailment, pledge, Indemnity, Guarantee and Negotiable Instrument Act, 1881 etc.. It helps the student to understand the rules which are required for the creation of such contracts. The course involves both individual and group work, with an emphasis on application to provide a strong understanding of the fundamental concepts related to contracts.

Course Outcome

The students will be able to:

- Comprehend the meaning bailment, indemnity and guarantee
- Comprehend the laws relating to partnership
- Understand the laws relating to Sale of Goods and negotiable instruments.

Unit – 1: Indian Contract Act (section 124 to section 238)

Contract of Indemnity- Definition, Essentials, Rights & Liabilities. Contract of Guarantee - Essential features, Kinds, Nature of surety's liability, Doctrine of Subrogation. Bailment-Definition, Kinds, Essential ingredients of a valid bailment, Right of Lien, Rights & Duties of bailor & bailee, Finder of lost goods. Pledge- Definition, Essential ingredients of a valid pledge, Distinction between bailment & pledge, Rights & Duties of pawnor & pawnee. Agency- Definition, Rules of Agency, Test of Agency, Kinds of agents, Creation of Agency- types, Relations of principal with third parties, determination of Agency, Agency coupled with interest.

Unit – 2: Indian Partnership Act 1932

Definition & nature of Partnership, Essential elements of Partnership, Test of Partnership, Kinds of Partners, Relation of partner to one another- Rights & Duties, Relation of partners to third parties, Incoming & Outgoing, Dissolution, Mode of Dissolution, Registration, Effects of Non Registration.

Unit – 3: Sale of Goods Act 1930

Formation of Contract of Sale, Definition of Goods & Essentials of Sale, Distinction between sale and agreement to sell, Conditions & Warranties- Distinction, Passing of Property- Rules, Passing of risk, Transfer of title, Performance, Rights of unpaid seller.

Unit – 4: Negotiable Instruments Act, 1881

Definition of Promissory Note, Bill of Exchange, Cheque, Holder & Holder in due course.

Text Books:

1. Dr. Avtar Singh, Law of Contract, EBC, Lucknow (9th Edn. – 2005)
2. M. Krishnan Nair, Law of Contracts, Orient Longman, Hyderabad, (5th Edn. – 1996)
3. Chitty on Contracts, Sweet & Maxwell, London, Vol. I & II, (28thEdn. – 1999).



References:

Mulla: Indian Contract Act

Dessai : Indian Contract Act

Anson: English law of contract

CONSTITUTIONAL LAW – II

Course Objective

This paper aims to familiarize the students with the concept of Union and state legislature, Union and State Judiciary, relations between Union and State and the Emergency Provisions.

Course Outcome

The students will be able to:

- Understand the Union and State Executives' election and functions
- Comprehend the functions of Union and State Judiciary
- Comprehend the relation between the Union and the state

Unit 1- The Union & State Executive

The Union Executive –

The President

1.1 Election, Qualifications& Terms of Office of President

1.2 Privileges, Powers and Duties of President

1.3 Impeachment of President

The Vice – President

1.4 Qualifications & Election of Vice-President

1.5 Functions& Terms of Office of Vice – President

Council of Ministers

1.6 Appointment of Ministers

1.7 Council of Ministers & Cabinet



- 1.8 The Individual, Collective, Legal & Ministerial Responsibility
- 1.9 President's relation with the Council of Ministers
Attorney General of India & Comptroller and Auditor-General of India
The State Executive
- 1.10 Appointment, Powers & Qualifications of Governor
- 1.11 The Council of Ministers
- 1.12 The Advocate General

Unit 2-Union & State Legislature

The Union Legislature – Parliament

Composition of Parliament & Houses of Parliament

Duration & Sessions of the Houses of Parliament

Qualification for Membership of Parliament

Powers of Speaker, Deputy speaker & Chairman

Ordinary, Money Bills & Financial Bills

Parliament's Control over Financial System- Committee on Estimates, Committee

on Public Accounts, Consolidated Fund of India & Contingency Fund of India The State Legislature
Composition

Unit 3- Union & State Judiciary

The Union – Supreme Court

Composition of Supreme court

Qualifications & Appointment of Supreme Court Judges & National Judicial

Appointment Commission

Impeachment of Judge of Supreme court

Jurisdiction of Supreme court- Original, Writ, Appellate, Advisory

Powers to Punish for Contempt & Concept of Curative Petition

The State – High Court

Appointment, Transfer of Judge of High Court

Terms of Office & Removal of Judge of High Court

Jurisdiction & Powers of High Court



Unit 4 – Relations between Union & the State

Distribution of Legislative & Executive Powers

Distribution of Financial Powers & Finance Commissions

Administrative relations between the Union & States

Inter-State Relations & Freedom of Trade & Commerce

Emergency Provisions

- Proclamation of Emergency & its Termination
- Kinds of Emergency & Judicial Review

Unit 5-Trade commerce and intercourse within the territory of India

Freedom of Trade, Commerce & intercourse

Power of the Parliament to impose restrictions on trade commerce and intercourse.

Unit 6 - Services under the Union and the states

6.1 Recruitment and conditions of service of persons serving the Union or a state.

6.2 Tenure of the office of persons serving the Union or a state.

6.3 Dismissal, removal or reduction in rank of civil servants.

Unit 7- Emergency Provisions

7.1 Proclamation of Emergency

7.2 Provisions in case of failure of constitutional machinery in states

7.3 Exercise of Legislative powers under proclamation issued under Art. 356

7.4 Suspension of provisions of Art.19 and suspension of enforcement of fundamental rights.

7.5 Financial Emergency

Suggested reading:

1. N. Shukla, Constitution of India, Eastern Book Agency, 2014



2. P. Jain, Indian Constitutional Law, Lexis Nexis, 2013
3. D. Basu, Introduction to the Indian Constitution of India, (20th Ed. 2009)

References:

1. M. Seervai, Constitutional Law of India, Universal Law Publishing Co., Reprint 2013
2. Glanville Austin, Indian Constitution – cornerstone of the Nations, Oxford University Press, 1999
3. M. Bakshi, The Constitution of India, Universal Law Publishing Co., 2014
4. D. Basu, Shorter Constitution of India (14th Ed. 2008, reprint 2010)

TITLE OF THE PAPER: ENGLISH-I

Course Objectives.

1. To acquaint the students with appropriate language skills with the purpose of improving the existing ones – LSRW.
2. To make the learners understand the importance and effective use of non-verbal communication.
3. To make the learner proficient in public speaking and presentation skills.
4. To guide and teach the students to utilize the principles of professional business and technical writing for effective communication in the global world.
5. To deploy technology to communicate effectively in various situations.

Course Outcomes.

The students will be able to-

1. Understand and evaluate information they listen to and express their ideas with greater clarity.
2. Speak and respond effectively along the various channels of communication in a business organization.
3. Speak convincingly before an audience with the help of an expanded vocabulary and enhanced digital content.
4. Communicate through result-oriented writing both within and outside the organization.
5. Write a set of effective and easy to understand technical description, instructions.

UNIT 1.

Communication and Communication Process: Introduction to Communication, Forms and functions of Communication, Barriers to Communication ((linguistic and semantic, psychological, physical, mechanical, cultural), and overcoming them, Types of communication: verbal and non-verbal communication.



Reading: Introduction to Reading, Barriers to Reading, Types of Reading: Skimming, Scanning, Fast Reading, Strategies for Reading, Comprehension.

Listening : Importance of Listening, Types of Listening, Barriers to Listening.

UNIT 2.

Writing Skills, Reading Skills & Listening Skills: Features of Good Language, Technical Style of writing, Writing Emails and its etiquettes, Technical Reports: Report Writing: Types, Format and Structure of reports.

UNIT 3.

Letter Writing: Types of letters: Job application letter, complaint letter, enquiry letter, reply to enquiry, sales letter. Essential and non-essential parts of letters, formats of letters.

UNIT 4.

Grammar: Types of sentences, Antonyms and Synonyms, Use of Auxiliaries and Modal Auxiliaries, Synonyms and Antonyms, Pairs of confused words, Common Errors in sentences.

UNIT 5.

Soft Skills: Body language, Team work and skills, Decision making ability, Negotiation skills and Interview skills.

UNIT 6.

Dialogues Writing and Speaking: Greeting someone and responding to greet, Thanking someone and responding to thanks, Making inquiry and responding to enquiry on telephone, Making request and responding to request.

References:

1. Communication in Organizations by Dalmar Fisher, Jaico Publishing House
2. Communication Skills by Meenakshi Raman & Sangeeta Sharma,
3. Oxford University Press.
4. Business Correspondence & Report-writing by R.C. Sharma & Krishna Mohan, Tata McGraw-Hill Education.
5. Effective Technical Communication by Ashraf Rizvi, Tata McGraw-Hill.
6. Technical Writing & Professional Communication for non-native speakers of English by Thomas N. Huckin & Leslie A. Olsen, McGraw –Hill.
7. Mastering Communication by Nicky Stanton, Palgrave Master Series



8. www.businesscommunicationskills.com
9. www.kcitraing.com
10. www.mindtools.com
11. Journal of Business Communication.



HISTORY -II

Objectives:-

The course is designed to make for Knowledge about History of Court

Course outcomes

I-Discuss the rise of the Presidency Towns and Development of Court

II-Classify about Judicial Reforms

III-Understand about the Socio-religious reform movements.

IV-Knowledge about the **Constitutional** History

UNIT I: Early Developments

(a)Charters of the East India Company: 1600, 1661, 1726 and 1753

(b)Courts: Mayor's Court of 1726 and Supreme Court of 1774

UNIT II: Provisional of Act

(a)Regulating Act, 1773;

(b)Pitts India Act, 1784;

(c)The Act of Settlement 1781

(d)Conflict:

-Raja Nanad Kumar,

-Kamaluddin,

-Patna Case,

-Cossijurah

-Radha Charan case

-Saroopchand'r's Case

-Gora Gopichandra Case

UNIT III: Judicial Reforms

(a) Warren Hastings:

1) Judicial Plans of 1772

2) Judicial Plans of 1774

3) Judicial Plan of 1780

(b) Lord Cornwallis:

1) Judicial Plans of 1787

2) Judicial Plans of 1790

3) Judicial Plans of 1793

(c) Lord William Bentinck (With special focus on Appraisal of Criminal law)

UNIT IV: Evolution of Law and Legal Institutions

(a) Development of Criminal Law

(b) Development of Civil law in Mufassil: Special Emphasis on Justice, Equity and Good Conscience

(c) Establishment of High Courts, 1861

(d)Judicial Committee Of Privy Council

1) Appeals and working of Privy Council,

2) Appraisal of Privy Council

(e) Codification of Laws:

1) Charter of 1833, The First Law Commission

2) Charter of 1853, The Second Law Commission



UNIT VI: Constitutional History

- (a) The Indian Councils Act, 1861
- (b) The Indian Councils Act, 1892
- (c) The Indian Councils Act, 1909
- (d) The Government of India Act 1919
- (e) The Government of India Act, 1935

Text Books:

- ☞ M.P. Jain – Outlines of Indian Legal History
- ☞ V.D. Kulshretha – Landmarks of Indian Legal and Constitutional History

References Book:

- ☞ M.P. Singh – Outlines of Indian Legal History
- ☞ Abdul Hamid – Constitutional History of India

SOCIOLOGY II

Course Objectives:

- Express an understanding of sociology's contributions to other disciplines such as Law, History and other social sciences.
- Elaborate an understanding of the usefulness and limitations of the sociological theories and various concepts and thoughts
- Describe the role of culture and social structure in determining individual lives and be able to offer and identify illustrations of these processes.
- Explain the effects of caste, class, gender and other forms of difference on society and be able to provide significant examples of these effects.
- Students ought to be able to identify the effect of law through sociological understanding at individual, institutional, and cultural levels.

Student Learning Outcomes:

- Able to indulge students in vigorous learning and critical thinking.
- Students able to discover the sociological concepts that account for deviance, and social control
- Students turn out to be recognizable with various types of social institutions (family, marriage, education, religion, health, leisure, criminal justice and political systems, and economic systems) and their development over time.
- Get students to apply course content to their own lives and laws as applicable to the Indian society.
- Students become recognizable with how different types of social institutions (education, religion, health, leisure, criminal justice, political systems, and economic systems) interact with Indian families and effect there working.
- Students will able to communicate in oral presentations, meetings with students, and writing their understanding of sociological course material in form of Assignments.

UNIT I: INTRODUCTION OF SOCIOLOGISTS

- b) Radhakamal Mukherjee's
- c) Jawaharlal Nehru
- d) G.S Ghurye
- e) Akshay Ramanlal Desai

UNIT II: BASIC CONCEPTS

- a) Culture: Definition and characteristics
- b) Society: Definition and characteristics
- c) Social Control: Definition and Type
- d) Social Group and Community



UNIT III: SOCIAL STRUCTURES AND PRACTICES

- a) Tribe
- b) Caste
- c) Class

UNITE IV: SOCIAL IDENTITIES AND CHANGE

- a) Dalit Movement
- b) Gender Based Movement
- c) Tribal and Ethnic Movement

UNITE V: STATE, SOCIETY AND RELIGION

- a) Communalism
- b) Secularism

Text References:

Giddens, A. Sociology; Polity Press, UK; 1993
Introduction to Sociology; Zerihun D Doffana.
Shankar Rao, Introduction to Sociology.S Chand Publisher, New Delhi.
Davis, K. Human Society; Surjeet Publications, India; 2000
Ahuja,Ram: Indian Social System,RawatPublications,Jaipur
Ahuja,Ram: Indian Social Problems,RawatPublications,Jaipur
Shriniketan Notes

Other References:

Harlambos, M. Sociology: Themes and Perspectives; Oxford University Press, 1980
Bottomore, T.B. Sociology: A Guide to Problems and Literature; Blackie and Sons India Ltd; 1971
Horton. P.B. and C.L. Hunt Sociology; McGrew- Hill book Company, Singapore, 1984.



SEMESTER – III

FAMILY LAW -1

Course Objective:

To impart basic knowledge about laws relating to marriage divorce and succession under Muslim law, Christian Law and Parsi Law

Course Outcome

The students will be able to:

- Understand the various laws relating to marriage and divorce under Muslim Law and Christian Law
- Understand the various laws relating to succession under Muslim Law and Christian Law
- Comprehend the Parsi Marriage and Divorce Act

- **UNIT-1: Mohammedan Law** -Sources of Mohammedan Law, Schools, Shariat Act, 1937, Marriage, Dower, Divorce, Maintenance, Legitimacy & Parentage, Guardianship
- **UNIT-2: Indian Divorces Act & Christian Marriage Act-** Conditions & requirements of marriage, Divorce by mutual consent, Alimony/Maintenance, marriage dissolution, judicial separation, property settlements, child custody.
- **UNIT-3: Indian Succession Act (Sec. 1-166 only)** -Effect of marriage between person domiciled and one not domiciled in India, General principles relating to intestate succession, Testamentary Succession, Of privileged wills, Of the Attestation, Revocation, Alteration and Revival of Wills, Of the construction of Wills, Bequests, Of Void & Onerous, Legacies
- **UNIT-4: Parsi Marriage and Divorce Act** - Requisites to validity of Parsi Marriages, Remarriage when unlawful, Registration of divorces, Penalties.

- **Suggested Readings:**
 - 1. Textbook on Muslim Law - Rakesh Singh
 - 2. Divorce Act, 1869 -Lawmann
 - 3. The Indian Succession Act - Sukumar Ray
 - 4. Parsi Marriage and Divorce Act

- **References:**
 - 1. Mulla on Muslim law
 - 2. Family Law - B.M.Gandhi



LAW OF TORTS INCLUDING MV ACT AND CONSUMER PROTECTION LAWS

(LLBB1040)

Course Objective:

The students will be able to understand about civil wrong and what constitutes to nuisance in a society as well as to learn various liabilities between persons in different capacities. Consumer Protection Act help the students to understand about the legal aspects of consumerism in the present scenario. Motor Vehicles Act help the students to understand about the Insurer's liability for third party risks along with other related aspects.

Course Outcomes:

Student will be able to

- 1) Understand the Principles of Law of Torts
- 2) Understand the Principles of Consumer Protection Act & Motor Vehicles Act.
- 3) Understand filing of Consumer cases when there is defect in goods or deficiency in services.

UNIT-1: Introduction - Nature and definition of Tort, Tort distinguished from crime and contract , Torts and Contract, Essential Elements of Law of Torts.

UNIT-2: PARTIES - Capacity and Parties in Torts, Joint and Several Tort-feasors, Malfeasance, Misfeasance, Nonfeasance. General defences in Tort, Vicarious liability.

UNIT-3: NUISANCE and NEGLIGENCE - Nuisance, Definition· Types of Nuisances: Private, Public and Statutory Nuisance, Essentials of Private Nuisance, Remedies, Defences., Negligence – Definition, Elements of Negligence, Res Ipsa Loquitur, Contributory Negligence.

UNIT-4: DEFAMATION and MALICIOUS PROSECUTION -Defamation – Introduction – Definition, Libel and Slander, Essentials of Defamation, Innuendo, Defences, Malicious Prosecution, Essential Conditions, Distinction between Malicious Prosecution and False Imprisonment. t

UNIT-5: LIABILITY - Strict Liability – Introduction, Rule in Ryland's v. Fletcher Doctrine of Common Employment.

UNIT-6: TRESSPASS- Trespass to Person- Assault Battery, False Imprisonment, Trespass to Land, Definition, Methods, Trespass abinitio , Remedies ,Defences, Trespass to Goods – Definition – Essential Elements - Remedies.

UNIT-7: REMEDIES - Judicial Remedies, Damages – Types of Damages – Remoteness of Damages, Injunction – Specific Restitution, Extra-judicial Remedies, Self-help, Expulsion of trespasser, Re-entry on Land – Re catpion of Goods – Distress damage feasant – Abatement.

UNIT-8: CONSUMER PROTECTION ACT, 1986 -History and Development of Consumer Protection Laws in India, Object and Reasons of Consumer Protection Act, 1986, Definitions- Consumer Protection Councils, Consumer Disputes Redressal Agencies.

UNIT-9: Salient features of Motor Vehicle Act 1988 with Special reference to compulsory Insurance; Insurer's liability for third party risks.



Suggested Readings:

1. Ratanlal and Dhirajlal's: The Law of Torts
2. Kapoor, S.K. : Law of Torts

References:

1. Agarwal V.K. : Consumer Protection Law & Practice
2. Agarwal V.K. : Consumer Protection in India (2009) (Student Edition)
3. Bangia, R.K. : Law of Torts
4. Desai, Kumud : Law of Torts (An Outline with Cases)
5. Garg, O.P. : The Consumer Protection Act, 1986
6. Pillai, P.S. Atethuthan : Law of Torts
7. Sarraf, D.N. : Law of Consumer Protection in India
8. Singh, Avtar: Law of Consumer Protection



POLITICAL SCIENCE- I

UNIT-1: Political Theory 1. Definition & Scope of Political Science.

2. State (As the central theme and concept) - Meaning, Definition & Constituent Elements of State, State with reference to Society, Association & Government.

3. Sovereignty – Meaning, Definition & Characteristics of Sovereignty, Austinian (Monistic) Theory of Sovereignty, Pluralistic view of Sovereignty.

4. Main currents of Western Political Thought a) Plato’s Ideal State, Aristotle’s Classification of States (Governments). b) Machiavelli’s views on State Craft – “The Prince” Political Organisation

5. Organisation of Government a) Unitary & Federal Governments (Features, Merits & Demerits), Quasi – Federal, Is India A Quasi – Federal State? b) Parliamentary & Presidential Forms of Government (Features, Merits & Demerits).

6. Judiciary – functions & Role, the Principle of Independence of Judiciary & the doctrine of Judicial Review.

7. Bases of Representation – Territorial & Functional, the System of Proportional Representation.

8. Montesquieu’s Theory of the Separation of Powers (in brief)

Recommended Readings:

1. Asirvatham Eddy: Political Theory (Upper India Publishing House, Lucknow, 1971).

2. Barker Earnest : Principles of Social & Political Theory (Oxford, London, 1956).

3. Gokhale B.K. : Political Science (Theory and Government Machinery) (Himalaya Publishing House, Mumbai, 1994)

4. Johari J.C.: Contemporary Political Theory (Sterling, New Delhi, 1985)

5. Rathore L.S. & Haqqi S.A.H. : Political Theory & Organisation (Eastern Book Company, Lucknow, 2002)

ECONOMICS - I

INTRODUCTORY MICROECONOMICS

Course Description

This course is designed to expose the students to the basic principles of microeconomic theory. The emphasis will be on thinking like an economist and the course will illustrate how microeconomic concepts can be applied to analyze real-life situations.

Course Outline

1. Exploring the subject matter of Economics

Why study economics? Scope and method of economics; the economic problem: scarcity and choice; the question of what to produce, how to produce and how to distribute output; science of economics; the basic competitive model;



prices, property rights and profits; incentives and information; rationing; opportunity sets; economic systems; reading and working with graphs.

2. Supply and Demand: How Markets Work, Markets and Welfare

Markets and competition; determinants of individual demand/supply; demand/supply schedule and demand/supply curve; market versus individual demand/supply; shifts in the demand/supply curve, demand and supply together; how prices allocate resources; elasticity and its application; controls on prices; taxes and the costs of taxation; consumer surplus; producer surplus and the efficiency of the markets.

3. The Households

The consumption decision - budget constraint, consumption and income/price changes, demand for all other goods and price changes; description of preferences (representing preferences with indifference curves); properties of indifference curves; consumer 's optimum choice; income and substitution effects; labour supply and savings decision - choice between leisure and consumption.

4. The Firm and Perfect Market Structure

Behaviour of profit maximizing firms and the production process; short run costs and output decisions; costs and output in the long run.

5. Imperfect Market Structure

Monopoly and anti-trust policy; government policies towards competition; imperfect competition.

6. Input Markets

Labour and land markets - basic concepts (derived demand, productivity of an input, marginal productivity of labour, marginal revenue product); demand for labour; input demand curves; shifts in input demand curves; competitive labour markets; and labour markets and public policy.

Readings

1. Karl E. Case and Ray C. Fair, Principles of Economics, Pearson Education Inc., 8th Edition, 2007.
2. N. Gregory Mankiw, Economics: Principles and Applications, India edition by South Western, a part of Cengage Learning, Cengage Learning India Private Limited, 4th edition, 2007.
3. Joseph E. Stiglitz and Carl E. Walsh, Economics, W.W. Norton & Company, Inc., New York, International Student Edition, 4th Edition, 2007.

LEGAL LANGUAGE

(LLBB1030)

Course Objectives: To learn the concept of legal maxims in a detailed manner. It imparts knowledge of several Acts along with its title. It also gives idea about names of several journals and periodicals as well as citations & references.

Course Outcomes (COs): The students will be able to learn

CO1: To understand the meaning of Latin maxims and Legal terms

CO2: To understand what is precedent: Ratio Decidendi, and Obiter Dicta

CO3: To understand citations & references



UNIT-1: LEGAL MAXIMS

UNIT-2: Legal Concepts

Law, Custom, Justice, Right – Duty –Wrong - Civil Wrong, Criminal Wrong Remedy - Fact-Person, Offence, Person, State, Plaint, Complaint, Suit, Affidavit Judgment, Appeal – Review –Revision – Reference – Writ - Stay order - Cause of Action – Issue – Charge - Discharge – Acquittal – Conviction - Legal heirs - Legal Representative - Power of Attorney, Arbitration – Jurisdiction - Amicus Curiae.

UNIT-3: Legislative Materials -Brief introduction to the various parts of an Act, Intent (aims & objects) short title, Long title, Date of Assent – Section Subsection – marginal note, date of commencement, schedule or Table. Exposure to Current Indian Statutes – AIR Manual Civil Court Manual, Criminal Court Manual, Maharashtra Local Acts, Gazette of India, Maharashtra State Gazette.

The above may be taught with reference to the following Acts.

1. Industrial Disputes Act, 1947
2. Employees Compensation Act, 1923
3. Consumer Protection Act, 1986

UNIT-4: Introduction to precedent – Ratio Decidendi, Obiter Dicta

- UNIT-5: Case Laws** -Ref-1. M.C. Mehta V/s. Union of Indian AIR 1987 SC 965
2. Vishaka&ors. V/s. State of Rajasthan &Ors. AIR 1997 SC 3011
3. Dilip K. Basu V/s. State of West Bengal 1997 AIR SOW 23

UNIT-6: Exposure to official Reports and Private Reports – Supreme Court Reports – Indian Law Reports – All India Reporter – All India High Court cases – Judgment Today Bombay Law Reporter – Bombay cases Reporter – Maharashtra Law Journal, Supreme Court cases – Criminal Law Journal – Labour & Industrial cases – Company cases – Madras Law Journal – All Maharashtra Law Reporter Marriage & Divorce cases – Consumer. All England Law Reporter.

UNIT-7: Journals, Periodicals & Law Magazines & Abbreviation

Exposure to Lawyers collective insight – One India One People – Journal of the Indian Law Institute – India Bar Review – The Indian Advocate, Journal of the Bar Council of India – India Quarterly – Modern Law Review – Law Quarterly Review.

UNIT-8: Citations & References -Importance of citations Understanding a given citation Citations in respect of official Reports & specified Law reports .

Suggested Readings:

1. Textbook on Legal Language & Legal Writing - -Prof. K.L.Bhatia
2. Legal Language- Peter.M.Tiersma



Semester IV

JURISPRUDENCE

Course Objectives

The students should get familiar with various approaches to law and legal processes. They should be able to appreciate dynamic character of the law and legal systems particularly in the context of socio-political history of the society. Endeavour should be made to develop among students critical thinking about the law, legal system and legal processes. The students should be in position to appreciate how diverse approaches to law influence decision-making in judicial courts.

Course Outcome

The students will be able to:

- Understand the meaning of law, jurisprudence and the purpose of law
- Interpret the various schools of jurisprudence
- Familiarize with the concepts of legal rights, persons, possession, ownership and title

Unit I: - Introduction: Meaning of the term jurisprudence, Norms and the normative system, Different types of normative system 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 order normative system, Nature and definition of law

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

Unit 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 147, Critical studies, Feminist jurisprudence.

Unit IV: - Sources of Law: Legislation, Precedents, concept of stare decisis, Customs, juristic writings.

Unit IV: - Legal Rights & Persons: the concept, Rights kinds, Right duty correlation, Nature of personality, Status of the unborn, minor, lunatic drunk and deaf persons, corporate personality 6.4 Dimensions of the modern legal personality Legal personality of non- human beings.

Unit V: - Possession, Ownership & Title: the concept 7.1 kinds of possession, the concept of ownership 8.1 kinds of ownership 8.2 Difference between possession and ownership, Title, Property- the concept.

Recommended Readings:

Bodenheimer Jurisprudence – The Philosophy and Method of Law (1996), Universal Delhi.

Fitzgerald (ed). Salmond on Jurisprudence (1999) Tripathi, Bombay

W. Friedmann, Legal Theory (1999) Universal, Delhi



V.D.Mahajan Jurisprudence and Legal theory (1996 re- print) Eastern, Lucknow.

M.D.A. Freeman (ed.) Lloyd's Introduction to Jurisprudence, (1994), Sweet and Maxwell

Paton G.W. Jurisprudence (1972) Oxford, ELBS

Roscoe Pond. Introduction to the Philosophy of Law (1998 reprint)

Das. Jurisprudence (1994 First Indian re-print). Adithya Books

Dhyani S.N. Jurisprudence A study of Indian Legal Theory (1985)

FAMILY LAW – II

Course Objective

This paper seeks to familiarize the students with the concept and sources of Hindu Law along with the two principal schools and application of Hindu Law.

Course Outcome

The students will be able to:

- Understand the concept, sources and application of Hindu Law
- Comprehend the various laws relating to marriage, divorce and customs
- Know the laws relating to inheritance and succession
- Laws relating to adoption, guardianship and maintainance.

UNIT-1: Introduction - Concept of Hindu - Sources of Hindu Law – Modern and Ancient -Two

Principal Schools of Hindu Law -Application of Hindu Law.

UNIT-2: Customary practices and State regulation

Marriage - Evolution of the Institution of Marriage and Family-A detailed study of Hindu

Marriage Act, 1955 – Matrimonial Remedies - Maintenance and Alimony; Customary Practices and legislative provisions relating to dowry prohibition.

UNIT-3: Joint Family

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

UNIT-4: Inheritance and Succession

Historical perspective of traditional Hindu Law relating to Inheritance - A detailed study of Hindu

Succession Act, 1956, Stridhana- Woman's Property Recent State and Central Amendments to Hindu Succession Act, Gifts and Testamentary Succession – Wills.



UNIT-5: Adoption and Guardianship

Law relating to Hindu 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

Suggested Readings:

1. Hindu Law - R.K. Agarwal
2. Hindu Law - Dr. Basant. K. Sharma

References:

1. Mulla on Hindu law
2. Family Law - B.M. Gandhi

LAW OF CRIMES

Objective:

The objective of this Act is to provide a general Penal Code for India. Though this Code consolidates the whole of the law on the subject and is exhaustive on the matters in respect of which it declares the law, many more penal statutes governing various offences have been created in addition to this code.

Course Outcome

The students will be able to:

- Understand the administration of criminal justice and elements of criminal liability
- Comprehend the various stages of crime and the various theories of punishment
- Understand different kinds of punishments

A. CRIMINAL JURISPRUDENCE

UNIT-1: Administration of Criminal Justice - What is administration of justice, Necessity & Historical background to administration of justice - Difference between civil and criminal justice

UNIT-2: Elements of Criminal Liability - Nature of Criminal Liability - Mens rea and its importance - Intention - Knowledge - Negligence - Doctrine of Mens Rea under the I.P.C. - Exceptions of Mens Rea - Vicarious liability in crimes - Actus reus - Act and omission - Injury to another

UNIT-3: Stages of Crime - Intention - Preparation - Attempt - Commission

UNIT-4: Theories of Punishment - Retributive- Deterrent - Preventive - Reformatory - Rehabilitative.



UNIT-5: Kinds of Punishment - Death Sentence - Social Reference of Capital Punishment - Alternative to Capital Punishment - Imprisonment - Simple - Rigorous - For Life - Solitary Confinement - Forfeiture of Property - Fine - Sentencing Discretion

B. INDIAN PENAL CODE 1860

Suggested Readings:

1. Criminal law - P.S.A.Pillai
2. Criminal law, Cases & Materials -K.D.Gaur

References:

1. Glanville Williams Textbook of Criminal Law
2. Indian Penal Code – Prof. S. N. Misra

POLITICAL SCIENCE – II

1. Power, Authority, Legitimacy. Foundations of Political Obligation
2. Political Obligation – Meaning, Grounds & Theories, Problems of Obedience to Unjust laws.
3. Theories of Punishment.
4. Political Ideologies. a) Liberalism – Meaning, Basic Principles, Merits & Demerits. b) Socialism – Meaning, Basic Principles, Arguments in favour & against. c) Utilitarianism – Mills’ concept of Liberty. d) Communism – Marx’s Conceptions of Communism. e) Democracy – Definitions, Conditions essentials for its success. f) Gandhism.
5. Indian Constitution a) Salient Features of Indian Constitution. b) Preamble. c) Fundamental Rights & Duties.
6. Political Parties, Features of Indian Political Parties.

Recommended Readings :

1. Basu, Durga Das : An introduction to the Constitution of India (Wadhwa & Company, Agra 2002).
2. Berry, Norman : An Introduction to Modern Political Theory (Macmillan, London, 1981). 3. Cocker, F. W. : Recent Political Thought (The World Press, Calcutta, 1966).
4. Gokhale B. L. : Political Science (Theory and Government Machinery) (Himalayan Publishing House, Mumbai, 1994).
5. Sartori, Giovanni : Democratic Theory (Oxford IBH, Calcutta, 1965).



Economics II

MACROECONOMICS

Course Description

This course aims to introduce the students to the basic concepts of Macroeconomics. Macroeconomics deals with the aggregate economy. This course discusses the preliminary concepts associated with the determination and measurement of aggregate macroeconomic variable like savings, investment, GDP, money, inflation, and the balance of payments.

Course Outline

1. Introduction to Macroeconomics and National Income Accounting

Basic issues studied in macroeconomics; measurement of gross domestic product; income, expenditure and the circular flow; real versus nominal GDP; price indices; national income accounting for an open economy; balance of payments: current and capital accounts.

2. Money

Functions of money; quantity theory of money; determination of money supply and demand; credit creation; tools of monetary policy.

3. Inflation

Inflation and its social costs; hyperinflation.

4. The Closed Economy in the Short Run

Classical and Keynesian systems; simple Keynesian model of income determination; ISLM model; fiscal and monetary multipliers.

Readings:

1. Dornbusch, Fischer and Startz, Macroeconomics, McGraw Hill, 11th edition, 2010.
2. N. Gregory Mankiw. Macroeconomics, Worth Publishers, 7th edition, 2010.
3. Olivier Blanchard, Macroeconomics, Pearson Education, Inc., 5th edition, 2009.
4. Richard T. Froyen, Macroeconomics, Pearson Education Asia, 2nd edition, 2005.
5. Andrew B. Abel and Ben S. Bernanke, Macroeconomics, Pearson Education, Inc., 7th edition, 2011.
6. Errol D'Souza, Macroeconomics, Pearson Education, 2009.
7. Paul R. Krugman, Maurice Obstfeld and Marc Melitz, International Economics, Pearson Education Asia, 9th edition, 2012.



Semester V

CrPC, Juvenile Justice Act and Probation of Offenders Act

Course Objective

This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machineries.

Course Outcome

The students will be able to:

- Understand the concept of bailable, non bailable, cognizable, non cognizable offences
- Comprehend the concept of arrest and pre trial proceedings
- Understand the trial proceedings and appeals

Unit -1: Introduction

- a. Object and Importance of Cr.P.C
- b. Functionaries under the Cr.P.C
- c. Basic Concepts: Bailable Offence, Non-Bailable Offence, Cognizable Offence , Non-cognizable Offence, Complaint, Charge, Police Report, Investigation, Inquiry and Trial, Summons Case, Warrant Case

UNIT-II: Arrest, Bail and Pre-Trial Proceedings

- a. Arrest and Rights of an Arrested Person
- b. Provision for Bail under the Code
- c. Process to Compel Appearance of Person
- d. Process to Compel Production of Things
- e. Condition Requisites for Initiation of Proceeding
- f. Complaint to Magistrate
- g. Commencement of Proceeding before Magistrate

UNIT-III: Trial Proceedings

- a. Framing of Charges and Joinder of Charges
- b. Jurisdiction of the Criminal Courts in Inquiries and Trials
- c. Types of trials: Sessions Trial, Warrant Trial, Summons Trial, Summary Trial
- d. Judgement and Sentences under the Code



- e. Submission of Death Sentences for Confirmation
- f. General Provisions as to Inquiries and Trial
- g. Execution, Suspension, Remission and Commutation of Sentences

UNIT-IV: Miscellaneous

- a. Appeals
- a. Reference and Revision
- b. Inherent Power of Court
- c. Transfer of Criminal Cases
- d. Plea Bargaining

Text Books:

1. Ratanlal & Dhirajlal, *Criminal Procedure*, Lexis Nexis Butterworths Wadhwa, Nagpur, 2012
2. S.C. Sarkar, *The Law of Criminal Procedure*, Wadhawa & Co. , Nagpur, 2007

References:

1. K.N. Chandrasekharan Pillai, *R. V. Kelkar's Lectures on Criminal Procedure*, Eastern Book Company, 2013
2. K.N. Chandrasekharan Pillai, *Criminal Procedure*, Eastern Book Company, 2004
3. Aiyer, Mitter, *Law of Bails- Practice and Procedure*, Law Publishers(India) Pvt. Ltd., 2012
4. P.V. Ramakrishna, *Law of Bail, Bonds, Arrest and Custody*, Lexis Nexis, 2008
5. P.K. Majumdar, *Law of Bails, Bonds and Arrest*, Orient Publication, 2012
6. Justice P.S. Narayana, *Code of Criminal Procedure*, ALT Publications, 2012
7. *Bare Act of Code of Criminal Procedure, 1973*

Arbitration, Conciliation & Alternate Dispute Resolution System

Course Objective

Alternative Dispute Resolution has become the primary means by which cases are resolved now days, especially commercial, business disputes. It has emerged as the preferred method for resolving civil cases, with litigation as a last resort. Alternative Dispute Resolution provides an overview of the statutory, procedural, and case law underlining these processes and their interplay with litigation.



Course Outcome

The students will be able to:

- Know the meaning of Arbitration, Conciliation and ADR system
- Understand the laws relating to Arbitration and Conciliation.
- Comprehend the various Alternate Dispute Resolution Systems

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

Unit 2:- The Arbitration and Conciliation Act, 1996 -Historical Background and Objectives of the Act, Definitions of Arbitration, Arbitrator, Arbitration Agreement , Appointment of Arbitrator ,Termination of Arbitrator , Proceedings in Arbitral Tribunal, Termination of Proceedings , Arbitral Award ,Setting aside of Arbitral Award , Finality and Enforcement of Award, Appeals.

Unit 3: - Conciliation – Appointment of Conciliators, Powers and Functions of Conciliator, Procedure, Settlement of disputes through conciliation.

Unit 4:- Other Alternative Dispute Resolution Systems —Tribunals, Lokpal and Lokayukta , Lok Adalat, Negotiation, Family Courts. Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure Code.

Text books & References:-

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

Human Rights & International Law

Course Objectives

The objectives of this paper are to acquaint students with basics of Human Rights and Public International law and update them with the latest development.



Course Outcome

The students will be able to:

- Familiarize with the concept of human rights and its enforcement along with its historical development
- Understand the meaning of international law
- Comprehend the various protection agencies and mechanisms

Unit I:- Human Rights:

National view on the basis of the Indian constitution and judicial expositions.

Human Rights and Child Abuse Human Rights and Women Human Rights and Workers Human Rights and Accused, Convicts and Prisoners. Human Rights and Environment

Unit II:- Public International Law:

Introduction, Custom ,Treaties ,State territories, Recognition of states and government, Law and practice of treaties, The law of Sea.

Unit III:- Human Rights in International Law: Theoretical Foundation, human rights and International law. Basic principles Sovereign equality of states, non intervention, non use of force, Peaceful settlement of dispute Individuals as subjects of international law. Treatment of aliens.

Unit IV:- Historical development of human rights: Human rights in Indian tradition and Western tradition U.N. and human rights. Covenant on Political and Civil Rights (1948) Covenant on Economic, Social, and Cultural Rights. ILO and other conventions and protocols dealing with human rights. International H R Commission. Mandates to States Right to development. Role of regional organizations: • European convention on human rights • American convention of human rights.

Unit V:- Protection agencies and mechanism: 1) International commission of human rights. 2) Amnesty international 3) NGO s in India 4) European commission of human rights, 5) U.N. declaration of human rights 6) International labour organization. 7) UNESCO. 8) UNISEF. 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. Implementation of human rights norms through judicial process.

Unit VI:- Enforcement of human rights: Role of courts; the Supreme Court, the high court and the other courts. Statutory Commission- Human rights, Women's, Minority and Backward Class.

Recommended Readings:

S.K. Avasthi and R.P. Kothari ...Law relating to human rights

S.K.Verma Public International Law

Peter J Van Krieken – The Exclusion of clauses.Human Rights and Global Diversity

Nirmal C.J.- Human Rights in India

Nirmal B.C. – The right to self –determination in International law



P.R. Gandhi – International human rights documents

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Unit I:- Human Rights:

National view on the basis of the Indian constitution and judicial expositions.

Human Rights and Child Abuse Human Rights and Women Human Rights and Workers Human Rights and Accused, Convicts and Prisoners. Human Rights and Environment

Unit II:- Public International Law:

Introduction, Custom ,Treaties ,State territories, Recognition of states and government, Law and practice of treaties, The law of Sea.

Unit III:- Human Rights in International Law: Theoretical Foundation, human rights and International law. Basic principles Sovereign equality of states, non intervention, non use of force, Peaceful settlement of dispute Individuals as subjects of international law. Treatment of aliens.

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Unit V:- Protection agencies and mechanism: 1) International commission of human rights. 2) Amnesty international 3) NGO s in India 4) European commission of human rights, 5) U.N. declaration of human rights 6) International labour organization. 7) UNESCO. 8) UNISEF. 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. Implementation of human rights norms through judicial process.

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Recommended Readings:

S.K. Avasthi and R.P. Kothari ...Law relating to human rights

S.K.Verma Public International Law

Peter J Van Krieken – The Exclusion of clauses.Human Rights and Global Diversity

Nirmal C.J.- Human Rights in India

Nirmal B.C. – The right to self –determination in International law

P.R. Gandhi – International human rights documents

PROFESSIONAL ETHICS, BAR-BENCH RELATIONS & ACCOUNTANCY FOR LAWYERS

Course Objective

This paper seeks to give the students an insight to the professional eithics, bar-bench relations and accountancy for lawyers.

Course Outcome

The students will be able to:

- Understand the concept of professional ethics and duties of lawyers
- Comprehend the legal education in India
- Understand the bar and bench relations

- **Unit I: LEGAL EDUCATION IN INDIA**
Introduction, History, Sources of Law, Schools of Law etc

- **Unit II: PROFESSIONAL ETHICS AND DUTIES OF LAWYERS:**
Lawyers profession, Ethics and communication ,Do's and Don'ts ,Duties of lawyers

- **Unit III :ESSENTIAL SKILLS OF A LAWYER**
Role of Lawyer, Communication with various stakeholders, Drafting and Pleading Skills, communication with various stake holders

- **Unit IV :BAR BENCH RELATIONS**
Bar Council of India, Introduction and Administrative duties, Bar bench relations in India

- **Unit V: REGULATION OF LEGAL PROFESSION**
Guidelines of Bar Council and Supreme Court



- **Unit VI: LAWYERS ACCOUNTIBILITY TOWARDS CLIENTS AND SOCIETY**
Lawyers Responsibility, Client Management and Accountability towards various Groups
- **Unit VII: LIABILITY FOR DEFICIENCY**
Deficiency in Service towards clients and Other parties to litigation, Damages

SUGGESTED TEXTBOOKS & READINGS :

1. Raju Ramachandran, Professional Ethics: Changing Profession and Changing Ethics (LexisNexis , Butterworths).
2. Dr. P. B. Mukharji, Professional Ethics of The Advocate(University of Burdwan)
3. P. Ramanatha Aiyer, Legal & Professional Ethics – Legal Ethics, Duties & Privileges of a Lawyer (Wadhwa Publications, Nagpur).
4. S. C. Sarkar, Modern Advocacy and Professional Ethics...

Semester VI

LAW OF EVIDENCE

Course Objectives

This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles on contemporary basis.

Course Outcome

The students will be able to:

- Comprehend the contents of Indian Evidence Act 1872

Course Contents:

Indian Evidence Act 1872

Recommended Readings:

Sarkar and Manohar _ Sarkar on Evidence

Ratanlal, Dhirajlal – Law of Evidence

Avtar Singh – Principles of the Law of Evidence



TAXATION LAW

Course Objective

To understand the concept of Taxation, heads of income, including foreign income assessment procedures, adjudication and settlement of tax disputes are the focus points of study in this paper.

Course Outcome

The students will be able to:

- Understand the concept of taxation
- Comprehend the various laws relating to Income Tax
- Comprehend GST Act and Custom Act

Course Contents:

1. Income Tax Act 1961
2. GST Act
3. Customs Act

Recommended Readings:

Income Tax – Kanga and Palkhivala – Volume I Chaturvedi and Pithisaria – Volumes I – VII Wealth Tax – Chaturvedi and Pithisaria – Volume VIII

Drafting, Pleading and Conveyancing

Objective

The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums.

Course Outcome

The students will be able to:

- Understand the fundamental rules of pleading
- Familiarize with the concept of civil pleadings
- Know the General Principles of Criminal Pleadings

Unit-I: Fundamental Rules of Pleadings

- a. Pleadings (Order 6 CPC)
- b. Plaint Structure
- c. Written Statement and Affidavit
- d. Application under Section 5 of the Limitation Act
- e. Application for Setting aside *ex-parte* Decree
- f. Writ Petitions



Unit-II: Civil Pleadings

- a. Suit for Recovery under Order XXXVII of CPC
- b. Suit for Permanent Injunction
- c. Suit for Dissolution of Partnership
- d. Application for Temporary Injunction Order XXXIX of CPC
- e. Appeal from Original Decree under Order 41 of CPC
- f. Revision Petition
- g. Review Petition

Unit-III: General Principles of Criminal Pleadings

- a. Application for Bail
- b. Application under Section 125 CRPC
- c. Compounding of Offences by Way of Compromise under Section 320 (i) CRPC
- d. Complaint under Section 138, Negotiable Instruments Act, 1881
- e. Application under Section 482, CRPC

Unit-IV: Conveyancing

- a. Notice to the Tenant under Section 106 of Transfer of Property Act
- b. Notice under Section 80 of CPC
- c. Notice under Section 434 of the Companies Act
- d. Reply to Notice
- e. General Power of Attorney
- f. Will
- g. Agreement to SELL
- h. Sale-Deed
- i. Lease-Deed
- j. Partnership Deed
- k. Mortgage Deed
- l. Relinquishment Deed
- m. Deed of Gift

Text Books:



1. N.S. Bindra, *Conveyancing, Draftsmen and Interpretation of Dates*, Delhi Law House, 1985

2. G.C. Mogha & S. N. Dhingra, *Mogha's Law of Pleading in India with Precedents*, Eastern Law House, 18th Edn. 2013

References:

1. R.N. Chaturvedi, *Conveyancing*, Eastern Book Company, 2011 (7th Edn)

2. G.C. Mogha, *Indian Conveyancer*, Dwivedi Law, 2009 (14th Edn)

3. C. R. Datta & M.N. Das, *D'Souza's Form and Precedents of Conveyancing*, Eastern Law House, 2008 (13th Edn)

Health Law

Objective

This paper focuses on various aspects of health care law including the constitutional perspective, obligations and negligence of medical professionals and remedies available to consumers of health care.

Course Outcome

The students will be able to:

- Comprehend the various aspects of health care law
- Understand the constitutional provisions relating to health
- Comprehend the various international efforts to improve health

Unit – 1: Introduction:

Meaning and Concept of health, Factors affecting health such as poverty, uses of pesticides and other environmental degenerations, National Health Policies of 1983 and 2001.

Unit – 2: Constitutional Provisions relating to health:

Entries relating to health under Schedule VII, Provisions under Directive Principles; Health as a part of Right to life; Power of State to regulate Trade and Commerce for securing health of people.

Unit – 3: International Efforts to improve health:

Some important international convention and instruments; ALMATA Declaration, Health Scenario under TRIPS.

Unit – 4: Some Specific Legislations:

Authorities, Powers and Functions under Drugs and Cosmetics Act, 1940; Drugs Control Act, 1950, The Mental Health Act, 1987; The Epidemic Diseases Act, 1897.

Suggested Reading:



1. Reflections on Medical Law and Ethics in India - B. Sandeepa Bhat
2. The Laws of Medicine - Siddhartha Mukherjee

References :

1. An Introduction to Health Law - Dr. Jyoti Bhakare
2. Medicine & Law - K. Kannan

MEDIA AND LAW

Course Objective

This paper focuses on various laws relating to media. The objective is to familiarize the student with the concepts of Freedom of speech and expression, its restrictions, RTI and other laws relating to media.

Course Outcome

The students will be able to:

- Understand the Historical background of Freedom of Speech and expression in India
- Comprehend the Constitutional framework of freedom of Speech and expression in India and its restrictions
- Comprehend the law relating to Right to Privacy and Right to information

Unit – 1: Historical background of Freedom of Speech and expression in India

Unit – 2: Constitutional framework of freedom of Speech and expression in India

- Right to circulation
- Right to publication
- Right to advertisement
- Broadcasting
- Right to conduct interviews
- Publication of parliamentary proceedings

Unit – 3: Restrictions on freedom of Speech and expression

- public order
- Security of state
- Defamation
- Contempt of Court



- Morality and Decency

Unit – 4: Right to Privacy

- Defining Privacy
- Privacy and the right to free speech
- The law on privacy in India

Unit – 5: Right to Information

- Laws and the licence secrecy
- Judicial recognition of the right to information
- Salient features of The Right to Information Act, 2005

Suggested Reading:

1. Media Law and Ethics - M.Neelamalar
2. Media Law - Dr. Sukanta .K. Nanda
3. Lectures on Media and The Law

References:

1. Essays on press freedom/V R Krishna Iyer and Vinod Sethi. - New Delhi: Capital Foundation Society, 1996
2. Media Law/Peter Carey. - 2nd Ed. - London: Sweet & Maxwell, 1996.

ELECTION LAW

Course Objective

Democracy is one of the basic features of the Constitution and free and fair elections is the cornerstone for constructive realization for democratic ideals and aspirations of the people of a country. This paper is intended to acquaint the students regarding the significance of free and fair elections and various intricacies of the Elections Law, including electoral corrupt practices, which will facilitate them to choose responsive representatives for good governance.

Course Outcome

The students will be able to:

- Understand the meaning, process and laws relating to election
- Comprehend the composition, functions and powers of Election Commission
- Understand qualifications and disqualifications of candidates as well as sitting members



Unit – 1: Introduction

- a) Election: Meaning and Process
- b) Constitutional Mandate
- c) Laws governing elections
- d) Election disputes
- e) Election to the Offices of the President and Vice President

Unit –2:

(A) Election Commission

- a) Composition
- b) Functions
- c) Powers

(B) Delimitation of Constituencies

(C) Preparation and Revision of Electoral Rolls

Unit-3:

(A) Qualifications and Disqualifications of Candidates Constitutional and Statutory Provisions

(B) Disqualifications of sitting members

(C) Nomination and Candidature

(D) Voters Right to Information Anti Defection Law (Tenth Schedule to the Constitution of India)

Unit -4:

(A) Corrupt Practices in the Election Law

(B) Electoral Offences

Suggested Reading:

1. Handbook On Election Law - P. Rathna Swamy

References :

1. Law Relating to Elections - Universal Law Series



Semester VII INTERPRETATION OF STATUTES

Course Objectives

The paper is aimed to enhance the critical skills to equip the students with various aspects of interpretations

Course Outcome

The students will be able to:

- Understand the meaning of the term statutes
- Comprehend the various rules relating to interpretation of statutes
- Understand the presumptions in statutory interpretation

Unit I:-Introduction : Meaning of the term Statute, Commencement, operation and repeal of statutes, Purpose of interpretation of statutes.

Unit II:-Aids to interpretation: (Internal Aids). 1) Title 2) Preamble 3) Headings and marginal notes. 4) Sections and sub sections. 5) Punctuation marks. 6) Illustrations, exceptions, provisos and saving clauses. 7) Schedules. 8) Non obstante Clause.

Unit III:- External Aids : 1) Dictionaries 2) Translations 3) Travaux Preparatoires 4) Statutes in pari materia 5) Contemporanea exposito 6) Debates, inquiry commission reports and law commission reports.

Unit IV:- Rules of Statutory Interpretation: 1) Primary rules. 2) Literal rule 3) Golden rule. 4) Mischief rule. 5) Rule of harmonious construction. 6) Secondary rule. 7) Noscitur a Sociis. 8) Ejusdem Generis 9) Reddendo Singula Singulis

Unit V:- Presumptions in Statutory interpretation: Statutes are valid. Statutes are territorial in operation. Presumption as to jurisdiction. Presumption as to what is inconvenient or absurd Presumption against intending injustice Presumption against impairing obligation of permitting advantage from one's own wrong. Prospective operation of statutes.

Unit V:- Maxims of statutory interpretation: Delegatus non-potest delegare. Expressio Unius, Est Exclusio Alterius. In pari delicto potior est conditio possidentis. Ultra valet potior quam pareat Expressum facit cessare tacitum. Generalia Specialibus Non Derogant . In bonam partem.

Unit VI:- Interpretation with reference to the subject matter and the purpose. Restrictive and beneficial construction, Taxing structures, Penal statutes, Welfare legislation, Interpretation of directory and mandatory provisions, Interpretation of substantive and adjunctival statutes, Interpretation of enabling statutes, Interpretation of statutes conferring rights, Interpretation of statutes conferring powers.

Unit VII:- Principles of constitutional interpretation: Harmonious construction, Doctrine of pith and substance, Colourable legislation, Ancillary Powers, Occupied field, Residuary power, Doctrine of prospective overruling, Doctrine of repugnancy, Doctrine of eclipse.

Unit VIII:- General clauses Act:

Recommended Readings:

G.P.Singh.....Principles of Statutory interpretation

Maxwell on Interpretation of Statutes.



K.Shanmukham, N.S. Bindra's Interpretation of Statutes.

V. Sarthy, Interpretation of Statutes.

M.P.Jain, Constitutional law of India.

V.N. Shukla's Constitution of India.

Avatar Singh Interpretation of Statutes.

Labour Law

Objective: The scope of the subject is make the student well versed with the labour legislations. The labour legislations ensure proper work conditions for labour in various workplaces, minimum wages, and proper working hours.

Course Outcome

The students will be able to:

- Understand the concept of industrial jurisprudence and principles of labour legislations
- Know the concept of trade unionism and collective bargaining
- Understand the various laws relating to wages and welfare legislations

Course Contents

Industrial Jurisprudence and principles of labour legislation:

Historical Perspective on Labour, slave labour, guild system, division on class basis. Labour conflicts, unorganized labour, surplus labour, and division of labour. Laissez faire to Welfare State, Transition from exploitation to protection and from contract to status. Labour Policy in India, International Labour Standards and their implementation.

Industrial Employment (Standing Orders) Act, 1946:

Scope and object of the Act, Model standing orders, and matters to be incorporated in standing orders (schedule to the Act). Submission of draft standing order, certification and modification of standing orders. Interpretation of standing orders and power of appropriate Government to make rules. Concept of misconduct, disciplinary action and punishment for misconduct.

Discipline in industry:

Meaning of discipline and causes of indiscipline in industry. Doctrine of hire and fire. Restraints on managerial prerogatives, Fairness in disciplinary process, right to know the charge sheet and right of hearing. Domestic enquiry , notice, evidence, cross,examination, representation, unbiased inquiry officer



and reasoned decision. Prenatal (permission) and Postnatal (approval) control during pendency of proceedings (Sec.33 of ID Act).

Trade Unionism:

Colonial labour law and policy, Labour Movement as a counter measure to exploitation. History of trade union movement in India. Right to trade union as part of human right to freedom of association. Role of trade unions in the changing economic scenario. Registration of Trade Unions , Obligations of Trade Union , Recognition of Trade Union.

Collective bargaining:

Concept of collective bargaining , essential characteristics , merits and demerits conditions for the success for collective bargaining, Bargaining process: Negotiation , Pressurization techniques: Strike and lockout, go,slow, work to rule, gherao, Structure of bargaining: plant, industry and national levels, Recognition of trade union for collective bargaining.

Law relating to Industrial disputes:

Conceptual conundrum: industry, industrial dispute, workmen, (Sec.2J,K&S), Dispute settlement machinery: Conciliation officers, Board of Conciliation, labour court, Industrial Tribunal and National Tribunal , duties and powers, (Sec3,10), Reference for adjudication and Voluntary Arbitration (Sec.10 & 10A), Award and its binding nature and judicial review of awards. (Secs.18 & 11,A), Statutory limitations on strikes and lock,outs, unfair labour practices , prohibition and penalties. (Sec.22,31&25,T, 25U), General and special provisions relating to lay,off, retrenchment & closure (Sections 25A,25S & 25K,25R), Recommendations of Second Labour Commission on industrial disputes.

Law relating to wages and bonus:

Theories of wages: marginal productivity, subsistence, wage fund, supply and demand, residual claimant, standard of living. Concepts of wages (minimum wage, fair wage, living wage, need,based minimum wage), Constitutional provisions, components of wages

Minimum Wages Act, 1948:

Objectives and constitutional validity of the Act, procedure for fixation and revision of minimum rates of wages , exemptions and exceptions.

Payment of Wages Act, 1936:

Regulation of payment of wages, Authorized Deductions.



Payment of Bonus Act:

Bonus , Its historical background, present position and exemptions , Payment of Bonus (Amendment) Act, 2007.

The Factories Act, 1948:

Definitions, rights and obligations of workers, Occupier's General Duties, Manufacturer's Duties, Factories Inspector and his Powers, approval, Licensing and registration of factories, Health, safety, welfare provisions, Restrictions on Employment of Women and Young Children.

Employees' Provident Funds and Miscellaneous Provisions Act, 1952:

Applicability, Employees' Provident Fund Scheme, 1952, Family Pension Scheme, 1971, Employees Pension Scheme Authorities under the Act.

Payment of Gratuity Act, 1972:

Meaning of employee, employer, continuous service, etc. Conditions for payment and forfeiture of gratuity. Computation of gratuity, Authorities under the Act and their powers and functions.

Child Labor (Prohibition and Regulation) Act, 1986:

5

Constitutional framework, National Policy on Child Labor in India 1987, The Second National Commission on Labor (2002), International Labor Organization, Prohibition of Employment of Children in certain Occupations and Processes, Hours and Period of Work.

Suggested Readings:

1. Srivastava: Law of Trade Unions, Eastern Book Company, Lucknow
2. R.F. Rustomji : Law of Industrial Dispute : Asia Publishing House, Mumbai
3. S.N. Misra : Labour and Industrial Law
4. J.N. Malik : Trade Union Law
- 5.
6. Khan& Khan: Labour Law, Asia Law House, Hyderabad
7. S.N.Misra, Labour and Industrial Laws, Central law publication, 22nd edition. 2006.
8. N.G. Goswami, Labour and Industrial Laws, Central Law Agency.
9. Khan & Kahan, Labour Law, Asia Law house, Hyderabad
10. K.D. Srivastava, Payment of Bonus Act, Eastern Book Company
11. K.D. Srivastava, Industrial Employment (Standing Orders) Act 1947
12. S.C.Srivastava, Treatise on Social Security
13. Jidwitesukumar Singh, Labour Economics, Deep & Deep, New Delhi



Administrative Law

Course Objective

The paper will make students aware of various aspects of Administrative Law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof with a practical approach.

Course Outcome

The students will be able to:

- Understand the evolutions and scope of administrative law
- Comprehend the concept of rule of law
- Understand the meaning and concept of delegated legislation
- Know the principles of natural justice

Unit-I: Evolution and Scope of Administrative Law

- a. Nature, Scope and Development of Administrative Law
- b. Rule of Law and Administrative Law
- c. Separation of Powers and its Relevance
- d. Relationship between Constitutional Law and Administrative Law
- e. Classification of Administrative Law

Unit-II: Legislative Functions of Administration

- a. Meaning and Concept of Delegated Legislation
- b. Constitutionality of Delegated Legislation
- c. Control Mechanism
 - i. Parliamentary Control of Delegated Legislation
 - ii. Judicial Control of Delegated Legislation
 - iii. Procedural control of Delegated Legislation
- d. Sub-Delegation

Unit-III: Judicial Functions of Administration

- a. Need for Devolution of Adjudicatory Authority on Administration
- b. Problems of Administrative Decision Making
- c. Nature of Administrative Tribunals: Constitution, Powers, Procedures,

Rules of Evidence

d. Principles of Natural Justice

i. Rule against Bias

ii. *Audi Alteram Partem*

iii. Speaking Order (Reasoned Decisions)

Unit-IV: Administrative Discretion and Judicial Control of Administrative Action

a. Need and its Relationship with Rule of Law

b. Judicial Review of Administrative Action and Grounds of Judicial

Review

Text Books:

1. H.W.R. Wade & C.F. Forsyth, *Administrative Law*, Oxford University Press, 2009 (12th Edn)

2. M.P. Jain & S.N. Jain, *Principles of Administrative Law*, Lexis Nexis, 2013 (7th Edn)

References:

1. I.P. Massey, *Administrative Law*, Eastern Book Company, 2012, (8th

2. C.K. Takwani, *Lectures on Administrative Law*, Eastern Book Company, 2012 (5th Edn)

3. S.P. Sathe, *Administrative Law*, Lexis Nexis Butterworths Wadhwa, 2010 (7th Edn)

COMPARATIVE LAW

Course Objective

The paper introduces comparative law to the LL.B. student. It focuses on the civil and common law traditions and comparative approaches to law, while introducing other legal traditions and discussing trends of convergence, reconciliation and transitions in legal traditions and approaches.

Course Outcome

The students will be able to:

- Comprehend public law and its role in governance
- Study comparative constitutional law and global administration
- Significance of public and private law



Unit – 1: Public Law and its Role in Governance

Basic concepts of Public Law, Significance and Its Role, Merits /Demerits

Unit – 2: Study of Comparative Constitutional Law & Global Administration

Relevance

Problems and Concerns in Using Comparison

Comparative Administrative Law

- French concept of Separation of Powers and Administrative Courts
- Droit Administratif
- Administrative courts in France/Germany
- Scope of Judicial Review in UK
- Scope of Judicial Review in US

Unit -3: Significance of Public Law/ Private Law

Scope of Public law – Constitutional law, Administrative law and Criminal law

Distinction between public and private law

Principles of Accountability and Public Law

Difference between Public and Private Law

Unit - 4: Difference between CrPc and CPC

Introduction of Code of Criminal Procedure and Code of Civil Procedure

History

Scope

Jurisdiction of Court with Appropriate Code

Recommended Readings:

1. D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur).
2. David Strauss, The Living Constitution (Oxford University Press, 2010)
3. Dr. Subhash C Kashyap, Framing of Indian Constitution (Universal Law, 2004)

CONFLICT OF LAWS

Course Objective

The objective of this course is to study the basic principles governing conflict of laws in their application to various situations.

Course Outcome

The students will be able to:

- Understand the concept of conflict of laws
- Comprehend the Limitations on application or exclusion of foreign law
- Understand the concept and laws relating to status.

Unit I:- Introductory - What and why of conflict of laws: its function, bases like comity, convenience and justice - Difference between Public and Private International law - Development and history- England and India – a comparative sketch with reference to USA and other countries - Modern theories: Statutory, territorial, international, local law and justice - State in a Private International law case .

Unit II:- Choice of Jurisdiction - Choice of law (lex causae) - Recognition and enforcement of foreign judgments / awards Choice of Jurisdiction (First stage) - Meaning, bases of jurisdiction, limitations like effectiveness principles – Relevant C.P.C. provisions regarding jurisdiction – Ss 15-20, 83, 84, and 86 - Kinds of jurisdiction - Actions in personam –contract and tort - Actions in rem – such as matrimonial causes and probate - Admiralty action – S VI the Admiralty Courts Act - Actions under assumed discretionary jurisdiction (inherent jurisdiction) (Indian Context: Ss. 10 and 151 of C.P.C.

Unit III:- Choice of Law-Lex Causae (Second Stage) - Classification / characterization / categorization – allocation of juridical category to the foreign element case - Necessity for classification – different legal concepts with different content – matters like domicile, talaq and dower in different legal systems - Various theories – leading cases - Connecting factor – what is connection factor : lex fori to determine Selection of lex causae through connecting factor - Application of lex causae – three meanings of Lex Causae – Renvoi: partial and total (Foreign court theory) – critical analysis of Renvoi – Indian position

Unit IV:-Limitations on application or exclusion of foreign law - When foreign law is excluded: grounds – Public Policy, Revenue Laws and Penal Law Concept of Domicile - General principles / fundamental Principles - Elements – intention and residence - Kinds - Domicile of Origin - Domicile of Choice - Domicile of dependence: married women’s position in English and Indian laws - Domicile of corporation.

Unit V:-Status - What is Status? - Incidents - What law governs status - Universality of status Marriage - Marriage as a contract and also status how different from other contracts (social personal contract) - Kinds of Marriage - How in India, marriage as a concept moved from partially polygamous towards monogamous type and total sacrament to secularization to some extent - Questions of format and essential validity - Formal validity by lex loci celebrations - Essential / material / intrinsic validity - Capacity to marriage - Consent - Not within prohibited degrees - Not previously married - Physical incapacity - Of proper age - Essential validity usually governed by lex domicili - English cases - Indian position clarified in cases Matrimonial Causes - Concept of matrimonial cause (Relief) – English and Indian positions - Available



Reliefs - Divorce, Nullity, judicial separation - Restitution of Conjugal Rights (in English law) - Restitution of Conjugal Rights has no place now - Choice of Jurisdiction and Choice of Law to be examined.

Unit VI:-Legitimacy and Legitimation - What is legitimacy - What law governs legitimacy - Validity of marriage - Legitimation - What it is - How affected - Legitimation and Succession Adoption - Purpose of adoption - Common law - Indian law - Hindu law - Recognition of foreign adoption Custody and Guardianship - Purpose - Adoption and succession

Unit VII:-Contracts & Torts- Contract – a leading relationship in private international law system - Validity of contracts - Capacity to contract – Main four theories Lex Loci, Lex Domicilii, Lex situs and proper law - Formal validity – lex loci contractus governs - Essential validity – proper law is usually accepted as governing - Discharge of contract – Lex loci solutions governing - Doctrine of “proper law” of contract subjective and objective Theories Torts - Traditional theories - Ideas of tort of recent importance in private International Law such as drugs, environments, transport and satellite communication.

Unit VIII:- Recognition and Enforcement of Foreign Judgments - Need recognizing foreign judgments - Limitations in recognising and enforcement - Section 13,14 and 444 of C.P.C. and S. 41 of the Indian Evidence Act.

Recommended Readings:

Paras Diwan – Private International Law

Cheshire – Private International Law

Dicey A.V. – Conflict of Laws

Semester VIII

Property Laws including TP Act and Easement Act

Objective: This paper will make the student aware about all the aspects related to movable and immovable properties and the provisions related to their transfer.

Course Outcome

The students will be able to:

- Understand the meaning of Transfer of Property
- Comprehend the objective and scope of TPA Act
- Understand the laws relating to sale of property and mortgage

Syllabus

Introduction to the Transfer of Property Act, 1882:

Object and Scope of the Act, Fundamental Concepts, Classification of Property, Interpretation Clauses.

Transfer of Property:

Non-transferable Property, Persons Competent to Transfer, Operation of Transfer, Condition Restraining Alienation.

Transfers in Futuro:



Transfer for Benefit of Unborn Person, Rule against Perpetuity, Vested Interest, Contingent Interest, Conditional Transfer.

Doctrine of Election and Apportionment:

Doctrine of Election, Apportionment.

Transfers in Special Circumstances:

Limited Power of Transfer, Right of Persons Entitled to Maintenance, Restrictive Covenants, Transfer by Ostensible Owner, Doctrine of *LisPendens*, Doctrine of Part Performance.

Sale of Immovable Property:

Meaning and Definition of Sale, Essential Elements and Mode of Effecting Sale, Rights and Liabilities of Seller, Rights and Liabilities of Buyer.

Mortgages of Immovable Property:

Meaning and Definition of Mortgage, Kinds of Mortgages. Rights and Liabilities of Mortgagor: Rights of Mortgagor, Liabilities of Mortgagor. Rights and Liabilities of Mortgagee: Right to Foreclose or Sale, Right to Sue for Mortgage Money, Right to Sale Without Intervention of Court, Right to Accession of Mortgaged Property, Right of Possession, Right of a Mortgage Against Other Mortgagees, Liabilities of Mortgagee in Possession.

Priority:

Postponement of Prior Mortgagee, Mortgage to Secure Uncertain Amount.

Marshalling and Contribution:

Doctrine of Marshalling, Doctrine of Contribution.

Charge and Mortgage:

Definition and Salient Features, Creation of Charge, Kinds of Charge, Distinction between Charge and Mortgage, Remedies of Charge Holder.

Leases of Immovable Property:

Essential Features of Lease, Lease Proceeding, Kinds of Leases, Distinction between License and Lease, Difference between Lease and Easement, Rights and Liabilities of Lessor and Lessee, Termination of Lease.

Exchanges:

Meaning and Essentials of Exchange, Mode of Transfer, Rights and Liabilities of Parties, Exchange of Money.



Gifts and Actionable Claims:

Meaning and Definition of Gift, Essentials of Gift, Types of Gift, Universal Donee, Gift Under Mohammedan Law, Gift and Other Deeds, Registration and Revocation of Gift, Actionable Claims.

Easements:

Meaning and Definition of Easement, Elements of an Easement, Classification of Easements, Natural Rights and Customary Rights, Licenses, Imposition, Acquisition and Transfer of Easement, Incidents of Easement, Extinction, Suspension, Revival of Easements, Termination of Easement.

Suggested Readings:

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

Land Laws

Objective: The scope of the subject is to sensitize students to various problems relating to land law. To understand how the various Pre-independence Land Reforms and Post-independence Land Reforms Land Reforms ensures the protection and welfare of general mass and peasants of India. The course deals with Land Reforms including Zamindari Abolition and Land Reform laws.

Course Outcome

The students will be able to:

- Familiarize with the comparison of concept of land in U.K and India
- Understand the law reforms that took place pre and post independence.
- Comprehend the various laws relating to tenancy reforms

Course Contents

Introduction:

Concept of Land in U.K and India comparison, Classification of lands, Ownership of Land, Absolute and limited ownership, Doctrines: Doctrine of Eminent Domain, Doctrine of Escheat, Doctrine of Bona Vacantia.

Law Reforms Pre - Post Independence:

Pre-Independence Reforms, Intermediaries, Zamindari Settlement, Ryotwari Settlement, Mahalwari System, Absentee Landlordism.



Post-Independence Reforms:

Constitutional Provisions, Abolition of Zamindaries, Jagirs and Inams., U.P. zamindari and land reforms.

Laws Relating to Tenancy Reforms:

Meaning of tenant – Classification of tenure holder – conferment of ownership on tenants/ryots – Laws relating to tenancy reforms.

Revenue Authorities:

Importance Land Records, Preparation and maintenance of Records of Rights (ROR), Issue of Pattas and Title Deeds etc., Tribal Right to Land –The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.

Law Relating to Land Acquisition India:

History of Land acquisition in India, Notable changes in New Land Acquisition Act 2013 as compared to Land Acquisition Act 1894, The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, Special Economic Zones.

Law Relating to Land Requisition and Acquisition:

The Requisition and Acquisition of Immovable Property Act 1952.

Law relating to Ceiling on Land Holdings:

Suggested Readings:

1. Land Laws, The ICFAI University Press , U.P. Land Laws-R.R.Maurya.
2. Law of Land Acquisition and Compensation-Sanjiva Row's, Jurisprudence-B.N. Mani Tripathi.

CYBER LAW

Course Objectives: To make the students familiarize with the Need for Cyber Law and Cyber Jurisprudence at International and Indian Level, the International Perspectives of cyber law along with Constitutional & Human Rights Issues in Cyberspace. Students will get knowledge about various types of cyber crimes, legal frame work and dispute resolution under IT Act,2000. Course Outcomes (COs):

The students will be able to learn CO1: Computer and Web Technology and the Need for Cyber Law in our present scenario. CO2: Various Conventions and International perspectives related to cyber law. CO3: Constitutional & Human Rights Issues in Cyberspace CO4: Understand about various cyber crimes, Dispute Resolution and E-Commerce Course Contents

Unit 1: Introduction • Computers and its Impact in Society • Overview of Computer and Web Technology • Need for Cyber Law • Cyber Jurisprudence at International and Indian Level



Unit 2: Cyber Law - International Perspectives • UN & International Telecommunication Union (ITU) Initiatives • Council of Europe - Budapest Convention on Cybercrime • Asia-Pacific Economic Cooperation (APEC) • Organization for Economic Co-operation and Development (OECD) • World Bank • Commonwealth of Nations

Unit 3: Constitutional & Human Rights Issues in Cyberspace • Freedom of Speech and Expression in Cyberspace • Right to Access Cyberspace – Access to Internet • Right to Privacy • Right to Data Protection • Cyber Torts

Unit 4: Cyber Crimes & Legal Framework • Cyber Crimes against Individuals, Institution and State • Hacking • Digital Forgery • Cyber Stalking/Harassment • Cyber Pornography • Identity Theft & Fraud • Cyber terrorism • Cyber Defamation • Different offences under IT Act, 2000

Unit-5 :Dispute Resolution & E Commerce Concept of Jurisdiction & Indian Context of Jurisdiction and IT Act, 2000. International Law and Jurisdictional Issues in Cyberspace. Dispute Resolutions & E Commerce

References : Chris Reed & John Angel, Computer Law, OUP, New York, (2007). • Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co, New Delhi, (2012). • Verma S, K, Mittal Raman, Legal Dimensions of Cyber Space, Indian Law Institute, New Delhi, (2004) • Jonthan Rosenoer, Cyber Law, Springer, New York, (1997). • Sudhir Naib, The Information Technology Act, 2005: A Handbook, OUP, New York, (2011) • S. R. Bhansali, Information Technology Act, 2000, University Book House Pvt. Ltd., Jaipur (2003). Vasu Deva, Cyber Crimes and Law Enforcement, Commonwealth Publishers, New Delhi, (2003)

Criminology and Penology

Objective

The objective of the seminar paper is to introduce the students to a holistic understanding of crime. The paper seeks to explore the possible practical applications of the various theories that have been formulated so far. It will also require the students to look up the international cases where these theories have been applied. The students who opt for this paper will also visit the prisons/ juvenile homes/ juvenile courts / rehabilitation centre etc. and make an assessment of the current situation.

Course Outcome

The students will be able to:

- Understand the various dimensions of crime in India
- Comprehend the causes of Criminal Behavior
- Familiarize with the concept of police and criminal justice
- Know the punishment prescribed for offenders

Unit I:-Dimensions of Crime in India



Nature and orient of crime in India 1.2 General approaches to crime control 1.3. Crimes of the powerful 1.3.1. Organised of the smuggling traffic in narcotics 1.3.2. White collar crime : corruption in public life 1.3.3. Socio-Economic crime adulteration of foods and drugs: fraudulent trade practice 1.3.4. Crimes in the profession – medical, legal, engineering. 1.3.5. Commonality by agencies of the state 1.4. Perpetrators of ordinary crime 1.4.1. The situations criminal 1.4.2. The chronic offender 1.4.3. Criminality of women 1.4.4. Young offenders 1.4.5. Criminal gangs 1.4.6. Cyber Crimes.

Unit II:-Causes of Criminal Behavior 2.1 Nature of the problem : some unscientific theories 2.2 The constitutional School of Criminology-Lombroso and others (heredity and mental retardation as causes of crime) 2.3 Sociological theories Anomies 2.4 Modern sociological theories – Sutherland’s differential association theory. Reckless social vulnerable theory 2.5 Economic theories and their relevance 2.6 Environment home and community influences, urban and rural crimes. 2.7 The ghetto, broken homes, the effect of motion picture T.V. and video, press narcotics and alcohol. 2.8 Caste and community tensions caste wars and communal riots – their causes demoralising effects, atrocities against scheduled cadres. 2.9 Emotional disturbance and other psychological factors 2.10 Multiple causation approach to crime.

Unit III:-Police and the Criminal Justice 3.1 The police system 3.2 Structural organization of police at the centre and the states 3.3 Mode of recruitment and training 3.4 Powers and duties of police under the police Acts, Criminal Procedure Code and other laws. 3.5 Arrest, search and seizure and constitutional imperatives 3.6 Methods of police investigation 3.7 Third degree methods 3.8 Corruption in police 3.9 Relationship between police and prosecution 3.10 Liability of police for custodial violence 3.11 Police public relations 3.12 Select aspects of National Police Commission report

Unit IV:-Punishment of Offenders 4.1. Some discarded modes of punishment 4.1.1. Corporal punishment: whipping and flogging: mutilation and branding 4.1.2 Transportation 4.1.3 Public execution 4.2 Punishments under the Indian criminal law 4.2.1. Capital Punishment 4.2.2. Imprisonment 4.2.3. Fine 4.2.4 Cancellation or withdrawal of licences 4.3 The prison system 4.3.1 Administrative organization of prisons 4.3.2 Mode of recruitment and training 4.3.3 The Jail Manual 4.3.4. Powers of prison officials 4.3.5 Prisoners classification – male, female : juvenile and adult : under trial and convicted prisoners 4.3.6 Constitutional imperatives and prison reforms 4.3.7 Prison management: prisoner’s right and security compulsions. 4.3.8 Open prisons 4.3.9 Prison labour 4.3.10 Violation of prison code and its consequences. 4.4. Appraisal of imprisonment as a mode of punishment.

Recommended Readings:

- Katherine S. Williams. Text Book on Criminology (1997),
Manheim, H. Comparative Criminology: A Text Book (1965)
Ross, H. (Lawrence Ed.) Law and Deviance (1981)
Sutherland, E. and Cressy, Principles of Criminology (1978)
S. Rao, Crime in Our Society (1983)
J.M.Sethna, Society and the Criminal (1980)
A.Siddique, Criminology: Problems and Perspectives (1997)
D.C. Pandey, Habitual Offenders and the Law (1983)



D. Abrahamsen, David: Crime and the Human Mind (1979)

Conrad John P. Crime and its Correction: An international survey of Attitudes and Practices.

Krishna Iyer Report on Female Prisoners (1986)

Suen Titus Raid : Criminology Mulla Committee Report (1983)

P. Rajgopal, Violence and Response: A Critique of Indian Criminal Justice System (1988)

LAW RELATING TO WOMEN

Objective:

The paper aims at creating awareness as to importance and role of women in society through the medium of law. It also focuses on women welfare laws.

Course Outcome

The students will be able to:

- Familiarize with the International concerns and conventions relating to women
- Understand the criminal law and social legislations relating to women

Unit I:-International concerns and conventions - specify conventions Women in India - Pre-Independence period - Social and legal inequality - Social Reform Movement in India - Karachi Congress – Fundamental Rights Resolution, Equality of Sexes.

Unit II:- Women in post-Independence India - Preamble of the Constitution: equality provisions in Fundamental Rights and Directive Principles of State Policy - Personal laws – unequal position of women - Uniform Civil Code towards gender justice.

Unit III:- Sex Inequality in Inheritance Rights - Feudal institution of joint family – women’s inheritance position - Hindu Law - Muslim Law - Matrimonial property - Movement towards Uniform Civil Code

Unit IV:- Guardianship, Divorce - Right of women to adopt a child - Problems of women guardianing Divorce - Indian Divorce Act - Christian Law - Muslim Law .

Unit V:-Criminal Law & Social Legislation - Adultery - Rape Social Legislation - Laws relating to Dowry, A moral traffic, Female Foeticide, Sati, A moral representation etc. Women and Employment - Labour force - Protective Laws - Exploitation and harassment in workplaces Protection and enforcement agencies - Courts - Family Courts - Commission for women - NGOs



Semester IX

Code of Civil Procedure and Limitation Act

Objective: The courts are not free to decide the matters without following any procedure or with arbitrariness. The certain norms are fixed to be followed in the form of CPC. This subject provides complete knowledge of procedure to be followed in courts to secure ends of justice.

Course Outcome

The students will be able to:

- Understand the meaning of decree, judgment, order and affidavit.
- Comprehend the meaning of institution of suit.
- Comprehend various laws relating to limitation and registration of documents

Syllabus

Introduction Definition:

Decree, Judgment, Order, Foreign Court, Foreign Judgment, Mens Profits, Affidavit, Suit of a civil nature, Plaint, Written Statement, Legal Representative, Important Concepts: Res-sub-judice, Resjudicata, Restrictions, Caveat, Inherent Power, Courts.

Initial Steps in a Suit Jurisdiction and place of suing Institution of suit Pleading:

Meaning, Object, General Rules, Amendment of Pleading Plaint and Written statement Parties to a suit Discovery, Inspection and Production of documents Appearance and non-appearance of parties First Hearing.

Interim Orders Commission Arrest before judgment Attachment before judgement Temporary Injunctions Interlocutory Order Receiver Security of costs.

Suit in Particular case:

Suits by or against Government Suits by indigent person Inter-pleader Suit Summary Procedure Suits relating to Pubic Nuisance.

Judgement and Decree :

Judgment, Definition, Essentials, Pronouncement, Contents and Alteration, Decree, Definition, Essentials, Types, Drawing up of a Decree, Contents and Decree in particular cases Interest, Costs.

Execution:

Execution Court by which decree may be executed Payment under decree Application for execution Mode of execution Questions to be determined by executing court.

Appeals:

Appeals from original decree Appeals from appellate decree General provisions relating to appeals Appeals to Supreme Court Appeals by indigent person Reference to High Court Review and Revision Execution.



Law of Limitation and Registration:

Meaning, nature and scope of law of limitation Bar of Limitation and its efficacy Sufficient Cause, its meaning and applicability Legal Disability: Meaning, Scope and Effect Continuous running of time, General principle, meaning, scope and its exceptions Law relating to Registration of documents.

Suggested Reading:

1. Mulla, Code of Civil Procedure, Universal, Delhi
2. C.K.Thakkar, Code of Civil Procedure, 2000 Universal Delhi
3. M.P.Tandon, Code of Civil Procedure
4. Anil Nandwani, Code of Civil Procedure
5. C.K.Takwani, Code of Civil Procedure

Environmental Law

Objective: Environmental law is a complex group of laws and regulations which operate to regulate the interaction of human life to the natural environment. Environmental laws consist of treaties, conventions, statutes and regulations. Often environmental law falls under common law. The purpose of environmental law is to protect and preserve the environment. There are two main subjects of environmental laws, control of pollution, and the conservation and management of land.

Course Outcome

The students will be able to:

- Understand the evolution of Environmental Law
- Know the sources, causes, effects and kinds of pollution
- Understand the various international initiatives on environmental protection

Course Contents

Introduction to Environmental Law:

Conceptual evolution of Environmental Law, Sources, Causes, Kinds and Effects of Pollution, Religious and cultural practices in India in protecting environment, Constitutional Provisions for Environmental Protection, Common law remedies , Remedies in Tort , civil and criminal laws



International Initiatives and Environmental Protection:

Environment and Development, UNCHE (Stockholm), 1972 , UNCED (Rio), 1992, Sustainable development and its principles, Convention on climate change COP1,15, Convention on climate change, Convention on Biodiversity/Earth summit1992, Kyoto protocol 1997

Policies and Role of Judiciary:

(Ministry of Environment and Forest website & Ch 3& 5 Environment Policy 2006, National water Polic, Forest Policy, 5 year Plans 12th Plan and Environment, Judicial Activism/ PIL/SAL on Environment.

Water Pollution ,Protection And Prevention Law:

Water (Prevention and control of Pollution) Act, 1974, Definitions, Central and State Pollution Control Board, Experts and Laboratory examination

Air Pollution: Protection And Prevention Law:

The Air (Prevention & Control of Pollution) Act, 1981, Definitions , Central and State Pollution Control Board, Experts and Laboratory examination

Environment, Conservation and Protection:

Environment (Protection) Act, 1986, Environmental Impact Assessment, Public Hearing and Role of NGOs , The National Environment Tribunal Act, 1955,The National Environment Appellate Authority Act, 1997, Green Tribunal Act 2010

Forests And Wild Life,Protection and Conservation:

The Forest (Conservation) Act, 1980,The Wild Life (Protection) Act, 1972, The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ,The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act,

Biodiversity Protection law:

Biodiversity Act 2002

Noise Pollution,Prevention Law:

Noise Pollution (Regulation and Control) Rules, 2000.

Hazardous Waste Management:

Hazardous Waste (Management and Handling) Rules, 1989, The Municipal Solid wastes (Management and Handling) Rules, 2000

Suggested Readings:

1. Paras Diwan: Studies on Environmental Cases.
2. S.N. Jain (ed.): Pollution Control and the Law.
3. Armin Rosencranzand 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. Shah : Environmental Law
8. Paras Diwan : Environmental Law and Policy in India, 1991
9. Dr. N. Maheshwara Swamy, Environmental Law, Asia Law House, Hyderabad.

Company Law

Objective: Object of the course is to enable the student to understand the basics of company law. The area of study examines issues such as how a company may be formed, operated, and dissolved, the degree to which limited liability protects investors, the extent to which a business can be held liable for the acts of an agent of the business, the relative advantages and disadvantages of different types of business organizations etc. Major changes that have been introduced by Companies Act 2013. Legal implications of the various changes. To examine the new concepts introduced along with the judicial pronouncements.

Course Outcome

The students will be able to:

- Understand the meaning, types and characteristics of company
- Law relating to formalities of registration of company
- Familiarize with the concept of directors, meetings, dividends, accounts and auditing
- Know the need, importance and provisions of Corporate Social Responsibility

Course Contents

Introduction and Meaning:

Meaning of Company, Various theories of Corporate Personality, Essential Characteristics of a company.

Forms of Corporate and Non-corporate Entities:

Corporations, Partnerships and other associations of persons, State Corporations, Government companies, Public Sector, Small Scale Industries, Co-operative Societies, Corporate and Joint Sectors, Foreign Collaboration, Role, Functions and Accountability, Companies, Civil and Criminal Liability.

Formalities of a Company:

Law relating to Companies: Objectives of the Companies Act 2013 , Need of company for development, Promoters, Role of Promoters, Rights and Liabilities, Pre-incorporation contracts , Formation of a Company, Registration and Incorporation.

Types of Companies:

Public Company, Private Company and One Person Company, Memorandum of Association: Doctrine of Ultra Vires , Articles of Association: Binding force, Alteration, Relations with Memorandum of Association, Doctrine of Constructive Notice and Indoor Management, Exceptions: Lifting of Corporate Veil.

Prospectus:

Issue, contents, liability for misstatements, Statement in lieu of Prospectus, Allotment of Securities.

Share Capital and Debentures:

Shares, General principles of Allotment, Statutory Restrictions , Share certificate, Transfer of share, Restrictions on transfer, Procedure for transfer, refusal of transfer, Role of Public Financial Institutions, Relationship between Transferor and Transferee , Issue of shares at Premium and Discount , Shareholder.



Shareholders:

Modes of becoming a shareholder, calls on shares, forfeiture and surrender of shares, lien on shares, rights and liabilities of shareholder , Difference between Shareholder and Member: Register of members , Share Capital: kinds, alteration and reduction of share capital, further issue of capital, Conversion of loans and debentures into capital, duties of court to protect the interests of creditors and shareholders.

Directors:

Director: appointment, qualifications, vacation of office, removal, resignation , Powers and duties of directors, Meeting, registers, loans , Remunerations of directors, additional, nominee, and alternate director, Role of independent directors, compensation for loss of office, managing directors and other managerial personnel , Directors Identification Number (DIN): Nomination and Remuneration Committee and Stakeholders Relationship Committee.

Meetings:

Meetings, kinds: Statutory Meeting, Annual General Meeting, Extraordinary General Meeting, Notice, Procedure, Quorum, Voting rights, Resolution: Minutes: Inspection and Maintenance of meetings books.

Dividends, Accounts and Audit:

Dividend: Types of Dividend, Interim and Final: Investor Education and Protection Fund , Accounts: Constitution of National Financial Reporting Authority: Corporate Social Responsibility, Audit: Appointment, Removal and Resignation of Auditors: Powers and Duties of Auditors, Audit Standards: Audited Financial Statements: Powers of Registrar and Rights of Member: Audit Committee.

Corporate Social Responsibility:

The need and importance, Provisions related to CSR under the Companies Act 2013.

Suggested Readings:

1. J.M. Thomson: Palmer's Company Law
2. Gower: Principles of Modern Company Law
3. Avatar Singh: Principles of Company Law
4. J.C. Verma : Corporate Mergers, Amalgamations
5. A.M. Chakraborti: Company Notices, Meetings and Resolutions
6. L.V.V.Iyer : Guide to Company Directors
7. S.M. Shah : Lectures on Company Law
8. Dr. N.V. Paranjape: Company Law 4th edition Central Law Agency, 2007
9. Dr. S.C. Tripathi : Modern Company Law, Second edition , 2006



Banking Law

Objective

In this paper the students will be taught different kinds of banks, their functions, and relationship with customers and the banking frauds, law relating to recovery of debts due to banks recovery of debts.

Course Outcome

The students will be able to:

- Know the banking system in India
- Comprehend the concept of lending, securities and recovery by Banks
- Know the concept and nature of banking frauds

Course Contents

Unit-I: Banking System in India

- a. Kinds of Banks and their Functions
- b. History of Banking in India
- c. Banking Regulation Laws:
 - i. Reserve Bank of India Act, 1934
 - ii. Banking Regulation Act, 1949
- d. Bank Nationalization and Social Control over Banking
- e. Relationship between Banker and Customer:
 - i. Legal Character
 - ii. Contract between Banker and Customer
 - iii. Bank's Duty to Customers
 - iv. Liability under Consumer Protection Act, 1986

Unit -II: Lending, Securities and Recovery by Banks

- a. Principles of Lending
- b. Position of Weaker Sections
- c. Nature of Securities and Risks Involved
- d. Default and Recovery
- e. Recovery of Debts with and without Intervention of Courts / Tribunal:
 - i. Recovery of Debts due to Banks and Financial Institutions Act, 1993
 - ii. Securitization and Reconstruction of Financial Assets and Enforcement of Security



Interests Act, 2002 (Definitions, s 13,s17)

Unit -III: Banking Frauds

- a. Nature of Banking Frauds
- b. Legal Regime to Control Banking Frauds
- c. Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards

Text Books:

1. *Banking and Insurance Law and Practice*, Institute of Company Secretaries of India, Taxmann Publishers, 2010
2. M.N. Mishra, *Law of Insurance*, Central Law Agency, 9th Edition, 2012

References:

1. K.C. Shekhar, & Lekshmi Shekhar, *Banking Theory and Practice*, Vikas Publishing House, 19th Edition, 2005.
2. M.L. Tannan, *Banking Law and Practice in India*, Lexis Nexis, 23rd Edition, 2010
3. J N Jain & R K Jain, *Modern Banking and Insurance – Principles and Techniques*, Regal Publications, 2008
4. Jyotsana Sethi & Nishwar Bhatia, *Elements of Banking and Insurance*, PHI Publishers, 2nd Edition, 2013.

Insurance Laws

Objective: The insurance idea is an old-institution of transactional trade. Even from olden days merchants who made great adventures gave money by way of consideration, to other persons who made assurance, against loss of their goods, merchandise ships and things adventured. The rates of money consideration were mutually agreed upon. Such an arrangement enabled other merchants more willingly and more freely to embark upon further trading adventures. The operational framework of insurance idea is provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative techniques of rules of interpretation as propounded by the judiciary. Besides, the insurance idea has a compensatory justice component. This course is designed to acquaint the students with the conceptual and operational parameters, of insurance law

Course Outcome



The students will be able to:

- Comprehend the concept of insurance and its various types
- Understand the various laws relating to insurance.

Syllabus

Introduction:

Nature- Definition- History of Insurance- History and development of Insurance in India- Insurance Act, 1938- (main sections) Insurance Regulatory Authority Act, 1999: Its role and functions.

Contract of Insurance:

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

Life Insurance:

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

Fire Insurance:

Nature and scope of Fire Insurance –Basic Principles – Conditions & Warranties – Right & Duties of Parties – Claims – Some Legal Aspects. Introduction to Agriculture Insurance – History of Crop Insurance in India – Crop Insurance Underwriting, Claims, Problems associated with Crop Insurance – Cattle Insurance in India.

Marine Insurance:

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

Suggested Readings:

1. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India.
2. M. H. Srinivasan - Principles of Insurance Law.
3. E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters. Insurance Act, 1938.



4. The Marine Insurance Act, 1963.
5. General Insurance (Business) (Nationalization) Act, 1972.
6. The Life Insurance Corporation Act, 1956. Motor Vehicle Act, 1988.

Semester X

Practical Training and Moot Court

Objective: The main object of this paper is to teach, the techniques of court proceedings, Preparation of case files and memorials, Make them aware with the practice of the court and advocacy through the Moot Court Trials, to know the basic research techniques, etc. basic principles of Law Office Management and to make them aware of the rights, duties and liabilities of the Advocates.

Course Outcome

The students will be able to:

- Comprehend the techniques of court proceedings
- Know the way to prepare case files and memorials
- Know the duties of advocates and judges
- Understand the hierarchy of courts in India and jurisdiction and powers of courts

Course Contents

Introduction:

Meaning and Importance, Difference between Moot Court and Court, History of Moot Court, In England, U.S.A and India, Importance or advantages or educational value of Moot Courts.

Manner of organizing or conducting the Moot Court:

Imaginary legal case, Decided Case and moot Court on specific legal subject, Factors for Success, Preparation of case, judicial system in India and pleading.

Writing a Moot Court Speech(Written Memorial):

First Draft, Written submissions, jurisdiction, Statement of facts, Issues of law, Citations, Conclusion, Bibliography.

Duties of Advocates and Judges:

Duties of Judges, Duties of Advocates, Duty to the Court, Duties to the Clients, Duty to opponent, Duty to Colleagues, duty in imparting training, seven lamps of advocacy.



Hierarchy of Courts in India:

Hierarchy of Criminal Courts, Hierarchy of Civil Courts

Jurisdiction and powers of Supreme Court:

Original Jurisdiction, Appellate Jurisdiction, Advisory Jurisdiction, Judicial Review

Interviewing Technique, Pretrial Preparations and Participation in Trial Proceedings, Civil matters:

Procedure before hearing, pretrial preparation, essentials of a suit, Stages of a suit, place of suing, parties to suit, pleading.

Pretrial Preparations and Participation in Trial Proceedings, Criminal matters:

Complaint, Police Report, Bailable, non-bailable offence, investigation, inquiry, trial, summon case, warrant case, Appeal, Reference and revision.

Procedure in Contempt Cases:

Contempt of Court, meaning and Categories, procedure in Contempt cases

Drafting of writ Petition:

Writs, Habeas Corpus, Mandamus, Certiorari, Prohibition, Quo-warranto, Writ Jurisdiction Of Supreme Courts, Article 32, Writ Jurisdiction of High Courts, Article 226.

Art of Cross examination and Argument:

Introduction, Examination in chief, Cross examination, Reexamination.

Consumer Disputes Redressal agencies and central Administrative Tribunal:

District forum, state commission, National Commission .

Central administrative Tribunal:

Jurisdiction, powers and authority.

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.



Trust and Equity

Course Objective

This paper focuses on the meaning of trust, various laws relating to trust and kinds of trust along with fiduciary relations.

Course Outcome

The students will be able to:

- Know the meaning of trust and its various types
- Comprehend the various laws relating to trust

Unit I:-The Indian Trusts Act 1882

Definitions - Trust, author of the trust, trustee, beneficiary, trust property, beneficial interest, instrument of trust, breach of trust, cestui que trust.

Unit 2:-Comparison of trust with other relationships

Private trust and Public/charitable trust, Trust and debt, Trust and Ownership, Trust and Bailment, Trust and Agency, Trust and Contract, Trust and Conditions, Trust and Equitable Charge, Trust and Mortgage, Trust and Administration, Kinds of trusts, Creation of trusts, Appointment of trustees.

Unit 3:- Duties and Liabilities of trustees

Rights and Powers of trustees, Disabilities of trustees, Rights and Liabilities of the Beneficiary, Vacating the Office of Trustee, Extinction of Trusts, Certain Obligations in the Nature of Trusts.

Unit 4:-Fiduciary relations - concepts and kinds, The Bombay Public Trusts Act 1950 Definitions - public trust, math, person having interest, temple, wakf, trustee, Establishments Charitable purposes and validity of certain public Trusts, Registration of Public Trust, Budget, Accounts and Audit, Powers and duties and restrictions on trustee etc, Control, powers and functions of Charity Commissioner, Other functions and powers of Charity Commissioner, cypruss, Special provision as respects religious and charitable institutions and endowments, Public Trusts Administration Fund, Offences and Penalties, Function of Charity Commissioner, Procedure, jurisdiction and Appeals.

Unit 5:- Principles of equity and maxims -Concept and definition of equity, Origin and development, Maxims of equity, Equity will not suffer a wrong to be without a remedy, Equity follows the law, Where there is equal equity, the law shall prevail. d. Where the equities are equal, the first in time shall prevail, He who seeks equity must do equity, He who comes into equity must come with clean hands, Delay defeats equities, Equality is equity, Equity looks to the intent rather than to the form, Equity looks on that as done which ought to be done, Equity imputes an intention to fulfill an obligation, Equity acts in personam.

Text books & References:-

1. Iyer N Suryanarayanan, The Indian Trust Act



2. Rangacharya I V, The Indian Trusts Act
3. Aggarwal O P, The Indian Trusts Act
4. Tandon M P, The Indian Trusts Act
5. Chaudhari D H, The Bombay Public Trusts Act, 1950
6. Shah K N, The Bombay Public Trusts Act, 1950
7. Apte M S, The Bombay Public Trusts Act, 1950
8. Gupte and Dighe, The Bombay Public Trusts Act, 1950
9. Snell's Principles of Equity
10. Ahmad Aquil, Equity, Trusts and Specific Relief
11. Baasu Durga Das, Equity, Trusts and Specific Relief

Intellectual Property Rights

Course Objectives

The objective of this course is to acquaint the students with basics of intellectual property rights with special reference to Indian law and practice.

Course Outcome

The students will be able to:

- Familiarize with the concept of copyrights and Patents
- Know the laws relating to infringement and remedies available
- Understand the concept of trademarks and laws relating to it.

UNIT-I: The Copyrights (Indian Copyright Act, 1957)

- a. Introduction to Copyright Law
- b. Subject Matter of Copyright, Economic and Moral Rights (ss2,13,14,15,16, 57)
- c. Authorship and Ownership (s17), Term of Copyright and Assignment-Licensing (ss18-31)
- d. Infringement and Remedies (ss50-61)
- e. Exceptions: Fair Dealing
- f. International Copyright Order (ss40-41)
- h. Issues in Digital Copyrights



UNIT-II: Trademarks (The Trademarks Act, 1999)

- a. Introduction to Trademark Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Registration of Trademarks, Procedure, Grounds of Refusal and Well Known Trademarks (ss9-12, ss18-23 and s33)
- d. Passing Off, Infringement and Exceptions to Infringement Actions, Remedies (ss27-30, s34, ss134-135)
- e. Assignment and Licensing (ss48-53)
- f. Intellectual Property Appellate Board (ss83-100)
- g. Conflicts of Trademarks with Domain Name
- h. Unconventional Trademarks

UNIT-III: Patent (The Patents Act, 1970)

- a. Introduction to Patent Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Criteria for Patents, Patentable Inventions
- d. Non-Patentable Inventions (s3)
- e. Procedure for Filing Patent Application (ss6-53)
- f. Revocation of Patent (s64), Licensing, Compulsory Licensing (ss82-92A)
- g. Parallel Import (s107A)
- h. Rights of Patentee, Patent Infringement and Defences (ss47-48,s104 and s107)

Text Book:

1. N.S. Gopalakrishnan & T.G. Ajitha, *Principles of Intellectual Property*, Eastern Book Company, 2014 (2nd Edn)
2. B.L. Wadhera, *Law Relating to Intellectual Property*, Universal Law Publishing, 2014 (5th Edn)
3. S. Narayan, *Intellectual Property Law in India*, Gogia Law Agency, Hyderabad, 2005 (3rd Edn)

References:

1. A. K. Bansal, *Law of Trademark In India*, Thomson & Reuter, 2014



2. V.K. Ahuja, *Law Relating to Intellectual Property Law*, Lexis Nexis, 2013 (2nd Edn)
3. Elizabeth Verky, *Law of Patents*, Eastern India Company, 2012 (2nd Edn)
4. Jayashree Watal, *Intellectual Property Rights in the WTO and Developing Countries*, Oxford University Press, 2001
5. P. Narayanan, *Law of Trademarks (The Trademarks Act 1999) and Passing Off*, Eastern Law, Calcutta, 2006
6. W.R. Cornish, *Intellectual Property: Patents, Copyright, Trademark and Allied Rights*, Universal Law Publishing 2001
7. C.S. Lal, *Intellectual Property Handbook: Copyright, Designs, 2006*

RTI & PIL

Course Objective

This paper seeks to familiarize the students with the law relating to Right to Information and Public Interest Litigation.

Course Outcome

The students will be able to:

- Comprehend the RTI Act
- Understand the concept of PIL
- Familiarize with Role of Supreme Court and High Courts in PIL

Unit I: Right to information Act 2005

Objectives - Meaning public Authority public information officer .

Unit II: Format of application, Information exempted from disclosure , Time period for supply of information.

Unit IV: Appeals , complaints ,Disposal of appeals and complaints

Unit V: Public interest litigation

Origin and History of PIL, significance ,concept and meaning and aspects of PIL

Unit VI: Role of supreme court and high courts.

Rules regarding PIL , role of NGO

abuse of PIL procedure of filing PIL.

SUGGESTED TEXTBOOKS & READINGS :



1. Right To Information (Duty To Disclose) RTI -M.Sridhar Acharyulu
2. About RIGHT TO INFORMATION ACT, 2005 by Dr. Jyoti Ratan
3. Public Interest Litigation With Model PIL Formats -Dr.B.L.Wadehra

BANKRUPTCY LAWS

1. Introductory
 - 1.1. The concept: inability to pay debt
 - 1.2. Comparative perspectives
 - 1.2.1. England: Insolvency Act, Bankruptcy Act
 - 1.2.2. United States of America
 - 1.1. India: concurrent jurisdiction of the central and state legislation.
2. Insolvency jurisdiction
 - 2.1. Courts
 - 2.2. Powers of court
3. Acts of Insolvency
 - 3.1. Transfer of property to a third person for benefit of creditors generally
 - 3.2. Transfer with intent to defeat creditors
 - 3.3. Fraudulent preferences in transfer of property
 - 3.4. Absconding with intent to defeat the creditors
 - 3.5. Sale of property in execution of decree of court
 - 3.6. Adjudication of insolvent
 - 3.7. Notice to creditors about suspension of payment of debt.
 - 3.8. Imprisonment in execution of a decree of a court
 - 3.9. Notice by creditor.
4. Insolvency petition
 - 4.1. By creditor
 - 4.2. By debtor
 - 4.3. Contents of the petition
 - 4.4. Admission
 - 4.5. Procedure



5. Appointment of interim receiver
6. Interim proceedings against the debtor
7. Duties of Debtors
8. Release of debtor
9. Procedure at hearing
10. Dismissal of petition filed by a creditor
11. Order of adjudication
 - 11.1 Effect
 - 11.2 Publication of order
12. Proceedings, consequent on order of adjudication
 - 12.1 Protection order from arrest or detention
 - 12.2 Power to arrest after adjudication per attempt abscond
 - 12.3 Schedule of creditors
 - 12.4 Burden of creditors to prove the debt.
13. Annulment of adjudication
 - 13.1 Power annul
 - 13.2 Effect
 - 13.3 Failure to apply for discharge
14. Post adjudicatory scheme for satisfaction of the debt
15. Discharge of debtor
16. Effect of insolvency on antecedent transaction
 - 16.1 On rights of creditor under execution
 - 16.2 Duties of court executing decree on the property taken in execution
 - 16.3 Avoidance of voluntary transfer
 - 16.4 Avoidance of preference
17. Realization or property
 - 17.1 Appointment of receiver
 - 17.2 Duties and powers
 - 17.3 Appeal against receiver



18. Distribution of property
 - 18.1 Priority of debts
 - 18.2 Dividends
19. Offenses by debtors
20. Disqualification of insolvent
21. Appeal
22. Indigent persons
 - 22.1 Suit by indigent persons
23. Chapter XI (Bankruptcy Law of USA)