



# **Chhatrapati Shivaji Maharaj University**

## **LL.B.**

### **Academic Ordinances for LL.B.**

#### **(Programme Structure & Evaluation Scheme)**

**Programme Code: LLBB**

**Duration: 3 years**

**EFFECTIVE FROM SESSION: 2024-2025**

### **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)**

### **Programme Specific Objective ( PSO):**

**PSO1:** The LL.B. (3 years) professional law degree programs endeavor to provide top-notch and professional legal education that aligns with the Bar Council of India Legal Education rules. This, in turn, allows students who complete these programs to enroll themselves in the Bar and practice law.

After completing law and after registration from their particular State Bar Councils advocates can sit in AIBE (All India Bar Examination) and after passing this exam it allows advocates to practice in any District court, High court and Supreme court within the territory of India. Advocacy in itself is a very profound profession, which advocates may prefer to do in their respective interesting fields. Advocates can even join Law Firms. This way advocates can fight for their clients and help, them fight their cases.

**PSO2:** Law students can also go for the Judiciary and become Civil judge and serve the society by giving justice to them. Being a judge is one of the noble professions where students get a chance to help the society by giving them the opportunity of fair trial and do justice with the weaker sections of the society.

**PSO3:** Law students can contribute to the society by becoming good law teachers and multiply and pass their knowledge with unlimited numbers of students which may give more opportunity for new and qualitative judges and advocates in the society.

**PSO4:** Law students can serve the society by becoming Legal Advisor in PSUs and giving good advice to the required companies which ultimately is for the benefits of the society.

Law students can serve the society by becoming good legal journalists and publishing about legal news and updates on law, landmark case laws etc. can criticize the judgements of various higher courts with due integrity which opens channels for the society to rethink and criticize about the effects of any particular judgements in the society.

Law students, if interested in banks, can become law officers in these institutions by passing exams and helping banks with the banking laws. From small banks to RBI every bank requires law officers for their legal advice to run their institutions smoothly.

Law students can also serve as law officers in the SEBI after passing its exams.

Law students can also serve the society by becoming law officers in the Army by passing an exam called JAG.

## **Ordinances**

### **Eligibility:**

Passed Bachelor Degree in any discipline. Obtained at least 45% (42% for OBC and 40% for SC, ST) marks in the qualifying Examination.

### **Duration:**

The LL.B programme will normally be of three academic years duration spanning over Six semesters.

## **Programme Objective ( PO):**

### **1. Comprehensive Legal Knowledge:**

The program aims to provide students with a thorough understanding of legal principles and statutes. The entire statute is covered in teaching, unless specified otherwise, along with any relevant amendments made by the competent legislature.

### **2. Current Legal Awareness:**

The program aims to keep students updated with the latest legal developments by incorporating relevant and updated judicial precedents into the curriculum. This ensures that they are well-versed in contemporary legal issues and interpretations.

### **3. Bar Council Alignment:**

The curriculum is aligned with the standards set by the Bar Council of India Legal Education rules. This enables students to meet the requirements for enrolling in the Bar and practicing law effectively.

### **4. Professional Competence:**

The program aims to equip students with the necessary skills and knowledge to succeed in legal practice through effective evaluation methods designed to assess their understanding and application of legal concepts.

### **5. Ethical and Professional Standards:**

The program aims to instill in students a strong sense of legal ethics and professional conduct. This prepares them to uphold the integrity of the legal profession while serving the interests of justice and society.

### **6. Legal Research and Analysis:**

The program aims to develop students' abilities in legal research, analysis, and argumentation. This enables them to navigate complex legal issues and contribute meaningfully to legal discourse and advocacy.

### **7. Critical Thinking and Problem-Solving:**

The program aims to foster critical thinking skills and problem-solving abilities among students. This empowers them to approach legal challenges with creativity, logic, and strategic reasoning.

### **8. Communication and Advocacy:**

The program aims to enhance students' communication skills and advocacy techniques. This equips them to articulate legal arguments persuasively and represent clients effectively in various legal settings.

### **9. Professional Development:**

The program aims to support students in their professional development journey by providing opportunities for internships, practical training, and exposure to diverse legal practices. This helps bridge the gap between academic learning and real-world legal practice.

Semester I										
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
LLBB1020	Law of Contract-I	3	1	0	30	70	-	-	100	4
LLBB1030	Legal Language	3	1	0	30	70	-	-	100	4
LLBB1040	Tort, CP Act, MV Act	3	1	0	30	70	-	-	100	4
LLBB1050	Constitutional Law-I	3	1	0	30	70	-	-	100	4
	<b>TOTAL</b>	<b>15</b>	<b>5</b>	<b>0</b>	<b>150</b>	<b>350</b>	-	-	<b>500</b>	<b>20</b>
Semester II										
Course Code	Course Title	Hours/ Week			Theory Marks		Practical Marks		Total Marks	Credit
		L	T	P	IA	ESE	IA	ESE		
LLBB2010	Family Law-II	3	1	0	30	70	-	-	100	4
LLBB2020	Law of Contract-II	3	1	0	30	70	-	-	100	4
LLBB2030	BNS 2023	3	1	0	30	70	-	-	100	4
LLBB2040	Constitutional Law-II	3	1	0	30	70	-	-	100	4
LLBB2310	Health Law	3	1	0	30	70	-	-	100	4
LLBB2320	Media and Law						-	-		
LLBB2330	Election Law						-	-		
	<b>TOTAL</b>	<b>15</b>	<b>5</b>	<b>0</b>	<b>150</b>	<b>350</b>	-	-	<b>500</b>	<b>20</b>

**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		
LLBB3010	Arbitration, Conciliation & ADR System	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
LLBB3040	BSA 2023	3	1	0	30	70	-	-	100	4
LLBB3310	Equity& Trust	3	1	0	30	70	-	-	100	4
LLBB3320	Comparative Laws	3	1	0	30	70	-	-	100	4
LLBB3330	Conflict of Laws	3	1	0	30	70	-	-	100	4
	<b>TOTAL</b>	<b>15</b>	<b>5</b>	<b>0</b>	<b>150</b>	<b>350</b>	<b>-</b>	<b>-</b>	<b>500</b>	<b>20</b>
<b>Semester IV</b>										
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
LLBB4020	Interpretation of Statutes	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
LLBB4310	Women & law	3	1	0	30	70	-	-	100	4
LLBB4320	Criminology & Penology	3	1	0	30	70	-	-	100	4
LLBB4330	RTI & PIL	3	1	0	30	70	-	-	100	4
	<b>TOTAL</b>	<b>15</b>	<b>5</b>	<b>0</b>	<b>150</b>	<b>350</b>	<b>-</b>	<b>-</b>	<b>500</b>	<b>20</b>

**Semester V**

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
LLBB5020	Property laws including TP Act 1882 & Easement Act, 1882	3	1	0	30	70	-	-	100	4
LLBB5030	Administrative Law	3	1	0	30	70	-	-	100	4
LLBB5040	Company Law	3	1	0	30	70	-	-	100	4
LLBB5310	Intellectual Property Laws	3	1	0	30	70	-	-	100	4
LLBB5320	Banking Laws	3	1	0	30	70	-	-	100	4
LLBB5330	Insurance Laws	3	1	0	30	70	-	-	100	4
	<b>TOTAL</b>	<b>15</b>	<b>5</b>	<b>0</b>	<b>150</b>	<b>350</b>	<b>-</b>	<b>-</b>	<b>500</b>	<b>20</b>

**Semester VI**

Course Code	Course Title	Hours/ Week			Theory Marks		Practical Marks		Total Marks	Credit
LLBB6010	BNSS, 2023 Juvenile Justice Act, 2015 & Probation of Offenders Act, 1958	3	1	0	30	70	-	-	100	4
LLBB6020	Environmental Law	3	1	0	30	70	-	-	100	4
LLBB6030	Labour Laws	3	1	0	30	70	-	-	100	4
LLBB6040	Land Laws	3	1	0	30	70	-	-	100	4
LLBB6051	Practical Training & Moot Courts	-	-	0	-	-	30	70	100	4
	<b>TOTAL</b>	<b>12</b>	<b>4</b>	<b>0</b>	<b>120</b>	<b>280</b>	<b>30</b>	<b>70</b>	<b>500</b>	<b>20</b>

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

**SEMESTER I**  
**FAMILY LAW I**  
**(LLBB1010)**

**Course Objectives:**

- Family law is the special branch of law which deals with the personal life of every individual of society. The Course covers areas of family law relating to the concept of Family. Evolution of family law and source of Muslim law, their school.
- The course also covers the institutions of marriage under Muslim law and grounds of matrimonial remedies.
- To impart basic knowledge about laws relating to marriage divorce and succession under Muslim law, Christian Law and Parsi Law.

**Course Outcomes (COs):**

The students will be able to:

**CO1:** Understand the various laws relating to marriage under Muslim Law.

**CO2:** Understand the various laws relating to Divorce under Muslim Law.

**CO3:** Comprehend the Christian Marriage Act.

**CO4:** Understand the various laws relating to succession under Indian divorce act.

**CO5:** Recognize the Nature, Scope, Foundation and Sources of various personal laws of Parsis.

**UNIT-1: Mohammedan Law** -Sources of Mohammedan Law, Schools, Shariat Act, 1937, Marriage, Dower , Divorce, Maintenance, Legitimacy & Parentage, Guardianship

**UNIT-2: Indian Divorces Act** Conditions & requirements of marriage, Divorce by mutual consent, Alimony/Maintenance, marriage dissolution, judicial separation, property settlements, child custody.

**UNIT -3: Christian Marriage Act-** Conditions & requirements of marriage, Divorce by mutual consent, Alimony/Maintenance, marriage dissolution, judicial separation, property settlements, child custody.

**UNIT-4: 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-5: 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 Contracts  
(LLBB1020)**

**Course objective :**

- 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:** Remembering essential elements of agreement/contract

**CO2:** Understanding About Commercial Contracts as well as its enforceability

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

**CO4:** Apply to the core aspect of Business/Commercial Law

**CO5:** Apply to the core aspect of Specific Relief Act, 1963

**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. Specific Relief Act, 1963**

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.

Recovering possession of property, Specific Performance: Injunctions, Declaratory Decrees,

Preventive Relief.

**References :**

- 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 :**

- 4 Mulla : Indian Contract Act
- 5 Dessai : Indian Contract Act

## **LEGAL LANGUAGE**

**(LLBB1030)**

### **Course Objectives**

This course is designed to give the students more exposure to the nature of legal language and its use and application through the study of judicial opinions, common legal maxims and legal terminology, which help students to become competent and confident in their communication strategies, with special reference to legal profession.

**Course Outcome:** The students will be able to learn

**CO1:** To Explain Evolution and History of Legal Language

**CO2-** To interpret the legal maxims and assess the use of them in the legal context

**CO3:** To demonstrate the vocabulary knowledge to draft basic legal documents.

**CO4:** To introduce students to elementary drafting. & to understand citations & references

**CO5 :** To understand General Legal writings & Presentation Skills & Case Law

### **Course Contents**

**UNIT-1 Introduction to Legal language** - Introduction to Legal Language , Nature , Scope & Characteristics of Legal Language, Evolution and History of Legal Language and legal writing, The problem with legal language.

**UNIT-2: Legal maxims-** A study of Latin maxims with a view to familiarizing students with principles of law enshrined therein.

**UNIT-3: Legal Terms-** Law, Custom, Justice, Right, Duty, Wrong, Remedy, Fact, Person, Offence, State, 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, Dying declaration,

**UNIT-4: Legislative Materials (Statutes):** A brief introduction to the various parts of a Statutes , Stages in preparation of Statutes, Parts of a statute and their use in understanding and interpreting statutes.

**Introduction to precedent** – What are precedents, Types of precedents, how precedents work, Ratio Decidendi and Obiter dictum,

**UNIT-5: Case Laws** –A study of several landmark decisions delivered by the Apex Court aimed at familiarizing students with some fundamental and well established legal principles that guide the Indian legal system. Reading the case, preparing outline of the case, important things to be noted while reading and outlining a case, questions for decision before a court.

**Citations & References**-Understanding a given citation with its Importance.

**General Legal writings & Presentation Skills**,-Essay writing on topics of legal interest, Group discussion, Debate.

**Suggested Readings:**

1. Textbook on Legal Language & Legal Writing - -Prof. K.L.Bhatia
2. Legal Language- Peter. M.Tiersma
3. B. M. Gandhi, Legal Language, Legal Writing and General English, EasternBook Company, 2010
4. Dr. A. Prasad, Outlines of Legal Language in India, Central Law Publications, 6th ed., 2011

## **Law of Torts Including MV Act And Consumer Protection Laws (LLBB1040)**

### **Course Objective:**

- Study the foundational principles of tortious liability.
- Explore the various defenses available in tort actions.
- Understand the capacity of different parties to initiate or face lawsuits.
- Examine specific torts against individuals and property.
- Address the inadequacies of current laws in protecting individuals amid rapid industrialization.
- Analyze legal protections and remedies for individuals affected by mass and industrial torts.
- Learn about the law of private rights and remedies, which is unique as it is not covered under any statute.
- Understand actions for damages related to, Personal security, Property, Reputation
- Grasp the concepts of: Standing of a person in tort, Justifications for torts, Discharge of torts, Vicarious liability, Strict liability, Product and services liability
- Remedies: Familiarize with the rules governing motor vehicle accident claims.
- Understand the rights and remedies available under the Consumer Protection Act, 2019.

### **Course Outcomes:**

Student will be able to

**CO1:** - Understand the definition, nature, scope, and objectives of torts, distinguishing them from crimes and breaches of contract.

**CO2:** - Identify and analyze torts **Torts Against Individuals and Property:**

**CO3:** - Comprehend the scope, types, and essential elements of private, public, and statutory nuisance, as well as remedies and defenses.

**CO4:** - Grasp the principles of vicarious, strict, and absolute liability, and understand key cases such as *Rylands v. Fletcher* and the Bhopal Gas Disaster

**CO5:** - Understand the key provisions of the Consumer Protection Act, 2019 and salient features of the Motor Vehicles Act, 1988

### **Course Contents**

#### **UNIT-1:**

#### **INTRODUCTION –**

#### **GENERAL PRINCIPLES OF TORT**

Tort: Definition, Nature, Scope and object of Tort, Tort in India.

Distinction from Crime, Breach of Contract etc., who may sue, who may not be sued.

Tort distinguished from crime and contract, *Damnum Sine Injuria*, *Injuria Sine Damnum*, *Volenti non fit Injuria*, *Ubi jus ibi remedium*, Extinguishment of Liability in Tort

General Defenses and Discharge of Torts

Essential elements of Law of Torts.

Capacity and Parties in Torts, Joint and Several Tort-feasors, Malfeasance, Misfeasance, Nonfeasance, General defences in Tort.

## **UNIT-2:**

### **TORTS AGAINST PERSON, PROPERTY, FREEDOM & REPUTATION**

Trespass to Person: Assault, Battery, Mayhem, False imprisonment.

Torts affecting Property (Movable & Immovable): Trespass, Trespass ab initio etc.

Torts related to Reputation (Defamation) & Personal Relations

Torts affecting person & Property: Nuisance, Negligence, Fraud

Joint Tort-Feasors, Nervous Shock and Malicious abuse of Legal Process.

## **UNIT-3: NUISANCE and NEGLIGENCE –**

Nuisance: Scope and Types (Private, Public and Statutory Nuisance),

Essentials of Private Nuisance, Remedies, Defences,

Negligence: Scope and Elements of Negligence, Res Ipsa Loquitor, Contributory Negligence.

## **UNIT-4:**

### **Principles of Liability in Torts and Legal Remedies**

Vicarious Liability: Basis, scope, Justification, Different types.

Principle of Strict Liability: Ryland V. Fletcher case with exceptions.

Principle of Absolute Liability: Bhopal Gas Disaster case and Shree Ram Food Oleum Gas Leakage case and orientation to Public liability Insurance Act, 199.

Judicial and Extra Judicial Remedies.

## **UNIT-5:**

### **CONSUMER PROTECTION ACT, 2019 –**

Consumer: Definition; Defect in goods.

Services: Types of services, Deficiency-meaning, Denial of Services, Commercial & Professional Services, Medical Services.

Consumer Protection Councils.

Consumer Disputes Redressal Agencies: District Commission, State Commission & National Commission, Judicial Review.

### **MOTOR VEHICLE ACT 1988 –**

Salient features with Special reference to Compulsory Insurance; Insurer's liability for thirdparty risks.

Motor Accidents Claims- Claims Tribunals.

Liability without fault and third-party risks under Motor Vehicles Act, 1988.

### **Suggested Readings:**

1. Ratanlal and Dhirajlal: The Law of Torts
2. S.K Kapoor: Law of Torts Alongwith Consumer Protection Act and Compensations Under Motor Vehicles Act
3. R.K. Bangia: Law of Torts
4. Kumud Desai: Law of Torts: An Outline with Cases
5. Bare Acts

# **CONSTITUTIONAL LAW – I**

**(LLBB1050)**

## **Course Objectives:**

This course aims to comprehend -

- The Historical background of the Indian Constitution To make the students understand
- To make the students understand the Indian Constitution, the supreme law of land along with fundamental rights, Directive Principles and various other important doctrines.
- The purpose of the course is to acquaint the students with the Basic Postulates of the Constitution like the Constitutional Supremacy, Rule of law, and Concept of Liberty.
- It further aspires to fathom the conceptually crafted Directive Principles of State Policy and Fundamental Duties.
- To develop amongst the students practical understanding of Constitutional provisions and to augment critical thinking skills related to the Constitution.

## **Course Outcomes(COs)**

The student will be able to—

**CO1:** Develop understanding of Articles and Clauses of Indian Constitution.

**CO2:** Recognised the basic structure of Constitution & Concepts of Federalism and Secularism.

**CO3:** Analyze Concepts of Fundamental Rights, Directive Principles of State Policy and Fundamental Duties and their justiciability and non-justiciability.

**CO4:** Implementation of Fundamental Rights through Articles 32 and 226.

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

## **Course Contents**

### **UNIT-1 Introduction to Indian constitution**

#### **1.1 The Historical background &**

Salient features of Indian Constitution

#### **1.2 Nature of Indian Constitution- Unitary or Federal**

#### **1.3 Preamble of Constitution**

#### **1.4 Citizenship**

#### **1.5 Basic Features of Constitution (New Dimension with case law study)**

#### **1.6 Procedure for Amendment of Constitution (Art.368).**

## **UNIT-2 Scope of State and Law**

- 2.1 Definition of State Article 12
- 2.2 Laws inconsistent with Fundamental Rights (Article 13)
- 2.3 Laws inconsistent with Fundamental Rights (Article 13)
- 2.4 Doctrine of severability, eclipse, waiver

## **UNIT- 3 Fundamental Right (Part 3)**

- 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) & Right to Education (Art 21-A)
- 3.5 Safeguards against arbitrary arrest & detention (Art. 22)

## **UNIT-4 Fundamental Right (Part 3)**

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

## **UNIT-5 – Directive Principles & Fundamental Duties (Part 4)**

- 5.1 Directive Principles of State Policy (Art. 36-51)
- 5.2 Fundamental Duties (Art. 51A) (Part 4)
- 5.3 Basic Features of Constitution (New Dimension with case law study) And Procedure for Amendment of Constitution (Art.368).

### **Suggested Reading:**

- 1. B.N. Shukla, Constitution of India, Eastern Book Company (New Edition)
- 2. M. P. Jain, Indian Constitutional Law, Lexis Nexis, (New Edition)
- 3. D.D. Basu, Introduction to the Indian Constitution of India, (New Edition)

### **References:**



1. M. Seervai, Constitutional Law of India, Universal Law Publishing Co., Reprint 2013
2. Glanville Austin, Indian Constitution – cornerstone of the Nations, OxfordUniversity Press, 1999
3. M. Bakshi, The Constitution of India, Universal Law Publishing Co.,
4. D. Basu, Shorter Constitution of India (New Edition)

**SEMESTER-II**  
**FAMILY LAW – II**  
**(LLBB2010)**

**Course Objective**

- This paper seeks to familiarize the students with the concept and sources of Hindu Law, and to endow the students with knowledge of both the codified and uncodified portions of Hindu law.
- The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc.
- The study of family laws under this course covers provisions relating to Hindu law from the ancient period of Vedas, Shruti's, Smriti's etc. till the modern period of legislation.
- The course mainly focuses on origin, establishment and development of Hindu Law. It aims to educate students on various matrimonial remedies available under various laws.
- The object of this course is to deal with legal incidence of joint family system, evolution of marriage and family, essentials of marriage.
- The course examines in detail fundamental concepts dealing with joint family, coparcenary, partition, intestate succession as well as the law relating to gifts, wills and inheritance

**Course Outcome**

The students will be able to:

**CO1:** Understand the concept, sources and application of Hindu Law

**CO2:** Comprehend the various laws relating to marriage, divorce and customs

**CO3:** Analyze the Meaning and concept of Joint Family under Hindu Law.

**CO4:** Discuss Laws relating to inheritance, succession, adoption, guardianship and maintenance

**CO5:** Define & Introduction to Family Court and its jurisdiction.

**Course content**

**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: Laws relating to**

**(A) : 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.

**(B) : Adoption and Guardianship-** The Hindu Minority and Guardianship Act, 1956, 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

#### **UNIT-5: Family Court**

Structure of Family Court , Procedure to be adopted , Jurisdiction of Courts

#### **Suggested Readings:**

1. Hindu Law - R.K.Agarwal
2. Hindu Law - Dr. Basant. K. Sharma
3. Desai Kumud, Law of Marriage and Divorce
4. Diwan Paras Modern Hindu Law
5. Mayne's Hindu Law and Usage
6. Diwan Paras, Family Law
- 7.. Dr. T.V. Subbarao Family Law in India

#### **References:**

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

## **LAW OF CONTRACTS - II (LLBB2020)**

### **Course Objectives:**

- 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 Outcomes (COs):** The students will be able to:

**CO1:** Remembering the meaning of bailment, indemnity and guarantee.

**CO2:** Understand the laws relating to the Agency.

**CO3:** Analyze the laws relating to partnership.

**CO4:** Analyze the laws relating to Sale of Goods.

**CO5:** Understand the laws relating to 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.

### **Unit – 2: Indian Contract Act (AGENCY - section 182 to section 238)**

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 – 3: 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 – 4: 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 – 5: Negotiable Instruments Act, 1881**

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

#### **Text Books :**

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

#### **References :**

- Mulla : Indian Contract Act
- 5th Edition : Indian Contract Act
- Anson : English law of contract

## **BHARTIYA NYAY SANHITA 2023**

**(LLBB2030)**

### **Course Objective:**

- This course is designed to understand the meaning of crime and the essential principles of criminal liability by a study of a range of offences under the BNS 2023
- It further aims to empower students to understand the fundamentals of criminal jurisprudence and analyse the various elements of the crime.
- The students will be equipped to understand the principles of culpability and punishment.
- The students will be well versed with the general scheme of the BNS 2023 and be able to grasp the various terms and terminology used in the BNS.
- The students will be prepared to analyse the ingredients of various offences and study the punishments prescribed thereto. They will be able to identify the general exceptions under the penal law and understand the principles of joint criminal liability.

### **Course Outcomes (COs):**

After completing this course, the student will be able to:

**CO1:** Identify the various components of criminal culpability and an offense.

**CO2:** Analyzing general defenses as per the BNS.

**CO3:** Understand the concept of inchoate offences and punishment of the BNS

**CO4:** Applying different kinds of offences including offences against human body, property, Public Tranquillity.

**CO5:** Evaluating about the Offences against Women & Children

### **Course Content**

#### **Unit-I: Introduction to Substantive BNS**

History of Criminal law, Extent and operation, General Explanations, concept of Crime, Components of Crime and Criminal Liability, Theories of Punishment, Stages of Crime, Constituents Elements of Crime: *Actus Reus* and *Mens rea*

#### **Definition clause (Section 2)**

#### **Unit-II: GENERAL EXPLANATION (SEC-3) and EXCEPTIONS (SEC 14-44)**

##### **General Exceptions (SEC 14-44)**

- Act done by a person bound, or by **mistake** of fact believing himself bound, by law.
- Act of Judge when acting **judicially**.
- Act done pursuant to judgment or order of Court.
- Act done by a person **justified**, or by mistake of fact believing himself justified, by law.
- **Accident** in doing a lawful act.

- Act likely to cause harm, but done **without criminal intent**, and to prevent other harm.
- Act of a **child under seven years** of age.
- Act of a child above seven and under twelve years of age of immature understanding.
- Act of a person **of unsound mind**.
- Act of a person **incapable of** judgment by reason of intoxication caused against his will. Offence requiring a particular intent or knowledge committed by one who is **intoxicated**.
- Act not intended and not known to be likely to cause death or grievous hurt, done by **consent**.
- Act not intended to cause death, done **by consent in good faith** for person's benefit.
- Act done in good faith for benefit of child or person of unsound mind, by, or by consent of guardian.
- **Consent** known to be given under fear or misconception.
- Exclusion of acts which are offences independently of harm caused.
- Act done in **good faith** for benefit of a person without consent.
- **Communication** made in good faith.
- Act to which a person is compelled **by threats**.
- Act causing slight harm.
- Things done in private defence.
- Right of private defence of body and of property. (Sec 34-44)

### **Unit-III:**

#### **A- Meaning and theories of Punishment,**

#### **B- Of Abetment, Criminal Conspiracy And Attempt (sec 45-62)**

Theories of Punishment with special reference to Capital Punishment including Community Service as a punishment for petty offences.

Solitary confinement, Limit of solitary confinement, Enhanced punishment for certain offences after previous conviction

- a. Criminal Conspiracy
- b. Attempt
- c. Abetment

#### **C- Of Offences Against the Public Tranquillity (sec 189-197)**

- Unlawful assembly.
- Rioting
- Liability of owner, occupier, etc., of land on which an unlawful assembly or riot takes place.
- Affray.
- Assaulting or obstructing public servant when suppressing riot, etc
- Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.
- Imputations, assertions prejudicial to national integration.

#### **of offences against the state**

- Waging, or attempting to wage war, or abetting waging of war, against Government of India.
- Act endangering sovereignty, unity and integrity of India.

Waging war against Government of any foreign State at peace with Government of India

#### **Of Offences Affecting The Public Health, Safety, Convenience, Decency And Morals (sec 270-297).**

### **Unit-IV: Of Offences Against Woman and Child (sec 63-99)**

#### **Of sexual offences**

- Sexual intercourse by husband upon his wife during separation.
- Sexual intercourse by a person in authority
- Sexual intercourse by employing deceitful means, etc.

- Gang rape.
- Disclosure of identity of victim of certain offences
- Printing or publishing any matter relating to Court proceedings without permission.
- Assault or use of criminal force to woman with intent to outrage her modesty. Sexual harassment.
- Assault or use of criminal force to woman with intent to disrobe. Voyeurism
- Word, gesture or act intended to insult modesty of a woman.
- **Of offences relating to marriage**
- Dowry death.
- Cohabitation
- Cruelty defined.
- **Of causing miscarriage, etc.**
- Causing miscarriage.
- **Of offences against child**
- Exposure and abandonment of child under twelve years of age, by parent or person having care of it. Concealment of birth by secret disposal of dead body.
- Hiring, employing or engaging a child to commit an offence.
- Procurement of child.
- Kidnapping or abducting child under ten years of age with intent to steal from its person.

### **UNIT – 5 of Offences against Body, Property**

- **the Human Body (sec 100-146)**
  - Culpable Homicide
  - Attempt to Culpable Homicide
  - Murder
  - Attempt to Murder
  - Causing death by negligence
  - Abetment of suicide of child or person of unsound mind.
  - Abetment of suicide
  - Organized crime.
  - Petty organized crime.
  - Hurt.
  - Voluntarily causing hurt.
  - Grievous hurt.
  - Voluntarily causing grievous hurt
  - Voluntarily causing hurt or grievous hurt by dangerous weapons or means
  - Voluntarily causing hurt or grievous hurt to extort confession, or to compel restoration of property.
  - Voluntarily causing hurt or grievous hurt on provocation.
  - Voluntarily causing grievous hurt by use of acid, etc.
  - **Of wrongful restraint and wrongful confinement**
  - Wrongful restraint.



- Wrongful confinement.
- **Of criminal force and assault**
- Force.
- Criminal force.
- Assault.
- Assault or criminal force on grave provocation.
- **Of kidnapping, abduction, slavery and forced labour**
- Kidnapping.
- Abduction.
- Kidnapping or maiming a child for purposes of begging
- Kidnapping or abducting in order to murder or for ransom, etc
- Trafficking of person
- Exploitation of a trafficked person.
- Habitual dealing in slaves.
- Unlawful compulsory labour.
  
- **(B)-of Offences against property (sec 303-334)**
- Theft.
- Snatching.
- Extortion
- Robbery
- Dacoity
- Dishonest misappropriation of property
- Criminal breach of trust
- Cheating.
- Of fraudulent deeds and dispositions of property
- Mischief
- Criminal trespass and house-trespass
- Forgery. **S.336**
- Of Criminal Intimidation
- Insult
- Annoyance
- Defamation, Etc.

#### **Text Books:**

1. Glanville Williams, Text Book of Criminal Law, Universal Law Publishing Co., New Delhi, 2012
2. Ratanlal Dhiraj Lal, *The Indian Penal Code*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. K.D. Gaur, *Textbook on Indian Penal Code*, Universal Law Publishing Co., New Delhi, 2012
4. Dr. H.S. Gaur, *Penal Law of India*, Law Publishers, Allahabad, 2013
5. The Indian Penal Code, 1860, Avtar Singh
6. Bare Act The Bharatiya Nyaya Sanhita, 2023

# CYBER LAW

## Course Objectives:

1. To familiarize students with the legal principles, statutes, and regulations governing cyberspace, including international and domestic laws.
2. To study different types of cyber crimes such as hacking, cyber-terrorism, data breaches, and identity theft, and understand the legal ramifications. **Protecting Intellectual Property:** To explore laws related to intellectual property rights (IPR) in digital environments, including copyright, patents, trademarks, and trade secrets.
3. To analyze laws and regulations concerning data protection, privacy rights, surveillance, and the role of government and corporate entities.
4. To understand legal issues in electronic commerce, digital contracts, online transactions, and consumer protection laws applicable in cyberspace.
5. To study laws related to cybersecurity, responsibilities of organizations in safeguarding digital assets, and legal implications of security breaches.
6. To discuss challenges related to jurisdiction in cyberspace, conflicts of laws, and international cooperation in cybercrime investigations.
7. To consider ethical issues surrounding digital technology, including freedom of speech, censorship, and the impact of technology on society.

## Course Outcomes:

**CO1:** Understanding the laws governing cyberspace and digital technologies.

**CO2:** Analyzing complex legal issues related to cyber law and proposing effective legal solutions in international perspective.

**CO3:** Categorize organizations on complying with cyber laws and managing legal risks associated with digital operations and also human rights issues.

**CO4:** Justify clients in cybercrime cases, intellectual property disputes, privacy violations, and other legal matters related to cyberspace.

**CO5:** Illustrating policies and regulations concerning cybersecurity, data protection, and digital rights at governmental and organizational levels and making informed decisions based on legal and ethical principles.

## 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

## **CONSTITUTIONAL LAW – II**

**(LLBB2040)**

### **Course Objective:**

- Students will be familiarize with the concept of Union and state legislature.
- Union and State Judiciary, relations between Union and State and the
- Emergency Provisions.
- To provide understanding of various constitutional aspects like constitution of panchayat , municipalities, co-operative societies, elections provisions amendment procedure etc.
- To develop understanding of students regarding special provisions related to certain classes, & emergency provisions.
- Students will be familiarized with the leading case laws and legislative changes to the provisions of the Constitution.

### **Course Outcome (COs)**

Having completed this course, the learner will be able to:

**CO1.** Explaining the Executive and legislative functions of the Union and State and the role played by the three organs of the government.

**CO2:** Analyze the functions, appointments and jurisdictions of supreme court and high courts.

**CO3:** Comprehend the relation between the Union and the state.

**CO4:** understand about the Services under the Union and the states

**CO5.** Describe all the important aspects of power of amendment, emergency provisions and elections.

### **Course Contents**

#### **Unit 1- The Union & State Executive(The**

#### **Union Executive)**

##### **The President**

- Election, Qualifications And Terms of Office of President
- Privileges, Powers and Duties of President
- Impeachment of President The Vice – President
- Qualifications & Election of Vice-President
- Functions & Terms of Office of Vice – President
- Council of Ministers
- Appointment of Ministers
- Council of Ministers & Cabinet
- The Individual, Collective, Legal & Ministerial Responsibility
- President's relation with the Council of Ministers

**(The State Executive)**

- Appointment, Powers & Qualifications of Governor
- The Council of Ministers
- The Advocate General

**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 Or 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 2:- 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 3- 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.
- 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 4 - Services under the Union and the states**

- Recruitment and conditions of service of persons serving the Union or a

- state.
- Tenure of the office of persons serving the Union or a state.
- Dismissal, removal or reduction in rank of civil servants.

## **Unit 5– Emergency Provisions**

- Proclamation of Emergency & its Termination
- Kinds of Emergency & Judicial Review  
National Emergency
- Provisions in case of failure of constitutional machinery in states  
Financial Emergency
- Exercise of Legislative powers under proclamation issued under Art.356
- Suspension of provisions of Art.19 and suspension of enforcement of fundamental rights.

### **Suggested reading:**

1. B. N. Shukla, Constitution of India, Eastern Book Agency, 2014
2. M. P. Jain, Indian Constitutional Law, LexisNexis, 2013
3. D.D. Basu, Introduction to the Indian Constitution of India, (20th Ed. 2009)
4. J.N Pandey Constitution of India ( Ed.2018)

### **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)

## **Health Law (LLBB2310)**

### **Course 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 healthcare.

### **Course Outcome**

The students will be able to:

**CO1:** Outline the various aspects of health care law **CO2:** Understand the constitutional provisions relating to health **CO3:** Comprehend the various international efforts to improve health

**CO4:** Categorize some specific legislations.

**CO5:** Solving emerging Issues in Health Law

### **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 conventions 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.

### **UNIT-5: Emerging Issues in Health Law**

- Telemedicine and digital health: legal considerations.
- Genetic testing and privacy concerns.
- Intellectual property rights in healthcare innovations.

### **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 (LLBB2320)**

### **Course Objective**

- Familiarization with Freedom of Speech and Expression:
- Understand the historical context of this fundamental right.
- Explore the various facets and dimensions of freedom of speech and expression in the context of media.
- Understanding Restrictions on Freedom of Speech and Expression:
- Learn about the legal limitations and restrictions imposed on freedom of speech and expression.
- Explore case studies and real-world examples to understand the practical implications of these restrictions.
- Knowledge of Right to Information (RTI):
- Understand the legal framework and provisions of the Right to Information Act.
- Explore the significance of RTI in promoting transparency and accountability in media and governance.
- Other Laws Related to Media:
- Familiarize with additional laws and regulations that impact the media landscape.
- Explore topics such as defamation laws, intellectual property rights, media ethics, etc.

### **Course Outcome**

**CO1:** Gain an in-depth understanding of the historical evolution of freedom of speech and expression in India, including significant milestones, movements, and legal precedents that have shaped this fundamental right.

**CO2:** Explore the constitutional framework governing freedom of speech and expression in India, delving into the relevant provisions of the Indian Constitution, such as Articles 19 and 21. Understand the nuances of the restrictions placed on this right, including reasonable restrictions in the interest of sovereignty, integrity, security, and public order.

**CO3:** Examine the legal landscape concerning the Right to privacy, analyzing landmark judgements and legislative provisions such as the Right to Privacy as a fundamental right under Article 21 of the Constitution. Additionally, comprehend the provisions and significance of the Right to Information Act, studying its role in promoting transparency, accountability, and good governance.

**CO4:** Understand the interplay between media ethics and legal frameworks, exploring topics such as defamation laws, intellectual property rights, hate speech regulations, and the responsibilities of media organizations towards fair and unbiased reporting.

**CO5:** Analyze case studies and real-world scenarios to apply legal principles and frameworks related to media law, developing critical thinking and problem-solving skills in navigating complex legal issues faced by media professionals.

**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.

### **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:

**CO1:** Understand the meaning, process and laws relating to election

**CO2:** Comprehend the composition, functions and powers of Election Commission

**CO3:** Understand qualifications and disqualifications of candidates as well as sitting members

**CO4:** Solving electoral offenses and disputes through tribunal and court.

**CO5:** Remembering rights and duties of voter.

### **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)
- (E)

#### **Unit -4: Electoral Offenses and Disputes**

- Offenses related to electoral fraud, bribery, and corruption.
- Mechanisms for handling election disputes and challenges.
- Role of election tribunals or courts in adjudicating disputes and enforcing election laws.

## **UNIT 5: Rights and Duties of Voters**

- Voting rights, eligibility criteria, and disenfranchisement.
- Voter registration processes and voter education initiatives.
- Accessibility of polling stations and accommodations for voters with disabilities.

### **Rights and Responsibilities of Candidates and Political Parties**

- Eligibility requirements for candidates and party registration.
- Code of conduct for political campaigns and electioneering.
- Regulation of party financing, internal party democracy, and coalition politics.

#### **Suggested Reading:**

1. Handbook On Election Law - P. Rathna Swamy

#### **References :**

1. Law Relating to Elections - Universal Law Series, reprint 2010)

## **SEMESTER III**

### **Arbitration, Conciliation & Alternate Dispute Resolution System (LLBB3010)**

#### **Course Objective**

- Alternative Dispute Resolution (ADR) has gained prominence as the primary method for resolving cases, particularly in commercial and business disputes, supplanting litigation as a final option.
- ADR has become the favored approach in resolving civil matters, offering an array of processes that complement and sometimes supersede traditional courtroom proceedings.
- This course on Alternative Dispute Resolution delves into the statutory, procedural, and case law aspects that underpin these methods, illustrating their symbiotic relationship with litigation while emphasizing their efficacy in facilitating timely and cost-effective resolutions.
- Alternative Dispute Resolution (ADR) is increasingly being used as the primary method for resolving cases, particularly in commercial and business disputes. It has become more popular than litigation as a final option.
- ADR provides a range of processes that complement and sometimes replace traditional courtroom proceedings, making it the favored approach in resolving civil matters.
- This course on Alternative Dispute Resolution delves into the statutory, procedural, and case law aspects that support these methods, demonstrating their symbiotic relationship with litigation while highlighting their effectiveness in facilitating timely and cost-effective resolutions.

#### **Course Outcome**

**CO1:** Understand the definitions and principles of Arbitration, Conciliation, and mediation

**CO2:** Analyzing statutes, regulations, and case law that shape to Comprehend a variety of Alternative Dispute Resolution.

**CO3:** System Stating their advantages, limitations, and suitability based on contextual factors and dispute complexity.

**CO4:** Apply knowledge of ADR principles through case studies and practical scenarios, developing problem-solving, negotiation, and conflict resolution skills, while considering ethical responsibilities.

**CO5:** Engage in discussions on emerging trends and best practices in ADR, practice ADR clauses and agreements, and participate in ADR simulations and exercises to hone practical dispute resolution skills.

#### **Unit I :-**

##### **Alternate Dispute Resolution –**

- Characteristics,
- Advantages and Disadvantages,

- Unilateral ,Bilateral , Triadic (Third Party) Intervention ,
- Techniques and processes ,
- Negotiation Conciliation —Arbitration , Distinction between Arbitration, Conciliation and Negotiation. Unit II :-
- The Arbitration and Conciliation Act, 1996 –
- Historical Background and Objectives of the Act,
- Definitions of Arbitration, o 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 III: -**

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

### **Unit IV: -**

- 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.

### **UNIT V: Discussions on emerging trends and best practices in ADR,**

practice drafting ADR clauses and agreements, and participate in ADR simulations and exercises to hone practical dispute resolution skills.

**Text books & References: -**

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

## **Human Rights & International Law (LLBB3020)**

### **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:

**CO1 :** Gain knowledge about the sources, the subjects of International Law, recognition of States, the Law of treaties and Law of the Seas

**CO2:** Familiarized with the concept of human rights and its enforcement mechanisms

**CO3:** Understand international mechanism to apply human rights.

**CO4:** Scope of human rights

**CO5:** Analyse of humanitarian and refugee law.

### **Unit I:- Public International Law:**

Sources of International Law, Subjects of International Law, Recognition of States and Government, Law of Treaties, Law of the Seas.

**Unit II:- International Human Rights documents:** Generations of Rights, Universal Declaration of Human Rights (1948), International Covenant on Political and Civil Rights, International Covenant on Economic, Social, and Cultural Rights, An Introduction to subject area specific Human Rights treaties.

### **Unit III:- International Mechanisms to Apply Human Rights**

The Human Rights Council, the Universal Periodic Review, UN Human Rights Treaty Bodies and State Reporting, UN Human Rights Treaty Bodies and Individual Communications.

**Unit IV:- Emerging/Challenging Areas of Human Rights:** Human right to non-discrimination, Women's rights, Children's rights, Artificial intelligence and human rights, Human rights and corruption, Business and human rights, Rights of LGBTQ++, Rights of the prisoners.

### **UNIT V: Humanitarian law and refugees law.**

Origin and Development of Humanitarian Law and Refugee Law

The Geneva Conventions and Protocols

1951 Refugee Convention Role of ICRC and UNHCR

### **Recommended Readings:**

S.K. Verma - An Introduction to Public International Law

V.K. Ahuja - Public International Law

C.J Nirmal - Human Rights in India: Historical, Social and Political Perspectives

P.R. Gandhi - Blackstone's International Human Rights Documents



**PROFESSIONAL ETHICS, BAR-BENCH RELATIONS & ACCOUNTANCY  
FOR LAWYERS  
(LLBB3030)**

**Course Objective**

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

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

**CO1:** Understand the concept of professional ethics and duties of lawyers

**CO2:** Comprehend the legal education in India

**CO3:** Analyze the bar and bench relations

**CO4:** Apply the regulation of legal profession

**CO5:** Evaluate the lawyers accountability towards clients and society

**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, Regulation Of Legal Profession**

Bar Council of India, Introduction and Administrative duties, Bar bench relations in India, Guidelines of Bar Council and Supreme Court

**Unit V: Lawyers Accountability Towards Clients And Society, Liability For Deficiency**

Lawyers Responsibility, Client Management and Accountability towards various Groups, 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 Aiyar, Legal & Professional Ethics – Legal Ethics, Duties & Privileges

of a Lawyer (Wadhwa Publications, Nagpur).

4. S. C. Sarkar, Modern Advocacy and Professional Ethics...

**Bhartiya Sakshya Adhiniyam  
2023(LLBB3040)**

**Course Objectives**

- This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles on a contemporary basis.
- The Course is designed to provide the students with a conceptual and practical understanding of meaning, purpose and application of rules of evidence in relation to relevancy of facts and proof in the court of law during the trial.
- The Course is designed to provide the students think about the process of adducing evidence, principles of admissibility and exclusion of evidence in a trial.
- The course will prepare the students to understand the relevancy and admissibility of the evidence produced in the court in a suit or proceeding and understand how the facts need to be proved in the courts it will assist students in analyzing the process of adducing evidence through witness examination and argument for or against admissibility of their evidence.
- The course will effectively impart learning on the kinds of evidence, modes of proof and burden of proof. It will also examine the law as a Lex Fori and the role of a judge while hearing and appreciating the evidence on record in a suit or a proceeding.

**Course Outcome(COs)**

After completing this course, the students will be able to:

- CO1.** Analyze the concept and nature of different types of evidence.
- CO2.** Identify and apply the rules relating to relevance and admissibility of evidence in courts.
- CO3.** Understand the concept of dying declaration and its applicability and admissibility of forensic science in civil and criminal cases along with the admissibility of expert's opinion.
- CO4.** Analyze the role played by the witnesses and evidentiary value attached to ocular evidence vis-à-vis scientific evidence and the procedure of examination of witnesses and different categories of witnesses involved in a suit or proceeding.
- CO5.** Apply the standard of burden of proof followed in civil and criminal cases and the role and presumption powers endowed upon the judges during the trials.

**Course content**

**UNIT-I Introductory:**

1. The main features of the Bhartiya Sakshay Adhiniyam

## 2. Applicability of BSA .

Administrative Tribunals/ Industrial Tribunals.

Commissions of enquiry/ Court- Martial/Affidavit.

## 3. Object of Evidence Act.

## 4. Definition under Law of Evidence Act

*A. Facts/ relevant facts/facts in issue.*

*B. Evidence/Oral Evidence and Documentary Evidence . Circumstantial evidence and Direct evidence /Indirect Evidence Etc.*

*C. Presumption: "May presume"/ "Shall presume"/ Conclusive proof".*

*C. "Proving" "not proving" and "disproving".*

*D. Witness.*

## **Unit-II Relevancy**

### ***Relevancy of facts:***

1. The Doctrine of res -gestae
2. The problems of relevancy of -otherwisell irrelevant facts
3. Facts concerning bodies and mental state

### ***Admission and Confessions:***

1. General principles concerning admission
2. Differences between -admissionll and -confessionll
3. Non- admissibility of confessions caused by -any inducement, threat or promisell
4. Inadmissibility of confession made before a police officer
5. Admissibility of custodial confessions
6. Admissibility of -informationll received from accused person in custody; with special reference to discovery based on -joint statementll
7. Confession by co-accused
8. The problems with the judicial action based on a -retracted confessionll104

## **UNIT-III Statements by persons who cannot be called as witnesses (Dying Declarations)BNNS**

1. The justification for relevance of dying declarations
2. The judicial standards for appreciation of evidentiary value of dying declarations
3. Conclusive Evidence

***Relevance of Judgments:***

1. Admissibility of judgments in civil and criminal matters
2. -Fraud and -Collusion.

***Expert Testimony:***

1. Who is an expert? : types of expert evidence
2. Opinion on relationship especially proof of marriage
3. Judicial defence to expert testimony

**UNIT IV Oral & Documentary Evidence:**

1. General principles concerning oral evidence, Primary / Secondary evidence.
2. General principles concerning documentary evidence.
3. General principles regarding exclusion of oral by documentary evidence, public & private documents.
4. Special problems: re-hearing evidence
5. Examination of Witness and cross Examinations/Estoppel
  1. Competency to testify
  2. State privilege
  3. Professional privilege
  4. Approval testimony
5. General principles of examination and Cross examination
6. Leading questions
7. Lawful questions in Cross-examination
8. Re-examination
9. Compulsion to answer questions put to witness
10. Hostile witness

11. Impeaching of the standing or credit of witness

**UNIT V Burden of Proof:**

1. General principles conception of onus-probans and onus-probandi
2. General and special exceptions to onus probandi
3. The justification of presumption and of the doctrine of judicial notice
4. Justification as to presumption as to certain offenses
5. Presumption as to dowry
6. The scope of the doctrine of judicial notice Estoppel
  - A. Why estoppel? The rationale
  - B. Estoppel
  - C. Question of corroboration
  - D. Improper admission and of witness in civil and criminal cases

**Selected Bibliography**

**(Books/References)**

1. Sarkar and Manohar, Sarkar on evidence (1999), Wadhwa & Co. Nagpur.
2. Indian Evidence Act 1872, (Amendment up to date).
3. Ratanlal, Dhirajlal: Law of Evidence (1994), Wadhwa Nagpur.
4. Polein Murphy, Evidence (51h Reprint 2000), Universal Delhi.
5. Albert S. Osborn, The Problem Proof (First Indian Reprint 1998). Universal Delhi.
6. Avtar Singh, Principles of Law of Evidence (1992), Central Law Agency.
- 7- Rajaram Yadav law of Evidence.
- 8- Justice Monir;Textbook on Law of Evidence.

## **Trust and Equity (LLBB3310)**

### **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:

**CO1:** Know the meaning of trust and its various types

**CO2:** Comprehend the various laws relating to trust.

**CO3:** Remembering duties and liabilities of trustees.

**CO4:** Describe the concepts of fiduciary relations.

**CO5:** Analyze the principles of equity and maxims

### **Course contents:-**

#### **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, cypriss, 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



## **COMPARATIVE LAW (LLBB3320)**

### **Course Objective**

- The course offers students an introduction to legal comparison, to its nature and goals in connection with the contemporary globalization processes
- 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:

- CO1.** Comprehend public law and its role in governance
- CO2.** Understand comparative constitutional law
- CO3.** Analyze the development of administrative law in India & other countries
- CO4.** Understand the Significance of public and private law
- CO5.** Categorize Substantive laws and procedural laws.

### **Course of contents**

#### **Unit – 1: Introduction to Comparative Law, Public Law and its Role in Governance**

Origin and development of Comparative Law, Definition of Comparative Law, purpose, Types of Comparisons in Comparative Law, Problems and Concerns in Comparison.

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

#### **Unit – 2: Study of Comparative Constitutional Law**

Meaning & Definition of comparative constitutional law

. Benefits of comparative constitutional law

Types of constitution and their merits and demerits.

#### **Unit 3:-Different Forms of Government**

Features of constitution of various different countries

Borrowed features of Indian constitution

#### **Unit-4 Study of Comparative Administrative Law**

concept of Separation of Powers in India and Various other countries

comparative analysis of French and Indian administrative courts

Droit Administratif

Judicial Review: A Comparative Analysis In USA, UK And India

#### **Unit -5: Significance of Public Law/ Private Law**

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

Difference between Public and Private Law

**Substantive laws and procedural laws**

Meaning and nature of substantive laws and procedural laws

Limitations of substantive laws and procedural laws

Differences between substantive laws and procedural laws

**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 (LLBB3330)**

### **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:

**CO1.** Understand the concept of conflict of laws

**CO2.** Comprehend the Limitations on application or exclusion of foreign law

**CO3.** Understand the concept and laws relating to status.

**CO4:** Analyzes the Limitations on application or exclusion of foreign law

**CO5 :** Recognition and Enforcement of Foreign Judgments -

**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 .

**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 II:- 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 III:-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.

**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 IV:-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 V:-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.

**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 IV

## JURISPRUDENCE (LLBB4010)

### 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 (COs):** The students will be able to:

**CO1:** Understand the meaning of law, jurisprudence and the purpose of law.

**CO2:** Gain knowledge about the various schools of jurisprudence.

**CO3:** Comprehend with the concepts of legal rights, persons.

**CO4:** Analyze the various sources of law.

**CO5:** Evaluate the concepts of possession, ownership and title.

**Unit I:- Introduction:** Meaning of the term jurisprudence ,Norma 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 deal 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)

## **INTERPRETATION OF STATUTES (LLBB4020)**

### **Course Objectives:**

- The paper is aimed to enhance the critical skills to equip the students with various aspects of interpretations.
- Legislation is the major source of law of the modern era. Legislatures enact laws after much deliberation. No doubt in this process they have to take into account the present and future needs of the people. What are the matters to be reckoned with by the legislature while enacting laws?
- The two basic reasons for the need for interpretation of statutes are to understand in the true spirit the Legislative Language and the Legislative Intent. While the legislative language may be complicated for a layman, legislative intents assimilates the concept of meaning and the concept of purpose and object or the reason or the spirit pervading through the statute.
- With the emergence of legislation, interpretation of statutes has become a method by which the judiciary explores the intention behind the statutes.

### **Course Outcome(COs)**

The students will be able to:

**CO1.** Understand the meaning of the term statutes. and purpose of interpretation of statutes.

**CO2** Applying the various rules and presumptions in statutory interpretation.

**CO3.** understand the principles to interpret the laws and judgements & Learning of basic principles and approaches of judicial bodies to interpret the legal provisions.

**CO4.** Understand legal theory and concepts from multiple perspectives

**CO5.** understand the interface of theory and practice in implementation of rules and judgements and constitutional interpretation.

### **Unit I:- Meaning of Interpretation of statute and rules**

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

#### **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.

##### **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 II:- Rules of Statutory Interpretation:**

- Primary rules.
- Literal rule
- Golden rule.
- Mischief rule.
- Rule of harmonious construction.
- Secondary rule.
- Noscitur a Sociis.
- Ejusdem Generis
- Reddendo Singula Singulis

### **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 once own wrong.
- Prospective operation of statutes.

## **Unit III:-Maxims of statutory interpretation:**

- Delegatus non-potest delegare.
- Expressio Unius,Est Exclusio Alterius.
- In pari delicto potior est conditio possidentis.
- Ulters valet potior quam paret Expressum facit cessare tacitum.
- Generalia Specialibus Non Derogant .
- In bonam partem.

### **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 IV:- 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 V:- General clauses Act:**

scope and extension of this act

#### **Text Books**

1. G.P.Singh, Principles of Statutory Interpretation, (7th Edition) 1999, Wadhwa, Nagpur.
2. K.Shanmukham, N.S.Bindra's Interpretation of Statutes, (1997)  
the Law Book Co. Allahabad.
3. M.P.Jain, Constitutional Law of India, (1994) Wadhwa & Co.
4. M.P.Singh, (Ed.) V.N.Sukla's Constitution of India, (1994) Eastern, Lucknow.
5. Narotam Singh Bindra, N.S. Bindra's Interpretation of Statutes,  
LexisNexis Butterworths, 2007

#### **Reference Books**

1. P. St. Langan (Ed.). Maxwell on The Interpretation of Statutes (1976)  
N.M.Tripathi, Bombay.
2. Rupert Cross, Statutory Interpretation, London Butterworth's.
3. Sandeep Bhalla, Principles of Interpretation in India: (with Legal Maxims),  
IEbooks Inc., 2015
4. U.Baxi, Introduction to Justice K.K.Mathew's,  
Democracy Equality and Freedom (1978) Eastern, Lucknow.
5. Vepa P. Sarathi, The Interpretation of Statutes, (1984)  
Eastern Book Company, Lucknow
6. A. S. Anand: 'Judicial Review: Judicial Activism-Need for Caution',  
42 Journal of Indian Law Institute 149 (2000)
7. Benjamin Cardozo: The Nature of Judicial Process, Yale University Press, USA.
8. Edgar Bodenheimer: Jurisprudence-The Philosophy and Method of the Law, Universal Law  
Publishing-An imprint of LexisNexis; Delhi.
9. Henry J. Abraham: The Judicial Process, OUP, USA.
10. John Rawls: A Theory of Justice, Harvard University Press, Cambridge.
11. Julius Stone: Legal System and Lawyer's Reasoning,  
Universal Law Publishing Co., New Delhi

## **TAXATION LAW (LLBB4030)**

### **Course Objective**

- Understanding the concept of Taxation.
- Studying different heads of income.
- Exploring assessment procedures for foreign income.
- Learning about adjudication processes for tax disputes.
- Understanding settlement methods for tax disputes.

### **Course Outcome**

1. **Master Income Tax Laws:** Gain a comprehensive understanding of Income Tax laws, focusing on their key components and practical application in various professional contexts.
2. **Understand the GST Act:** Learn the intricacies of the GST Act, emphasizing its implementation and compliance requirements in professional settings.
3. **Comprehend the Customs Act:** Acquire in-depth knowledge of the Customs Act, with a focus on its practical application in trade and business operations.
4. **Acquire Tax Consultancy Skills:** Develop the expertise required for tax consultancy roles, including proficiency in accounting, auditing, and legal practices related to taxation.
5. **Enhance Tax Compliance and Planning Abilities:** Learn to contribute effectively to tax compliance, planning, and decision-making processes, ensuring adherence to legal standards and optimizing tax strategies. And Equip yourself with the knowledge and skills necessary to excel in various professional tax roles, facilitating compliance, planning, and informed decision-making.

### **Course Contents:**

#### **Direct Tax**

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

##### **Income Tax Act 1961**

- Direct Taxes at a glance
- Basic concepts of Income Tax
- Incomes which do not form part of Total Income

##### **Unit II :**

- Computation of Income under Various Heads :
- Income from Salary;
- Income from House Property;
- Profit and Gains of Business or Profession;
- Income from Capital Gains;
- Income from Other Sources;

**Unit III :**

- Clubbing provisions and Set Off and / or Carry Forward of Losses
- Deductions from Gross Total Income & Rebate and Relief
- Computation of Total Income and Tax Liability of various entities
- Procedural Compliance Assessment, Appeals & Revision

**Indirect Taxes****Unit IV :**

- Introduction of Goods and Service Tax
- Concept of Indirect Taxes at a glance
- Concept of Time, Value & Place of Taxable Supply
- Input Tax Credit & Computation of GST Liability- Overview
- Procedural Compliance under GST
- Basic overview on Integrated Goods and Service Tax (IGST), Union Territory Goods and Service tax (UTGST), and GST Compensation to States.

**Customs Act****Unit V :**

- Brief Introduction of Customs Act

**Recommended Readings:**

- "Direct Taxes Law & Practice" by Dr. Vinod K. Singhania
- "Income Tax Act, 1961" by Taxmann Publications
- "Indirect Tax Laws" by V.S. Datey
- "GST: A Practical Guide" by P.L. Subramanian
- "Customs Law Manual" by R.K. Jain
- "Service Tax Ready Reckoner" by V.S. Datey
- "International Taxation - Transfer Pricing" by CA. N.S. Govindan
- "GST Tariff with GST Rate Reckoner" by Taxmann Publications

## **Drafting, Pleading and Conveyancing (LLBB4040)**

### **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:

**CO1:** Understand the fundamental rules of pleading

**CO2:** Familiarize with the concept of civil pleadings

**CO3:** Know the General Principles of Criminal Pleadings

**CO4:** Have the ability to defend the case undertaken by identifying the issues and providing solutions to resolve considering the facts in issue.

**CO5:** Have the practical exposure to drafting deeds, conveyances and matrimonial petitions

### **CONTENTS:-**

#### **Unit-I: Fundamental Rules of Pleadings**

- a. Pleadings (Order 6 CPC)
- b. Complaint 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. Maintenance Application under BNSS
- c. Compounding of Offences by Way of Compromise under BNSS
- d. Complaint under Section 138, Negotiable Instruments Act, 1881
- e. Application under Section BNSS ( INHERENT POWER)

#### **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

**UNIT V: Matrimonial Petitions-**

Divorce Petitions, Mutual Consent Divorce Petitions 2

Application for Maintenance

Application for Custody

Pleadings for restitution of conjugal rights

Nullity of marriage

**Text Books:**

1. N.S. Bindra, *Conveyancing, Draftsmanship 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)

## **LAW RELATING TO WOMEN (LLBB4310)**

### **Objective:**

The paper aims at creating awareness as to the 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:

**CO1:** Familiarize with the International concerns and conventions relating to women

**CO2:** Understand a constitutional safeguard

**CO3: Gender Equality:** Laws aimed at ensuring equal rights and opportunities for women in all spheres of life, including education, employment, politics and property rights

**CO4:** Regulations concerning divorce, guardianship and child custody often focusing on ensuring fair treatment and protection for women.

**CO5:** Gain knowledge Laws related to women's health issues, including access to healthcare services, insurance coverage, and medical research and ensuring that women's human rights are protected.

### **CONTENTS:-**

**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 - Hindu Law, 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

Book:

R.C. Sobti, et al, Reinventing the Women, Past, Present and Future, 2018.

## **Criminology and Penology (LLBB4320)**

### **Course Objectives:**

- The objective of the paper is to introduce the students to a holistic understanding of crime & Clarify the purpose and role of criminology as a separate branch of study.
- Understand the correlation between deviant behaviour and law as a process of crime control.
- Highlight the role and relevance of theories of criminology in relation to crime in society.
- enable the students to understand the various theories of penology as well as reforms made thereunder.
- 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 Outcomes (COs):**

**CO1:** After completing this course, the student will be able to:

**CO2:** Analyze the perspectives of Criminology, Penology and Criminal law.

**CO3:** Understand the various dimensions of crime in India

**CO4:** Comprehend the causes of Criminal Behavior

**CO5:** Familiarize with the concept of police and criminal justice & to Know the punishment prescribed for offenders

**UNIT-I Introducing Criminology and Penology** Concept and Nature of Criminology - Criminology and other social sciences - Importance of Criminology - Concept and Nature of Penology-Objects and features of Penology, Relation between Criminology, Penology & Victimology

#### **Dimension of Crime in India**

Nature and extent of Crime in India- Concept, Elements, Nature, Definition and Characteristics of crime Theories of Crime- The situational offenders- Criminality in woman- Juvenile in Conflict with Law, White collar crime: corruption in public life , Cyber Crimes, Organized Crime, Terrorism.

#### **Unit II:- Schools of criminology & Causes of Criminal Behaviour**

Pre-classical, classical - Neo classical School - Positive School - Cartographic Schools -Biological and Constitutional schools.

Heredity and crime-Mental disorder and criminality-Bio-physical factors and criminality, theory by Lombrosso-Sociological theory of crime with the theory of Different Association by Sutherland - Economic theory and their relevance-Multiple factors responsible for crime causation

#### **Unit III:-Police, the Criminal Justice**

History of police & policing, Role of police in modern societies.,Police organization in  
Chhatrapati Shivaji Maharaj University, Panvel

## **Prison System**

Historical development of prisons, Objectives of imprisonment, UN Standard Minimum Rules for treatment of prisoners and other standard settings, conventions and documents, Legal framework of the prison system in India, Prison organization in India, Modernization of prisons, Open prisons

## **Unit IV:-Punishment of Offenders**

Nature, meaning and importance of punishment, Forms of punishment in ancient, medieval and modern times., Theories of punishment , The need for rehabilitation and reformation of prisoners- Reformative techniques for correction of offenders Parole-Nature of parole-Authority for granting parole-Supervision on Parolees Parole and Conditional Release- Probation- Difference between Parole and Probation Problems of released offenders

## **UNIT-V Victimology**

The concept of Victimology-Rights and Protection to victims under Criminal Law Role of victim-Compensation under various laws-Sec. 357 of BNSS. Motor Vehical Acts- Sexual harrasment and assault-Medical negligence State liability to pay compensation- Justice to victims-Malimath Committee Report on victims Victim Compensation Scheme

### **Recommended Readings:**

- 1) Kathering S. Williarns, "Textbook on Criminology" 2002
- 2) Ahmad Siddique, "Criminology problems and porspective" 2005
- 3) K.D.Gaur, "Criminal law- Cases and materials" 2005
- 4) Prof N .V .Paranjape, "Criminology and penology" 2006
- 5) Dr. Krishna Pal Malik , 'Penology, Victimology and Correctional Administration in India' 2011
- 6) Hall, J. Law, "Social Sciensce and criminal Theory"(1982).
- 7) Manheim,H."Comparative Criminology:A Text book" (1965).
- 8) Rabindra K Mohanty, Satyajit Mohanty = Criminology Penology and Victimology' 2012
- 9) Sutherland, E. and Cressy, Principles of Criminology
- 10) S. Rao, "Crimes in Our Society" , (1983).
- 11) J. M. Sethna, "Society and the Criminal" (1980).
- 12) S. Kaldate, "Society, Delinquent and Juvenile Courts" (1982).
- 13) D. C. Pandey, "Haditual Offenders and the law" .
- 14) Krishna Iyer Report on Female Prisoners (1986).
- 15) Mulla Committee Report, (1983).
- 16) P.Rajgopal, "Violence and Response:A Critique of indian Criminal Justice System"



(1988).

17) Katherine S. Williams, "Text book on Criminology" (1997), Blackstone, London

**RTI & PIL**  
**(LLBB4330)**

**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:

**CO1-Comprehend** the RTI Act

**CO2-Understand** the concept of PIL

**CO3-Familiarize** with Role of Supreme Court and High Courts in PIL

**CO4-Understand** the concept of Appeals , complaints ,Disposal of appeals andcomplaints

**CO5-analyze the concept of Public interest litigation**

**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 III:** Appeals , complaints ,Disposal of appeals and complaints

**Unit IV: Public interest litigation**

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

**Unit-V** 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

# **SEMESTER V**

## **Code of Civil Procedure and Limitation Act (LLBB5010)**

### **Course 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.
- Study of procedural law is enormously pertinent for law students. This course is designed to acquaint the students with the various stages through which a civil case passes through in the courts of law.
- The course also includes the law of limitation.
- The course aims to assist the students to understand the practice and procedure in the conduct of suits in and out of the court. It will also analyse this consolidated code with the substantive laws with regard to the procedure to be followed by the civil courts and thereby help in facilitating justice.
- The course thus explains in detail the role of civil court and the procedures to be followed in the administration of civil justice.
- Overall, this course makes an endeavor to familiarize the students with the plaints, written statements, Interlocutory applications, issuance of commissions, trial and other aspects of civil court proceedings which prepares the students adequately for practice in courts.

### **Course Outcome(COs):**

After completing this course, the students will be able to:

**CO1.** Understand the Civil Court procedures to be followed in India.

**CO2.** Comprehend various laws relating to limitation and registration of documents.

**CO3.** Understand the meaning of decree, judgment, order and affidavit. Comprehend the meaning of institution of suit. & Recall and apply the standard and uniform procedure to deal with the civil matters in issue.

**CO4.** Apply the rules relating to the procedure of issuance of summons, substituted service of summons, admission and impounding of documents and conducting civil trial in courts.

**CO5.** Understand the procedure of examination of witnesses and different categories of witnesses involved in a suit or proceeding. & Identify a lawyer's professional obligations at each stage in the life cycle of a lawsuit.

### **Unit -1**

#### **Introduction, Object & Definition :**

Decree, Judgment, Order, Foreign Court, Foreign Judgment, Mens Profits, Affidavit,

Plaint, Written Statement, Legal Representative, Courts..  
Important Concepts under CPC:  
Suit of a civil nature,  
Res-sub-judice,  
Resjudicata,  
Constructive Res-judicata  
Caveat.  
Inherent Power of court.

## **Unit -2**

### **Place of suing Institution of suit & Jurisdiction:**

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 in First Hearing.

Interim Orders

Commission

Arrestbeforejudgment Attachment  
before judgment

Temporary Injunctions Interlocutory Order Receiver Security of costs.

## **Unit – 3**

### **Suit in Particular case and Judgement /Decree/ Execution :**

Suits by or against Government

Suits by indigent person

Inter-pleader Suit

SummaryProcedure

Suits relating to Public Nuisance.

#### ***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 the executing court.

## **Unit – 4**

### **Appeals/Reference /Review /Revision :**

#### ***Appeals***

Appeals from original decree

Appeals from appellate decree

General provisions relating to appeals

Appeals to Supreme Court

Appeals by indigent person

#### ***Reference ,***

***Review ,***

***Revision & Execution.***

## **Unit – 5**

### **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.

### **Selected Bibliography(Books/References)**

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
6. Bare Act CPC 1908, New Edit.

## **Property Laws including Transfer of Property Act and Easement Act (LLBB5020)**

**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**

After the completion of this course, the students would be able to:-

**CO-01** :- Understand the most fundamental concept in property law including easement and registration.

**CO-02** :- The students will be able to appreciate the significance of property law from various perspectives including economic efficiency, underprivileged perspectives.

**CO-03** :- The students will be able to develop skills for applying technical rules of property transfer.

**CO-04** :- Critically analyse the overall transfer of property law concept in Indian.

**CO5:-** Analyze leading cases

### **Syllabus**

**Unit -1** Historical evolution of Law of property, Introduction, Short title, Commencement, Repeal of Acts, Interpretation Clause (Ss 1 -3), Transfer of Property by act of Parties - Definition of Property, Rule of Transferability, Persons Competent to Transfer , Operation of Transfer and Oral Transfer (Ss 5 -9), Condition Restraining Alienation, Restriction Repugnant to Interest, Condition Making Interest Determinable on Insolvency or Attempted Alienation (Ss 10-12), Transfer for the Benefit of Unborn Person, Rule against Perpetuity etc. (Ss 13 -18), Vested interest and Contingent Interest (Ss 19-24), Conditional Transfer, Doctrine of Acceleration, Doctrine of Conditional Limitation (Ss 25 -34), Doctrine of Election (Ss 35-37), Transfer of Immovable Property (Ss 38 -53- A).

**Unit 2:** Sale of immovable property: Definition, Competency of Parties, Difference between Sale and Agreement to Sale, Rights and Liabilities of buyer and Seller (Ss 54 - 57), Mortgages charges of immovable (Ss 58), Property, Definition, Kinds of Mortgages, Obligation to transfer to third party instead of Mortgagor, Rights and Liabilities of Mortgager (Ss 58 - 66), Rights and Liabilities of Mortgagee (Ss 67 - 77), Other Provisions Related to Mortgage including charges (Ss 78 -104).

**Unit 3:** Leases of immovable property Definition, Essential Elements of Leases, Modes of Leases, Rights and Liabilities of Lessor and Lessee, Doctrine of Waiver, Determination of Lease and Other Related Provisions (Ss 105 -117), Exchanges (Ss 118 - 121), Gift (Ss 122 -129), Transfer of Actionable Claims (Ss 130 -137).

**Unit -4** Indian Easement Act, 1882: - Introduction (Ss 1-3), Easement in General (Ss 4- 7), Imposition, Acquisition and Transfer of Easements (Ss 8 -19), Incidents of Easement (Ss 20 -21), Disturbance of Easement (Ss 32 - 36), Extinguishment, Suspension and revival of easements (Ss 37 -51), Licenses, Definition, Ingredients and Revocation of Licenses (Ss 52 -64)

**Unit -5 Leading Cases:** 1. Nainsukhdas Shivnarayan Vs. Goverdhan das AIR 1948, Nagpur 110. 2. Associated Hotel of India Vs. R.N. Kapoor AIR 1962, SC 1262. 3. Jama Masjid Vs. Koci Manindra Deviah and other, AIR 1962, SC 807. 4. Kedarnath Vs. Shivnarayan AIR 1970, SC 1717. 5. Kanji Manji Vs. Trustees of Port of Bombay AIR 1963,

SC 268. 6. Murari Lal Vs. Devkaran AIR 1965, SC 225.

**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. Upadhya's Common Matrix of Transfer of Property.

## **Administrative Law (LLBB5030)**

### **Course Objective**

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

**Course Outcome (COs):** The students will be able to:

**(CO1):** Understand the evolutions and scope of administrative law

**(CO2):** Comprehend the concept of rule of law

**(CO3):** Analyze the meaning and concept of legislation

**(CO4):** Analyze the meaning and concept of delegated legislation

**(CO5):** Evaluate 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

### **Unit-II: Classification of Administrative Law And Legislative Functions of Administration**

- a. Classification of Administrative Law
- b. Legislative Functions of Administration

### **Unit-III: Delegated 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-IV: 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-V: 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*, LexisNexis, 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)

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## **Company Law (LLBB5040)**

**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:

**CO1.** Understanding of company law principles, statutes, and regulations, applying this knowledge to analyze and solve legal issues faced by corporations.

**CO2.** Analysis on corporate governance structures, responsibilities of directors and officers, and mechanisms for shareholder protection and participation.

**CO3.** Develop skills in structuring corporate transactions, including mergers, acquisitions, and financing activities, while ensuring compliance with relevant legal requirements.

**CO4.** Able to assess and uphold ethical standards in corporate decision-making and demonstrate an understanding of corporate social responsibility within legal frameworks.

**CO5.** Critical Analysis through case studies and practical exercises, students will hone their ability to critically analyze complex corporate legal issues and propose effective solutions that balance legal requirements with business objectives.

These outcomes aim to prepare students for careers in corporate law, compliance, governance, and advisory roles where a strong understanding of company law is essential.

### **Course Contents**

#### **Unit 1:**

##### **●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.

#### **Unit 2**

##### **●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.

### **Unit 3**

#### **●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.

### **Unit 4:**

●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.

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

●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.

### **Unit 5:**

●**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. Chakravarthi: 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 4<sup>th</sup> edition Central Law Agency, 2007
9. Dr. S.C. Tripathi : Modern Company Law, Second edition , 2006

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## **Intellectual Property Rights (LLBB5310)**

### **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**

**CO-01:** Understand the basic concept of IPR & International convention relating to IPR.

**CO-02:** Understand the law relating to copyrights, Patent, Trade mark, Geographical Indication & designs.

**CO-03:** Understand the legal system and solve the problem relating to intellectual property rights.

**CO-04:** Skill to pursue business international affairs, public administration and other bills.

**CO-05:** Critically analyze the overall intellectual property law concept in India.

**UNIT-I:** Nature and meaning of Intellectual property, need for protection of right of intellectual property. The types of intellectual property and enhancement of area of I.P. History and introduction to the leading international instrument concerning intellectual property rights i.e., WIPO (world intellectual property organization) and its Paris convention on protection of industrial property (PIP) and patents co -operation treaty (PCT) The Berne (1971) and Rome convention (1961) on copy right. Universal copy right convention (UCC) of 1952, and neighboring rights and Madrid agreement on trade mark registration. The general agreement on tariffs and trade (GATT) and its creations, World trade organization (WTO), Uruguay Round (April 1997) and its highly significant instrument "Trade Related intellectual property agreement" (TRIPS).

**UNIT-II:** History and definition, provisions of Copyright act 1957.

Subject matter of copyright, forms of copyrights, ownership of copyrights assignment of copy rights. copyrights as an author's special rights. Notion and criteria of infringement, acts not constituting infringement, Remedies against infringement of copyright -civil and criminal under Copyright Act sec. 55 - 57, 62, 63-70, slander of title Anton Pillar order, international copyrights, copyrights societies and copyright office, copyrights board, legislation of copyright and appeal

**Unit-III Trade Marks & designs** -Introduction definition evolution and concept of trade marks, Distinction between trademarks and property works, the doctrine of honest current user and doctrine of deceptive similarity, provisions of \_The trade mark act 1999, it includes definition and interpretation, condition for registration, trade mark registry.

Property in a trade- mark, registration of trade mark, its refusal, Berne principles of registration of trade marks, its procedure and evidence. Marks, not registrable, effect and limit on effect. registered trade work, assignment and transmission of registered trademarks, use of trade mark and registered user, ratification and correction of the registration, collective marks, provisions relating to textile goods, offences, penalties and procedure, appellate board, its constitution, powers and duties and procedures and other miscellaneous provisions of the act, provisions of Design act 2000, it includes

**Unit-4 Patents:** Provisions of Patents act 1970 which includes patents, its introduction concept and history, process of obtaining patents, specification, application for patents,

examination of application, position to grant a patent, invention not patentable, register of patents and patent office, register and obligation of a patent. Transfer of patent right, Right of the Govt. in case of use of invention provisions for secrecy of certain invention. Patents in addition, procedure for restoration of lapse patents. revocation and surrender of patents. Registration of patents, patents office, its constitution, controller and its power, infringement of patents and treat of infringement proceedings of officer's penalties for the Violation of act. licenses of right, compulsory licenses patent agent etc. and miscellaneous provision of the act.

**Unit-5 The Information Technology Act 2000 and Leading Cases:** ITA 2000, it includes introduction, need, coverage, definition digital signature, electronic record certifying authorities, electronic governance, their regulation, penalties, cyber regulation appellate tribunals under ITA act.

LEADING CASES 1. Grama phone co. of India v. B.B. Pandey (AIR 1984 SC 667) 2. Indian Performing Right Society Ltd. v. Eastern India Motion pictures association (AIR 1977 SC 1443). 3. Monsanto Co. v. Caromandal Idag product (AIR 1986, SC 712). 4. American House Product Corp. v. Mac Laboratories (Pvt) Ltd. (AIR 1986 SC 137) (Dristan Case)

#### **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*, LexisNexis, 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*

## **BankingLaw (LLBB5320)**

### **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:

**CO-01:-** Understand the conceptual background of banking industry starting from the advent of money.

**CO-02:-** Elaborate the development of this industry in different shapes of accounts and credits with its features.

**CO-03:-** Ascertain the laws applicable to the said industry.

**CO-04:-** Ascertain new emerging dimensions in banking system including e-commerce, e-banking, Mobile banking and cross-selling business.

**CO-05:-** Demarcate the nature of foreign banking and new currency in form of crypto currency.

### **Course Contents**

**Unit-I: INDIAN BANKING SYSTEM** Concept of Banking System in India , Structure and function of banking Institute, Types of banks, Legal character of bank, Reserve bank of India ( RBI) as a guardian of Indian banking system, RBI Act

**Unit -II: BANK & CUSTOMER** Different types of Account, Relation of account & Customer Laws governing recovery process in bank-IBC, SARFAESI, RDDBFI & Civil Court

**Unit -III: TRENDS OF BANKING BUISNESS** Bank Guarantees and letter of credit with UCPDC Guidelines Bank & technology Foreign banking in India

**Unit -IV: THE NEGOTIABLE INSTRUMENT ACT, 1881-** Promissory notes- Bill of Exchange, Cheque etc, Crossing of Cheques- Criminal liability on dishonour of Cheque ( Sec 138-142)

**Unit-V: BANKING REGULATION ACT, 1949 & CONTROL OF BANKS IN INDIA**

### **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*, LexisNexis, 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.

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## **Insurance Laws (LLBB5330)**

**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:

**CO1:** To Understand and describe the scope and object of Insurance through a critical analysis of the subject.

**CO2:** Analyze the merits and demerits of Insurance, its process from adopting till claimant.

**CO 3:** It provides the details, of conceptual parameters of Insurance law in the context of the development of the general principles of law and judicial interpretation.

**CO 4.** Explain and address various obstacles and barriers experienced by individuals before, during, and after adopting insurance with the help of case laws

**CO5:** Comprehend the concept of insurance and its various types & Understand the various laws relating to insurance.

### **Syllabus**

**UNIT-I** Introduction Definition nature and history of insurance, Concept of Insurance and law of contract and law of torts future of insurance in globalized economy, History and development of insurance in India, Insurance Regulatory Authority – role and functions

**UNIT-II** General Principles of Law of Insurance Contract of Insurance-classification of contract of insurance, nature of various insurance contracts parties thereto, principle of good faith, non disclosure, misrepresentation in insurance contracts, Insurable interest, The risk, The policy, classification of policies – its form and contents, its commencement, duration, cancellation, alteration, rectification, renewal, assignment, construction, Conditions of the policy, Alteration of the risk, Assignment of the subject matter.

**UNIT-III** Insurance Nature and scope of life insurance, definition kinds of life insurances, the policy and formation of a life insurance contract, Event insured against life insurance contract, Circumstances affecting the risk, Amounts recoverable under life policy, Persons entitled to payment, Settlement of claim and payment of money.

**UNIT-IV** Marine Insurance Nature & scope, Classification of marine policies, The marine Insurance Act 1963, Insurable interest, insurable value, Marine insurance policy – conditions, express – warranties, constructions of terms of policy, Voyage – deviation, Perils of the sea, Partial loss of ship and of freight, salvage, general average, particular

charges, Measures of indemnity, total valuation, liability to third parties.

**UNIT-V Social Insurance in India** Important elements in social insurance, its need, Commercial insurance and social insurance, Workmen's compensation – scope, risk covered, industrial accidents occupational diseases, cash benefits, incapacity, amount of compensation, nature of injuries, dependents schedule, Sickness insurance, a darker scheme, stack and Rao scheme for wage earners and others, risks covered, maturity and other benefits, Old age, premature death and invalidity insurance of pension insurance, public provident fund, Fire insurance, Social insurance for people like seamen, seamen, circus workers and agricultural, workers, Public liability insurance, The scheme, Authorities

Books Recommended:

1. Singh, Bridge Anand, New Insurance Law (2000) Union Book Publishers,Allahabad
2. Jvamy, Case Book on Insurance Law (1984), Butterworths
3. Jvamy, General principles of insurances law (1993), Butterworths
4. John Birds, Modern insurances law (1988), Sweet and Maxwell
5. Sreenivasan. M.N. Principles of insurance law (1997), Ramaniya pub. Banglore
6. M.N. Mishra – Law of Insurance – Central Law Agency, Allahabad

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## **SEMESTER VI**

### **BHARTIYA NAGRIK SURAKSHA SANHITA 2023 & JUVENILE JUSTICE ACT AND PROBATION OF OFFENDERS ACT (LLBB6010)**

#### **Course Objective**

- This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machinery.
- This course is specifically designed to assist students in understanding the importance of the BNSS which is one of the essential acts in India as well as the primary legislation on the procedure for administering criminal justice.
- The course is aimed at driving home the students how the pretrial, trial and the subsequent process are geared up to make the administration of criminal justice effective.
- The course will acquaint the student with organization of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised. The substantive law has to be applied through the uniform procedure as laid down which will be undertaken on completion of the course.
- The students will also understand the reason and manner of administering the punishments for any given offense under the BNS.
- The course will help in understanding the machinery for the investigation of crime, apprehension of suspected criminals, collection of evidence, determination of guilt or innocence of the accused person, and the determination of punishment of the guilty.
- The objective is also to sensitize the students about critical issues in administration of criminal justice like protection of human rights of victims and the principles of fair trial.
- The students will also undertake the study of two cognate Acts as a part of this course viz; Juvenile Justice Act (care and Protection of Children) and Probation of Offenders Act.

#### **Course Outcome(COs)**

After completing this course, the students will be able to:

**CO1.** Define the concept of bailable, non bailable, cognizable, non cognizable offences. Identify the stages in investigation and procedure of trial in criminal cases.

Explain the powers, functions, and duties of police and criminal courts.

**CO2.** Comprehend the concept of arrest and pre trial proceedings & Critically analyze the recent amendments in the BNSS.

**CO3.** Evaluate the trial proceedings and appeals.

**CO4.** Analyze the provision of, reference, review Plea Bargaining and Inherent Power of Court

**CO5.** Understand the Juvenile Justice (Care and Protection of Children) Act, 2015 and Probation of Offenders Act .

#### **Unit -1: Introduction, object, importance, basic concept of BNSS**

- a. Object and Importance of BNSS
- b. Functionaries under the BNSS
- c. Basic Concepts: Bailable Offence, Non-Bailable Offence, Cognizable Offence , Non-cognizable Offence, Complaint, Charge, Police Report, FIR, 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 and bond.
- 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
- e. Maintenance of wife, children and parents.

## **UNIT-V: The Juvenile Justice (Care and Protection of Children) Act, 2015 and Probation of Offenders Act.**

### **a. Juvenile Justice Act**

Chapter I & II – Preliminary and General Principles of General Care and Protection of Children.

Chapter III – Juvenile Justice Board.

Chapter IV – Procedure in relation of children in conflict with Law.

Chapter V – Children Welfare Committee.

Chapter VI – Procedure in relation to children in need of care And protection.

Chapter VII – Rehabilitation and social re-integration.

Chapter VIII – Adoption

Chapter IX – Other offences against Children.

Chapter X – Miscellaneous.

### **b. Probation of Offenders Act.**

Introduction, object, importance, basic concept,

### **Text Books:**

1. Ratanlal & Dhirajlal, *Criminal Procedure*, Lexis Nexis Butterworths Wadhwa, Nagpur, 2012

2. S.C. Sarkar, *The Law of Criminal Procedure*, Wadhwa & 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*, LexisNexis, 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 Bhartiya Nagrik Suraksha Sanhita 2023*

## **Environmental Law (LLBB6020)**

### **Course 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 (COs):** The students will be able to:

**(CO1):** Understand the evolution of Environmental Law.

**(CO2):** Gain knowledge about the sources, causes, effects and kinds of pollution.

**(CO3):** Analyze the various international initiatives on environmental protection.

**(CO4):** Comprehend the evolution of Policies and Role of Judiciary, Water Pollution, Protection And Prevention Law, Air Pollution, Protection And Prevention Law

**(CO5):** Understand the evolution of Biodiversity Protection law, Noise Pollution, Prevention Law, and Hazardous Waste Management

### **Course Contents**

#### **Unit 1: 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

#### **Unit 2: International Initiatives and Environmental Protection, Policies and Role of Judiciary**

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 summit 1992, Kyoto protocol 1997. Ministry of Environment and Forest website & Ch 3 & 5 Environment Policy 2006, National water Policy, Forest Policy, 5 year Plans 12<sup>th</sup> Plan and Environment, Judicial Activism/ PIL/SAL on Environment.

#### **Unit 3: Water Pollution ,Protection And Prevention Law, Air Pollution: Protection And Prevention Law:**

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

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

#### **Unit 4: Environment, Conservation and Protection, Forests And Wild Life, Protection**

**and Conservation:**

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.

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.

**Unit 5: Biodiversity Protection law, Noise Pollution, Prevention Law, Hazardous Waste Management:**

Biodiversity Act 2002

Noise Pollution (Regulation and Control) Rules, 2000.

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 Rosencranz and Shyam Divan: Environmental Law and Policy in India.
4. A. Agarwal (ed.): Legal Control of Environmental Pollution
5. Chetan Singh Mehta: Environmental Protection and Law
6. V.K. Krishna Iyer: Environment Pollution and Law
7. Shah : Environmental Law
8. Paras Diwan : Environmental Law and Policy in India, 1991
9. Dr. N. Maheshwara Swamy, Environmental Law, Asia Law House, Hyderabad.

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## **Labour Law (LLBB6030)**

**Objective:** The scope of the subject is to 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:

**CO1:** Understand the concept of industrial jurisprudence and principles of labour legislations

**CO2:** Constructing discipline in industry including recruitment process and fairness in it.

**CO3:** Sorting the concept of trade unionism and its linking with human rights.

**CO4:** Solving the problem of strike, lock out etc through collective bargaining to create pressurization techniques.

**CO5:** Analyze the various laws relating to wages and welfare legislations

### **Course Contents**

#### **Unit 1: 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.

#### **Unit 2: 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).

#### **Unit 3: 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.

#### **Unit 4: 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.



## **Unit 5: 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, (Sec.3,10), Reference for adjudication and Voluntary Arbitration (Sec.10 & 10A), Award and its binding nature and judicial review of awards. (Secs.18 & 11A), Statutory limitations on strikes and lockouts, unfair labour practices, prohibition and penalties. (Sec.22,31 & 25, T, 25U), General and special provisions relating to layoff, retrenchment & closure (Sections 25A, 25S & 25K, 25R), Recommendations of Second Labour Commission on industrial disputes.

### **- 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:**

Constitutional framework, 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. Khan& Khan: Labour Law, Asia Law House, Hyderabad
6. S.N.Misra, Labour and Industrial Laws, Central law publication, 22<sup>nd</sup> edition. 2006.
7. N.G. Goswami, Labour and Industrial Laws, Central Law Agency.
8. Khan & Kahan, Labour Law, Asia Law house, Hyderabad
9. K.D. Srivastava, Payment of Bonus Act, Eastern Book Company
10. K.D. Srivastava, Industrial Employment (Standing Orders) Act 1947
11. S.C.Srivastava, Treatise on Social Security
12. Jidwitesukumar Singh, Labour Economics, Deep & Deep, New Delhi

## **Land Laws (LLBB6040)**

**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 ensure the protection and welfare of the 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:

**CO1:** Familiarize with the comparison of concept of land in U.K and India

**CO2:** Understand the law reforms that took place pre and post independence.

**CO3:** Comprehend the various laws relating to tenancy reforms.

**CO4:** Understand the Law Relating to Land Acquisition in India

**CO5:** understands Zamindari Abolition and Land Reform laws.

### **Course Contents**

#### **Unit 1: 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 - Independence**

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

#### **Post-Independence Reforms:**

Constitutional Provisions, Abolition of Zamindari, Jagirs and Inams

#### **Unit 2: Laws Relating to Tenancy Reforms:**

Meaning of tenant – Classification of tenure holder – conferment of ownership on tenants/ryots – Laws relating to tenancy reforms, Bombay Tenancy and Agricultural Lands Act, 1948.

#### **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, Maharashtra Land Revenue Code, 1966 (use of land, record of rights).

#### **Unit 3: Law Relating to Land Acquisition in India:**

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

#### **Unit 4 : Law Relating to**

**Land Requisition and Acquisition:**

The Requisition and Acquisition of Immovable Property Act 1952.

**Law relating to Ceiling on Land Holdings:**

Urban Land (Ceiling and Regulation) Act 1976 (Definitions, ceiling limit, power to exempt and schemes)

**Law relating to Registration:**

Indian Registration Act, 1908 (compulsory and optional registration, time for registration, delay in registration, effect of non-registration)

**Unit 5: Other related laws:**

Maharashtra Housing and Area Development Act, 1976, Maharashtra Regional Town and Planning Act, 1909

**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.
3. ULC Act by Saklikar (Vol 1)
4. Land Acquisition Act by Sarkar
5. Registration Act by Sanjeev Rao
6. MLR Code by Gupte and Dighe
7. MRTP Act by Gupte and Dighe

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## **Practical Training and Moot Court (LLBB6050)**

**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:

**CO1:** Understand the civil and criminal court proceedings

**CO2:** Understand the nature and magnitude of work in advocates offices/law firms

**CO3:** Argue and counter argue in litigation matters

**CO4:** Learn the art of report writing & moot court memorials/ arguments

**CO5:** Apply the Mooting Skills.

### **Course Contents**

#### **Unit -1 Moots**

1.1 Study and analysis of Moot problems including issues involved

1.2 Drafting of MootMemorials/ Arguments

1.3 Studying laws, rules and case laws for Moot Problems

#### **Unit -2 Observance of initiations of suits and trial proceedings**

2.1 Attending and Observing Trial proceedings- civil and criminal

2.2 Observing livetelecast of court proceedings

2.3 Writing brief report on proceedings attended

#### **Unit 3: Writing a Moot Court Speech(Written Memorial):**

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

#### **Unit 4: Duties of Advocates and Judges:**

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

#### **Unit 5**

5.1 Viva Voce

5.2 Moot- oral submissions

#### **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.

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