

SCHEME OF TEACHING

&

DETAILED SYLLABUS

For

BACHELOR OF ARTS AND BACHELOR OF LAWS

**B.A. - LL.B.
(Five Year Integrated Course)**



SCHOOL OF LAW AND CONSTITUTIONAL STUDIES

**SHOBHIT DEEMED UNIVERSITY, NH-58, MODIPURAM - MEERUT (U.P.) –
250110**

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**Approved and adopted in year 2019 (Board of Studies, August 3, 2019)
by 13th Academic council (Agenda no-4.4)**

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Sr. No.	Course	Subject	Subject Code	Percentage of changes made	Page No.
1	B.A.LL.B.	Law of Torts Including M.V. Act and Consumer Protection laws	BLW 116	20%	16-17
2	B.A.LL.B.	Constitutional Law – I	BLW 214	20%	33-34
3	B.A.LL.B.	Constitutional Law – II	BLW 224	10%	42-43
4	B.A.LL.B.	Company Law	BLW 326	30%	67-68
5	B.A.LL.B.	Labour Law –I	BLW 412	30%	70-71
6	B.A.LL.B.	Labour Law-II	BLW 421	20%	81-82
7	B.A.LL.B.	Environmental Law	BLW 511	20%	91-92
8	B.A.LL.B.	Administrative Law	BLW 512	20%	93-94

First Year

First Semester:

Paper Code	SUBJECTS	L	T	P	CREDIT
BLW - 111	English – I	4	0	0	4
BLW-112	History – I	4	0	0	4
BLW -113	Political Science – I	4	0	0	4
BLW - 114	Microeconomics – I	4	0	0	4
BLW-115	Legal Method	4	0	0	4
BLW-116	Law of Torts Including M. V. Act & Consumer Protection Laws	4	0	0	4
	Total	24	0	0	24

Second Semester

Paper Code	SUBJECTS	L	T	P	CREDIT
BLW – 121	English – II	4	0	0	4
BLW – 122	History – II	4	0	0	4
BLW – 123	Political Science – II	4	0	0	4
BLW – 124	Microeconomics – II	4	0	0	4
BLW –125	Law of Contract – I	4	0	0	4
BLW-126	Legal History	4	0	0	4
	Total	24	0	0	24

Second Year

Third Semester

Paper Code	SUBJECTS	L	T	P	Credit
BLW –211	Basics of Sociology-I	4	0	0	4
BLW –212	law	4	0	0	4
BLW –213	Law of Contract-II	4	0	0	4
BLW –214	Constitutional Law-I	4	0	0	4
BLW –215	Criminal Law I (IPC)	4	0	0	4
BLW-216	Basics of Moot Court	2	0	8	6
	Total	22	0	4	26

Fourth Semester:

Paper Code	SUBJECTS	L	T	P	Credit
BLW-221	Sociology-II	4	0	0	4
BLW-222	Microeconomics-III*	4	0	0	4
BLW-223	Psychology-I	4	0	0	4
BLW-224	Constitutional Law – II	4	0	0	4
BLW-225	Criminal Law II (CrPC)	4	0	0	4
BLW-226	Family Law-I (Hindu Law)	4	0	0	4
	Total	24	0	0	24

Third Year

Fifth Semester:

Paper Code	SUBJECTS	L	T	P	Credit
BLW-311	Microeconomics-IV*	4	0	0	4
BLW-312	Psychology-II	4	0	0	4
BLW -313	Family Law-II (Muslim Law)	4	0	0	4
BLW-314	Jurisprudence	4	0	0	4
BLW-315	Civil Procedure Code and Law of Limitation	4	0	0	4
BLW-316	Property Law	4	0	0	4
	Total	24	0	0	24

Sixth Semester:

Paper Code	SUBJECTS	L	T	P	Credit
BLW-321	Macroeconomics*	4	0	0	4
BLW-322	Law of Evidence	4	0	0	4
BLW-323	Public International Law	4	0	0	4
BLW-324	Law of Taxation	4	0	0	4
BLW-325	Legal Language and Legal Writing	4	0	0	4
BLW-326	Company Law	4	0	0	4
	Total	24	0	0	24

Fourth Year

Seventh Semester:

Paper Code	SUBJECTS	L	T	P	Credit
BLW-411	Hindi	4	0	0	4
BLW-412	Labour Law – I	4	0	0	4
BLW-413	Intellectual Property Rights-I	4	0	0	4
BLW-414	Human Rights Law	4	0	0	4
BLW-415	Alternative Dispute Resolution	2	0	8	6
BLW-416	Drafting, Pleading and Conveyance	2	0	8	6
	Total	20	0	16	28

Eighth Semester:

Paper Code	SUBJECTS	L	T	P	Credit
BLW-421	Labour Law – II	4	0	0	4
BLW-422	Intellectual Property Rights-II	4	0	0	4
BLW-423	U.P. Land Laws	4	0	0	4
BLW-424	Interpretation of Statutes	4	0	0	4
BLW-425	Information Technology Law	4	0	0	4
BLW-426	Professional Ethics and Professional Accounting System	2	0	8	6
	Total	22	0	8	26

Fifth Year

Ninth Semester:

Paper Code	SUBJECTS	L	T	P	Credit
BLW- 511	Environmental Law	4	0	0	4
BLW- 512	Administrative Law	4	0	0	4
Elective Groups (Choose any one group from the following)					
Group 1 – Constitutional Law Group					
BLW- 513	Indian Federalism	4	0	0	4
BLW- 514	Comparative Constitution	4	0	0	4
BLW -515	Gender Justice and Feminine Jurisprudence	4	0	0	4
Group 2 –Criminal Law Group					
BLW -516	Criminal Sociology	4	0	0	4
BLW- 517	Criminal Psychology	4	0	0	4
BLW- 518	History and Principles of Criminal Law	4	0	0	4
Group 3 – Business Law Group					
BLW- 519	Banking Law	4	0	0	4
BLW -520	Financial Market Regulation	4	0	0	4
BLW- 521	Competition Law	4	0	0	4
Total		20	0	0	20

Tenth Semester

Elective Groups (Choose any one group from the following)

Elective Group 1 – Constitutional Law

Paper Code	SUBJECTS	L	T	P	Credit
BLW- 522	Judicial Process & Judicial Review	4	0	0	4
BLW -523	Right to Information	4	0	0	4
BLW- 524	Health Law	4	0	0	4
BLW -525	Media & Law	4	0	0	4
BLW- 526	Air & Space Law	4	0	0	4
Total		20	0	0	20

Elective Group 3 – Criminal Law Group

Paper Code	SUBJECTS	L	T	P	Credit
BLW- 527	Criminology and Penology	4	0	0	4
BLW -528	Forensic Sciences	4	0	0	4
BLW- 529	International Criminal Law	4	0	0	4
BLW -530	IT Offences	4	0	0	4
BLW- 531	Comparative Criminal Procedure	4	0	0	4
Total		20	0	0	20

Elective Group 3 – Business Law Group

Paper Code	SUBJECTS	L	T	P	Credit
BLW- 532	Insurance Law	4	0	0	4
BLW -533	Corporate Governance	4	0	0	4
BLW- 534	Merger and Acquisition	4	0	0	4
BLW -535	Investment Law	4	0	0	4
BLW- 536	International Trade Law	4	0	0	4
Total		20	0	0	20

ENGLISH- I

Subject code: BLW-111

L-4, C-4

Course Objective: To facilitate the students in enhancing their reading, writing, comprehension and oral communication skills. The course will also help the students in having a sound grasp over the language and to clearly and effectively communicate using the written language. The oral skills of students to get honed, as they get trained in making power point presentations in a professional way. Reading exercises and discussions will facilitate in developing their analytical and critical thinking skills.

Course Outcome:

CO1 Understand the essentials of effective oral communication and power point presentation skills and do it in a more professional way.

CO2 Apply analytical and critical thinking skills while reading long passages.

CO3 Writing answers to questions in a systematic way.

CO4 Contribute creative thoughts and ideas on issues evolving through readings in class.

CO5 Construct meaningful paragraphs adhering to the rules of grammar.

CO6 Apply the rules of punctuation correctly, while writing.

CO7 Draft letters, write essays and Research papers (at a very basic level), adhering to the rules of academic writing.

CO8 Apply the rules of grammar, while constructing sentences and paragraphs.

Unit I: Functional Grammar: Grammar and Vocabulary (as contained in the first two sections of “Better your English – I)

Oral: Students should be made to speak grammatically correct short sentences using proper vocabulary.

Unit II: Communication: Meaning, Nature and Importance of Communication, Barriers to Effective

Communication, Channels of Communication, Flow of Communication –Downward, Upward, Lateral or Horizontal, Diagonal or Crosswise.

Oral: Students should be asked to speak on different aspects of communication for if the students cannot communicate properly; the purposes of teaching communication are not fulfilled.

Unit III: Requisites of Sentence writing: Essentials of good sentence construction, sentence structure, kinds of sentence.

Oral: Practice in the class regarding sentence construction, use of words in a sentence by filling in the gaps etc.

Unit IV: Reading cultural texts:

Short- Stories:

1. Eyes are not here – Ruskin Bond (Non- detailed study)
2. Renunciation – Rabindranath Tagore (Non- detailed study)

Short Essay:

1. How should one Read a book? – Virginia Woolf (Non- detailed study)
2. The Heritage of India – A. L. Basham (Non- detailed study)

ORAL: Discussion in detail, Critical appreciation, grammatical exercises and making student read the stories and essay so that they develop the reading habits with proper stress, intonation, pronunciation & rhythm.

History- I

Subject Code: BLW 112

L 4, C 4

Course Objective:

Course Outcome:

Unit 1

1. Indus Valley Civilization: - Sources of Information Social life, Religious life, Town planning.
2. Vedic Period: - Social, Religious Condition,
- 3: Varna Ashram System.
- 4:- Status of Women.

Unit 2

1. Jainism:- Causes for the Religious Upheaval,
- 2:- Teaching of Mahavira & Principal of Jainism.
- 3:- Buddhism:- Rise and Growth,
- 4:- Doctrines of Buddhism, Causes of Downfall.

Unit 3

- 1:- Mauryan Period:- Art and Architecture Gandhar Art,
- 2:- Mathura Art
- 3:- Gupta Period:- Art, Architecture and Culture.

Unit 4

- 1:- Post Gupta Temple Architecture.
- 2:- Sculpture and Painting.
- 3:- Rise and Growth of Political Ideas in Ancient India with Special Reference to Kautilya and Manu.

Unit 5

- 1:- Concept of State and Government in Ancient India.
- 2:- Concept of Justice and Law in Ancient India.
- 3:- Concept of Dand in Ancient India.

POLITICAL SCIENCE-I

Sub. Code: BLW 113

L-4, C-4

Course Objective:

- It will deal with the contributions of Greek thinkers and the evolution of concepts like democracy and justice.
- It will deal with the impact of Medieval thinkers and their contributions to political thought.
- It will deal with the renaissance and modern political thinkers social contract theories that attempt to explain the origin of the state.
- It will deal with the prominent thinkers of liberal and conservative thought.
- It will deal with the writings of Hegel, Karl Marx and the revisionist thinkers.

Course Outcome:

At the end of the course, the students will be in a position to:

CO1 Comprehend key ideas of all major political thinkers, both western and Indian.

CO2 Establish connection between law and philosophy and

CO3 Articulate their ideas clearly and concisely with a marked change in their analytical capabilities.

Unit I: Basic Concepts

Concepts: Politics and Political Science, Nature and scope, Political Thought, Political Theory, Political Philosophy, Political Ideology

Unit II: Approaches to the study of Political Science

Normative, Historical, Behavioural Relation of Political Science with other Social Sciences

Unit III: Concept of State

State: Meaning, Elements, Theories of origin of State

Unit IV: Concepts and types of

Sovereignty

Liberty

Equality

Unit V: Concepts and types of:

Justice

Citizenship

Rights

Suggested Readings:

1. Political Theory, Asirvatham, S.Chand.
2. O.P. Gauba, An Introduction to Political Theory, Macmillan
3. J.C. Johari, Principle of Modern Political Science, Sterling, Delhi.
4. Andrew Heywood, Politics, Palgrave Foundation, New York.
5. S. P. Varma, Modern Political Theory, New Delhi, Vikas.
6. C.E.M Joad, Political Theory, Oxford: Clarendon Press

MICROECONOMICS – I

Subject Code: BLW – 114

L 4, C 4

Course Objective: The course is specifically designed for students with no formal background or a little acquaintance with Economics-with a major thrust on Micro Economics. A good grasp of Micro Economics is vital for economic decision making, for designing and understanding public policy from a legal perspective, and more generally for appreciating how a modern economy function. The main objective of the course is to give the students with a clear understanding of the basic concepts, tools of analysis and terminologies used in Economics, which will facilitate their understanding of various legal phenomena and their economic implications.

Course Outcome:

CO1 Define and describe the fundamental principles and concept of Economics

CO2 Apply the analytical tools of Economics used in legal analysis

CO3 To evaluate the importance of economic analysis in policy making and advisory functions

Unit1: Introduction

- (a) What economics is all about, Definition of economics, nature of Economics, Positive or Normative Economics
- (b) Central problem of an economy; Production Possibility Curve and Opportunity Cost.
- (c) Microeconomics- meaning and scope

Unit 2: Consumer's equilibrium -meaning

- (a) Consumer's equilibrium – Meaning
- (b) Demand, market demand, determinations of demand, demand schedule, demand curve, movement along and shifts in demand curve, concepts of price elasticity of demand, measurement of price elasticity of demand – percentage, total expenditure and geometric methods.

Unit 3: Producer behaviour and Supply

- (a) Production function- Returns to a factor and returns to scale.
- (b) Producer's equilibrium- Meaning
- (c) Supply, market supply, determinants of supply, supply schedule, supply curve, movements along and shifts in supply curve, price elasticity of supply, measurement of price elasticity of supply – percentage and geometric method.
- (d) Cost and Revenue- concepts of costs, short-run costs; fixed and variable cost; total, average and marginal costs; concepts of revenue, total average and marginal revenue and their relationship.

Unit 4: Forms of Market; Price Determination

- (a) Forms of market- perfect competition, Monopoly, Monopolistic competition- their meaning and features.
- (b) Price determination under perfect competition- Equilibrium price, effects of shifts in demand and supply.

LEGAL METHOD

Sub. Code: BLW-115

L – 4, C – 4.

Course Objective:

A lawyer is most often faced with the primary task of problem solving and advising on the course of action most suited to the interests of the client. The problem may be complex in nature and may involve different branches of law. It will require sieving the material facts from the immaterial ones. Learning where and how to find the law is as important as the substantive study of various laws. The understanding of facts is critical to the process of identifying favourable precedents and distinguishing the case at hand from other authoritative rulings, which are not in direct support of one's proposition. The strength of a legal argument lies in the thoroughness of the research, which must also be clearly presented, in writing and orally

Course Outcome:

CO1 Students will be able to distinguish between the different types of laws.

CO2 Students will be able to tell the different sources of law and their relationship *inter se*.

CO3 Students will be able to discuss the important the fundamental concepts underlying the Indian law.

CO4 Students will be able to read, analyse and understand legal writings, and to narrate the reasoning employed by judges in their judgements.

CO5 Students will be able to read judgements, and to analyse and understand the principles laid down in them.

CO6 Students will be able to understand the meaning of research and the steps involved in legal research. They will also apply some basic statistical methods to analyse data.

Unit – I: Meaning and Classification of Laws

- a. Meaning and definition
- b. Functions of law?
- c. Classification of laws:
 - i. Public and Private Law
 - ii. Substantive and Procedural Law
 - iii. Municipal and International Law

Unit – II: Sources of Law

- a. Custom
- b. Precedent
- c. Legislation

Unit – III: Basic Concepts of Indian Legal System

- a. Common Law
- b. Constitution as the Basic Law
- c. Rule of Law
- d. Separation of Powers
- e. Judicial system in India

Unit – IV: Legal Writing and Research

- a. Legal materials – Case law
- b. Statutes, Reports, Journals, Manuals, Digests etc.

- c. Importance of legal research
- d. Techniques of Legal Research
- e. Legal writings and citations

Textbooks:

1. Glanville Williams – Learning the law
2. Nomita Aggarwal – Jurisprudence (Legal Theory)
3. B.N.M. Tripathi – An Introduction to Jurisprudence and Legal theory

References:

1. Benjamin N. Cardozo, The Nature of Judicial Process
2. ILI Publication – Indian Legal System
3. ILI Publication in Legal Research and Methodology

Essential Case Law:

1. Raj Kishore Jha v. State of Bihar, AIR 2003 S.C. 4664
2. Commissioner of Income Tax, Hyderabad v. P.J. Chemicals, 1994 Suppl. (3) S.C.C. 535
3. Air India v. Nargesh Mirza, AIR 1981 SC 1829
4. Geeta Hariharan v. Reserve Bank of India, AIR 1999 S.C. 1149
5. Neera Mathur v. L.I.C. 1992 (1) S.C.C. 286
6. D.K. Basu v. State of W.B., 1997 (1) SCC 417
7. Dwrka Prasad Aggarwal v. B.D. Aggarwal, AIR 2003 S.C. 2686
8. Commissioner of Wealth Tax, Meerut v. Sharvan Kumar Swarup & Sons, 1994 (6) SCC 623
9. Shikhar Chand Falodia v.S.K. Sanganeria, AIR 2004 Gau. 19.
10. Grandphone Company v. B.B. Pandey, AIR 1984 S.C. 667
11. Peoples Union for Civil Liberties v. Union of India 1997 (1) S.C.C. 301
12. Lachman v. Nand Lal, AIR 1914 Oudh. 123
13. R.K. Tangkhul v. R. Simirei, AIR 1961 Manipur 1
14. Balusami v. Balkrishna, AIR 1957 Mad. 97
15. Tekaha A.O. v. Sakumeeran A.O. AIR 2004 S.C. 3674
16. Superintendent and Remembrancer of Legal Affairs West Bengal v. Corporation of Calcutta AIR 1967 S.C. 997
17. Nath Bros. Exim. International Ltd. v. Best Roadways Ltd. 2000 (4) S.C.C. 553
18. State of Bihar v. Sonawati AIR 1961 S.C. 221, 231
19. Samta Vedike v. State of Kar2003 CR.L. J. 1003 Kar H.C.
20. Ram Jawaya Kapur v. State of Punjab, AIR 1955 S.C. 549, 556

Law of Torts Including M.V. Act and Consumer Protection laws

Sub. Code: BLW 116

L – 4, C – 4.

Course Objectives

1. Understand the constituents of tort and general principles
2. Provide an in-depth clarity about various defences available against tortious liability
3. Enhance the clarity in understanding the concept of locus standi for actions in tort
4. Acquaint with principle of tortious liability for torts committed by others, principle of respondent superior, and the principles of unintentional tort of negligence.
5. Understand the fundamental notions of consumerism, rights of consumers, and dispute resolution mechanism on the one hand, and the relevance of the MV Act on the other.

Course Outcome

CO1 Distinguish tort from crime, breach of contract and identify the requisites for a wrongful act to be classified as a tort.

CO2 Identify the situations when employer, principal, State are liable for torts committed by employee, agent or public officer

CO3 Appraise real-world problems and determine whether defendant can justify the tortious act on grounds of defence.

CO4 Distinguish the basic concepts of consumer law and Identify consumers, defects in goods and deficiencies in services.

CO5 Distinguish the provisions of the Motor Vehicles Acts relating to registration of motor vehicles and Fix liabilities arising out of wrongful use of motor vehicles.

Unit-I:

Nature of Law of Torts - Definition of Tort - Elements of Tort - Development of Law of Torts in England and India - Wrongful Act and Legal Damage - *Damnum Sine Injuria* and *Injuria Sine Damnum* - Tort distinguished from Crime and Breach of Contract - General Principles of Liability in Torts - Fault - Wrongful intent - Malice - Negligence - Liability without fault - Statutory liability - Parties to proceedings.

Unit-II

General Defences to an action in Torts – Vicarious Liability - Liability of the State for Torts – Defence of Sovereign Immunity – Joint Liability – Liability of Joint Torfeasors – Rule of Strict Liability (*Rylands V Fletcher*) – Rule of Absolute Liability (*MC Mehta vs. Union of India*) – Occupiers liability – Extinction of liability – Waiver and Acquiescence – Release – Accord and Satisfaction - Death.

Unit-III

Specific Torts - Torts affecting the person - Assault - Battery - False Imprisonment - Malicious Prosecution - Nervous Shock - Torts affecting Immovable Property - Trespass to

land - Nuisance - Public Nuisance and Private Nuisance - Torts relating to movable property – Liability arising out of accidents (Relevant provisions of the Motor Vehicles Act).

Unit-IV

Defamation - Negligence - Torts against Business Relations - Injurious falsehood - Negligent Misstatement - Passing off - Conspiracy - Torts affecting family relations - Remedies - Judicial and Extra-judicial Remedies – Damages – Kinds of Damages – Assessment of Damages – Remoteness of damage - Injunctions - Death in relation to tort - *Actioperpersonalismoritur cum persona*.

Unit-V Consumer Laws:

An Introduction to Consumer Protection Law And Policies

Consumer Rights Legislative Framework on Consumer Protection In India

Salient Features Of Consumer Protection Act

Some Important Areas Covered Under The C.P. Act And Case Laws

Emerging Concerns In Consumer Protection And Law

Suggested Readings:

1. Winfield & Jolowicz: *Law of Tort*, XII edition, Sweet and Maxwell, London, 1984.
2. Salmond and Heuston: *Law of Torts*, XX edition, 2nd Indian reprint, Universal Book traders, New Delhi, 1994.
3. RamaswamyIyer: *The Law of Torts*, VII edition (Bombay, 1995).
4. Durga Das Basu: *The Law of Torts*, X edition, Prentice Hall of India, New Delhi, 1998.
5. RatanLal & Dhirajlal: *The Law of Torts*, 22nd edition, Wadhwa& Company Nagpur, 1992.

Sub. Code: BLW- 121

L-4, C-4

Course Objective: To facilitate the students in enhancing their reading, writing, comprehension and oral communication skills. The course will also help the students in having a sound grasp over the language and to clearly and effectively communicate using the written language. The oral skills of students to get honed, as they get trained in making power point presentations in a professional way. Reading exercises and discussions will facilitate in developing their analytical and critical thinking skills.

Course Outcome:

CO1 Understand the essentials of effective oral communication and power point presentation skills and do it in a more professional way.

CO2 Apply analytical and critical thinking skills while reading long passages.

CO3 Writing answers to questions in a systematic way.

CO4 Contribute creative thoughts and ideas on issues evolving through readings in class.

CO5 Construct meaningful paragraphs adhering to the rules of grammar.

CO6 Apply the rules of punctuation correctly, while writing.

CO7 Draft letters, write essays and Research papers (at a very basic level), adhering to the rules of academic writing.

CO8 Apply the rules of grammar, while constructing sentences and paragraphs.

Unit-I: Foundation Grammar: Reading and Writing (as contained in the last two sections of “Better your English – I”)*.

ORAL: Students should be made to read passages and answer the questions asked for.

Unit II: Technical Communication: Nature, Origin and Development, Scope and Significance, Forms of Technical Communication, Differences Between Technical Communication and General Communication.

ORAL: Make the students speak on the points relevant to Technical Communication.

Unit III: The Structure of sentence: Sentences: Simple, Compound and Complex, Transformation of Sentence: Simple to Complex and vice-versa, Simple to Compound and vice – versa, Interrogative to Assertive and to Negative and vice – versa.

ORAL: Make the students answer questions on different types of sentences and transformation.

Unit IV:

Reading Cultural Texts:

Short – Story: (Non detailed study).

1. The Lament – Anton Chekov.
2. Barbers’ Trade Union – R. K. Narayan.

Short –Essay: (Non detailed study).

1. A Bookish Topic – R. K. Narayan.
2. The Gandhian Outlook – S. RadhaKrishan.

ORAL: Discussion in detail, critical appreciation, grammatical exercises and making students read the stories and essays so that they may develop the reading habits with proper stress, intonation, pronunciation & rhythm.

Textbooks:

1. Better your English – I, A Workbook for student, Macmillan India, New Delhi.
2. Singh R. P, An Anthology of English Short Stories –O.U.P., N. Delhi.
3. Singh R.P, An Anthology of English Essay –. O.U.P., N. Delhi.

Reference Books:

1. Raman Meenakshi& Sharma Sangeeta, Technical Communication Principle & Practice - O.U.P., N. Delhi.
2. Mohan Krishna &BanerjiMeera – Developing Communication Skill – Macmillan India Ltd: N. Delhi.

History-II

Sub. Code: BLW 122

L 4, C 4

UNIT -1:

- Babur: Invasion, Conquests, Personality.
- Humayun: Struggle, Exile, Restoration.
- Shershah suri: Civil, Military and Revenue Administration Achievements.
- Akbar: Conquests, Rajput Policy, Deccan Policy, Revenue Administration, Mansabdari system.

UNIT -2

- Jahangir: Deccan Policy, Influence of Nurjahan, Character of Nurjahan
- Shahjahan & Aurangzeb: Early Career, Religious Policy, Rajput policy.
- William Bentink and his policies.
- Dalhousie and his policies.

UNIT -3

- Economic charges: Land Revenue Settlements, Permanent Settlements, Ryotwari, Mahalwari System.
- Revolt of 1857: Causes, Nature, Ideology, Programme, Leadership, Peoples Participation, Failure and Impact.

UNIT-4

- Policies of Lord Canning, Lytton, Ripon and Curzon.
- The acts- 1858, 1892, 1919 and 1935.
- Emergence of organized Nationalism formation of Indian National Congress and its programme.
- Moderates: Extremists, Swadeshi, Revolutionary Movements.

UNIT-5

- Gandhian: Movements, Non-Co-operation, Civil Disobedience, Quit India
- Pre- Partition Politics: Simon Commission, August Offer, Cripps Mission, Cabinet Plan.
- Communal Politics Partition and Independence of India, Mountbatten Plan, C.Rajgopala Chari Plan, Transfer of Power.

Political Science-II

Sub. Code: BLW 123

L 4, C 4

Course Objective:

- It would entail an introduction of ideologies and themes like democracy and justice and also to the ideology of liberalism.
- It will introduce the students to the origins and key principles of conservatism. It will also entail a discussion on contemporary conservative parties and groups.
- It will deal with the origins and key concepts of socialism.
- It will deal with the key ideas of fascism and anarchism and the writings of its key exponents. It will also discuss the important events like the holocaust that are related to fascism.

Course Outcome:

On completion of the course students will be able to –

CO1 Describe the nature and characteristics of ideologies.

CO2 Discuss on contemporary conservative parties and groups.

CO3 Explain the origins and key concepts of socialism.

CO4 Analyse the impact of ideology and apply it to the 21st century events.

Unit-I: Government

Government, Organization of Government: Legislature, Executive, Judiciary

Unit- II: Forms of Government

Dictatorship, Democracy (Features, Merits, Demerits)

Unit III: Forms of Government

Unitary, Federal (Features, Merits, Demerits)

Unit IV: Forms of Government

Parliamentary, Presidential (Features, Merits, Demerits)

Unit V: Globalization and Change

General Introduction, State, Sovereignty and Non-state Actors Governments and Markets
Supranationalism

Suggested Readings:

1. Asirvatham , Political Theory, S. Chand & Company.
2. A.C. Kapoor, Principles of Political Science, S. Chand & Company.
3. Pennock and Smith, Political Science- An Introduction. Macmillan (New York)
4. Caramani, Daniele, Comparative Politics, Oxford University Press.
5. Viotti and Kauppi, International Relations, Ch. 10, Pearson.
6. Held, D. and McGrew, A. eds., The Global Transformations Reader Polity Press, Cambridge.

MICROECONOMICS – II

Subject Code: BLW – 124

L 4, C 4

Course Objective: The course is specifically designed for students with no formal background or a little acquaintance with Economics-with a major thrust on Micro Economics. A good grasp of Micro Economics is vital for economic decision making, for designing and understanding public policy from a legal perspective, and more generally for appreciating how a modern economy function. The main objective of the course is to give the students with a clear understanding of the basic concepts, tools of analysis and terminologies used in Economics, which will facilitate their understanding of various legal phenomena and their economic implications.

Course Outcome:

CO1 Define and describe the fundamental principles and concept of Economics

CO2 Apply the analytical tools of Economics used in legal analysis

CO3 To evaluate the importance of economic analysis in policy making and advisory functions

Unit-I Forms of Market; Price Determination

- (a) Price determination in Monopoly,
- (b) Monopolistic,
- (c) Oligopoly, Characteristics of collusive oligopoly- cartelization.
- (d) Game theory.

Unit –2. Factor Price Determination

- (a) Demand for a factor- meaning, supply of a factor- meaning, determination of price of a factor under perfect competition.
- (b) Difference in absolute and relative factor price- meaning and effects on internal and international specialization.

Unit- 3. General Equilibrium

- (a) Social welfare function
- (b) Welfare maximization
- (c) Arrow’s Impossibility Theorem

Unit -4. Market Failure

- (a) Externalities: Environment and its impact on market,
- (b) Common property resources and public goods,
- (c) Joint production and consumption

LAW OF CONTRACT-I

Sub. Code: BLW 125

L – 4, C – 4.

Course objectives:

1. Developing understanding about the Basic business law.
2. How Contracts are made legally.
3. Practical applicability of law in day to day dealings related to legal relationships.
4. How contracts are performed and discharged.
5. When and how specific relief can be claimed.

Course Outcomes:

CO1 Distinguish tort from crime, breach of contract

CO2 Identify the requisites for a wrongful act to be classified as a tort

CO3 Identify the situations when employer, principal, State are liable for torts committed by employee, agent or public officer

CO4 Appraise real-world problems and determine whether defendant can justify the tortious act on grounds of defence

CO5 Analyze set of circumstances and determine who can sue and who can be sued in tortious actions

Unit I:

Definition and essentials of a valid Contract - Definition and essentials of a valid Offer - Definition and essentials of valid Acceptance - Communication of Offer and Acceptance - Revocation of Offer and Acceptance through various modes including electronic medium - Consideration - salient features - Exception to consideration - Doctrine of Privity of Contract - Exceptions to the privity of contract - Standard form of Contract.

Unit-II:

Capacity of the parties - Effect of Minor's Agreement - Contracts with insane persons and persons disqualified by law - Concepts of Free Consent - Coercion - Undue influence - Misrepresentation - Fraud - Mistake - Lawful Object - Immoral agreements and various heads of public policy - illegal agreements - Uncertain agreements - Wagering agreements - Contingent contracts - Void and Voidable contracts.

Unit-III:

Discharge of Contracts - By performance - Appropriation of payments - Performance by joint promisors - Discharge by Novation - Remission - Accord and Satisfaction - Discharge by impossibility of performance (Doctrine of Frustration) - Discharge by Breach - Anticipatory Breach - Actual breach.

Unit-IV:

Quasi Contract - Necessaries supplied to a person who is incapable of entering into a contract - Payment by an interested person - Liability to pay for non-gratuitous acts - Rights of finder of lost goods - Things delivered by mistake or coercion - Quantum meruit - Remedies for breach of contract - Kinds of damages - liquidated and unliquidated damages and penalty - Duty to mitigate.

Unit-V:

Specific Relief - Recovering possession of property - Specific performance of the contract - Rectification of instruments - Rescission of contracts - Cancellation of instruments - Declaratory Decrees - Preventive Relief - Injunctions - Generally - Temporary and Perpetual injunctions - Mandatory & Prohibitory injunctions - Injunctions to perform negative agreement.

Suggested Readings:

1. Anson: *Law of Contract*, Clarendon Press, Oxford, 1998.
2. Krishnan Nair: *Law of Contract*, S.Gogia & Co., Hyderabad 1995.
3. G.C.V. Subba Rao: *Law of Contract*, S.Gogia & Co., Hyderabad 1995.
4. T.S. VenkatesaIyer: *Law of Contract*, revised by Dr. Krishnama Chary, S. Gogia & Co.
5. Avtar Singh: *Law of Contract*, Eastern Book Company, Lucknow, 1998.

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Legal History

Sub: Code: BLW 126

L 4, C 4

Course Objective: The objective of the course is to familiarize the students with the origin of common law system in India. This course traces the legislative history back to 1600 and its evolution through different periods under different Governor Generals. The main objective is to enlighten the students about the historical background of legislations in civil, criminal and constitutional Law and relate it to contemporary period. It also focuses the court system during colonial period and the cases heard by it. The learning of the Court system and how it has been revamped in different times to the needs of the society will help the students to find out its importance in present day judicial system.

Course Outcome:

CO -1. Understanding the Judicial system, Legislative system and Legal profession in historical perspectives.

CO-2. Understanding the development of Present Indian judicial system, legislative system and legal profession of India.

CO-3. Analyzing various Judicial and Legislative system developed in various periods in India.

CO-4. Evaluating the Present Judicial, Legislative system of India in historical prospective.

CO-5. Understanding the concept of Legal History

Unit I: Early Developments (1600- 1836)

A Charters of the East India Company: 1600, 1661, 1726 and 1753

B Settlements: Surat, Madras, Bombay and Calcutta

C Courts: Mayor's Court of 1726 and Supreme Court of 1774

D Statutes: Regulating Act, 1773; Pitts India Act, 1784; The Act of Settlement 1781

Unit II: Early Developments (1600- 1836)

a Conflict: Raja Nanad Kumar, Kamaluddin, Patna Case and Cossijurah

b Warren Hastings: Judicial Plans of 1772, 1774 and 1780

c. Lord Cornwallis: Judicial Plans of 1787, 1790 and 1793

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

Unit III: Evolution of Law and Legal Institutions

a Development of Personal Laws

b Development of Law in Presidency Towns

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

d Codification of Laws: Charter of 1833, The First Law Commission, The Charter of 1853

Unit IV:

a. The Second Law Commission

b. Establishment of High Courts, 1861

c. Privy Council and Federal Court: Appeals and working of Privy Council, Appraisal

- d. Privy Council, Features of Federal Court
- e. Evaluation: Special Reference to Racial Discrimination, Merit and Demerits

Unit V: Constitutional History

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

Textbooks:

1. M.P. Jain – Outlines of Indian Legal History
2. V.D. Kulshrethta – Landmarks of Indian Legal and Constitutional History

References:

1. M.P. Singh – Outlines of Indian Legal History
2. Abdul Hamid – Constitutional History of India

Basics of Sociology

Sub. Code: BLW-211

L-4, C-4

Course Objective:

- 1.To understand the basic concepts in Sociology
- 2.To Study the relationship between Sociology and other Social Sciences
3. To study the different branches of Sociology
4. To understand the process of Socialization and its importance

Course Outcome:

- CO1 To understand the basic social institution
CO2 To study the relevance of social institution
CO3 To understand the process of social institution

Unit-I: Introduction

- a. Sociology: Growth, Scope, Definition
- b. Relationship with Law
- c. Law as a tool of Social Engineering: Durkheim, Weber, Pound and Bentham

Unit-II: Basic Concepts

- a. Social Groups: Cooley, Sumner, Community and Association
- b. Tribes
- c. Culture: Culture Relativism, Racism, Ethnicity and Ethnocentrism
- d. Socialization
- e. Status and Role

Unit III: Social Change

- a. Social Reform Movements in India – Raja Ram Mohan Roy, Jyotiba Phule, Naicker, etc.,
- b. Modernization and Post Modernization
- c. Liberalization and Globalization
- d. Fordism and Mc Donaldization

Unit IV: Social Control

- a. Custom as an Agency of Control
- b. Law as an Agency of Control
- c. Media as an Agency of Control
- d. Public Opinion as an Agency of Control

Text Books:

1. C.W. Mills, *The Sociological Imagination*, New York: Oxford University Press, (pp.3-24). 2000
2. Marc Galanter, *Law and Society in Modern India*, New Delhi: Oxford India, 1997
3. Andre Beteille, *Sociology: Essays on Approach and Method*, New Delhi: Oxford University Press, (pp. 13-27), 2009

FUNDAMENTALS OF COMPUTER

Sub. Code: BLW-212

L – 4, C – 4.

Course Objective:

The objectives of this course are

1. This course introduces the concepts of computer basics & programming with particular attention to Engineering examples.
2. The C programming language is used but the course will stress on fundamental parts of programming language, so that the students will have a basic concept for understanding and using other programming language.

Course Outcome:

On completion of the course students will be able to

1. Understanding the concept of input and output devices of Computers and how it works and recognize the basic terminology used in computer programming
2. Write, compile and debug programs in C language and use different data types for writing the programs.
3. Design programs connecting decision structures, loops and functions.
4. Explain the difference between call by value and call by address.
5. Understand the dynamic behavior of memory by the use of pointers.
6. Use different data structures and create / manipulate basic data files and developing applications for real world problems.

Unit 1: Word Processing

Introduction to word Processing, Word processing concepts, Use of Templates, Working with word document: Editing text, Find and replace text, Formatting, spell check, Autocorrect, Autotext; Bullets and numbering, Tabs, Paragraph Formatting, Indent, Page Formatting, Header and footer, Tables: Inserting, filling and formatting a table; Inserting Pictures and Video; Mail Merge: including linking with Database; Printing documents

Creating Business Documents using the above facilities

Unit 2: Preparing Presentations

Basics of presentations: Slides, Fonts, Drawing, Editing; Inserting: Tables, Images, texts, Symbols, Media; Design; Transition; Animation; and Slideshow.

Creating Business Presentations using above facilities

Unit 3: Spreadsheet and its Business Applications

Spreadsheet concepts, managing worksheets; Formatting, Entering data, Editing, and Printing a worksheet; Handling operators in formula, Project involving multiple spreadsheets, Organizing Charts and graphs

Generally used Spreadsheet functions: Mathematical, Statistical, Financial, Logical, Date and Time, Lookup and reference, Database, and Text functions

Unit 4: Creating Business Spreadsheet

Creating spreadsheet in the area of: Loan and Lease statement; Ratio Analysis; Payroll statements; Capital Budgeting; Depreciation Accounting; Graphical representation of data; Frequency distribution and its statistical parameters; Correlation and Regression

Unit 5: Database Management System

Database Designs for Accounting and Business Applications: Reality- Expressing the Application; Creating Initial design in Entity Relationship (ER) Model; Transforming ER Model to Relational data model concepts; Implementing RDM design using an appropriate DBMS.

SQL and Retrieval of Information: Basic Queries in SQL; Embedded Queries in SQL; Insert, Delete and Update statements in SQL

DBMS Software: Environment; Tables; Forms; Queries; Reports; Modules;

Applying DBMS in the areas of Accounting, Inventory, HRM and its accounting, Managing the data records of Employees, Suppliers and Customers.

Note:

1. The General Purpose Software referred in this course will be notified by the University Departments every three years. If the specific features, referred in the detailed course above, is not available in that software, to that extent it will be deemed to have been modified.
2. There shall be a practical examination of 100 Marks (Practical-80 Marks, Viva-10 Marks and Work Book- 10 Marks) and duration of Examination shall be 3 Hrs.
3. Teaching arrangement need to be made in the computer Lab
4. There shall be four lectures per class and 4 Practical Lab periods per batch to be taught in computer Lab.

Suggested Readings: The suggested readings and guidelines shall be notified by the university department at least once in three years based on the selected software.

Law of Contract - II

Sub. Code: BLW- 213

L – 4, C – 4.

Course Objectives:

1. Developing understanding about the special contracts should initiate the students to different kinds of contracts with emphasis on the intricacies therein.
2. Understanding about the essential elements of this special contract.
3. Under understanding standing about the Bailment and Pledge discussing the elements of bailment contract
4. Understanding about the Sale of Goods Act is discussed covering essential elements of a contract of sale of goods how contracts are performed and discharged.
5. Developing understanding about the Partnership Law giving an overview of Partnership Act and Limited Liability Partnership Act

Course Outcomes:

CO1 To enumerate the special rights and liabilities created by contract of indemnity and necessary clauses to be incorporated in a contract of guarantee based on rights of surety, modes of discharge of surety, revocation of guarantee

CO2 To describe bailment contracts in daily transactions with emphasis on rights and duties of bailor and bailee.

CO3 To enumerate the rights and liabilities of parties when bailment is created as security for repayment of debt i.e., pledge

CO4 To state the elements required to form a valid contract of agency and determine whether the liability of the principal created by acts of the agent based on the authority, rights and duties of the parties.

CO5 To describe the various parts of a contract of sale of goods under the Sale of Goods Act and to identify the consequences of different kinds of clauses such as condition and warranty.

Unit-I:

Indemnity and Guarantee - Contract of Indemnity, definition - Rights of Indemnity holder - Liability of the indemnified - Contract of Guarantee - Definition of Guarantee - Essential characteristics of Contract of Guarantee - Distinction between Indemnity and Guarantee - Kinds of Guarantee - Rights and liabilities of Surety - Discharge of surety. Contract of Bailment - Definition of bailment - Essential requisites of bailment - Kinds of bailment - Rights and duties of bailor and bailee - Termination of bailment - Pledge - Definition of pledge - Rights and duties of Pawnor and Pawnee - Pledge by non-owner.

Unit-II:

Contract of Agency - Definition of Agent - Creation of Agency - Rights and duties of Agent - Delegation of authority - Personal liability of agent - Relations of principal and agent with third parties - Termination of Agency.

Unit-III:

Contract of Sale of Goods - Formation of contract - Subject matter of sale - Conditions and Warranties - Express and implied conditions and warranties - Pricing - *Caveat Emptor*.

Unit-IV:

Property - Possession and Rules relating to passing of property - Sale by non-owner - *Nemodat quod non habet* - Delivery of goods - Rights and duties of seller and buyer before and after sale - Rights of unpaid seller - Remedies for breach.

Unit-V:

Contract of Partnership - Definition and nature of partnership - Formation of partnership- Test of partnership - Partnership and other associations - Registration of firm - Effect of non-registration - Relations of partners - Rights and duties of partners - Property of firm - Relation of partners to third parties - Implied authority of partners - Kinds of partners - Minor as partner - Reconstitution of firm - Dissolution of firm.

Suggested Readings:

1. Anson's *Law of Contract*, 25th Ed. 1998, Oxford University Press, London.
2. Venkatesh Iyyer: *The Law of Contracts and Tenders*, Gogia & Company Hyderabad.
3. Cheshire & Fifoot: *Law of Contract*, Butterworth, London, 1976.
4. Mulla: *The Indian Contract Act*, N.M. Tripathi (P) Ltd. Bombay, 1984.
5. G.C.V. Subba Rao: *Law of Contracts*, S. Gogia & Co., Hyderabad, 1995.
6. Krishnan Nair: *Law of Contracts*, S. Gogia & Co. Hyderabad, 1995.
7. Avtar Singh: *Law of Contracts*, Eastern Book Company, Lucknow, 1998.
8. A Ramaiah's *Sale of Goods Act*, 4th Ed. 1998, The Law Book Co., Allahabad.
9. Benjamin's *Sale of Goods*, 1st Ed. 1978, Sweet & Maxwell, London.
10. P.S. Atiyah: *Sale of Goods Act*, 9th Ed. 1997, Universal Book Traders, Delhi.

Constitutional Law - I

Sub. Code: BLW- 214

L – 4, C – 4.

Course Objectives:

1. Students will study the basics of Constitutional Law and the salient features of the Constitution of India
2. Students will be familiarized with the leading case laws and legislative changes to the provisions of the Constitution
3. Students will learn the diverse principles of judicial interpretation that constructs notions of 'state', 'law' and 'law in force'.
4. Students will understand the nature and scope the rights to freedom, life, personal liberty and due process.
5. Students will learn the applicability of the directive principles of state policy.

Course Outcome

- CO1. Explain the nature of the Constitution
- CO2. Analyse and sort out the diverse judicial tests used to determine the constitutionality of state action
- CO3. Compare the constitutional relationship between the rights enumerated under Articles 14, 19 and 21 of the Constitution of India
- CO4. Evaluate the idea of welfare state by amalgamating the harmonious impact of Fundamental Rights and Directive Principles of State Policy.
- CO5. Analyse and sort out the applicability of the directive principles of state policy.

Unit-I

Constitution-Meaning and Significance - Evolution of Modern Constitutions -Classification of Constitutions-Indian Constitution - Historical Perspectives - Government of India Act, 1919 - Government of India Act, 1935 - Drafting of Indian Constitution - Role of Drafting Committee of the Constituent Assembly- Introduction; Concept Origin and Development; Magna Carta; The English Bill of Rights of 1689; The American Bill of Rights of 1791 The French Declaration of Rights of Man; The Universal Declaration of Human Rights, 1948, Need Fundamental Rights in India;

Unit-II

Nature and Salient Features of Indian Constitution - Preamble to Indian Constitution - Union and its Territories-Citizenship - General Principles relating to Fundamental Rights (Art.13) - Definition of State

Unit-III

Right to Equality (Art.14-18) – Freedoms and Restrictions under Art.19 - Protection against Ex-post facto law - Guarantee against Double Jeopardy - Privilege against Self-incrimination - Right to Life and Personal Liberty - Right to Education – Protection against Arrest and Preventive Detention

Unit-IV

Rights against Exploitation - Right to Freedom of Religion - Cultural and Educational Rights
- Right to Constitutional Remedies - Limitations on Fundamental Rights (Art.31-A, B and C)

Unit-V

Directive Principles of State Policy – Significance – Nature – Classification - Application and
Judicial Interpretation - Relationship between Fundamental Rights and Directive Principles -
Fundamental Duties – Significance - Judicial Interpretation

Suggested Readings:

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa& Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Compamy, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia& Co., Hyderabad
6. B.Shiva Rao: *Framing of India's Constitution* (in 5 Volumes), Indian Institute of
Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

LAW OF CRIMES (I. P. C.)

Sub. Code: BLW 215

L – 4, C – 4.

Course Objective

The primary objective of criminal law is to maintain law and order in the society and to protect the life and liberty of people. It is for this reason that the people place their ultimate reliance on this branch of law for protection against all injuries that human conduct can inflict on individuals and institutions. Due to these reasons, the penal law cannot afford to be weak, ambiguous or ineffective. Nor can it be harsh and arbitrary in its impact. The application of criminal law has to be uniform regardless of any discrimination on grounds of class, caste, religion, sex or creed etc of either the criminal or the victim. The subject of Criminal Law-I has been so designed as to generate critical thinking among the students about the stated objectives of criminal law and enable them to scrutinize the recent developments and changes that have taken place in the field.

Course Outcome

After the completion of this course, students will be able to

CO1. Identify the elements of each and every offences along with their respective punishment mentioned in the Indian Penal Code.

CO2. Explain the Evolution of Indian Penal Code over the period of time from its enactment along with major amendments.

CO3. Apply the principles discussed in Indian Penal Code in various cases.

CO4. Frame arguments on the basis of nature of offences, elements of offences along with various landmark case laws.

CO5. List out the various issues in criminal law and frame research problem and apply empirical research method to reach conclusion with suggestions.

Unit-I:

Concept of crime - Definition and meaning of crime - Distinction between crime and tort - Stages of crime - Intention, Preparation, Attempt and Commission of Crime - Elements of Crime - *Actus Reus and Mensrea* - Codification of Law of Crimes in India - Application of the Indian Penal Code - Territorial and Extra Territorial application - General Explanations - Punishments.

Unit-II:

General exceptions - Abetment - Criminal Conspiracy - Offences against the State - Offences against public peace and Tranquility.

Unit-III:

Offences affecting human body (offences affecting human life) Culpable Homicide and Murder – Hurt and Grievous Hurt - Wrongful restraint and Wrongful confinement - Criminal force and Assault - Kidnapping and abduction - Sexual offences - Unnatural offences.

Unit-IV:

Offences affecting the public health, safety, convenience, decency and morals - Offences against Property - Theft - Extortion - Robbery & Dacoity - Cheating - Mischief - Criminal Trespass – Criminal misappropriation and Criminal breach of trust.

Unit-V:

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

Suggested Readings:

1. RatanLal and DhirajLal: *Indian Penal Code*, Wadhwa& Co., 2000.
2. Achutan Pillai: *Criminal Law*, Butterworth Co., 2000.
3. Gour K.D.: *Criminal Law - Cases and Materials*, Butterworth Co., 1999.
4. Kenny's: *Outlines of Criminal Law*, (1998 Edition)

BASICS OF MOOT COURT

Sub. Code: BLW 216

L -0, P-8, C -4

Course Objective

This paper is designed to introduce students to the practical aspects of the profession by organizing moot courts and sending them to courts for a personal experience of the functioning of the court. It also enables them to obtain a first-hand experience of the practicality of the working of the courts.

Course Outcome

On the completion of the course, the student

CO1 Able to appreciate the research, oratorical and articulation required by the lawyer.

CO2 Be able to comprehend the practicability of the justice system and the role of the Court in dispensation of justice.

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

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

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

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

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

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

(C) Interviewing Techniques and Pre-Trial Preparations and Internship Diary (30 marks):

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

The diary shall clearly indicate the dates on which the above observations are made, and they shall be authenticated by the advocate concerned.

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

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

Note:

1. Attendance of the students in all the four components of the paper shall be compulsory.

2. The above records, diary certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for Further Verification.

Suggested Readings:

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

SOCIOLOGY – II

Sub. Code: BLW-221

L – 4, C – 4.

Course Objective:

- 1.To understand the basic concepts in Sociology
- 2.To Study the relationship between Sociology and other Social Sciences
3. To study the different branches of Sociology
4. To understand the process of Socialization and its importance

Course Outcome:

- CO1 To understand the basic social institution
CO2 To study the relevance of social institution
CO3 To understand the process of social institution

Unit-I: Kinship, Family and Marriage (Lectures-10)

- a. Descent: Patrilineal and Matrilineal, Comparative study of Northern and Southern Kinship
- b. Concepts: Principles of Kinship, Consanguinity, Filiations, Incest Taboo and Affinity
- c. Forms of Marriage; Monogamy/Polygamy; Endogamy/Exogamy; Sororate/Levirate
- d. Forms of Family: Joint and Nuclear family

Unit-II: Religion (Lectures-10)

- a. Sacred and Profane
- b. Rites and Rituals
- c. Communalism and Fundamentalism
- d. Secularism

Unit-III: Social Stratification (Lectures-10)

- a. Caste: Features, Mobility, Dominant Caste
- b. Class and status: Marx and Weber
- c. Gender: Equality, Neutrality and Third gender

Unit IV: Marginalised Groups and Deviants (Lectures-10)

- a. Theories: Positivist Approach, Labelling Theory, Functionalist Theory, Subculture Theory
- b. Social Problems and Social Legislation: Women and Children
- c. Sexual Violence against Women & Children: Myths and Realities
- d. Marginalised Groups: Differently abled.

Textbook:

1. A. Giddens, *Sociology*, New Delhi: Wiley India Pvt Ltd, (Chapter 21), 2013
2. R. Crompton and M. Mann (eds.), *Gender and Stratification*, Cambridge: Polity Press, (Chapter 3, pp 23-39),1986.
- 3.Haralambos, *Themes and Perspectives*, Oxford, (406-451)

MICROECONOMICS

Sub. Code: BLW 222

L – 4, C – 4.

Course Objective: The course is specifically designed for students with no formal background or a little acquaintance with Economics-with a major thrust on Micro Economics. A good grasp of Micro Economics is vital for economic decision making, for designing and understanding public policy from a legal perspective, and more generally for appreciating how a modern economy function. The main objective of the course is to give the students with a clear understanding of the basic concepts, tools of analysis and terminologies used in Economics, which will facilitate their understanding of various legal phenomena and their economic implications.

Course Outcome:

CO1 Define and describe the fundamental principles and concept of Economics

CO2 Apply the analytical tools of Economics used in legal analysis

CO3 To evaluate the importance of economic analysis in policy making and advisory functions

Unit-I: Introduction

Difference between Micro & Macroeconomics, Introduction to basic Theories in Macroeconomics –Classical, Keynesian & Post Keynesian.

Unit-II: National Income Accounting

Circular flow of Income Model – Two & Three sector models (Closed only) National & Domestic Product – different types & their significance, National Income – meaning, significance.

Unit-III: Money & Interest Types & Functions of money, Classification of Money, Demand for & Supply of Money (inclusive of Money Multiplier) Theories of Money – Cambridge & Fisher Theory Inflation & Deflation – Types, Reasons & their Effects, Monetary Policy & its Tools.

Unit-IV: Short Run Analysis

Characteristics of Short Run, Simple Keynesian Model /Theory – Consumption Function, Investment Function, multipliers.

Unit-V: Business Cycle & Unemployment

Business Cycle –Definition, reason, scope, effects & features.
Unemployment – types, reason, scope & effects.

Suggested Readings

1. Dwivedi D.N. Macroeconomic Theory & Policy, Tata Mac Graw Hill
2. Samuelson & Nordhaus, Economics, Tata Mac Graw Hill
3. Shapiro, Macroeconomic Analysis, Galgotia

PSYCHOLOGY – I

Sub. Code: BLW 223

L – 4, C – 4.

Course Objective:

1. understand the importance of psychology and law
2. to understand the application of the psychological principles in the legal regime
3. to analyse the application of the psychology in the courts
4. to examine and critically evaluate the psychology of children and eyewitness in the civil and criminal cases
5. to identify the research and development in the psychology in relation with its application in legal arena.

Course Outcome:

At the end of the course the students should be able to:

CO1 Explain the relationship between interfaces of Law and psychology.

CO2 Identify the application of psychological principles to the issues of eyewitnesses in the case.

CO3 Examine the application of legal and psychological aspects of children as a witness.

CO4 Analyze the appropriateness of development of psychological research and its application in court.

CO5 Critically evaluate the application of various witness recognition procedures.

UNIT I: Introduction: Psychology Definition, Origin, History, Grand Issues and Key Perspectives, Importance, Major Subfields, Psychology and The Scientific Method, Research Methods in Psychology: Observation, Correlation, Experimental Method, Ethical Issues in Psychological Research.

UNIT II: Personality: Meaning and Definition Determinants of Personality Heredity, Environment and Situational Factors Theories of Personality: Trait Theory, Type Theory, Psycho Analytic Theory, Me mastic Theory and Learning Theory.

UNIT III: Attitude Meaning and Definition Types of Attitude Formation of Attitude Negative Attitude and Objective Building positive attitude Situational Analysis of Attitude Perception Biases, Prejudices and blind Spots

UNIT IV: Motivation Theories of Motivation Various Motives: Biological and Social Motives to know and Be effective Frustration and conflict of Motives. Module V: Leadership and Team Building Definition Theories Characteristics of leadership Team Building

Textbooks:

1. Morgans: Introduction to Psychology
2. R.A.Baron: Social Psychology
3. J.R.Gnow : Psychology

Constitutional Law – II

Sub. Code: BLW 224

L – 4, C – 4.

Course Objectives:

1. Students will study the basics of Constitutional Law and the salient features of the Constitution of India
2. Students will be familiarized with the leading case laws and legislative changes to the provisions of the Constitution
3. Students will learn the diverse principles of judicial interpretation that constructs notions of 'state', 'law' and 'law in force'.
4. Students will understand the nature and scope the rights to freedom, life, personal liberty and due process.
5. Students will learn the applicability of the directive principles of state policy.

Course Outcome

- CO1. Explain the nature of the Constitution
- CO2. Analyse and sort out the diverse judicial tests used to determine the constitutionality of state action
- CO3. Compare the constitutional relationship between the rights enumerated under Articles 14, 19 and 21 of the Constitution of India
- CO4. Evaluate the idea of welfare state by amalgamating the harmonious impact of Fundamental Rights and Directive Principles of State Policy.
- CO5. Analyse and sort out the applicability of the directive principles of state policy.

Unit-I

Legislature under Indian Constitution - Union and State Legislatures - Composition, Powers, Functions and Privileges - Anti-Defection Law - Executive under Indian Constitution - President and Union Council of Ministers - Governor and State Council of Ministers - Powers and position of President and Governor

Unit-II

Judiciary under Constitution - Supreme Court - Appointment of Judges, Powers and Jurisdiction - High Courts - Appointment and Transfer of Judges - Powers and Jurisdiction - Subordinate Judiciary - Independence of judiciary - Judicial Accountability- Prerogative Writs – Habeas Corpus, Mandamus, Prohibition, Certiorari, Quo Warranto. – Writ Jurisdictions of Supreme Court and High Courts.

Unit-III

Centre-State Relations - Legislative, Administrative and Financial Relations - Cooperation and Coordination between the Centre and States - Judicial Interpretation of Centre-State Relations - Doctrines evolved by Judiciary

Unit-IV

Liability of State in Torts and Contracts - Freedom of Interstate Trade, Commerce and Inter course - Services under the State - All India Services - Public Service Commissions- Election commission – Composition, Powers and Functions, Role of EC in the Superintendence of Elections, Anti-defection Law, Representation of Peoples Act, 1951.

Unit-V

Emergency – Need of Emergency Powers - Different kinds of Emergency - National, State and Financial emergency - Impact of Emergency on Federalism and Fundamental Rights - Amendment of Indian Constitution and Basic Structure Theory

Suggested Readings:

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa& Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia& Co., Hyderabad
6. B.Shiva Rao, *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

**CRIMINAL PROCEDURE CODE, LAW OF JUVENILE JUSTICE
AND PROBATION OF OFFENDERS**

Sub. Code: BLW 225

L -4, C -4

Course Objective

Law of Criminal Procedure is relevant and vibrant when the same is interpreted in the background of the preamble of our Constitution which incorporates the vision of justice. The decisions of our courts interpreting the constitutional vision have the potential to become vehicles of changes for the better. The course is devised to deal with the basic procedural aspects with regard to criminal law in action. Indeed, understanding of the same is a must for any aspiring litigation lawyer, and so it is aimed at satisfying this requirement. A thorough knowledge of the Code of Criminal Procedure is indispensable for effective implementation of criminal law.

Course Outcome

On completion of the course students will be able to –

CO1 Explain the scope and applicability of the Code

CO2 Evaluate the role played by the functionaries of the government.

CO3 Analyze the right the victims are entitled to and suggest appropriate remedies in case of breaches.

Unit-I:

The Code of Criminal Procedure, 1973 : The rationale of Criminal Procedure — The importance of fair trial — Constitutional Perspectives : Articles 14, 20 & 21 — The organization of Police, Prosecutor and Defence Counsel — Pre-trial Process — Arrest — Distinction between “cognizable” and “non-cognizable” offences — Steps to ensure presence of accused at trial -- Warrant and Summons cases — Arrest with and without Warrant — The absconder status — Rights of arrested persons under Cr.P.C. and Article 22 (2) of the Constitution of India.

Unit-II:

Search and Seizure — Search with and without warrant — Police search during investigation — General Principles of Search — Seizure — Constitutional aspects of validity of Search and Seizure proceedings.

Unit-III:

Trial Process: Commencement of Proceedings — Dismissal of Complaint — Bail, Bailable and Non-bailable Offences — Cancellation of Bails — Anticipatory Bail — General Principles concerning Bail Bond — Preliminary pleas to bar trial — Jurisdiction — Time Limitations — Pleas of *Autrefois Acquit and Autrefois Convict* — Fair Trial — Concept of fair trial — Presumption of innocence — Venue of trial — Jurisdiction of Criminal Courts —

Rights of accused -- Constitutional Interpretation of Article 21 as a right to speedy trial — Charge — Form and content of Charge — Trial before a Court of Session : Procedural steps and substantive rights.

Unit-IV:

Judgment: Form and content -- Summary trial — Post-conviction orders in lieu of punishment — Modes of providing judgment copy — appeals, review and revisions.

Unit-V:

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

Suggested Readings:

1. Kelkar R.V.: *Criminal Procedure*, 3rd Edn. Eastern Book Co., Lucknow, 1993.
2. Ratanlal and Dhirajlal: *The Code of Criminal Procedure*, 15th Edn. Wadhwa & Co.,
3. Padala Rama Reddi: *The Code of Criminal Procedure*, 1973, Asia Law House, Hyderabad.
4. Prof. S.N. Misra: *The Code of Criminal Procedure*, Central Law Agency.
5. M.P. Tandon: *Criminal Procedure Code*, Allahabad Law Agency.
6. Shoorvir Tyage: *The Code of Criminal Procedure*, Allahabad Law Agency.

FAMILY LAW–I (Hindu Law)

Sub. Code: BLW-226

L – 4, C – 4.

Course Objective

1. To provide the basic understanding of personal laws relating to family matters
2. To provide the basic understanding of personal laws relating to family matters
3. To enable students to identify relevant legislations and case laws relating to family law
4. To inculcate basic research skills as a part of learning
5. This course aims to explore critical principles relating to contemporary issues and nurture within the students the ability to draft on family law matters

Course Outcome

CO1 Students should be able to identify and describe the various sources and schools of different personal laws.

CO2 Students will be able to identify research areas, frame research questions and utilize the available on-line data basis

CO3 Students should be able to understand the core concepts of adoption laws and to analyze it from sociological perspective in the society.

CO4 Students should be able to examine and analyze the concept of marriage and relate it to the changing nature of marriage and matrimonial remedies.

Unit-I:

Sources of Hindu Law – Scope and application of Hindu Law – Schools of Hindu Law - Mitakshara and Dayabhaga Schools – Concept of Joint Family, Coparcenary, Joint Family Property and Coparcenary Property – Institution of Karta- Powers and Functions of Karta - Pious Obligation - Partition – Debts and alienation of property.

Unit-II:

Marriage - Definition - Importance of institution of marriage under Hindu Law – Conditions of Hindu Marriage – Ceremonies and Registration – Monogamy – Polygamy.

Unit-III:

Matrimonial Remedies under the Hindu Marriage Act, 1955 - Restitution of Conjugal Rights – Nullity of marriage – Judicial separation – Divorce – Maintenance *pendente lite* – importance of conciliation.

Unit-IV:

Concept of Adoption - Law of Maintenance - Law of Guardianship - Hindu Adoption and Maintenance Act, 1956 – Hindu Minority and Guardianship Act 1956.

Unit-V:

Succession – Intestate succession – Succession to the property of Hindu Male and Female; Dwelling House – Hindu Succession Act, 1956 as amended by the Hindu Succession (Andhra Pradesh Amendment) Act, 1986 & the Hindu Succession (Amendment) Act, 2005 – Notional Partition – Classes of heirs – Enlargement of limited estate of women into their absolute estate.

Suggested Readings:

1. Paras Diwan : *Modern Hindu Law*, 13th Edition 2000, Allahabad Agency, Delhi.
 2. Paras Diwan: *Family Law*, 1994 Edition, Allahabad Agency, Delhi.
 3. Mayne: *Hindu Law - Customs and Usages* , Bharat Law House, New Delhi.
- 4Sharaf: *Law of Marriage and Divorce* , 1999.

MICROECONOMICS II

Sub. Code: BLW-311

L – 4, C – 4.

Course Objective: The course is specifically designed for students with no formal background or a little acquaintance with Economics-with a major thrust on Micro Economics. A good grasp of Micro Economics is vital for economic decision making, for designing and understanding public policy from a legal perspective, and more generally for appreciating how a modern economy function. The main objective of the course is to give the students with a clear understanding of the basic concepts, tools of analysis and terminologies used in Economics, which will facilitate their understanding of various legal phenomena and their economic implications.

Course Outcome:

CO1 Define and describe the fundamental principles and concept of Economics

CO2 Apply the analytical tools of Economics used in legal analysis

CO3 To evaluate the importance of economic analysis in policy making and advisory functions

Unit I: Classical Theory/ Long Run Analysis

Foundation & features of Classical Theory, Introduction to Says Law.

Unit II: Principles of Aggregate Demand & Aggregate Supply

Theory of Aggregate Demand, Theory of Aggregate Supply

Unit III: New Keynesian/Post Keynesian Economics

Importance & Scope, Different Theories of Post Keynesian Economics (RET Business Cycle theory etc.)

Unit IV: Growth & Development

Concept of Economic Growth & Economic Development, Neo-Classical Growth Theory, Types of Growth & Development, Factors of Growth & Development, Measures of Growth & Development

Unit-V: Banking

Commercial Banking – definition & scope, Central Banking functions & Credit Control
Money & Capital Markets – difference & integration, Difference between Banks & NBFI.

Suggested Readings:

1. Jhingan M.L., Development Economic, Vrinda Pub.
2. Dwivedi D.N., Macroeconomic Theory & Policy, Tata Mac Graw Hill
3. Samuelson & Nordhaus, Economics, Tata Mac Graw Hill
4. Shapiro, Macroeconomic Analysis, Galgotia

PSYCHOLOGY-II

Sub. Code: BLW 312

L – 4, C – 4.

Course Objective:

1. understand the importance of psychology and law
2. to understand the application of the psychological principles in the legal regime
3. to analyse the application of the psychology in the courts
4. to examine and critically evaluate the psychology of children and eyewitness in the civil and criminal cases
5. to identify the research and development in the psychology in relation with its application in legal arena.

Course Outcome:

At the end of the course the students should be able to:

CO1 Explain the relationship between interfaces of Law and psychology.

CO2 Identify the application of psychological principles to the issues of eyewitnesses in the case.

CO3 Examine the application of legal and psychological aspects of children as a witness.

CO4 Analyze the appropriateness of development of psychological research and its application in court.

CO5 Critically evaluate the application of various witness recognition procedures.

UNIT I: Psychological Testing: Characteristics of psychological tests: Reliability, Validity, Norms.

UNIT II: Communication Meaning Approaches to Communication Barriers to Communication Process Channels of Communication in different professions Role of communication in legal profession

UNIT III: Client Interviewing Meaning and Significance Different Components: Listening, types of questions asked, Information gathering, Report formation, Ethical consideration Enhancing Psychological Well Being: Optimism and Happiness

UNIT IV: Legal Counselling Definition and its differentiation from general counselling Different types of counselling Approaches to Counselling Training Skills: Simulated exercises

UNIT V: Legal Reasoning Legal Reasoning: Definition, Components of Legal Reasoning, Deductive and Inductive Reasoning, Levi's and Bodenheimer's Model of Legal Reasoning Law and Logic: Aristotelian Logic and Syllogism. Significance of mootings to law students.

Textbooks

1. N.R. Madhava Menon, Clinical Legal Education
2. Jenny Chapman, Client Interviewing and Counselling
3. Morgan, Introduction to P

Family Law – II (Muslim Law)

Sub. Code: BLW 313

L – 4, C – 4.

Course Objective

- 1.To provide the basic understanding of personal laws relating to family matters
- 2.To provide the basic understanding of personal laws relating to family matters
- 3.To enable students to identify relevant legislations and case laws relating to family law
- 4.To inculcate basic research skills as a part of learning
- 5.This course aims to explore critical principles relating to contemporary issues and nurture within the students the ability to draft on family law matters

Course Outcome

CO1 Students should be able to identify and describe the various sources and schools of different personal laws.

CO2 Students will be able to identify research areas, frame research questions and utilize the available on-line data basis

CO3 Students should be able to understand the core concepts of adoption laws and to analyze it from sociological perspective in the society.

CO4 Students should be able to examine and analyze the concept of marriage and relate it to the changing nature of marriage and matrimonial remedies.

Unit-I:

Origin and development of Muslim Law - Sources of Muslim Law - Schools of Muslim Law - Difference between the Sunni and Shia Schools – Sub-schools of Sunni Law - Operation and application of Muslim Law - Conversion to Islam - Effects of conversion - Law of Marriage, nature of Muslim Marriage - Essential requirements of valid Marriage - Kinds of Marriages - distinction between void, irregular and valid marriage - Dower (Mahr) - Origin, nature and importance of dower, object of dower and classification of dower.

Unit-II:

Divorce - Classification of divorce - different modes of Talaq - Legal consequences of divorce - Dissolution of Muslim Marriage Act, 1939 - Maintenance, Principles of maintenance, Persons entitled to maintenance - The Muslim Women (Protection of Rights on Divorce) Act, 1986 - Effect of conversion on maintenance and difference between Shia and Sunni Law.

Unit-III:

Parentage - Maternity and Paternity - Legitimacy and acknowledgment - Guardianship - Meaning - Kinds of guardianship - Removal of guardian - Difference between Shia and Sunni Law. Gift - Definition of Gift - Requisites of valid gift - Gift formalities - Revocation of gift - Kinds of gift. Wills - Meaning of Will - Requisites of valid Will - Revocation of Will - Distinction between Will and Gift - Difference between Shia and Sunni Law.

Unit-IV:

Waqf _ Definition - Essentials of Waqf - Kinds of Waqf – Creation of Waqf - Revocation of Waqf - Salient features of the Waqf Act, 1995 – Mutawalli - Who can be Mutawalli - Powers and duties of Mutawalli - Removal of Mutawalli and Management of Waqf property. Succession - Application of the property of a deceased Muslim - Legal position of heirs as representatives - Administration - Waqf Tribunals and Jurisdiction.

Unit-V:

Special Marriage Act, 1954 - Salient features of Indian Divorce Act, 1869 - Domicile - Maintenance to dependents/ Spouses - Intestate succession of Christians under the Indian Succession Act, 1925.

Suggested Readings:

1. Tahir Mahmood: *The Muslim Law of India*, 1980, Law Book Company, Allahabad.
2. Aquil Ahmed: *Textbook of Mohammadan Law*, 5th Edition 1992, Central 4. Law Agency, Allahabad.
3. Prof. G.C.V. Subba Rao: *Family Law in India*, 6th Edition, 1993, S.Gogia & Company, Hyderabad.
4. Asaf A.A. Fyzee: *Outlines of Mohammadan Law*, 4th Edition, 1999, Oxford University Press, Delhi.

Jurisprudence

Sub. Code: BLW-314

L – 4, C – 4.

Course Objective

This course is designed to serve as a general introduction to jurisprudence – the philosophy of law. During the semester, we will consider the philosophical nature of law, legal reasoning and argument, legal rights, as well as justice and equality under the law. For theory, we will read a mix of classic and modern jurisprudential texts. Applying theory to practice, we will also engage in a series of case studies examining major Supreme Court that turn on deeper jurisprudential debates. The course should also give students an opportunity to think carefully about the values that ought to underpin a country's legal system.

Course Outcome

By the end of this course, successful students will be able to:

CO1 Explain the differences between the different schools of jurisprudence concerning the nature of law;

CO2 Identify the major and minor premises of legal arguments and analyze legal debates using appropriate rhetorical vocabulary;

CO3 Invent and defend arguments about the requirements of justice in legal disputes that reference and extend the themes of the course.

CO4 Devise a correct way of handling the legal problem

Unit-I:

Meaning and Definition of Jurisprudence — General and Particular Jurisprudence - Elements of Ancient Indian Jurisprudence — Schools of Jurisprudence — Analytical, Historical, Philosophical and Sociological Schools of Jurisprudence. Theories of Law — Meaning and Definition of Law — The Nature and Function of Law — The Purpose of Law — The Classification of Law — Equity, Law and Justice — Theory of Sovereignty.

Unit-II:

Sources of Law — Legal and Historical Sources — Legislation - Definition of legislation - Classification of legislation- Supreme and Subordinate Legislation - Direct and Indirect Legislation - Principles of Statutory Interpretation. Precedent — Definition of Precedent — Kinds of Precedent — *Stare Decisis* — Original and Declaratory Precedents — Authoritative and Persuasive Precedents. Custom – Definition of Custom – Kinds of Custom – General and Local Custom – Custom and Prescription - Requisites of a valid custom - Relative merits and demerits of Legislation, Precedent and Custom as a source of Law. Codification — Advantages and disadvantages of codification.

Unit-III:

Persons — Nature of personality — Legal Status of Lower Animals, Dead Persons and Unborn persons — Legal Persons — Corporations — Purpose of Incorporation — Nature of Corporate Personality - Rights and Duties — Definition of Right — Classification of Rights and Duties — Absolute and Relative Rights and Duties — Rights and Cognate concepts like Liberty, Power, Immunity, Privilege etc.

Unit-IV:

Obligation — Nature of Obligation — Obligation arising out of Contract, Quasi Contract, trust and breach of obligation etc. — Liability — Nature and kinds of liability — Acts —

Mens Rea — Intention and Motive — Relevance of Motive — Negligence — Strict Liability — Accident — Vicarious Liability — Measure of Civil and Criminal Liability.

Unit-V:

Ownership — Definition and kinds of Ownership - Possession — Elements of Possession - Relation between Ownership and Possession — Possessory Remedies — Property — Meaning — Kinds of Property — Modes of Acquisition of Property — Legal Sanctions - Meaning of Sanction — Classification of Sanctions — Civil and Criminal Justice — Concept of Justice — Theories regarding purpose of Criminal Justice — Deterrent, Preventive, Reformative and Retributive theories.

Suggested Readings:

1. Salmond: *Jurisprudence*, Universal Publishers 12th Edn. 1966.
2. Rama Jois, *Legal and Constitutional History of India*, Universal Law Publications, Delhi.
3. N.V. Pranjape – Jurisprudence
4. S.R. Dhyeni – Jurisprudence

CIVIL PROCEDURE CODE AND LAW OF LIMITATION

Sub. Code: BLW 315

L -4, C -4

Course Objective

1. To impart knowledge on the civil procedure code
2. To understand the enforcement mechanism of the rights of the parties laid down in the substantive law
3. To inculcate knowledge on the basic civil court procedure regarding jurisdiction, pleadings, execution procedure, Appeal, review, revision etc.
4. To have an understanding if any delay occurred to approach the court for the enforcement of the rights of the parties and the remedial procedure.
5. To read and apply rules and statutes and the case law interpreting them in the context of civil procedure.

Course Outcome

On completion of the course students will be able to

CO1 Identify the jurisdiction of the civil court wherein a matter will lie.

CO2 Use correct legal terminologies.

CO3 Describe the rules of pleadings and apply them correctly.

CO4 File execution proceedings in the civil courts.

CO5 Apply the provisions of Limitation Act appropriately.

Unit-I:

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

Unit-II:

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

Unit-III:

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

Unit-IV:

Suits in Particular Cases — Suits by or against Government — Suits relating to public matters;— Suits by or against minors, persons with unsound mind, - Suits by indigent persons -- Interpleader suits — Incidental and supplementary proceedings - Appeals,

Reference, Review and Revision — Appeals from Original Decrees — Appeals from Appellate Decrees — Appeals from Orders — General Provisions Relating to Appeals.

Unit-V:

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

Suggested Readings:

1. Mulla: *Code of Civil Procedure*:
2. Tripathi (Abridged Edition), 11th Edn.(StudentEdition) Edited by P.M. Bakshi, Bombay, 1985.
3. A.N. Saha: *Code of Civil Procedure*.
4. C.K. Takwani: *Civil Procedure*, 4th Edn. Eastern Book Co., Lucknow, 1974.
5. B.B. Mitra: *Limitation Act*, 17th Edn. Eastern Law House, Calcutta, 1974, Allahabad.
6. Sanjiva Row: *Limitation Act*, 7th Edn. (in 2 Vols), Law Book Co., Allahabad,

LAW OF PROPERTY

Sub. Code: BLW 316

L – 4, C – 4.

Course Objective

The focus of this course is on the study of the concept of 'Property', the 'nature of property rights' and the general principles governing the transfer of property. A detailed study of the substantive law relating to particular transfers, such as sale, mortgage, lease, exchange, gift and actionable claims will also be undertaken. The course is designed to enable the readers to understand the basic philosophy of property law and its nuances. It introduces them to the modes of transfer and their ramifications.

Course Outcome

On completion of the course students will be able to –

CO1 Identify and describe the scope and ambit of the property laws in India.

CO2 To trace out and understand the theoretical foundation related to property.

CO3 To analyze and understand the interpretation clauses along with the principles involved in the subject.

CO4 To enlist the significant legal provisions relating to transfer of property.

CO5 Analyze the relevant case laws pertaining to the concepts discussed.

Unit-I:

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

Unit-II:

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

Unit-III:

Sale - Essential features — Mode of Sale — Rights and liabilities of parties. Mortgage - Kinds of Mortgages - Rights and liabilities of mortgagor and mortgagee — Marshalling and Contribution — Charges.

Unit-IV:

Lease — Essential features — Kinds of leases — Rights and liabilities of lessor and lessee — Termination of lease — forfeiture — Exchange — Gifts — Different types of gifts — Registration of Gifts — Transfer of Actionable Claims.

Unit-V:

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

Suggested Readings:

1. Mulla: *Transfer of Property*, Butterworths Publications.

2. Subba Rao GCV: *Commentaries on the Transfer of Property Act.*
3. Krishna Menon: *Law of Property.*
4. Upadhyas' *Common Matrix of Transfer of Property.*

MACROECONOMICS

Sub. Code: BLW-321

L – 4, C – 4.

Course Objective: The course is specifically designed for students with no formal background or a little acquaintance with Economics-with a major thrust on Micro Economics. A good grasp of Micro Economics is vital for economic decision making, for designing and understanding public policy from a legal perspective, and more generally for appreciating how a modern economy function. The main objective of the course is to give the students with a clear understanding of the basic concepts, tools of analysis and terminologies used in Economics, which will facilitate their understanding of various legal phenomena and their economic implications.

Course Outcome:

CO1 Define and describe the fundamental principles and concept of Economics

CO2 Apply the analytical tools of Economics used in legal analysis

CO3 To evaluate the importance of economic analysis in policy making and advisory functions

Unit-I: Introduction

Difference between Micro & Macroeconomics, Introduction to basic Theories in Macroeconomics –Classical, Keynesian & Post Keynesian.

Unit-II: National Income Accounting

Circular flow of Income Model – Two & Three sector models (Closed only) National & DomesticProduct – different types & their significance, National Income – meaning, significance.

Unit-III: Money & Interest Types & Functions of money, Classification of Money, Demand for &Supply of Money (inclusive of Money Multiplier) Theories of Money – Cambridge & Fisher Theory Inflation & Deflation – Types, Reasons & their Effects, Monetary Policy & its Tools.

Unit-IV: Short Run Analysis

Characteristics of Short Run, Simple Keynesian Model /Theory – Consumption Function, Investment Function, multipliers.

Unit-V: Business Cycle & Unemployment

Business Cycle –Definition, reason, scope, effects & features.
Unemployment – types, reason, scope & effects.

Suggested Readings

1. Dwivedi D.N. ,Macroeconomic Theory &Policy, Tata Mac Graw Hill
2. Samuelson & Nordhaus ,Economics, Tata Mac Graw Hill
3. Shapiro, Macroeconomic Analysis, Galgotia

LAW OF EVIDENCE

Sub. Code: BLW-322

L – 4, C – 4.

Course Objective

1. To understand and apply the rules of evidence.
2. To learn associated trial and lawyering skills.
3. To be able to synthesize the rules and use them in the context of a trial or other Proceedings.
4. To be able to apply the rules of evidence to a wide variety of fact situations.
5. To develop competent advocacy skills relating to evidence issues.

Course outcome

On completion of the course students will be able to -

CO1 Elucidate the elementary principle of the Law of Evidence.

CO2 Explain the important provisions of the Indian Evidence Act, 1872.

CO3 Analyse between opinions, witnesses, and expert testimony and hearsay evidences.

CO4 Apply illegally obtained evidence, burden of proof & privileges, and

CO5 Make an argument for or against the admissibility of evidence including that which has been unlawfully obtained, that which may be more prejudicial than probative, previous sexual history, bad character, hearsay evidence, expert evidence and eyewitness identification evidence.

Unit-I:

The Indian Evidence Act, 1872 — Salient features of the Act – Meaning and kinds of Evidence — Interpretation clause — May Presume, Shall presume and Conclusive proof - Fact, Fact in issue and Relevant facts — Distinction between Relevancy and Admissibility - Doctrine of *Res Gestae* — Motive, preparation and conduct — Conspiracy — When Facts not otherwise relevant become relevant — Right and custom — Facts showing the state of mind etc.

Unit-II:

Admissions & Confessions: General Principles concerning Admissions — Differences between "Admission" and "Confession" — Confessions obtained by inducement, threat or promise – Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material — Admissibility of Confessions made by one accused person against co-accused.

Dying Declarations and their evidentiary value — Other Statements by persons who cannot be called as Witnesses — Admissibility of evidence of witnesses in previous judicial proceedings in subsequent judicial proceedings.

Unit-III:

Relevancy of Judgments — Opinion of witnesses — Expert's opinion — Opinion on Relationship especially proof of marriage — Facts which need not be proved — Oral and Documentary Evidence - General Principles concerning oral evidence and documentary evidence — Primary and Secondary evidence — Modes of proof of execution of documents — Presumptions as to documents — General Principles regarding Exclusion of Oral by Documentary Evidence.

Unit-IV:

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

Unit-V:

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

Suggested Readings:

1. BatukLal: *The Law of Evidence*, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir: *Principles and Digest of the Law of Evidence*, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. Vepa P. Saradhi: *Law of Evidence* 4th Edn. Eastern Book Co., Lucknow, 1989.
4. Avtar Singh: *Principles of the Law of Evidence*, 11th Edn. Central Law Publications.
5. V. Krishnama Chary: *The Law of Evidence*, 4th Edn. S.Gogia& Company, Hyderabad.

PUBLIC INTERNATIONAL LAW

Sub. Code: BLW 323

L – 4, C – 4.

Course Objective

This course focuses on the relations between states, international organisations and other legal actors within the public international legal framework. It explores competing notions of sovereignty, and the dilemma of conflict resolution between parties under international law. Special attention will be paid to the recognition of states and the consequent obligations of states, the law of treaties, and topical issues in international law, for example criminal justice, refugees, the law of the sea, and human rights. Students will gain knowledge of the public international legal framework, and be exposed to a range of controversial debates which reflect the highly politicised nature of international law. A blended learning format will enable active learning and encourage student engagement with topical issues.

Course Outcome

At the end of the course student will be able to

CO1. Critically analyse various theories of International Law and sources of International Law.

CO2. Critically analyse and interpret various Articles in Vienna Convention on Law of Treaties.

CO3. Find out various complex issues in the International sphere and apply International Law principles to study such problems.

CO4. Analyse various pacific dispute settlement mechanisms.

CO5. Critically analyse the role of International Court of Justice in settling the disputes between nations amicably.

Unit-I:

Definition, Nature, Scope and Importance of International Law — Relation of International Law to Municipal Law — Sources of International Law — Codification.

Unit-II:

State Recognition — State Succession — Responsibility of States for International delinquencies — State Territory — Modes of acquiring State Territory

Unit-III:

Position of Individual in International Law — Nationality — Extradition — Asylum — Privileges and Immunities of Diplomatic Envoys — Treaties – Formation of Treaties - Modes of Consent, Reservation and termination.

Unit-IV:

The Legal Regime of the Seas – Evolution of the Law of the Sea – Freedoms of the High Seas – Common Heritage of Mankind – United Nations Convention on the Law of the Seas – Legal Regime of Airspace – Important Conventions relating to Airspace – Paris, Havana, Warsaw and Chicago Conventions – Five Freedoms of Air – Legal Regime of Outer space – Important Conventions such as Outer space Treaty, Agreement on Rescue and Return of Astronauts, Liability Convention, Agreement on Registration of Space objects, Moon Treaty - Unispace.

Unit-V:

International Organizations — League of Nations and United Nations — International Court of Justice — International Criminal Court - Specialized agencies of the UN — WHO, UNESCO, ILO, IMF and WTO.

Suggested Readings:

1. S.K. Kapoor, *Public International Law*, Central Law Agencies, Allahabad.
2. H.O. Agarwal, *International Law and Human Rights*, Central Law Publications, Allahabad.
3. S.K. Verma, *An Introduction to Public International Law*, Prentice Hall of India.

Law of Taxation

Sub. Code: BWL 324

L4, C4

Course Objective

The Course aims to introduce the basic concepts of taxation and have a broad understanding of evolution of taxing statutes in our nation. It enhance the skills of interpretation and the application of the traditionally established principles of law in taxation It acquaint with the basics of different heads of income and their applicability It provide in- depth understanding of the existing legal framework through case law analysis. It introduces practical aspects that the student might encounter while applying concepts of taxation. It develops skill of reasoned application of principles of interpretation in taxing statutes and cases.

Course Outcome

Having successfully completed this course, students will be able to:

CO1 Describe the basic concepts relating to Income Tax Act, 1961

CO2 Explain different types of incomes, their taxability, expenses and deductibility

CO3 Interpret the provisions and cases relating to tax laws

CO4 Learn various direct tax and their implication in practical situations

Unit -I: Basic Concept

- a. Types of Taxes and Distinction between Direct and Indirect tax
- b. Previous Year and Assessment Year
- c. Definition of Certain Terms: Persons, Assessee, Income, Application of Income and Diversion of Income by overriding Titles
- d. Assessee and Assessment
- e. Capital Receipt and Revenue Receipt
- f. Rates of Income Tax: Proportional and Progressive Rate of Taxation
- g. Agricultural Income

Unit -II: Residential Status, Chargeability

- a. Meaning and Rules for Determining Residential status of an Assessee
- b. Charge of Income Tax and Scope of Total Income
- c. Income Exempted from Tax and Deduction under Income Tax Law
- d. Heads of Income and its Justification
- e. Tax Treatment to Salary, Perquisites etc

Unit -III: Heads of Income and Rules of Tax

- a. Tax Treatment to Income from House property
- b. Profits and Gains of Business & Profession
- c. Capital Gain Taxation

Unit – IV: Residual Income and Procedure for Assessment

- a. Income from other Sources
- b. Set off and Carry Forward of Losses
- c. Deductions, Refund and Tax Authorities
- d. Return of Income and Assessment
- e. Penalty and Prosecution for Tax Evasion
- f. Search and Seizure

Unit – V: GST

- a. Definitions

Text books:

1. Dinesh Ahuja and Ravi Gupta, Systematic approach to Income Tax, (Latest Edition)

2. Singhania, Student Guide to Income Tax, Taxmann (Latest Edition).

References:

1. N.A. Palkwllah's Income Tax Act (Two Volume)
2. Iyer's Income Tax Act
3. Chaturvedi's Direct Tax Act (Three Volume)

Legal Language

Sub. Code: BLW 325

L -4, C -4

Course Objective

The ability to communicate clearly and effectively is an essential component of any lawyer's skill set, both inside and outside the courtroom. The objective of this course is to introduce students to the nuances of legal language and writing, and its use and application through the study of judicial opinions, common legal maxims and legal terminology. It also seeks to familiarize students with the principles governing legal drafting, and equip them with the ability to draft simple legal documents. And with academic legal writing assuming increasing significance in this day and age, both for students and practitioners, emphasis has also been placed on developing and honing students' research and writing skills through the study of the works of eminent jurists, as also practical writing exercises.

Course Outcome

On the completion of the course students will be able to –

CO1 Communicate clearly and effectively using proper legal terminologies.

CO2 Explain the meanings of Latin maxims, elucidate fundamental legal concepts and principles through them, as also use them in advocacy.

CO3 Draft legal notice and pleadings.

CO4 Use legal terms, distinguish their meanings in different contexts, and apply them in legal communication.

CO5 Read and dissect, analytically, decisions of courts, while also culling out their facts and principles in order to establish what rule of law they (the judgements) stand for.

Unit I: Meaning and uses of legal terms

Commonly used Latin terms in courts

Ab initio', Res judicata, Res– subjudice, Adhoc, Adinfinitum, Adinterim, Adjourn sine die, Ad litem, Advalorem, Alibi, Aliter, Almamater, Amicus Curiae, Animus, Animus possidendi, Alumni, Anti-meridiem, Bonafide, Bona Vacantia, Causeausans, Coram non judice, Corpus Possessionis, Custodia Legis, Compos mentis, Cypress, Defacto, DeJure, Denovo, Donation mortis cause, Enventresamere, Enroute, Ex officio, Ex gratia, Ex parte, Ex post facto, Factum valet, Femesole, Filius nullius, In forma pauperis, Ibid, In limine, In memoriam, In parimaterial, Intelligible differentia, Inter alia, Inter se, Ipso jure, Intoto, Ipsofacto, In invitum, In locoparentis, In pais, In pari delicto, potio rest condition possidentis (or defendentis), In rem, Intervivos, Intra-vires, Justertii, Jus civile, Jus divinum, Lex Fori, Lex Loci delicti, Lisperdens, Locus standi, Malafide, Mens Rea, Modus operandi, Modus Vivendi, Non compos mentis, Nonfeasance, Nudum Pactum, Onus probandi, Pacta Sunt Servanda, Pari Passu, Pendente lite, Per annum, Per capita, Per diem, Per mensem, Per stripes, Persona non grata, Postmeridiem, Post mortem, Prima facie, Pro bono publica, Prorata, Pro tanto, Pro tem, Quasi-judicial, Quid pro quo, Ratiodecidenti, Raison d'etre, Res Gestae, Res integra, Res nullius, Sine qua non, Sine die, Solatium, Stare decisis, Status quo, Sub-judice, Suppressioniovery, Scienter, Trespasser ab initio, Ultra-vires, Vice Versa, Vis-à-vis, Vis major

Unit II: Legal maxims

1. Absoluta sententia expositore non indiget
2. A bundans cautela non nocet.

3. Actio-personalismi oritur-cum persona
4. Actori incumbit onus probandi
5. Actus curiae neminem gravabit
6. Actus dei nemini facit injuriam
7. Actus reus
8. Actus legis nemini est damnosus
9. Actus non facit reum nisi mens sit rea
10. Ejusdem Generis
11. Exturpi causa non oritur actione
12. Noscitur a sociis
13. Novus actus interveniens
14. Respondent superior
15. Falsus in uno falsus in omnibus
16. Acquitia sequitur legem
17. Allegans contraria non est audiendus
18. Audi alteram partem
19. Caveat emptor
20. Damnum sine injuria
21. De minimis non curat lex
22. Dolus malus pactum se non servabit
23. Delegates non potest delegare
24. Fiat Justitia ruat caelum
25. Ignorantia legis neminem excusat
26. Injuria sine damno
27. Interest reipublicae ut sit finis litium
28. Lex non cogit ad impossibilia
29. Nemo dat quod non habet
30. Nemo debet esse iudex in propria causa
31. Quantum meruit
32. Qui approbat non reprobat
33. Qui facit per alium per se
34. Res ipsa loquitur
35. Salus populi est Suprema Lex
36. Ubi jus ibi remedium
37. Vigilantibus non dormientibus jura subveniunt

Unit III: Paragraph & Precise Writing of Legal Texts

Unit IV: Writing of Moot Memorials

Unit V: Translate Hindi to English & English to Hindi of case laws

Suggested Reading:

1. Myneni S.R., Legal language and Legal Writing, Central Law Agency, Allahabad.
2. Jain R.L., Legal Language, Central Law Agency, Allahabad.
3. Prasad Anirudh, Legal Language, Central Law Publications, Allahabad.

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Company Law

Sub. Code: BLW 326

L – 4, C – 4.

Course Objective

The purpose of this course is to study the fundamental concepts related to company. It also talks about the internal functioning of a company. In this course the student will be introduced to the basic power and structure in a company and the law relating to appointment of directors, director's duty, and matters governing board meetings. The course also outlines the modes of winding up of company and distribution of assets in the event of winding up.

Course Outcome

On completion of the course the student will be able to:-

CO1 Explain the process of formation of different kinds of companies and commencement of business.

CO2 Describe the methods of giving security for repayment of loan or other liabilities of a company.

CO3 Explain the legal issues in the administration and management of a registered company.

CO4 Elucidate how winding up is done in a company.

UNIT I: Historical development of concept of incorporation; emergence of principle of limited liability and development of company law in India. Distinction among Partnership Firm, Company and Business of HUF

Formation, Registration and Incorporation of Company Meaning of Corporation Nature and kinds of company Promoters: Position, duties and liabilities Mode and consequences of incorporation Uses and abuses of the corporate form, lifting of corporate veil.

UNIT II: Memorandum of Association, alteration and the doctrine of ultra vires Articles of Association, binding nature, alteration, relation with memorandum of Association, Doctrine of Constructive Notice and Indoor Management-exceptions

UNIT III: Capital Formation of Regulation Prospectus: Issues, contents, kinds, liabilities for misstatement, statement in lieu of prospectus The nature and classification of company securities Shares and general principles of allotment Statutory share certificate, its objects and effects Transfer of shares, restriction of transfer, relationship between transferor and transferee, issue of share at premium, role of public finance institutions Share Capital, reduction of share capital Conversion of loans debentures into capital Duties of court to protect interests of creditors and shareholders

Rules of issuance of shares, Call on shares, Buy-back of shares, Transfer and transmission of shares. Share certificate, Share warrant Forfeiture and surrender of shares Dividends-Payment-Capitalization and Profit. Debentures, stock, bonds, kinds, remedies of debenture holders, Debenture trust deed and trustees

UNIT IV: Corporate Administrative Directors: Kinds, Powers and Duties Role of nominee Directors, Managing Director and other managerial personnel. Legal position of director, Member: Mode of acquiring membership; who can be a member; cessation of membership; registration of members, Requisites of Valid Meeting, procedure relating to convening and proceeding of general and, other meeting .– notice, quorum, mode of voting, proxy.

Division of powers between Board and Shareholders; monitoring and management.

Law relating to majority powers and minority rights.

Prevention of Oppression and Mismanagement - Rule in Foss v/s Harbottle (1843)

Unit V: Corporate Social Responsibility and Corporate Liquidation (Lectures-8)

a. Evolution of Corporate Social Responsibility, Corporate Criminal liability, Corporate Environmental Liability

Reconstruction – Merger, Amalgamation, Compromise and Arrangement of a company

National Company Law Tribunal, Insider Trading,

b. Different Types of Winding up of Company

c. Role of Courts in Winding up of Company

d. Merger and Acquisition of Company (eg. like Arcelor Mittal and Air India Case)

e. Cross Border Merger, Takeover Code: Role of SEBI

Act- The Companies Act, 1956

Books- 1. L.C.B.Gower, Principles of Modern Company Law, 1997 Sweet & Maxwell, London

2. A. Ramaiya, Guide to the Companies Act, 1998 Wadhwa

3. Palmer, Palmer's Company Law, 1987 Stevens, London

4. Avtar Singh, Indian Company Law, Eastern Book Co.

5. R.K.Bangia, Company Law

HINDI (विधिक संचार एवं हिंदी भाषा ज्ञान)

Sub. Code : BLW-411

L 4, C 4

Unit I : हिंदी भाषा का सामान्य परिचय और स्वरूप:-

- 1:- भाषा, बोली, राजभाषा और राष्ट्रभाषा, सामान्य परिचय।
- 2:- हिंदी भाषा का उदभव और विकास।
- 3:- विश्व में हिंदी भाषा की वर्तमान स्थिति और भावी संभावनाएं।

हिंदी वाक्य विचार

- 1:- वाक्य से आशय।
- 2:- वाक्य के प्रकार : साधारण, संयुक्त तथा मिश्रित वाक्य।
- 3:- वाक्य रूपान्तर: संयुक्त/मिश्रित से साधारण....
- 4:- वाक्य रचना की अशुद्धियाँ (Correction of sentence)।

Unit II :

- 1:- विराम चिन्हों का प्रयोग।
- 2:- सूक्ति वाक्यों का पल्लवन (Paragraph writing)।
- 3:- संक्षेपीकरण।

Unit III :

- 1:- पत्रलेखन ।
- 2:- औपचारिक कार्यालयीय पत्रों का प्रारूप।

Unit IV :

- 1:- विधिक शब्दावली
- 2:- विधिक शब्दों का अंग्रेजी से हिंदी में अनुवाद।
- 3:- विधिक शब्दों का हिंदी से अंग्रेजी में अनुवाद।

Unit V :

- 1:- विधिक विषय पर संक्षिप्त/विस्तृत शब्दों में निबन्ध।
- 2:- विधिक विषय पर रिपोर्ट ।

Books :

1. Legal Glossary = Govt. Of india Publication.
विधिक शब्दावली = भारत सरकार प्रकाशन
- 2:- अपनी हिंदी सुधारें = डॉ विजय अग्रवाल, सूचना एवं प्रसारण मंत्रालय, भारत सरकार, नई दिल्ली।
3. अच्छी हिंदी = रामचंद्र वर्मा
4. अच्छी हिंदी = डॉ हरदेव बाहरी
5. शुद्ध हिंदी = डॉ हरदेव बहरी।

LABOUR LAW –I

Sub. Code: BLW 412

L – 4, C – 4.

Course objective

The prime object of this subject is to enable the student to understand the history and nature of the jurisprudence. The course is made with the objective to acquaint the student with the conceptual and operational parameters of the various issues related to the industrial relation between employer and employee and its impact on the labour relation in India. The course will also provide an overview of judicial prospective on the labour legislation and to deal with the latest trend and development in the labour law.

Course Outcome

At the End of the course students will be able to:-

CO1 Explain the evaluation of industrial jurisprudence and the role played by yellow in this regard

CO2 Identify and appreciate the need for a law relating to resolution of industrial dispute in India

CO3 Explain the paramount of standing orders and domestic enquiry which is guided by the principle of natural justice as an effective tool of insurance working as wellbeing and smooth functioning of industrial undertaking.

CO4 Significance of trade union in the present-day society and the crucial role played in collective bargaining for maintaining industrial peace and well-being of the workmen.

Unit-I

Evolution of labour laws in India. Trade Unions: History of Trade Union Movement, Trade unionism - The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions – Immunities .Amalgamation and dissolution of Unions – Reorganization of Trade Unions. Immunities and privileges, Civil and Criminal liability of Registered Trade Union. Recognition of trade union, Mode of registration of trade union. Closed shop and union shop. Workers’ Right to form Union *vis a vis* Indian Constitution: the membership of trade union Amalgamation and dissolution of Unions

Unit-II

Prevention and Settlement of Industrial Disputes in India - The role of State in Industrial Relations – The Industrial Disputes Act 1947 - Definition of industry - Industrial Dispute – Individual Dispute - workman- Lay off – Retrenchment - Closure -Award - Strike – Lockout Procedure and Compensation relating to lay-off and retrenchment.

Unit-III

Authorities under the ID Act – Works committee – Conciliation - Court of inquiry - Labour Courts- Tribunal – Powers and functions of authorities - Voluntary Arbitration - Provisions under Chapter V-A & V- B of the Act- Alteration of conditions of service – Management rights of action during pendency of proceedings – Recovery of money due from employer – Unfair labour practices - miscellaneous provisions of the Act.
The role of State in Industrial Relations, Prevention and Settlement of Industrial Disputes
National Industrial Tribunal- Constitution, powers and functions, Award of Tribunal

Unit-IV

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

Unit-V

Disciplinary Proceedings in Industries - Charge sheet – Explanation – Domestic enquiry - Enquiry officer – Enquiry report – Punishment – Principles of Natural Justice.
Collective Bargaining- Meaning, concept and requisites
Unfair labour practice- meaning and remedies

Suggested Readings:

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

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Intellectual property Law-I

Sub. Code: BLW-413

L -4, C -4

Course Objective

This course seeks to provide a foundation for students to understand the enormous potential and power of IP and regulatory framework in India. The major objectives of the course are to (i) To understand the niceties and complexities of the global intellectual property system and the challenges it poses to India in terms of compliance to global standards of IP protection (ii) To identify IP as an effective policy tool for national, economic, social and cultural development, especially through the use of limitations and exceptions to monopoly rights and (iii) To equip students with the knowledge of the procedural and substantive IP system in India

Learning Outcome

At the end of the course students will be able to -

CO1 Identify the different forms of intellectual property and describe the importance of protection of IP.

CO2 List out the criteria/essential requirements of IP protection, duration, rights conferred and remedies provided.

CO3 Apply the principles of IP protection to legal problems correctly.

CO4 Analyses the issues related to infringement of IPR.

CO5 Evaluate as against other the international legal framework related to IP protection and articulate the problem areas for the deficiency.

CO6 Propose a solution to the existing IP problems in India.

Unit-I:

Meaning, Nature, Classification and protection of Intellectual Property — The main forms of Intellectual Property — Copyright, Trademarks, Patents, Designs (Industrial and Layout) -- Geographical Indications - Plant Varieties Protection and Biotechnology.

Unit-II:

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

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

a. Introduction to Copyright Law

b. Brief Introduction to related International Treaties and Conventions

c. Subject Matter of Copyright, Economic and Moral Rights (ss2,13,14,15,16, 57)

d. Authorship and Ownership (s17), Term of Copyright and Assignment-Licensing (ss18-31)

e. Infringement and Remedies (ss50-61)

f. Exceptions: Fair Dealing

g. International Copyright Order (ss40-41)

h. Issues in Digital Copyrights

UNIT-IV: Patent (The Patents Act, 1970) (Lectures-12)

a. Introduction to Patent Law

b. Brief Introduction to related International Treaties and Conventions

c. Definitions (s2), Criteria for Patents, Patentable Inventions

d. Non-Patentable Inventions (s3)

e. Procedure for Filing Patent Application (ss6-53)

f. Revocation of Patent (s64), Licensing, Compulsory Licensing (ss82-92A)

g. Parallel Import (s107A)

h. Rights of Patentee, Patent Infringement and Defences (ss47-48,s104 and s107)

Suggested Readings:

1. P. Narayanan: *Patent Law*, Eastern Law House, 1995.
 2. Roy Chowdhary, S.K. & Other: *Law of Trademark, Copyrights, Patents and Designs*, Kamal Law House, 1999.
 3. Dr. G.B. Reddy, *Intellectual Property Rights and the Law* 5th Ed. 2005 GogiaLaw Agency.
 4. John Holyoak and Paul Torremans: *Intellectual Property Law*.
 5. B.L. Wadhera: *Intellectual Property Law*, Universal Publishers, 2nd Ed. 2000.
 6. W.R. Cornish: *Intellectual Property Law*, Universal Publishers, 3rd Ed. 2001.
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HUMAN RIGHTS LAW

Sub. Code: BLW- 414

L -4, C -4

Course Objective

The course is designed to inform the students about the origin and evolution of human rights and the way they are read into our Constitution. It will further explore the different challenges to Human Rights with reference to crime, health, IP, etc. It will promote a more humanitarian perspective towards the human rights issues facing not only the Indian society but internationally.

Course Outcome

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

CO1 Identify the fundamental philosophy and policies concerning human rights.

CO2 Summarize the legal effects of international treaties and conventions on the national human rights jurisprudence.

CO3 Relate to the on-going debates and current or future challenges concerning human rights.

CO4 Critically analyze the Human rights protection mechanism, nationally and internationally concerning human rights.

CO5 Formulate the role of state actors for the protection of human rights.

Unit-I

Meaning and definition of Human Rights - Evolution of Human Rights - Human Rights and Domestic Jurisdiction

Unit-II

Adoption of Human Rights by the UN Charter - U.N. Commission on Human Rights - Universal Declaration of Human Rights - International Covenants on Human Rights (Civil and Political; Economic, Social and Cultural).

Unit-III

Regional Conventions on Human Rights - European Convention on Human Rights - American Convention on Human Rights - African Charter on Human Rights (Banjul).

Unit-IV

International Conventions on Human Rights - Genocide Convention, Convention against Torture, CEDAW, Child Rights Convention, Convention on Statelessness, Convention against Slavery, Convention on Refugees - International Conference on Human Rights (1968) - World Conference on Human Rights (1993).

Unit-V

Human Rights Protection in India - Human Rights Commissions - Protection of Human Rights Act - National Human Rights Commission (NHRC) - State Human Rights Commissions - Human Right Courts in Districts.

Suggested Readings:

- 1 P.R. Gandhi (ed): *Blackstone's International Human Rights Documents*, Universal Law Publishing Co. Delhi.
- 2 Richard B. Lillich and Frank C. Newman: *International Human Rights - Problems of Law and Policy*, Little Brown and Company, Boston and Toronto.
3. Frederick Quinn: *Human Rights and You*, OSCE/ ODIHR, Warsaw, Poland
4. T.S. Batra: *Human Rights – A Critique*, Metropolitan Book Company Pvt. Ltd., New Delhi.
5. Dr.U. Chandra: *Human Rights*, Allahabad Law Agency Publications, Allahabad.

ALTERNATE DISPUTE RESOLUTION

Sub. Code: BLW-415

L-2, P-8 C -6

Course Objective

Alternative Dispute Resolution subject will give student an overview that dispute can also be resolved through ADR Mechanism not only by Court cases. This course is to understand the Indian legal framework related to arbitration, mediation, conciliation and negotiation. To impart knowledge on the International legal framework on arbitration and conciliation. To inculcate knowledge of various ADR Mechanism and train students to become arbitrators, mediators and Concelliator.

Course Outcome

After completing the course students will be able to

CO1 Analyze various legal frameworks on arbitration, mediation, conciliation and negotiation.

CO2 Understand and analyze the international legal framework on arbitration and conciliation.

CO3 Learn the process of arbitration, mediation and conciliation and its practical applicability.

CO4 Learn the skills how to do arbitration, mediation and conciliation in different type of matters.

The written examination of this paper will be for 50 marks and the remaining 50 marks for record and *viva voce*. There shall be classroom instruction on the following topics:

Unit-I:

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

Unit-II:

The Arbitration and Conciliation Act, 1996 — Historical Background and Objectives of the Act — Definitions of Arbitration, Arbitrator, Arbitration Agreement -- Appointment of Arbitrator — Termination of Arbitrator -- Proceedings in Arbitral Tribunal -- Termination of Proceedings — Arbitral Award -- Setting aside of Arbitral Award — Finality and Enforcement of Award — Appeals – Enforcement of Foreign Awards. Conciliation – Appointment of Conciliators – Powers and Functions of Conciliator -- Procedure – Settlement of disputes through conciliation.

Unit-III:

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

Practical Exercises (30 marks)

(a) The students are required to participate in 5 (five) simulation proceedings relating to Arbitration, Conciliation, Mediation and Negotiation. Participation in each such simulation proceeding shall be evaluated for a maximum of 4 (four) marks (Total 5x4=20marks).

(b) Students are required to attend and observe the proceedings of Lok Adalat's, Family Courts, Tribunals and other ADR Systems. Each student shall record the above observations in the diary which will be assessed. Record submitted by the student shall be evaluated for 10 marks by the teacher concerned. The Records of the students duly certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University before the commencement of the theory examinations

Viva- voce (20marks): There shall be viva-voce examination on the above components. The Viva-voce Board consisting of (i) Principal of the College/the teacher concerned (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law, and (iii) an advocate with 10 years' experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

Note: Attendance of the students in all the four components of the paper (written examination, participation in simulation proceedings, submission of record and attendance in viva) shall be compulsory.

Suggested Readings:

1. O.P. Tiwari: *The Arbitration and Conciliation Act* (2nd Edition): Allahabad Law Agency.
2. Johar's: *Commentary on Arbitration and Conciliation Act, 1996*: Kamal Law House.
3. Acharya N.K.: *Law relating to Arbitration and ADR*, Asia Law House, Hyderabad
4. Tripathi S.C.: *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.
5. Avatar Singh: *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.

DRAFTING, PLEADINGS AND CONVEYANCING

Sub. Code: BLW-416

L -1, P-8, C -6

Course objectives:

The main objectives of the course are to develop strong command over the language, ability to deal effectively with abstract concepts, stimulate the investigative instincts, precise and organized drafting skill and the art of scrutinizing the legal documents

Course Outcome

At the end of the course the student will be able to:-

CO1 Draft the legal deeds/documents/pleadings flawlessly.

CO2 Appreciate the abstract concepts and put forth an effective argument.

CO3 Identify the issues involved, collect appropriate evidence, get true and correct information.

CO4 Draft the legal deeds and documents with precision by following the appropriate legal format.

CO5 Scrutinize the legal documents and deeds.

Class-room instruction and simulation exercises on the following items shall be extended.

Unit-I

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

Unit-II

Pleadings: (i) Civil—Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision.

(ii) Petition under Article 226 and 32 of the Constitution of India - Drafting of Writ Petition and PIL Petition.

(iii) Criminal— Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

Unit-III

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

Practical Exercises

Apart from teaching the relevant law, the course includes not less than 15 (fifteen) practical exercises in drafting of pleadings carrying a total of 45 marks (3 marks for each) and 15 (fifteen) exercises in conveyancing carrying another 45 marks (3 marks for each exercise) and remaining 10 marks for viva-voce.

These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted.

These exercises shall be evaluated by a common committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, O.U.; and (iii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts. The proceedings of the viva-voce shall be recorded.

Note:

- 1. Attendance of the students for viva-voce shall be compulsory.**
- 2. The above records certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for Further Verification**

Suggested Readings:

1. R.N. Chaturvedi: *Pleadings and Conveyancing*, Central Law Publications.
2. De Souza: *Conveyancing*, Eastern Law House.
3. Tiwari: *Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company

LABOUR LAW-II

Sub. Code: BLW 421

L – 4, C – 4.

Course Objective

This course is an attempt to study relating to the social security, wages and other benefits and industrial safety. It aims to introduce the students to the concepts of social security and welfare of the worker which is all the more important in the era of privatization.

Course Objective

At the end of the course the Student will be able to:-

CO1 Have a nice the undercurrent of the social security constitutional provisions and development at the international level.

CO2 Behind the constitutional and statutory provisions relating to minimum wages.

CO3 Apply the legal provisions in the contemporary debate on employee provident fund and workers vulnerability in India

CO4 Provisions relating to the compensation for industrial accident for answering problem-based question are especially concerning the time any place.

CO5 Understand this statutory provision relating to the maternity leave benefit in a holistic perspective.

Unit-I

Employment – Rights and obligation of workers and employers, Role of ILO

- a) The Concept, Importance of Welfare Activities, Constitutional perspectives, Labour reforms. Constitutional validity of the Minimum wages Act, 1948.

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

Unit-II

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

Unit-III

Employees Security and Welfare aspect - Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes. Social Security Legislations - Law relating to workmen's compensation - The Workmen's Compensation Act 1923 – Definitions - Employer's liability for compensation - Nexus between injury and employment.

Scope of arising out of and in the course of employment.

Doctrine of notional extension.

When employer is not liable.

- payment of compensation - penalty for default - Employees State Insurance Act 1948 – Application - Benefits under the Act - Adjudication of disputes and claims – ESI Corporation.

Unit-IV

Employees Provident Fund and Miscellaneous Provisions Act 1952 – Contributions - Schemes under the Act - Benefits. The Maternity Benefit Act 1961 - Definitions-Application - Benefits. The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination - Controlling authorities.

Unit-V

The Factories Act 1948 - Concept of “factory”, “manufacturing process”, “workers” and “occupier”.

Chapters dealing with Health, Safety and Welfare of Labour.- **Working hours of adults.**

Employment of young person and children.

Annual leave with wages.

Additional provisions regulating employment of women in factory

Child Labour - Rights of child and the Indian Constitution - Salient features of the Child Labour(Prohibition and Regulation) Act 1986.

Suggested Readings

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

Intellectual property Law-II

Sub. Code: BLW-422

L -4, C -4

Course Objective

This course seeks to provide a foundation for students to understand the enormous potential and power of IP and regulatory framework in India. The major objectives of the course are to (i) To understand the niceties and complexities of the global intellectual property system and the challenges it poses to India in terms of compliance to global standards of IP protection (ii) To identify IP as an effective policy tool for national, economic, social and cultural development, especially through the use of limitations and exceptions to monopoly rights and (iii) To equip students with the knowledge of the procedural and substantive IP system in India

Learning Outcome

At the end of the course students will be able to -

CO1 Identify the different forms of intellectual property and describe the importance of protection of IP.

CO2 List out the criteria/essential requirements of IP protection, duration, rights conferred and remedies provided.

CO3 Apply the principles of IP protection to legal problems correctly.

CO4 Analyses the issues related to infringement of IPR.

CO5 Evaluate as against other the international legal framework related to IP protection and articulate the problem areas for the deficiency.

CO6 Propose a solution to the existing IP problems in India.

UNIT-I: Industrial Design (The Designs Act, 2000) (Lectures-08)

- a. Introduction to Designs Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Registration of Designs and Procedure (ss3-9, s16, s21)
- d. Cancellation of Registration of Design (s19)
- e. Piracy of Registered Design (s22) and Remedies
- f. Overlapping Between Designs Copyrights and Trademark

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

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

UNIT-III: Law relating to Geographical Indications Introduction, meaning and salient features of Geographical Indication of Goods under the Geographical Indication of Goods (Registration and Protection) Act, 1999 Procedure for Registration, Duration and Renewal, Right conferred by registration, Infringement of Geographical Indication, Remedies, Offences and Penalties.

UNIT-IV: Law relating to Plant Varieties & Farmer's Rights

UTTAR PRADESH LAND LAWS

Sub. Code: BLW 423

L-4, C-4

Course Objective

The main objective of this course is to impart knowledge to students about Uttar Pradesh land laws. Also aims to understand the concept of ejectment, mutation, and lease. This course helps to explain the powers of Civil Court related to land dispute and land matters in Uttar Pradesh.

Course Outcome

At the end of the course students will be able to:-

CO1 Analyze the Zamindari and Land reform Act in the State of Uttar Pradesh.

CO2 Apply the rule of succession for female

CO3 Understand the rule of ejectment for tenant holder and bhumidar.

CO4 Know the authorities under Land Revenue Act and apply the procedure of collecting Land Revenue

Unit I: Introduction

Interpretation Clause, Objects and Clause of UP Zamindari Abolition and Land Reforms Act 1950, Characteristics of Act.

Unit II: Classes and Rights of Tenure Holder

Bhumidhar with Transferable Rights, Bhumidhar with Non-Transferable Rights, Asami, Government Lease.

Unit III: Succession

General Order of Succession, Succession as per strips, Critical Approach to Law of Succession, Succession for Females.

Unit IV: Ejectment

Ejectment of Tenure Holder from the Land of Public Utility, Ejectment of Trespasser, Ejectment of Bhumidhar, Ejectment of Asami, Abandonment and Surrender.

Unit V: UP Land Revenue Act, 1901

Authorities under the Act, Procedure of Collecting Land Revenue, Bar on Jurisdiction of Civil Courts, Records of Rights, Mutation and Boundary Disputes.

Leading Cases for Detail Study

*Abdul Saeed And Another Vs State of Uttar Pradesh & Others

*Smt. Mainia Vs Dy. Director Consolidation

*Satyendra Singh Vs State of UP

*Lalsa Vs State of UP

*InduBhushan Vs State of UP

Suggested Reading:

1. MauryaR.R., Uttar Pradesh Land Laws, Central Law Publications, Allahabad.
2. Singh C.P., Uttar Pradesh Land Laws, Central Law Agency, Allahabad.

Interpretation of Statutes

Sub. Code: BLW 424

L – 4, C – 4.

Course Objectives:

To introduce basic rules, principles and the aids of statutory interpretation. To find external aids that has shaped statutory interpretation. To provide in-depth understanding about the nature of statutes and the consequent rules of interpretation applicable. To introduce the presumptions and their application in statutory interpretation. To ascertain the principles, presumptions and canons of construction and to learn their method of operation in varied case laws and interpretation of statutes.

Learning Outcome

By the end of the course the students will be able to:

- CO1 Demonstrate an understanding of the principles and process of statutory interpretation
- CO2 Formulation and development of arguments in support or against given interpretations
- CO3 Compare, contrast and reflect on theoretical concepts underlying the interpretation
- CO4 Apply a range of legal principles and methods to interpret legal instruments

Unit-I:

Meaning and Definition of Statutes — Classification of Statues — Meaning and Definition of Interpretation — General Principles of Interpretation — Rules of Construction under the General Clauses Act, 1897.

Unit-II:

Grammatical Rule of Interpretation — Golden Rule of Interpretation – Rule of Interpretation to avoid mischief.

Unit-III:

Interpretation of Penal Statutes and Statutes of Taxation — Beneficial Construction — Construction to avoid conflict with other provisions — Doctrine of Harmonious Construction.

Unit-IV:

External Aids to Interpretation — Statement of objects of legislation, Legislative debates, identification of purpose sought to be achieved through legislation — Internal Aids to Interpretation — Preamble, title, interpretation clause, marginal notes, explanations etc. — Presumptions.

Unit-V:

Effect of Repeal — Effect of amendments to statutes — Conflict between parent legislation and subordinate legislation — Methods of interpreting substantive and procedural laws.

Suggested Readings:

1. Vepa P. Sarathi: *Interpretation of Statutes*, Eastern Book Co, 4th Edition, 1976.
2. Chatterjee: *Interpretation of Statutes*.
3. G.P. Singh: *Principles of Statutory Interpretation*, Wadhwa and Company, 8th

Ed., 2001.

INFORMATION TECHNOLOGY LAW

Sub. Code: BLW 425

L -4, C -4

Course Objectives: The course aims to gain an understanding of the underlying philosophy of cyber law and its relation to information technology. It facilitates an overall understanding on needs for regulation of information technology in India. Basic idea of information technology acquaint with E-Commerce. This course also gives an overview of legal challenges arising out of privacy issues and awareness about the various kinds of cyber crimes and legal issues and cases.

Course Outcome

At the end of the course students will be able to:-

CO1 Apply the provisions of Information Technology Act

CO2 Identify the need for regulation of Information technology and various regulatory models.

CO3 Evaluate as against others the interface between different human rights instruments and challenges faced by information technology.

CO4 Analyses the laws related to Intellectual Property Right and Technology Law

CO5 List out the legal challenges of the information society and the different forms of cyber crimes.

Unit-I

Concept of Information Technology and Cyber Space- Interface of Technology and Law - Jurisdiction in Cyber Space and Jurisdiction in traditional sense - Internet Jurisdiction - Indian Context of Jurisdiction - Enforcement agencies - International position of Internet Jurisdiction - Cases in Cyber Jurisdiction

Unit-II

Information Technology Act, 2000 - Aims and Objects — Overview of the Act – Jurisdiction - Electronic Governance – Legal Recognition of Electronic Records and Electronic Evidence - Digital Signature Certificates - Securing Electronic records and secure digital signatures - Duties of Subscribers - Role of Certifying Authorities - Regulators under the Act - The Cyber Regulations Appellate Tribunal - Internet Service Providers and their Liability – Powers of Police under the Act – Impact of the Act on other Laws .

Unit-III

E-Commerce - UNCITRAL Model - Legal aspects of E-Commerce - Digital Signatures - Technical and Legal issues - E-Commerce, Trends and Prospects - E-taxation, E-banking, online publishing and online credit card payment - Employment Contracts - Contractor Agreements, Sales, Re-Seller and Distributor Agreements, Non-Disclosure Agreements- Shrink Wrap Contract ,Source Code, Escrow Agreements etc.

Unit-IV

Cyber Law and IPRs-Understanding Copy Right in Information Technology - Software - Copyrights vs Patents debate - Authorship and Assignment Issues - Copyright in Internet - Multimedia and Copyright issues - Software Piracy –Patents - Understanding Patents -

European Position on Computer related Patents - Legal position of U.S. on Computer related Patents - Indian Position on Computer related Patents –Trademarks - Trademarks in Internet - Domain name registration - Domain Name Disputes & WIPO -Databases in Information Technology - Protection of databases - Position in USA,EU and India

Unit-V

Cyber Crimes - Meaning of Cyber Crimes – Different Kinds of Cybercrimes – Cybercrimes under IPC, Cr.P.C and Indian Evidence Law - Cybercrimes under the Information Technology Act,2000 - Cybercrimes under International Law - Hacking Child Pornography, Cyber Stalking, Denial of service Attack, Virus Dissemination, Software Piracy, Internet Relay Chat (IRC) Crime, Credit Card Fraud, Net Extortion, Phishing etc - Cyber Terrorism - Violation of Privacy on Internet - Data Protection and Privacy

Suggested Readings:

1. Kamlesh N. & Murali D. Tiwari (Ed), *IT and Indian Legal System*, Macmillan India Ltd, New Delhi
2. K.L. James, *The Internet: A User's Guide* (2003), Prentice Hall of India, New Delhi
4. Chris Reed, *Internet Law-Text and Materials*, 2nd Edition, 2005, Universal Law Publishing Co., New Delhi

**PROFESSIONAL ETHICS AND PROFESSIONAL
ACCOUNTING SYSTEM**

Sub. Code: BLW 426

L -4, C -4

Course Objective

Ethics are an integral part of every profession. Every profession has certain peculiar codes of conduct and well defined norms. Advocacy being a profession of immense social relevance, and its significance role in the justice delivery system makes it unique profession in itself and therefore it is highly desired that this profession be carried on ethically. This paper aims at appreciating the duties of Advocates as well as the Bar Bench relation. Designed to be taught with the assistance of practitioners, it will impart the students their role and responsibilities as professionals.

Course Outcome

At the end of the course Students will be able to:-

CO1 Conduct themselves according to the ethical rules that guide advocate's practice.

CO2 Critically analyze the ethical rules and law of contempt of the court.

CO3 Students will be able to identify ethical issues and dilemmas in realistic scenario as to propose well reason and articulated resolution to do issues and dilemmas.

The written examination of this second clinical paper will be for 60 marks and the remaining 40 marks for record and *viva voce*. There shall be classroom instruction on the following topics:

Unit-I: Development of Legal Profession in India — The Advocates Act, 1961 — Right to Practice — a right or privilege? - Constitutional guarantee under Article 19(1) (g) and its scope — Enrolment and Practice — Regulation governing enrolment and practice — Practice of Law — Solicitors firm — Elements of Advocacy.

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

Unit-III: Disciplinary proceedings — Professional misconduct — Disqualifications — Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings —Disciplinary Committees -- Powers and functions - Disqualification and removal from rolls.

Unit-IV: Accountancy for Lawyers — Nature and functions of accounting — Important branches of accounting — Accounting and Law – Bar Bench Relations.

Record (30 marks): Each student shall write 50 selected opinions of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court of India in the Record. The Record shall be evaluated for 30marks by the teacher concerned. The Records of the students duly certified by the University Representative appointed by the Controller of

Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University before the commencement of the theory examinations.

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

Note: All the three components of the paper (written examination, submission of record and attendance in viva) shall be compulsory.

Suggested Readings:

1. Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
2. Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
3. Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Allahabad Law Agency.

Environmental Law

Sub. Code: BLW 511

L – 4, C – 4.

Course Objectives

The Environmental law programme has certain characteristics which make it unique and is one of the best instruments for breaking the ice of colonial legal education.

Course Outcome

At the end of the course, students will be able to -

CO1 Explain the constitutional foundation of environmental law.

CO2 Apply the principles of sustainable development in environmental law.

CO3 Analyze the issues related to environmental conservation and biodiversity before the green tribunal

CO4 Apply the National Green Tribunal Act, 2010 and approach NGT where there is environmental matter

Unit-I

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

Unit-II

Common Law remedies against pollution - trespass, negligence, and theories of Strict Liability & Absolute Liability - Relevant provisions of I.P.C. and Cr.P.C. and C.P.C., for the abatement of public nuisance in pollution cases - Remedies under Specific Relief Act - Reliefs against smoke and noise - Noise Pollution.

Unit-III

The law relating to the preservation, conservation and protection of forests, wild life and endangered species, marine life, coastal ecosystems and lakes etc. - Prevention of cruelty towards animals - The law relating to prevention and control of water pollution - Air Pollution - Environment pollution control mechanism - Law relating to environment protection – National Environmental Tribunal and National Environmental Appellate Authority-BIO-DIVERSITY-Legal control, Convention on Biological Diversity, 1992, Biodiversity Act, 2002 Control of eco-unfriendly experimentation on animals, plants, seeds and micro organism.

Unit-IV:

Art. 48A and Art. 51A(g) of the Constitution of India - - Constitutional making - development and property-oriented approach, Directive principles, Status, role and interrelationship with fundamental rights and fundamental duties, Fundamental Duty, Judicial approach, Fundamental Rights, Rights to clean and healthy environment, Environment v. Development-Right to wholesome environment - Right to development - Restriction on

freedom of trade, profession, occupation for the protection of environment - Immunity of Environment legislation from judicial scrutiny(Art.31C) - Legislative powers of the Centre and State Government - Writ jurisdiction - Role of Indian Judiciary in the evolution of environmental jurisprudence.

Unit-V

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

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. MaheshwaraSwamy, *Environmental Law*, Asia Law House,Hyderabad.

ADMINISTRATIVE LAW

Sub. Code: BLW 512

L – 4, C – 4.

Course Objective

This course is designed to serve as a general introduction to jurisprudence – the philosophy of law. During the semester, we will consider the philosophical nature of law, legal reasoning and argument, legal rights, as well as justice and equality under the law. For theory, we will read a mix of classic and modern jurisprudential texts. Applying theory to practice, we will also engage in a series of case studies examining major Supreme Court that turn on deeper jurisprudential debates. The course should also give students an opportunity to think carefully about the values that ought to underpin a country's legal system.

Course Outcome

By the end of this course, successful students will be able to:

CO1 Explain the differences between the different schools of jurisprudence concerning the nature of law;

CO2 Identify the major and minor premises of legal arguments and analyse legal debates using appropriate rhetorical vocabulary;

CO3 Invent and defend arguments about the requirements of justice in legal disputes that reference and extend the themes of the course.

CO4 Devise a correct way of handling the legal problem

Unit-I:

Movement from Laissez-faire to a Social Welfare State. Nature, Scope and Development of Administrative Law. . Droit Administratif.

Nature and scope of Administrative Law — Meaning, Definition and Evolution of Administrative Law—Reasons for the growth of Administrative Law — Relationship between Administrative Law and Constitutional Law.

Unit-II:

Basic concepts of Administrative Law — Rule of Law — **Interpretation** of Dicey's Principle of Rule of Law — Modern trends - Theory of Separation of Powers — Position in India, UK and USA

Unit-III:

Classification of Administrative functions — Legislative, Quasi-judicial, Administrative and Ministerial functions — Delegated Legislation — Meaning, Reasons for the growth and Classification of delegated legislation, constitutionality of delegated Legislation; Retrospective delegated legislation — Judicial and Legislative Control of Delegated litigation.

Unit-IV:

Judicial Control of Administrative Action - Grounds of Judicial Control — Principles of Natural Justice- Rule against bias and right of fair hearing, *Audi Alteram Partem*, Reasoned decisions, Administrative discretion and its control.

Nature of Tribunals- Constitution, Powers, Procedures, Rules of evidence, Administrative Tribunals, Institutional Decisions

Unit-V:

Remedies available against the State — Writs — Ombudsman : its origin, developments, nature and purpose; Lokpal and Lok Ayukta — Liability of the State in Torts and Contracts — Rule of Promissory Estoppel — Administrative Tribunals - Commissions of Inquiry — Public Corporations- their nature, liability, constitutionality and controls of statutory. Central Vigilance Commission, legitimate expectation;

Suggested Readings:

1. Griffith and Street: *Principles of Administrative Law*.
2. H.W.R.Wade: *Administrative Law*, Oxford Publications, 8th Edn. 2000, London.
3. De Smith: *Judicial Review of Administrative Action*, Sweet and Maxwell, 1998.
4. S.P. Sathe: *Administrative Law*, Butterworths, 6th Edn. 1998.
5. I.P.Massey: *Administrative Law*, Eastern Book Company, 5th Edn. 2001.

INDIAN FEDERALISM

Sub. Code: BLW 513

L – 4, C – 4.

Course Objective:

This paper aims at giving the students an insight into the federal structure as envisaged in the Constitution of India and focuses upon educating them about the Legislative, Administrative and Financial relations between the Centre and the States.

Course Outcome:

This course aims at making the students familiar with the historical background of and the nature of federalism in India.

CO1 It also gives an understanding of the different forms of Constitutions.

CO2 It enables the students to understand the judicial perspective over the Indian federalism.

CO3 The course also aims at enabling the student to understand the legislative, administrative and financial relations between the Union and the States.

CO4 It shall help the students to understand the principles of interpretation of various lists and the doctrines in relation thereto.

CO5 The students will be familiarised with the Services under the Union and the States and also the emergency provisions under the Constitution of India.

Unit-I: Federalism

1 What is a federal government?

2 Difference between confederation and Federation

3 Condition requisites for federalism

4 Patterns of Federal Government – USA, Australia, Canada and India

Unit-II: Union – State Financial Relations

- 1 Centre- State relations
- 2 Factors responsible for sub-ordination of States
- 3 Distribution of Fiscal Power - Scheme of Allocation of taxing - Extent of Union Power of Taxation - Residuary Power- inclusion of fiscal power
- 4 Restriction of fiscal power - Fundamental Rights - Inter-Government tax immunities - Difference between tax and Fee
- 5 Distribution of Tax Revenue
- 6 Borrowing power of the State
- 7 Planning and Financial Relations

Unit- III: Legislative Relations

- 1 Territorial Jurisdictions
- 2 Distribution of Legislature powers
- 3 Principles of Interpretations
- 4 Repugnancy
- 5 Residuary Power
- 6 Parliamentary Legislation in the State field
- 7 Distributions of powering other Federations, Canada, USA, Australia

Unit-IV: Administrative Relations

- 1 Distribution of Executive Power
- 2 Central- State Administrative Co-ordination
- 3 Power to carry on Trade
- 4 States not to impede the Centre
- 5 Centre's Directives to the States

Unit- V: Local Government Administration

- 1 Concept of local government - Aims and objectives of local government
- 2 Local government in historical perspective
- 3 Categories of local government - organizational set up of local government
- 4 Powers of local government - taxing, prosecuting, advising, legislative, judicial and summary.
- 5 State - local government relation - judicial control of local government

Suggested Readings:

- Austin, Granville, The Indian Constitution: Cornerstone of a Nation
- Dicey, A V, An Introduction to the study of the Law of the Constitution,
- Federalism: A Foreword, 86 Yale Law Journal 1019 (1977)
- Seervai, H.M., Constitutional Law of India

COMPARATIVE CONSTITUTION

Sub. Code: BLW 514

L – 4, C – 4.

Course Objective:

The course intends to provide a comparative study and analysis of the forms of Government; organization of Legislature, Executive and Judiciary and their powers in the perspective of Indian polity. Further, it aims at providing an understanding of the evolution of 'Rights' in three major democracies and their impact on the concept of 'right' in India.

Course Outcome:

At the end of the course students will be able to:

- CO1. Explain the significance of comparative constitutional law study;
- CO2. Compare and evaluate the Indian constitutional law with three major constitutional democracies;
- CO3. Compare the working of the judiciary and judicial process in India with three major constitutional democracies;
- CO4. Explain and compare the law-making process in India;
- CO5. Analyze the constitutional foundation of functioning of the government in major democracies;
- CO6. Demonstrate an understanding of the growth of the concept of 'Right' across democracies and Construct a theory of government.

UNIT-I CONSTITUTION & CONSTITUTIONALISM

- Constitution: Concept, Nature and Importance of Constitution-Evolution of Constitutional Values-Requisites of Ideal Constitution-Historical Evolution of Constitutional Government
- Constitutionalism: Concept-Evolution-Limitations on Government Power, Constitutional Supremacy-Separation of Power

UNIT-II COMPARATIVE CONSTITUTIONS

- Scope of Comparative Constitutional Law: Need for Comparative Study of Constitutional Law in Constitution Making
- Types of Constitutions: Written Constitutions-U.S.A, Canada, Australia and India; Unwritten Constitutions-England

UNIT-III JUDICIAL REVIEW & CIVIL RIGHTS • Judicial Review-Fundamental Rights; Writ Jurisdiction-A Comparative Study • Civil Liberties/Rights: Structure-Enforcement-Individual Rights-Group Rights-National Security

UNIT-IV FEDERALISM

- Federalism: Concepts of Federalism and Federal Government-Conditions Essential for Federalism; Patterns of Federal Government: U.S.A, Australia, Canada and India
- New Trends in Federalism: Cooperative Federalism-Political factors Influencing Federalism, Central Control v. State Autonomy-Dynamics of Federalism

REFERENCES-

1. M. P. Jain: Indian Constitutional Law, LexisNexis India, Gurgaon.
2. M. P. Singh: V.N Shukla's Constitutional Law, Eastern Book Company, Lucknow.
3. D. D. Basu: Comparative Constitution Law, LexisNexis India, Gurgaon.
4. D. D. Basu: Introduction to the Constitution of India, Lexis-Nexis, New Delhi.

Gender Justice and Feminist Jurisprudence

Sub. Code: BLW 515

L – 4, C – 4.

UNIT-I Concept of Gender Justice and Feminist Jurisprudence; United Nations and Human Rights of Women, Universal Declaration of Human Rights, 1948; Convention on Elimination of All forms of Discrimination Against Women, 1979; Declaration on Elimination of Violence Against Women, 1993. Leading Case: Vishakha v. State of Rajasthan AIR 1997 SC 3011

UNIT-II Constitutional Safeguards for the Protection of Women – Right to equality, Right to life and personal liberty, Right against exploitation, Directive Principles of State Policy, Protection of Women from Sexual Harassment at Workplace, National Commission for Women- Composition, Powers and Functions.

Leading Case: Air India v. Nargesh Mirza AIR 1981 SC 1929

UNIT-III The Dowry Prohibition Act, 1961- Definition of Dowry, Penalty for giving, taking and demanding dowry; Ban on advertisement; Dowry for the benefit of the wife or her heirs; Cognizance of offences; Dowry prohibition officers; Dowry Prohibition (Maintenance of Lists of Presents to the Bride and Bridegroom) Rules, 1985; The Protection of Women from Domestic Violence Act, 2005 – Definition of Domestic Violence, Powers and duties of Protection Officers, Service Provider etc.; Procedure for obtaining orders of reliefs. Leading Case :S.R. Batra v. Taruna Batra, AIR 2007 SC 1118.

UNIT-IV The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994- Preliminary regulation of genetic counseling centers, Genetic laboratories and genetic clinics; Regulation of pre-natal diagnostic techniques; Central

Supervisory Board; Appropriate authority and Advisory Committee; Offences and Penalties. Protection of Women under Immoral Traffic (Prevention) Act 1956 – an Overview Leading Case: Centre for Enquiry into Health and Allied Themes (CEHAT) and others v. Union of India and others, (2001) 5 SCC 2007.

Suggested Readings

1. Paras Diwan: Law relating to Dowry, Dowry Death, Bride Burning, Rape and Related Offences.
2. J.N. Pandey: Constitutional Law of India
3. V.N. Shukla: Constitution of India
4. Tripathi and Arora: Law Relating to Women & Children
5. Devender Singh: Human Rights, Women and Law
6. Shobha Sexena: Crimes against Women and Protective Laws
7. Indira Jaisingh: Handbook on Law of Domestic Violence
8. Indira Jaisingh: Pre-conception & Pre-Natal Diagnostic Techniques Act: Users Guide to the Law
9. Anjani Kant: Law relating to Women and Children
10. Mamta Rao: Law Relating to Women and Children
11. A.S. Anand: Justice for Women: Concerns and Expressions.

JUDICIAL PROCESS

Sub. Code: BLW – 522

L-4, C-6

UNIT I. Nature of judicial process – Judicial process as an instrument of social ordering – Tools and techniques of judicial creativity and precedent- ratio decidendi and obiter dictum – method of determining ratio decidendi – stare decisis and exceptions – precedents in common law and civil law countries.

UNIT II. Logic and growth in law both under code system and common law – judicial discretion in judicial reasoning – varieties of judicial and juristic activism – problem of accountability and judicial law making.

UNIT III. Judicial process in India – search for the legislative intention – method of judicial interpretation – the independence of judiciary and the political nature of judicial process - institutional liability of courts – Indian debate on the role of judges and on the notion of judicial review.

UNIT IV. The judge as legislator – conscious and sub conscious elements in the judicial process social philosophy of the judges and its impact on judicial divisions – committed judiciary. 5. Judicial creativity vis-a-vis the constitution, legislation and precedents- limitation on judicial decision making – Theories Equivalence theories – Dependence theories – Independence of justice theories.

Select Bibliography: 1. Julius Stone – The Province and Function of Law (2000), Universal, New Delhi. 2. Cardozo – The Nature of Judicial Process (1995), Universal, New Delhi.

3. Henry J. Abraham – the Judicial Process (1998), Oxford.

4. Julius Stone – Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworth.
5. W. Friedmann – Legal Theory (1960), Stevens, London.
6. U. Baxi – the Indian Supreme Court and Politics (1980), Eastern, Lucknow.
7. Julius Stone – Social Dimensions of Law and Justice (1966) Chapter 1,6,7.
8. Rupert Cross – Precedent in English Law (1968).
9. Allen – Law in the making (1963) Chapters 3,4.
10. N.K. JayaKumar – Judicial Process in India.

RIGHT TO INFORMATION & ELECTION LAW

Sub. Code: BLW – 523

L-4, C-6

UNIT-I: RTI Act

Definitions, Nature and Scope of Right to Information Act. Right to Information and Obligations of Public Authorities. The Central and State Information Commission, its Powers and Functions. Appeal and Penalties.

UNIT-II: Meaning and Concept of Election and Election Dispute

- a. Challenge to Election: Whom and How to Make
- b. Forum for filing Election Petition
- c. Parties to Election Petition
- d. Contents of Election Petition
- e. Grounds of Challenge to Election
- f. Trial of Election Petition
- g. Recriminatory Petition
- h. Withdrawal, Abatement and Appeal
- i. Election to President and Vice President
- j. Composition and Powers of Election Commission (Part XV-Article 324-329 of the Constitution of India)

UNIT-III: Qualification and Disqualification of Candidates

- a. Meaning and Distinction Between Qualification and Disqualification
- b. Qualifications and Disqualifications Provisions under Indian Constitution and the Representation of Peoples' Act, 1951
- c. Office of Profit
- d. Government Contract

- e. Disqualifications on Convictions under the Representation of Peoples' Act, 1951
- f. Anti-Defection Law

UNIT-IV: Nomination (Sections 30-39, s100(1)(c), s100(1)(d) of the Representation of Peoples' Act, 1951

- a. Meaning of Valid Nomination
- b. Procedure for Filing of Nomination Security Deposits etc.
- c. Grounds of Rejection of and Withdrawal of Nominations
- d. Voter's Right to Know Antecedent of the Candidates
- e. Recognition of Political Parties and Election Symbols

UNIT-V: Corrupt Practices

- a. Meaning and Distinction between Corrupt Practices and Electoral Offences
- b. Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc.
- c. Needs of Educational Qualification for Candidates
- d. Criminalization of Politics
- e. Election Expenses
- f. Model Code of Conduct
- g. Use of Government/Private Electronic Media and Social Media by Political Parties
- h. Opinion and Exit Polls
- i. Defacement of Public and Private Properties
- j. Reservation for Women in Parliament and State Legislatures

Textbooks:

1. V.S. Rama Devi & S.K. Mehendiratta, *Election Law, Practice and Procedure*, Butterworths Publishers, 2013
2. P.C. Jain & Kiran Jain, *Election Law and Practice*, Chawla Publishers, 2012

HEALTH LAW

Sub. Code: BLW – 524

L-4, C-6

Course Objective:

Course Outcome:

Unit – I: Introduction to Health Care Law

1. Interrelation between law and Health Care Protection
2. Constitutional Protection about Health Care
3. National Health Care Policy
4. National Health Care Plans

Unit – II: Global Health Care Protection

1. WHO and Its Role
2. Sustainable Health and Millennium Development Goal
3. Global Health Policy
4. Health Care Tourism

Unit-III: Clinical Investigation Laws

1. Transplantation of Human Organs Act
2. Blood Transfusion Act
3. Medical termination of Pregnancy Act
4. Natal Diagnostic Techniques Regulation and Prevention of Miscarriage Act
5. Drugs and Cosmetics Act

Unit – IV: Medical Negligence and Malpractices

1. Ingredients
2. Role of consent in medical practice
3. Error of judgment and gross negligence
4. Wrongful diagnosis and negligent diagnosis

Unit – V: Remedies for Medical negligence

1. Law of Torts
2. Law of Crimes
3. Consumer Protection Law

Suggested Readings

1. Vijay Malik – Drug and Cosmetic Act, Verghees Publishing Agency, Mumbai
2. Anoop K. Kaushal – Medical Negligence & Legal Remedies, Universal Law Publication, Delhi
3. Dr. Jagdish Singh – Medical negligence Compensation, Jain Book Agency, Delhi

MEDIA & LAW

Sub. Code: BLW – 525

L-4, C-6

Course Objective:

Mass communication from the days of printing press has played a very important role in the formation of public opinion. Advancement in science and technology has changed the scope and dimensions of mass communication. ICT has created digital era for us. While there are definite benefits from these technologies, the experience shows that these technologies can be abused to harm the interests of the society. The course aims to provide basic understating of the evolution and existence of various facets of media and the legal regime in place to regulate its content and matters incidental to it.

Course Outcome:

At the end of the course :

CO1 The students will be equipped to appreciate the philosophical justification for the protection of free speech right.

CO2 It also will enable the students to understand the fundamental aspects of protection of reputation, to analyze the legal nitty-gritty of media and how their activities can result in a breach of privacy in its various hues.

CO3 It can also make the students understand the requisite conceptual as well as statutory provisions pertaining to media, ethics and adjudication.

Unit-I:

Mass Media- Types of –Press, Films, Radio and Television Ownership patterns-Press-Private-Public Ownership patterns-Films-Private Ownership patterns-Radio and Television, Difference between visual and non-visual Media- impact on People’s minds. Role of Internet as Mass media

Unit-II:

Press-Freedom of Speech and Expression-Article 19 (1) (a) Includes Freedom of the Press, Laws of defamation, obscenity, blasphemy and sedition, The laws relating to employees’ wages services conditions, Price and Page Schedule Regulation, Newsprint Control Order, Advertisement is it included within freedom of speech and expression, Press and the Monopolies and Restrictive Trade Practices Act

Unit –III:

Films-How far included in freedom of speech and expression, Censorship of films-constitutionality, The Abbas Case, Difference between films and press-why pre-censorship valid for films but not for the Press, Censorship under the Cinematography Act

Unit-IV:

Radio and Television-Government monopoly- Why Government Department? Should there be an autonomous corporation? Effect of Television on People, Report of the Chanda Committee, Government Policy. Commercial Advertisement, Internal scrutiny of services, etc. Judicial Review of Doordarshan decisions: Freedom to telecast.

Unit-V:

Constitutional restrictions, Radio and television subject to law of defamation and obscenity, Power to legislate-Article 246 read with the Seventh Schedule. Power to impose tax-licensing and license fee.

Selected Bibliography:

1. M.P.Jain Constitutional Law of India (1994) wadhwa
2. H.M.Seervai, Constitutional Law of India Vol.1 (1991) Tripathi, Bombay.
3. John B.Howard, “The Social Accountability of Public Enterprises” in Law and Community Controls in New Development Strategies (International Centre for Law in Development 1980) .

AIR AND SPACE LAW

Sub: Code – BLW – 526

L4, C4.

Course Objective

- 1.To appreciate the necessity for a separate discipline on space law.
- 2.To introduce students to the limitations and liabilities of state parties in exploration of outer space.
- 3.To realize the outer space is a limited natural resource to be explored in sustainable Manner.
- 4.Comparison of the space legislation of various nations.
5. Explore the economic opportunities in outer space and the role of private participants.

Course Outcome

At the end of the semester

CO1 The students will have full-fledged knowledge in the subject, particularly basic principles of space law and governance.

CO2 It helps the students also to understand the growing significance of transnational law and institutions, which undermine the nation - states and their sovereignty.

CO3 Understanding this phenomenon is of greater importance for the students of law in the age of globalization.

Unit-I Nature and Historical Development of Air and Space Law - Sovereignty over air space, Theories regarding air spaces, Role of space law in International System. Aerial Navigation, Paris Convention on Aerial Navigation, 1919.

Unit-II Havana Convention, 1928; Warsaw Convention, 1929; Chicago Convention on International Civil Aviation, 1944; Aircraft Hijacking- Meaning and Definition of Hijacking, Universal Jurisdiction in respect of crime of Hijacking.

Unit-III Outer Space- Meaning and Scope; Outer Space Treaty; Vienna Conference on the Exploration and Peaceful use of Outer Space, Demarcation between Air Space and Outer Space

Unit-IV Arms Control in Outer Space; Strategic Arms Limitation Treaty (SALT); Aero Space Weapons: Causes, Growing threats from Sophisticate Weapons; International Cooperation in Outer Space.

Suggested Readings

- 1.Bhatt, S: Studies in Aerospace Law
- 2.Kapoor S.: Public International Law
- 3.Nicolas: Legal Implication Remote Sensing from Outer Space
- 4.Tandon, M.P.: Public International Law
5. Harris, D.J: Cases and Material of International law

CRIMINOLOGY AND PENOLOGY

Sub: Code – BLW – 527

L4, C4.

Course Objective

The course will help students to understand the policy of criminal law. The course focuses on how criminal law has adapted and evolved to deal with deviant behaviours which are a systematic study within the scope of sociology and psychiatry. It will also help the students to have a greater understanding of social costs of crime and the effective ways of lessening them. Penology offers a specialist understanding of criminal policies including theories of punishment, and prison reform. The victim has traditionally been ignored as component of the crime. Hopefully victimology will provide the student with an insight into not only how important the victim is to an investigation, but why they are important in the overall scheme of the crime, which will shift the study from accused centric approach to much needed victim centric approach.

Course Outcome

After completion of this course, students will be able to understand:

CO1 The scientific study of criminology and concept of law relating to it and concept of law relating to it. Apart from these general principles in Criminology equally important place of criminal law in criminal science, nature and functions of criminal law.

CO2 The behaviour of the juveniles involved in crimes for and the law which govern them in a better manner.

CO3 The clarity about logical structure of crime prevention and its implementation with judicial pronouncements.

CO4 The administration of criminal justice system in India with critical analysis of legislative provisions along with its practical implementation.

CO5 The importance of the victim for an investigation and why they are important in the overall scheme of the crime. The reasons for slow development of victim scheme since its inception from 2010 in the Criminal Procedure Code-1973.

CO6 The theoretical aspects of punishment give clarity to the students about the nature and purpose of punishment. Its proportionality with the crime and analysis of its deterrent effect on the criminals.

Unit – I: Understanding Crime

a. Crime: Definition and Concept

b. Causal approaches to explanations and difficulties of applications of causal analysis to human behaviour

c. Specific Theories: Biophysical explanations, Psychodynamic approaches, Social learning theories of Crime causation, Social learning through sub-cultures of deviance, Social disorganization theories, and Economic approaches The Constitutional School of Criminology, Lombroso and others, Hereditary and mental retardation as causes of Crime, Sociological theories Anomies, Modern Sociological Theories:

Sutherland's differential Association theory, Reckless Social vulnerable theory. Multiple Causation Theories

Unit – II: Deviations

- a. Legislation
 - b. Treatment
 - c. Judicial Approach
- Socio-Economic Crimes
- a. White collar crimes
 - b. Drug Abuse

Unit – III: Punishment

- a. Theories of Punishment: Deterrent, Retributive, Preventive and Reformative
- b. Alternatives to imprisonment: Probation, Open jail, Parole etc.
- c. Prison reform and the Judicial Response
- d. Capital Punishment

Unit – IV: Victimology

- a. Compensation, Restitution, Assistance and Rehabilitation
- b. Compensation as a mode of punishment
- c. Constitutional perspective of compensation

Textbooks:

1. Sutherland and Crssey – Criminology
2. Ahmed Siddique – Criminology
3. Mrs. Vedkumari – Juvenile Justice

FORENSIC SCIENCES

Sub: Code – BLW – 528

L4, C4.

Course Objective:

Use of science in adjudication is Forensic science. In modern times criminal justice scenario, the traditional sources of proof which go on to include approvers, eyewitness have gone away. The trials take just too long to keep the witnesses from turning hostile and the criminals are turning cleverer and more scientific. Due to new developments in the field of science, it is important for the law to keep on the technology and use it for its benefit. It is important that the prosecution agencies rely on something more authentic, more concrete and more productive in terms of convictions without the police having to resort to the methods which not only violate fundamental human rights but also fail to produce positive results most of the time. There has to be something that is available, hence, not prone to the whims of the witnesses.

Course Outcome:

CO1 Students will get the idea of the origin of the concept of forensic sciences and how these techniques are being used for the evidences across various courts in India.

CO2 Students will be able to relate the various forensic techniques used in crime scene investigation, how the samples are collected and how these tools and techniques of forensic science has helped in solving high profile cases.

CO3 Students come to know about the various forensic tools available for forensic investigation and how these techniques are used in the criminal investigation. It will also contain case studies as to how these investigations are carried out by the Police and Forensic investigators.

CO4 Students will know about the various techniques of interrogation used by the forensic experts as traditional third-degree methods are old school and how the new techniques are being used for resolving disputes.

UNIT-I

Objective and Introduction

Legal Procedure in Criminal Courts: Criminal Courts & their powers, Examination in Chief, Cross Examination, Re-Examination, Court Questions.

Evidence-(a) Documentary Evidence: Medial Certificates, Medico-Legal Reports, Dying Declaration, Death Certificate. (B) Oral Evidence: Dying Declaration-Deposition of a Medial Witness taken in a Lower Court.

UNIT-II

Personal Identity: Definition, Race, Sex Determination, Anthropometry, Dactylography, Footprints, Scars, Deformities, Tattoo Marks, Occupational Marks, Handwriting, Clothes Personal Articles, Speech & Voices, DNA, Finger Printing Gait.

Post-mortem Examination: Objectives, Rules, External Examination, Internal Examination, Cause of Death

Examination of the Biological Stains & Hairs: Blood, Semen, Saliva Stains, Hairs & Fibers

UNIT III

Death and its Medico-Legal Aspect-Definition, Mode of Death, Sudden Death, Sign of Death, Time since Death, Presumption of Death, Presumption of Survivorship

Deaths from Asphyxia: Introduction, Hanging, Strangulation, Suffocation, Drowning.

Injuries by Mechanical Violence: Introduction, Blows & Contusions, Abrasions, Wounds, Introduction to Firearms & ammunitions

Medico-Legal aspect of Wounds: Nature of injury, Examination of Injured Persons, Cause of Death from Wounds, Power of Volitional, Acts after receiving a Fatal injury, Difference between wounds inflicted during life & after

Difference between Suicidal, Homicidal & Accidental Wounds

UNIT IV

Insanity in its Medico-Legal Aspect: Introduction, Cause of Mental ill Health, Indication of Mental Health, Classification of Mental Diseases, Feigned Mental ill health, Criminal Responsibility

Torture & Medicine: Introduction & Definition, Reasons for Torture, Types of Torture, Medico- Legal Aspects of Torture, Post-mortem Detection of Torture.

Toxicology: Law relating to Poisons, Action of Poisons, Asphyxiates (Irrespirable Cases), Carbon di-Oxide, Carbon Mono-Oxide, War Gases

Book

Modi: Medical Jurisprudence

INTERNATIONAL CRIMINAL LAW

Sub: Code – BLW – 529

L4, C4.

Course Objective:

International Criminal Law (ICL) is a subset of Public International Law that deals with the trial and punishment for international crimes. Quite different from public international law, ICL focuses on individuals and the concept of individual criminal responsibility. Individual criminal responsibility has to do with establishing the guilt of an individual as a partaker in the commissioning of international crimes. Undoubtedly, *mens rea* and *actus reus* play a crucial role in the establishing of guilt of individuals in international crimes. Defenses to criminal intent also play a crucial role in confirmation of the indictment against the accused. The procedure towards conducting a criminal trial before an ordinary national court is very much the essence of international criminal court/ tribunals also. The purpose of this course is to provide an insight into the distinct features of ICL, the basic principles pertaining to ICL and to understand the working of ICL through International Criminal Court and other fora.

Course Outcome:

CO1 The student will have a clear understanding of the development of and importance of international criminal law.

CO2 The student will be able to identify the sources of international criminal law.

CO3 The student will be able to theoretically perceive the evolution and development of the concept of individual criminal responsibility.

CO4 The student will be able to enumerate and describe in detail the defences to liability under international criminal law.

CO5 The student will have a comprehensive understanding of the crimes of Genocide, Crimes against humanity, War crimes and aggression.

CO6 The learner will have an understanding of the procedures of the ICC

Unit-I Introduction and General Features of International Criminal Law; Sources of International Criminal Law; General Principles of International Criminal Law; The Principle of Individual Criminal Responsibility; The Principle of Legality of Crimes; The Principle of Legality of Penalties

Unit-II International Crimes: War crimes; Crimes against Humanity; Genocide; Torture as a Discrete Crime and Aggression; Terrorism as an International Crime;

Unit-III Circumstances Excluding International Criminal Liability: Justification and Excuses Other Excuses: Superior order, Necessity, Duress and Mistake Immunities

Unit-IV The Establishment of International Criminal Tribunals Nuremberg and Tokyo Trial Criminal procedures of ICTY, ICTR: Charges, sentencing and penalties International Criminal Court: Origin, Development, Jurisdiction, Admissibility International criminal procedure: focus on the rights of the accused The role of the UN Security Council

Statutory Material 1. Statute of the International Court of Justice
2. Hague Conventions of 1899 and 1907, Geneva Conventions

3. Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Treaty)
4. Rome Statute of the International Criminal Court entered into force on 1 July 2002.

Suggested Readings 1. Fanner, Toni. P: International Criminal Tribunals, ICRC, Switzerland, 2006.

2. ICC- India: International Criminal Court: Conversations with Indian Parliamentarians ICC – India, Mumbai, 2005

3. Albeek, Rosanne Van: Immunity of States and their officials in international Criminal Law and International Human Rights Law, Oxford University Press, New York., 2008.

4. Banerjee, Dipankar: International Criminal Court, KDF, New Delhi, 2006.

5. Bantekas, Llias: International Criminal Law, (ed.) Rout Ledge, London, 2003.

6. Broomhall, Bruce: International Justice and International Criminal Court: Between Sovereignty and the Rule of Law, Oxford University. Press, New York, 2004.

7. Cassese: Rome Statue of International Criminal Court: A Commentary Materials, Oxford University Press, New York, 2002.

8. Dormaan, Knut and Beck, Louise Doswald: Elements of War Crimes under the Rome Statue of the International Criminal Court: Sources and Commentary, Cambridge University, U.K., 2008.

9. International Criminal Court: International Criminal Court: International Criminal Court, Netherlands, 2010.

I T OFFENCES

Sub: Code – BLW – 530

L4, C4.

Course Objective:

The course aims to

1. Gain an understanding of the underlying philosophy of cyber law and its relation to information technology.
2. Facilitate an overall understanding on needs for regulation of information technology in India
3. basic idea of information technology and its relation to other areas focussing on human rights
4. provide profession solutions to real time problems like defamation
5. acquaint with legal challenges arising out of privacy issues
6. awareness about the various kinds of cyber crimes and legal issues and cases

Course Outcome:

At the end of the course students will be able to

CO1 Apply the provisions of Information Technology Act

CO2 Identify the need for regulation of Information technology and various regulatory models.

CO3 Evaluate as against others the interface between different human rights instruments and challenges faced by information technology.

CO4 Analyse the laws related to defamation through information technology

CO5 propose a solution to privacy related issues due to use of computer technology.

CO6 List out the legal challenges of the information society and the different forms of cyber crimes.

UNIT I. Cyber Forensic and Computer Crimes and types. Crimes targeting Computers: Definition of Cyber Crime & Computer related Crimes, Classification & Differentiation between traditional crime and cybercrimes. (a) Data Theft (b) Hacking (c) Spreading Virus & Worms (d) Phishing (e) Cyber Stalking / Bullying (f) Identity Theft & Impersonation (g) Credit card & Online Banking Frauds (h) Obscenity, Pornography & Child Pornography (i) Cyber Defamation, Defacement, (j) Illegal online selling & Gambling (k) Denial of Service Attacks (l) Cyber terrorism (m) Software Piracy & illegal downloading

UNIT II. Reasons for Cyber Crimes: Cyber Criminal Mode and Manner of Committing Cyber Crime. Prevention of Cyber Crimes & Frauds Critical analysis & loopholes of The IT Act, 2000 5. Cyber Crimes: Freedom of speech in cyber space & human right issues

UNIT III. Investigation of Cyber Crimes. Investigation of malicious applications. Agencies for investigation in India, their powers and their constitution as per Indian Laws. Procedures followed by First Responders; Search and Seizure Procedures of Digital Evidence. Securing the Scene, Documenting the Scene, Evidence Collection and Transportation (a) Data Acquisition (b) Data Analysis (c) Reporting

UNIT IV-Regulation of cyber- crimes: Issues relating to Investigation. Issues relating to Jurisdiction. Issues relating to Evidence. Relevant provisions under Information Technology Act, 2000, Indian Penal Code, Pornography Act and Evidence Act etc.

COMPARATIVE CRIMINAL PROCEDURE

Sub: Code – BLW – 531

L4, C4.

Unit I: Organisation of Courts and Prosecuting Agencies

Hierarchy of criminal courts and their jurisdiction, Nayaya Panchayats in India, Panchayats in tribal areas, Organisation of prosecuting agencies for prosecuting criminals, Prosecutors and the Police, Withdrawal of Prosecution.

Unit II: Pre-Trial Procedure

Arrest and questioning of the accused, the rights of the accused, The evidentiary value of statements/articles seized/collected by the police, Right to counsel, Roles of the prosecutor and the judicial officer in investigation

Unit III: Trial Procedure

The accusatory system of trial and the inquisitorial system, Role of the judge, the prosecutor and defence attorney in the trial, Admissibility and inadmissibility of evidence, Expert evidence, Plea bargaining.

Unit IV: Correction and Aftercare service

The role of the court in correctional programmes in India - **Preventive Measures in India:** Provisions in the Criminal Procedure Code, Special enactments

Unit V: Public Interest Litigation:

Directions for criminal prosecution.

Select Bibliography:

1. Vernon Fox - Introduction to Criminology
2. Sutherland and Cressy - Criminology
3. Sethna - Society and the Criminal
4. Ahmad Siddique – Criminology
5. K.D.Gaur – A Textbook on The Indian Penal Code.
6. Videh Upadhyay - Public Interest Litigation In India: Concepts, Cases Concerns 1st Edition
7. S. K Agrawala - Public interest litigation in India: A critique (K.M. Munshi memorial lectures)

8. N.V. Paranjape – Criminology Penology & Victimology.

INSURANCE LAW

Sub: Code – BLW – 532

L4, C4.

Course Objective:

This course is designed to acquaint the students with the principles & practices of insurance law in India. It encompasses all the statutes relating to insurance & is updated with the latest legislative amendments – Insurance Amendment Act, 2015. The different kinds of insurance has been examined in detail in distinct modules. The course largely focuses on the fundamental principles which govern the law of insurance thus enabling the students to have better understanding of the subject. Relevant Case laws, both Indian & English on insurance are dealt in appropriate modules.

Course Outcome:

On the completion of the course students will be able to –

CO1 Explain the basic principles of insurance law.

CO2 Demonstrate knowledge of insurance contracts and provisions, and law relating to life, health, fire, marine and other types of insurance.

CO3 Apply the operation of insurance law in a practical context.

Unit-I General Principles of Law of Insurance: Nature and History of Insurance; Definition: Insurance, Insurable Interest, Premium, Risk and Insurance. Assignment of the Insurance Policy, Preparation of Policy, Conditions of Policy. Life Insurance: Definition, Nature of Life Insurance, Formation of Life Insurance Contract; General Nature of a Contract, Offer & Acceptance, Consideration, Competence of Parties, Legality of the Object, Free Consent of the Parties, Insurable Interest. Utmost Good Faith, Representation and Warranties, Performance of Insurance Contract: Preparation of Policy, Rights of Property in Life Insurance Contract. Leading Case: Reserve Bank of India v. Peerless General Finance and Investment Co., AIR 1987 SC 1023

Unit-II The Life Insurance Corporation of India Act, 1956: Object, Policy, Establishment of L.I.C; Functions of L.I.C; Persons entitled to payment; Settlement of Claim and Payment of Money; Policy holder as a consumer. Leading Case: General Assurance Society Ltd. v. L.I.C. AIR 1964 SC 892.

Unit-III Motor Vehicles Act, 1988: Necessity for Insurance Against Third Party Risk; Requirement of Policies and Limits of Liability; Validity of Policies of Insurance in Reciprocating Countries, Rights of Third Parties Against Insurance on Insolvency of the Insured; Duty to Give Information as to Insurance; Settlement between Insurers and Insured Person; Effect of Death on Certain Causes of Action; Claims Tribunal; Procedure and Powers of Claims Tribunals, Appeals, Recovery of Money from Insurer as arrears of Land Revenue. Leading Case: New India Assurance Co. Ltd. v. Rulia and Others, AIR 2000 SC 1082.

Unit-IV Public Liability Insurance Act, 1991: Nature, Scope and Object, Liability to Give Relief in certain cases on Principles of No Fault (Sec. 3); Duty of Owner to Take Out Insurance Policies (Sec. 4); Verification and Publication of Accident by Collector (Sec. 5); Application for Claim for Relief (Sec. 6); Award of Relief (Sec. 7); Establishment of Environment Relief Fund (Sec. 7 A); Provision as to Other Right to Claim Compensation for

Death (Sec. 8); Powers of Collector (Sec. 9 to 13); Penalty for Contravention (Sec. 14); Penalty for Failure to Comply With Direction (Sec.15); Offences by Companies and Government Departments (Sec. 16, 17). Leading Case: Charan Lal Sahu v. Union of India, AIR 1990 SC 1480.

Statutory Material -The Life Insurance Corporation of India Act, 1956 Motor Vehicles Act, 1988 Public Liability Insurance Act, 1991

Suggested Readings 1. Srinivasan, M.N.: Law and the Life Insurance Contract.

2. Banerjee, B.N.: The Law of Insurance.

3. Jee Bhattacharya: The Life Insurance Corporation Act, 2002.

4. Mishra, M.N.: Law of Insurance, 2000

5. Vats, R.M.: Law Relating to Insurance, rpt, 2001.

6. Murthy & Sharma: Modern Law of Insurance

CORPORATE GOVERNANCE

Sub: Code – BLW – 533

L4, C4.

Course Objective: Corporate governance is the set of processes, customs, policies, laws and institutions affecting the way a corporation is directed or controlled. The emergence of corporate social responsibility affecting all the stakeholders seeks to make the corporations socially responsible. The course aims at providing basic idea about corporate governance and its implications on society and the legal system.

Course Outcome:

At the end of the course, students will be able to -

CO1 Identify the salient features of corporate governance mechanism.

CO2 List out the important aspects with regard to auditors and other statutory compliances that companies have to follow.

CO3 Apply various legal and regulatory restrictions and obligations vis-à-vis the Board and the individual directors.

CO4 Analyse the issues related to the functioning of the corporate system as a mode of business organization.

CO5 Evaluate as against other the OECD principles.

CO6 Propose a solution to the various issues related to Corporate Social Responsibility and its application.

Unit I - Corporate Incorporation and Management

Certificate of Incorporation, Memorandum and Articles of Association, Doctrine of Ultra Vires, Doctrine of Indoor Management.

Directors: Appointment, Removal, Position, Powers and Duties of Directors.

Audit Committee: Its Role. Company Secretary: Qualification, Appointment and Duties.

Officer who is in default: Definition of Officer who is in default. Liability of independent directors. Meetings: Types of Meetings, Procedure of calling meeting, Company's resolutions and its kinds

Unit II - Oppression & Mismanagement and Investigation

(Sections 397 to 408; Sections 235 to 251)

Rule in Foss v. Harbottle, Prevention of Oppression, Prevention of Mismanagement, Role & Powers of the Company Law Board, Role & Powers of Central Government. Company Investigation

Unit III - Corporate Liquidation

Winding up of Companies, Mode of winding up of the companies, Compulsory Winding up under the Order of the Tribunal, Voluntary winding up, Contributories, Payment of liabilities

Unit IV - Corporate Governance and Social Responsibility

Importance of Corporate Governance, Different system of Corporate Governance, Impact of Legal Traditions and the Rule of Law on Corporate Governance, Legal Reforms of Corporate Governance in India, Reports of the various Committees on Corporate Governance,

Emerging Trend based on the recommendation of the Committees in the, Companies Act 1956 and the Listing Agreement with Special reference to Clause 49.

Corporate Social and Environmental Responsibility.

Selected Bibliography:

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

MERGER & ACQUISITION

Sub. Code: BLW- 534

L -4, C -4

Course Objective:

This course commence with an introduction to the law of m&A. It deals with the concepts, reasons and issues in mergers and acquisitions under the corporate legislations. Its further focus is on developing the competency of students to engage in due diligence, taxation and IPR issues in an M&A transaction.

Objectives of the M&A course aims to provide the students

- 1) Basic Understanding of different laws applicable to mergers and acquisitions
- 2) To critically apply the skill of drafting a Scheme of Arrangement(SOA)
- 3) To prepare the process of due diligence
- 4) To learn the methods of preparing an m&A deal.

Course Outcome:

At the end of this course Students will be able

CO1 To identify the specific nature of a corporate restructuring transaction and the legal issues involved in it.

CO2 To develop the skill of drafting an M&A scheme and due diligence of an m&a transaction.

CO3 To develop the skill of structuring an M&A deal.

UNIT I-Mergers and Amalgamations : Concept; legal, procedural, economic, accounting, taxation and financial aspects of mergers and amalgamations including stamp duty and allied matters; interest of small investors; merger aspects under competition law; jurisdiction of courts; filing of various forms; Amalgamation of banking companies and procedure related to Government companies; Cross border mergers.

UNIT II-Takeover: Meaning and concept; types of takeovers; legal aspects - SEBI takeover regulations; procedural, economic, financial, accounting and taxation aspects; stamp duty and allied matters; payment of consideration; bail out takeovers and takeover of sick units; takeover defences; cross border takeovers.

UNIT III- Corporate Demergers and Reverse Mergers: Concept of demerger; modes of demerger - by agreement, under scheme of arrangement; demerger and voluntary winding up; legal and procedural aspects; tax aspects and reliefs; reverse mergers – procedural aspects and tax implications.

UNIT IV-Out of Court Restructuring: Corporate Debt Restructuring Mechanism (CDRM), RBI Guidelines for CDRM and other procedural aspects

UNIT V-Funding of Mergers and Takeovers : Financial alternatives; merits and demerits; funding through various types of financial instruments including equity and preference shares, options and securities with differential rights, swaps, stock options; ECBs, funding through financial institutions and banks; rehabilitation finance; management buyouts/leveraged buyouts.

INVESTMENT LAW

Sub. Code: BLW- 535

L -4, C -4

Course Objective:

1. To encompass the history, development and under the dynamics that led to evolution of international investment law
2. To interpret the provisions of bilateral treaties and to balance between the protection of foreign investors and the right of host States to regulate in order to protect public welfare objectives
3. To introduce the application of international norms relating to international investments, with a close focus on the treaty texts and the arbitral case-law
4. To discover the legitimacy of arbitration tribunals to decide on disputes between host States and foreign investors
5. To provide a critical perspective on the function and future development of international investment law

Course Outcome:

At the completion of this course, it is intended that students who have successfully completed all the course requirements will be able to:

CO1 Relate the history and evolution of international investment law and to comment and evaluate the impact of investment commitments on domestic legal systems

CO2 Investigate and analyse problems, concepts and theories in relation to international investment law, both of customary and treaty nature

CO3 Analyse and explain the application of principles of international investment law in the investor-state arbitration

CO4 Assess the soundness of the decision by distinguishing the parts into decisive legal and factual determinations

CO5 Interpret the provisions of investment treaties and form an own judgment on the benefits and limitations of international investment law and bilateral investment treaties

Unit-I: Investment and Securities Laws

- a. Evolution of Securities and Investment Laws in India
- b. Concept of Securities and Kinds of Securities
- c. Regulatory Framework to Govern Securities in India: The Securities Contracts (Regulation) Act, 1956 - Delisting of Securities; Role of Stock Exchange under It - Powers and Functions under SEBI Act, 1992; The Depositories Act, 1996 - Dematerialisation of Shares

Unit-II: Banks and Securities

- a. Role of Banks to Issue Securities
- b. Changing Functions of Banks from Direct Lending to Modern System of Investment Banking.
- c. Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002: Its Background, Importance, The Debt Recovery Tribunals and Important Case Law

Unit-III: Foreign Investment Laws

- a. Role of the Foreign Exchange Management Act, 1999 to Regulate Foreign Trade -

Difference from FERA, Administration of Exchange Control, Adjudicatory Powers

- b. Foreign Trade (Development & Regulation) Act, 1992
- c. Joint ventures in India and Foreign Collaborations: Concept of Transnational Corporations and Multinational Corporations – UNCTAD model
- d. Foreign Direct Investment, Foreign Institutional Investors: Its Regulatory Mechanism in India, Concept of Special Economic Zone (SEZ)

Unit-IV: The Competition Law in India

- a. Evolution of Competition Law in India, Difference from the MRTP Act
- b. Anti-Competitive Agreements, Vertical and Horizontal Agreements, Predatory Pricing
- c. Abuse of Dominance
- d. Combinations and its Regulations
- e. Powers and Functions of Competition Commission of India, Appellate Authorities, Competition Advocacy.
- f. Brief concept of the Development of Competition Laws in USA and UK

Textbooks:

- 1. Richard Whish & David Bailey, *Competition Law*, Oxford University Press, 2012 (7th Edn)
- 2. Avtar Singh, *Competition Law*, Eastern Book Company, 2012

INTERNATIONAL TRADE LAW

Sub. Code: BLW- 536

L -4, C -4

Course Objective:

- 1.To familiarize students with the process of international and domestic trade procedures.
- 2.To form a base of policy framework in International Trading with special emphasis on India.
- 3.To apprise them of the documentation procedures and its sanctity in Intl' Business.

Course Outcome:

On completion of this course, the students will be able to:

- CO1. Explain the concepts in trade documentation in international business with respect to foreign trade
- CO2. Apply the current business phenomenon and to evaluate the global business environment in terms of economic, social and legal aspects
- CO3. Analyse the principle of international business and strategies adopted by firms to expand globally
- CO4. Integrate concept in international business concepts with functioning of global trade

Unit-I: Introduction of International Trade Law

- a. Economic Theories: -
- i. Mercantilism
 - ii. Adam Smith's Absolute Cost Advantage Theory
 - iii. David Ricardo's Comparative Advantage Theory
 - iv. Hecksher: Ohlin's Factor Endowment Theory
 - v. Raymond Vernon's Product Life Cycle Theory
 - vi. National Competitive Theory (Porter's Diamond)
- b. *Lex Mercatoria* and Codification of International Trade Law
- c. Sources and Principles of International Trade Law

Unit-II: Development of International Trade: GATT, 1947 - WTO 1994

- a. Historical Background of GATT 1947
- b. Uruguay Round and Marrakesh Agreement
- c. GATT 1994
- d. Dispute Settlement Understanding

Unit-III: WTO Agreements (Lectures-10)

- a. Agreement on Agriculture
- b. Agreement on Subsidies and Countervailing Measures
- c. Agreement on Anti-Dumping
- d. General Agreement on Trade in Services

Unit-IV: Contemporary Issues: International Trade and Regionalism

- a. Trade and SAPTA and SAFTA
- b. Trade and Environment
- c. Doha Development Agenda

Textbooks:

1. Raj Bhalla, *International Trade Law: Theory and Practice*, Lexis Nexis, 2001 (2nd

Edn)

101

2. A.K. Kaul, *Guide to the WTO and GATT: Economics, Law and Politics*, Kluwer Law International, 2006

3. Craig VanGrasstek, *The History and the Future of the WTO*, WTO Publications, 2013