

**BHARATH INSTITUTE OF HIGHER EDUCATION AND RESEARCH**

**BHARATH INSTITUTE OF LAW**

No. 173, Agharam Road, Selaiyur, Chennai - 600 073

**LL.B (Hons.)**

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**THREE YEAR DEGREE COURSE**

**SYLLABUS**

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**With SUBJECT CREDITS**

**Applicable for Academic Year**

**2018-19**

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**CREDITS FOR THREE YEAR LL.BHONOURS COURSE**

<b>SL. NO.</b>	<b>NATURE OF SUBJECTS</b>	<b>CATEGORY</b>	<b>NUMBER OF SUBJECTS</b>	<b>SUBJECT CREDIT ALLOTTED</b>	<b>TOTAL CREDIT POINTS</b>
1.	Professional Core	PC	20	4	80
2.	Clinical Core	CC	5	3	15
3.	Professional Elective	PE	5	3	15
4.	Open Elective	OE	1	3	03
5.	Honours Course	HC	8	4	32
6.	Mandatory Course	MC	4	0	00
7.	Practical Training	PT	3	2	06
8.	Functional Training	FT	4	0	00
<b>Total</b>			<b>42</b>	<b>--</b>	<b>151</b>

**Credits:**

Credit defines the quantum of contents/syllabus prescribed for a course and determines the number of hours of instruction required per week. Thus, normally in each of the courses, credits will be assigned on the basis of the number of lectures/ tutorial & Practical works.

Hence, the Credits are assigned on the basis of the Lectures (L) / Tutorials (T) / Practical (P)

- **L - One credit** for **one hour** lecture per week (1 credit course = 15 hours)
- **T - One credit** for **one hour** lecture per week(1 credit course = 15 hours)
- **P - One credit** for every **two hours** of practical (1 credit course = 30 hours)

	<b>Hour</b>	<b>Credit</b>
<b>Lecture (L)</b>	<b>1</b>	<b>1</b>
<b>Tutorial (T)</b>	<b>1</b>	<b>1</b>
<b>Practical (P)</b>	<b>2</b>	<b>1</b>

**\*\*Maximum Total Credits per semester is 21 - 29**

**LL.B (Hons.)**  
**Three Year Degree Course**  
**SUBJECT CREDITS**

<b>FIRST YEAR – I SEMESTER</b>								
S. No.	Subject Code	Category	Subject	Contact Periods	L	T	P	C
<b>THEORY</b>								
1.	U18PCGL101	PC	Law of Contract – I	4	3	1	0	4
2.	U18PCGL102	PC	Law of Torts	4	3	1	0	4
3.	U18PCGL103	PC	Law of Crimes	4	3	1	0	4
4.	U18PCGL104	PC	Family Law – I	4	3	1	0	4
5.	U18PCGL105	PC	Constitutional Law – I	4	3	1	0	4
6.		PE	Elective – I	3	2	1	0	3
<b>PRACTICAL</b>								
7.	U18FTGL101	FT	Court Observation	4	0	0	4	0
8.	U18FTGL102	FT	Prison Observation	2	0	0	2	0
<b>ACTIVITY BASED COURSES</b>								
9.	U18MCGL101	MC	Physical Health – Sports & Games	2	0	0	2	0
<b>TOTAL</b>				<b>31</b>	<b>17</b>	<b>6</b>	<b>8</b>	<b>23</b>

<b>FIRST YEAR – II SEMESTER</b>								
S. No.	Subject Code	Category	Subject	Contact Periods	L	T	P	C
<b>THEORY</b>								
1.	U18PCGL106	PC	Law of Contract – II	4	3	1	0	4
2.	U18PCGL107	PC	Property Law	4	3	1	0	4
3.	U18PCGL108	PC	Jurisprudence and Interpretation of Statutes	4	3	1	0	4
4.	U18PCGL109	PC	Family Law – II	4	3	1	0	4
5.	U18PCGL110	PC	Constitutional Law – II	4	3	1	0	4
<b>PRACTICAL</b>								
6.	U18CCGL101	CC	CC-I Moot Court	5	1	0	4	3
7.	U18PTGL101	PT	Internship & Practical Training – I	4	0	0	4	2
<b>ACTIVITY BASED COURSES</b>								
8.	U18MCGL102	MC	Yoga	2	0	0	2	0
<b>TOTAL</b>				<b>31</b>	<b>16</b>	<b>5</b>	<b>10</b>	<b>25</b>

<b>SECOND YEAR – III SEMESTER</b>								
<b>S. No.</b>	<b>Subject Code</b>	<b>Category</b>	<b>Subject</b>	<b>Contact Periods</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
<b>THEORY</b>								
1.	U18HCGL201	HC	Hons.I Cyber Law	4	3	1	0	4
2.	U18PCGL211	PC	Labour Law – I	4	3	1	0	4
3.	U18PCGL212	PC	Public International Law	4	3	1	0	4
4.		PE	Elective – II	3	2	1	0	3
5.		PE	Elective – III	3	2	1	0	3
<b>PRACTICAL</b>								
6.	U18CCGL202	CC	CC-II Alternative Dispute Resolution	4	2	0	2	3
7.	U18FTGL103	FT	Legislature Observation	2	0	0	2	0
8.	U18FTGL104	FT	Chamber Observation	4	0	0	4	0
<b>ACTIVITY BASED COURSES</b>								
9.	U18MCGL103	MC	Legal Awareness to General Public	2	0	0	2	0
<b>TOTAL</b>				<b>30</b>	<b>15</b>	<b>5</b>	<b>10</b>	<b>21</b>

<b>SECOND YEAR – IV SEMESTER</b>								
<b>S. No.</b>	<b>Subject Code</b>	<b>Category</b>	<b>Subject</b>	<b>Contact Periods</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
<b>THEORY</b>								
1.	U18HCGL202	HC	Hons.II Media Law	4	3	1	0	4
2.	U18HCGL203	HC	Hons.III Disaster Management Law	4	3	1	0	4
3.	U18HCGL204	HC	Hons.IV Medical & Health Law	4	3	1	0	4
4.	U18PCGL213	PC	Labour Law – II	4	3	1	0	4
5.	U18PCGL214	PC	Company Law	4	3	1	0	4
6.	U18PCGL215	PC	Law of Evidence	4	3	1	0	4
<b>PRACTICAL</b>								
7.	U18CCGL203	CC	CC- III Professional Ethics, Accountancy for Lawyers and Bar Bench Relations	4	2	0	2	3
8.	U18PTGL202	PT	Internship & Practical Training – II	4	0	0	4	2
<b>TOTAL</b>				<b>32</b>	<b>20</b>	<b>6</b>	<b>6</b>	<b>29</b>

<b>THIRD YEAR – V SEMESTER</b>								
S. No.	Subject Code	Category	Subject	Contact Periods	L	T	P	C
<b>THEORY</b>								
1.	U18HCGL305	HC	Hons. V Land Laws including Tenure & Tenancy System	4	3	1	0	4
2.	U18PCGL316	PC	Administrative Law	4	3	1	0	4
3.	U18PCGL317	PC	Civil Procedure Code	4	3	1	0	4
4.	U18PCGL318	PC	Criminal Procedure Code	4	3	1	0	4
5.	U18PCGL319	PC	Environmental Law	4	3	1	0	4
6.	U18PCGL320	PC	Law of Taxation	4	3	1	0	4
<b>PRACTICAL</b>								
7.	U18CCGL304	CC	CC-IV Drafting, Pleading and Conveyance	4	2	0	2	3
<b>ACTIVITY BASED COURSES</b>								
8.	U18MCGL104	MC	Social Service	2	0	0	2	0
<b>TOTAL</b>				<b>30</b>	<b>20</b>	<b>6</b>	<b>4</b>	<b>27</b>

<b>THIRD YEAR – VI SEMESTER</b>								
S. No.	Subject Code	Category	Subject	Contact Periods	L	T	P	C
<b>THEORY</b>								
1.	U18HCGL306	HC	Hon.VI Minorities Law	4	3	1	0	4
2.	U18HCGL307	HC	Hon.VII Gender Justice and Feminist Jurisprudence	4	3	1	0	4
3.	U18HCGL308	HC	Hons.VIII International Refugee Law	4	3	1	0	4
4.		PE	Elective - IV	3	2	1	0	3
5.		PE	Elective – V	3	2	1	0	3
6.		OE	Elective – VI	3	2	1	0	3
<b>PRACTICAL</b>								
7.	U18CCGL305	CC	CC-V Public Interest Lawyering, Legal Aid, Court & Chamber Visits	6	0	0	6	3
8.	U18PTGL303	PT	Internship & Practical Training - III	4	0	0	4	2
<b>TOTAL</b>				<b>31</b>	<b>15</b>	<b>6</b>	<b>10</b>	<b>26</b>

<i>First Year – 1<sup>st</sup>Semester</i>	<i>Subject Code - U18PCGL101</i>	<i>Total Credits: 04</i>
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## LAW OF CONTRACT – I

**Objective:** The Indian Contract Act occupies the most important place in the Commercial Law. The objective of the Contract Act is to ensure rights and that the obligations arising out of a contract are honored and that legal remedies are made available to those who are affected.

### COURSE OUTLINE

#### UNIT – I: BASIC NATURE OF CONTRACT

Indian Contract Act, 1872 - Formation of Contract - Objects of a contract – Essentials of valid contract - Offer - Acceptance - Revocation - lapse of offer and acceptance - Intention to create legal relationship - Terms of contract and Standard form of contracts.

#### UNIT – II: CONSIDERATION

Past ,Present and Future consideration - Value and adequacy of consideration - Rule in Pinnel's case - Exceptions to consideration - Capacity to contract- Free consent - Factors which vitiate free consent - unlawful and illegal objects or considerations - valid ,voidable and void agreements.

#### UNIT III: PERFORMANCE OF THE CONTRACT

Privity of contract - time as essence to performance - place and order of performance - Performance of reciprocal promises - Wagering agreement - contingent contracts - joint promises - appropriation of payments.

#### UNIT IV: DISCHARGE OF CONTRACTS

By impossibility of performance - Discharge by Agreement - Frustration - Novation Recession - Alteration- Discharge by breach -Waiver - Accord and Satisfaction- Material alteration - Damages - types and Measures.

#### UNIT V: QUASI CONTRACTS

Quantum Meruit - Specific Relief Act 1963 - Recovery of possession - Specific Performance of contracts - Rectification - Cancellation of instruments - Rescission – declaratory decrees - Injunctions.

#### Statutory Material

1. Indian Contract Act 1872
2. Specific Relief Act 1963



**Books Prescribed:**

1. Avtar Singh; Contract and Specific Relief Act; Eastern Book Company; 16<sup>th</sup> Edn. (2010)
2. Dr.S.K. Kapoor; Contract and Specific Relief Act; Central Law Agency; 14<sup>th</sup> Edn., (2015)
3. Dr. Kailash Rai; Contract and Specific Relief Act; Central Law Agency; 14<sup>th</sup> Edn., (2014)
4. Prof. G.C.V. Subba Rao's; Law of Contracts; Narender Gogia & Vompany; 11<sup>th</sup> Edn.; Updated (2015)
5. Dr. R.K. Bangia; Contract 1; Allahabad Law Agency; Reprint. (2016)
6. R.L. Meena; Textbook on law of Contract; Universal Law Publishing Co. Pvt. Ltd.; Edn. (2008)

**Books for Reference:**

1. V. Kesava Rao; Contract Cases ad materials; Lexis Nexis; @nd Edn.(2014)
2. Sir Dinshaw Fardunji Mulla; the Inidan Contract Act; Lexis Nexis; 15<sup>th</sup> Edn. (2016)
3. Nilima Bhadbhade; Contract Law in India; Kluwer Law International; 3<sup>rd</sup> Edn. (2016)
4. Charles Mitchell & Paul Mitchell; Landmark cases in the Law of Contract; Hart Publishing; 2008

<i>First Year – 1<sup>st</sup>Semester</i>	<i>Subject Code - U18PCGL102</i>	<i>Total Credits: 04</i>
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## LAW OF TORTS

**Objective:** This paper is to make students understand the common law and its evolution and the Law of Torts is a fundamental common law with established cases.

### COURSE OUTLINE

#### UNIT-I: INTRODUCTION

Origin and Development of Torts - Definition of Tort - Distinction between Tort and Crime, Tort and Contract, Tort and Breach of Trust – Constituents of Tort: *injuria sine damnum*, *damnum sine injuria*

#### UNIT-II: GENERAL DEFENCES

*volenti non-fit injuria* - Necessity - Plaintiff's default - Act of God - Inevitable accidents – Private Defence – Mistake – Statutory Authority

#### UNIT – III: SPECIFIC TORTS

Negligence - Essentials of negligence - Standard of care - duty to take care - breach of duty - Doctrine of Contributory Negligence - Damages - *Res Ipsa Loquitur* - Medical and professional negligence – Nuisance – Nervous Shock

#### UNIT-IV: TORTS AGAINST HUMAN BEING AND PROPERTY

Assault – Battery – Distress – Malicious – False Imprisonment and Malicious Prosecution – Conspiracy – Defamation – Libel and Slander – Trespass to Land – To Goods

#### UNIT-V: LIABILITY

Vicarious Liability – Doctrine of Sovereign Immunity - No Fault Liability – Strict Liability – Absolute Liability

#### Books Prescribed:

1. Ratanlal & Dhirajlal: The Law of Torts; Lexis Nexis, 26<sup>th</sup> Edition (2013)
2. R.K.Bangia: Law of Torts; Allahabad Law Agency, 2017
3. Dr. N.V. Pranjape: Law of Torts Consumer Protection Law and Compensation under other Statutory Law; Central Law Agency, 3<sup>rd</sup> Edition (2015)
4. P.S.A. Pillai: Law of Torts; Eastern Book Company, 9<sup>th</sup> Edition (2004)
5. B.M. Gandhi: Law of Torts; Eastern Book Company, 4<sup>th</sup> Edition (2011)
6. Avtar Singh and Harpreet Kaur: Introduction to the Law of Torts & Consumer Protection; Lexis Nexis, 3<sup>rd</sup> Edition (2013)
7. M.N. Shukla : The Law of Torts; Central Law Agency, 20<sup>th</sup> Edition (2013)
8. S.K. Kapoor: Law of Torts and Consumer Protection Act; Central Law Agency, 9<sup>th</sup> Edition (2015)

**Books for References:**

1. Ramaswamy Iyer: The Law of Torts, Lexis Nexis, 10<sup>th</sup> Edition (2007)
2. Winfield: Law of Tort; Sweet & Maxwell, 18<sup>th</sup> Edition (2010)
3. Salmond: Law of Tort: Sweet & Maxwell, 21<sup>st</sup> Edition (1996)

<b>First Year – 1<sup>st</sup>Semester</b>	<b>Subject Code – U18PCGL103</b>	<b>Total Credits: 04</b>
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## LAW OF CRIMES

**Objective:** The criminal justice system is essentially an instrument of social control. Society considers some behaviours so dangerous and destructive that it either strictly controls their occurrence or outlaws them outright. This paper aims to provide a vast knowledge about various crimes, its ingredients and punishments and to equip the students with practical legal knowledge.

### COURSE OUTLINE

#### UNIT – I: NATURE AND SCOPE OF CRIMINAL LAW

History of Indian Penal Code, 1860 – Essentials of Crime - *actus reus* and *mens rea*- Theories of Punishment- Justification of Punishment – General Defences – Excusable Defences – Justifiable Defences – Private Defence – Joint and Constructive Liability – Abetment – Conspiracy – Attempt – Corporate Liability – Jurisdiction – Territorial – Extra Territorial – Personal and Admiralty

#### UNIT – II: GENERAL OFFENCES

Offences against State - Offences against the public tranquility - Offences relating to election - Offences relating to Religion - Contempt of lawful authority and public servants - False evidence and offences against public trust - Offences relating to coins and Government Stamps - Offences relating to weights and measures.

#### UNIT – III: OFFENCES AGAINST HUMAN BODY

Offences affecting human life - Causing miscarriage - Injuries to unborn children - Exposure of infants - Concealment of birth – Hurt -grievous hurt - Wrongful restraint - Wrong confinement - Criminal force and Assault - Kidnapping, Abduction - Slavery and forced labour - Rape: custodial rape - marital rape - Prevention of immoral traffic - Prohibition of indecent representation of women - Unnatural offences.

#### UNIT – IV: OFFENCES AGAINST PROPERTY

Criminal Misappropriation of property- Criminal breach of trust - Receiving of stolen property - Cheating - Fraudulent deeds and disposition of property.

#### UNIT –V: OFFENCES RELATING TO MARRIAGE AND REPUTATION

Offences relating to marriage - Bigamy - Adultery - Marital Rape - Defamation - Criminal intimidation and annoyance and attempt to commit such offences.

**Statutory Materials**

1. Indian Penal Code, 1860.
2. The Criminal Law (Amendment) Act, 2013.

**Books Prescribed**

1. J.W. Cecil Turner, Kennys: Outlines of Criminal Law; Cambridge University Press, 18<sup>th</sup> Edition, (2013)
2. Ratanlal & Dhirajlal: The Indian Penal Code; Lexis Nexis, 35<sup>th</sup> Edition (2017)
3. K.D. Gaur: Indian Penal Code; Lexis Nexis, 6<sup>th</sup> Edition (2016).
4. P. Atchuthan Pillai: Criminal Law; Lexis Nexis, 13<sup>th</sup> Edition (2017).
5. B.M. Gandhi, K.A.Panday: Indian Penal Code; Eastern Book Co., 4<sup>th</sup> Edition (2015)

**Books for Reference**

1. Dennis Baker: Glanville Williams Textbook of Criminal Law; Sweet Maxwell, 4<sup>th</sup> Edition (2015).
2. Russell: Criminal Law; Sage Publications, 1<sup>st</sup> Edition (2015).
3. Ejaz Ahmed: Law of Crimes; Rajasthan Law House, 3<sup>rd</sup> Edition (1987).
4. Ram Chandra Nigam: Law of Crimes in India (Volume 1); Asia Publishing House, 1<sup>st</sup> Edition (1965).
5. Dr.H.S. Gour: Penal Law of India; Law Publishers, 7<sup>th</sup> Edition (1961).
6. V.V. Raghavan: Law of Crimes; Orient Law House, 3<sup>rd</sup> Edition (1984).

<b>First Year – 1<sup>st</sup>Semester</b>	<b>Subject Code –U18PCGL104</b>	<b>Total Credits: 04</b>
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## FAMILY LAW – I

**Objective:** Every natural and legal person is assigned a personal law defining his or her status and capacity. The connecting factors determining one's personal law vary from one legal system to another. This paper gives a detailed summary about all personal laws and its governance and also will give the students and insight about personal laws.

### COURSE OUTLINE

#### **UNIT – I: SOURCES AND SCHOOLS OF PERSONAL LAWS**

Application of various personal laws -Traditional and modern sources of Hindu law and Muslim law - Schools of Hindu law and Muslim law - Origin of the school - Main schools and Sub-schools - Effect of migration.

#### **UNIT – II: LAW ON MARRIAGE**

Nature of marriage - Various forms of marriage and requirements for a valid marriage on a comparative analysis - Void, voidable and valid marriage in different religious texts and statutes - Law and issues on marriage under the special marriages act - Unisex marriage and question on living together - The demand of dowry and the concept of dower under the relevant personal law - Ceremonies of marriage under various religious system.

#### **UNIT – III: LAW ON DIVORCE AND MAINTENANCE**

Restitution of conjugal rights - Judicial separation - Nullity of marriage and Divorce - Law of divorce under various personal laws - Divorce in camera proceedings - Decree on proceedings maintenance under Hindu, Muslim and Christian laws - Permanent alimony -Maintenance under code of criminal procedure - Jurisdiction of family court act.

#### **UNIT – IV: LAW ON LEGITIMACY OF CHILDREN AND ADOPTION**

Legitimacy of children born of void and voidable marriages - Their rights and legal issues - Adoption in different religious groups - Requisites and Conditions - Procedure of adoption Effect of adoption - Inter country adoption.

#### **UNIT – V: LAW OF MINORITY AND GUARDIANSHIP**

Guardian under the Hindu minority and Guardianship act 1956 - Definition types of guardians - Guardianship under Muslim law - Procedure for appointment and their powers -Guardian under the guardian and wards act 1890.

#### **Statutory Material**

1. The Hindu marriage act 1955
2. The adoptions and maintenance act 1956
3. The Hindu Minority and Guardianship act 1956

4. The Special Marriage act,1954
5. The Guardian and Wards act 1890
6. The Dissolution of Muslim Marriage act 1939
7. The Christian marriage act 1872
8. Indian Divorce act ,1869
9. Indian Majority act ,1875
10. The Muslim Women (protection of rights on divorce)act 1986
11. The Family Court act1984
12. The Dowry Prohibition act 1961
13. The Hindu Widows' remarriage act 1856
14. Prohibition of Child Marriage act 2006

**Books Prescribed:**

1. Prof. G. C. V. Subba Rao: Family Law in India: Narendra Gogia, 10<sup>th</sup> Edition (2018)
2. Paras Diwan, Peeyushi Diwan: Family Law: Allahabad Law Agency (2018)
3. Dr. Shivani Goswami: Family Law-1: Central Law Publications (2018)
4. H. K. Saharay: Family Law in India; Eastern Law House; 2011 edition (2012)
5. Paras Diwan, Peeyushi Diwan: Modern Hindu Law; Allahabad law agency; 22nd Edition (2013)
6. Dr. Mohammad Nazmi: Mohammadan Law; Central Law Publications (CLP); 1<sup>st</sup> edition (2012)

**Books for References:**

1. Paras Diwan: Law of Marriage and Divorce: A Comprehensive treatise on Matrimonial Laws of all the Indian communities including Hindus, Muslims, Christians, Parsis and Jews; Universal Law Publishing - An Imprint of LexisNexis; Seventh edition (2016)
2. Dinshaw Fardunji Mulla: Mulla's Hindu Law; *Lexis Nexis*; Twenty third edition (2018)
3. Sir Dinshaw Fardunji Mulla: Mulla's Principles of Mahomedan Law; Lexis Nexis; Twenty Second edition (2017)

<i>First Year – 1<sup>st</sup>Semester</i>	<i>Subject Code –U18PCGL105</i>	<i>Total Credits: 04</i>
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## CONSTITUTIONAL LAW – I

**Objective:** Our Constitution is not just a mere set of fundamental laws that form the basis of governance of our country but it embodies and reflects certain basic values, philosophy and objectives. This paper provides a broader perspective for the students about the law of the land and explains the most vital features of a citizen in this country

### COURSE OUTLINE

#### **UNIT – I: CLASSIFICATION OF CONSTITUTION AND GOVERNMENTS**

Definition and Meaning of Constitution - Kinds of Constitution - Meaning of Constitutionalism – Features of Indian constitution - Parliamentary Supremacy - Theory of Separation of Powers - Doctrine of Checks and Balances - Doctrine of Judicial Review.

#### **UNIT – II: PREAMBLE, UNION AND ITS TERRITORIES AND CITIZENSHIP**

Preamble - Meaning - Scope and Importance - Objectives and Values - Union and its Territories – Citizenship - Citizenship at the commencement of the Constitution - Deprivation and Renunciation of the Citizenship – Parliament’s Power to regulate Citizenship Act.

#### **UNIT – III: STATE**

Definition and Meaning - Article 12 - Article 13 - Constitutional and Post Constitutional Laws - Various Doctrines - Eclipse - Severability – Colourable legislation – Waiver - Judicial Preview under Article 13.

#### **UNIT – IV: FUNDAMENTAL RIGHTS**

Rights to Equality: General Equality clause under Article 14 - Judicial Interpretation on Equality - Reasonable Classification - Protective Discrimination Clause - Preservation and Social Justice under Articles 15 – 18 - Rights to Freedom: Freedom of Speech and Expression - Art 19 - Scope and Ambit and 19(1) (a) and (2) - Balance between individual interest and collective interest reasonable restrictions

Rights of the Accused: Article 20 - Ex-post Facto Law - Double Jeopardy - Self-incrimination Art 21 - Judicial Interpretation on Life and Personal Liberty - Article 22 - Preventive Detention - Rights against Preventive Detention - Exceptions – Safeguards against preventive detention.

Freedom of Religion: Articles 25-28 - Secularism - Judicial Interpretation - Restrictions on Freedom of Religion.

Cultural and Educational Rights: Articles 29-30 - Protection for Minorities – Recent trends on Minority Educational Institutions.

Rights to Constitutional Remedies: Article 32 and 226 - Writ Jurisdiction



**UNIT – V: DIRECTIVE PRINCIPLES OF STATE POLICY AND FUNDAMENTAL DUTIES**

Directive Principles and Directions for Social Change - Social and Economic Charter -Social Security Charter - Community Welfare Charter - Fundamental duties - Nexus between Fundamental Rights and DPSP

**Statutory Materials**

The constitution of India Bare act with Short comments; Professional Book Publishers (2018)

**Books Prescribed**

1. V.N. Shukla; Constitution of India; Eastern Book Company;13<sup>th</sup> Edition; reprint (2019)
2. M.P .Jain; Indian constitutional law; Lexis Nexis; 8<sup>th</sup> Edition (2018)
3. Dr. J. N. Pandey; Constitutional Law of India; Central Law Agency, Allhabad;51<sup>st</sup> Edition (2014)

**Books for Reference**

1. D. D. Basu; Shorter Constitution of India; Lexis Nexis; 15<sup>th</sup> Edition (2017)
2. M. P. Singh; Constitution of Indi; Eastern Book Company; 12<sup>th</sup> Edition (2016)
3. H. M. Seervai; Constitutional Law of India; Universal Law Publishing;4<sup>th</sup> Edition (2015)

<b>First Year – 2<sup>nd</sup> Semester</b>	<b>Subject Code – U18PCGL106</b>	<b>Total Credits: 04</b>
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## **LAW OF CONTRACT - II**

**Objective:** This paper is a broader speculative about law of contracts with the addition of Sale of Goods Act for the wider knowledge of the students.

### **COURSE OUTLINE**

#### **UNIT – I: INDEMNITY AND GUARANTEE**

Indemnity - Definition - Rights of the Indemnity Holder - Rights of the Indemnifier – Guarantee - Essentials and nature of Guarantee – Continuing Guarantee - Surety's Liability - Kinds of Guarantee - Discharge of Surety - Distinction between Indemnity and Guarantee.

#### **UNIT – II: BAILMENT**

Definition - Indian and English Definitions - Essentials of Bailment and classification - Distinction between Bailment and Pledge – Rights and Duties of Bailor and Bailee - Pledge - Definition - Rights of the Pawnor and Pawnee - Lien - Finder of Lost Goods

#### **UNIT – III: AGENCY**

Definition of Contract of Agency - Creation of Agency - Kinds of Agency - Distinction between Agent and Servant and Independent Contractor - Who may be an Agent - Kinds of Agent - Different Kinds of Agent - Authority of Agent - Delegation of Authority - Delegates Non Protest Delegare - Sub Agent - Substituted Agent- Essential of Ratification - Effect of Notice to Agent - Necessary Conditions to Bind Principal and Third Parties - Doctrine of Undisclosed Principal and Concealed Principal - Termination of Agency.

#### **UNIT – IV: SALES OF GOODS ACT, 1930**

Distinction between Sale and Agreement to sell - Hire Purchase Agreement - Definition - Goods - Specific Goods - Future Goods - Documents of Title of Goods - Conditions and Warranties - Effect of Breach - When condition is treated as Warranty - Implied Conditions and Warranties - Unpaid Vendor - His rights or Lien and Stoppage in Transit - Remedies available to Seller and Buyer.

#### **UNIT – V: PARTNERSHIP**

Distinction between Partnership and co-ownership Joint Hindu Family - Kinds of Partners and Duration of Partnership - Mutual Rights and Duties of Partners - Minor as a Partner - Difference in English Law - Rights of Legal Representative and Surviving Partners - Authority of Partner - Liability of the Partner of the Acts of the Firm and for the Wrongful Acts of other partner - Nature of Liability - Goodwill - Retirement of Partners - Dissolution of Firm - Effect of Non-registration of firm.

**Statutory Material**

1. Indian Contract Act, 1972
2. Sales of Goods Act, 1930
3. Indian Partnership Act, 1932

**Books Prescribed:**

1. Dr. S.K. Kapoor; Contract – II along with Sale of Goods Act and the Partnership Act; Central Law Agency; 14th Edn. (2014)
2. Prof. G.C.V. Subba Rao's; Law of Contract; Central Law Publication; 11th Edn. (2015)
3. R. K. Bangia; Indian Contract Act; Allahabad Law Agency; 14th Edn. (2009)

**Books for Reference:**

1. Akhileshwar Pathak; Law Relating to Special Contracts; Lexis Nexis; 1st Edn. (2014)
2. Velandai Gopalayyar; The Law of Contract in India; Eastern Book Company; 1970
3. Smith & Thomas; a Casebook on Contract; Sweets and Maxwell; 11th Edn. (2000)
4. Chechire, Fifoot & Furmston's; Law of Contract; Oxford University Press; 14th Edn. 2007

<i>First Year – 2<sup>nd</sup> Semester</i>	<i>Subject Code –U18PCGL107</i>	<i>Total Credits: 04</i>
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## PROPERTY LAW

**Objective:** By its very existence, society mandates interaction, exchange or transfer. A property, movable or immovable, is transferred from one person to another under various different situations and circumstances and for different values. This paper details about the property law, the litigation based on that and the recent amendments to the property law.

### COURSE OUTLINE

#### UNIT – I: GENERAL PRINCIPLES OF TRANSFER

Transfer of Property Act, 1882 - Concept of Property - Definition of Transfer of Property - Kinds of Interest-Conditional Transfer - Document of Election - Ostensible Owner – Feeding the Grant - Improvement made by Bonafide Purchase- Lis Pendens - Fraudulent Transfer - Doctrine of Part Performance and other General Principles of Transfer.

#### UNIT – II: SPECIFIC TRANSFERS -TRANSFER OF ABSOLUTE INTEREST

Sale - Definition of sale - rights and liabilities of seller and buyer - Gift - Definition- Onerous Gift - Universal Donor and Donee - Death Bed Gift - Suspension and Revocation of Gifts – Exchange

#### UNIT – III: TRANSFER OF LIMITED INTEREST

Mortgage: Different Kinds of Mortgages - Redemption - Clog on Redemption - Partial Redemption - Rights and Liabilities of Mortgagor and Mortgagee including Doctrine of consolidation Marshalling Contribution – Subrogation - Charge

#### UNIT – IV: LEASE

Rights and Liabilities of Lessor and Lessee - Determination of lease - Doctrine of Holding Over - Forfeiture of Lease - Actionable claims.

#### UNIT –V: EASEMENT

Definition - Acquisition of Easement - Easement of Necessity and Quasi Easement - Easement by Prescription – Extinction - Suspension and Revival of Easements and License.

#### Statutory Material:

1. Transfer of Property Act, 1882
2. Indian Easements Act, 1882

#### Books Prescribed:

1. Avatar Singh: Transfer of Property Act; Universal Law Publishing, 5<sup>th</sup> Edition (2016)
2. Dr. R.K. Sinha: The Transfer of Property Act; Central Law Agency, 19<sup>th</sup> Edition (2018)

3. S.N. Shukla: The Transfer of Property Act; Allahabad Law Agency, 29<sup>th</sup> Edition (2018)
4. Vepa. P. Sarathi: Law of Transfer of Property; Eastern Book Company, 6<sup>th</sup> Edition(2017)
5. Dr. Poonam Pradhan Saxena: Property Law; Lexis Nexis, 3<sup>rd</sup> Edition (2017)
6. G.P. Tripathi: Transfer of Property Act; Central Law Publication, 19<sup>th</sup> Edition (2016)

**Books for References:**

1. Mulla: The Transfer of Property Act; Lexis Nexis, 13<sup>th</sup> Edition (2018)
2. Darashaw J. Vakil & HR Jhingta: Commentaries on the Transfer of Property Act; Lexis Nexis, 5<sup>th</sup> Edition (2017)
3. Goyle: A Commentary on the Transfer of Property Act; Eastern Law House, 2<sup>nd</sup> Edition (2001)
4. Sandeep Bhalla: Digest of cases on Transfer of Property in India; Eastern Book Company, 2<sup>nd</sup> Edition (2012)

<i>First Year – 2<sup>nd</sup> Semester</i>	<i>Subject Code –U18PCGL108</i>	<i>Total Credits: 04</i>
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## **JURISPRUDENCE AND INTERPRETATION OF STATUTES**

**Objective:** This paper is the documentary and earlier data on law and a guiding element to interpret and understand various statutes through the precedents.

### **COURSE OUTLINE**

#### **UNIT – I: NATURE, DEFINITION AND SCHOOLS OF JURISPRUDENCE**

Nature and Definition of Jurisprudence – Analytical Positivism - Natural Law - Historical School - Sociological School - Economic Interpretation of Law - Indian Jurisprudence - Concept of Dharma – PIL - Social Justice and Compensatory Jurisprudence.

Nature and Purpose of Law

Nature and Definition of Law - Feminist Jurisprudence - Administration of Justice.

#### **UNIT – II: SOURCES OF LAW**

Legislation – Nature of Legislation - Supreme and Subordinate Legislation - Sources of - Codification and the Interpretation of Enacted Law - Precedents - Authority of Precedents - Circumstances destroying or weakening the binding force of Precedent - Ratio Decidendi and Judicial Reasoning - Custom: Kinds of Custom, Conventional Custom - Local Custom. - General Custom.

Legal Concepts – I :Legal Rights and Duties - Correlation of Right and Duty - Persons -Nature of Personality - Status of Unborn, Minor, Lunatic, Drunken and Dead Persons - Corporate Personality - Possession and Ownership.

Legal Concepts – II: Title - Property, Liability, Obligation and the Procedural Law

#### **UNIT – III: LAW MAKING**

Legislature, Executive and the Judiciary - Principle of Utility - Law and Public Opinion - Law and Social Control - Law and Morals - Meaning Objective and Scope of ‘Interpretation’, ‘Construction’ and ‘Statute’ - Public Opinion and Law Making.

Nature and Kinds of Indian Laws: Statutory, Non Statutory, Codified, Uncodified, State made and State Recognized Laws - Parts of a Statute -Commencement, Operation and Repeal and Revival of Statutes - Purpose of Statutory Interpretation - Basic sources of Statutory Interpretation -The General Clauses Act, 1897: Nature, Scope and Relevance – Definition clauses in various Legislation: Nature and Imperative Rule.

#### **UNIT – IV: RULES OF STATUTORY INTERPRETATION**

Literal and Logical Rules of Interpretation -Legalism and Creativity - Golden Rule and Mischief Rule - Strict construction of Penal Laws and Taxation Laws - Internal Aids and External Aids of Interpretation.

Interpretation of Constitution : Principles and Theories - Preamble as a Tool - Directive Principles and Fundamental Duties with Fundamental Rights – Interpretation of International Instruments - Presumption against Exceeding Territorial Nexus – Presumption against Ouster of Jurisdiction of Courts – Presumption against changes in Common Law - Presumption against including what is Inconvenient or Unreasonable - Presumption against Retrospective Operation of Law – Presumption against Violation of International Law.

**UNIT – V: LEGISLATIVE DRAFTING**

Principles and Process of Legislative Drafting - Simplicity, Preciseness, consistency, Alignment with Existing Law - Brevity – Drafting General Laws – Special Laws – Rules – Orders.

**Books Prescribed:**

1. G.C. Venkata subbaRao; Jurisprudnce and Legal Theoru; Eastern Book Company; 9<sup>th</sup> Edn.,Reprinted 2012
2. R.W.M. Dias; Jurisprudence; Lexis Nexis; %th Edn., 2013; Reprinted 2014
3. Dr. N.V. Paranjape; Studies in Jurisprudence and Legal Thoery; Central Law agency; 7<sup>th</sup> Edn. 2013; Reprint (2015)
4. G.W. Paton; A Textbook of Jurisprudence; Oxford University Press; 14<sup>th</sup> Edn. 1972; 1<sup>st</sup> Indian Edn. (2004)
5. B.N. Mani Tripathi; Jurisprudence the Legal Theory; Allahabad Law Agency; 19<sup>th</sup> Ed.(2012); Reprinted (2015)
6. V.D.Mahajan's; Jurisprudence and Legal Theory; Eastern Book Company; Reprinted 2015
7. Prof. T. Bhattacharyya; the Interpretation of Statites; Central Law Agency; 9<sup>th</sup> Edn. (2014)
8. B.M.Gandhi; Interpretation of Statues; Eastern Book Company; 2<sup>nd</sup> Edn. (2014)
9. Dr. M.P. Tandon; Interpretation of Statutes; Allahabd Law Agency; 11<sup>th</sup> Edn. (2205)
10. Vepa. P. Sarathi; Interpretation of Statutes; Eastern Book Company; 14<sup>th</sup> Edn.(2003); Reprinted (2013)
11. P.St. J. Langan; Maxwell on the Interpretation of Statutes; Lexis Nexis; 19<sup>th</sup> Edn. (2013)

**Books for Reference:**

1. H.L.A Hart, the Concept of Law; Oxford University Press; 3rd Edn. 2012
2. Edgar Bodenheimer; Jurisprudence; Harvard University Press, 1974; 2<sup>nd</sup> Edn.
3. Edgar Bodenheimer; Jurisprudence the Philosophy and Method of the Law; Harvard University Press, 1981
4. Thomas Erskine Holland D.C.L; The Elemets of Jurisprudence; the Lawbook Exchange, Ltd.,2nd Edn., 2008

5. G. C. Mathur, Vidya Dhar Mahajan; Jurisprudence and Legal Theory; Eastern Book Company, 1987; 5 Edn., reprint
6. Vepa P. Sarathi; Interpretation of Statutes; State Mutual Book & Periodical Service, Limited, 1986; 3<sup>rd</sup> Edn.
7. A.B. Kafaltiya; Interpretation of Statutes; Universal Law Publishing Co.; 2008 Edn. Reprint 2010
8. G. E. Devenish; Interpretation of Statutes; Juta, 1992
9. Peter Benson Maxwell; On the Interpretation of Statutes; Creative Media Partners, LLC, 2015



<i>First Year – 2<sup>nd</sup> Semester</i>	<i>Subject Code –U18PCGL109</i>	<i>Total Credits: 04</i>
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## FAMILY LAW - II

**Objective:** This paper will provide a broader explanation about the systems, property related litigation and its measures according to their personal laws.

### COURSE OUTLINE

#### **UNIT – I: JOINT HINDU FAMILY**

Institution of Joint Family - Coparcenary System - Classification of Properties – Kartha-Status, Powers and Duties - Principles of Survivorship and Succession - Partition

#### **UNIT – II: INTESTATE SUCCESSION**

General Principles of Succession under Hindu Law, Muslim law and Christian Law -Statutory Conditions Disinheritance and Disentitlement - Comparative analysis of Rights to Property of Women under Different Religion - Statutory Law - Rights of Pre-emption

#### **UNIT – III: TESTAMENTARY SUCCESSION**

Testamentary succession under Hindu, Muslim and Christian Law- Limitation under various Religious and Statutory Laws - Will and Administration of Will - Codicil Lapse, Abatement and Ademption of Legacies - Probate, Letters of Administration and Succession Certificate.

#### **UNIT – IV: GIFT UNDER ISLAMIC LAW**

Hiba - Nature and Characteristics of Hiba - Subject matter of hiba and hiba-bil-iwaz - Revocation of Gift.

#### **UNIT – V: RELIGIOUS ENDOWMENT AND WAKF**

Hindu Religious Endowment - Wakf: Meaning – Creation of Wakf - Formalities - Types and Administration of Wakf - Mutawalli and his powers and duties.

#### **Statutory Material**

1. Hindu Succession Act, 1956
2. Indian Succession Act, 1925
3. The Hindu Women's right to property Act, 1937 (repealed)
4. The Wakfs Act, 1954

#### **Books Prescribed:**

1. Prof. G. C. V. Subba Rao: Family Law in India: Narendra Gogia, 10<sup>th</sup> Edition (2018)
2. Paras Diwan, Peeyushi Diwan: Family Law: Allahabad Law Agency (2018)
3. H. K. Saharay: Family Law in India; Eastern Law House; 2011 edition (2012)
4. Paras Diwan, Peeyushi Diwan: Modern Hindu Law; Allahabad law agency; 22<sup>nd</sup> Edition (2013)

5. Dr. Mohammad Nazmi: *Mohammadan Law*; Central Law Publications (CLP); 1<sup>st</sup> edition (2012)

**Books for References:**

1. Dinshaw Fardunji Mulla: *Mulla's Hindu Law*; *Lexis Nexis*; Twenty third edition (2018)
2. Sir Dinshaw Fardunji Mulla: *Mulla's Principles of Mahomedan Law*; *Lexis Nexis*; Twenty Second edition (2017)
3. Paras Diwan: *Law of Intestate and Testamentary Succession*; Universal Law Publishing - An imprint of LexisNexis; Fourth edition (2013)

<i>First Year – 2<sup>nd</sup> Semester</i>	<i>Subject Code –U18PCGL110</i>	<i>Total Credits: 04</i>
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## CONSTITUTIONAL LAW – II

**Objective:** This paper elucidates the parliamentary form of aspects, the role of Executive, Legislative and Judiciary and the role of Election Commission which interprets the current system and gives an overall perspective to students.

### COURSE OUTLINE

#### **UNIT – I: THE UNION AND STATE EXECUTIVE**

The Union Executive - The President - Election, Term of Office, Powers and Functions, Impeachment - Immunities - Pardoning Power - Ordinance making power - President and Union Council of Ministers - The State Executive -Governor - Appointment, Powers and Functions - Immunities - Pardoning Power - Removal of Governor - Doctrine of Pleasure.

#### **UNIT – II: LEGISLATURE AND JUDICIARY**

Composition of Parliament and State Legislatures - Office of the Speaker - Qualification / Disqualification of Members - Legislative Procedure, Legislative Privileges -Judicial Interpretation - Anti Defection Law, X Schedule. Union Judiciary -Supreme Court of India Composition, Appointment and Removal of Judges of Supreme Court - Writ Jurisdiction of Supreme court under Art 32 – Kinds of Jurisdiction - Public Interest Litigation Compensatory Jurisprudence -Independence of Judiciary - State Judiciary - High Courts in the States - Composition, Appointment and Removal of Judges - Writ Jurisdiction of High Courts under Art. 226.

#### **UNIT – III: CENTRE – STATE RELATIONS:**

Distribution of Legislative, Administrative and Fiscal Powers and Freedom of Trade and Commerce - Distribution of Legislative Powers - Doctrine of Territorial Nexus - Subject matter of laws made by Parliament and Legislature of States - Doctrine of Harmonious Construction - Doctrine of Pith and Substance - Doctrine of Occupied Field - Colourable Legislation -Parliament’s Power to Legislate in State List - Implied and Residuary Power - Doctrine of Repugnancy - Administrative Relations - Centre and Inter-State Conflict Management Financial Relations - Sharing of Tax - Grants-in-Aid -Restriction on the power of State Legislatures - Doctrine of Immunity - Borrowing Powers - Constitution Limitations - Freedom of Trade, Commerce and Intercourse - Power of Parliament - Restrictions - Goods and Service Tax (GST) - Impact of Globalization.

**UNIT – IV: OTHER CONSTITUTIONAL FUNCTIONARIES**

Organisation - Power and Functions of Election Commission of India - Union Public Service Commission - State Public Commission - Comptroller and Auditor General - Attorney General & Advocate General - Constitutional Safeguards for Civil Servants - Protection against Arbitrary Dismissal - Removal or Reduction in Rank - Exceptions to Art 311 – Role of Finance Commission - Planning Commission - Inter – State Council - National Development Council - Local Self Government (Panchayat Raj).

**UNIT – V: EMERGENCY PROVISIONS**

Emergency Provisions - National Emergency - Duty of the Union to protect the States against External Aggression and Internal Disturbance - Power of Union Executive to issue directions and the effect of non-compliance.

State Emergency - Imposition of President’s Rule in States - Grounds, Limitations, Parliamentary Control, Judicial Review.

Financial Emergency (Article 360) - Emergency and Suspension of Fundamental Rights.

**Books Prescribed**

1. Dr. J.N. Pandey: Constitutional Law of India; Central Law Agency, 52<sup>nd</sup> Edition (2015)
2. M.P. Jain: Indian Constitutional Law; Lexis Nexis; 7<sup>th</sup> Edition (2014)
3. Prof. S.R. Bhansali: The Constitution of India; Universal Law Publishing; 1<sup>st</sup> Edition (2015)

**Books for References:**

1. Durga Das Basu: Constitution of India; Lexis Nexis, 23<sup>rd</sup> Edition (2018)
2. H.M. Seervai: Constitution of India (Vol.1-3) Universal Law Publishing; 4<sup>th</sup> edition (2015)
3. Dr. V.N. Shukla: Constitution of India, Eastern Book Company, 12<sup>th</sup> Edition, 2013
4. Justice Sujata V. Manohar, T K Tope Constitutional Law of India, Eastern Book Company, 3<sup>rd</sup> Edition, 2010

<i>First Year – 2<sup>nd</sup> Semester</i>	<i>Subject Code – U18CCGL101</i>	<i>Total Credits: 03</i>
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## CLINICAL COURSE – I MOOT COURT

**Objective:** Moot court simulate a court hearing, in which students analyze a problem, research the relevant law, prepare written submissions, and present oral argument. Mooting enables students to enhance their argumentative skills, drafting skills and legal research and to demonstrate their interest in advocacy.

### COURSE OUTLINE

**This course consists of following:**

1. Every student will do at least five moot courts in following subjects. The moot court work will be on assigned problems.
  - Constitutional Law
  - Environmental Law
  - International Law
  - Administrative Law
  - Family Law
  - Criminal Law
  - Civil Law
2. **WRITTEN SUBMISSIONS:**
  - The students should mandatorily submit 5 memorials on either side based on the discretion of the concern faculty. The maximum mark for each memorial is 10.
3. **ORAL ARGUMENTS:**
  - Every student will be asked to argue on any two moot problems mandatorily i.e. one on petitioner/claimant side and another on Respondent side.

#### 4. EVALUATION SCHEME

<b>5 Written Submissions</b>	10 Marks Each	5x10 = 50 Marks
<b>2 Oral Arguments</b>	25 Marks Each	2x25 = 50 Marks
<b>TOTAL</b>		<b>100 Marks</b>

<i>First Year – 2<sup>nd</sup> Semester</i>	<i>Subject Code – U18PTGL101</i>	<i>Total Credits: 02</i>
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## INTERNSHIP AND PRACTICAL TRAINING – I

**Objective:** The internship programmes are designed to acquaint the student with the actual practice of law by working under the supervision of legal luminaries. The student gains experience of applying theoretical knowledge from prior classroom training, when exposed to practical environment.

### COURSE OUTLINE

During the summer vacation the students should compulsorily undergo Internship for a continuous period of 4 weeks and submit an internship report along with a internship certificate. This will be evaluated by the Internship Faculty Guide.

The student may choose to intern under any one the following category:

- Trial Advocate
- Appellate Advocate
- Law Firms
- Non-Governmental Organization
- Police Stations
- Banks
- Non Banking Financial Institutions
- Companies
- Registration Department
- Judiciary
- Legal Regulatory Authorities
- Legislatures
- Market Institutions
- Local Self-Government
- Other Legal Functionaries
- Dispute resolution Bodies
- Legal Services Authority

*On completion of successful internship training every student will be awarded 2 credits*

<i>Second Year – 3<sup>rd</sup>Semester</i>	<i>Subject Code –U18HCGL201</i>	<i>Total Credits: 04</i>
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## **HONOURS COURSE: I**

### **CYBER LAW**

**Objective:** This paper explains about the most needed legislation of the hour and discusses about the cyber space issues and remedial measures.

#### **COURSE OUTLINE**

##### **UNIT – I: INTRODUCTION**

Cyber Space - Introduction and UNCITRAL Model Law - Information Technology Act, 2000 with Recent Amendments - Jurisdictional Issues - Digital Signatures - Regulation of Certifying Authorities - Cyber Regulation Appellate Tribunal

##### **UNIT – II: CYBER LAW AND E - COMMERCE**

Formation of Online Contracts - E-Banking Transactions - Online Payment Options - Online Advertising - Taxation Issues in Cyber Space - Indirect Tax - Tax Evasion - Double Tax - Financial Frauds - International Tax Permanent Establishment

##### **UNIT – III: CYBER CRIMES**

Understanding Cyber Crimes - Actus Reus and Mens Rea - Types of Crimes in the Internet - Against Person, Against Property, Against Government - Cyber Forensics Investigation- Introduction - Investigation Tools – E - Discovery - Digital Evidence Collection and Preservation - E-Mail Investigation , Tracking and Recovery - Encryption and Decryption methods - Search and Seizure of Computers - Recovering deleted evidences -Password Cracking - Investigation and Adjudication of Cyber Crimes in India - Cyber Arbitration - Cyber Security - Implementing Hardware Based Security - Software Based Firewalls -Security Standards - Assessing Threat Levels - Forming an Incident Response Team, Reporting Cyber crime - Operating System Attacks - Application Attacks - Reverse Engineering & Cracking Techniques.

##### **UNIT – IV: IPR AND CYBER SPACE**

Copyright Issues in the Internet - Protection of Computer Software - Caching - International Regime - OSS - DMCA - Trademark Issues in the Internet - Domain Name Registration - Domain Name Dispute - ICANN – URDP Policy - Linking - Meta tagging - Database issues in the internet.

##### **UNIT – V: CONTEMPORARY ISSUES**

Convergence Technologies - Cloud Computing - Online Digital Libraries - Access to Internet: A Human Right Issue - Issue of Censorship - Privacy issues - National Security and Social Security.

**Books Prescribed:**

1. Harish Chander; Cyber laws and IT Protection; PHI Learning Private Limited; 1<sup>st</sup> Edn. (2012)
2. Pavan Duggal; Cyber law: the Indian perspective; Saakshar Law Publications, 2002
3. Vakul Sharma; Information Technology Law and Practice; Universal Law Publishing Co.; 3rd Edn. (2011)
4. Rohit Arvind Jain; Cyber Crimes and Law, A Overview on Securing Cyber Space; Evincepublishing; 1st Edn. 2018
5. M. Dasgupta, Pranay Chaturvedi, Ankur Dalal; Cyber crime in India: a comparative study; Eastern Law House, 1<sup>st</sup> Edn. (2009)
6. Aparna Viswanathan; Cyber Law: Indian & International Perspectives on Key Topics Including Data Security, E-commerce, Cloud Computing and Cyber Crimes; LexisNexis Butterworths Wadhwa, 2012

**Books for Reference:**

1. Talat Fatima; Cyber Law in India; Wolters Kluwer; 1st Edn. 2008
2. Pooja Kiyawat, Manish Yadav; Critical Analysis of Cyber Laws with Respect to Cyber-Crimes in India; SPS, 2016
3. Farooq Ahmad; Cyber Law in India: (law on Internet); Pioneer Books, 2001
4. Susan W. Brenner; CyberCrime and the law Challenges, issues and Outcomes; Noth Eastern University Press; 2012
5. Matthew Richardson; Cyber Crime: Law and Practice; Wildy, Simmonds & Hill Publishing, 2014



<i>Second Year – 3<sup>rd</sup>Semester</i>	<i>Subject Code –U18PCGL211</i>	<i>Total Credits: 04</i>
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## **LABOUR LAW – I**

**Objective:** This paper explains about the labour legislations viz Industrial disputes Act, the legislation which governs the factories and the scope and significance of Trade Union in a broader perspective.

### **COURSE OUTLINE**

#### **UNIT – I: EVOLUTION OF LABOUR LEGISLATION**

Origin and Development of Labour Legislation - Object and Nature of Labour Legislation- Evolution of concept of Master and Servant Relationship - Theory of Laissez Faire and State Regulation of Labour Legislation and its Special Features- Role of International Labour Organization in Setting Labour Standards.

#### **UNIT – II: TRADE UNION ACT, 1926**

Definitions - History of Trade Union Movement - Registration of Trade Unions-Rights and Liabilities of Trade Unions-Immunities and Privileges of a Registered Trade Union - Trade Union Funds - Collective Bargaining - Amalgamation and Dissolution of Trade Unions- Recognition in Trade Unions.

#### **UNIT – III: INDUSTRIAL DISPUTES ACT, 1947**

Scope, Applicability and Definitions - Appropriate Government – Workmen – Industry - Industrial Disputes – Award – Settlement - Public Utility Service – Strike - Lock Out - Retrenchment - Lay Off - Closure - Machinery for the Settlement of Industrial Disputes - Works Committee - Conciliation Officers - Board of Conciliation - Court of Inquiry - Labour Court - Industrial Tribunal - Power to the Government for reference - Voluntary Arbitration - Unfair Labour Practices.

#### **UNIT – IV: FACTORIES ACT, 1948**

Object and Scope of the Act - Important Definitions - Statutory Agencies and their Powers for Enforcement of the Act - Approval, Licensing and Registration of Factories - Notice by Occupier -General Duties of the Occupier - General Duties of Manufacturers - Measures to be taken by Factories for Health, Safety and Welfare of Workers - Special Provisions relating to hazardous processes - Working hours of Adults - Additional provisions regulating employment of women in a factory - Employment of Children - Annual Leave with Wages - Penalties and Procedures - Compliances Under The Act.

#### **UNIT – V: INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946**

Scope and Definitions – Procedure for Certification of Standing Orders – Duration and Modification of Certified Standing Orders – Domestic Enquiry and Disciplinary Procedures.

**Statutory Materials**

1. Industrial Disputes Act 1947
2. Trade Union Act 1926
3. Industrial Employment (Standing Orders ) Act 1946
4. Factories Act 1948

**Books Prescribed**

1. K.M. Pillai; Labour and Industrial Law; Allahabad Law Agency;16<sup>th</sup> Edition (2016)
2. S.N. Misra; Labour and Industrial Law; Central Law Agency 28<sup>th</sup> Edition (2018)
3. Dr.V.G. Goswami; Labour and Industrial Laws; Central Law Agency latest edition (2019)

**Books for Reference**

1. O.P. Malhotra; The Law of Industrial disputes; Lexis Nexis;7<sup>th</sup> edition (2015)
2. K.D. Srivastava; Law relating to Trade Unions and Unfair Labour practices in India; Eastern Book Company 4<sup>th</sup> edition (2002)
3. K.D. Srivastava; Industrial Employment (Standing Orders) Act 1946;Eastern Book Company;4<sup>th</sup> edition (2000)

<i>Second Year – 3<sup>rd</sup>Semester</i>	<i>Subject Code –U18PCGL212</i>	<i>Total Credits: 04</i>
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## PUBLIC INTERNATIONAL LAW

**Objective:** This paper explains about the International Law and its scope and significance, its impact on the states and imparts the students a wider knowledge on the International legislation.

### COURSE OUTLINE

#### UNIT – I: INTRODUCTION

Development of International Law - Definitions- Nature of International law- Legality of International Law - Positive Morality - Theories as to basis of International Law.

#### UNIT – II: SOURCES AND SUBJECTS OF INTERNATIONAL LAW

Introduction - International Conventions - International Customs - General Principles of Law recognized by Civilized States - Decisions of Judicial or Arbitral Tribunals - Other Sources - Subjects of International Law- Various Theories - Realistic Theory - Fictional Theory- Functional Theory

Concept of State - State and Individual as a subject - Rights and Duties / Responsibilities - State Recognition -Theories - Kinds, Modes and Legal Effects - Nationality - Acquisition and Loss related issues - Asylum – Extradition - Territorial Sovereignty - Modes of Acquisition and Loss of Territory - State - Jurisdiction - State Succession and Liability

#### UNIT – III: LAW OF SEA

Historical Background- Maritime Belt - Territorial Sea - The Contiguous Zone- Exclusive Economic Zone - Continental shelf - The High Seas - International Sea Bed Area - Law of the Sea Conventions.

#### UNIT – IV: CONCEPT OF TREATY

Kinds of Treaties - Binding Force of Treaties- Pacta Sunt Servanda- Jus Cogens - Rebus Sic Stantibus - Parties of a Treaty - Formation of a Treaty- Reservations - Invalidity and Termination of Treaties.

#### UNIT – V: INTERNATIONAL ORGANIZATION

Origin, Nature and Scope of International Organizations - League of Nations, United Nations and it's Organs - International Tribunals.

#### Books Prescribed:

1. Dr. H.O.Agarwal: International Law & Human Rights; Central Law Publications, 20<sup>th</sup>Edition (2015)
2. M.P.Tandon: Public International Law; Allahabad Law Agency, 17<sup>th</sup> Edition (2014)
3. Joseph Gabriel Starke: Strake's International Law; Butterworths, 11<sup>th</sup>Edition (1994)

4. R.P. Anand: Salient documents in International Law; Banyan publications, 1<sup>st</sup>Edition (1994)
5. Yosifumi Tanaka: The International Law of the Sea; Cambridge University Press, 2<sup>nd</sup>Edition

**Books for Reference:**

1. S.K.Kapoor: A text book of International Law; Central Law Agency, 5<sup>th</sup>Edition (1982)
2. K.K.Bhattacharya: Public International Law; Central Law Agency, 5<sup>th</sup>Edition (1976)
3. Malcolm N.Shaw: International Law; Cambridge University Press, 8<sup>th</sup>Edition (2018)
4. Antonio Cassese: International Law; Oxford University Press, 2<sup>nd</sup>Edition (2001)
5. Ian Brownlie: Principles of Public International Law; Oxford University Press, 7<sup>th</sup>Edition (2008)
6. David John Haris: Cases & Materials on International Law; Sweet & Maxwell, 4<sup>th</sup>Edition (1991)

<b>Second Year – 3<sup>rd</sup>Semester</b>	<b>Subject Code –U18CCGL202</b>	<b>Total Credits: 03</b>
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## **CLINICAL COURSE - II**

### **ALTERNATE DISPUTE RESOLUTION**

**Objective:** This paper is imparted to create practical knowledge and awareness in the Arbitration, Conciliation and Mediation proceedings in India and International Arena.

#### **COURSE OUTLINE**

##### **UNIT – I: INTRODUCTION**

Concept and Essential features - Need of Arbitration in International and Indian Law - Arbitration Law before 1996 - Arbitration Law after 1996 - Arbitration Agreement - Appointment of Arbitrator - Conduct of Arbitration Proceedings - Power of Courts to interfere in Arbitration Proceedings - Place of Arbitration - Law applicable to the Arbitration - Evolution of mediation/conciliation as a mode of settlement of disputes - distinction between arbitration, mediation, conciliation and negotiation – International Commercial Arbitration.

##### **UNIT – II: MEDIATION AND CONCILIATION**

Theory of mediation - Role of the mediator - Drafting Mediation and Conciliation clauses and agreements initiating mediation (court annexed and private) -The Mediation/Conciliation process Confidentiality - Mediation /Conciliation Mediation in India, institutions, and their role - Lok Adalats.

##### **UNIT – III: INTERIM MEASURES**

Jurisdictional Issues - Arbitral Award - Setting Aside the Arbitral Award - Enforcement of Arbitral Award - Online Dispute Resolution - International Dispute Resolution - Foreign Award - New York Convention -Geneva Convention - Enforcement of Foreign Award -Public Order.

##### **MARKS ALLOCATION**

External Examination	<b>50 Marks</b>
Project work on Arbitration / Mediation (Practical exercises in the preparation and conduct of arbitration &mediation)	<b>25 Marks</b>
Viva-Voce	<b>25 Marks</b>
<b>TOTAL</b>	<b>100 Marks</b>

##### **Statutory Materials:**

1. International Conventions

2. Arbitration and Conciliation Act, 1996
3. Arbitration and conciliation (Amendment) Act, 2015

**Books Prescribed:**

1. Avtar Singh: The Law of Arbitration and Conciliation; Eastern Book Company, 11<sup>th</sup> Edition (2018)
2. Mallika Taly: Arbitration Law- A Primer; Eastern Book Company, 1<sup>st</sup> Edition(2011)
3. K V Satyanarayana: Law of Arbitration and Conciliation in India; Asia Law House, 1<sup>st</sup> Edition (2017)
4. Dr. N.V. Paranjape: Law Relating to Arbitration and Conciliation in India; Central Law Agency, 7<sup>th</sup> Edition (2016)
5. Dr. S.C.Tripathi: Arbitration and Conciliation Act, 1996 with Alternate Means of Settlement of Disputes; Central Law Publication, 8<sup>th</sup> Edition (2017)

**Books for References:**

1. J.G. Merrills: International Dispute Settlement; Cambridge University Press, 5<sup>th</sup> Edition (2005)
2. P.C.Markanda: Arbitration Step By Step; Lexis Nexis, 2<sup>nd</sup> Edition (2017)
3. Nakul Dewa: Enforcing Arbitral Awards in India; Lexis Nexis, 1<sup>st</sup> Edition (2017)
4. Justice S.B.Malik: Commentary on the Arbitration and Conciliation Act; Universal Law Publications, 8<sup>th</sup> Edition (2018)
5. Justice R.S.Bachawat: The Law of Arbitration & Conciliation; Lexis Nexis, 6<sup>th</sup> Edition (2018)
6. Dr. Ashwinie Kumar Bansal: Arbitration Awards - Law on Setting Aside and Execution of Arbitration Awards, Agreements and Appointment of Arbitrators; Universal Law Publications, 3<sup>rd</sup> Edition (2014)

**HONOURS COURSE: II****MEDIA LAW**

**Objective:** This paper seeks to establish a co-relationship of the much-flaunted Constitutional objective of freedom of speech and expression, and existing Rights and Restrictions governing the fourth estate, an essential pillar of Democratic Governance.

**COURSE OUTLINE****UNIT - I: MASS MEDIA**

Types of Press Films, Radio and Television - Ownership pattern-Press-Private-Public, Films-Private, Ownership patterns Radio & Television, Public - Difference between Visual and non-Visual Media-impact on People's minds - Press-Freedom of Speech and Expression-Article 19 (1) (a) Includes Freedom of the Press - Laws of defamation - obscenity - blasphemy and sedition. Law relating to employees wages and service 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 – II: FILMS**

How far included in freedom of speech and expression? Censorship of films-Constitutionality - The Abbas Case, Bandit queen case, Jolly LLB Case, Innocence of Muslims Case, Dam 999 Case - Difference between films and Press - why pre-censorship valid for films but not for the press? Censorship under the Cinematograph Act.

**UNIT – III: RADIO AND TELEVISION**

Monopoly of the Government over Radio and Television - Effect of television on people, Report of the Chanda Committee, Vargheese Committee, Government policy on Television and Radio - Commercial advertisement, Internal Scrutiny of serials etc., Judicial Review of Doordarshan decisions - Freedom to telecast.

**UNIT – IV: 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 licensing fee.

**UNIT – V: MEDIA AND HUMAN RIGHTS**

Media and Information, communication technology, Media and RTI, Media and Violation of Human Rights - Media and Right to Privacy.

**Statutory materials:**

1. Prashar Bharti Act 1990
2. Broadcasting Bill

3. Cinematography Act 1952
4. Cable T.V.Networks (regulation) Act of 1995
5. Advertisement Act of 1954
6. Indecent Representation (Prohibition) Act, 1986

**Books Prescribed:**

1. H.M. Seervai: Constitutional Law of India; Universal Law Publication, 1<sup>st</sup> Edn. (1991)
2. M.P. Jain: Constitutional Law of India; Lexis Nexis, 8th Edn. (2018)
3. Myneni: Media Law; Asia Law House, 2<sup>nd</sup> Edn. (2017)

**Books for Reference:**

1. S. Kundra: Media Laws and Indian Constitution; Anmol Publications, 1<sup>st</sup> Edn. (2005)
2. M. Neelamalar: Media Law and Ethics; Prentice hall, India Learning Ltd., 2<sup>nd</sup> Edn. (2009)
3. Vanita Kohli Khandekar: Indian Media Business; Sage Publications, 4<sup>th</sup> Edn. (2017)



<i>Second Year – 4<sup>th</sup> Semester</i>	<i>Subject Code –U18HCGL203</i>	<i>Total Credits: 04</i>
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## **HONOURS COURSE: III**

### **DISASTER MANAGEMENT LAW**

**Objective:** This paper is imparted to provide basic conceptual understanding of disasters and its relationships with development and to understand Medical and Psycho-Social Response to Disasters and to enhance awareness of Disaster Risk Management institutional processes in India.

#### **COURSE OUTLINE**

##### **UNIT-1: INTRODUCTION TO DISASTER**

Concepts of Hazard, Vulnerability, Risks, Natural Disasters (earthquake, Cyclone, Floods, Volcanoes) - Man Made Disaster ( Armed conflicts and civil strip, Technological disasters, Human Settlement, Slow Disasters (famine, draught, epidemics) - Rapid Onset Disasters (Air Crash, tidal waves, Tsunami) Risks - Difference between Accidents and Disasters, Simple and Complex Disasters – Refugee problems, Political, Social, Economic impacts of Disasters, Gender and Social issues during disasters - principles of psychosocial issues and recovery during emergency situations - Equity issues in disasters - Refugee operations during disasters, Human Resettlement and Rehabilitation issues during and after disasters, Inter-sectoral coordination during disasters.

##### **UNIT-II: DISASTER RISK MANAGEMENT IN INDIA:**

The Disaster Management Act, 2005 - Definitions - The National Disaster Management Authority- Establishment of National Disaster Management Authority - Meetings of National Authority - Appointment of officers and other employees of the National Authority - Powers and functions of National Authority - Constitution of advisory committee by National Authority - Constitution of National Executive Committee -Constitution of sub-committees - Powers and functions of National Executive Committee - National plan - Guidelines for minimum standards of relief - Relief in loan repayment and others.

##### **UNIT-III: STATE AND DISTRICT DISASTER MANAGEMENT AUTHORITY**

Establishment of State and District Disaster Management Authority - Meetings of the State Authority - Appointment of officers and other employees of State Authority - Constitution of advisory committee by the State Authority - Powers and functions of State Authority- Guidelines for minimum standard of relief by State Authority - Constitution of State Executive Committee - Constitution of sub-committees by State Executive Committee - Functions of the State Executive Committee - State Plan - Powers and functions of State Executive Committee in the event of threatening disaster situation.

**UNIT IV: OFFENCES AND PENALTIES**

Punishment for obstruction - Punishment for false claim - Punishment for misappropriation of money or materials - Punishment for false warning - Offences by Departments of the Government - Failure of officer in duty or his connivance at the contravention of the provisions of this Act - Penalty for contravention of any order regarding requisitioning - Offence by companies - Previous sanction for prosecution - Cognizance of offences - Finance, Accounts And Audit : National Disaster Response Fund - National Disaster Mitigation Fund - Establishment of funds by State Government - Allocation of funds by Ministries and Departments - Emergency procurement and accounting.

**UNIT V: PUBLIC HEALTH RESPONSE AND INTERNATIONAL COOPERATION**

Principles of Disaster Epidemiology - Rapid Health Assessment - Outbreak Investigation - Environment health hygiene and sanitation issues during disasters - Preventive and prophylactic measures - International cooperation in funding on public health during disaster - International Health Regulation, United Nation International Strategy for Disaster Risk Reduction (UNISDR), United Nation Disaster Management Team, International Search and Rescue Advisory Group, (INSARAG, Global Facility for Disaster Risk Reduction (GFDRR), Asean Region Forum (ARF), Asian disaster Reduction Centre (ADRC), SAARC 277 Disasters Management Centre (SDMC), USAID), UNDAC, UNOCHA, USAR.

**Statutory Materials**

1. The Disaster Management Act, 2005
2. The Disaster Management (National Disaster Response Force) Rules, 2008
3. Hazardous Wastes (Management and Handling) Rules, 1989

**Books Prescribed:**

1. R. Subramaniam: Disaster Management; Vikas Publishing House, 1<sup>st</sup> Edition (2018)
2. Tushar Battacharya: Disaster science and Management, Mc Graw Hill Education, (2017).
3. Harsh K. Gupta: Disaster Management; Universities Press, (2003)

**Books for References:**

1. Damon P. Coppola: Introduction to International Disaster Management, Butterworth-Heinemann; 3<sup>rd</sup> Edition (2015)
2. David Townes: Health in Humanitarian Emergencies: Principles and Practice for Public Health and Healthcare Practitioners; Cambridge University Press; 1 edition (31 May 2018)
3. Dr. Amit Awasthy: Disaster Management, Warning Response And Community Relocation, Global India Publications, New Delhi 2009.

Second Year – 4 <sup>th</sup> Semester	Subject Code –U18HCGL204	Total Credits: 04
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## HONOURS COURSE: IV

### MEDICAL AND HEALTH LAW

**Objective:** This paper seeks to explore various areas of the law that deal with creating and maintaining and regulating ‘health.’ The paper aims to give comprehensive and practical approach to the students to make them aware of the developments in medical sciences and to enable them to be equipped to face the recent challenges raised by the modern issues in contemporary era.

#### COURSE OUTLINE

#### **UNIT – I: INTRODUCTION**

Concept of health, public health - Law and health - development of interrelationship - Health Law and Bio Ethics

#### **UNIT – II: LEGAL ASPECTS OF HEALTH CARE**

Role of WHO - Constitutional law- regulation of health - Important legislations dealing with law and medicine

#### **UNIT – III: MEDICAL PROFESSIONAL, PATIENT AND THE LAW**

Nature and concept of physician - patient relationship - Informed consent and confidentiality - Concept of duty of care - standard of care - Code of ethics in medical profession - Role of judiciary in regulating the medical profession.

#### **UNIT – IV: BIOETHICS - ISSUES AND CHALLENGES**

Euthanasia and physician assisted suicide - Reproductive technology - Surrogate Motherhood - Medical termination of pregnancy - Prenatal diagnostic techniques.

#### **UNIT – V: LAW RELATING TO MENTAL HEALTH**

Stress management - Mental rehabilitation centers and law -Psycho analysis and law - its impact over society - Mental Asylums and its governance under the law - International conventions and guidelines regarding psycho-legal law.

#### **Books Prescribed:**

1. Satish Tiwar, Mahesh Badwa, Mukul Tiwari & Alka kuthe: Text Book on Medico Legal Issues; Jaypee Brothers Medical Publishers, 1<sup>st</sup> Edition (2012)
2. Dr. Jaisigh P.Modi: A text book of Medical Jurisprudence and Toxicology; Lexis Nexis, 26<sup>th</sup> Edition (2018)
3. S.V. Jayarao: Current issues in Criminal Justice and Medical Law; Eastern Law House, 1<sup>st</sup> Edition (1999)

**Books for References:**

1. R.K. Bag: Medical Negligence and Compensation, Eastern Law House, (2015)
2. S.K. Singhal: Forensic Medicine and Jurisprudence; NBD, 5<sup>th</sup> Edition (2015)
3. Jonathan Herring: Medical Law and Ethics; OUP UK, (2014)

Second Year – 4 <sup>th</sup> Semester	Subject Code –U18PCGL213	Total Credits: 04
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## LABOUR LAW – II

**Objective:** This paper will provide extensive knowledge and guidance to the student about social security legislations in India and how far it has been implemented to attain welfare state which is described in the Directive Principles of State Policy.

### COURSE OUTLINE

#### **UNIT – I: THE PAYMENT OF WAGES ACT, 1936**

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

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

#### **UNIT – II: THE EMPLOYEE’S COMPENSATION ACT, 1923**

Definition of Dependant, Workman, Partial Disablement and Total Disablement - Employer’s Liability for Compensation - Doctrine of Notional Extension, When Employer is not liable Employer’s Liability when Contract or is engaged, Amount of Compensation, Distribution of Compensation - Procedure in Proceedings before Commissioner , Appeals Retirement Benefits. Employee’s Provident fund and miscellaneous provisions Act, 1952 - Employees Pension Scheme, 1995 and Family Pension Scheme - Social Security for the unorganized Sector

Employees Provident Funds And Miscellaneous Provisions Act, 1952: Introduction : Application of the Act - Important Definitions - Schemes Under the Act - Employees Provident Fund Scheme - Employees’ Pension Scheme - Employees’ Deposit-Linked Insurance Scheme - Determination of Moneys Due from Employers - Transfer of Accounts - Protection against Attachment - Power to Exempt

#### **UNIT – III: PAYMENT OF BONUS ACT, 1965**

Object and Scope of the Act - Application of the Act, Act not to Apply to Certain Classes of Employees - Important Definitions - Calculation of Amount Payable as Bonus - Computation of gross profits - Deductions from gross profits - Calculation of direct tax payable by the employer - Computation of available surplus - Eligibility for Bonus and its Payment - Bonus Linked with Production or Productivity - Power of Exemption - Penalties - Offences by Companies

Payment of Gratuity Act, 1972: Introduction - Who is an Employee - Important Definitions - When, is Gratuity Payable - To Whom is Gratuity Payable - Exemptions - Rights and Obligations of Employees - Rights and Obligations of the Employer - Recovery of Gratuity - Protection of Gratuity –

Maternity Benefit Act, 1961 :Introduction - Definition - Employment of or work by women prohibited during certain periods - Right to payment of maternity benefits - Notice of claim for maternity benefit -Nursing -Registers - Penalty for contravention of Act by employer

#### **UNIT – IV: CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970**

Scope and Application -Act not to Apply to Certain Establishments - Important Definitions - The Advisory Boards - Registration of Establishments Employing Contract Labour - Effect of Non-registration - Prohibition of Employment of Contract Labour - Appointment of Licensing Officer and Licensing of Contractors - Welfare and Health of Contact Labour - Rules Framed Under the Act by the Central Government on the Question of Wages -Penalties and Procedure - Inspectors -Maintenance of Records and Registers

#### **UNIT– V: RESOLUTION OF INDUSTRIAL DISPUTE**

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

#### **Statutory materials**

1. The payment of Wages Act 1936
2. The Minimum Wages Act 1948
3. The Employees Compensation Act 1923
4. Payment of Bonus Act 1965
5. Employees Provident Funds and Miscellaneous Provisions Act 1952
6. Payment of Gratuity Act 1972
7. Maternity Benefit Act 1961
8. Contract Labour (Regulation and Abolition) Act 1970

#### **Books Prescribed**

1. P.L. Malik: Industrial Law; Eastern Book Company; 25<sup>th</sup> edition (2017)
2. N.D. Kapoor: Hand book of Industrial Law ;Sultan Chand and sons (2011)
3. H.L. Kumar; Compliances under Labor Laws-A user’s guide to adhere with provisions under various employment related Acts; Universal law publishing ;5<sup>th</sup> edition (2017)

**Books for Reference**

1. M.S. Sidhiqui; Labour Law and Industrial relations cases and materials; Indian law Institute, 3rd edition (2007)
2. S. M. Chaturvedi ; Labour and Industrial Laws ;Jain Book Agency; 12<sup>th</sup> edition (2001)
3. P.L. Malik; Industrial Law; Eastern Book Company, latest edition (2017)

<b>Second Year – 4<sup>th</sup> Semester</b>	<b>Subject Code –U18PCGL214</b>	<b>Total Credits: 04</b>
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## COMPANY LAW

**Objective:** This paper is imparted in the view of increasing emphasis on adherence to norms of good corporate governance. Company Law assumes an added importance in the corporate legislative milieu, as it deals with structure, management, administration and conduct of affairs of Companies.

### COURSE OUTLINE

#### **UNIT – I: INTRODUCTION**

Company: - Meaning and definition - characteristics - Kinds of Companies - private and public, government companies - statutory companies - Chartered - Registered - Limited and unlimited - Lifting of the corporate veil.

#### **UNIT – II: COMPANIES ACT, 2013**

Types of Companies and their incorporation - Formation of Companies - Procedural Aspects - Memorandum of Association - definition, clauses, provisions and procedures for alteration - Articles of Association - definition, contents - provisions and procedures for alteration - distinction between Memorandum and Articles of Association • Doctrine of Ultra-Vires, Constructive Notice, Indoor Management - Promoters - Meaning, Position, Duties, Rights, Responsibilities and Liabilities - Prospectus - Contents - Statements in Lieu of Prospectus - Liabilities for misstatement.

#### **UNIT – III: SHARES AND DEBENTURES**

Shares - Classes of shares - Preference and equity shares -Public issue of shares - SEBI guidelines - Allotment of shares - Irregular allotment - Issue of shares at premium, par and discount - Listing of shares - Sweat equity shares - Right shares - Bonus shares - Shares with differential rights - Share certificate and share warrant. Calls, forfeiture, lien, surrender of shares - Demat form of shares -Transfer and transmission of shares - Buyback of shares Transfer under depository system - Debentures - Charges and Debenture Holder - Dividends - Borrowings - Lending - Investments - Contracts.

#### **UNIT – IV: CORPORATE GOVERNANCE**

Management of Companies: - Directors - Managing Director - Appointment – Qualification - Rights - Responsibilities and liabilities – Disqualification of directors Meetings - Requisites - Statutory, Annual, Extra ordinary and Board Meetings, Resolutions – Types -Accounts and Audits - Internal Auditing - National Financial Reporting Authority - E-filing and Information Technology Act, 2000 - Corporate Social Responsibility - Prevention of Oppression and Mismanagement – Investigation – Powers of Inspectors – Powers of NCLT, Company Law Board - Insider Trading.



**UNIT – V: COMPROMISES, ARRANGEMENTS AND WINDING UP**

Compromises - Arrangements and Amalgamations - Mergers and Acquisitions - Winding Up - Meaning - modes of winding up - winding up by the tribunal - Members voluntary winding up - creditor's voluntary winding up - winding up under the supervision of the court - Administration of NCLT and CLAT and Special Courts - Powers of Liquidators - Removal of Names of Companies from Register of Companies - Defunct Companies and Restoration - Revival and Rehabilitation of Sick Companies.

Emerging issues in Company Law: Producer Company - Limited liability partnership - Concept and formation of corporate governance - relevance and provisions under listing agreement - Securities and Exchange Board of India act 1992: Introduction - Object - establishment and management of SEBI - Functions and powers of SEBI – Securities Appellate Tribunal.

**Statutory Materials:**

1. Companies Act, 2013
2. Securities and Exchange Board of India Act, 1992
3. Information Technology Act, 2000

**Books Prescribed:**

1. Avtar Singh: Company Law; Eastern Book Company, 16<sup>th</sup> Edition (2015)
2. S.C. Tripathi: New Company Law; Central Law Publication, 1<sup>st</sup> Edition (2014)
3. Karn Gupta: Introduction to Company Law; Lexis Nexis, 1<sup>st</sup> Edition (2013)

**Books for References:**

1. Gower: Principles of Modern Company Law, Sweet & Maxwell, 9<sup>th</sup> Edition (2012)
2. Plamer: Company Law Manual; Sweet & Maxwell, 25<sup>th</sup> Edition (1992)
3. C.A. Kamal Garg: Bharat's Corporate & Allied Laws; 2<sup>nd</sup> Edition (2012)
4. G.K. Kapoor: Company Law and Practice, Taxmann's Publication, 23<sup>rd</sup> Edition (2018)

<i>Second Year – 4<sup>th</sup> Semester</i>	<i>Subject Code –U18PCGL215</i>	<i>Total Credits: 04</i>
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## **LAW OF EVIDENCE**

**Objective:** The Indian Evidence Act, 1872 is a long piece of legislation that codifies the rules of evidence. However, a detailed discussion of all the leading principles that will be covered will provide the students to have a good theoretical and working knowledge of the Indian Evidence Act, 1872 and will equip them to study the subject on their own.

### **COURSE OUTLINE**

#### **UNIT – I: INDIAN EVIDENCE ACT, 1872**

Scope, Object and Applicability of Indian Evidence Act and Exclusion - Statutory Definition - Golden Rule Evidence -Presumption of Law and Fact - Kinds of Evidence.

#### **UNIT – II: RELEVANCY OF FACT**

Admissibility of Facts - Res Gestae -Omission - Cause and Effect - Motive, Preparation and Conduct - Explanatory Facts - When facts not otherwise relevant become relevant - Conspiracy - Admission and Confession - Dying Declaration

#### **UNIT – III: RELEVANCY**

Relevancy of Statement made by person who cannot be called as Witness - Relevance of Judgments - Relevance of Opinion of Third Persons - Expert Opinion- Scientific Examination and Expert Witness under Section 112A - Relevance of Character in Civil and Criminal Cases.

#### **UNIT – IV: BURDEN OF PROOF**

General conception of onus probandi- General and special exceptions to onus probandi-Justification of presumption and of the doctrine of judicial notice - Justification as to presumptions as to certain offences - Presumption as to dowry death - Scope of the doctrine of judicial notice.

Estoppel

The rationale - Estoppel - res judicata and waiver and presumption - Estoppel by deed - Estoppel by conduct - Equitable and promissory estoppel - Questions of corroboration.

#### **UNIT – V: WITNESSES**

Examination and Cross Examination - Competency to testify - State privilege - Professional privilege - Approval testimony - General principles of examination and cross examination - Leading questions - Lawful questions in cross-examination - Compulsion to answer questions put to witness - Hostile witness - Impeaching of the standing or credit of witness.

**Statutory Material**

Indian Evidence Act, 1872

**Books Prescribed:**

1. Ratanlal and Dhirajlal: Law of Evidence; Lexis Nexis; 26<sup>th</sup> Edn. (18 July 2017)
2. Avatar Singh: Law of Evidence; Central Law Publication; 20th Edn. (2014)
3. Vepa Sarathi: Law of Evidence; Eastern Book Co. (EBC); 2017 Edn. (2017)
4. V. Krishnamachari: Law of Evidence; Narender Gogia & Company; 2018 Edn. (2018)

**Books for References:**

1. Sarkar: Law of Evidence; Lexis Nexis India; 17<sup>th</sup> Edn. (2010)
2. Woodroffe and Amir Ali; Law of Evidence; Lexis Nexis India; 27<sup>th</sup> Edn. (2017)
3. Batuk Lal; Law of Evidence; Central Law Agency (CLA); 2018 Edn. (2018)

Second Year – 4 <sup>th</sup> Semester	Subject Code –U18CCGL203	Total Credits: 03
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### CLINICAL COURSE - III

## PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS & BAR BENCH RELATIONS

**Objective:** Every profession has rules of ethics to which its members are bound and the one who violates them will be imposed with liability in various forms. Likewise, a lawyer who does not follow ethical and other rules of professional conduct can be censured and can also be suspended from law practice or even disbarred. This paper will introduce students to the rules of professional ethics which applies to lawyers in India. This paper is designed with a main purpose of making law students [on the verge of completing their law course] to get acquainted with, analyze and critically examine such rules of professional ethics.

### COURSE OUTLINE

#### 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.

#### ALLOCATION OF MARKS

The written examination of this paper will be for 50 marks and the remaining 50 marks for record and viva voce

**MARKS ALLOCATION**

External Examination	<b>50 Marks</b>
Project work	<b>30 Marks</b>
Viva-Voce	<b>20 Marks</b>
<b>TOTAL</b>	<b>100 Marks</b>

**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.

**Viva- voce (20marks):** There shall be viva-voce examination on the above components

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

**Statutory Material**

1. Advocates Act, 1961

**Books Prescribed:**

1. J.P.S.Sirohi: Professional Ethics, Accountancy for Lawyers and Bench Bar Relations, Allahabadh Law Agency, (2015)
2. Dr.S.R.Myneni: Professional Ethics, Accountancy for Lawyers and Bench Bar Relations, Asia Law House, First Edition, (2018)
3. Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench Bar Relation, Allahabad Law agency, First Edition, (2015)

**Books for Reference:**

2. Ram Chandra Jha, (Advocate), Girish D Bhatt, B S Chauhan, and India - Supreme Court; Bar Council of India Trust: Selected Judgments on Professional Ethics, Bar Council of India Trust, 2002.
3. G.B.Reddy: Practical Advocacy of Law, Gogia Law Agency, Hyderabad, 2nd Edition, 2005.
4. S.P.Gupta: Professional Ethics, Accountancy for Lawyers and Bench bar Relations, Asia Law House, and Hyderabad.

<i>Second Year – 4<sup>th</sup>Semester</i>	<i>Subject Code –U18PTGL202</i>	<i>Total Credits: 02</i>
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## **INTERNSHIP AND PRACTICAL TRAINING - II**

**Objective:** The internship programmes are designed to acquaint the student with the actual practice of law by working under the supervision of legal luminaries. The student gains experience of applying theoretical knowledge from prior classroom training, when exposed to practical environment.

### **COURSE OUTLINE**

During the summer vacation the students should compulsorily undergo Internship for a continuous period of 4 weeks and submit an internship report along with internship certificate. This will be evaluated by the Internship Faculty Guide.

The student may choose to intern under any one the following:

- Trial Advocate
- Appellate Advocate
- Law Firms
- Non-Governmental Organization
- Police Stations
- Banks
- Non Banking Financial Institutions
- Companies
- Registration Department
- Judiciary
- Legal Regulatory Authorities
- Legislatures
- Market Institutions
- Local Self-Government
- Other Legal Functionaries
- Dispute resolution Bodies
- Legal Services Authority

***On completion of successful internship training every student will be awarded 2 credits***

Third Year – 5 <sup>th</sup> Semester	Subject Code –U18HCGL305	Total Credits: 04
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## HONOURS COURSE: V

### LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM

**Objective:** This paper focuses on land reforms in Tamil Nadu. Besides, it deals with land acquisition procedures and the rent laws which inculcate the students to be familiar with Central & State Land Laws.

#### COURSE OUTLINE

#### UNIT – I: CONCEPTUAL AND HISTORICAL BACKGROUND ON LAND REFORMS AND LAND LAWS

Origin of land rights - Different kind of land rights - Ownership of land - Constitutional Perspective – Article 31- A, Article 31-B, Article 31-C, Read With Ninth Schedule, Article 300 A - Doctrine of Eminent Domain - Doctrine of Escheat - Early Revenue Administration in Tamil Nadu – Grants, Zamindari, Ryotwari and Inamdhari Systems - The Zamindari System: Rights and Obligations of Zamindars – Abolition of Zamindari System - Inamdhari System: Major and Minor Inams – Abolition of Inams - Permanent settlement – Ryotwari System: Rights and liabilities of Ryotwari Pattadar – Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 - Laws relating to abolition of Intermediaries.

#### UNIT – II: LANDS ACQUISITION

Laws relating to acquisition of property and Governmental control and use of land Land Acquisition Act, 1894 (repealed) – Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR Act, 2013) – Need for new land acquisition law – Definitions: affected family land, landowner, holding of land etc., Safeguards against indiscriminate land acquisition – Compensation, Rehabilitation and Resettlement – LARR Authority – Apportionment of compensation – Payment of Compensation – Temporary Occupation of Land – Amendment Ordinance 2014 – Time to time amendments.

#### UNIT – III: ENACTMENTS ON CULTIVATING TENANTS

Tamil Nadu Cultivating Tenants Protection Act, 1955: Definitions – landlord not entitled to evict the tenant – Right to restoration of Possession-Special provision for member of armed forces-Bar of Jurisdiction of Civil Courts Revision by High Courts – Tamil Nadu Cultivating Tenants Arrears of Rent Relief Act, 1972, 1980 - Tamil Nadu Cultivating Tenants Protection from Eviction Act, 1983, 1989

Tamil Nadu Cultivating Tenants (Payment of Fair Rent) Act, 1956: Definitions – Interpretations - Right and liabilities of cultivating tenants and land owner - Fair rent - Alteration or Revision of Fair Rent – Rent Court and Rent Tribunals – Exception - Powers of High Court

The Tamil Nadu Cultivating Tenants Special Provisions Act, 1968: Payment of Installment – Land Lord may evict a Cultivating Tenant for default in payment of installments

Tamil Nadu Agricultural Land Record of Tenancy Right Act, 1969: Definition - Preparation of Records of Tenancy Rights - Record Officer - Advisory Committee - Modification of entries in the draft and approved record of tenancy rights - Appeals – Revision – Penalty for failure to furnish information cognizance of offence

Tamil Nadu Occupants of Kudiyruppu and Conferment of Ownership Act, 1971: Definitions – Occupant - Conferment of Ownership - Alternative Site - Prohibition of alienation-authorized Officer-compensation – Offences by companies

#### **UNIT- IV: LAWS ON LAND CEILING**

Land Ceiling: Urban Land Ceiling and Agrarian Land Ceiling - Tamil Nadu Land Reforms Fixation of Ceiling on Land Act, 1961 and Amended Act 1971: Preliminary – Definitions: Ceiling area, Family, Stridhana Property, Standard Acre, etc., Fixation of Ceiling on land holdings - Land Board Industrial undertakings – Publication of statement - Land Tribunal- Authorized officer - Determination of Compensation –Exemptions - Special Appellate Tribunal - Courts - Penal Provisions.

#### **UNIT V: TAMIL NADU BUILDINGS AND TENANCY LAW**

Tamil Nadu Buildings (Lease and Rent Control) Act, 1960: Introduction – Definitions – Fixation of Fair rent-Changes in Fair Rent-Agreed rent-Procedure for avoid default in payment of rent-Grounds for eviction of tenant-Jurisdiction of the Rent Controller – Execution Proceedings by Legal representatives or against Legal representatives- Appeal.

Tamil Nadu Apartment Ownership Act, 1994: Definition- Ownership, Heritability and transferability of Apartment – Deeds of Apartment and its Registration-Societies or Association of Apartment Owners, its bye-laws and Functions

#### **Statutory Materials**

1. The Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation & Resettlement Act, 2013. (Land Acquisition Act, 2013)
2. The Tamil Nadu Buildings (Lease & Rent Control) Act, 1960.
3. Urban Land (Ceiling & Regulation) Act, 1976.

#### **Books Prescribed**

1. Judith Anne Mackenzie & Mary Phillips: Land Law; Oxford University Press, 14<sup>th</sup> Edition (2012).
2. V.G.Ramachandran: Law of Land Acquisition and Compensation; Law Publication in Komm. (1983)



3. Pro. A. Chandrasekaran: Land Laws of Tamil Nadu; C. Sitharaman & Co. Pvt Ltd, Edition (2013).
4. P.K.Agrawal: Land Reforms in India; M.D.Publication Pvt.Ltd, 1<sup>st</sup> Edition (1993).

**Books for Reference**

1. Avtar Singh: Law of Carriage; Eastern Book Co., 4<sup>th</sup> Edition (2005).
2. K.P.Palaniappan: Law of Land Acquisition and Compensation, (1963)
3. Durga Das Basu: Indian Constitutional Law; Kamal Law House, 3<sup>rd</sup> Edition (2011).
4. Dr. N. Maheshwara Swamy: Land Laws under the Constitution of India,; Asia Law House, Hyderabad, 1<sup>st</sup> Edition 2006.
5. Hemant Goel: Land Laws; New Era Law Publication

<i>Third Year – 5<sup>th</sup>Semester</i>	<i>Subject Code –U18PCGL316</i>	<i>Total Credits: 04</i>
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## ADMINISTRATIVE LAW

**Objective:** This paper includes all the major facets of Administrative Law and guides the students to understand the basic concepts and significance as it changes according to the social, economic and political changes. It is only in the twentieth century that administrative law developed as a separate branch of legal discipline.

### COURSE OUTLINE

#### **UNIT – I: INTRODUCTION**

Definition - Nature, Scope and Significance of Administrative Law - Relationship between Constitutional Law and Administrative Law - Evolution and Development of Administrative Law - India, UK, USA and France - Basic Doctrines- Rule of Law and its application in India - Montesquieu's Doctrine of Separation of Powers - Doctrine of Separation of Powers and its relevance in Contemporary Times

#### **UNIT – II: PRINCIPLES OF NATURAL JUSTICE**

Concept, Evolution and Importance - Principles of Natural Justice - Rule against Bias and Rule of Fair Hearing - Exceptions to Natural Justice - Violations of Natural Justice - Application of Natural Justice in India.

#### **UNIT – III: DELEGATED LEGISLATION**

Meaning of Delegated Legislation and its Growth - Delegated Legislation in USA and UK - Delegated Legislation in India - Comparison with USA & UK - Pre and Post Constitutional Period - Rules and Principles of Administrative Rule making - Delegated legislation - Excessive delegation - Permissible and Non permissible Delegated Legislation - Control Mechanisms of Delegated Legislation - Judicial Control - Parliamentary Control - Procedural Control - Sub-delegation - Conditional Legislation

#### **UNIT – IV: ADMINISTRATIVE ADJUDICATION**

Meaning, Needs and Reasons for its growth - Problems of Administrative Adjudication - Mechanism for Administrative Adjudication - Quasi judicial bodies – Tribunals - meaning, difference between tribunals and courts - its types- Statutory and Domestic Tribunals - Administrative Tribunal - Definition - Constitutional Status - Finality of decisions and Judicial Review - Administrative Directions - Meaning, Nature and Need for Administrative Directions - Enforceability of Administrative Directions - Administrative Discretion- Meaning and significance of Administrative Discretion - Judicial Control of Administrative Discretion - Grounds of control

**UNIT – V: REVIEW OF ADMINISTRATIVE ACTIONS AND REMEDIES**

Writ jurisdiction of Supreme Court and High Court, when the writs can be issued -when the writs cannot be issued - principles of writ jurisdiction - Grounds of review –Illegality, Irrationality, Procedural Impropriety, Proportionality - Doctrines developed by Judiciary - Doctrine of Legitimate Expectation - Doctrine of Proportionality - Doctrine of Reasonableness - Doctrine of Public Accountability - Doctrine of Promissory Estoppel - Equitable Remedies - Emerging Trends In Administration - Good Governance and Administrative Law - Ombudsman - Lok Pal and Lokayukta - Global administrative law

**Books prescribed**

1. M. P. Jain & S. N. Jain ;Principles of Administrative law; Lexis Nexis;7<sup>th</sup> edition (2019)
2. I. P. Massey, Administrative Law; Eastern Book Company; 9<sup>th</sup> edition (2017)
3. C. K. Takwani; Lectures on Administrative Law; Eastern Book Company latest edition (2014)

**Books for reference**

1. S. P. Sathe ; Administrative Law; Lexis Nexis; 7<sup>th</sup> edition (2016)
2. M.C Jain Kagzi; The Indian Administrative Law; Universal Law Publishing & Co 53<sup>rd</sup> edition (2014)
3. H. W. Wade & C.F Forsyth; Administrative Law; Oxford University Press;10<sup>th</sup> edition (2009)

<i>Third Year – 5<sup>th</sup>Semester</i>	<i>Subject Code –U18PCGL317</i>	<i>Total Credits: 04</i>
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## CIVIL PROCEDURE CODE

**Objective:** The objective of this course is to introduce to the students the procedure to be adopted in filing a civil Suit in a civil court. The Code provides for a fair procedure for redressal of disputes by providing litigants a fair trial. This Course deals in detail the Sections and Orders including the important amendments brought in the Code.

### COURSE OUTLINE

#### **UNIT – I: INTRODUCTION**

Definitions: Decree, Judgment, Order - Foreign Court - Foreign Judgment - Mesne, Profits – Affidavit – Suit – Plaintiff - Written Statement –Important Concepts: Res Sub-Judice- Resjudicata – Restitution – Caveat - Inherent powers of courts.

#### **UNIT – II: INITIAL STEPS IN A SUIT**

Jurisdiction and place of suing - Institution of suit - Pleadings: General rules - Amendment of pleadings - Plaintiff and written statement - Discovery - Inspection and production of documents - Appearance and non-appearance of parties - First hearing – Summons - Suits in particular- Suits by or against Government - Suits by Indigent persons -Interpleader Suit - Summary Procedure - Suits relating to public nuisance

#### **UNIT – III: JUDGMENT AND DECREE**

Judgment: Definition – Essentials – Pronouncement - Contents and Alteration - Decree: Definition – Essentials -Types, Drawing up of a decree - Contents, and Decree in particular cases - Interest - Costs - Setting Aside Ex Parte decree – Grounds - Temporary Injunctions – Meaning, Grounds and Principles of Injunctions, Inherent Power to grant Injunction, Interlocutory orders - Receiver – Meaning, Powers, Duties and Liabilities of Receivers - Death of Plaintiff or Defendant, Consequences, Suit against dead person, Marriage of a Party, Insolvency of Plaintiff or Defendant - Reference to High Court - Reference, Review and Revision - Appeals

#### **UNIT – IV: EXECUTION**

Courts by which decree may be executed - Payment under decree - Application for Execution - Mode of Execution - Stay of Execution - Questions to be determined by executing court – Arrest and detention - Attachment - Sale – Commissions.

#### **UNIT – V: LIMITATION ACT**

Definition - Limitation of Suits - Appeals - Computation of Period of Limitation - Acquisition of Ownership by Possession.

**Statutory Materials**

1. Code of Civil Procedure – 1908
2. Limitation Act – 1963

**Books Prescribed:**

1. C. K. Takwani: Civil Procedure with Limitation Act 1963; Eastern Book Company; 8th Edition (2018)
2. Dr. Ashok K. Jain: Code of Civil Procedure; ASCENT Publications; 1st edition (2019)
3. Ray Sukumar: The Code of Civil Procedure; Universal Law Publishing, 2008

**Books for References:**

1. M. P. Jain Dr. Medha Kolhatkar: The Code of Civil Procedure (Vols.1); Lexis Nexis Butterworth India; 2019 edition (2019)
2. Sarkar, Justice M. L. Singhal: Sarkar Code of Civil Procedure; Lexis Nexis; Twelfth edition (2016)
3. Sir Dinshaw Fardunji Mulla: Mulla's the Code of Civil Procedure; Lexis Nexis; Nineteenth edition (2017)

<b>Third Year – 5<sup>th</sup>Semester</b>	<b>Subject Code –U18PCGL318</b>	<b>Total Credits: 04</b>
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## **CRIMINAL PROCEDURE CODE**

**Objectives:** This paper aims to familiarize the students with the crucial aspects relating to investigation and trial of offences and to sensitize the students about critical issues in administration of criminal justice.

### **COURSE OUTLINE**

#### **UNIT – I: INTRODUCTION**

Definitions - Constitution and powers of Criminal Courts and Offices - Provisions for Investigations - Information to the Police and their powers to investigate

#### **UNIT – II: PRE-TRIAL PROCEEDINGS**

Stages of Investigation - Process compelling for the presence of the accused for Investigation and Trial – Arrest - Procedure for Arrest - Rights of Arrested Persons - Consequences of Non-Compliance of Arrest Procedure - Search and Seizure - Process of Investigation by Police - Investigation of Unnatural and Suspicious Death -Local Jurisdiction of the Courts in Inquires and Trials - Cognizance of Offence and Commencement of Proceedings.

#### **UNIT – III: TRIAL PROCEDURE**

Principal features of Fair Trial - Charge - Disposal of Criminal Cases without Full Trial - Trial before a Court of Session - Trial of Warrant Cases by Magistrates -Trial of Summons - Summary Trial - Bail Procedures – Types of Bail - General Provision regarding Bond of Accused and Sureties.

#### **UNIT – IV: APPEAL PROCEDURE**

Types of Appeals - Reference and Transfer of Criminal Cases - Execution, Suspension, Remission and Commutation of Sentences - Execution of Sentence - Death Penalty and Imprisonment - Preventive and Precautionary Measures for Keeping Peace and Good Behaviour- Maintenance Procedures - Conditions for Claiming Maintenance - Cancellation of Maintenance - Sec 125 of CrPC.

#### **UNIT – V: JUVENILE JUSTICE CARE AND PROTECTION ACT, 2000, THE CRIMINAL LAW AMENDMENT 2013 AND PROBATION OF OFFENDERS ACT, 1958**

Introduction - Object - Definitions - Statutory Bodies- Juveniles under the Act - Nirbhaya case - Reformatory Institutions - Juvenile - Special Offences - Probation - Object and Meaning Criminal Court and Probation - Duties of Probation Officers - Report of the Probation Officers - Conditions and Cancellation of Probation.

**Statutory Materials:**

1. The Code of Criminal Procedure, 1973.
2. The Criminal Law (Amendment) Act, 2005.
3. The Criminal Law (Amendment) Act, 2008.
4. The Criminal Law (Amendment) Act, 2010.
5. The Criminal Law (Amendment) Act, 2013.
6. The Criminal Law (Amendment) Act, 2018.

**Books Prescribed:**

1. Ratanlal & Dhirajlal: The Code of Criminal Procedure; Lexis Nexis, 22<sup>nd</sup> Edition (2017).
2. Sarkar: The Code of Criminal Procedure; Lexis Nexis, 10<sup>th</sup> Edition (2013).
3. R.V.Kelkar: Criminal Procedure Code; Eastern Book Company, 6<sup>th</sup> Edition (2018).
4. Durga Das Basu: Criminal Procedure Code; Lexis Nexis, 6<sup>th</sup> Edition (2017).

**Books for Reference:**

1. K.N.Chandrasekaran Pillai: General Principles of Criminal Law; Eastern Book Co., (2003) Edition, Reprinted (2007).
2. Iyer, Mitter & Anand: Law of Bails; Law Publishers (India) Pvt. Ltd., 4<sup>th</sup> Edition (2012).
3. P.V. Ramakrishna: Law of Bail, Bonds, Arrest and Custody; Lexis Nexis, 1<sup>st</sup> Edition (2008).
4. P.K.Majumdar, R.P. Kataria: Law of Bails, Bonds and Arrest; Orient Publication, 2<sup>nd</sup> Edition (2003).

<i>Third Year – 5<sup>th</sup>Semester</i>	<i>Subject Code –U18PCGL319</i>	<i>Total Credits: 04</i>
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## ENVIRONMENTAL LAW

**Objective:** Environmental law is a complex group of laws and regulations which operate to regulate the interaction of human life to the natural environment. This paper will be an eye opener for the students about the growing issues in this arena and need for immediate legislative action.

### COURSE OUTLINE

#### **UNIT – I: INTRODUCTION**

Environment: Meaning - Environment Pollution: Meaning and Issues - Environmental (Protection) Act, 1986 - Meaning of ‘Environment’, ‘Environment Pollutant’, ‘Environment Pollution’ - Powers and Functions of Central Govt - Important Notifications-Constitutional Guidelines - Right to Wholesome Environment - Evolution and Application - Relevant Provisions: Art. 14, 19 (1) (g), 21, 48-A, 51-A(g) - Environment Protection through Public Interest Litigation - Important doctrines - Doctrine of Strict Liability - Doctrine of Absolute Liability - Public trust doctrine - Polluter pays principle - Precautionary principle - Doctrine of Sustainable development – Agenda 21.

#### **UNIT – II: PREVENTION AND CONTROL OF WATER, AIR, NOISE AND LAND POLLUTION**

The Water (Prevention and Control of Pollution) Act, 1974 - Water Pollution: Definition - Central and State Pollution Control Boards: Constitution, Powers and Functions - Water Pollution Control Areas - Sample of effluents: Procedure - Restraint Order - Consent requirement: Procedure, Grant/Refusal, Withdrawal - Citizen Suit Provision

Air (Prevention and Control of Pollution) Act, 1981 - Air Pollution: Definition - Central and State Pollution Control Boards: Constitution, Powers and Functions - Air Pollution Control Areas -. Consent Requirement: Procedure, Grant/Refusal, Withdrawal - Sample of Effluents: Procedure - Restraint Order - Citizen Suit Provision -Environmental Impact Assessment

Noise Pollution Control Order, 2000 & 2002 and Land Pollution

BioMedical Waste Regulation - Plastic Waste (Management and Handling) Rules 2011 - E-Waste (Management) Rules, 2016.

#### **UNIT – III: RESOURCE CONSERVATION & PROTECTION OF FORESTS AND WILD LIFE**

Resource Conservation - Chennai Metropolitan Area Groundwater Authority (Regulation) Act 1987 - Rain Water Harvesting - Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 - Role of Local Bodies.



Forest Act, 1927 - Kinds of forest - Private, Reserved, Protected and Village Forests - Protection of Specified Plants - The Forest (Conservation) Act, 1980 - Biological Diversity Act, 2002 - Cartagena Biosafety Protocol- Forest Conservation Vis-a Vis Tribals' Rights

The Wild Life (Protection) Act, 1972 - Authorities to be Appointed and Constituted under the Act - Hunting of Wild Animals - Prevention of Cruelty to Animals Act, 1960 - Protected Area - Trade or Commerce in Wild Animals - Animal Articles and Trophies - Its Prohibition

#### **UNIT – IV: INTERNATIONAL ENVIRONMENT LAWS**

Introduction to International Environmental Laws - Human Rights Perspective - Stockholm Declaration: Brief overview - Rio-Declaration: Brief Overview - United Nations Environment Programme- Nairobi Declaration, 1982 - Brundtland Report, 1987 - UNEP - National Green Tribunal - Constitution - Functions and Powers

#### **UNIT – V: CURRENT TRENDS**

Global Climate Change and Energy Policy - United Nations Environmental Programme (UNEP) - The United Nations' Framework Convention on Climate Change (UNFCCC) - Kyoto Protocol - Human Rights and the Environment.

#### **Statutory Materials**

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Indian Forest Act, 1927 4. The Forest (Conservation) Act, 1980
4. The Wild Life Protection Act, 1972 6. The Environment (Protection) Act, 1986
5. The Public Liability Insurance Act, 1991
6. The National Environment Tribunal Act, 1995
7. The National Environment Appellate Authority Act, 1997
8. Biological Diversity Act, 2002
9. Noise Pollution Control Order, 2000 & 2002
10. E-Waste (Management) Rules, 2016.

#### **Books Prescribed:**

1. S. Shanthakumar: Environmental Law-An Introduction: Lexis Nexis: 2<sup>nd</sup> Edition(2008)
2. P.Leelakrishnan: Environmental Law in India: Lexis Nexis: 5<sup>th</sup> Edition(2018)
3. Dr. S.C. Shastri: Environmental Law: Eastern Book Company: 6<sup>th</sup> Edition(2018)

#### **Books for Reference:**

1. Justice T.S. Doabia: Environmental and Pollution Laws in India(Vol 1&2): Lexis Nexis: 3<sup>rd</sup> Edition(2017)

2. Shyam Divan & Armin Rosencranz: Environmental Law and Policy in India: Oxford University Press: 2<sup>nd</sup> Edition(2002)
3. P.Leelakrishnan: Environmental Law case book: Lexis Nexis: 2<sup>nd</sup> Edition(2010)

<i>Third Year – 5<sup>th</sup>Semester</i>	<i>Subject Code –U18PCGL320</i>	<i>Total Credits: 04</i>
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## LAW OF TAXATION

**Objective:** The objective of this course is to introduce to the students the concept of tax, various kinds of taxes, calculation of Income tax, exemption from taxation, deductions, ceiling limit etc. This course also aims to impart knowledge to the students regarding various taxing statutes and to provide detailed in-depth knowledge in the area of Direct and Indirect Taxation.

### COURSE OUTLINE

#### UNIT – I: CONCEPT OF TAXATION

Definition of Tax - Distinction between Tax and Fee - Mutual relationship between Income Tax Act and Finance Act – Canons of taxation - Kinds of taxes - Progressive, Proportion, Regressive and Digressive - Direct and Indirect taxes - Tax Avoidance - Tax Evasion - Double Taxation.

#### UNIT – II: CONSTITUTIONAL BASIS FOR TAXATION

Applicability of doctrine under the constitution to taxation laws – Article 265 – Union & State List entities – Fundamental Rights and taxing Statutes - Interpretation of tax laws.

#### UNIT – III: THE INDIAN INCOME TAX ACT, 1961

- A. **Preliminaries-** Concepts; ‘income’, ‘agricultural income’, ‘casual income’, ‘assessee’ ‘person’ - Residential status – Previous year, Assessment year – General charging section and specific charging section – Income – Received – Arising – ‘Accrual’- Scope and total income – Exemption from taxation
- B. **Taxability** under ‘specific heads’:
- b) Income from ‘salaries’
  - c) Income from ‘house property’
  - d) Income from ‘business or profession’
  - e) Income from ‘capital gains’
  - f) Income from ‘other sources’
- C. **Clubbing of income:** Income of other persons in assessee’s total income.

#### UNIT – IV: COMPUTATION OF TAXABLE INCOME

Procedure for assessment - Computation of total income and tax liability of an individual, H.U.F., and firm - Tax deduction at source - Advance payment of tax - Treatment of losses – set-off-carry forward of loss - Deductions allowed in certain cases – chapter VIA deductions - Assessment of special class of assesses

#### UNIT – V: GOODS AND SERVICE TAX

- A. Overview of GST - Concepts – Limitations of VAT – Need for Tax Reforms - Justification for introduction of GST - Shortcomings and advantages at the Central Level

and State Level on introduction of GST- Process of Introduction of GST - Constitutional Amendments.

- B. Subsumed under GST - Taxes and Duties outside the purview of GST: Tax on items containing Alcohol – Tax on Petroleum products - Tax on Tobacco products - Taxation of Services
- C. Registration Procedure
- D. Meaning and Scope of Supply: Taxable Supply - Supply of Goods and Supply of Services - Course or Furtherance of Business - Special Transactions - Time of Supply
- E. Assessment: Self-assessment - Provisional assessment –Security of Returns - Assessment of Non-filers of returns - Assessment of Unregistered persons –Audit and Assessment – Other features of Dual GST model.
- F. Levy and Exemption of Tax: Chargeability – Collection at Source –E-Commerce - Composition Levy - Tax under Central GST and State GST - Zero-rating of Exports – GST on Imports –Returns under GST –Taxation of Services–Remission of Tax - Adjustment and Refund of GST.

**Books Prescribed:**

1. B.K.Goyal: Taxation Laws; Singhal Law Publications (2018)
2. Dr. Vinod K. Singhania: Direct Taxes Ready Reckoner; Taxmann Publications Pvt. Ltd.; 41st Edition (2019)
3. Dr. H.C. Mehrotra and Prof. V.P. Agarwal: Goods and Services Tax GST (4th Edition)
4. Dr.Sanjiv Agarwal: Goods and Services Tax - Laws, Concepts & Impact Analysis; Bloomsbury India; First edition (2017)
5. Prof. Jayakumar Sithanandam: Textbook on Goods and Services Tax Laws; White Falcon Publishing; 1 edition (2019)

**Books for References:**

1. C. A. Atul Kumar Gupta: Goods and Services Tax: Law, Practice & Procedures; OakBridge Publishing (2019)
2. Dr. Girish Ahuja and Dr. Ravi Gupta: Direct Taxes Law & Practice; Wolters Kluwer India Pvt. Ltd.; Tenth edition (2018)
3. U.K. Bhargava: Income Tax Act-as Amended by Taxation Laws (64<sup>th</sup> Edition 2019)

Third Year – 5 <sup>th</sup> Semester	Subject Code – U18CCGL304	Total Credits: 03
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## CLINICAL COURSE-IV

### DRAFTING, PLEADING AND CONVEYANCING

**Objective:** This Paper ‘Drafting, Appearances and Pleadings’ has been included in the syllabus with a view to equip the students with legal drafting abilities, legal frame work pertaining to the appearances before various tribunals/ quasi-judicial bodies and the basic understanding of the principles of pleadings. For this purpose, the course contents of this study material have been so designed as to provide practical orientation and develop necessary acumen in drafting legal documents

#### COURSE OUTLINE

**Drafting:** General principles of Drafting and relevant substantive Rules, drafting of Notices

**Pleadings:**

- a. **Civil:** Complaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Articles 226 and 32 of the Constitution of India.
- b. **Criminal:** Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

**Conveyancing:**

Sale Deed, Mortgage Deeds, Lease Deed, Gift Deed, Promissory Note,  
Power of Attorney – General and Special power of Attorney, Will.

**Mark allocation:**

<b>Record work – 1</b> 15 Exercises in Drafting of Pleadings	<b>15 Marks</b>
<b>Record work – 2</b> 15 Exercises in Conveyancing	<b>15 Marks</b>
<b>Viva-Voce</b>	<b>20 Marks</b>
<b>External Examination</b>	<b>50 Marks</b>
<b>Total</b>	<b>100 Marks</b>

Third Year – 6 <sup>th</sup> Semester	Subject Code –U18HCGL306	Total Credits: 04
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## HONOURS COURSE: VI

### MINORITIES LAW

**Objective:** To make the students aware of the importance of rights of minorities, to familiarize them with the constitutional provisions related to minorities, to acquaint them with the rights of minority educational institutions and exposition of the subject matter in detail with the help of legislative, judicial and other materials.

#### COURSE OUTLINE

##### UNIT – I: INTRODUCTION

Minorities in Indian Society: Concept of Minorities Linguistic Minorities Religious Minorities Secularism

##### UNIT – II: INTERNATIONAL NORMS FOR PROTECTION OF MINORITIES

Human Rights of Minorities Minority Rights under the International Covenant on Civil and Political Rights Non-discrimination provisions of the United Nations Charter 1945 Declaration on Rights of Minorities

##### UNIT – III: MINORITY RIGHTS

Right to religion Linguistic rights Right to culture and traditions National Commission for Minority

##### UNIT – IV: RIGHTS OF MINORITY IN EDUCATIONAL INSTITUTIONS

Educational rights of Minorities Right to administer Minority educational institution Aided and Unaided Minority Educational Institutions and Governmental Controls National Commission for Minority Educational Institutions

##### UNIT – V: SOCIETAL STATUS OF MINORITIES

Victimisation- Muslim victims over past ten decades, Caste based violence over minorities, linguistic minorities, Minorities in rural areas over the country.

##### Books Prescribed:

1. M.P. Jain: Constitutional Law of India; Lexis Nexis, 8th Edn. (2018)
2. D.D. Basu: Commentary on the constitution of India; Lexis Nexis, 7<sup>th</sup> Edn. (2016)
3. A. P. Datar: Commentary on the constitution of India; Lexis Nexis, 1<sup>st</sup> Edn. (2007)
4. H.M. Seervai: Constitutional Law of India; Universal Law Publication, 1<sup>st</sup> Edn. (2015)
5. M. P. Singh: Constitution of India; Eastern Book Company, (2016)

**Books for Reference:**

1. Stephan Mary: Ethnicity, Nationalism & Minority Rights; Cambridge University Press, (2004)
2. Thornberry, Patrick: International Law and the Rightd of the Minorities; Calendor Press, (1993)
3. Sheth D. L. & Gurpreet Mahajan: Internation law and the Nation State; Oxford University Press, 1<sup>st</sup> Edn. (2000)

<i>Third Year – 6<sup>th</sup>Semester</i>	<i>Subject Code –U18HCGL307</i>	<i>Total Credits: 04</i>
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## **HONOURS COURSE: VII**

### **GENDER JUSTICE AND FEMINIST JURISPRUDENCE**

**Objective:** The uneven trajectory of social change may help to inform feminist legal debates and the teaching of feminist jurisprudence among those contemplating the inclusion of such material in their law curriculum. This paper will be an eye-opener for the students in this area of Jurisprudence.

#### **COURSE OUTLINE**

##### **UNIT – I: WOMEN EMPOWERMENT AS A SOCIAL CHANGE**

- Role of law in empowering women –Feminism and Feminist Jurisprudence – Emergence of feminism and feminist jurisprudence -Different theories of feminism and feminist jurisprudence- Distinction between “sex” (nature) and “gender” (culture)-Concept of gender justice - Gender Discrimination - Gender Equality

##### **UNIT - II: GENDER JUSTICE UNDER THE CONSTITUTION OF INDIA**

Social justice and gender justice - interrelationship - Article 14, 15 and 16, Article 21& 23, Directive Principles of State Policy and fundamental duties- Reservation under 73rd &74th Constitutional amendment - Judicial approaches to equality - Formal and Substantive equality – Sameness, Correctionist and Protectionist approaches of Judiciary – Role of Human Rights Commissions, Women’s Commissions and judiciary in ensuring Gender Justice.

##### **UNIT- III: PERSONAL LAWS AND GENDER JUSTICE**

Marriage and Divorce, Maintenance – guardianship-adoption Inheritance Right, Uniform Personal Code, Concept of Matrimonial property - emancipation of Women - Empowerment of Women and Local Self Government.

##### **UNIT- IV: GENDER JUSTICE AND CRIMINAL LAW**

Protection of women’s interests under IPC - relevant offences Dowry death -Rape - Bigamy - Adultery - Cruelty to married women - Criminal Law Amendment Act 2013 -Special legislations for Women - Prisons Act 1894, Factories Act 1948, Mines Act 1952, Immoral Traffic (Prevention Act) 1956, Dowry Prohibition Act 1961, Maternity Benefit Act 1961, Medical Termination of Pregnancy Act 1971, Equal Remuneration Act 1976, indecent Representation of Women (Prohibition) Act 1986, Commission of Sati (Prevention) Act 1987, Pre-conception and Prenatal Diagnostics Techniques (Prohibition of sex Selection) Act 1994, Prevention of Women from Domestic Violence Act 2005, Sexual Harassment of women at Workplace (Prevention, Prohibition and Redressal) Act 2013



**UNIT - V: GENDER JUSTICE UNDER INTERNATIONAL CONVENTIONS AND DECLARATIONS**

Judicial Attitude towards Gender Justice

**Books Prescribed:**

1. Prof. Dr. G. Rajasekharan Nair: Gender Justice under Criminal Justice System; Eastern Law House; 2<sup>nd</sup> Edn. (2011)
2. G.B. Reddy: Women and the Law; Gogia Law Agency; 2<sup>nd</sup> Edn. (2015)
3. S.P. Sathe: Towards Gender Justice; Journal of ILI No. 1-37 & No 12 (Apr – June) 1995

**Books for Reference:**

1. Dr. Sheetal Konwal: Gender Justice and Feminist Jurisprudence; Amar Law Publications, 2<sup>nd</sup> Edn. (2015)
2. Dr. Puja Khetraphal: Gender Justice and Feminist Jurisprudence; Puja Law House, 1<sup>st</sup> Edn. (2019)
3. Dr. Ishita Chatterjee: Gender Justice and Feminist Jurisprudence; Central Law Publications, 1<sup>st</sup> Edn. (2019)

<i>Third Year – 6<sup>th</sup>Semester</i>	<i>Subject Code –U18HCGL308</i>	<i>Total Credits: 04</i>
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## **HONOURS COURSE: VIII**

### **INTERNATIONAL REFUGEE LAW**

**Objective:** This paper provides students a basic knowledge and understanding of the substantive and procedural aspects of International Refugee Law and to improve them the juridical way of thinking, enlarges point of view and common understanding of international legal documents.

#### **COURSE OUTLINE**

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

The Global Population Movements in Historical Retrospect-The Origin and Development of International Refugee Principles & International Refugee Law - The Evolution of Refugee Status in International Law - The Legal and Institutional Framework for Refugee Protection under the 1951 UN Convention Relating to the Status of Refugees (UNCSR) and its Expansion via 1967 Protocol (UNCSR Protocol) - The Main Features of 1951 UN Convention and the Statute of the UNHCR - The Concept of Migrant, Immigrant - Theories of Migration and Emergence of Forced Displacement and Forced Migration - Inter-Relationship between National and International Protection and Summation.

#### **UNIT-II: SOURCES OF INTERNATIONAL REFUGEE PROTECTION REGIME**

The Global Standards of Human Rights-Main Sources of International Refugee Law, UN Charter - IRO, UDHR, IOM, International Bill of Rights - Statute and Role of the UNHCR and ICRC, UNDTA, International Refugee Law and its Relationship with International Human Rights Law (IHRL), International Humanitarian Law (IHL) and Other Disciplines and Summation.

#### **UNIT-III: THE RIGHTS OF REFUGEES AND THE INSTITUTION OF ASYLUM, NON REFOULEMENT, GENDER AND THEIR DIMENSIONS IN INTERNATIONAL LAW OF REFUGEE PROTECTION**

Principles and Concepts of Refugee Protection-Protection Gaps-The Rights of Refugees under International Refugee Law - Definition of Asylum in the Context of International Refugee Law - Non-refoulement - Non-discrimination - Gender and Securitization - The Principle of Family Unity and the Right to Family Reunification - Defending Refugee Rights in Administrative and Judicial Institutions - Durable Solutions and International Cooperation and Summation.

**UNIT-IV: PROTECTION OF INTERNALLY DISPLACED PERSONS (IDPS), STATELESSNESS AND TEMPORARY AND OTHER FORMS OF REFUGEE PROTECTION**

Internally Displaced Persons (IDPs)- and UN 1998 Guidelines on IDPs - Kampala Convention on IDPs - Rights of Stateless Persons (SLPs) and Problems of Statelessness - The Concept of Temporary Protection - Other Alternatives - Recent Trends in International Refugee Legislation, Litigation and Policy and Summation.

**UNIT-V: CONTEMPORARY ISSUES IN INTERNATIONAL REFUGEE LAW AND IT'S FUTURE**

International Refugee Law and Strategies Towards Interpretative Harmony, Individual Risk-Armed Conflict and the Standard of Roof in Complementary Protection Claims - Running Scared Since 9/11: Refugees - UNHCR and the Purposive Approach to Treaty Interpretation - Economic Harm as a Basis for Refugee Status and the Application of Human Rights Law to the Interpretation of Economic Persecution, The fragmented Nature of the International Refugee Regime and its Consequences: a Comparative Analysis of the Applications of the 1951 Convention - Refugee Issues: Climate Refugees: New Class of Refugees - Women and Children Refugees - Non-Refoulement: A Peremptory Norm of International Law, Loss and Denial of Refugee Status.

**Books Prescribed:**

- 1) Helene Lambert; International refugee law; Ashgate publishing; 1<sup>st</sup> Edn. 2010
- 2) Kate Jastram, Inter-parliamentary Union, Marilyn Achiron, Office of the United Nations High Commissioner for Refugees; Refugee protection: a guide to international refugee law; Inter-Parliamentary Union, 2001
- 3) B S Chimni; International Refugee Law: A Reader; SAGE Publications, 2000
- 4) Erika Feller, Volker Turk and Frances Nicholson; Refugee Protection in international law; UNHCR's Global Consultations on International protection; Cambridge University Press; 1st published 2003

**Books for Reference:**

1. M. Rafiqul Islam, Jahid Hossain Bhuiyan; An Introduction to International Refugee Law; Martinus Nijhoff Publishers, 2013
2. Micheller Foster & Helene Lambert; International Refugee law and the Protection of Stateless Persons; Oxford University Press; 1<sup>st</sup> Edn. (2009)
3. James C. Simeon; Critical issues in International Refugee Law; Cambridge University Press; 1st Edn. (2010)
4. Karen Musalo, Jennifer Moore, Richard A. Boswell; Refugee Law and Policy: A Comparative International Approach, 2005 Supplement; Carolina Academic Press, 2<sup>nd</sup> Edn.(2005)

**Reference Cases:**

1. Tahir Hussain Khan v Canada, November 18, 1994 [Committee Against Torture]
2. Chahal v UK [extracts European Court of Human Rights]
3. National Legal Services Authority v. Union of India and others, Writ Petition (Civil) No. 400 of 2012, India: Supreme Court, 15 April 2014,
4. Suresh Kumar Koushal and another v. NAZ Foundation and others, Civil Appeal No.10972 of 2013, India: Supreme Court, 11 December 2013,
5. Servai v. State of Tamil Nadu, Criminal Appeal No. 958 of 2011, India: Supreme Court, 19 April 2011
6. Salibian v Minister of Employment and Immigration [1990]
7. Peoples“ Union For Civil Liberties [PUCL] v. Union Of India and Another, AIR 1997 SC 568
8. Prem Shankar Shukla v. Delhi Administration, 1980 SCC 526
9. Citizens for Democracy v. State of Assam, 1995 SCC 743
10. D.K Basu v. State Of West Bengal, AIR 1997 SC 610

<i>Third Year – 6<sup>th</sup>Semester</i>	<i>Subject Code –U18CCGL305</i>	<i>Total Credits: 03</i>
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## CLINICAL COURSE – V

### PUBLIC INTEREST LAWYERING, LEGAL AID, COURT & CHAMBER VISITS

**Objectives:** This course brings in-depth practical knowledge on legal and the para-legal services. This motivates the students to work for the welfare of the society.

#### COURSE OUTLINE

#### INTERVIEWING TECHNIQUES AND PRE-TRIAL PREPARATIONS - (40 marks)

- **Two interviewing sessions of clients: 15 marks**

Each student will observe 2 (two) interviewing sessions of clients at the Lawyers' Office/Legal Aid Office and record the proceedings in a diary which will carry 15 marks.

- **Observation of the preparation of documents and court papers: 15 marks**

Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.

- **Viva-Voce Examination on above two components: 10 marks**

#### COURT ATTENDANCE & LOK ADALAT - (40 marks)

- **CIVIL PROCEEDING OBSERVATION: 10 Marks**

The students must observe the civil proceedings in the court and record the proceedings in a diary which will carry 15 marks.

- **CRIMINAL PROCEEDING OBSERVATION: 10 Marks**

The students must observe the criminal proceedings in the court and record the proceedings in a diary which will carry 15 marks.

- **LOK ADALAT OBSERVATION: 10 Marks**

The students must attend lokadalats with the help of district legal services authority and submit a project to the faculty in charge. This project report carry of 10 marks

- **Viva-Voce Examination on above two components: 10 marks**

#### LEGAL AID-COUNSELING AND SERVICES (40 marks)

The students are directed to visit semi-urban and rural areas for providing free counseling and creating awareness among the people relating to socio-legal problems and submit a project to the faculty in-charge. This clinical study will comprise of 10 marks for project work and 10 marks for viva-voce.

<i>Third Year – 5<sup>th</sup>Semester</i>	<i>Subject Code – U18PTGL303</i>	<i>Total Credits: 02</i>
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### **INTERNSHIP AND PRACTICAL TRAINING - III**

**Objective:** The internship programmes are designed to acquaint the student with the actual practice of law by working under the supervision of legal luminaries. The student gains experience of applying theoretical knowledge from prior classroom training, when exposed to practical environment.

#### **COURSE OUTLINE**

During this vacation the students should compulsorily undergo Internship for a continuous period of 4 weeks and submit an internship report along with a internship certificate. This will be evaluated by the Internship Faculty Guide.

The student may choose to intern under any one the following category:

- Trial Advocate
- Appellate Advocate
- Law Firms

*On completion of successful internship training every student will be awarded 2 credits*

## **LL.B (Hons.)**

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# **SYLLABUS FOR ELECTIVE SUBJECTS**

S.No	ELECTIVE SUBJECT CODE	ELECTIVE SUBJECT NAME
<b>ELECTIVE – I (I SEMESTER)</b>		
1.	U18PEGL111	Legal Research Methodology
2.	U18PEGL112	Law Relating to Women and Children
<b>ELECTIVE – II (III SEMESTER)</b>		
3.	U18PEGL221	Banking Law including Negotiable Instruments Act
4.	U18PEGL222	Telecommunication Law
<b>ELECTIVE – III (III SEMESTER)</b>		
5.	U18PEGL231	Intellectual Property Rights
6.	U18PEGL232	Law of Insurance
<b>ELECTIVE – IV (VI SEMESTER)</b>		
7.	U18PEGL341	Criminology and Penology
8.	U18PEGL342	Consumer & Competition Law
<b>ELECTIVE – V (VI SEMESTER)</b>		
10.	U18PEGL351	Forensic Science
11.	U18PEGL352	Human Rights
<b>OPEN ELECTIVE (VI SEMESTER)</b>		
12.	U18OEGL301	Environment and International Legal Order
13.	U18OEAL501	Right to Information and Education
14.	U18OEEL501	International Financial Transactions and Valuation
4.	U18OECL501	Private International Law

**NOTE:**

- The Students are free to choose the elective subjects in **I/III/VI** semester within the list of elective subjects offered in concerned semester.
- One has to choose -
  - One Elective Subject from group of electives listed above
- **University may restrict subjects in a group for offering options based on availability of faculty and other facilities.**



<b>First Year – 1<sup>st</sup>Semester</b>	<b>Subject Code –U18PEGL111</b>	<b>Total Credits: 03</b>
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## **LEGAL RESEARCH METHODOLOGY**

**Objectives:** When research is undertaken as a part of the process of law reform, the contributions through the research will be indefinite and will help to make concrete law which improves the societal welfare. This paper is a tool and guidance for the legal research carried out by the students and scholars in a simplified manner.

### **COURSE OUTLINE**

#### **UNIT – I: LEGAL RESEARCH**

Meaning of Research - Legal Research – Characteristics - Objectives and Types of Legal Research - Qualities of Good Legal Researcher - Nature, Scope and Objectives of Legal Research and Methodology - Methods of Legal Research - Collaborative Research - Doctrinal and Non-Doctrinal

#### **UNIT – II: RESEARCH DESIGN**

Identification and Formulation of Research Problem - Hypothesis and Research Design - Database for Legal Research: Legislations - Judicial Decisions - Juristic Writings - Traditional and Online Databases

#### **UNIT – III: RESEARCH TECHNIQUES**

Methodology: Tool and Techniques for collection of data - collection of case materials and juristic literature - Use of historical and comparative research material - Use of questionnaire and interview - Census and Survey - Sampling: Types - Merits and Demerits - Observation - Interview - Questionnaire

#### **UNIT – IV: DATA PROCESSING AND REPORT WRITING**

Data Analysis and Interpretation - Report Writing - Supervision - Guidelines for researchers - Research Ethics – Meaning – Purpose - Importance of a Research Report - Preparation of the Legal Research Report - Content of Research Report.

#### **UNIT – V: SAMPLING DESIGN FOR LEGAL RESEARCH**

Meaning of Sampling - Merits and Demerits of Sampling Method - Size of Sample - Procedure to select a Sample - Types of Sampling - collection of data in socio legal research - sources of data collection - original sources of law - method of legal research for law reforms – analytical research method - historical research method - comparative research method - ethical research method - statistical research method - critical research method.

**Books prescribed**

1. S.K. Verma and M. Afzal Wani; Legal Research and Methodology; Indian Law Institute, 2nd Edition (2001).
2. Goode and Hatt; Methods in Social Research; Mc.Graw Hill Book Co., 1985 (reprint), Singapore,
3. Upendra Baxi; Socio-Legal Research in India; A Program Schriff, ICSSR, Occasional Monograph, 1975.

**Books for References:**

1. Cohen; Legal Research; Morris L, West Publishing Co. Minnesota, 1985.
2. Ghosh; Scientific Method and Social Research; B.N, Sterling Publishers Pvt. Ltd., New Delhi, 1984
3. Johari J.C.; Introduction to the Method of Social Sciences; Sterling Publishers Pvt. Ltd. New Delhi, 1988.
4. Kothari C.K.; Research Methodology: Method and Techniques; Wiley Eastern Ltd., New Delhi, 1980.

<i>First Year – 1<sup>st</sup>Semester</i>	<i>Subject Code –U18PEGL112</i>	<i>Total Credits: 03</i>
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## **LAW RELATING TO WOMEN AND CHILDREN**

**Objective:** The course draws the attention to the feeble condition of women, children and their exploitation. The legal limitation on their capacity and legal rights and protection provided in the Constitution and in various laws are to be studied critically.

### **UNIT – I: OFFENCES AGAINST WOMEN**

Sexual crimes – Rape, Unnatural Offences, Indecent Assault - Matrimonial Offences – Mock Marriage, Bigamy, Adultery, Criminal elopement, Dowry Death, Harassment, Provisions relating to Dowry under IPC and Dowry Prohibition Act 1961. - Offences relating to Miscarriage under IPC - The Medical Termination of Pregnancy Act, 1971 - The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of sex selection) Act, 1994– Offences relating to trafficking under IPC, Offences under the Immoral Traffic (Prevention) Act, 1956

### **UNIT – II: GENDER INJUSTICE&WOMEN’S COMMISSION**

Gender Injustice - A Global issue, Constitutional provision to protect gender injustice in India, Pre-natal sex-selective – Abortion - Sexual Harassments in work place – Guideline laid down in *Visaka v. State of Rajasthan* - Constitution and procedure of Commission, Powers and Function of the Commission.

### **UNIT – III: LEGISLATIVE EMPOWERMENT OF WOMEN**

International perspective - Constitutional provisions for Empowerment of Women - Empowerment of Women under Criminal Law - The Immoral Traffic (Prevention) Act, 1956 - Dowry Prohibition Act, 1961, Labour legislation, The medical Termination of pregnancy Act, 1971 - The Commission of Sati (Prevention) Act, 1987.

### **UNIT – IV: EXPLOITATION OF CHILDREN**

Child Labour – Reason for child Labour - international Framework to eliminate Child Labour, - Constitutional Provision to eliminate child labour - Salient Features of Child Labour (Prohibition and Regulation) Act, 1986 - Child Labour and National Human Rights Commission - Role of Judiciary in Solving Labour Problem - Child Prostitution - Child Pornography - Child Trafficking - Incestuous Sexual Exploitation - Child Marriages.

### **UNIT – V: PROTECTION OF CHILD RIGHTS**

Child Marriage (Restraint) Act,1929 - Problems relating to Adoption In India - UN Convention on the Rights of Child 1989 - Hindu Adoption and Maintenance Act, 1956 - Inter Country Adoptions - Right to Education and Human Rights Instruments - Right to education in India - Art 21-A of the Indian Constitution - Policies of Government on Education, Problems relating to Child Education - Establishment of National and State Commission for protection of Child Rights - Functions and Powers of the Commission - Children’s Courts.

**Statutory materials**

1. Indian Penal Code 1860
2. Dowry prohibition Act 1961
3. The medical termination of Pregnancy Act 1971
4. The pre-conception and Pre-natal Diagnostic Techniques(Prohibition of Sex selection) Act 1994
5. The Immoral Traffic(prevention )Act 1987
6. Child labour (prohibition and regulation) Act 1987
7. Child marriage restraint Act 1929
8. Hindu Adoptions and Maintenance Act 1956

**Books Prescribed**

1. Mamta Rao; Law relating to women and children; Eastern Book Co ;4<sup>th</sup> \_edition (2018)
2. G.S Sharma, Anil Kumar Tandi; Law relating to women &Children; Asia Law House;1<sup>st</sup>\_edition (2015)
3. S. C. Tripathi & Vibha Arora; Law relating to women and Children; Central Law Publications; 6<sup>th</sup> edition (2015)

**Books for Reference**

1. Manjula Batra; Women & Law with law relating to children in India; Allahabad Law Agency; latest edition (2012)
2. Dr. Anjani Kant; Law relating to women and children; Central law Publications; 1<sup>st</sup> edition (2003)
3. Dr. S. R. Myneni; women and Law; Asia Law House; 2<sup>nd</sup> edition (2011)

<i>Second Year – 3<sup>rd</sup>Semester</i>	<i>Subject Code –U18PEGL221</i>	<i>Total Credits: 03</i>
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## **BANKING LAW INCLUDING NEGOTIABLE INSTRUMENTS ACT**

**Objective:** This paper produces an insight to the students about the Banking Law and the emerging trends in the banking sector and various procedural aspects in a simplified manner.

### **COURSE OUTLINE**

#### **UNIT – I: PRELIMINARY**

History of Banking - Different types of Banks including Foreign Banks - Nationalisation of Banks - RBI's Control over Commercial Banks - Special status of RBI and State Bank of India - Subsidiary Banks - Emerging trends in Banking - Digital Banking.

#### **UNIT – II: BANKING REGULATION ACT, 1949**

Banker and Customer: Definition of Banker and Customer and relationship - Special types of Customers - Banker as Borrower - Different types of accounts - Duties and Rights of the Banker and different types of instrument - Paying Banker and Collecting Banker.

#### **UNIT – III: LAWS RELATING TO LOANS, ADVANCES AND INVESTMENTS BY BANKS**

Subsidiary Business Operations of Banker with special reference of Safety Deposit Lockers - Liability of Banker in case of Bank Robberies and Fraud by Bank Employees - Vicarious Liability of the Bank and Bank Employees - Recovery of Loans and Advances - Recovery of Debts due to Banks - Financial Institutions Act, 1993 and SARFAESI Act, 2002.

#### **UNIT – IV: WINDING UP OF BANKING COMPANIES**

Effect of Winding Up of Banking Companies - Rights of Customers on Winding Up of Companies - Necessity for reforms in Indian Banking Law to meet Global Challenges - Banking Ombudsman - Various Committee Reports.

#### **UNIT – V: NEGOTIABLE INSTRUMENTS ACT, 1881**

Definition and Characteristics - Parties to Negotiable Instruments - Presentation - Discharge and Dishonour - Liability - Various kinds of Crossing of Cheque - Rights of Holder and Holder in due Course against Banker - Civil and Criminal Liability for Dishonour of Cheques under Section 138 to Section 142 of the Amended Negotiable Instruments Act.

#### **Statutory Materials:**

1. Banking Regulation Act, 1949
2. Negotiable Instruments Act, 1881
3. SARFAESI Act, 2002

4. Financial Institutions Act, 1993

**Books Prescribed:**

1. Arun Kumar & Anoop Kumar: Banking Industry and NPA's; New Century Publication; 1<sup>st</sup> Edn. (2018)
2. Taxmann: Digital Banking; Taxmann Publications, 1<sup>st</sup> Edn. (2016)
3. Indian Institute of Banking and Finance: Principles and Practices of Banking; McMillan Publications, 3<sup>rd</sup> Edn. (2015)
4. V.V.K. Subburaj: Rbi, Reserve Bank of India; Sura College of Competition, 2004

**Books for Reference:**

1. Dr. S. S. Srivastava: Banking Law and Negotiable Instruments Act; Central Law Agency, 1<sup>st</sup> (2015)
2. Taxmann: Guide to SARFAESI Act – 2002 and Recovery of Debts and Bankruptcy act – 1993; Taxmann Publications, 2<sup>nd</sup> Edn. (2017)
3. Bimal N. Patel: Banking Law and Negotiable Instruments Act; 1<sup>st</sup> Edn. (2015)

<i>First Year – 1<sup>st</sup>Semester</i>	<i>Subject Code –U18PEGL222</i>	<i>Total Credits: 03</i>
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## TELECOMMUNICATION LAW

**Objectives:** The main objective of the paper is to introduce to the students the concepts of Telecommunications Law and its regulation at the International Level. Apart from the above, the paper covers the approaches of privatization in Telecommunications and Issues and challenges related to it. The paper will give theoretical perspective of Telecommunication Laws.

### COURSE OUTLINE

#### UNIT – I: INTRODUCTION

Historical Perspective of Telecommunications Law - Conceptual Analysis - Public Broadcasting, Right to Broadcast - Cable Distribution - Broadcasting Licensing - Telecommunication Laws in India

#### UNIT – II: TELECOMMUNICATIONS

International Relevance - International regulation related to Telecommunications - ITU reform - Self-governance of the Internet: ICANN - WTO

#### UNIT – III: PRIVATIZATION

Privatization in telecommunications - Liberalization and deregulation - Privatization of INTELSAT

#### UNIT – IV: TELECOMMUNICATIONS: ISSUES AND CHALLENGES

Access - Dispute Settlement - Advertisement, consumer protection - Protection of minors (children) - Indecency, piracy - Jurisdictional issues

#### UNIT – V: TRAI

Framework, rules and regulations- merits and demerits - Case study method-Public awareness over the policies of telecommunication authorities.

#### **Books Prescribed:**

1. R.U.S.Prasad: Resolving Disputes in Telecommunications, Oxford University Press, 2010.
2. Law Walden: Telecommunications Law and Regulations, OUP Oxford, 2018.
3. Vikram Raghavan: Communications Law in India, Lexis Nexis, 2007.

#### **Books for Reference:**

1. Miklos Kengyel: Electronic Technology and CPC, Springer Publications, 2014.
2. Antoni Gobeo: Journal of Cyber Security for Business Information Systems, River Publishers, 2018.
3. Archibald Putt: Putt's Law and Successful Technocrat, Wiley- Blackwell, 2006.

<i>Second Year – 3<sup>rd</sup>Semester</i>	<i>Subject Code –U18PEGL231</i>	<i>Total Credits: 03</i>
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## INTELLECTUAL PROPERTY RIGHTS

**Objective:** This paper produces a detailed insight on Intellectual Property Law and gives a wider picture to students about growing trends in IPR connected with International Perspective.

### COURSE OUTLINE

#### UNIT – I: INTELLECTUAL PROPERTY

Meaning and Concept of Intellectual Property - Need for Protection - The World Intellectual Property Organisation (WIPO) Convention - Origin and Functions of World Trade Organisation (WTO) - Trade Related Intellectual Property Rights (TRIPS) - Agreement of WTO and its effects of Intellectual Property Law in India - Dispute Settlement Mechanism - Ethical Issues in IPR - Interface between IPR and Human Rights.

#### UNIT – II: THE PATENTS ACT, 1970

The Patents Act, 1970 & Patent Amendment Act, 2005: Definition - Salient Features - Patentable and Non - Patentable Inventions - Product and Process Patents – Procedural aspects - Patent Office and Powers of Controller - Right of Patentees - Term of Patent - Remedies for Infringement of Patents - Register of Patents - Surrender and Revocation of Patents - Compulsory Licenses - Exclusive Marketing Rights - Patent Agents - International Agreements - Knowledge Transfer - IPR and Information Technology – Bio tech patents -

#### UNIT – III: THE COPYRIGHT ACT, 1957 AND RECENT AMENDMENTS

Works in which Copyright Subsists - Meaning of Copyright - Ownership and Rights of the Owner - Term of Copyright – Powers and Functions of the Copyright Board – Registration of Copyright - Compulsory License - Copyright Societies – Fair Use doctrine - Rights and Remedies against Infringement - The Copyright (Amendment) Act 2012 - Rights of Broadcasting Organizational and of Performers - International Copyright Act - Digital Millennium Copyright Act.

#### UNIT – IV: TRADE OF MARKS, 1999

Object - Definitions - Salient Features - Distinctiveness - Deceptive Similarity - Procedures and Conditions for Registration - Effects of Registration – Powers and Functions of Registrar - Concurrent Registration - Rectification and Correction of Register – Rights of Registered Trade Mark Owner - – Protection of Trade Secrets and Deceptive Trade Practices - Special Provisions Relating To Protection of Trade Marks through International Registration under Madrid Protocol – Collective Marks - Appellate Board -Infringement Action - Passing Off Action.



**UNIT – V: Industrial Designs, Geographical Indication and Traditional Knowledge**

The Designs Act 2000 - Definition - Registration of Designs - Copyright in Registered Designs - Piracy of Registered Designs - Remedies - Powers and Duties of Controller - Semiconductor Integrated Circuit Layout - Protection of Plant Variety and Farmers Right Act, 2001 (PPVFR Act) - National Law on Conservation of Biological Diversity - Geographical Indication of Goods (Registrations and Protection) Act, 1999 - Object, Definition – Procedure and Conditions for Registration - Prohibition of Registration of Certain Geographical Indications - Effect of Registration - Traditional Knowledge – Rationale and modes of protecting TK – Sui generis protection -Benefit Sharing -Turmeric Patent Case - Neem Oil Case.

**Statutory Materials:**

1. The Patents Act, 1970
2. Patent Amendment Act, 2005
3. The Trade Marks Act, 1999
4. The Copyright Act, 1957
5. The Copyright (Amendment) Act, 2012
6. The Designs Act, 2000
7. The Geographical Indications Act, 1999

**Books Prescribed:**

1. P.Narayanan: Intellectual Property Law; Eastern Law House, 3<sup>rd</sup> Edition (2001)
2. Dr. B.L. Wadehra: Law relating to Patents, Trademarks, Copyright, Designs and Geographical Indications; Universal Law Publishing, 5<sup>th</sup> Edition (2011)
3. Avtar Singh: Intellectual Property Law; Eastern Book Company, 1<sup>st</sup> Edition (2013)
4. V.K. Ahuja: Intellectual Property rights in India; Lexis Nexis, 2<sup>nd</sup> Edition (2015)
5. Dr. Bhandari: Law relating to Intellectual Property Rights; Central Law Publication, 4<sup>th</sup> Edition (2015)

**Books for References:**

1. Cornish: Intellectual Property:Patents, Copyright, Trademark and allied rights; Sweet&Maxwell, 7<sup>th</sup> Edition (2010)
2. Barret, Margreth; Intellectual Property; Aspen Publishers, 3<sup>rd</sup> Edition (2009)
3. Nard, Craig Allen: Law of Intellectual Property; Aspen Publishers, 2<sup>nd</sup> Edition (2008 )
4. Arora, Manish: Guide to Trademark; Universal Publication, 2<sup>nd</sup> Edition (2007)
5. Sterling J.L.A.: World Copyright Law; Sweet&Maxwell, 3<sup>rd</sup> Edition (2008)

<i>Second Year – 3<sup>rd</sup>Semester</i>	<i>Subject Code –U18PEGL232</i>	<i>Total Credits: 03</i>
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## LAW OF INSURANCE

**Objective:** The object of this course is to make students understand the concept of Insurance as it is a wide spread business and the syllabus covers the various aspects of IRDA, Life Insurance, premium, risk, Marine Insurance, Fire Insurance etc.,

### COURSE OUTLINE

#### **UNIT – I: NATURE OF INSURANCE**

Contract of Insurance- definition, nature and meaning, General principles of Insurance, Insurable Interest and Premium- definition, Mode of payment, forfeiture, return of premium, classifications of contract of insurance, duration of insurable interest and days of grace. Insurance Business –Control by State Agencies, Life Insurance Corporation Act – 1956, Functions and Powers of Corporation, Control Envisaged by the Central Agency, General Insurance Corporation, Powers and Functions.

#### **UNIT – II: RISK**

Meaning, scope, elements, alteration of risk, Insurance Policy –classification, commencement, duration of the policy, terms and conditions, effect of breach of conditions, lapse and revival of the policy, Assignment and Nomination of Policy, Double Insurance, Re-insurance, Assurance, Insurance Regulatory and development Authority.

#### **UNIT – III: LIFE INSURANCE**

Definition, nature and scope, kinds of Life Insurance, non-disclosure and misrepresentation, Doctrine of Utmost good faith, circumstances affecting the risk, Amount recoverable under life insurance policy, Automatic extension clause, persons entitled to payment, Assignment and Nomination, settlement of claim and payment of money.

#### **UNIT – IV: FIRE INSURANCE AND MARINE INSURANCE**

Definition, nature and scope of fire insurance, Amount recoverable under fire insurance, doctrine of reinstatement, doctrine of subrogation, Doctrine of contribution. Nature and scope of Marine insurance, classification of Marine Policies, voyage- Deviation Perils of the sea, proximate cause, measure of Indemnity, warranties in marine insurance, loss and kinds of losses.

**UNIT – V: MOTOR AND ACCIDENT INSURANCE** – Scope and nature, legal parameters, tribunals, Other types of Insurance- burglary and theft Insurance, fidelity Insurance, Public Liability Insurance, Plate-Glass Insurance, Goods in transit Insurance, Insurance covering the risk of storm and tempest.

**Books Prescribed:**

1. K. S. N. Murthy, K.V. S. Sarma: Modern Law of Insurance In India; Lexis Nexis; 1<sup>st</sup> edition (2013)
2. Gaurav Varshney: Insurance Laws; Lexis Nexis; 1<sup>st</sup> Edition (2017)
3. Avtar Singh: Law of Insurance; Eastern Book Company (2017)
4. Dr. C.L. Tyagi: Insurance Law and Practice; Atlantic Publication; 2<sup>nd</sup> Edition (2016)

**Books for References:**

1. M.N. Srinivasan, K. Kannan: Principles of Insurance Law; Lexis Nexis; Tenth edition (2017)
2. Neelam C. Gulati: Banking and Insurance: Principles & Practices; Excel Books (2011)
3. Taxmann: Insurance Laws Manual; Taxmann's Publication; 20<sup>th</sup> Edition (2019)

<b>Third Year – 6<sup>th</sup>Semester</b>	<b>Subject Code –U18PEGL341</b>	<b>Total Credits: 03</b>
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## CRIMINOLOGY AND PENOLOGY

**Objective:** The objective of this paper is to provide depth of understanding of dimensions of crime, crime causation, prevention of crime, penalizing the crime, functioning of penal institutions along with rehabilitation and protection of crime victims.

### COURSE OUTLINE

#### **UNIT – I: INTRODUCTION**

Meaning and Significance of Crime - Concept of Crime and basis of Criminalization - Definition of Crime - Criminology - Criminological Reminiscence: Global Scenario - Renaissance - Modern Age - Focus on the need for Criminological Study - Ingredients of Crime - Distinction between criminality and non- criminality- Classification of Crimes - Development of Criminal Law - Sources and uses of Crime Data - Crime Reporting - Schools of Criminology.

#### **UNIT – II: CRIME CAUSATION**

Individual Centric Causes - Societal Centric Causes - Theories on Crime Causation - Juvenile Delinquency - Legislation - Juvenile Justice (Care and Protection of Children) Act, 2000 - 2013 Amendment Act -Statutory Bodies and Procedure - Reformatory Institutions under the Act - Rehabilitation Process - Case Law.

#### **UNIT – III: TYPES OF CRIME**

White-Collar Crime and Blue-Collar Crime: Implications of White Collar Crimes - White Collar Crimes in India - Santhanam Committee Report – Wanchoo Committee Report - 47<sup>th</sup> Law Commission Report - Detection and Investigation - Trial of White-Collar Crimes - Case Law - Crimes and Women: Dowry Prohibition (Amendment) Act, 1986 - Crimes against Women- Crimes of Passion - New Legislation - Prostitution - Immoral Traffic Offender (Prevention) Act - Medical Termination of Pregnancy Act - Pre-Conception and Pre Natal diagnosis Techniques (Regulation) Act - Domestic Violence Act, 2005- Criminal Law Amendment Act, 2013- POSCO – Terrorism: Definition - Nature of Terrorism - Causative Factors - Funds for Terrorism - Kinds of terrorism - Terroristic Spectrum - Punishments and Measures for Coping with TADA-POTA-NSA, 2010-] - Criticism - Anti-Terrorist Measures - Communal Violence - Causes and Cures - Victims of Marginal Crimes - Social Deviance and Marginal Crimes - Kinds of Marginal Crimes - Victimless Crimes - Hidden Victims - Drug and Crime -Depiction of Offences and Punishments under NDPS Act - Modern Crimes and International Crimes: Computer Crime -Cyber crimes - definition -kinds - Information Technology Act, 2000 -Organ Trafficking - International Crimes - Environmental Crimes.

**UNIT – IV: THE POLICE AND CRIMINAL JUSTICE SYSTEM**

Police: Organisational Structure of Indian Police - Police Bureaucracy - Police Setup - Custodial deaths - Modernization in Police - Crime Records Management - Traditional Vis-à-vis Modern Crime Records Management - Police Community Relations - Thana Level Committee - Police Advisory Committees - Media and Police - Discipline and Lawlessness - Interpol -Criminal Justice System: Objectives of Criminal Justice System - Rights of Accused and Arrested Person - Plea Bargaining - Human Rights and Administration of Criminal Justice.

**UNIT – V: CORRECTIONAL INSTITUTION AND CRIME PREVENTION**

Probation and Parole: Origin - Salient features of Probation of Offenders Act, 1958 - Parole - Parole Regulations - Parole Recommendations - Prison System in India: Problems of Prisoners -Organized Setup - Prison Discipline - Prison Labour - Prison Education - Open Prison - The Prison Community - Prison Reform in India -Dr. Wreckless Committee Report - International Perspective.Crime Prevention - Theories of Punishment - Kinds of Punishment - Recidivism - Various form of Recidivist -Prevention of Crime and Delinquency.

**Books Prescribed**

1. Dr. Rajendra K. Sharma: Criminology and Penology; Atlantic Publishers and Distributers, 1<sup>st</sup> Edition (1998).
2. Ahamed Siddique: Criminology Problems and Perspectives; Eastern Book Company, 1<sup>st</sup> Edition (1997)
3. Dr. J.P.S. Sirohi: Criminology and Penology; Allahabad Law Agency, Reprint 2014
4. N.V. Paranjape: Criminology Penology and Victimology; Central Law Publications, 2017 Edition (2017).

**Books for Reference**

1. Harry Elmer Barnes: New Horizons of Criminology; Bames and Teeters, 3<sup>rd</sup> Edition (1959)
2. Mark S.Gaylord: The Criminology of Edwin Sutherland; Transaction Publishers, 1<sup>st</sup> edition (1988).
3. Taft and England: Criminology; Collier & Macmillan, 4th Edition (1964).

<i>Second Year – 3<sup>rd</sup>Semester</i>	<i>Subject Code –U18PEGL342</i>	<i>Total Credits: 03</i>
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## CONSUMER AND COMPETITION LAW

**Objectives:** The Process of globalization and liberalization have brought a considerable awareness towards improving the competitive process in developing countries such as India. The course aims to study the developments and analyse the progress of competition law in various legal systems.

### COURSE OUTLINE

#### **UNIT – I: COMPETITION POLICIES**

Evolution – Objective - scope and Nature of Competitive Laws - Concept of perfect competition - Theories on IP and competition - Concept of Open market system - MRTP Act, 1969 - Ragavan Committee Report - Formation and features - Anti – Competitive Practices and its regulation under MRTP Act - Regulatory Authorities – SEBI, TRAI, IRDA, NCDRC, CERC - Competition policy and Consumer Protection - Competition Policy and IPR – Introduction to various IP Assets, Patent Policy and its regulation under the Indian Laws, Abuse of IPR and regulation of Combination, Conflict of Combination Policy and Patent policy, TRIPS and its impact on Competition and Patent – Monopoly.

#### **UNIT – II: COMPETITION ACT 2002**

Drawbacks under the MRTP Act and need for the Competition Act - Regulation of Unfair Competition - Anti-competitive agreements - Abuse of dominant position - Combination, Competition Commission of India – Constitution, duties, powers and functions of commission - Competition Advocacy - Competition Appellate Tribunal, Changes brought in by Competition (Amendment) Act 2009.

#### **UNIT – III: INTERNATIONAL PERSPECTIVES**

Competition Policy under the EU and USA – Regulation of Unfair Competition in UK - The Competition Act 1989 - Anti – trust policy and Unfair Competition in USA – Federal trade commission Act 1914 - US Enforcement, Treaty on functions of European Union – Art 101, Art 102 - Globalization and Competition Law, WTO and its impact on competition laws with reference to UNCTAD - Competition rules of WTO, International Enforcement and Judicial Assistance.

#### **UNIT – IV: CONSUMER PROTECTION LAW AND POLICIES**

Origin and History of the Movement - Salient features of consumer protection act - Objective of the legislation - Consumer Protection Act, 1986 – Procedure – Deficiency of Service – Defect in Goods – Unfair Trade Practice - Consumer Protection Councils – its organization, objects and Procedure - Consumer Disputes Redressal Agencies – Kinds, establishment, composition, and jurisdiction - Complaint – manner in which made, procedure on receipt of appeals, limitation period, dismissal of frivolous or vexatious

complaints - Orders of the Consumer Disputes Redressal Agencies – Findings of the Forum– Finality of orders, Review of orders, enforcement of orders - Penalties and Remedies

**UNIT – V: EMERGING TRENDS IN CONSUMERISM**

Goods – Case laws on manufacturing defects - Service Sector – Airlines, Banking, Insurance, Housing - Medical negligence - Lawyers negligence - WTO and Consumer Protection - E-Commerce and Consumer Rights - Role of Civil Society in Consumer Protection - Access to justice and Consumer Laws - ADR in resolution of Consumer disputes - Data protection

**Books Prescribed:**

1. S. M. Dugar; Guide to Competition Law (Containing Commentary On The Competition Act, 2002; Mrtp Act, 1969 & The Consumer Protection Act, 1986), Lexis Nexis; 6th Edn. (2016)
2. Iain Ramsay: Consumer Law and Policy: Text and Materials on Regulating Consumer Markets, Bloomsbury Publishing, 3<sup>rd</sup> Edn. 2012
3. Dennis Campbell: International Consumer Protection, Springer Science & Business Media, 2013

**Books for Reference:**

1. Dr. V.K.Agarwal; Competition Act, 2002, Bharat Law House, Delhi; 2019 Edn. (2019)
2. Thomas Wilhelmsson: Consumer Law in the Information Society, Springer Netherlands, 2000
3. D. P. Mittal: Competition Law & Practice, Taxmann Publications Pvt. Limited, 2008

<b>Third Year – 6<sup>th</sup>Semester</b>	<b>Subject Code –U18PEGL351</b>	<b>Total Credits: 03</b>
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## FORENSIC SCIENCE

**Objective:** This paper seeks to explore various areas of the law that deal with creating and maintaining and regulating ‘health.’ The paper aims to give comprehensive and practical approach to the students to make them aware of the developments in medical sciences and to enable them to be equipped to face the recent challenges raised by the modern issues in contemporary era.

### COURSE OUTLINE

#### **UNIT – I: CRIME & CRIMINAL BEHAVIOUR**

Definition of Crime, Various types of crime, Criminal behaviour-cause and theories, Modus Operandi Criminal profiling, Corpus Delicti - Criminal Justice System-Important wings of criminal justice system, Its structure & functioning, Role of Police officers, prosecution & judicial officers, Role of Forensic scientists, medico-legal doctors, Expert Testimony Forensic Science-Basic Principles & Significance, History & Development of Forensic Science, Organizational structure of Forensic Science labs in Central & State. Crime Scene Management-Defining the Scene of crime, Managing a crime scene & its hierarchy, Role of First Responding Officers, Search Patterns of a crimescene, Crime scene Documentation, Collection, Packaging, Labelling & Forwarding of exhibits to forensic laboratories, Preservation of evidence, Health & Safety Protocols.

#### **UNIT – II: FORENSIC SCIENCE AND ITS APPLICATION IN CRIME INVESTIGATION**

Definition, Nature, And Need & Scope of Forensic Science: Crime Scene Evidences, Blood, Semen & other Biological fluids, Viscera, Shoe impressions, Tool marks, Tyre marks, Bite Marks, Hair – Animal & Human, Fibres & Fabrics, Glass, Soil, pollen Paint Establishment of identity of Individuals, DNA, Fingerprints/Foot prints, Anthropology – Skeletal Remains, Odontology, Questioned Document and Their Identification- Identification of objects by shape and size, Handwriting and signature-analysis, identification and examination, Procedure for examination, Types of forgery, Anonymous letter, Charred document, Identified writing, Counterfeit coins and notes, Small coins (offence) Act 1971, Standards of Weight and Measures Act 1976

#### **UNIT – III: FORENSIC MEDICINE AND THE LAWS:**

Medical Jurisprudence- Brief History & current scenario at National & International level Forwarding of Biological samples to Forensic Laboratories, Medico legal aspect of Death- Concept of Human Anatomy & Physiology, Time of Death, Causes of Death, Injuries: classification, forms and medico legal aspects, Medico Legal Aspects – PM report, Dying Declaration & Expert Testimony (Evidence Act) Sexual offences – Sexual, Offences - Rape, DFSA (Drug Facilitated Sexual Assault), Examination of the victim & the accused, Collection



of evidence, Infanticide, Abortion, Artificial Insemination, Medical Termination of Pregnancy Act 1971, Prenatal Diagnostic Technique Act 1984, Legal Aspects - Mental Health Act 1987, Prevention of Food Adulteration Act 1954, NDPS Act 1985, Petroleum Act 1934, Prevention of Damage to Public Property Act 1984, Prevention of Illicit Trafficking in NDPS Act 1985, Arms Act 1950, Explosives Act 1984, Explosive Substance Act 1908, The Drugs Act 1940, The Drugs and Cosmetics Act 1945

**UNIT – IV: RECENT ADVANCES IN FORENSIC SCIENCE AND THE LAWS**

Cyber crime: definition, hacking, virus, obscenity, pornography, software piracy. It Act, 2000 .Intellectual property right-domain name, Trademark. Computer security encryption, decryption and digital signature, Forensic Speaker identification-Introduction inter speaker and intra-speaker variation, forensic Phonetics-acoustic and auditory parameter, vocal tract, speaker recognition identification and verification, spectrograph. Study of extortion threatening calls, hoax calls, drugs transactions and the recorded voice.

**UNIT – V: NARCO ANALYSIS AND DNA FINGER PRINTING**

Theory, forensic significance of narco-analysis, admissibility in court, future prospect, case study. Brain mapping- introduction, EEG, P-3000 wave, brain mapping in forensic Science, Limitation of technique, admissibility in court, case study. Polygraph: Principle and technique polygraph as forensic investigative tool, NHRC guidelines for polygraph test, case study. Forensic DNA Finger Printing-DNA-Introduction, source of DNA in Forensic case work, Extraction of DNA, Techniques of DNA fingerprinting-RFLP, STR, PCR. DNA fingerprinting in paternity disputes, mass disaster and other forensic case work, legal issues in DNA fingerprinting, case study.

**Books Prescribed:**

1. Dr. Jaising P. Modi: A Textbook of Medical Jurisprudence and Toxicology; Lexis Nexis, 26<sup>th</sup> Edition (2018)
2. B.V. Subrahmanyam: Parikh's Textbook of Medical Jurisprudence, Forensic Medicine and Toxicology; CBS Publishers and Distributors Pvt. Ltd; 8<sup>th</sup> Edition (2019)
3. Sarita Jand, Forensic Science & Law, Allahabad Law Agency; First Edition (2017)

**Books for References:**

1. R. A. Witthaus: Medical Jurisprudence, Forensic Medicine and Toxicology. Volume 2 of 4; Gale, Making of Modern Law, (2010)
2. Nabar B.S., Forensic Science in Crime Investigation, Asia Law House; 3 edition (2013)
3. B. R. Sharma : Scientific Criminal Investigation; Universal Law Publishing - An imprint of Lexis Nexis; 2<sup>nd</sup> Edition (2016)

<i>Third Year – 6<sup>th</sup>Semester</i>	<i>Subject Code –U18PEGL352</i>	<i>Total Credits: 03</i>
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## HUMAN RIGHTS

**Objective:** The understanding of human rights is the foundation for the development of a good citizen and a responsible legal professional. The main objective of this course is to provide an insight into the meaning and significance of various human rights in the contemporary era and the mechanisms developed at the international and national level for protection and promotion of such rights. This course attempts to increase the knowledge of law students with respect to human rights; to focus their attention on the underlying values of human rights and to explore various international and national legal frameworks which embody human rights and promote them in practice.

### COURSE OUTLINE

#### UNIT I: CONCEPT OF HUMAN RIGHTS

Origin and Development of Human Rights- Generations of Human Rights - Civil and Political Rights -Economic, Social and Cultural Rights - Solidarity Rights - U.N Charter - Universal Declaration of Human Rights, International Covenant on Civil and Political Rights and Optional Protocols - International Covenant on Economic and Social Cultural Rights and Optional Protocols.

#### UNIT II: VULNERABLE GROUPS AND HUMAN RIGHTS

Discrimination against Women, Status of Women in India, Conferences of Women, Rights of Child, Optional Protocols to the Convention on the Rights of the child Labour, Migrant Workers, Rights of the Migrant Workers, Reporting System, Inter - State Communications System, Historical Development of International Refugee Law, United Nations High Commissioner for Refugees (UNRRA), Stateless Persons, Disabled Persons, Indigenous Persons.

#### UNIT III:HUMAN RIGHTS AND NON-GOVERNMENTAL ORGANIZATIONS

NGO's and United Nations, Human Rights and the NGO's - Amnesty International and Human Rights Watch, India and Human Rights NGO's - People union for Civil Liberties. - international humanitarian law - Application and Historical Development of Humanitarian Law- Treatment of Prisoners of War, Treatment of Alien Enemies, Human Rights and Terrorism.

#### UNIT IV: IMPLEMENTATION OF HUMAN RIGHTS

UN Commission on Human Rights (Human Rights Council) - The Human Rights Committee (CCPR) under ICCPR- The Committee on Economic, Social and Cultural Rights (CESCR) under ICESCR.

**UNIT V: HUMAN RIGHTS PROTECTION IN INDIA**

Provisions under the Indian Constitution – Fundamental Rights, Enumerated and Unremunerated Human Rights, Restrictions on Human Rights and Fundamental Rights- Protection of Human Rights Act 1993 - National and State Human Rights Commissions – Establishment, Powers and Functions of NHRC and SHRC - Role of NHRC and SHRC - Application of International Human Rights Law in India- Role of Indian Judiciary in enforcing human rights - Judicial Activism.

**Statutory Materials**

The Protection of Human Rights Act, 1993.

**Books Prescribed**

1. Paras Diwan: Human Rights and the Law; Deed & Deep Publications, 1<sup>st</sup> Edition (1999)
2. Sankarsen: Human Rights; Law Enforcing Concept Publishing Co. , 1<sup>st</sup> Edition, (2002).
3. Maurice Cransten: What are Human Rights; Taplinger Publishing Co., 1<sup>st</sup> Edition (1978).
4. Dr.H.O.Agarwal: International Law and Human Rights; Central Law Publications, 20<sup>th</sup> Edition (2000).

**Books for Reference**

1. H. Kramer, Simmonds & Steiner: Debate over Rights; Oxford University Press, 1<sup>st</sup> Edition (2000).
2. John Locke: Civil Government; Wildside Press, Reprint (2008).
3. Dr. U.Chandra: Human Rights; Allahabad Law Agency Publications, 5<sup>th</sup> Edition (2004).
4. Galius Esejoifer: Protection of Human Rights under the International Law; Laiden Boston, 1<sup>st</sup> Edition (2007).
5. Raphael D.D, Macmillan: Human Rights Old and New; Roulledge and Kegal Paul, 1<sup>st</sup> Edition (1981).

<b>Third Year – 6<sup>th</sup>Semester</b>	<b>Subject Code – U18O EGL301</b>	<b>Total Credits: 03</b>
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## **ENVIRONMENT AND INTERNATIONAL LEGAL ORDER**

**Objective:** The term environmental order is however largely unknown. It is more than peripheral short-term environmental protection effected on a case-by-case basis to ward off risks rather it means blanket, comprehensive and long-term protective care in line with the enduring responsibility we bear for the world around us, for the world we share with others and for the world of the generations to come. This paper is imparted to create legal and social awareness for the students regarding environmental order.

### **COURSE OUTLINE**

#### **UNIT – I: INTRODUCTION**

Concept of "Environment"- Definition, Meaning and Scope of the term 'Environment' and 'Pollution'- Meaning of the term 'Population ', 'Biome', 'Biosphere' - Meaning of the term 'Ecosystem: Macro-Ecosystem and Micro- Ecosystem - Relationship between Population, Environment and Development - Population –Vs- Development - Development –Vs- Environment Concept of 'Common Property' and 'State Property' - Notion of Doctrine of Public Trust

#### **UNIT – II: INTERNATIONAL ENVIRONMENT LAW AND GLOBAL ISSUES:**

International Environmental Campaigns - The United Nations Conference on Human Environment, 1972 (Stockholm Conference) - Framework of the Conference - Aims and Objectives - Concept of Sustainable Development - Polluters Pay's Principle - Precautionary Principle - Concept of Equity - Inter-Generational Equity - Intra-Generational Equity - The United Nations Conference on Environment and Development, (UNCED) (Earth Summit 1992) - Framework of the Conference - Aims and Objectives - Earth Charter or Rio Declaration - Agenda 21 : Blue Print for action in 21st Century - Earth Summit Plus Five - The Johannesburg Declaration on Sustainable Development, - Framework of the Declaration - Aims and - From Stockholm to Rio De Janeiro to Johannesburg -World Charter for Nature 1982

#### **UNIT – III: OTHER MAJOR INTERNATIONAL ENVIRONMENTAL ARRANGEMENTS**

Kyoto Conference and Pact on Global Warming, 1997, and onwards -Noordwijk Declaration on Climate change, 1989 - Helsinki Declaration on the Protection of Ozone Layer, 1989 - Basel Convention, 1989 - Nairobi Declaration, 1982 - Environmental Obligations: International Financing Policy - Global Environment Facility - World Environment Fund - United Nations Organisation and Environment - Millennium Development Goals 2000 - Global Environmental Issues and their Impacts: Global Warming - Oil Pollution - Ozone Layer Depletion - Green House Effect - Acid Rain.

**UNIT – IV: BIODIVERSITY AND ITS NECESSITY**

Definitions - Meaning and Importance - Role of Flora and Fauna in maintaining Biodiversity - Threats to Biodiversity - Need for protection of Biodiversity - Biodiversity and Economic Valuation - Laws, Policies and Measures for Biodiversity: Convention on Biological Diversity, 1992 - The Biological Diversity Act, 2002 - Protection of Plant Varieties and Farmers Right Act, 2001 - The Geographical Indications (Regulation and Protection) Act, 1999

**UNIT – V: BIODIVERSITY AND ETHICAL ISSUES**

Utilization of flora for Bio-Medical purposes - Cosmetic Plants - Medicinal Plants -Utilization of fauna/animals for Bio-Medical purposes - Genetic Mutation of Seeds - Experimentation on Animals - Genetically Modified Organisms - Genetic Engineering - Biodiversity and Intellectual Property Rights - Biodiversity And Priority Sectors: Sanctuaries - Zoo and Parks - Biosphere Reserves - Protected Forest and Reserved Forests - Conservation of Biodiversity: Role of NGO - Role of Indigenous People - Role of Media and Publications.

**Books Prescribed:**

1. Dr. S.C. Tripathi: Environmental Law: Central Law publications: Latest Edition(2015)
2. Shashi Kumar: Biodiversity and Food Security: Atlantic: Latest Edition(2002)
3. Alok Pandey: Environmental Law – an emerging issues in India: ABS books: 1<sup>st</sup> edition(2016)

**Books for Reference:**

1. V. R. Krishna Iyer: Environmental Pollution and the Law: Vedpal Law House: Edition(1984)
2. Prof. Philippe sands, Prof. Jacqueline Peel, Prof. Adriana Fabra & Dr. Ruth Machenzie: Principles of International Environmental Law: Cambridge university press: 3<sup>rd</sup> Edition(2012)
3. Jonathan A. Newman, Gary Varner & Stefan Linquist: Defending Biodiversity Environmental science & Ethics: Cambridge University Press: 1<sup>st</sup> Edition(2017)

<i>Third Year – 6<sup>th</sup>Semester</i>	<i>Subject Code: U18OEAL501</i>	<i>Subject Credits: 03</i>
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## **RIGHT TO INFORMATION AND EDUCATION**

**Objectives:** The right to information and right to education have been recognized as a fundamental human right, which upholds the inherent dignity of all human beings. These statutory rights play a crucial role in democracy - it is essential to ensure education accountability and good governance. Hence, the basic object of this subject is to empower the students to have an in-depth knowledge about Right to Information and Right to Education

### **COURSE OUTLINE**

#### **UNIT – I: INTRODUCTION TO RIGHT TO INFORMATION**

The evolution of the Right to Information in India - The important terms and concepts used in the Act - The salient features of the Act Public Authorities and their Obligations under the Act - Public Authority - Public Authorities covered under the Act - Public Authorities are exempted from the ambit of the Act - Obligations of Public Authorities - Role of Public Information Officers: PIOs and APIOs - Accepting an Information Request - Processing and Disposing - The specific Duties & Responsibilities of Information Officers - The liabilities of a PIO for non-compliance with the provisions of the Act - The time limits for disposal of information requests - The fees and costs to be charged for providing information - The grounds on which requests can be rejected and the procedure for such rejection.

#### **UNIT – II: EXEMPTIONS AND DISCLOSURES**

Exemptions from Disclosure of Information - Partial Disclosure - Third Party Information - Specific provisions of the Act which exempt certain kinds of information - the classification of such exempted information - Application of public interest test with respect to exempted information - Grounds that allow for partial disclosure of information - The concept of 'Third Party' and the issues and considerations revolving around its involvement.

#### **UNIT – III: APPEALS**

The roles and responsibilities of Appellate Officers within Public Authorities - The process involved in making first appeals to designated Appellate Officers - Timelines for making a first appeal and disposal of the appeal - First Appeals and Appellate Officers - Information Commission: Powers and Functions - The Role and Responsibilities of the Information Commissions - The relevant provisions in the RTI Act dealing with Complaints to the Information Commission and the specifications thereof - The "Second Appeal" process and the Commissions' mandate for the same - The power of Information Commissions with regard to enforcing compliance of public authorities with the provisions of the RTI Act, imposing penalty / recommending disciplinary action against erring PIOs etc.

**UNIT – IV: RIGHT TO EDUCATION: INTERNATIONAL PERSPECTIVES**

Education as Human Rights - Major intervention of International Declarations - Universal Declaration of Human Rights 1948 - Conventions on Child Rights 1989 - Current status and Challenges

**UNIT – V: RIGHT TO EDUCATION: INDIAN PERSPECTIVES**

Constitution (Eighty-sixth Amendment) Act, 2002 - Article 21-A in the Constitution of India - Elementary Education in India: Retrospect and Prospect - Historical background of RTE Act 2009 - Major provisions of RTE Act 2009 - Challenges in implementation and current status - Opportunities and Challenges of RTE Act 2009

**Books Prescribed:**

1. N.V. Paranjape: Right to Information Law in India: Lexis Nexis: 1<sup>st</sup> Edition(2014)
2. Sarbjit Sharma & Krishnan Gopal: Right to Information: Authors Press: 1<sup>st</sup> Edition(2005)
3. Gursharan Singh Kaimth: Right to Education – A Roadmap ahead: Neha Publishers and distributors: 1<sup>st</sup> Edition(2014)

**Books for Reference:**

1. Justice Rajesh Tandon: Right to Information – Law and practice : Lexis Nexis: 2<sup>nd</sup> Edition(2015)
2. S.P. Sathe: Right to information: Lexis Nexis India: Latest Edition(2006)
3. Ajit Mondal & Jayanta Mete: Right to Education in India(Vol 1&2): Gyan Publishing house: 1<sup>st</sup> Edition(2016)

<i>Third Year – 6<sup>th</sup>Semester</i>	<i>Subject Code: U18OEBL501</i>	<i>Subject Credits: 03</i>
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## INTERNATIONAL FINANCIAL TRANSACTIONS AND VALUATION

**Objective:** To analyse the concept of international financial environment and balance of payments. To provide knowledge of foreign exchange market, currency derivatives, exchange rate determination and international financial markets. To study about foreign trade finance, foreign exchange exposure and international capital structure.

### COURSE OUTLINE

#### UNIT – I: INTERNATIONAL FINANCIAL ENVIRONMENT:

‘Globalization’, goals of International Financial Management.

**Balance of Payments:** concepts and principles of balance of payments and its various components. The Current Account Deficit and Surplus and Capital Account Convertibility.

#### UNIT – II: FOREIGN EXCHANGE MARKET:

Origin of the concept of foreign exchange, the difference between fixed and floating rates. Foreign exchange transactions and the derivatives instruments traded in foreign exchange market such as forwards, futures, swaps, and options.

**Currency Derivatives:** forward markets and the different concepts, currency futures markets and currency options markets and functions.

#### UNIT – III: EXCHANGE RATE DETERMINATION:

Exchange rate movements, factors that influence exchange rates, movements in cross exchange rates, concepts of international arbitrage, interest rate parity, and purchasing power parity and the International Fisher effect.

**International Financial Markets:** basic concepts of the international money market. International credit markets (loans in various forms) from the creditors/investors.

#### UNIT – IV: FOREIGN TRADE FINANCE:

Concept of foreign trade finance. concepts of financing exports and financing imports and documentary collections, factoring, forfeiting and countertrade

Nature and Measurement of Foreign Exchange Exposure: nature and measurement of foreign exchange exposure. Types of exposures and the various types of translation methods.

#### UNIT – V: MANAGEMENT OF FOREIGN EXCHANGE EXPOSURE:

Concept of exposure forward and foreign exchange exposure, various tools and techniques of foreign risk management and the risk management products.

**International Capital Structure:** international capital structure, cost of capital, the capital structure of MNCs, cost of capital in segmented versus integrated markets.



**Books Prescribed:**

1. Prakash. G. Apte: International Finance: Business Perspective; McGraw Hill Education; 2 Edition (2017)
2. Cheol Eun, International Financial Management; McGraw-Hill Higher Education; 5<sup>th</sup> Edition (2009)
3. Sharan V: International Financial Management; Prentice Hall India Learning Private Limited; 6<sup>th</sup> Edition (2010)
4. Paul R. Krugman: International Finance: Theory and Policy, Pearson Education; 10<sup>th</sup> edition (2017)

**Books for References:**

1. Julian Walmsley: The Foreign Exchange and Money Markets Guide (Frontiers in Finance Series); John Wiley & Sons; 2nd edition (2000)
2. Vibha Mathur, Foreign Trade, Export-Import Policy & Regional Trade Agreements of India; New Century Publications (2012)
3. Alan C. Shapiro, Peter Moles: International Financial Management; Wiley (2016)

<i>Third Year – 6<sup>th</sup>Semester</i>	<i>Subject Code: U18OECL501</i>	<i>Subject Credits: 03</i>
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## PRIVATE INTERNATIONAL LAW

**Objective:** This course introduces students to private international law, as to the basic concepts and mechanism of this branch of law, and the legislative rules, judicial interpretations issued by various Authorities, also some representative judicial cases ruled abroad.

### COURSE OUTLINE

#### **UNIT – I: INTRODUCTION**

Definition - Nature and Scope of Private International Law - THEORIES OF PRIVATE INTERNATIONAL LAW – Development of English Private International Law, Modern Theories and Development – Theory of Acquired Rights, Local Law Theory, American Revolution - Meaning of Classification of the Cause of Action - Basis of Classification, Meaning of Incidental Question, Elements of Incidental Question, Application and Exclusion of Foreign Law.

#### **UNIT – II: RENVOI, DOMICILE AND JURISDICTION**

Doctrine of Single Renvoi - Doctrine of Total Renvoi - Scope of the Application of Renvoi - Acquisition of a Domicile of Choice - Domicile of Dependent Persons and Married Women - Concept of Residence - Jurisdiction of English Court and Limitations on Jurisdiction.

#### **UNIT – III: PRIVATE INTERNATIONAL LAW RELATING TO MARRIAGE AND OTHER MATRIMONIAL CAUSES**

Meaning and Formalities of Marriage - Capacity to Marry - Polygamous Marriages – Divorce - Nullity and Judicial Separation - Presumption of Death and Dissolution of Marriage - Civil Partnership.

#### **UNIT – IV: PRIVATE INTERNATIONAL LAW RELATING TO ADOPTION**

Adoption Proceedings in England – Adoption and Children Act, 2002 - 1993 Hague Convention on Protection on Children and Co-operation in Respect of Inter Country Adoption - Effect of Foreign Adoption.

#### **UNIT – V: PRIVATE INTERNATIONAL LAW RELATING TO PROPERTY AND OBLIGATION**

Distinction between Movable Property and Immovable Property - Distinction between Tangible and Intangible Property - Transfer of Movable and Immovable Property – Succession - Matrimonial Property – Contracts - Nature of the Problem and Solutions to the Problem - Rome Convention - Special Contracts and Limitation on the Dominant of the Applicable Law.

**Books Prescribed:**

1. Paras Diwan, Peeyushi Diwan: Private International Law, Deep Deep Publication, 4<sup>th</sup> Edition (1998).
2. I.A. Shearer: Starke's International Law; Oxford University Press, 11<sup>th</sup> Edition (1994).
3. Dr. S.R. Myneni: Private International Law; Asia Law House, 1<sup>st</sup> Edition reprinted (2015).

**Books for Reference:**

1. Dr. H.O. Agarwal: International Law; Central Law Publications, 20<sup>th</sup> Edition (2014).
2. Govindaraj V.C: Private International Law a case study; OUP India, (2018).
3. Ugljesa Grusic, Christian Heinze: Cheshire, North & Fawcett's Private International Law; OUP Oxford, 15<sup>th</sup> Edition (2017)