



UNIVERSITY OF RAJASTHAN

JAIPUR

SYLLABUS

**B.A.LL.B. Five Year Law Course
(Hons.)**

Semester Scheme

I & II Semester Examination	2023-24
III & IV Semester Examination	2024-25
V & VI Semester Examination	2025-26
VII & VIII Semester Examination	2026-27
IX & X Semester Examination	2027-28

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**DEPARTMENT OF LAW
UNIVERSITY OF RAJASTHAN, JAIPUR**



SYLLABUS

**Faculty of Law
B.A.LL.B. Five Year Law Course (Hons.)**

(SEMESTER SCHEME)

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FACULTY OF LAW

B.A. LL.B. Five year Law Course (Hons.)

Semester - I

S.No.	Paper	Subject(s)
01	1.1	English-I
02	1.2	Legal & Constitutional History
03	1.3	Political Science-I
04	1.4	Law of Torts-I
05	1.5	Computer - I
06	1.6	Economics-I

Semester - II

S.No.	Paper	Subject(s)
01	2.7	English-II
02	2.8	Right to Information
03	2.9	Political Science-II (International Relations)
04	2.10	Law of Torts-II (Consumer Protection Laws)
05	2.11	Computer-II
06	2.12	Economics-II

Semester - III

S.No.	Paper	Subject(s)
01	3.13	English-III
02	3.14	Constitutional Law-I
03	3.15	Sociology-I
04	3.16	Contract-I
05	3.17	Foreign Language(French)-I
06	3.18	Banking Law

Semester - IV

S.No.	Paper	Subject(s)
01	4.19	English-IV
02	4.20	Constitutional Law-II
03	4.21	Sociology-II (Research Methodology)
04	4.22	Contract-II
05	4.23	Foreign Language(French)-II
06	4.24	Public Interest Lawyering

Semester - V

S.No.	Paper	Subject(s)
01	5.25	Jurisprudence-I
02	5.26	Trust, Equity and Fiduciary Relations
03	5.27	Family Laws-I
04	5.28	Labour Laws-I
05	5.29	Company Law-I
06	5.30	Forensic Science and Criminal Investigation

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Semester - VI

S.No.	Paper	Subject(s)
01	6.31	Jurisprudence-II
02	6.32	Interpretation of Statutes & Principles of Legislation
03	6.33	Family Law-II
04	6.34	Labour Law-II
05	6.35	Company Law-II
06	6.36	Health Law (Medical Jurisprudence)

Semester - VII

S.No.	Paper	Subject(s)
01	7.37	Law of Property
02	7.38	Intellectual Property Laws
03	7.39	Administrative Law
04	7.40	Public International Law-I
05	7.41	Law of Crimes-I
06	7.42	Principles of Taxation Laws

Semester - VIII


S.No.	Paper	Subject(s)
01	8.43	Land Acquisition Law & Rajasthan Rent Law
02	8.44	Alternate Dispute Resolution
03	8.45	Law Of Crimes-II
04	8.46	Code of Civil Procedure-I
05	8.47	Law of Evidence
06	8.48	Public International Law-II

Semester - IX

S.No.	Paper	Subject(s)
01	9.49	Code of Civil Procedure-II
02	9.50	Competition Law, M&A
03	9.51	Private International Law
04	9.52	Drafting, Pleading, Conveyancing & Role of Court
05	9.53	Code of Criminal Procedure
06	9.54	Insurance Law

Semester - X

S.No.	Paper	Subject(s)
01	10.55	Art of Cross Examination and Moot Court Exercise
02	10.56	Human Rights Law & Practice
03	10.57	Cyber Laws
04	10.58	Criminology, Penology and Victimology
05	10.59	Environment Law
06	10.60	Professional Ethics & Professional Accounting


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ENGLISH -I

Paper 1.1

Maximum Marks : 50

Aims / Learning Objectives

1. Enable the students to use the language correctly and effectively.
2. Enhance the comprehension and analytical skills of the students.
3. Enrich their vocabulary.
4. help students acquire the ability to speak effectively in English in real-life situations
5. Develop the art of expression and train students in composition skills.

Module- 1

The Joy of Reading (Orient Longman): The following stories

- (a) "An Astrologer's Day" R.K. Narayan
- (b) "The Child" Premchand
"The Gift of the Magi" O. Henry

Module- 2

The Joy of Reading (Orient Longman): The following prose places

- (a) "Education: Indian and American" Anurag Mathur
- (b) (1) "Bangle Sellers" Sarojini Naidu
(2) "Where the Mind is Without Fear" Rabindranath Tagore

Module- 3

The Joy of Reading (Orient Longman): The following poems

- (a) "My Financial Career" Stephen Leacock
- (b) "The World is Too Much with US" William Wordsworth

Module- 4

The Joy of Reading (Orient Longman): The following Poems

- (a) Speech on Indian Independence Jawaharlal Nehru
- (b) (1) Sonnet : "When in disgrace..." William Shakespeare
(2) "Success is Counted Sweetest" Emily Dickinson

Module- 5

- (a) Legal Terms : FIR, plant, written statement, plaintiff, defendant, appeal, tribunal, divorce, legitimate, illegitimate, adoption, maintenance, alimony, valid void, litigation, monogamy, bigamy, polygamy, crime, agreement, contract, fraud, minor, indemnity, guarantee, bailment, pledge, libel, slander, defamation, homicide, genocide, suicide, executive, legislature, judiciary, constitution, negligence, nuisance, precedent, prospective, mortgage, retrospective, summons, ultra vires, will, warrant, public, private

- (b) (1) Paragraph Writing
(2) Punctuation

Module- 6

Transformation of sentences

- (a) Active/passive
- (b) Interrogative

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Module- 7

- (a) Tenses
- (b) (1) Tenses
(2) Comprehension

Text Book

1. The Joy of Reading (Orient Longman)

Reference Books

1. Thomson, A.J., and A.V. Martinet. *A Practical English Grammar*, New Delhi : OUP, 2005

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Legal and Constitutional History

Paper 1.2

Maximum Marks : 50

Aim and Objective

This course attempts to provide a basic introduction to evolution of Law in India. Study of law relating to a particular country is not complete without understanding the history and development of the Laws and legal institutions. A student of law should be exposed to the ancient social order and religious philosophy as well as to the systems of dispute settlement mechanisms existing in those days. The medieval period had influence in the development of legal system. The advent of the British was an event, which also had its influence.

The traditions of the past have made our modern legal system what it is, and still live on in it. Without a proper historical background, it may be difficult to appreciate as to why a particular feature of the system is as it is. The historical perspective throws light on the anomalies that exist have and their in the system.

Module- 1

- (a) i. Emergence of East India Company: Development of authority under charters
- ii. Administration of Justice in Madras, Bombay and Calcutta before 1726
- (b) i. The Charter of 1726 and Mayor's Court, Provisions of the charter
- ii. Charter of 1753 and defects

Module- 2

- (a) i. Grant of Diwani and adalat system, Execution of Diwani Functions, Judicial Plan of 1772 and its Defects, New Plan of 1774
- ii. Reorganization of adalats in 1780 and Reforms of 1781
- (b) i. The Regulating Act of 1773
- ii. The Charter of 1774 and establishment of Supreme Court at Calcutta, Defects of the Supreme Court

Module- 3


- (a) i. Act of Settlement, 1781 and its major Defects
- ii. Supreme Court of Calcutta, Bombay and Madras
- (b) i. Judicial Reforms of Lord Cornwallis
- ii. Reforms in Administration of Criminal Justice

Module- 4

- (a) i. The Indian High Court Act of 1861
- ii. High Court under the Act of 1935
- (b) i. The Federal Court of India
- ii. Privy Council and appeals from India

Module- 5

- (a) i. The Charter Act of 1833: Main features and defects
- ii. The Charter Act of 1853. Main features and Defects
- (b) i. the Indian Council Act, 1861: Main features and defects
- ii. The Indian Council Act of 1892: Main features and defects


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Module- 6

- (a) i. The Indian Councils Act, 1909 (Minto Morley Reforms): Background, Main features and defects
ii. Communal Electorate System
- (b) i. The Government of India Act 1919 (Montague Chelmsford Reforms): Background, Main features and defects,
ii. Dyarchy

Module- 7

- (a) i. The Govt. of India Act, 1935: Background, Main features and defects
ii. Federalism and Provincial Autonomy
- (b) i. Indian Independence Act, 1947
ii. The process of codification of law: First, Second and Third Law Commission, *lex loci* Report

Some landmarks cases-

- (a) Issue of Raja Nand Kumar (1775): Whether a Judicial Murder ?
(b) The Patna case (1777-79)
(c) The Cossijurah case
(d) The case of Kamaludin

Reference books-

1. M.P. Jain, Outlines of India Legal History
2. M. Rama Jois, Legal and Constitutional History of India
3. A.B. Keith, Constitutional History of India
4. Rankin G.C. Background to Indian Law
5. V.D. Kulshrestha, Landmarks in Indian Legal History

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POLITICAL SCIENCE - I

Paper 1.3

Maximum Marks : 50

Objectives

State and Government are the institutions which are regulating the behaviour of individual in society by its laws; Political Science is the subject which is dealing with these institutions. The objective of this course is to create awareness among the students about the various socio-economic and political issues, their Rights and Duties as well as to impart them the knowledge about the basic concept of political science which will lay the foundation of their study of law.

Module- 1

- (a) Political Science : Meaning, Nature and Scope, Traditional and Modern perspectives.
- (b) Behavioralism and post behavioralism.

Module- 2

- (a) State : (i) Meaning and elements
(ii) Distinction between State and Government
- (b) Theories and functions of State: Liberal Democratic, Authoritarian and Welfare State

Module- 3

- (a) Rights and Duties : (i) Meaning and types of Rights and Duties
- (b) UN Declaration of human rights

Module- 4

- (a) Liberty (i) Meaning and definition, Negative and Positive concept of Liberty.
(ii) Safeguards of liberty.
- (b) Property : Concept, Liberal and Marxian theory of Property.

Module- 5 Concepts:

- (a) Justice : Concept, legal political and socio-economic dimensions.
- (b) Equality : Meaning and definition, legal, political and socio-economic dimensions.

Module- 6 Law meaning, nature and liability and law

- (a) Democracy : Concept, Features and types.
- (b) Sovereignty: Concept Attributes.

Module- 7

- (a) Power, Authority and Legitimacy
- (b) The Erite Theory/Political Parties and Pressure Groups.

Reference Books

1. M.P. Jain, Political theory liberal and Marxian.
2. L. Asirvatham, Political theory Lucknow House
3. William Ebenstein, Modern Political though (New Delhi Oxford and IBH)
4. V.D. Mahajan, Political theory
5. R.C. Aggarwal, Political theory
6. J.C. Johari, Political Science
7. O.P. Gaba, Political Science
8. Prof. S.P. Verma, Modern Political Theory
9. Prof. S.L. Verma, Modern Political Theory

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LAW OF TORTS-I

Paper 1.4

Maximum Marks : 50

Objectives of the course

With rapid industrialization, tort action can be used against manufacturers and industrial units for products injurious to human beings. The emphasis is on extending the principles not only to acts, which are harmful but also to failure to comply with standards that are continuously changing due to advancement in science and technology. Law of Torts is developing fast in present scenario and the Supreme Court has created liabilities for injuries caused by hazardous and inherently dangerous industries.

The following syllabus has been prepared with this perspective and will comprise of 7 units.

Module - 1

- (a) Evolution, Definition, Nature, Scope of Law of Torts
 - i. Meaning and Evolution of Torts
 - ii. Torts: Distinguished from contract, Quasi-contract and crime.
 - iii. Constituents of Torts
- (b) General Defences
 - i. *Volenti non fit injuria*
 - ii. Necessity, Act of God, Inevitable Accidents, Private Defence
 - iii. Judicial Acts, Mistake Statutory Authority.

Module - 2

- (a) Vicarious Liability
 - i. Principles and basis of liability
 - ii. Principle and Agent Relationship
 - iii. Master and Servant relationship
 - iv. Doctrine of common employment
- (b) Vicarious Liability of State
 - i. Position in England
 - ii. Position in India

Module - 3

- (a) Rules of strict and absolute liability
 - i. Rylands v. Fletcher
 - ii. M.C. Mehta v. Union of India
- (b) Negligence
 - i. Essentials of negligence
 - ii. Duty of care
 - iii. Principle of reasonable forcibility
 - iv. Standard of care
 - v. Nervous Shock
 - vi. Res ipsa loquitur

Module - 4

- (a) A Contributory negligence
 - i. Last opportunity rule
 - ii. Rules to determine contributory negligence
 - iii. Doctrine of alternative danger
 - iv. Difference between contributory and composite negligence

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- (b) Remoteness of damages
 - i. Test of reasonable foresight
 - ii. Test of directness

Module - 5

- (a) Defamation
 - i. Liable and Slander
 - ii. Essentials of defamation
 - iii. Defences
- (b) Trespass to person
 - i. Assault, battery, mayhem
 - ii. False imprisonment
 - iii. Malicious prosecution

Module - 6

- (a) Trespass to land
 - i. Trespass ab initio
 - ii. Entry with licence
 - iii. Remedies
- (b) Nuisance.
 - i. Definition and kinds
 - ii. Essentials
 - iii. Defences

Module - 7

- (a) Legal Remedies
 - i. Damages
 - ii. Injunctions
 - iii. Specific restitution of property
- b) Extra Judicial remedies
 - i. Abatement of nuisance
 - ii. Felonious Torts

Suggested Case Laws

1. Usha Ben v. Bhagyalaxmi Chitra Mandir, AIR 1978 Guj. 103
2. Ramanuja Mudali v. M. Gagan, AIR 1984 Mad. 103
3. R.K. Kranjia v. K.M. D. Thakersay, AIR 1970 Bom. 424
4. D.P. Chowdhary v. Manju Lata, AIR 1997 Raj. 170
5. State of Punjab v. Deshraj, AIR 2004 P&H 113
6. Municipal Corporation of Delhi v. Subhagwanti, AIR 1966 SC 1750
7. Y.S. Kumar v. Kuldip Singh, AIR 1972 P&H 326
8. Sumit Kumar v. Ladu Ram Sulania, AIR 2004 Raj. 30
9. Rajkot Municipal Corporation v. Manjul Ben Jayanlilal Nakum (1997) 9 SCC 552
10. Rakesh Saini v. Union of India, AIR 2004 Del 107

Suggested Reading

1. D.D. Basu, Law of Torts
2. Rattan Lal & Dhiraj Lal, The Law of Torts
3. R.K. Bangia, Law of Torts
4. G.S. Pande, Law of Torts
5. B.S. Sinha, Law of Torts
6. S.P. Singh, Law of Torts

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COMPUTER -I

Paper 1.5

Maximum Marks : 50

Module-1

1. Computer Fundamentals: Characteristics of Computers (Versatility, Basic operations, speed accuracy, automation, storage, etc.).
2. Anatomy of Computer: Input Devices, Output Devices, Central Processing Unit, Storage Devices.
3. Classification of Computers: Micro, Mini, Mainframe, Super Computer).
4. Computer Software: Definition, Types of software-System and application software.
5. Operating System: Definition, Need, Types, Functions, Popular operating system and their applications.
6. Programming languages: Types of programming languages-Low level, high level programming languages and their evolution, oops.
7. Communication System: Data communication system, different data transmission mediums (twisted pair, Coaxial, Microwave, Communication Satellite. optical fiber) and their advantages.
8. Networking systems: Need, types, Internet working, Networking Standards.

Module- 2 (Operating System-MS-Windows)

1. Windows: Definition, Evolution of Windows, components, moving, resizing and closing a window. Features (User interface, file naming, easier mailing facility, easier remote access,
2. Working with Dialog boxes: Text boxes, list boxes, drop-down list boxes, option button, check box.
3. Using Menus: Special indicators in window, a triangle, ellipses, a dot, a key combination, grey option using scroll bars.
4. Navigating Windows: Using Windows explorer, Searching files and folders. Accessing a drive. Creating and moving a shortcuts
5. File & Folders: Difference between file and folders, Creating a file in an application, Creating a folder, copying files in a folder.
6. Creating copy of a file, creating subfolders, moving and renaming files and folders,.
7. Customizing desktop: Customizing Task bar, Setting time & date of the system, using desktop themes, changing desktop of system, Setting patterns, Color palette, setting screen savers, changing appearance of a window.
8. Installing a printer, making a default printer, Printing a document.

Module- 3 (MS-Word)

1. Word Processing: Definition, Advantages, Functions, Popular word processors.
2. Working with MS-Word: Word application window, Getting help, creating, saving, closing and opening a document.
3. Editing a document: Navigating a document, Undo and Redo, Character level editing, Forming a block, Text correction and deletion. Moving, copying, finding and replacing text.
4. Templates and Wizards: Introduction of templates, using documents on templates, using wizards to create a document.
5. Page Formatting: Meaning, Setting paper size, orientation, setting margins. Setting header and footer. Inserting page no. and date. Inserting page break. Text alignment and indentation. Setting Tabs.
6. Text Formatting: Copying removing characters, using styles, modifying the styles. Setting border and shading.

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7. Tables: Creating a table, changing the display of table, adjusting row column width. Applying arithmetic computation in table.
8. Mail merging: Meaning, Setting up main document, creating data source, merging a document, Using labels and Envelop wizards.

Module- 4 (MS-Excel)

1. Electronic Spread sheet: Definition, History, Terminology, Features, Application and Advantages.
2. Basics of MS-Excel: Starting MS-Excel, Components, Workbook, Worksheet, online help. Creating a Workbook, Data Entry in a work book. Copying and moving data saving a work book. Saving and Retrieving a work book.
3. Editing: Editing a cell, selecting range, deleting cell, column, row, worksheet. Renaming, moving, copying and moving a worksheet. Protecting a workbook.
4. Formatting: Adjusting a column width, row height, hiding /unhiding rows and columns, aligning a worksheet data. Number, currency, date formats.
5. Functions: Types of function in MS-Excel, Syntax, Mathematical function, logical function, date/time function. Function Wizard
6. Formula: Entering a formula, referencing technique, naming range, moving & copying formula.
7. Charts: Creating Charts, Components of a chart, types of a chart, using chart wizard, Moving and resizing charts, saving & retrieving charts.
8. Printing: Defining page layouts, setting header and footers, hiding gridlines, print preview, printing a worksheet.

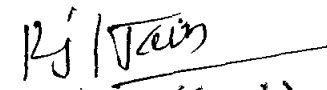
Module- 5 Power Point

Module- 6 (Internet)

1. Definition, Scope, History, Applications, services.
2. Getting Connected: Dial-up Connection, Direct& Dedicated connections.
3. World Wide Web: Meaning, Webpage, website, hyperlinks. Using web browsers. Domain name system. IP Address. TCP/IP Account (2 Lect.)
4. E-mailing: concept, Working, protocol, free email services.
5. HTML: Tags layout of HTML document, Creating HTML Document, Adding comment, Heading, color settings, inserting an image, Hyper link. (3 Lect.)

Module-7 (Networking system)

1. Concept of Networking: Meaning, Need, Types, Media.
2. Information System: Types of information, Levels , Quality, Components, functional areas.
3. Data Communication: Meaning, Elements, Modes, Speed, Mediums, Types of data transmission. (2 Lect.)
4. Computer Networks: definition, Terminology, Technology (LAN, WAN, MAN etc.), Server, client, Work group , Host, System administrator. (2 lect.)
5. Network Applications: Topologies and their advantages, Role of Protocols, Communication Protocols.
6. Internetworks: Definition, Advantages, Popular Internetwork in India.


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Books:

1. Introduction to computers, Peter Norton, TMH
2. Computer Fundamentals, P.K.Sinha, BPB
3. MS-Word 2003 complete reference.
4. MS-Excel 2003 complete reference.
5. MS-Access 2003 complete reference.
6. Internet-An Introduction , CIStems-TMHseries.
7. Computer Sciences, D.P.Nagpal, PHI
8. Internet- Every Thing You Need To Know, D.E. Comer, PHI
9. Comdex Computer Course Kit, Vikas Gupta, Dreamtech, N.Delhi

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ECONOMICS-I

Paper :1.6

Maximum Marks 50

Module 1: Introduction to Economics

- Basic concept of Economics: Definition, Scope, Basic problems.
- Form of economic analysis: Macro Vs Micro economics, Normative Vs Positive economics, Static Vs Dynamic, Partial Vs General, and Long-run Vs Short-run.
- Free Enterprise: Capitalism, Socialism, Mixed Economy and Economic Planning.
- Economics offences and economic legislation.

Module 2: Introduction to Microeconomics

- Theory of consumer behavior
- Theories of Demand- Demand function, Law of Demand.
- Concept of Utility and Utility theory- Utility Approach, Indifference Curve Approach.
- Law of Diminishing Marginal Utility and Equi-Marginal Utility.

Module 3: Theory of Supply and Consumer Behaviour

- Law of Supply, Supply Function.
- Price determination, Shift of Demand and Supply.
- Elasticity of Demand and Supply.
- Applications of Demand and Supply- Tax floor and ceilings, Applications of Indifference curves-Tax, Labor and Work.
- Law of Consumer Surplus.

Module 4: Revenue & Market structure

- Revenue Concepts.
- Classification of Markets- Pure and Perfect Competition, Monopolistic, Imperfect Competition, Monopoly (Anti- Monopoly Law), Duopoly, Oligopoly and Cartels, Types of Horizontal Cartels, Market allocating Cartels and Price Fixing Cartels
- Concept of Dumping- to be substantiated with the cases of International Court of Justice, Competition Law.

Module 5: Introduction to Macroeconomics

- Interdependence of Micro and Macro Economics.
- Basic Concepts- Stock and Flows, National Products, Domestic Product, Aggregate Consumption
- Circular Flow of Income.
- National income, Real and Nominal GNP.
- Inflation-Demand Pull and Cost push, Inflation and Rate of Interest.

Module 6: Theory of money

- Function of Money, Classification, Supply and Demand for Money.
- Effects of Money on Output and Prices.
- Money Markets and Capital Markets.
- Inflation and Deflation
- Concepts of Banking Sector: Bank rate, Cash Reserve Ratio(CRR), Statuary Liquidity Ratio(SLR)

Module 7: Introduction to Indian Economy

- Indian Economy: Structure and condition
- Trends of Population growth
- Post Independence economic policy in India (1991).
- Unemployment and Employment Generation Schemes in India.
- Poverty and Special study of Rural Poverty in India.

Aims / Learning Objectives

1. Enable the students to use the language correctly and effectively.
2. Generate interest of student in English language.
3. Make the student write correctly in English language and help them to express their ideas.
4. Enrich their vocabulary
5. Train students in composition skills

Module- 1

M.C. Chagla: *Roses in December* : The following chapter

- (a) The Bar (Page 49 - 62)
- (b) The Bar (Page 63 - 74)

Module- 2

M.C. Chagla: *Roses in December* : The following chapter

- (a) Chief Justice (Page 147 - 158)
- (b) Chief Justice (Page 159 - 169)

Module- 3

M.C. Chagla: *Roses in December* : The following chapter

- (a) Chief Justice (Page 170 - 180)
- (b) Chief Justice (Page 180 - 189)

Module- 4

M.C. Chagla: *Roses in December* : The following chapters

- (a) International Court
- (b) Epilogue

Module- 5

Foreign words:

- (a) axiom, joie-de vivre, judicature, jussoli, suo jure, suo loco, ad absurdum, addendum, a deux, ad extremum, ad fin, ad infinitum, ad initium, bon jour, monsieur, en masse, en route, sans, vis-à-vis, post script, post meridian, ante meridian, milieu, haute couture, petite, plaza, summum bonum, synopsis, virtuoso
- (b) Essential of brief writing; to make a brief about the loss of vehicle

Module- 6

Vocabulary

- (a) Idioms
- (b) i. One Word Substitutions
- ii. Prefixes/Suffixes, correction of verb

Module- 7

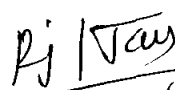
- (a) Report Writing
- (b) Letter writing (letter to Editor, resume writing)

Text Book

M.C. Chagla: *Roses in December* : Mumbai: Bhatriya Vidya Bhavan, 2000.

References

1. Thomson, A.J., and A.V. Martinet. A Practical English Grammar, New Delhi: OUP, 2005.
2. Best, Wilfred D. The Students Companion, New Delhi: Rupa & Co., 2005


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Right to Information

Paper 2.8

Maximum Marks: 50

This Course comprises of seven Modules of eight hours teaching duration. Each Module has been divided into two units again to be discussed in four hours in one week.

Module - 1

- (i) Origin and Concept Right to Information; Evolution of Right to Information in India
- (ii) Constitutional Perspective and Judicial Responses on RTI
- (iii) The Public Records Act, 1993

Module - 2

- (i) Objective and Reasons of Right to Information Act, 2005
- (ii) Official Secrets Act and RTI
- (iii) Definitions, Right to Information

Module - 3

- (i) Obligations of the public authority
- (ii) Designation of Public Information Officers
- (iii) Request for obtaining information under the Act
- (iv) Disposal of request for obtaining information by Public Information Officers

Module -4

- (i) Exemption from disclosure of information
- (ii) Grounds for rejection to access in certain cases
- (iii) Severability of information
- (iv) Third party information

Module - 5

- (i) Central Information Commission: Constitution, Powers and Functions
- (ii) The Right to Information (Regulation of fee and cost) Rules, 2005

Module-6

- (i) State Information Commission: Constitution, Powers and Functions
- (ii) Appeals, The Central Information Commission (Appeal procedure) Rules, 2005
- (iii) Penalties; Miscellaneous

Module-7

- (i) The Rajasthan Guaranteed Delivery of Public Services Act, 2011
- (ii) Harmonization of Public Interest and Private Interest Under Right to Information
- (iii) Drafting of RTI Application and Appeals

Prescribed Legislations

The Constitution of India, 1950

Right to Information Act, 2005 with latest Amendments

The Public Records Act, 1993

The Rajasthan Guaranteed Delivery of Public Services Act, 2011

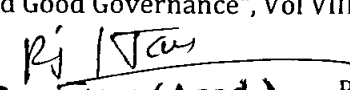
Rules Relating to Right to Information

Leading Cases(list not exhaustive)

1. Bennett Coleman and Co. vs Union of India
2. People's Union for Civil Liberties vs Union of India,
3. Central Board of Secondary Education &Anr. vs. Aditya Bandopadhyay&Ors,
4. Chief Information Commr. and Ors vs. State of Manipur and Ors
5. Girish Ramchandra Deshpande vs. Cen. Information Commr. &Ors. ..
6. Bihar Public Service Commission ... Appellant Versus Saiyed Hussain Abbas Rizwi&Anr.

Suggested Readings

1. J.H.Barowalia- Commentary on the right to Information Act
2. S.P. Sathe- Right to Information
3. M P Jain- Indian Constitutional Law
4. Sudhir Naib- The Right to Information in India
5. Justice Y.K. Sabharwal, "Right to Information and Good Governance", Vol VIII, Issue 4, Nyayadeep


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**POLITICAL SCIENCE -II
(International Relations)**

Paper 2.9

Maximum Marks : 50

Objectives

Foreign Policy and Diplomacy are the instruments which are used by various Nations to achieve their national interests in the International Relations, so the objective of this course is to create the awareness and impart the information about the emerging trends of International Relations, which are responsible for the changing international scenario particularly after the post-war period.

Module- 1

- (a) International Relations: Meaning, Nature and Scope
- (b) Emerging trends in International Relations

Module- 2

- (a) National Power : Meaning, Elements and limitations.
- (b) Theory of balance of Power, Collective Security system.

Module- 3

- (a) Foreign Policy: Meaning, determinants and significance.
- (b) Diplomacy : (i) Meaning and Nature
(ii) Relationship between Foreign policy and Diplomacy

Module- 4

- (a) Cold War : Meaning, Causes and impact on International Relations.
- (b) Détente, New Cold war and new détente, implications of the collapse of USSR

Module- 5

- (a) Decolonization: Causes, rise of third world and its impact on International Relations.
- (b) International Power structure : Bi-Polarity, Uni-Polarity, Multy-Polarity and steps towards Multy-Centralism.

Module- 6

- (a) Neo-colonialism : meaning and causes of its emergence.
- (b) Multi-national Corporations: meaning and role of MNCs in International Relations.

Module- 7

- (a) Relationship of India with US and Russia.
- (b) Relationship of India with China and Pakistan.

Reference Books

1. Norman D. Palmer and Howard C. Perkins - International Relations the world community in transition 1985
2. Raymond Aron - Peace and war a theory of International Relations
3. H.J. Morganthau - Politics among Nations
4. J.C. Johari - International Politics
5. Prem Arora - International Relations and foreign policy

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Law of Torts - II
(Consumer Protection Laws)

Paper 2.10

Maximum Marks : 50

Objectives of the Course

Consumer protective measures under Indian law have attained new legal and economic horizons in modern times. Consumer is victim of competitive social and economic forces prevailing in the society due to his technical ignorance, lack of time and weakness for competitive price. The law relating to consumer protection lying scattered in myriad provisions of various legislations and judicial decisions in India, so connected with the human rights for a healthy life and environment has now a core subject to be taught as an indispensable part of a socially relevant curriculum.

This syllabus with the above objective in view comprises of 7 units.

Module- 1

- (a) Consumer Protection – its necessity
 - i. Consumerism in India
 - ii. Need of Consumer Protection Act, 1986
 - iii. Objectives and scope of Consumer Protection Act, 1986

- (b) Consumer, the concept
 - i. Definition of consumer
 - ii. Position of third party beneficiary
 - iii. Voluntary and involuntary consumer
 - iv. When a person is not a consumer

Module- 2

- (a) Consumer of goods
 - i. Meaning of defects in goods
 - ii. Standards of purity, quality, quantity and potency
 - iii. Price control
 - iv. Statutes: food and drugs, engineering and electrical goods

- (b) Unfair trade practices
 - i. Misleading and false advertising
 - ii. Unsafe and hazardous products
 - iii. Bargain price
 - iv. Falsification of trademarks

Module- 3

- (a) Consumer Protection Councils
 - i. Constitution and procedure of central consumer protection council
 - ii. Constitution and procedure of state consumer protection council
 - iii. Consumer rights

- (b) Service
 - i. Deficiency-meaning
 - ii. service rendered free of charge
 - iii. Service under a contract of personal service

Module- 4

- (a) Medical service
 - i. How to determine negligence
 - ii. Patient is a consumer

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- iii. Denial of medical service: violation of human rights
- (b) Insurance
 - i. Controversy regarding insurance claim
 - ii. Insurance interest
 - iii. Insurance service
 - iv. Beneficiary of group insurance is consumer

Module- 5

- (a) Public Utilities
 - i. Supply of electricity
 - ii. Postal service
 - iii. Telephonic service
- iv. Housing

Module- 6

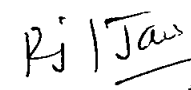
- (a) Redressal Mechanism
 - i. Consumer dispute redressal agencies
 - ii. Jurisdiction of District Forum, the state commission and the national commission Part B
Power to set aside ex parte order, transfer of cases circuit benches, finality of orders

Module- 7

- (a) Enforcement of Consumer rights
 - i. Execution of orders of district forum, state commission and the national commission
- (b)
 - i. Judicial Review
 - ii. Public interest litigation
 - iii. Class action
 - iv. Administrative remedies

Suggested Judgments

1. Dr. Laxman Balkrishna Joshi v. Dr. Trimbak Babu Godhbole and another, AIR 1969 SC 128
2. Dr. J.J. Merchant and others v. Shrinath Chaturvedi, AIR 2002 SC 2931
3. Indian Medical Association v. Shantha (1995) 6 SCC 243
4. Lucknow Development authority v. M.K. Gupta 1994(1) SCC 243
5. Laxmi Engineering works v. P.S.J. Industrial Institute 1995(2) CPJ 1(SC)
6. New India Assurance Company Ltd. v. D.N. Sainani, AIR 1997 SC 1938
7. State of Karnataka v. paramjit Singh and others ii (2006) SPJ6(SC)
8. Smt. Shashi Gupta v. LIC and another (1995) Suppl. (i) 1 SCC 754
9. Synco Industries v. State Bank of Bikaner and Jaipur 2002(3) CPR 105(SC)
10. Top line shoes ltd. v. Corporation bank, AIR 2002 SC 2487.


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COMPUTER -II

Paper 2.11

Maximum Marks : 50

Module- 1 (DOS/UNIX)

- (a) **Disk Operating System:** Introduction to operating system, How DOS works, Internal Commands: PROMPT, CLS, DATE, TIME, DIR, REN DEL, MD, CD, RD, COPY, TYPE, VOL, VER, PATH. External Commands: XCOPY, DELTREE, FORMAT, CHKDSK, DISKCOPY, DISKCOMP, SCANDISK, TREE, APPEND, ATTRIB, LABEL, EDIT, DOSKEY.
- (b) Unix Operating System: Introduction, History, features, simple Unix commands.

Module- 2 (Page Maker)

- (a) **Introduction to page maker:** Introduction, creating publications, setting up a new publication, opening editing and existing publication. Typing text moving a text block, page orientation
- (b) **Type menu :** applying a font, formatting and word processing, formatting characters, changing borders and applying fills, graphics and text blocks, wrapping text around graphics and drop down menus

Module- 3 (Excel)

- (a) Electronic Spread sheet: Definition, History, Terminology, Features, Application and Advantages.
Basics of MS-Excel: Starting MS-Excel, Components, Workbook, Worksheet, online help. Creating a Workbook, Data Entry in a work book. Copying and moving data saving a work book. Saving and retrieving a work book.
- (b) Editing: Editing a cell, selecting range, deleting cell, column, row, worksheet. Renaming, moving, copying and moving a worksheet. Protecting a workbook.
Formatting: Adjusting a column width, row height, hiding /unhiding rows and columns, aligning a worksheet data. Number, currency, date formats.

Module- 4 (Excel)

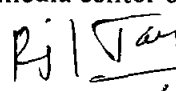
- (a) Functions: Types of function in MS-Excel, Syntax, Mathematical function, logical function, date/time function. Function Wizard Formula: Entering a formula, referencing technique, naming range, moving & copying formula.
- (b) Charts: Creating Charts, Components of a chart, types of a chart, using chart wizard, Moving and resizing charts, saving & retrieving charts.
Printing: Defining page layouts, setting header and footers, hiding gridlines, print preview, printing a worksheet.

Module- 5 (Access)

- (a) i. Database: Definition, component, understanding RDBMS, basic object of a RDBMS.
ii. Creating Table: Methods for creating table, setting datatypes, naming fields, entering records, saving, closing retrieving table. Adding validation in a table.
- (b) i. Modifying a Table: Rearranging fields, adding deleting, changing column width, editing record, selecting multiple fields, hiding/unhiding and freezing a field.
ii. Report: Creating a report of table, query, designing a report, moving report to MS- word

Module- 6 (Multimedia)

- (a) **Multimedia :** What is multimedia, components (Text, graphics, Animation, Audio, video), Multimedia Applications : Multimedia Presentation, Foreign language learning, Video games, Special effects in movies,, Multimedia conferencing, media center computer


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(b) **Topology** : introduction, star topology, Ring or circular Topology, tree topology, graph topology, mesh topology, Repeater, bridge, Router gateway

Module- 7 (Networking system)

- (a) Concept of Networking: What is a network, network goals, Types, Media, Data Communication: Meaning, Elements, Modes, Speed, Mediums, Types of data transmission
- (b) Computer Networks: definition, Terminology, Technology (LAN, WAN, MAN etc.), Server, client, Work group, Host, System administrator. Network Applications.

Suggested Readings:

1. Introduction to computers, Peter Norton, TMH
2. Computer Fundamentals, P.K.Sinha, BPB
3. MS-Excel 2003 complete reference.
4. MS-Access 2003 complete reference.
5. Internet-An Introduction , CISTems-TMHseries.
6. Computer Sciences, D.P.Nagpal, PHI
7. Internet- Every Thing You Need To Know, D.E. Comer, PHI
8. Comdex Computer Course Kit, Vikas Gupta, Dreamtech, N.Delhi

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Economics-II

Paper 2.12

Maximum Marks : 50

Module-1. Money and Banking

- a) Indian Banking Structure
- b) The Central Bank of India (RBI)- functions and credit control policy (CRR, SLR, Repo rate, reverse repo rate)
- c) Commercial Banking- functions, organization and operation
- d) Banks v/s NBFIs, meaning and role of NBFIs
- e) Unorganized money market

Module-2. Macro Economics

- a) Problems in estimation of National Income
- b) Inflation- meaning and types of inflation
- c) Effects of inflation on the economy, measures to control inflation
- d) Deficit Financing- meaning and role in economic development
- e) Business cycle – meaning, phrases and its features
- f) Concept of Consumer protection and unfair trade practices

Module-3. Principles of Public Finance

- a) Concept of public finance, public finance v/s private finance
- b) Tax system- meaning of taxation, canons of taxation
- c) Classification of taxes
- d) Fiscal policy- concept, objectives and instruments

Module-4. International Trade

- a) Meaning of free trade, arguments for and against free trade
- b) Protection- arguments for and against protection
- c) Foreign exchange- meaning and determination of foreign exchange rate
- d) Concept of Forward and spot exchange rate, hedging
- e) Fixed and flexible exchange rate

Module-5. Economic Reforms (A)

- a) New economic policy of 1991- key features
- b) Globalisation in India- Concept and growth, Advantages and disadvantages of globalization for a developing economy
- c) Foreign Aid- types and need for foreign aid
- d) Concept of FDI and FII, Advantages and disadvantages of FDI inflow,

Module-6. Economic Reforms (B)

- a) Reforms to strengthen Indian money market
- b) Reforms to strengthen Indian banking sector
- c) The role of public and private sector in the economy
- d) Concept of SMEs and their contribution in the economy

Module-7. Indian economy

- a) Concept of Financial inclusion and Micro financing
- b) Concept of poverty and poverty alleviation programmes in India
- c) Land reforms in India and commercialization of agriculture.

Suggested Readings:

1. Mishra and Puri: "Indian Economy"
2. H.L. Ahuja : "Macroeconomics"
3. Dr. Kalpana Satija: "Economics for Law Students"

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ENGLISH – III

Paper 3.13

Maximum Marks : 50

Aims / Learning Objectives

1. Enable the students to use the language correctly and effectively.
2. Develop the taste of students for the language.
3. Enrich their vocabulary.
4. Understand the proper use of words in various contexts. Develop the writing ability of the student.
5. Train students in composition skills.

Module- 1

Mulk Raj Anand : *Untouchable*

- (a) From beginning to the "touching" episode in the market
- (b) From beginning to the "touching" episode in the market (contd.)

Module- 2

Mulk Raj Anand : *Untouchable*

- (a) Bakha at Temple to Wedding of Ram Charan's sister
- (b) Bakha at Temple to Wedding of Ram Charan's sister (contd.)

Module- 3

Mulk Raj Anand : *Untouchable*

- (a) Havildar Charat Singh Episode to Colonel Hutchinson Episode
- (b) Havildar Charat Singh Episode to Colonel Hutchinson Episode (contd.)

Module- 4

Mulk Raj Anand : *Untouchable*

- (a) The Gole Bagh
- (b) The Gole Bagh (Contd.)

Module- 5

Selected College Poems : The following poems:

- (a) My Last Duchess
- (b) (1) La Belle Dame Sans Merci
(2) Night of the Scorpion

Module- 6

- (a) **Transformation of sentences :**
 - (1) To join two simple sentences to make a complex sentence
 - (2) To join two simple sentences to make a compound sentence
- (b) Précis writing

Module- 7

- (a) Translation & re-translation
- (b) (1) Essay writing
(2) Word building: Verbs from nouns

Text Books

1. Anand, Mulk Raj, *Untouchable*, New Delhi: Penguin Books, 2001
2. Sen Gupta, Ambika, ed, *Selected College Poems*, Orient Longman, 2001.

Reference Books

1. Thomson, A.J., and A.V. Martinet. *A Practical English Grammar*, New Delhi :OUP, 2005

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CONSTITUTIONAL LAW - I

Paper 3.14

Maximum Marks : 50

Aims and Objectives of the Course

India is a democracy and her Constitution embodies the basic principles of the democratic government how it comes into being what its powers functions, responsibilities are and obligations how power is in various organs distributed. Whatever had been the original power base of the Constitution, today it seems to have acquired legitimacy as a highest norm of public law. A good understanding of the Constitution and the law, which has developed through constitutional amendments, judicial pronouncement constitutional practice precedents and conventions is therefore, absolutely necessary for a student of law of study. He must also know the genesis, nature and special features and be aware of the social, political and economic influence on the Constitution.

The purpose of teaching constitutional law is to highlight its never-ending growth. Constitutional interpretation is bound to be influenced by social, economic or political predilections. A student must, therefore, learn how various interpretations of the constitution are possible and why a significant interpretation was adopted in a particular situation. Such a critical approach is necessary requirement in the study of constitutional law.

Judicial review is also one of the important aspects to constitutional law. India is the only country where the judiciary has the power to review even constitutional amendments. The application of basic structure objective in the evaluation of executive action is an insertion development of Indian constitutional law. The concept of secularism and federalism engraved in the constitution are to be interpreted progressively.

Module -1

- Constitution, Constitutional law and Constitutionalism
- Making of the Indian Constitution
- Nature and Preamble of Indian Constitution
- Special features of the Constitution.
- Citizenship of India

Module -2

- Concept of Fundamental Rights
- Definition of State
- Laws inconsistent with Fundamental Rights
- Right to equality and Social Justice
- Classification for differential treatment: constitutional validity

Module - 3

- Freedom of Speech and expression
- Other freedoms under Article 19
- Protection against Ex post facto laws, Protection against Double Jeopardy
- Right against self-incrimination

Module - 4

- Right to life and personal liberty: meaning, scope and limitations
- Safeguards against arbitrary arrest and detention
- Right against exploitation

Module - 5

- Concept of Secularism, Indian constitutional provisions relating Secularism
- Freedom of religion and its scope
- Cultural and educational rights
- Right to Constitutional Remedies

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Module – 6

- Directive Principles-directions for social change-A new social order.
- Fundamental Rights and Directive Principles, inter-relationship-judicial balancing
- Fundamental duties

Module – 7

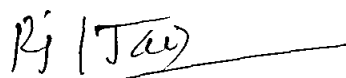
- Methods of Constitutional amendments
- Limitations upon constitutional power of amendments
- Development of doctrine of Basic Structure
- Judicial activism and its Restraint

Judgments

1. S.R. Bommai v. UOI, AIR 1994 SC 1918
2. Keshavanand Bharti v. State of Kerala, AIR 1995 SC 2299
3. Minerva Mills Ltd. v. UOI, Air 1980 SC 1789
4. Hussainara Khatoon v. Home Secretary State of Bihar, 1979 SC 136
5. A.K. Gopalan v. State of Madras, AIR 1950 SC 27
6. Sachidanand v. State of West Bengal, AIR 1987 SC 1109
7. Rural Litigation and Entitlement Kendra v. State of UP
8. T.M.A. Pai Foundation v. State of Karnataka
9. M.C. Mehta v. UOI(1987) ISCC 395 AIR 1987 1086
10. Rudal Shah v. State of Bihar, AIR 1983 SC 1086
11. Bikunth nath v. C.D.M.O., AIR 1992 SC 1368
12. Inġra Gandhi v. Raj Narain, AIR 1995 SC 2299
13. People Union Civil Liberties v. UOI, AIR (1997)ISCC
14. Air India v. Nargesh Mirza, AIR 1981 SC 1829
15. Unnikrishnan v. State of A.P., AIR 1993 SC 2178
16. Indira Sawhney v. UOI, AIR 1993 SC 2178
17. Maneka Gandhi v. UOI, AIR 1978 SC 1789
18. I.R. Coolho (Dead) Through L.R.S. v. State of Tamil Naidu & ors. 2007 SC 137
19. Kehar Singh v. State (1989)
20. Bijoe Emmanuel v. State of Kerala (1986) 3 SCC 615
21. Bennett Coleman & Co. v. Union of India AIR 1973 SC 106
22. Keshavan Madhava Menon v. State of Bombay AIR 1955 SC 128: 1951 SCR 228
23. Vishakha v. State of Rajasthan 1997 6 SCC 241
24. Indian Young lawyers Association v. The State of Kerala 2019 11 SCC 1
25. Shreya Singhal v. Union of India AIR 2015 SC 1523
26. Arnab Ranjan Goswami v. Union of India 2020 14 SCC 12

Recommended Books

1. The Indian Constitution: Cornerstone of a Nation by Granville Austin
2. Working a Democratic Constitution- A History of Indian Experience by Granville Austin
3. Indian Constitutional law by M.P. Jain
4. Constitutional law of India by Dr. J.N. Pandey
5. Shorter Constitution of India by Dr. D.D. Basu
6. Constitution of India (1992) Vol. I/II/III, by Dr. Seervai
7. V.N. Shukla's Constitution of India by Dr. M.P. Singh


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SOCIOLOGY -I

Paper 3.15

Maximum Marks : 50

Aims and Objectives

- To elaborate the basic concepts of the subject
- To make the learner know the relationship between Law and Sociology
- To interpret the procedures of formulation of Human grouping
- To get acquainted with the integrative and disintegrative social processes
- To understand the functioning and importance of social institutions

Module- 1

- (a) i. Sociology – Definitions and Importance
ii. Scope of Sociology
iii. Nature of Sociology
- (b) i. Methods in Sociology
ii. Relationship between Law and Sociology

Module- 2

- (a) i. Norms – Definitions and Importance
ii. Values – Definitions and Importance
iii. Status – Meaning, Types and Importance
- (b) i. Role – Definitions, Types and Importance
ii. Relationship between Role and Status

Module- 3

- (a) i. Social Groups – Meaning, Forms
ii. Community – concept, Definitions and Importance
iii. Association – Concept, Definition and Importance
- (b) i. Social Processes – Concept
ii. Disintegrative Social Processes (Competition, Conflict)
iii. Integrative Social Process (Accommodation, Assimilation, Adjustment)

Module- 4

- (a) i. Institutions – Definitions, Importance
ii. Different types of Institutions (Social, Political and Economic)
- (b) i. Social Stratification – Meaning, Forms
ii. Theories of Stratification – (Karl Marx / Davis Moore)

Module – 5

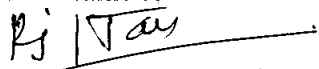
- (a) i. Social Control Concept, Importance
ii. Formal Agencies of Social Control
iii. Informal Agencies of Social Control
- (b) i. Social Change – Definitions, Features, Importance
ii. Theories of Social Change
iii. Pattern of Social Change

Module – 6

- (a) i. Socialization – meaning, Importance
ii. Different Agencies for Socialization (Formal, Informal)
- (b) i. Culture – Meaning, Characteristic, Importance
ii. Theory of Cultural Lag
iii. Culture and Civilization

Module – 7

- (a) i. Customs – Meaning, Importance
ii. Modes of Acquiring Customs (Language, Symbolic Interaction)
- (b) i. Problems and Perspectives of Linguistic Communities
ii. Problems and Perspectives of Religious Communities
iii. Role of Legislation


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References

1. Johnsons, M. Turner (1960), *Sociology - A Systematic Introduction*, Allied Publishers Ltd., Delhi
2. *Unique Introduction to Sociology*, U.P.S.C. Publication, New Delhi
3. Ahuja Ram (1999), *Indian Social System*, Rawat Publishers, Jaipur
4. Ghurey G.S. (1999), *Caste and Race in India*, Popular Prakashan, Bombay
5. Singh, Yogendra, (2002), *Modernization of Indian Traditions*, Rawat Publishers, New Delhi
6. Haralambos, M. (1998), *Sociology - Themes and Perspective*, Oxford University Press, New Delhi
7. *Introduction to Sociology*, Spectrum Publishers, New Delhi
8. Thorpe Showick (2006), *The Pearsons Concise General Knowledge Manual*, Pearsons Education, New Delhi
9. Madan T.N. (2004), "India's Religion", Oxford University Press, New Delhi
10. Elliott N. Carolyn (2006), "Themes in Politics - Civil Society and Democracy", Oxford University Press, New Delhi

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CONTRACT -I

Paper 3.16

Maximum Marks : 50

Aims and Objectives of the Course

Every society is governed by some contractual obligation and certain general Principles of Contract. Making of a Contract is now a day a Common Phenomenon. The subject will ensure better understanding about the subject. It will acquaint students with the conceptual and operational parameters of the contractual obligations. Specific Enforcement of the contract is also an important aspect of the law of contracts, so it has been introduced alongwith the general principles of the contract.

Module - 1

- (a) History and nature of Contractual Obligations
- (b) Formation of Contract: Proposal and Acceptance

Module - 2

- (a) Consideration
- (b) Capacity to Contract

Module - 3

- (a)
 - i. Coercion
 - ii. Undue Influence
 - iii. Misrepresentation
- (b)
 - i. Fraud
 - ii. Mistake

Module - 4

- (a) Void Agreements
- (b) Legality of Object and Consideration

Module - 5

- (a) Modes of discharge of contract
 - i. Performance
 - ii. Wagering Agreements
- (b)
 - i. Impossibility of Performance
 - ii. Anticipatory Breach

Module - 6

- (a) Quasi Contract
- (b)
 - i. Breach of Contract and Damages
 - ii. Measurement of Damages
 - iii. Standard form of Contracts

Module - 7

Specific Relief Act, 1963

- (a)
 - i. Contracts which are specifically enforceable
 - ii. Contracts which are not specifically enforceable
 - iii. Injunction
- (b)
 - i. Rescission and Cancellation of Contract
 - ii. Discretion of Court

Judgments

1. Bhagwandas Goverdhan Dass Nadia v. M.S. Girdari Lal Parshottam Dass and Co., AIR 1966 SC 548
2. Khan Gul and Ors v. Lakha Singh, AIR 1928 SC Lahore 609
3. Sonia Bhatia v. State of U.P., AIR 1981 SC 1274
4. Gheru Lal Parakh v. Mahadeo Das, AIR 1959 SC 781
5. Satya Brata Ghosh v. Mugneeram Bangur and Co., AIR 1954 SC 44
6. Puran Lal Shah v. State of U.P., AIR 1971 SC 712
7. Patel Engineering Ltd. and Anr. v. National Highway Authority of India and Anr., AIR 2005 Del. 298

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8. Shree Balaji Coal Linkers, U.P. v. Bharat Sanchar Nigam Ltd and Ors., AIR 2004 All. 141
9. Prentice Hall India Pvt. Ltd. v. Prentice Hall Inc. and Ors., AIR 2003 Del. 236
10. M/s Harayna Telcom Ltd. v. Union of India and Anr., AIR 2006 Del. 339

Suggested Readings :

1. Pollock and Mulla, Indian Contract Act and Specific Relief Act
2. Avtar Singh, Law of Contract
3. Beatesen (ed.), Anson's Law of Contract
4. G.C. Cheshire and H.S. Fifoot and M.P. Furmgton, Law of Contract
5. Banerjee, S.C., Law of Specific Relief
6. Anand and Aiyer, Law of Specific Relief
7. Subha Rao, Law of Specific Relief

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Foreign Language (French) -I

Paper 3.17

Maximum Marks : 50

Module- 1

- i The alphabet
- ii The accents
- iii Elision
- iv Liason
- v To spell one's name
- vi Numbers 1-10
- vii Subject Pronouns
- viii verbs : être and s'appeler
- ix To present oneself
- x Greet someone
- xi To take leave
- xii Understand a short dialogue [salutation]

Module- 2

- i. Definite articles
- ii. Nationalities and Professions
- iii. iii Numbers 11 – 69
- iv. iv verbs : avoir, habiter, apprendre
- v. v Understand short dialogues in which one talks about oneself [2]
- vi. vi Filling up an official form

Module- 3

- i Indefinite articles
- ii Interrogation using "est-ce que..?" [oui / non]
- iii Negation
- iv Interrogation using "quel, où?"
- v Numbers after 70
- vi Understand short dialogues in which one present oneself [3]
- vii To ask someone to present himself

Module- 4

- i Possessive Adjectives [1]
- ii Verbs : aimer, adorer, préférer, detester [verbs ending -er]
- iii Hobbies [faire du / de la]
- iv Understand a short dialogues in which one talks about ones' likes and dislikes
- v To speak about ones likes and dislikes

Module- 5

- i Interrogation using "Qui, Qu'est-ce que? [C'est..]
- ii On = Nous
- iii Writing a short letter : starting and ending a letter
- iv Understanding a short letter giving information about oneself
- v To write a short letter informing about oneself

Module- 6

- i Months of the year, seasons, expressions with "avoir"
- ii Interrogation using "Quand"
- iii Verbs : aller, pouvoir, vouloir
- iv Making polite requests
- v Activities during vacations
- vi Recent past
- vii Near future
- viii Nouns [plurals]
- ix Understand / write a short letter talking about one's vacation

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Module- 7

- i Pronom Tonique
- ii Telling / asking the time
- iii Making an appointment
- iv Verbs : venire, sortir, connaître, savoir
- v Inviting a friend
- vi Accepting / refusing an invitation

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Banking Law

Paper 3.18

Maximum Marks : 50

Objectives : To acquaint student with operational parameters of Banking law
To teach General Principals of Banking law

Module 1

History of Banking in India
Social control of the Banking companies
Licensing of Banking Companies

Module 2

Reserve Bank of India –Structure and Functions
Types of Banking Institution –Commercial Bank Regional Bank Rural Bank

Module3

Promissory Note Bills of Exchange Hundis Cheques Bank Draft
Dishonour of Cheques and criminal Liability on Dishonour of Cheques

Module 4

Banker and Customer relationship
Loans and Advances and Different Kinds of Accounts

Module 5

Securities for Bankers Loan
Guarantee pledge Lien Mortgage
Banking ombudsman

Module 6

Modern Aspect of Banking
Internet Banking ATM , RBI Guidelines for Internet Banking E- Commerce
Frauds in Banking Copying Hacking Fund Transfer Duplication Credit Card Abuse

Module 7

Objective and importance of SARFAESI Act, Assets covered under SARFAESI Act
Recovery of debts due to the bank

Leading cases

- 1 Bharat Bank ltd vs Kashyap Industries
- 2 Uco Bank vs Hem Chandra Sarkar
- 3 Claytons case
- 4 Pramod Malhotra vs Union of India
- 5 Yuan –Kun –Yeu vs AG of Hong Kong

Suggested Readings

Banking Law
Banking Law
Banking Law

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RN Choudhary
CA Ketan M Bhatt

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ENGLISH - IV

Paper 4.19

Maximum Marks : 50

Aims / Learning Objectives

1. Enable the students to use the language correctly and effectively.
2. Enrich their vocabulary.
3. Help students acquire the ability to speak effectively in English in real-life situations.
4. Develop the art of expression and train students in composition skills.
5. Enable the students to use the language correctly and effectively.

Module- 1

Shakespeare : *The Merchant of Venice*

- (a) Act I –(scene -1)
- (b) Act I –(scene - 2, 3)

Module- 2

Shakespeare : *The Merchant of Venice*

- (a) Act II –(scene 1-4)
- (b) Act II –(scene 5-9)

Module- 3

Shakespeare : *The Merchant of Venice*

- (a) Act III –(scene 1-2)
- (b) Act III –(scene 3-5)

Module- 4

Shakespeare : *The Merchant of Venice*

- (a) Act IV
- (b) Act V

Module- 5

Selected College Poems : The following poems:

- (a) The System
- (b) (1) Punishment in Kindergarten
(2) All the World's a Stage

Module- 6

- (a) Dialogue Writing
- (b) (1) Idioms and Phrases
(2) Words used as different parts of speech

Module- 7

- (a) Translation
- (b) Narration

Text Books

1. Shakespear, William, *The Merchant of Venice*
2. Sen Gupta, Ambika, ed, *Selected College Poems*, Orient Longman, 2001.

Reference Books

1. Thomson, A.J., and A.V. Martinet. *A Practical English Grammar*, New Delhi :OUP, 2005

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CONSTITUTIONAL LAW - II

Paper 4.20

Maximum Marks : 50

Aims and Objectives of the Course

India is a democracy and her Constitution embodies the basic principles of the democratic government how it comes into being what its powers functions, responsibilities are and obligations how power is in various organs distributed. Whatever had been the original power base of the Constitution, today it seems to have acquired legitimacy as a highest norm of public law. A good understanding of the Constitution and the law, which has developed through constitutional amendments, judicial pronouncement constitutional practice precedents and conventions is therefore, absolutely necessary for a student of law of study. He must also know the genesis, nature and special features and be aware of the social, political and economic influence on the Constitution.

The purpose of teaching constitutional law is to highlight its never-ending growth. Constitutional interpretation is bound to be influenced by social, economic or political predilections. A student must, therefore, learn how various interpretations of the constitution are possible and why a significant interpretation was adopted in a particular situation. Such a critical approach is necessary requirement in the study of constitutional law.

Judicial review is also one of the important aspect to constitutional law. India is the only country where the judiciary has the power to review even constitutional amendments. The application of basic structure objective in the evaluation of executive action is an insertion development of Indian constitutional law. The concept of secularism and federalism engraved in the constitution are to be interpreted progressively.

The following syllabus prepared with this perspective will comprise of about 7 units of 4 Hour each.

Module -1

- Parliamentary and Presidential form of government
- President of India: Election, qualification and impeachment
- Powers of President
- Vice President, Attorney General
- Position of the President vis a vis Council of Ministers
- Collective Responsibility, individual responsibility

Module-2

- Parliament: Composition, qualifications and disqualifications
- Powers and functions, Procedure: various motions, sessions of the Parliament
- Law making procedure
- Parliamentary privileges
- Comptroller and Auditor General

Module - 3

- The Supreme Court: Composition, appointment and removal of Judges
- Jurisdiction of the Supreme Court
- The High Court: appointment, removal, transfer, writ jurisdiction
- Independence and accountability of Judiciary

Module- 4

- Governor: appointment and constitutional position
- Role of Governor in States
- Powers and functions of Governor

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Module – 5

- Indian Federalism: identification of federal features
- Distribution of Legislative Powers and principles of interpretation
- Distribution of Administrative powers
- Distribution of financial powers
- Principle of cooperative federalism

Module-6

- Emergency: meaning and scope
- Proclamation of emergency-conditions and effect of emergency on Centre-state relations.
- Emergency and suspension of fundamental rights

Module – 7

- Freedom of Trade, commerce and intercourse within the territory of India
- Freedom of Property: from fundamental right to constitutional right
- Doctrine of pleasure (Art.310) of the constitution
- Protection against arbitrary dismissal, removal, or reduction in rank (Art. 311)

Judgments

1. S.R. Bommai v. UOI, AIR 1994 SC 1918
2. S.P. Gupta v. UOI, AIR 1982 SC 1991
3. Keshavanand Bharti v. State of Kerala, AIR 1995 SC 2299
4. Minerva Mills Ltd v. UOI, AIR 1980 SC 1789
5. M.C. Mehta v. UOI (1987) ISCC 395 AIR 1987 1086
6. Bikunth nath v. C.D.M.O., AIR 1992 SC 1368
7. Indra Gandhi v. Raj Narain, AIR 1995 SC 2299
8. Indira Sawhney v. UOI Air 1993 SC 1789
9. Maneka Gandhi v. UOI, AIR 1978 SC 1789
10. I.R. Colho (Dead) Through L.R.S. v. State of Tamil Naidu & ors, 2007 SC 137
11. Raja Ram Pal v. The Hon'ble Speaker Loksabha and Ors
12. S. P. Anand v. H.D. Deve Gowda (1996) 6 SCC 734
13. Samsher Singh v. State of Punjab (1974) 2 SCC 831
14. State (NCT of Delhi) v. Union of India (2018) 8 SCC 501
15. Jaya Bachchan v. Union of India (2006) 5 SCC 266
16. In re Keshav Singh AIR 1965 SC 745
17. A.K. Roy v. Union of India (1982) 1 SCC 271
18. D.C. Wadhwa v. State of Bihar (1987) 1 SCC 378
19. SC Advocates on Record Association v. Union of India (1993) 4 SCC 441
20. SC Adv. On Record Association v. Union of India 2016 (5) SCC 1
21. Shanti Bhushan v. Supreme Court of India through its Registrar (2018) 8 SCC 396
22. Rupa Ashok Hurra v. Ashok Hurra (2002) 4 SCC 388
23. State of Bombay v. R.M.D.C AIR 1957 SC 699
24. Prafulla Kumar v. Bank of Commerce, Khulna AIR 1947 PC 60
25. Union of India v. H.S. Dhillon (1971) 2 SCC 779
26. L. Chandra Kumar v. Union of India AIR 1997 SC 1125

Suggested Readings

1. The Indian Constitution: Cornerstone of a Nation by Granville Austin
2. Working a Democratic Constitution- A History of Indian Experience by Granville Austin
3. Indian Constitutional law by M.P. Jain
4. Constitutional law of India by Dr. J.N. Pandey
5. Shorter Constitution of India by Dr. D.D. Basu
6. Constitution of India (1992) Vol. I/II/III, by Dr. Seervai
7. V.N. Shukla's Constitution of India by Dr. M.P. Singh

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Sociology-II (Research Methodology)

Paper 4.21

Maximum Marks : 50

Module 1

(a) Scientific research: characteristics, types and methods

- i. Scientific Research and Scientific Methods in conduction research
- ii. Aims and steps in scientific research
- iii. Scientific and normative research
- iv. Value and value free research

(b). Developing Research Skills

- i. Writing research proposal—Steps
- ii. Review of Literature -- Guidelines for evaluating Review of Literature
- iii. Writing Bibliography and citation of case laws

Module 2

Formulation of research problem and Developing Research Questions

- (a)
 - I. Components in research and selection of research topic
 - ii. Sources of selecting research problem
 - iii. Precaution in selecting research problem
- (b)
 - i. formulation of research questions or hypothesis
 - ii. Nature and criteria of a hypothesis
 - iii. Sources and Types of hypothesis
 - iv. Importance of hypothesis in research

Module 3

Designing of research

- (a)
 - i. Meaning and functions of research design
 - ii. Types of research design: descriptive, explanatory and exploratory
- (b)
 - i. meaning and purposes of sampling
 - ii. Criteria of good sample and key terms
 - iii. Types of sampling - Probability and Non probability

Module 4

Skills and Methods of Collecting Data

- (a)
 - i. Meaning and definition of scientific data
 - ii. Types and sources and data--primary and secondary data
- (b)
 - i. Methods of data collection:
Questionnaire,
Interview,
Observation and,
Case study method


Module 5

Data Analysis and Interpretation and Generalization

- (a)
 - i Use and Significance of Computers in Sociological Research
 - ii. Measurement of central tendency-- Mean, Mode and Median
- (b)
 - i. Data Interpretation and inferencing
 - ii. Generalization

Module 6

- (a) Co relationship of theory and research---Merton, Karl Marx and Durkhiem
- (b) Formulation of new principle


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Module 7

- (a) Documentation
 - i. Bibliography
 - ii. Citation of Case Laws
- (b) Presentation of report/thesis

Suggested Readings

1. Andrews Richard: Research Questions, Continuum, UK, 2005.
2. Bell J.: Doing Your Research Project, Open University Press, Buckingham, 1999.
3. Bryman Alan: Social Research Methods, Oxford 2001
4. Babbie Earl: The Practice of Social Research, Wordsworth, 2001..
5. Levin, Jack: Elementary Statistics in Social Research, New York, Harper and Row Publishers.
6. Kothari, C.R.: Research Methodology-Methods and Techniques, New Delhi: Wishwa Prakashan
7. Bailey, Kenneth D.: Methods in Social Research, New York: MacMillan Publishing Co..
8. Nachmias David & Nachmias Chava: Research Methods in the Social Sciences, New York, St. Martin's Press, 1981.
9. Sanders, Willam, B. & Pinhey Thomas K.: The Conduct of Social Research, New York, CBS College Publishing.

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CONTRACT -II

Paper 4.22

Maximum Marks : 50

Aims and Objectives of the Course

The Subject is introduced for understanding and appreciating the Basic essentials of a valid contract. It will provide understanding of the contractual relationship in various instances. The subject is emphasizing on the intricacies of the Contract concerned. It provides an insight in to the justification for the statutory provisions for certain kinds of the Contract.

Module - 1

Indian Contract Act

- (a) Indemnity and Guarantee
- (b) Bailment

Module - 2

- (a) i. Pledge
ii. Government as a Contracting Party
- (b) Agency

Module - 3

Sale of Goods Act, 1930

- (a) Concept of Sale and Agreement to sell and Difference Between Sale and Hire Purchase Agreement
- (b) Concept of Condition & warranty

Module - 4

- (a) Transfer of Title
- (b) Transfer of Ownership
- (c) Performance of Contract

Module - 5

- (a) i. Rights of Unpaid Seller
ii. Suit for Breach of Contract
- (b) Indian Partnership Act, 1932
Nature and Definition
- (C) Difference Between Partnership with company, Hindu undivided Family and Limited Liability Partnership

Module - 6

- (a) Relationship of Partners Interse
- (b) Relationship of Partners with Third Party
- (c) Registration of Firm and Effect of Non-Registration

Module - 7

- (a) Incoming and Outgoing Partners
- (b) Modes of Dissolution of Firm

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Judgments

1. Maharashtra State Electricity Board v. Official Liquidator, AIR 1988 SC 1497
2. Bank of Bihar v. State of Bihar, AIR 1971 SC 1210
3. P.S.N.S.A.C. and Co. v. Express Newspapers, AIR 1968 SC 741
4. Collector of Customs v. Pednekar and Co., AIR 1978 SC 1408
5. Vijaya Bank and Ors. V. Naveen Mechanised Construction Ltd., AIR 2004 Bom. 362
6. Veer Prabhu Marketing Ltd. and Ors. V. Sate of Maharashtra
7. Veer Prabh'u Marketing Ltd and Ors. V. State of Maharashtra
8. Suresh Kumar Rajinder Kumar v. K. Assan Koya and Sons, AIR 1990 AP 20
9. Jute Distributors v. Sushil Kumar Gupta, AIR 1974 Ca. 386
10. M/s Devi Dayal Sales Pvt. Ltd. v. National Supply Corp. and Ors., AIR 2006 Cal. 301
11. Shivagodia Ravjit Patel v. Chander Kant Neelkanth Sadalgo, AIR 1965 SC 212
12. Narayanappa v. Bharkara Krishnappa, AIR 1966 SC 1300

Suggested Readings

1. Pollock and Mulla, Law of Contract
2. Avtar Singh, Law of Contract
3. G.C. Cheshire and H.S. Fifoot and M.P. Furmston, Law of Contract
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase
5. J.P. Verma (ed.), The Law of Partnership in India
6. H.K. Saharay, Indian Partnership and Sales of Goods Act
7. Ramnainga, The Sales of Goods Act
8. A.G. Guest (ed.), Benjamin's Sale of Goods
9. Avtar Singh, Law of Partnership

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Foreign Language (French) -II

Paper 4.23

Maximum Marks : 50

Module- 1

- i Alimentation
- ii Interrogation using "Combien?"
- iii Expression of quantity [countable, uncountable]
- iv Article partitif
- v Verbs : manger, prendre, boire
- vi Direct object pronouns
- vii "en" [replacing quantity]
- viii Understand a conversation in a shop / restaurant
- ix To order a meal in a restaurant / to make purchases in shop

Module- 2

- i Imperative
- ii Places in a city and genders of countries
- iii L'article contracté
- iv Locational prepositions
- v Pronoun y
- vi Verbs : plaie, offrir, voir
- vii To ask for / to give directions
- viii To describe a place / city

Module- 3

- i Rooms of a house,
- ii Adjectives of colour
- iii Adjectives of possession [2]
- iv quelq'un, quelque chose, personne, rien
- v Expression of obligation and necessity [verbs : falloir, devoir]
- vi Demonstrative adjectives
- vii Describe a residence

Module- 4

- i Past tense
- ii il y a , avant [marquers temporels]
- iii Indirect Pronouns
- iv Ne...que
- v Understand / describe an event in the past

Module- 5

- i Comparisons
- ii Relative pronouns [qui, que, où]
- iii Members of the family
- iv Pronominal verbes
- v Depuis, Pendant... other marquers temporels
- vi Pourquoi ? pour / Parceque
- vii Describing daily activities

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Module- 6

- i Interrogation using inversion
- ii Adjectives [of character/ physique]
- iii Describe a person
- iv ne plus, jamais
- v Expression of one's opinion
- vi Express ones' opinion on a subject

Module- 7

- i Future tense
- ii Understanding / talking about the future [eg weather forecast]
- iii Subjunctive present
- iv Expressing one's wishes

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Public Interest Lawyering

Paper 4.24

Maximum Marks : 50

Module-1

- A- I. Public Interest Litigation: It is origin and meaning
- II. Scope and nature and object of public interest litigation

- B- I. Difference between public interest litigation and private interest litigation
- II. Doctrine of Locus Standi

Module-2

- A- I. Judicial Activism. It's emergence
- II. Judicial activism and Public Interest Litigation in changing societal needs
- B- I. Judicial process and procedure in writ jurisdiction and public interest litigation

Module-3

- A- Dynamics and trades of public interest litigation in India:-
 - I. Right to life
 - II. Right of accused and prisoners
 - III. Bonded labour
- B- I. Woman and children
- II. Right to education
- III. Ecological balance

Module-4

- A- Problems of practice of Public Interest Litigation in India
 - I. Effective implementation of public interest litigation decision
 - II. The need for clarity, certainty, and efficacy in public interest litigation adjudication
- B- Regulation of public interest litigation

Module-5

- A- Legal Service and legal education in India concept and functionaries
- B- Para legal service in India

Module-6

- A- I. Legal Services under the
 - i. Constitution
 - ii. Code of criminal procedure
 - iii. Code of civil procedure
- II. The Legal Service Authorities Act 1987, Legal Aid and Legal Profession
- B- Lok Adalts- Jurisdiction working and powers under the Legal Services Authorities Act 1987

Module-7

- A- Writing of public interest litigation
- B- Writing of application for legal aid

Leading cases

1. Bandhua Mukti Morcha v. Union of India (1984) 3 SCC 161
2. Olga Tellis v. Bombay Municipal Corporation (1985) SCC 545
3. Sheela Barse v. State of Maharashtra, AIR 1988 SC 378
4. M.C. Mehta v. Union of Indian (2000_ 5 SCC 525
5. Nilabati Bahera v. State of Orissa, AIR 1993 SC 1960
6. Peoples Union for Civil Liberties v. Union of India (1997) 3 SCC 433
7. Vishakha v. State of Rajasthan, AIR 1997 SC 241

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JURISPRUDENCE-I

Paper 5.25

Maximum Marks : 50

Aims and Objectives:

The objective lies in opportunity for lawyers to bring theory and life into focus as it concerns human thought in relation to society. The course aims at developing an analytical approach to understand the nature of law and working of a legal system. The objective is to acquaint the students with contemporary concepts and trends in legal theory. Those concepts and methods of analysis of law which persons – the judges, lawyers and jurists encounters in the course of their work are introduced.

Module – 1

- i. Meaning, Definition, Nature and Scope of Jurisprudence, Legal Theory and Jurisprudence
- ii. Law and Morality, Philosophy of Dharma and Indian Jurisprudence

Module – 2

- i. Natural School of Law: Greek and Medieval theories
- ii. Natural School of Law: Modern Classical era, Reaction against positivism, revival of natural school of law

Module- 3

- i. Analytical School of Jurisprudence: Austin's Imperative theory of Law
- ii. Bentham Concept of utilitarianism, Imperative theory and comparison with Austin

Module- 4

- i. HLA Hart
- ii. Kelson's Pure Theory of Law and its criticism

Module- 5

- i. Historical School of Jurisprudence: Savigny's theory, criticism and contribution
- ii. Sir Henry Maine: comparative approach

Module- 6

- i. Sociological School of Jurisprudence: Duguit, Ihering, Ehrlich
- ii. Sociological School of Jurisprudence: Roscoe Pound and theory of social engineering, criticism and contribution

Module- 7

- i. Realist School of Jurisprudence: American Realism
- ii. Gender Justice and Feminist Jurisprudence: legislative and judicial perspective in India

CASE LAWS :

1. Maneka Gandhi v. U.O.I., AIR 1978 SC 597
2. Keshawananda Bharti v. State of Kerala, AIR 1973 SC 1461
3. Hussainarra Khatoon v. State of Bihar, AIR 1979 SC 1360
4. Olega Tellis v. Bombay Municipal Corporation, AIR 1986 SC 180
5. Ram Jawaya Kapoor v. State of Punjab, AIR 1955 SC 549
6. Mohd. Ahmed Khan v. Shah Bano Begum, AIR 1985 SC 945
7. People's Union for Democratic Rights v. U.O.I., AIR 1982 SC 1473
8. Parmanand Katata v. U.O.I., AIR 1989 SC 2039
9. Bachan Singh v. State of Punjab, AIR 1980 SC 898
10. State of Madras v. Champakam Dorajan, AIR 1951 SC 228

Selection Bibliography:

1. Bodenheimer, Jurisprudence – The Philosophy and Method of Law
2. Dias, Jurisprudence- Aditya Books (N.D.)
3. Dhyani, S.N. Jurisprudence- Fundamentals of Jurisprudence
4. Mahajan, V.D. Jurisprudence and Legal Theory
5. Asking the Law question, Margaret Davies

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Trust, Equity and Fiduciary Relations

Paper 5.26

Maximum Marks : 50

Objectives of Course:

Trust being an obligation connected with property, the law has to play a key role in protecting interests of persons for whose benefit trust is created and for balancing the right and duties of persons connected with trust transactions. There are also instances where even in the absence of specific trust, law has to protect the beneficial interests of persons on the equitable considerations. Trust may also be created for public purposes of charitable and religious nature. The existing laws in respect of trusts, equitable and fiduciary relations connected with property are to be taught in detail.

Module- 1

- (a) i. The concept and evolution of Equity in Roman law
- ii. Equity in Common Law
- (B) i. Equity in India and its application in land matters
- ii. Modern application of equity

Module- 2

- (a) i. Concept of equitable remedies
- ii. Equitable remedies of :-
 - Specific performance
 - Equitable estoppels
 - Equitable rectifications
 - Cancellations
- (b) Various kinds of Injunctions

Module- 3

- (a) i. concept of trust and distinction from agency
- ii. Development of trust law – common law and equity
- (b) i. Creation i.e. rules and kinds of trust
- ii. Resulting trust
- iii. Charitable and non charitable trusts

Module- 4

- (a) i. Law relating to trustees in India
- ii. Appointment
- iii. Removal
- (b) i. Right of trustees
- ii. Duties of trustees

Module- 5

- (a) i. Power of trustees
- ii. Disabilities of trustees
- iii. Trustee's liability for breach of trust
- (b) i. Defense available to trustees against an allegation of breach
- ii. Discharge of trustees

Module- 6

- (a) i. Rights of beneficiaries
- (b) ii. Liabilities of beneficiaries

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Module- 7

Constructive Trust: The Equitable & Fiduciary Relations

- (a) i. Transfer without intent to dispose beneficial interest
- ii. The Cypess doctrine
- iii. Property acquired with notice of existing contract
- (b) i. Possession of property without whole beneficial interest
- ii. Duties of constructive trustees
- iii. Rights of bona fide purchaser

Referred Books

1. Rao C.R., The Indian Trust Act and Allied Laws (1999)
2. Rajarathnam, Natarajan and Thanksraj, commentary on Charitable Trust and Religious institutions (2000) Universal, Delhi
3. Philip H. Pettit, Equity and Law of Trust (1970)
4. R.E. Megarry and P.V. Baker, Snell's Principles of Equity (1964) ELBS, Sneet and Maxwell
5. S. Krishnamurty Aiyar and Harbans Lal Swin, Principles and Digest of Trust Laws (1998), University Book Agency, Allahabad

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Family Law -I

Paper 5.27

Maximum Marks : 50

Objectives of the Course

The Course structure is designed mainly with three objectives in view. One is to provide adequate sociological perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities' writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religious but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

Module - 1 Application and Source of Law

- Application of Hindu Law
- Sources of Hindu Law
- Schools of Hindu Law
- Application of Muslim Law
- Sources of Muslim Law
- Schools of Muslim Law

Module - 2 Concept of Marriage under Hindu Law

- Valid Conditions of Hindu Marriage
- Prohibitions of Marriage and their exceptions
- Guardianship in Marriage
- Ceremonies of Hindu Marriage
- Void and Voidable Marriage
- Consequences on default of valid conditions
- Dowry: Definition, Application and Penal Provisions
- Effect of The Prohibition of Child Marriage Act, 2006 on Hindu Marriage

Module - 3 Concept of Marriage under Muslim Law

- Definition, Types of Muslim Marriage under Sunni and Shia Laws
- Valid Conditions of Muslim Marriage
- Prohibitions of Marriage and their exceptions
- Guardianship in Marriage
- Consequences on default of valid conditions
- Mehr: Definition, Types, Amount and Consequences of non-payment
- Effect of The Prohibition of Child Marriage Act, 2006 on Muslim Marriage

Module - 4 Matrimonial Remedies under Hindu and Muslim Law

- Restitution of Conjugal Rights
- Judicial Separation
- Nullity of Marriages
- Option of Puberty
- Bars to Matrimonial Relief
- Comparative Study with Special Marriage Act, 1954

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Module – 5 Dissolution of Marriage under Hindu Law

- Grounds of Dissolution
- Grounds of Divorce under Hindu Marriage Act, 1955
- Wife's Special Ground of Divorce
- Divorce by Mutual Consent
- Theories of Divorce
- Comparison with Grounds of Divorce under Special Marriage Act, 1954

Module – 6 Dissolution of Marriage under Muslim Law

- Types of Dissolution of Marriage
- Talaq and Talaq-e-Tafweez
- Types of Customary Divorce (Ila and Zihar)
- Divorce by Mutual Consent (Khula and Mubarat)
- Judicial Dissolution (Lian and Faskh)
- Wife's Special Ground of Divorce (The Muslim Marriage Dissolution Act, 1939)

Module – 7 Adoption and Legitimacy

- Adoption under Hindu Law
- Legitimacy under Hindu law
- Legitimacy under Muslim law
- Effect of Indian Evidence Act, 1872 (Section 112)
- Acknowledgement under Muslim Law: Definition, Requisites and Effects
- Comparison of Adoption and Acknowledgement

Case Laws: Relevant Case Laws are the Part of Syllabus

References

1. Mulla, Hindu Law
2. Paras Diwan, Hindu Law
3. B.M. Gandhi, Hindu Law
4. Poonam Pradhan Saxena, Family Law I & II
5. Mulla, Muslim Law
6. AAA Fyzee, Outlines of Muslim Law
7. Tahir Mahood, Hindu Law
8. Paras Diwan, Family Law

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LABOUR LAW - I

Paper 5.28

Maximum Marks : 50

Module - 1

The Industrial Disputes Act, 1947

- (a) Historical Development of Industrial Disputes, Legislation in India.
- (b) Object, scope and reasons
- (c) Definition of important terms.

Module - 2

- (a) Various modes of Settlement of disputes under I.D. Act, 1947
- (b) Voluntary Arbitration and compulsory Adjudication

Module - 3

- (a) Strike and Lock-out
- (b) Lay off and Retrenchment

Module - 4

The Trade Union Act, 1926

- (a) (i) Definitions
- (ii) Registration of Trade Unions
- (b) (i) Rights and Liabilities of Registered Trade Unions.
- (ii) Recognition of Trade Unions

Module - 5

The Minimum Wages Act, 1948

- (a) (i) Concept of Wage.
- (ii) Minimum, Fair and Living Wages
- (b) Fixation and revision of minimum wages

Module - 6

Maternity Benefits Act, 1961

- (a) Nature of benefits, eligibility, other privileges available
- (b) Portraiture, Role of Inspectors.

Module - 7

The Payment of Bonus Act, 1965

- (a) Concept and basis for the Calculation of Bonus
- (b) Eligibility and disqualification for Bonus.

Suggested Readings

1. Vaid K.N. : Labour Welfare in India
2. Kothari G.L. : Wages Dearness Allowances and Bonus
3. Chopra D.S. : Payment of Bonus Act, 1965
4. Misra S.N. Labour and Industrial Laws
5. Srivastava K.D. : Commentary on Industrial Disputes Act, 1947
6. Srivastava K.D. : Commentary on Minimum Wages Act, 1948
7. Srivastava K.D. : Commentary on Trade Union Act, 1926
8. Seth D.D. : Commentary on Industrial Disputes Act, 1948
9. O.P. Malhotra : The Law of Industrial Disputes
10. O.P. Malhotra : Law of Industrial Disputes
11. Bagri - Industrial Disputes Act.
12. Pair : labour Law in India.

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Company Law I

Paper 5.29

Maximum Marks : 50

Aims and Objectives:

Industrialization plays a very vital role in the economic development India. In the post independence era, the industrial regulation is employed as a principal means in the strategy for attaining constitutional values. Companies are no doubt powerful instruments for development. Besides bringing and financial benefits to the capital and labour they help amelioration of the living conditions of masses. In a developing society like India, vast varieties of consumer goods are manufactured or produced and different kinds of public utility services are generated both for general welfare and consumption purposes. Obviously, it is beyond the capacity of one or a few entrepreneurs to engage into such activities. Because the problem of raising large capital needed for such enterprises, there is a looming danger of market risks. Hence, taking recourse to the device of incorporation is the only efficacious way to surmount on such hurdles.

This course comprises of seven units of eight-hour duration. Each unit is further divided into two parts.

Module - 1

- (a) Definition, Nature of company,, Evolution and development of Company law in India
- (b) Advantages, and disadvantages of Incorporation, Doctrine of Uplifting Corporate Veil, and Its exceptions

Module - 2

- (a) Kinds of Companies, Conversion of private company into public company and public company into private company
- (b) Registration and Incorporation, Promoters, Pre-incorporation Contracts.

Module - 3

- (a) Memorandum of Association (MOA), Meaning, content, nature of MOA
- (b) Alteration in MOA

Module - 4

- (a) Articles of Association, Content, Relationship between Article of Association and Memorandum of Association
- (b) Binding force of Articles of Association, Alteration in Articles of Association

Module - 5

- (a) Doctrine of Ultravires, Consequences of Ultravires Transactions
- (b) Constructive notice of memorandum of Association and Articles of Association

Module - 6

- (a) Doctrine of Indoor Management
- (b) Exception to Doctrine of Indoor Management

Module - 7

- (a) Prospectus - Definition, Kinds of Prospectus
- (b) Civil and Criminal Liabilities for misrepresentation in prospectus

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Judgments

1. Corporation of India v. Escorts Ltd. (1986) comp. cas. 548
2. New horizons ltd another v. Union of India (1995) comp.L.J. 100(SC)
3. Lakshmanaswami Mudaliar v. HC, AIR 1963 SC 1185
4. Raymonds synthetics ltd. v. Union of India (1992) 73 comp. cas. 762 (SC)
5. ICICI ltd v. Srinivas agencies (1996) (2) SCALE 774 (SC)
6. Union of India v. Shalimar works ltd. (1987) comp.cas. 664
7. Bajaj Auto ltd. v. N.K. Firodia & ors, AIR 1971 SC 321
8. Unity company v. Diamond suger mills, AIR 1971
9. M/s. Madhusudan Goverdhan Das and Company v. Madhav Wollen Industries Ltd., AIR 1971 SC 2600
10. Shanti Prasad Jain v. Kalinga Tubes LTD, AIR 1965 SC 1535

Suggested Readings

1. S.M. Shan : Lectures on Company Law, N.M. Tripathi, Mumbai
2. Avtar Singh : Company Law, Eastern Book Co., Lucknow
3. Taxmans : Company Law and Practice.
4. A.Ramaiya : Guide to Companies at, Wedhwa
5. S.M. Shaw : Lectures on Company Law, Tripathi, Mumbai
6. Topham and Lvamy: Company Law, Butterworth
7. L.C.B. Gower: Principles of Modern Company Law, Sweet and Maxwell, London
8. Palmer : Plmers Company Law, Stevens London

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Forensic Science and Criminal Investigation

Paper 5.30

Maximum Marks : 50

Module- 1

The Role of Forensic Sciences in Criminal and Civil Cases:

- (a) The basic question in investigation – Qui Bono; the scene of crime; discovery of traces of physical evidence; classification and reference to classified record.
- (b) Systematization and classification of physical evidence and comparison with suspected; material; the principles of exchange; the principles of heredity, Taxonomy, etc.

Module- 2

- (a) The Establishment of Identity of Individuals : Branding, tattooing, Mutilating, Scars, and Moles Bartillon system : photography; fingerprints; ridge characteristics; proscopy.
- (b) The Establishment of Partial Identity of Individuals : Footprints: hair, skin; blood grouping; physical peculiarities.

Module- 3

- (a) The Establishment of the Identity of Physical Objects by Shape and Size: Identifying marks and impressions made by physical objects; shoe prints; type and tread marks; die and tool marks; rupture or fracture marks.
- (b) The Establishment of the Identity of Physical Objects by Physical and Chemical Analysis: Paints; coloured objects; metals; alloys; Chain and the earthen wares; cements; plaster; bricks; dusts; soil; minerals; plastics.

Module- 4

Questioned Documents and the Identification of Handwriting:

- (a) Paper, its types and identification; inks; pencils and writing tools; handwriting habit and flow; disguised writing; comparison and points of identity; sample;
- (b) Various type of forgery and their detection; additions; erasures alterations; seals; rubberstamps; type-writing; printing; blocks.

Module- 5

The Identification of Fire-Arms and Cartridges and Related Problems:

- (a) Types of fire-arms and their use; time and range of firing;
- (b) Identification of a fire-arm with a cartridge case and bullet;

Module- 6

Injuries to Persons:

- (a) Evidentiary value of details of injuries; traces left by the weapon used; its range and direction; danger to clothing worn by the victim and related problems.
- (b) The flow of blood from injuries; the shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects; accidental deaths and suicides.

Module- 7

- (a) Miscellaneous Forensic Science Methods: Restoration of numbers; examination of the walking picture of footprints; clothing; cooper wire; prices of wood etc.
- (b) Evidentiary value of Physical Evidence as Evaluated a Forensic Sciences Laboratory viz. Evidence:

Findings of scientific methods of investigation; DNA, Narco analysis Brain mapping and lie Detector Tests.

Suggested Readings

1. Gour, A.N. : Fire Arms, Forensic Ballistics, Forensic Chemistry and Criminal Jurisprudence.
2. Lucas A. : Forensic Chemistry and Scientific Criminal Investigation.
3. Lundquist, F. : Methods of Forensic Science (Vol. 1)
4. Moreland, N : Science in Crime detection illustrated.
5. Kaul; Narco Analysis, Brain Mapping and Lie Detector Tests.

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JURISPRUDENCE-II

Paper 6.31

Maximum Marks : 50

Module - 1:

- a) Sources of Law, Salmond's classification of sources of law
- b) Custom as a source of Law

Module - 2:

- a) Legislation as a source of Law
- b) Precedent as a source of Law

Module - 3:

- a) State and Sovereignty
- b) Legal Rights and Duties

Module - 4:

- a) Ownership
- b) Possession

Module - 5:

- a) Legal Personality
- b) Property

Module - 6:

- a) Liability
- b) Title

Module - 7:

- a) Obligation
- b) The Administration of Justice – Theories and forms of Punishment

Case Laws:

Hussainara Khaton v. State of Bihar [AIR 1979 SC 360]

Keshavanand Bharti v. State of Kerala [AIR 1973 SC 1461]

Maneka Gandhi v. Union of India [AIR 1978 SC 597]

Suggested Readings

Dias, Jurisprudence, Aditya Books (ND)

Dhyani, S.N., Fundamentals of Jurisprudence

Mahajan, V.D., Jurisprudence and Legal Theory

Paranjape, Dr. N.V., Studies in Jurisprudence and Legal Theory

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Interpretation of Statutes & Principles of Legislation

Paper : 6.32

Maximum Marks 50

OBJECTIVES OF THE COURSE:

This course is largely confined to Common Law system of statutory interpretation. This course aims to acquaint the students with basic principles of interpretation of statutes. It focuses on general and specific rules of interpretation of statutes. It also prescribes the guidelines on interpretation of remedial, penal and taxing statutes. It provides for internal and external aids for interpretation of statutes. It also contains the rules regulating commencement, operation and repeal of statutes. It prescribes the principles for interpretation of Constitutional document also.

MODULE - 1

Different Parts of Statutes; Classification of Statutes; Interpretation and Construction; Literal Interpretation; Mischief Rule; The Golden Rule; Harmonious Construction; Statute Should be Read as a Whole;

MODULE - 2

Construction Ut Res Magis Valeat Quam Pereat; Identical Expressions To Have Same Meaning; Construction Noscitur-A-Sociis; Construction Ejusdem Generis; Construction Expressio Unius Est Exclusio Alterius; Contemporanea Expositio Est Optima Et Fortissima in Lege; Casus Omissus; Delegatus Non Potest Delegare; Beneficial Construction;

MODULE - 3

Aids to Interpretation; Internal Aids to Interpretation; External Aids to Interpretation; Presumptions Regarding Jurisdiction; Commencement of Legislation; Repeal of Legislation; Revival of Legislation; Retrospective Operation of Statutes; Reddendo Singula Singulis;

MODULE - 4

Principle of Implied Powers; Principle of Incidental and Ancillary Powers; Principle of Implied Prohibition; Principle of Occupied Field; Principle of Pith and Substance; Principle of Colorable Legislation; Principle of Territorial Nexus; Principle of Severability; Principle of Prospective Over-Ruling; Principle of Eclipse;

MODULE - 5


Strict Construction of Penal Statutes; Strict Construction of Fiscal (Taxing) Statutes; Interpretation of Statutes in Pari Materia; Interpretation of Amending Statutes; Interpretation of Amending Statutes; Interpretation of Consolidating Statutes; Interpretation of Codifying Statutes; Mandatory and Directory Enactments; Conjunctive and Disjunctive Enactments;

MODULE - 6

Bentham's Theory of Legislation: About Bentham; Principles of Legislation; Principle of Utility; The Ascetic Principle; The Arbitrary Principle (or the Principle of Sympathy and Antipathy); Different Kinds of Pleasures and Pains;

MODULE - 7

Principles of Civil Code: Objects of the Civil Law; Rights and Obligations; Ends of Civil Law; Principle of the Penal Code; Punishments; The Kinds of Punishments; Punishments which ought not to be Inflicted;


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LEADING CASES:

- 1) Alamgir v. State of Bihar AIR1959 SC436
- 2) Bengal Immunity Company v. State of Bihar AIR1955 SC 661
- 3) Heydon's Case(1584) 76 ER 637
- 4) K. M. Nanavati v. State of Bombay AIR1961 SC 112
- 5) Lily Thomas v. Union of India AIR 2000 SC 1650
- 6) Mangoo Singh v. Election Tribunal AIR1957 SC 871
- 7) Motipur Zamindari Co. Pvt. Ltd. v. State of Bihar AIR1962 SC
- 8) Ramavatar v. Assistant Sales Tax Officer AIR 1961 SC1325
- 9) Ranjit Udeshi v. State of Maharashtra AIR 1965 SC 881
- 10) Smith v. Hughes (1871) LR 6 QB 597

SUGGESTED READINGS:

- Avtar Singh, Introduction to Interpretation of Statutes, LexisNexis, Butterworths Wadhwa, 2014
- Bhattacharya T., Interpretation of Statutes (Central Law Agency), 2017
- Bindra N.S., Interpretation of Statutes (LexisNexis, Butterworth Wadhwa), 2016
- Brandon J. Murrill, Modes of Constitutional Interpretation, Congressional Research Service, March 2018, at <https://fas.org/sgp/crs/misc/R45129.pdf>
- Chopra, D.S., Interpretation of Statutes, 1st ed. New Delhi: Thomson Reuters, 2014.
- Dhanda, Amita (Ed), N. S. Bindra's Interpretation of Statutes, 12thEd., New Delhi: Lexis Nexis,2017.
- Jeremy Bentham, Theory of Legislation, Lexis Nexis, 2010
- Jone, Oliver (Ed), Bennion on Statutory Interpretation 5th ed. London: Lexis Nexis, 2013
- Katju, Markandey, (Ed),K.L. Sarkar's Mimansa Rules of Interpretation. 4thed. New Delhi, Thomson Reuters, 2013.
- Langan, P. St. J.(Ed.),Maxwell on the Interpretation of Statutes. 12thed. New Delhi: Lexis Nexis,1969
- Maxwell, Interpretation of Statutes (Sweet and Maxwell), 1969
- Rupert Cross, Statutory Interpretation (Butterworth), 1976
- Sarathi, Vepa P., Interpretation of Statutes. 5thed. New Delhi: Eastern Book Company,2010.

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Family Law -II

Paper 6.33

Maximum Marks : 50

Module – 1 Maintenance under Hindu and Muslim Laws

- Maintenance and Alimony to Wife, Widow Daughter-in-Law, Children and Aged or Infirm Parents under Hindu Law
- Maintenance of Dependents under Hindu Law
- Maintenance of Wife and Children under Muslim Law
- Maintenance under Cr.P.C.-1973
- Comparative Study

Module – 2 Guardianship under Hindu and Muslim Law

- Guardianship and Custody under Hindu Law: Definition, Types, Powers of Different Guardians
- Guardianship and Custody under Muslim Law: Definition, Types, Powers of Different Guardians under Shia and Sunni Laws

Module – 3 Law Relating to Property under Hindu Law

- Concept of Joint Family and Coparcenary
- Joint Family and Coparcenary Property
- Law Relating to Partition
- Karta: Definition, Status, Position, Powers and Obligation
- Alienation of Joint Hindu Family Property

Module – 4 Law Relating to Property under Muslim Law

- Hiba
- Waqf
- Will
- Haq-Shufa

Module – 5 Inheritance and Succession under Hindu Law

- General Rules of Succession
- Heirs and their shares and distribution of Property
- Succession to Property of a Hindu male dying intestate
- Succession to property of Hindu Female dying intestate
- Disqualification

Module – 6 Inheritance and Succession under Sunni Law

- General Rules of Succession
- Heirs and their shares and distribution of Property
- Succession of Property of a Male and Female
- Doctrine of Aul and Radd

Module – 7 Miscellaneous

- Hindu's Right of Testamentary Succession
- Succession of the Person Married Under Special Marriage Act, 1954
- Essentials of Will Under Indian Succession Act, 1925
- Religious and Charitable Endowments.
 - a) Essentials of Math
 - b) Mahant: Status, Powers and Duties
 - c) Shebait: Status Powers and Duties

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Case Laws: Relevant Case Laws are the Part of Syllabus

Suggested Readings

1. Mulla, Hindu Law
2. Paras Diwan, Hindu Law
3. B.M. Gandhi, Hindu Law
4. Poonam Pradhan Saxena, Family Law I & II
5. Mulla, Muslim Law
6. AAA Fyzee, Outlines of Muslim Law
7. Tahir Mahood, Hindu Law
8. Paras Diwan, Family Law

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LABOUR LAW – II

Paper 6.34

Maximum Marks : 50

Module – 1

Concept and Philosophy of Labour Welfare

- (a) Theories of Labour Welfare
- (b) Role of Labour Welfare Officers and Trade Unions

Module – 2

The Child Labour Prohibition and Registration Act, 1986

- (a) Definitions
- (b) Prohibition of Employment of Children in certain occupations and processes.

Module – 3

The Factories Act, 1948

- (a) (i) Definition and concept of factory
- (ii) Manufacturing process
- (b) Provisions relating to health, safety and labour welfare

Module – 4

(a) Working hour's leaves and Holidays under F.A., 1948

(b) Protection to Women and Children

Module – 5

The Payment of Wages Act, 1936

- (a) Definitions
- (b) Payment of Wages and deductions from wages.

Module – 6

International Labour Organisation

- (a) Aims, Objectives, origin and development
- (b) Constitution and organs

Module – 7

Ratification of I.L.O. Convention by India, reasons of non ratification

Suggested Readings :

1. Misra S.N. : Labour and Industrial Law
2. Srivastava K.D. : Commentary on Factories Act, 1948
3. Dhyani S.N. : I.L.O. and India.
4. Chopra D.S. : Payment of Wages Act
5. Report of National Commission Labour
6. K.A. Vaid : Labour Welfare in India
7. Moorthy : Principles of Labour Welfare.
8. Johnson : I.L.O.

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Company Law II

Paper 6.35

Maximum Marks : 50

Aims and Objectives:

Industrialisation plays a very vital role in the economic development India. In the post independence era, the industrial regulation is employed as a principal means in the strategy for attaining constitutional values. Companies are no doubt powerful instruments for development. Besides bringing and financial benefits to the capital and labour they help amelioration of the living conditions of masses. In a developing society like India, vast varieties of consumer goods are manufactured or produced and different kinds of public utility services are generated both for general welfare and consumption purposes. Obviously, it is beyond the capacity of one or a few entrepreneurs to engage into such activities. Because the problem of raising large capital needed for such enterprises, there is a looming danger of market risks. Hence, taking recourse to the device of incorporation is the only efficacious way to surmount on such hurdles.

This course comprises of seven units of eight hour duration. Each unit is further divided into two parts.

Module - 1

- (a) Capital Structure, Shares, Allotment of Shares, Types of Shares
- (b) Transfer and Transmission of shares, Call, forfeiture, surrender of shares

Module - 2

- (a) Borrowing Powers, Debentures, Kinds of debentures
- (b) Charge, Types of Charge, Crystallization of Floating Charge

Module - 3

- (a) Directors, Position, Kinds of Directors
- (b) Appointment, Removal

Module - 4

- (a) Powers of Directors, Duties of Directors
- (b) Other Managerial Personnel

Module - 5

- (a) Meetings, Kinds of Meetings, Procedure and requisite of a valid meeting, Voting and Resolutions
- (b) Majority powers and Minority Rights, Rule in Foss v. Harbottle and its Exceptions

Module - 6

- (a) Prevention of oppression , Prevention of Mismanagement
- (b) NCLT and Appellant Tribunals, their Powers

Module - 7

- (a) Winding up and dissolution of companies, By NCLT (Compulsory winding up), Voluntary Winding up
- (b) Liquidators, their powers and role

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Judgments

1. Corporation of India v. Escorts Ltd. (1986) comp. cas. 548
2. New horizons ltd another v. Union of India (1995) comp.L.J. 100(SC)
3. Lakshmanaswami Mudaliar v. HC, AIR 1963 SC 1185
4. Raymonds synthetics ltd. v. Union of India (1992) 73 comp. cas. 762 (SC)
5. ICICI ltd v. Srinivas agencies (1996) (2) SCALE 774 (SC)
6. Union of India v. Shalimar works ltd. (1987) comp.cas. 664
7. Bajaj Auto ltd. v. N.K. Firodia & ors, AIR 1971 SC 321
8. Unity company v. Diamond suger mills, AIR 1971
9. M/s. Madhusudan Goverdhan Das and Company v. Madhav Wollen Industries Ltd., AIR 1971 SC 2600
10. Shanti Prasad Jain v. Kalinga Tubes LTD, AIR 1965 SC 1535

Suggested Readings

1. S.M. Shan : Lectures on Company Law, N.M. Tripathi, Mumbai
2. Avtar Singh : Company Law, Eastern Book Co., Lucknow
3. Taxmans : Company Law and Practice.
4. A.Ramaiya : Guide to Companies at, Wedhwa
5. S.M. Shaw : Lectures on Company Law, Tripathi, Mumbai
6. Topham and Lvamy: Company Law, Butterworth
7. L.C.B. Gower: Principles of Modern Company Law, Sweet and Maxwell, London
8. Palmer : Palmers Company Law, Stevens London

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Health Law (Medical Jurisprudence)

Paper 6.36

Maximum Marks : 50

Medical jurisprudence and toxicology is a very important subject and it has extensive application in daily crime investigation and the lowest to the highest court of law of the land in the dispensation of justice.

So this syllabus of Medical Jurisprudence is divided in 7 units.

Module -1

1. Definition and scope of Medical Jurisprudence, medical ethics.
2. Examination of body fluid- blood, semen, saliva, sweats etc.

Module -2

1. Parts of human body,
2. Human injuries –
 - (i) Mechanical- blunt, sharp-edged, pointed sharp edged, firearm,
 - (ii) Thermal- heat,
 - (iii) Regional Injuries
 - (iv) Physical- electric, lightening, radiation
 - (v) Legal- simple, grievous,

Module -3

1. Death and its modes, Medico-legal aspects,
2. Post mortem examination – aims and objectives

Module- 4

Post mortem changes-

1. Earliest changes, Post mortem staining, rigor mortis,
2. Cadaveric spasm, putrefaction, mummification, adipocere formation,

Module -5

Death due to asphyxia-

1. Hanging, strangulation,
2. Suffocation, drowning,

Module -6

Toxicology- classification of poisons,

1. Corrosives- strong acids and alkalies,
2. Irritant – Inorganic, Organic, Mechanical,
3. Systemic-cerebral, spinal cord, cardio-vascular system,
4. Miscellaneous,

Module-7

1. Decomposed bodies and other legal aspects,
2. Exhumation and governing rules,

Suggested readings

1. Modi's Medical Jurisprudence and toxicology
2. Dr. B. V. Subrahmanayam's Medical Jurisprudence and toxicology
3. Dr. R.M. Jhala and V.B. Raju's Medical Jurisprudence
4. Principles of Forensic medicine including toxicology by Dr. Apurba Nandy
5. Parikh's textbook of medical jurisprudence, forensic medicine and toxicology
6. Forensic science in criminal investigation and trials by Dr. B.R. Sharma

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Law of Property

Paper 7.37

Maximum Marks : 50

Objectives of the Course

Possession of property is considered a highly prestigious asset of a family. The law relating to transfer of immovable property must be understood in minute details as the complexities of law with regard to transfer of property must be necessarily be understood by the students of law. Any derivative transfer may give rise to a new series of crimes arising out of the holding of property. The prevalent system of various types of mortgages and various other encumbrances on the property should necessarily be understood by the student of law. With the regulation of rent laws of the urban property it is considered that the transfer of immovable property by way of lease has been modified in different states but the theme of regulation of transfer is still controlled by Transfer of Property Act, 1882. The study of Transfer of Property Act 1882 would make the student to understand the significance of property law in different jurisdiction.

Module - 1

- (a) i. Concept and meaning of property
- ii. Kinds of property movable property, immovable property, tangible intangible property
- (b) i. Intellectual property copyright patents and designs and trademarks
- ii. Law relating to registration of documents affecting property relations
- iii. Documents of which registration is compulsory.

Module - 2

- (a) i. Transfer of Property Act 1882; Object, Scope and Scheme
- ii. Immovable Property, Concept of Property, Kinds
- (b) i. Attestation, Notice
- ii. Actionable Claim

Module - 3

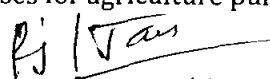
- (a) i. Transfer of Property, What may be Transferred, Persons competent to transfer, Operation of transfer, Oral transfer.
- ii. Conditions restraining Alienation, enjoyment, Transfer for the benefit of unborn person
- (b) i. Direction for accumulation, vested and contingent interest
- ii. conditional Transfers. Condition precedent, condition subsequent and collateral conditions

Module - 4

- (a) i. Doctrine of Election
- ii. Doctrine of *lis pendens*
- (b) i. Fraudulent Transfer
- ii. Doctrine of part performance

Module - 5

- (a) i. Sale Definition, right and duties of seller and buyer
- ii. Lease definition, Duration, lease making
- iii. Right and liabilities of lessor and lessee, Determination of lease
- (b) i. Waiver of forfeiture, Waiver of notice to quit, Relief against forfeiture for non-payment of rent and in Certain other cases.
- ii. Effect of holding over, exemption of leases for agriculture purposes.
- iii. Exchange definition


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Module – 6

- (a) i. Mortgage, Its kinds, Mortgage when to by assurance.
- ii. Right and liabilities of mortgagor and mortgagee
- (b) i. Marshalling, contribution and Charge
- ii. Person who may sue for redemption, Subrogation

Module – 7


- (a) i. Gift; definition, suspension or revocation, onerous gift.
- ii. Easement; definition, types
- (b) i. Creation, Suspension, Revival
- ii. Licenses Creation, suspension, transfer and revocation

Leading Cases

1. R.K. Kempraj v. Burton Sons & Co., AIR SC 1872
2. Om Prakash v. Prakash Chand, AIR 1992 SC 885
3. Nathu Lal v. Phool Chand, AIR 1970 SC 546
4. Bhrāmham Prakash v. Manbir Singh, AIR 1963 SC 1607
5. Cheriyan Sosamma and Others v. Sundaressan Pillai, AIR 1999 SC 947
6. Ramamurthy Subudhi v. Gopinath, AIR 1968 SC 919
7. Vishwa Nath v. Ramraj and Others, AIR 1991 All. 193
8. Rajbir Kaur v. S. Chokosiri and Co., AIR 1988 SC 1845

Suggested Readings

1. Mulla, Transfer of Property Act (1999) Universal, Delhi
2. Subbarao, Transfer of Property Act (1994), C. Subbiah Chetty, Madaras
3. V.P. Sarathy, Transfer of Property (1995), Eastern, Locknow
4. S.N. Shukla Transfer of Property Act, Allahabad Law Agency, Allahabad


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INTELLECTUAL PROPERTY LAWS

Paper 7.38

Maximum Marks : 50

OBJECTIVES OF THE COURSE:

Intellectual property is a "Product of Mind". The World Intellectual Property Organization (WIPO) states that "Intellectual Property" includes rights related to works in literary and artistic fields, performance of artists, broadcasts (in the form of CD, DVD, tape recordings etc), innovations in science and technology, industrial designs, trademarks, service marks, plant varieties, farmer's rights etc. It also includes inventions in all fields of human endeavour and protection against unfair competition and all other rights resulting from intellectual activity in the industrial, scientific or artistic fields. With the view to create awareness on the significance of IPR's to the students who are being imparted law education and in order to cater to the needs of the stakeholders of knowledge economy this course on General Principles of Intellectual Property Rights is hereby proposed for those interested in pursuing a career in IPR's, which opens opportunities in the fields of IP Analysts, IP Attorneys, IP Consultants, IP Managers and the like together with appraising the students with other relevant amendments in the law forming the significant part of this course.

MODULE -1

- a) Introduction to Intellectual Property: Theories of Intellectual Property (Basic Concepts), Justifications for the Protection of Intellectual Property; Kinds of Intellectual Property Rights:(Basic Overview)
- b) Copyright and Related Rights, Patents, Trademarks, Design, Plant Varieties, Farmer's Rights, Traditional Knowledge, Traditional Knowledge Digital Library, Convention on Biological Diversity, Trade Secrets, The Semiconductor Integrated Circuits Layout-Design.

MODULE - 2

- a) International Institutions and Basic International Conventions related to Intellectual Property:(Basic Overview)
International Copyright Protection:
Berne Convention for the Protection of Literacy and Artistic Works 1886
- b) Rome Convention for the Protection Procedures of Phonograms and Broadcasting Organizations 1961
International Protection of Industrial Property Rights:
Paris Convention for the Protection of Industrial Property, 1883;

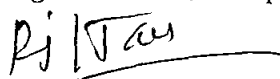
MODULE -3

- International Agencies and Intellectual Property: (Basic Overview)
- a) World Intellectual Property Organization (WIPO);
The World Trade Organization (WTO):
 - b) Introduction to International trade and the law of the WTO, Sources of WTO Law, Basic rules and principles of WTO Law; Historical Background; Membership; Institutional Structure; WTO Dispute Settlement; TRIPS Agreement: IPR's covered by TRIP's; Indian response to the TRIP's.

MODULE -4

The Patents Act, 1970:

- a) History, Enactment and Implementation etc.; Interpretation Clause; Inventions Not Patentable; Concept of Evergreening; Applications for Patents; Publication and Examination of Applications; Opposition and Anticipation;
- b) Grant of Patents and Rights Conferred Thereby; Restoration, Surrender and Revocation of Patents; Register of Patents; Patent Office and Its Establishment; Jurisdiction and Appellate Jurisdiction (As amended); Working of Patents, Compulsory Licenses and Revocation; Landmark Cases;


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MODULE - 5

a) The Copyright Act, 1957:

History, Enactment and Implementation etc. ; Interpretation Clause; Copyright Office and Copyright Board; Copyright; Ownership of Copyright and the Rights of the Owner; Term of Copyright, Licences; Rights of Broadcasting Organization and of Performers; Registration of Copyright; Infringement of Copyright; Jurisdiction and Appellate Jurisdiction (As amended); Landmark Cases;

b) The Designs Act, 2000:

History, Enactment and Implementation etc.; Interpretation Clause; Registration of Designs; Copyright in Registered Designs; Legal Proceedings; Jurisdiction and Appellate Jurisdiction (As amended); Landmark Cases;

MODULE -6

The Trademarks Act, 1999:

a) History, Enactment and Implementation etc.; Interpretation Clause; Kinds of Trademarks; The Register and Conditions for Registration; Procedure for and Duration of Registration;

b) Effect of Registration; Use of Trademarks and Registered Users; Collective Marks and Certification Trademarks; Jurisdiction and Appellate Jurisdiction (As amended); Landmark Cases;

MODULE - 7

The Geographical Indication of Goods (Registration and Protection) Act, 1999:

a) History, Enactment and Implementation etc.; Interpretation Clause; The Register and Conditions for Registration; Procedure for and Duration of Registration;

b) Effect of Registration; Special Provisions relating to Trademarks; Jurisdiction and Appellate Jurisdiction (As amended); Landmark Cases;

LEADING CASES:

- 1) Biocon Ltd. & Mylan Pharmaceuticals Pvt. Ltd. v. F. Hoffmann-La Roche AG & Ors.
- 2) Eastern Book Company & Ors v. D.B. Modak & Anr.
- 3) Gramophone Co. of India Ltd. v. Birendra Bahadur Pandey
- 4) Indian Performing Right Society Ltd v. Eastern India Motion Picture Association
- 5) Monsanto Technology LLC & Ors. v. Nuziveedu Seeds Ltd. & Ors.
- 6) Natco Pharma Ltd. v. Bayer Corp.
- 7) Novartis A.G. v. Union of India 2013 SC
- 8) R.G Anand v. M/S. Delux Films & Ors.
- 9) Tea Board India v. ITC Limited Kolkata HC
- 10) The Coca-Cola Company v. Bisleri International Pvt. Ltd. Manu/DE/2698/2009
- 11) The Chancellor, Masters & Scholars of the University of Oxford & Ors. v. Rameshwari Photocopy Services & Ors.
- 12) Yahoo Inc. v. Akash Arora & Anr 1999 (19) PTC 201 (Delhi HC)

SUGGESTED READINGS:

- Ahuja, V. K. , Law of Copyright and Neighbouring Rights, (2007), New Delhi, Lexis Nexis
- Barrett, Margreth, Intellectual Property, (2009) 3rd ed., New York Aspen Publishers.
- Beebe, Barton, Trademarks, Unfair Competition and Business Torts, (2011), New York, Aspen Publishers.
- Brush S.B. & D. Stabinsky (ed.), Valuing Local Knowledge- Indigenous people and Intellectual Property Rights, Island Press, Covelo, California, 1996

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- Carlos M Correa, Traditional knowledge and Intellectual Property, Issues and Options Surrounding the Protection of Traditional Knowledge, Quaker United Nations Office, Geneva, 2001
- Cornish, William Intellectual Property: Patents, Copyright, Trademarks and allied rights, (2010) 7th ed., London Sweet & Maxwell.
- Dev Gangjee, Relocating the Law of GI, Cambridge University Press, 2012
- Elizabeth Verkey, Law of Patents, Eastern Book Company, 2nd Edition, 2012
- Feroz Ali Khader, The Law of Patents-With a Special Focus on Pharmaceuticals in India, LexisNexis, 2nd Edition, 2011
- Ganguli Prabuddha "Geographical Indications--its evolving contours" accessible in http://iips.nmims.edu/files/2012/05/main_book.pdf (2009)
- Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, 2001
- K. C. Kailasam and RamuVedaraman, Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications, Lexis Nexis, 2013
- Kankanala, Kalyan C., Indian Patent Law and Practice, (2010), India, Oxford University Press
- Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, Lexis Nexis, 2005
- Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd Edition, 2008
- Prof. (Dr.) V.K. Ahuja and Dr. Archa Vashishtha, Intellectual Property Rights: Contemporary Developments, 1st Ed., Thomson Reuters 2020
- S. Sivakumar & Lisa P. Lukose, Broadcasting Reproduction Right in India: Copyright and Neighbouring Right Issues, ILI, New Delhi, 2013
- V. K. Ahuja, Law relating to Intellectual Property rights, 2nd Edition, (2013) LexisNexis.
- Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997
- W. R. Cornish, Intellectual Property: Patents Copyright Trademarks and allied rights, Sweet & Maxwell, London, 2010.

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Administrative Law

Paper 7.39

Maximum Marks : 50

Objectives of the Course

Control of government for ensuring the exercise of public power according to the constitution and the rule of law is the function of administrative law. The scope of this law is as broad and involved as the extent of government itself. This course will examine the history of this branch of law, its nature, scope and functions, the nature and control of delegated power including the rule making, the regulation of administrative direction and principles of administrative adjudication. The subject will be handled in a comparative perspective wherever desired.

Module - 1

- (a) Evolution, Nature and Scope of Administrative Law;
 - i. From a Laissez- Faire to a social welfare state;
 - ii. Administrative law, Scope of - Administration and Administration Law;
 - iii. Classification of Administrative Action.
- (b) Administrative Law, Scope of - Contd-
 - i. Rule of Law and Administrative Law;
 - ii. Constitutional Background of Administrative Law;
 - iii. Some Representative definitions of Administrative Law;
 - iv. Relationship between Administrative Law and Constitutional Law.

Module - 2

- (a) Evolution of Administration as the fourth branch of Government-
 - i. Necessity for Separation of Powers and Delegation of Power on administration
 - ii. Separation of powers;
 - iii. Delegation of legislative power-
 - iv. Constitutionality of delegated legislation - Powers of exclusion and inclusion and the power to modify the statute.
- (b) Delegation of powers - contd:
 - i. Subordinate, Conditional and delegated Legislation;
 - ii. What delegation is permissible, what functions cannot be delegated by the legislature, the power 'to remove difficulties;
 - iii. Requirements for the validity of delegated legislation and legislative control of delegated legislation;
 - iv. Publication of delegated legislation; laying procedures and their efficacy.

Module - 3

- (a) Delegated Legislation contd:
 - i. Judicial control of delegated legislation;
 - ii. Sub-Delegation of legislative powers
- (b) Administrative Tribunals and other adjudicating authorities:
 - i. Their ad-hoc character.
 - ii. Tribunals-need, nature, constitution, jurisdiction and procedures;
 - iii. Jurisdiction of administrative and other authorities

Module - 4

- (a) Administrative Functions and Control:
 - i. Distinction between quasi-judicial and administrative functions
 - ii. Rules of natural justice
 - iii. Reasoned decisions

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- (b) i. Institutional decisions
- ii. Administrative Appeals

Module – 5

- (a) Judicial Control:
 - i. Judicial control of Administrative action;
 - ii. Exhaustion of administrative remedies;
 - iii. Standing: Standing for Public interest litigation (social action litigation) collusion, bias.
- (b)
 - i. Laches, Res Judicata
 - ii. Jurisdictional error/ultra vires-
 - 1) Abuse and non exercise of jurisdiction;
 - 2) Error apparent on the face of the record;
 - iii. Violation of principles of natural justice;
 - iv. Unreasonableness.

Module – 6

- (a) Remedies in judicial review:
 - i. Statutory appeals;
 - ii. Writs.
- (b)
 - i. Declaratory judgments and injunctions
 - ii. Specific performance and civil suits for compensation

Module – 7

- (a) Administrative Discretion:
 - i. Need for administrative discretion;
 - ii. Administrative discretion and rule of law;
 - iii. Limitations on the exercise of discretion;
 - iv. Constitutional imperatives and use of discretionary authority;
 - v. Irrelevant considerations;
 - vi. Non-exercise of discretionary power.
- (b) Informal methods of settlement of disputes and grievance redressal procedures;
 - i. Conciliation and mediation through social action groups;
 - ii. use of media, lobbying and public participation;
 - iii. public inquires and commissions of inquiry;
 - iv. Ombudsman: Lok Pal and Lok Ayukta;
 - v. Vigilance Commission

Referred Case Laws:

1. Asif hameed v. State of J&K, AIR 1989 SC 1899
2. Ram Jawaya Kapoor v. State of Punjab., AIR 1955 SC 549
3. In re Delhi Laws Act, AIR 1951 SC 332
4. Lachmi Narayan v. Union of India, AIR 1992 SC 1848: (1992) 4 SCC 28
5. A.K. Kraipak v. Union of India, AIR 1970 SC 150
6. Amar nath Choudhary v. Braithwaite & Co. Ltd. (2002) 2 SCC 290: AIR 2002 SC 1260
7. Bharat Petroleum Corpn. Ltd. v. Maharashtra General Kamgar Union (1999) 1 SCC 626
8. Maneka Gandhi v. Union of India (1978) 1 SCC 248
9. H.L. Trehan v. Union of India (1989) 1 SCC 764
10. S.N. Mukherjee v. Union of India (1990) 4 SCC 594: AIR 1990 SC 1984
11. State of U.P. v. Harendra Arora (2001) 6 SCC 392
12. Indian Rly. Construction Co. Ltd. v. Ajay Kumar (2003) 4SCC 579
13. Dwarka Prasad Laxmi Narain v. State of U.P. (1954) SCR 803
14. A.N. Parasuraman v. State of Tamil Nadu, AIR 1990 SC 40
15. Shri Lekha Vidhyaathi v. State of U.P., AIR 1991 SC 537
16. G. Sadananadan v. State of Kerala, AIR 2001 SC 343: (2001) 2SCC590

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17. Express Newspapers (Pvt)Ltd. v. Union of India, AIR 1986 SC 872
18. State of Bombay v. K.P. Krishnan (1961) 1SCR 227: AIR 1960 SC 1233
19. Shri Ram Sugar Industries Ltd. v. State of A.P. (1974) 1 SCC 534: AIR 1974 SC 1745
20. T.K. Rangarajan v. Govt. of Tamil nadu, AIR 2003 SC 3032
21. Surya Dev Rai v. Ram Chander Rai, AIR 2003 SC 3044
22. S.P. Gupta v. President of India, AIR 1982 SC 149 (Locus Standi)
23. Syed Yakoob v. K.S. Radha Krishna (1964) 5 SCR 64: AIR 1964 SC 477
24. Anadi Mukta Sadguru S.M.V.S.S. J.M.S. Trust v. V.R. Rudani (1989) 2 SCC 691: AIR 1989 SC 1607
25. Common Cause v. Union of India, AIR 2003 SC 4493 (No mandamus for the exercise of discretionary power)
26. Rupa Ashok Hurra v. Ashok Hurra, AIR 2002 SC 1771
27. India Jai Singh v. Registrar, 2003(4) SCALE 643
28. Chandra Kumar v. Union of India, AIR 1997 SC 1125

Suggested Readings

1. C.K. Allen, law and orders (1985)
2. D.D. Basu, Comparative Administrative law (1998)
3. Wade, Administrative law (Seventh Edition, Indian Print 1997), Universal, Delhi

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Public International Law-I

Paper 7.40

Maximum Marks : 50

OBJECTIVES OF THE COURSE:

This course provides an insight into Public International Law and its significance in the economically globalised world. It enables the students to understand the interdependence of the countries and how they are constantly addressing the global issues through peaceful measures. This course would help the students to understand both the theoretical framework and the working of International Law.

MODULE - 1

Definitions; Development and Nature of International Law; Difference between Public and Private International Law; Legality of International Law: Positive Morality; Theories as to the basis of International Law: Naturalist Theory, Positivist Theory, Grotius Theory and Consent Theory;

MODULE - 2

Main Functions of International Law; Sources and Subjects of International Law: Customs; Treaties and Conventions; General Principles of Law; Judicial Decisions; Other Sources; Subjects of International Law: Various Theories: Realistic Theory, Fictional Theory, Functional Theory;

MODULE - 3

International Law and Municipal Law:

Monistic Theory; Dualistic Theory; Specific Adoption Theory; Transformation Theory; Delegation Theory States: Concept of State; Essential Ingredients of State; Different Kinds of States; Territory of State: Land, Water and Air Space; War, its Legal Character and Effects; The Law of Neutrality: Basis of Neutrality, Role, Rights and Duties of Neutral States;

MODULE -4

Settlement of International Disputes: Legal and Political Disputes; Pacific Means: Arbitration; Negotiation; Mediation; Good Offices; Conciliation; Settlement under United Nations Organization; Compulsive Means: Retorsion, Reprisals, Embargo, Pacific Blockade, Intervention;

MODULE -5

States Recognition and Succession:

Recognition of States: *De Facto* and *De Jure*; Theories of Recognition: Recognition of Government, Recognition of Belligerency and Recognition of Insurgency; Collective Recognition; State Jurisdiction; Territorial Sovereignty; State Responsibility and State Succession: Responsibility of States: Original and Vicarious; State Responsibility for various Acts: Individual Acts, Mob Violence, Insurgency, etc. State Succession: Theories of State Succession; Rights and Duties arising out of State Succession;

MODULE - 6

Law of Treaties: Concept of Treaty; Kinds of Treaties; Binding Force of Treaties; *Pacta Sunt Servanda*; *Jus Cogens*; *Clausula Rebus Sic Stantibus*; Parties of a Treaty; Formation of a Treaty; Reservations; Invalidity and Termination of Treaties; Vienna Convention on the Law of Treaties; Asylum: Meaning, Definition, Types; Territorial and Extra-territorial Asylum; Extradition: Meaning, Definition and Basic Principle; Rules relating to Extradition; Relationship and difference between Extradition and Asylum;

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MODULE - 7

Individuals under International Law:

Position of Individuals; Nationality: Acquisition and Loss of Nationality, Statelessness; Difference between Nationality and Domicile; Domicile and Citizenship; Nationality and Citizenship; Citizenship and State; Basic Concepts and Future Effects relating to the provisions of the Indian Constitution and the Citizenship Act, 1955 as amended by The Citizenship (Amendment) Act, 2019; Diplomatic Agents: Powers and Functions; Theories as to Diplomatic Immunities and what immunities are available to Diplomatic Agents;

SUGGESTED READINGS:

- A. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, 2007
- H.O. Agarwal, International Law & Human Rights, Central Law Agency 1st Ed. (Rep) 2014
- James Crawford Brownlie, Principles of International Law, Oxford University Press, 2013
- Landmark Cases in Public International Law, Editor(s): Eirik Bjorge, Cameron Miles, 1st ed., Bloomsbury Publishers, 2017
- L. F. L. Oppenheim's International Law (9th Edition): Volume 1 Peace; Edited by Robert Jennings, Arthur Watts KCMG QC, Oxford University Press, 2008.
- Mark Villiger, "The Factual Framework: Codification in Past and Present", in Customary International Law and Treaties, Mark Villiger, pp.63-113, The Netherlands: MartinusNijhoff, 1985.
- R. P. Dhokalia, The Codification of Public International Law, United Kingdom: Manchester University Press, 1970
- Sharma Satyendra Kumar, Law of Sea and Exclusive Economic Zone, Taxmann New Delhi, Publications, 2017
- S.K. Kapoor, International Law, Human Rights, Central Law Agency, 2009
- Shaw, International Law, Cambridge University Press, 6th ed., 2008
- Starke, Introduction to International Law, Oxford University Press, 2013

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Law of Crimes-I

Paper 7.41

Maximum Marks : 50

Aims and objectives: Crimes take place in almost all societies. Therefore, almost every country has criminal laws. Criminal law of a country must contain the substantive criminal law, the procedural criminal law and law relating to evidence. The basic core substantive criminal law in India is contained in the Indian Penal Code, 1860. The Indian Penal Code, 1860 has been divided under two parts – Law of Crimes-I and Law of Crimes-II which deal with general principles and specific offences respectively and are part of the syllabus of Seventh and Eight semesters in that order.

Module – 1

1. Nature and definition of crime
2. Crime and offence, Crime and Tort
3. Principle of criminal liability – *Actus non facit reum nisi mens sit rea*. Applicability of this principle to India, Elements of Criminal Liability
4. Burden of proof on the prosecution – presumption of innocence of accused
5. Interpretation of Penal Statutes
6. Theories of Punishment – Retributive, Expiatory, Deterrent, Preventive and Reformative.
7. Protection in respect of conviction for offences (Article 20, Constitution of India)
8. Protection against arrest and detention in certain cases (Article 22, Constitution of India)

Module – 2

1. Stages of crime – Intention, preparation, attempt, and commission
2. Mental stage generally not punishable
3. Preparation generally not punishable, Exceptions when preparation is punishable.
4. Inchoate crimes – Meaning and contents
5. Attempts (Sections 511, 307, 309 IPC) -Impossible, Possible, Constitutionality of attempt of commit suicide

Module – 3

1. Title and extent of operation of the Indian Penal Code
2. Territorial jurisdiction
3. Certain Laws not to be affected by the Indian Penal Code
4. General explanations (Chapter II, except section 34 to 38 which are part of Module 6)

Module – 4

1. Punishments (Section 53-75)

1. General exceptions (Section 76-83)
2. General exceptions (Section 84-95)

Module – 6

1. Right of Private Defence (Section 96 to 106)
2. Principles of Liability- Joint liability, constructive liability, vicarious liability (Sections 34-38, 141-143, 149)

Module – 7

1. Abetment (Section 107-120)
2. Criminal Conspiracy (Section 120A &120B)

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Relevant Case laws: To be prescribed by the faculty.

Suggested Readings:

- B. M. Gandhi: Penal Law
- Barry Wright, Wing-Cheong Chan: Codification, Macaulay, and the Indian Penal Code
- C. K. Takwani: Indian Penal Code
- Glanville Williams: Text Book of Criminal Law
- Hari Singh Gour: Penal Law of India
- K. D. Gaur: Criminal Law- Cases and Materials
- K. N. C. Pillai & Shabistan Aquil: Essays on the Indian Penal Code
- K. N. C. Pillai: General Principles of Criminal Law
- P. S. Pillai: Criminal Law
- R. A. Nelson: Indian Penal Code
- Ratan Lal & Dhiraj Lal: The Indian Penal Code
- S. N. Misra: The Indian Penal Code
- T. Bhattacharyya: The Indian Penal Code
- Indian Penal Code, 1860 (Bare Act with latest amendments)

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Principles of Taxation Laws

Paper 7.42

Maximum Marks : 50

Aims and Objectives of the Course

The power to tax is an incident of sovereignty; and since the Constitution of India is the supreme law of the land, all other laws, including the Income-tax Act, are subordinate to the Constitution and must be read and interpreted in the light of the constitutional provisions. In *India Cement Ltd. v. State of Tamil Nadu*, a seven-judge Bench of the Supreme Court observed that the Constitution is the mechanic/sm under which the laws are to be made and not merely an Act which declares what the law is to be one of the most important provisions of the Constitution relating to taxation is art 265, which provides. No tax shall be levied or collected except by authority of law. Therefore, not only the levy but also the collection of a tax must be under the authority of some law. Law means law enacted by a competent legislature and cannot include an executive order, or a rule without express statutory authority, or a custom. Thus, any act of the state that seeks to impose a tax without legislative authority will be void.

Module - 1

Income Tax Act 1961 (with latest amendments)

Concepts and Definition: -

- i. Certain Important Definition
- ii. Basis of Charge
- iii. Residence of Assessee

Module -2

Computation of Total Income (Part-A)

- i. Salaries
- ii. Income from House Property
- iii. Income from other Source

Module - 3

Computation of Total Income (Part - B)

- i. Profits & gains from Business or Profession
- ii. Capital Gain

Module - 4

- i. Clubbing & Aggregation of Income
- ii. Set off and carry forward of losses

Module -5

Exemption / Deductions:

- i. Exempted Income
- ii. Deduction from total income
- iii. Deduction in respect of payments
- iv. Deduction in respect of certain income

Module - 6

Procedure for assessment:

- i. Filing of return
- ii. Assessment and Re-assessment
- iii. Rectification of mistake
- iv. Appeals and Revision

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Module -7

Indirect Tax- CGST Act, 2017 (with latest amendments)

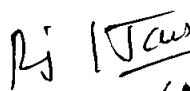
- i. Concept of GST, definition- Address of delivery, Address on record, Aggregate turnover, Assessment, Audit, business, Capital goods, Casual taxable person, Composite supply, Consideration, Continuous supply of goods, Continuous supply of services, Conveyance, Credit note. Debit note, Drawback, Exempt supply, Goods, Input, Input service, Input Service distributor, Input tax, Input tax credit, Intra state supply of goods, Intra state supply of services, Inward supply, Job work, Location of recipient of services, Location of supplier of services, Manufacture, Mixed supply, Money, Non resident taxable person, Non taxable supply, Non taxable territory, Output tax, Outward supply, Person, Place of business, Place of supply, Principal, Principal supply, Quarter, Receipt, Registered person, Reverse charge, Service, Supplier, Tax period, Taxable person, Taxable supply, Taxable territory, Turnover in the State or turnover in union territory, Voucher, Works Contract.
- ii. Levy and Collection of Tax
- iii. Time and value of supply
- iv. Input tax credit
- v. Registration

Leading Cases:

1. Travanco Tea estate co. Ltd. v. Commissioner of income tax ITR 154 (1985)
2. Sutej Cotton Mills Ltd appellant Commissioner of income tax (vc) to ITR 1991
3. Hindustan Steel Ltd. v. State of Orisa 25 S T C 211 (SC)
4. Income tax appeal 585 of 2005 (O.M.) Ashok Kumar Gupta v. Commissioner of income tax
5. Income tax act (2006) 31 Rep 166 ITAT Amritsar Chitty Co. operative society Pathankot income tax officers ward I Pathankot
6. ITA/185/2006 DATED 18.8.2006 Commissioner of Income Tax v. Glocom Incomplete Ltd.

Books Recommended

1. Gupta, RR- Income Tax and Practice
2. Kanga &Palkiwala – The Law and Practice of Income Tax
3. Income Tax Act – A.K. Saxena (English & Hindi).


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Land Acquisition Law & Rajasthan Rent Law

Paper : 8.43

Maximum Marks 50

Module 1- Rajasthan Tenancy Act, 1955 with latest Amendments

- a) Preliminary: object and reason, Definition- Agriculture year, Agriculture, Agriculturalist, Crops, Estate, Estate holder, Grove-land, Holding, Improvement, Khudkasht, land, land cultivated personally, Land holder, Pasture land, Rent, Revenue, Sayar,
- b) Tenant, Nalbat. Classes of Tenants, Primary Right of Tenant, Surrender, Abandonment and Extinction of Tenancy.

Module 2-Rajasthan Tenancy Act, 1955 with latest Amendments

- a) Determination and modification of Rent, Payment and recovery of rent, Ejectment of Tenants, Remedies for Wrongful Ejectment of tenants.
- b) Power and Jurisdiction of the Court, Appeal, Review, Revision and Reference, Question of proprietary rights in Revenue Court, Question of Tenancy Right in Civil Court

Module 3-Rajasthan Revenue Act, 1956 with latest Amendments

- a) The Board of Revenue: Constitution, Power and Functions
Revenue Court: Territorial Division, Power and Functions
- b) Procedure for Revenue Courts and Officers
Appeal, Reference, Revision and Review

Module 4-Rajasthan Revenue Act, 1956 with latest Amendments

- a) Survey, records of right, Maintenance of maps and record, annual register,
- b) Settlement Operation, Rent Rates, Collection of Revenue

Module 5-Rajasthan Rent Control Act, 2001 with latest Amendments

- a) Preliminary: object and reasons, Definition and Applicability of the Act
Revision of Rent, Tenancy: Limited Period Tenancy,
- b) Eviction of Tenant and Right of Landlord
Illegal Eviction and Procedure for Restoration of Possession

Module 6-Rajasthan Rent Control Act, 2001 with latest Amendments

- a) Constitution of Tribunals, Procedure for Revision of Rent and Eviction,
- b) Appeal and Execution, Rent Authorities, Amenities.

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Module 7-Land Acquisition Law:

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

- a) Preliminary: object and reason, Definition, Determination of social impact and public purpose, special provision to safeguard food security, Notification and Acquisition, Rehabilitation and Resettlement Award and procedure relating to it.
- b) National Monitoring Committee, Procedure relating to land acquisition, Rehabilitation and resettlement authority, apportionment and payment of compensation, Offences and Penalties

Prescribed Legislations*

- a) Rajasthan Tenancy Act, 1955
- b) Rajasthan Revenue Act, 1956
- c) Rajasthan Rent Control Act, 2001
- d) The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

*The students are required to study the legislations as amended from time to time.

Prescribed Readings

1. Shyam Lal Gupta - Rajasthan Tenancy Act
2. S. K. Dutt - Tenancy Laws in India
3. S. K. Dutt - Rajasthan Land Revenue
4. S. K. Dutt - Rent Control in Rajasthan
5. Suresh Chand &
6. H Mathur - Law of Tenancy in Rajasthan
7. G.S. Karkara - Rajasthan Land Laws

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Alternative Dispute Resolution

Paper : 8.44

Maximum Marks 50

Objectives of the course

The major concern of law is dispute resolution. Familiarization with the modalities of resolution of conflict is a necessary component in the efforts of developing expertise in juridical exercise. The traditional justice delivery system through adjudication by the court had already given way to a large extent to many alternative modes of dispute resolution in the common law countries. The study of ADR is highly significant in molding the student of law to act as soldiers of justice. The course aims to give the student an insight into the processes of arbitration, conciliation and mediations in areas where the traditional judicial system had its way in the past and in the new areas of conflicts that demand resolution by alternative methods. The course has to be taught with comparative and international prospective with a view to bringing out the essential awareness of the national and international systems of resolving the disputes.

Module - 1

- (a) i. Meaning of Alternate dispute resolution, Distinction between ADR & Judicial Dispute Resolution
- ii. Techniques or procedures of ADRs, Advantages and Limitations of ADR
- (b) i. International Background of ADR; UNCITRAL Model Law
- ii. Historical background of Arbitration in India

Module -2

- (a) i. Domestic Arbitration, Aims and objects of Arbitration and Conciliation Act, 1996 (Including latest amendments)
- ii. Salient Features of Arbitration and Conciliation Act, 1996
- (b) i. Arbitration Agreement, Essentials, Validity, Reference to Arbitration, Interim Measure by Court
- ii. Arbitration Tribunal – Composition, Jurisdiction, Appointment, Challenge to appointment, Powers, Procedures and Court Assistance

Module - 3

- (a) i. Conduct of arbitral proceedings
- ii. Arbitral award-forms and contents, ground of validity of award
- (b) i. Corrections and Interpretations, nature and contents of award, Form of award. Grounds of setting aside an award
- ii. Finality of arbitral award, Enforcement of an award, Appeals and Revision, costs

Module - 4

- (a) i. International Commercial Arbitration (an overview)
- ii. Foreign Arbitral Award, Enforcement of Foreign Awards
- (b) i. New York convention, 1958
- ii. Geneva Convention, 1928

Module - 5

- (a) i. Conciliation-appointment of Conciliator, Communication, Role of Conciliator
- ii. Termination of Conciliation Proceedings, Nature of Awards, Costs.
- (b) i. Settlement agreement
- ii. Conciliation proceedings in CPC

Module - 6

- (a) i. Theory of Mediation, Role of the Mediator,
- ii. Key Concepts in Mediation: Essential Elements, Process and Stages, Approaches to Mediation, Preparation for Mediation,

- (b) i Theory of negotiation, Approaches to Negotiation
ii Preparation for Negotiation, Negotiation Skills

Module - 7

- (a) i. Legal Services Authorities Act, 1987 (Including Latest Amendment)
ii. Functions of National Legal Services Authority
(b) i. Powers and Functions of National Legal Services Authority and District Legal Services Authority
ii. Organisation, jurisdiction, powers and procedure of Lok Adalats

JUDGMENTS

1. Bombay Gas Company v. Parmeshwar Mittal, AIR 1998 Bom. 118
2. Tamil Nadu Electricity Board v. Bridge Tunnel Construction, AIR 1997 SC 1376
3. M/s ITI limited Allahabad v. Distt. Allahabad AIR 1998 All. 318
4. Grid Corporation of Orissa ltd. v. Indian Charge Chrome ltd. AIR 1998 SC 1761
5. Kulbir Singh Rattan Sing v. New Delhi Municipal Council, AIR 1998 Del 230
6. M.M.T.C. Ltd v. Sterlite industries Ltd., AIR 1997 SC 605
7. K.K. Modhi v. K.N. Modhi, AIR 1998 SC 1297
8. Indian Oil Corporation Ltd. v. Kiran Construction Co., AIR 2003 Del. 282
9. Oil and Natural Gas Commission v. Saw Pipes, AIR 2002 SC 2629
10. NTPC v. Singer Company, AIR 1993 SC 998

Books Referred

1. Law of Arbitration and Conciliation - S.K. Roy Choudhary, H.K. Saharay
2. Arbitration & Conciliation - S.C. Tripathi
3. Alternative Dispute Redressal System - S.R. Maini
4. Law of Arbitration P.M. Bakshi
5. Arbitration & Conciliation - Avtar Singh
6. The Arbitration & Conciliation Act, 1996
7. The Legal Services Authorities Act, 1987

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LAW OF CRIMES-II

Paper: 8.45

Maximum Marks: 50

Aims and objectives: Crimes take place in almost all societies. Therefore, almost every country has criminal laws. Criminal law of a country must contain the substantive criminal law, the procedural criminal law and law relating to evidence. The basic core substantive criminal law in India is contained in the Indian Penal Code, 1860. The Indian Penal Code, 1860 has been divided under two parts – Law of Crimes-I and Law of Crimes-II which deal with general principles and specific offences respectively and are part of the syllabus of Seventh and Eight semesters in that order.

Module - 1

1. Offences Against the State (Section 121-124a)
2. Offences Against the Public Tranquility (Section 144-160, except Section 149)
3. Offences by or relating to public servants (Section 166-171)
4. Offences relating to elections (Section 171A, 171B)
5. Contempt of the lawful authority of public servants (Section 177, 186-190)

Module - 2

1. False evidence and offences against public justice (Section 191-195, 195A, 201, 211, 228A, 229A)
2. Offences relating to coin and government stamps (Section 230-232)
3. Offences affecting the public health, safety, convenience, decency, and morals (Section 268-274, 292, 294A)
4. Offences relating to religion (Section 295-298)

Module - 3

1. Offences affecting life - except section 304B, 307 & 309)
2. Causing of Miscarriage, of Injuries to unborn Children, of the Exposure of Infants, and of the concealment of Births (Section 312-318)
3. Hurt (Section 319 -326, 326A, 326B, 334, 335)
4. Wrongful restraint and wrongful confinement (Section 339-342)
5. Criminal Force and Assault (349-354D)

Module - 4

1. Kidnapping & Abduction (Section 359-364A)
2. Sexual offences & Unnatural Offences (Section 375-377)
3. Offences relating to marriage
 - a. Section 304B
 - b. Section 493- 496
 - c. Section 498A
 - d. Constitutionality of Section 497

Module - 5

1. Offence against Property (Theft, Extortion, Robbery, Dacoity - Section 378-402)
2. Criminal Misappropriation of Property (Section 403-404)
3. Criminal Breach of Trust (Section 405-406)

Module - 6

1. Receiving of Stolen property (Section 410-414)
2. Cheating (Section 415-420)
3. Mischief (Section 425-429)
4. Criminal Trespass (Section 441-462)

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Module 7

1. Forgery (Section 463-465, 471)
2. Property Mark (Section 479, 481)
3. Defamation (Section 499-502)
4. Criminal intimidation, insult, and annoyance (Section 503-510)

Relevant Case laws: To be prescribed by the faculty.

Suggested Readings:

- B. M. Gandhi: Penal Law
- Barry Wright, Wing-Cheong Chan: Codification, Macaulay, and the Indian Penal Code
- C. K. Takwani: Indian Penal Code
- Glanville Williams: Text Book of Criminal Law
- Hari Singh Gour: Penal Law of India
- K. D. Gaur: Criminal Law- Cases and Materials
- K. N. C. Pillai & Shabistan Aquil: Essays on the Indian Penal Code
- K. N. C. Pillai: General Principles of Criminal Law
- P. S. Pillai: Criminal Law
- R. A. Nelson: Indian Penal Code
- Ratan Lal & Dhiraj Lal: The Indian Penal Code
- S. N. Misra: The Indian Penal Code
- T. Bhattacharyya: The Indian Penal Code
- Indian Penal Code, 1860 (Bare Act with latest amendments)

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Code of Civil Procedure-I

Paper : 8.46

Maximum Marks 50

MODULE-1

- a. Introduction, Definitions (Decree, Decree Holder, Foreign Judgment, Foreign Court, Judgment, Judgment Debtor, Mesne Profit, Legal Representative, Order etc.)
- b. Suits of civil nature s.9, res sub judice s.10

MODULE-2

- a. Doctrine of Res judicata s.11, comparison between s.10 and s.11
- b. Foreign judgment and presumption as to foreign judgment ss.13&14

MODULE-3

- a. Place of suing ss.15 to 20, objection to place of suing s.21 and 21-A
- b. Transfer of suits ss.22 to 25

MODULE-4

- a. Institution of Suit S.26, O.IV, Plaint O.VII, Parties to Suit O.I, Framing of Suits O.II
- b. Summon, Mode of Service ss.27-29, O.V

MODULE-5

- a. Written Statement O.VIII, Pleading O.VI
- b. Appearance of Parties, Examination, Production of Documents, Admission. O.IX-XIII and s.30

MODULE-6

- a. Framing of issues O.XIV, Hearing of parties O.XV
- b. Summon to Witnesses ss.31-32 and O.XVI, Adjournment O.XVII, Hearing of the Suit O.XVIII, Affidavits O.XIX

MODULE-7

Judgment and Decree, Interest, Costs. Ss.33-35-B and O.XX and O.XX-A

Leading Cases

1. Firm Radha Krishnan v. Ludhiana Municipality, AIR 1963 SC 1547
2. Aziz Ahmed v. State Bank of India, Vinyaambedi, AIR 1995 AP 166
3. Ram Chander Pandurang Sonar v. Murlidhar Ram Chander, AIR 1990 SC 1973
4. Tilak Ram v. Nathu and other, AIR 1967 SC 935
5. Ram Lal v. Reva Coal Fields, AIR 1969 SC.
6. Iftikhar Ahmed v. Syed Meharban Ali, AIR 1974 SC 749
7. Bihari Lal v. Bhuri Devi, AIR 1997 SC 1879
8. Teharoo Chadn v. Suraj Mal Nagar Mal, AIR 1984 Cal. 82
9. Kanodiba Dagadu Kadam v. Savitri Bai Sopan, AIR 1999 SC 2213
10. Ajaib Singh v. Shital Puri, AIR 1993 All. 138

Suggested Readings

1. The Code of Civil Procedure – Mulla
2. Civil Procedure Code – C.K. Takwani

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LAW OF EVIDENCE

Paper:8.47

Maximum Marks 50

Objectives of the course

The law of evidence is an indispensable part of both substantive and procedural laws. It imparts credulity to the adjudicatory process by indicating the degree of veracity to be attributed to facts before the form. This paper enables the students to appreciate the concept and principle underlying the law of evidence and identify the recognized forms of evidence and its sources. The subjects seek to impart to the student the skill of the examination and appreciation of oral and documentary evidence in order to find out the truth. The art of examination and cross-examination and the shifting nature of burden of proof are crucial topics. The concepts in by amendments to the law of evidence are significant parts in this course.

Module-1

- (i) Salient Features of Indian Evidence Act, 1872, other legislations dealing with Evidence (C.P.C & Cr.P.C.)
- (ii) Preliminary: Extent and Applicability of Indian Evidence Act, Definition: Court, Fact, Fact in Issue and Relevant Fact,
- (iii) Evidence-meaning and its kinds, proved, disproved, not proved, may presume, shall presume, and conclusive proof. Presumptions of fact and law, presumptions regarding documents.

Module-2

- (i) Relevancy of facts: Explaining - Res-gestae, occasion, cause, effect, motive, intention, preparation, previous and subsequent conduct, introductory and explanatory facts, facts otherwise relevant become relevant, accidental and incidental facts.
- (ii) Admission: Definition, whose admission is relevant, relevancy of admission in civil cases, admission not conclusive proof but act as an estoppel
- (iii) Confession: Definition, its kinds, confession caused by inducement, threat or promise, Confession to police officer, confession in the custody of police, confession to Magistrate, confession by co-accused.

Module-3

- (i) Relevancy of statements: Statements by persons who cannot be called as witness, Statement made under special circumstances.
- (ii) Relevancy of judgment of a Court of Law
- (iii) Opinions of Third Person, Opinion of Experts (Relevancy of Polygraph test, Narco analysis, Brain Mapping), Relevancy of Character.

Module-4

- (i) Facts need not be Proved (Judicial Notice)
- (ii) Oral evidence, Documentary evidence, kinds of documentary evidence, when secondary evidence is relevant, public and private document.
- (iii) Exclusion of oral evidence by documentary evidence; Application of this principle, its exceptions. Ambiguous documents, kinds of ambiguity

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Module-5

- (i) Burden of Proof: Meaning, general principles of burden of proof in civil and criminal cases and exceptions to it. When burden of proof shifts, proof of legitimacy of child, proof in dowry deaths and in the matters of rape.
- (ii) Estoppel: Meaning, essentials, nature and its kinds.

Module-6

- (i) Witness: Competency of witness, when persons can be compelled to appear as witnesses,
- (ii) privileged communications and documents,
- (iii) Accomplice.

Module-7

Order of Examination,

- (i) Leading question, Lawful question in cross-examination,
- (ii) Corroborative evidence,
- (iii) Hostile witness, Impeaching of the credit of witness, Improper Admission and Rejection of Evidence.

Leading Cases:

1. Nishi Kant Jha v. State of Bihar, AIR 1969 SC 422.
2. Himachal Pradesh Administration v. Om Prakash, AIR 1972 SC 975
3. Satpaul v. Delhi Administration, AIR 1976 SC 294
4. Laxmipat Chorasias v. State of Maharashtra, AIR 1968 SC 938
5. Pakala Narayan Swami v. Emperor AIR 1939 PC 47
6. Bhardwada Bhogin Bhan Heerji Bhai v. State of Gujarat, AIR 1988 SC 753
7. R.M. Malkani v. State of Maharashtra, AIR 1973 SC 157
8. Selvi and others v. State of Karnataka and another AIR 2010 SC
9. State (NCT of Delhi) v. Navjot Sandhu @ Afsan Guru 2005 SC
10. Palvinder Kaur v. State of Punjab AIR 1952 SC
11. Harpal Singh v. State of Punjab 2016 SC

Suggested Readings:

1. Ratan Lal : The Law of Evidence
2. Batukala : Law of Evidence
3. Vepa P. Sarathi : Law of Evidence
4. Avtar Singh : Law of Evidence
5. Raja Ram Yadav: Evidence Law
6. Justice Monir: Law of Evidence
7. Murlidhar Chaturvedi: Law of Evidence

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Public International Law-II

Paper:8.48

Maximum Marks 50

OBJECTIVES OF THE COURSE:

An international organization (intergovernmental organization) is an organization established by a treaty or other instrument governed by international law and possessing its own international legal personality, such as the United Nations, the World Health Organization etc. For the overall development of the students in this field this paper is being introduced to train the students of law to have a basic and extensive knowledge about international organizations which is indispensable at the National and International level for its importance together with the study of the Law of the Sea.

MODULE - 1

Law of the Sea:

Concepts of *Mare Liberum* and *Mare Clausum*; The Anglo Norwegian Fisheries Case and Its After Math; The Technological Revolution and the Utilization of the new resources of the sea; Population Explosion and Its Impact; Changing Concepts of Maritime Frontiers: Territorial Sea, Contiguous Zone, Continental Shelf & Exclusive Economic Zone, High Seas; Territorial Waters and Contiguous Zone; Principles for Determination of Maritime Frontiers And Maritime Boundaries under the Customary and Conventional Law; Exploitation of Deep Sea: Bed Resources: International Sea Bed Authority;

MODULE - 2

Concept of International Organization (intergovernmental organization) Meaning and Features; League of Nations: Origin and Objectives; Organs: Role of League of Nations in the maintenance of International Peace: Causes for the League's Failure:

MODULE - 3

United Nations:

United Nations Organization: Genesis: San Francisco Conference: Adoption and Ratification of the Charter: Purposes and Principles of United Nations Organization;

MODULE - 4

United Nations:

Organs of United Nations: General Assembly, Security Council, International Court of Justice, Economic & Social Council, Secretariat, Trusteeship Council; Powers and Functions; Jurisdiction and Contribution towards Development of International Law;

MODULE - 5

Specialized Agencies: [Limited to History, Importance, Objectives; Structure, Persons holding key positions and place of sitting, Key Features of the Organization]

International Labour Organization (ILO); International Monetary Fund (IMF); World Health Organization (WHO); United Nations Educational, Scientific and Cultural Organization (UNESCO); World Intellectual Property Organization (WIPO); International Criminal Court (ICC);

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MODULE - 6

Specialized Agencies: [Limited to History, Importance, Objectives; Structure, Persons holding key positions and place of sitting, Key Features of the Organization]

Food and Agriculture Organization of the United Nations (FAO); Organization for Economic Cooperation and Development (OECD); United Nations Office on Drugs and Crime (UNODC); World Bank (IBRD); North Atlantic Treaty Organization (NATO), G20;

MODULE - 7

The World Trade Organization (WTO):

Introduction to International trade and the law of the WTO, Sources of WTO Law, Basic rules and principles of WTO Law; Historical background of WTO: Evolution of GATT as a trading institution and transition of GATT to WTO; Marrakesh Agreement; WTO Dispute Settlement Mechanism;

SUGGESTED READINGS:

- D.W. Bowett, Law of International Institutions, (1982) 4th Ed. London: Stevens & Sons, 1982
- Ingrid Detter, Law Making by the International Organisation, (1965) P. A. Norstedt & Söner, Stockholm, 1965
- Stephen S. Goodspeed, Nature and Function of International Organisation, Oxford University Press, 1967
- Wilfred Jenks, The Proper Law of International Organizations, Stevens And Sons Limited; New York: Oceana Publications, 1962
- Leland M. Goodrich, United Nations in a Changing World, New York Columbia University (1974)
- Rosalyn Higgins, Development of International Law through Political Organs of the United Nations New York Columbia University (1963)
- B. S. Brown, IMF Governance, the Asian Financial Crisis, and the New International Financial Architecture, Chapter in International Law in the Post-Cold War World: Essays in Memory of Li Haopei, pp. 295-302, 564-575, 2001.
- Dinah Shelton, Analysis of African Commission for Human Rights Decision Regarding Communication 155/96, 96 A.J.I.L. 937, 2002.
- Frederic L. Kirgis, Jr., Enforcing International Law, The American Society of International Law Newsletter, January 1996.
- Herman Nys, Towards an International Treaty on Human Rights and Biomedicine? Some Reflections Inspired by UNESCO's Universal Declaration on Bioethics and Human Rights, 13 European Journal of Health Law 5-8, 2005.
- Jose E. Alvarez, Centennial Essay: In Honor of The 100th Anniversary of the AJIL and the ASIL: International Organizations: Then And Now, 100 A.J.I.L. 324, 2006

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Code of Civil Procedure -II

Paper:9.49

Maximum Marks 50

Module-1

- a. Execution General s 37-45,O XXI
- b. Modes of Execution s51,s54,s145,O XXI
- c. Question Determination s47

Module-2

- a. Arrest & Detention s51-59,O XXI, Attachment s60-64,O XXI
- b. Adjudication of Claims O XXI, Sale & Delivery of Property s65-74 O XXI
- c. Distribution of Assets s73

Module-3

- a. First Appeal s96-99,s107,O XLI
- b. Second & Other Appeals s100-112,O XLII-XLV

Module-4

- a. Reference
- b. Review
- c. Revision

Module 5

- a. Interim Orders O XXIV-XVI,O XXXVII-XXXIX,s75-78
- b. Withdrawals & Compromise O XXIII

Module 6

- a. Incidental Proceedings O XXII,s75-78
- b. Special Suits s79-93,O XXVII-XXXVII

Module-7

- a. Restitution s144,Caveat s148 A, Inherent Powers s148-153 A
- b. The Limitation Act 1963

Leading Cases

1. Nathmal v/s Maniram (1919) 21 Bom LR 975
2. Sperintending Engineer v/s Subba Reddy (1999) 4 SCC 423
3. Premraj v/s Maneck Gazi AIR 1951 Cal 156
4. American Cyanamide Co. v/s Ethicon (1975) 2 WLR 316
5. Morgan Stanley v/s Kartick Das (1994) 4 SCC 225
6. Bihari Chowdhry v/s State of Bihar (1984) 2 SCC 669
7. Ratilal v/s state of Bombay AIR 1954 SC 388
8. Land Acquisition Office, Anantnag v/s Katiji AIR 1987 SC 1353

Books Referred

1. Civil Procedure Code-C.K.Takwani
2. The Code of Civil Procedure-Mulla
3. Limitation Act-Dr.D.N.R. Pandey

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Competition Law, M & A

Paper : 9.50

Maximum Marks 50

OBJECTIVES OF THE COURSE:

The process of globalization and liberalization have brought a considerable awareness towards improving the competitive process in developing economies such as India. Until recently most of the developing countries operated without a structured competition policy, and have justified the intervention by the state over economic activities. India owing to its WTO obligations enacted Competition Act, 2002. The course seeks provide fundamentals of market economy and extensive knowledge of application of competition policy in India. The course will also examine and compare the application of competition law to business agreements, the exercise of dominant position, the combinations between the firms and sellers and the enforcement mechanisms. This course also aims to create awareness among the students and develop their abilities to deal with the issues on the expanding horizons of corporate law.

MODULE - 1

Need, Importance, Objectives; Definition, Concept, Key features for Enactment of the Act; Rationale behind Competition Law; Constitutional aspect of Competition Law with respect to Human Rights and Social Justice (Article 39 (b) and (c) of the Constitution of India);

MODULE - 2

History and Development of Competition Law / Antitrust Law; Development of Competition Laws in U.S.A., U.K. and E.U.; Sachar Committee Report, Raghavan Committee Report;

MODULE - 3

Salient Features of the Monopolies And Restrictive Trade Practices Act, (MRTP) 1969; The Competition Act, 2002 differentiated with the MRTP Act, 1969; Judicial Responses;

MODULE - 4

Anti- Competitive Agreements, Abuse of Dominant Position and Regulation of Combinations;

MODULE - 5

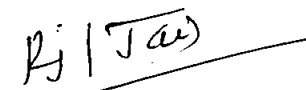
Duties, Powers, and Functions of Commission; Duties of Director General; Penalties; Appellate Tribunal; Miscellaneous; Judicial Responses;

MODULE - 6

Interface of Competition Law with other Laws: (Basic Concepts and Emerging Issues)
Intellectual Property Rights and Competition Law; Judicial Responses;
International Trade Law and Competition Law; Judicial Response

MODULE - 7

Consumer Law and Competition Law; Judicial Responses;
Competition Advocacy in India


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LEADING CASES:

- 1) Bharti Airtel Ltd. v. Reliance Industries Ltd. 2017 SCC OnLine CCI 25.
- 2) Competition Commission of India v. Bharti Airtel Limited And Others, Civil Appellate Jurisdiction, Civil Appeal No(s). 11843 of 2018, 2019 SC
- 3) C.C.I. v. Steel Authority of India Ltd. (2010) 10 SCC 744
- 4) Excel Crop Care Limited v. Competition Commission of India and Another AIR 2017 SC 2734.
- 5) Fast Track Call Cab (P) Ltd. v. ANI Technologies (P) Ltd. 2017 SCC OnLine CCI 36.
- 6) Fx Enterprise Solutions India Pvt. Ltd. v. Hyundai Motor India Ltd., 2017 SCC OnLine CCI 26
- 7) Harshita Chawla v. Whats App, 2020 SCC OnLine CCI 32, decided on 18-08-2020
- 8) MCX Stock Exchange Ltd. v. National Stock Exchange of India Ltd. 2011 SCC OnLine CCI 52.
- 9) Rajasthan Cylinders and Containers Ltd v Union of India &Anr., SC, Civil Appellate Jurisdiction, Civil Appeal No. 3546 of 2014, Decided on 01 Oct., 2018
- 10) Ramakant Kini v. Dr. L.H. Hiranandani Hospital, 2014 SCC OnLine CCI 17
- 11) Samir Agrawal v. ANI Technologies Pvt. Ltd., 2018 SCC OnLine CCI 86
- 12) Transparent Energy Systems (P) Ltd. v. TECPRO Systems Ltd. 2013 SCC OnLine CCI 42.
- 13) Uber (India) Systems (P) Ltd. v. CCI, (2019) 8 SCC 697.

SUGGESTED READINGS*:

- I. Abir Roy, Competition Law in India: A Practical Guide, Kluwer Law International B. V., 2016.
- II. Alison Jones, Brenda Sufrin, EU Competition Law: Text, Cases, and Materials, Oxford University Press, 6th ed, 2016.
- III. Avtar Singh, Competition Law, Eastern Book Company, 1st ed, 2012.
- IV. Barry Rodger, Angus MacCulloch, Competition Law and Policy in the EU and UK, Routledge, 5th ed, 2104.
- V. Competition Act, 2002 (Principles And Practices) by Professor (Dr.) V. K. Agarwal, 2nd Edition 2019, Bharat Law House Pvt. Ltd.
- VI. Kirsty Middleton, Barry Rodger, Angus MacCulloch, Cases and Materials on UK and EC Competition Law, Oxford University Press, 2nd ed, 2009.
- VII. Maher M. Dabbah, International and Comparative Competition Law, Cambridge University Press, 2010.
- VIII. Monopolies And Restrictive Trade Practices Act, 1969
- IX. Richard Whish and David Bailey, Competition Law, Oxford University Press, 9th ed, 2018.
- X. Srinivasan Parthasarathy, Competition Law in India, Kluwer Law International B.V., 2017.
- XI. Suzanne Rab, Indian Competition Law: An International Perspective;; CCH - A WoltersKluwer Business, 2012
- XII. T. Ramappa, Competition Law in India: Policy, Issues, and Developments, Oxford University Press, 2014.
- XIII. Textbook on Indian Competition Law by Versha Vahini, 1st edition August 2020, LexisNexis
- XIV. The Competition Act, 2002
- XV. Vinod Dhall, Competition Law Today, Oxford University Press. 2nd ed, 2019.

Private International Law

Paper : 9.51

Maximum Marks 50

Module-1

Conflict of Laws

- a) Definition, Nature and Scope of Private International Law; Historical Development and Current Theories of Private International Law.
- b) Renvoi, Possible Solutions and Scope of the Application of Renvoi; Characterization-Meaning and Process.

Module-2

Domicile and Jurisdiction

- a) Domicile- Introduction; Meaning; Domicile of Origin; Domicile of Choice; Comparison between Domicile of Origin and Choice; Domicile of Dependents; Married Women and Minor Children.
- b) Jurisdiction of Courts- Introduction; Statutory Provisions relating to Jurisdiction in India, Jurisdiction in Personam; Jurisdiction in Rem; Substance & Procedure- difference between Substance and Procedure.

Module-3

Foreign Law and Enforcement

- a) Application of Foreign Law- International Conventions; Nature of Questions of Foreign Law; Proof of Foreign Law, the Role of the Court.
- b) Procedure, Hague Convention, Recognition of Foreign Judgement- Basis of Recognition; Finality of the Foreign Judgements; When an Action on Foreign Judgement may Fail.

Module-4

Marriage

- a) Marriage and Matrimonial Reliefs- Nature and Concept of Marriage; Validity of Marriage; Formal Validity of Marriage under Indian law; Hague Convention on the validity of marriage.
- b) Matrimonial Causes- Dissolution of Marriage; Ground of Divorce; Jurisdiction under Indian and English Law; Nullity of Marriage; Judicial Separation; Restitution of Conjugal Rights, Matrimonial and Ancillary Reliefs.

Module-5

Adoption, Custody and Property

- a) Children- International Conventions on Children; Legitimacy & Legitimation of Children; Recognition of foreign adoptions; Guardianship and Custody; Custody of abducted child.
- b) Property- Nature and Situs of Property; Hague Convention, Position of Immovable Property, Transfer of Movables- International Conventions; Succession.

Module-6

Obligations -Contracts

- a) INCOTERMS, Foreign Contracts, Choice of law, Proper Law doctrine.
- b) Foreign Contracts, Rome Convention and other International Conventions.

Module-7

Torts and Tortious Liability

- a) Theories, International Conventions
- b) Actionable claims, Defences and International Practices

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SUGGESTED READINGS:

1. Atul M. Setalvad, Conflict of Laws (LexisNexis)
2. Briggs, A., The conflict of laws, Oxford: Oxford University Press, (2nd Ed. 2008)
3. Cheshire and Brack: Private International Law, 1992 Ed. Butterworths, London.
4. Cheshire, North & Fawcett, Private International Law (Oxford University Press)
5. Clarkson and Hill, The Conflict of Laws, Oxford: Oxford University Press, (3rd Ed 2007)
6. Craveson: Conflict of Laws.
7. Dicey: Conflict of Laws.
8. Govindraj, The Conflict of Laws (Oxford University Press)
9. John , O'Brien, Conflict of Laws, Cavendish Press, (Part 1)
10. Kahn Freund: General Problems of Private International law
11. Lakshmi Jambholkar, Private International Law (Universal Law Publishing)
12. Morris, The Conflict of Laws (Sweet and Maxwell)
13. Paras Divan, Private International Law (Deep and Deep Publications)

LEADING CASES:

1. Bahrein Petroleum Co. Ltd. v. P.J. Pappu, AIR 1966 SC
2. Cohn v. Cohn, 1945
3. Kuwait Airways Corporation v. Iraqi Airways Company (Appellants and Others) Kuwait Airways Corporation, (1995) 1 Lloyd's Rep 25
4. National Thermal Power Corporation v. Singer Company And Ors., 1992 SCR (3) 106
5. Ogden v. Ogden, 1908
6. Satya v. Teja Singh, AIR 1975
7. Swastik Gases Private Limited v. Indian Oil Corporation Limited, (2013) 9 SCC 32
8. Vishvanathan v. Syed Abdul Wajid, AIR 1963

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Drafting, Pleading and Conveyancing and Role of Court

Paper : 9.52

Maximum Marks 50

Aims and Objectives :

Drafting is a primary stage of writing. A good writing is an outcome of a good draft, similarly Pleadings being the backbone of Legal Profession and paramount requirement of a good lawyer. Whole case of the party depends upon how skillfully it is drafted by an advocate. So a great care should be exercised while drafting the pleadings. So this subject will help to make good lawyers with proficient art of pleadings.

Module - 1

- (a) Drafting
 - i. General principles of drafting
 - ii. What are deeds and its kinds?
- (b) i. Components of deeds
 - ii. Kinds of writs

Module - 2

- (a) Pleadings
 - i. What are pleadings?
 - ii. Functions of Pleadings.
 - iii. When Pleadings will be dispensed with?
 - iv. Forms of modern pleadings
 - v. Cardinal rules of pleadings
 - vi. Material facts.
- (b) Civil Suits:
 - i. Suits in contracts
 - ii. Suits in Torts

Module - 3

- (a) i. Suits for others; i.r.t. civil: miscellaneous
 - ii. Written statements for contracts
 - iii. Written statement for torts
- (b) i. Written statement for others (miscellaneous)
 - ii. Interlocutory Application
 - iii. Petition for the Winding up of the company

Module - 4

- (a) i. Affidavit
 - ii. Execution application for final decree
 - iii. Memo of appeal
- (b) i. Memorandum of revision
 - ii. Writ of Certiorari
 - iii. Writ of Habeus Corpus.

Module - 5

- (a) Criminal
 - i. F.I.R. & Complaints
 - ii. Application for exemption from appearance
- (b) i. Bail Application
 - ii. Memo of appeal
 - iii. Memo of revision

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Module - 6

- (a) Conveyancing
 - i. What is conveyancing ?
 - ii. Things to be considered while conveyancing
 - iii. Sale deed.
- (b)
 - i. Mortgages deed
 - ii. Lease deed
 - iii. Gift deed

Module - 7

- (a)
 - i. Promissory Note
 - ii. Power of Attorney
 - iii. Will
- (b)
 - i. Separation deed
 - ii. Service contracts
 - iii. Hire-Purchase Agreements
 - iv. Patents

Suggested Readings:

1. Pleading, Drafting and Conveyancing by R.N. Chaturvedi
2. The law of Pleadings, drafting and conveyancing by R.D. Srivastava law of pleadings in India by Mogha
3. Indian Conveyance by Mogha

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Code of Criminal Procedure

Paper : 9.53

Maximum Marks 50

Objectives of the course

The criminal procedure code is very important subject for law students. Criminal procedure has to be just, fair and reasonable to the accused as well as to the victims. This imposes duty upon those connected with the criminal process to abide by law and to exercise discretion conferred on them in the best manner. Code of Criminal Procedure, originally enacted years ago, had undergone many trials and experiments, two enormous to be placed with in a class room discussion.

Juvenile Justice and Probation of Offenders Act are combined with the study of Criminal Procedure. These topics also do have their roots in Criminal Procedure. The rubrics under their head are intended to render an essential grasp of the areas.

Module - 1

- (a) i. Definition (sec-2)
- ii. Constitution of Courts (sec 6-25)
- (b) i. Power of Courts (sec 26-36)
- ii. Arrest of Persons (41-60)

Module - 2

- (a) Process to compel appearance (sec 61-94)
- (b) Security for Keeping Peace (sec 106-124)

Module - 3

- (a) Maintenance of wives (sec 125-128)
- (b) Maintenance of Public order (sec 129-148)

Module - 4

- (a) Information to police and their power to investigate (sec 154-176)
- (b) i. Conditions requisite for initiation of proceedings (sec 190-199)
- ii. Commencement of proceedings before Magistrate (sec 204-210)

Module - 5

- (a) i. The charge (sec 211-224)
- ii. Trial before Court of Sessions (sec 225-237)
- iii. Trial of warrant cases by Magistrate (sec.238-250)
- (b) i. Summary Trial (sec 260-265)
- ii. Appeals (372-394)

Module - 6

- (a) Reference, Revision (395-405)
- (b) Bail (436-450)
- (c) Irregular Proceeding (460-466)
- (d) Limitation of Taking Cognizance (467-473)
- (e) Inherent Power of High Court (482)

Module - 7

- (a) Juvenile Delinquency
 - i. Treatment and Rehabilitation of Juveniles
 - ii. Juveniles and Adult Crimes
- (b) i. Mechanism of Probation : Standards of Probation Services
- ii. Problems and Prospects of Probation

Leading Cases

1. Khatri v. State of Bihar (1981) SCC 193
2. Sanjay Suri v. Delhi Admn., AIR 1988 SC 444
3. Ram Chander v. State of Haryana AIR 1981 SC 1036
4. Dagdu v. State of Maharashtra, AIR 1977 SC 1579
5. Dr. Vijaya Manohar Arbat v. Kashirao (1987) 1 SCJ 524
6. Madhu Limaya v. SDM Monghar, AIR 1971 SC 2486
7. Moti Ram & Ors v. State of M.P., AIR 1978 SC 1594
8. Madhu Limaya v. State of Maharashtra, AIR 1982 SC 47
9. Arnit Das v. State of Bihar AIR 2000 SC 2264
10. State of Maharashtra v. Jagmohan Singh & Ors (2004) 7 SCC 659

Suggested Readings

1. Rattanlal Dhirajlal, Criminal Procedure Code
2. R.V. Kelkar, Criminal Procedure Code
3. S.N. Mishra, the Code of Criminal Procedure Code
4. D.D. Basu, Criminal Procedure Code
5. Chandershekhar Pillai (ed), Kelkar's Outlines of Criminal Procedure Code.

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Insurance Law

Paper : 9.54

Maximum Marks 50

Objectives of the course

The insurance idea is an old-institution of transactional trade. Even from olden days merchants who made great adventures gave money by way of consideration, to other persons who made assurance, against loss their goods. The rates of money consideration were mutually agreed upon. Such an agreement enabled other merchants more willingly and more freely to embark upon further trading adventure.

The operational framework of insurance idea is provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative techniques of rule interpretations propounded by the judiciary. Besides, the insurance idea has a compensatory justice component. This course is designed to acquaint the students with the conceptual and parameters, of insurance law.

Module 1

Introduction:

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

Module 2

Contract of Insurance:

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

Module 3

Life Insurance:

- a. Nature and scope of Life Insurance- Kinds of Life Insurance. The policy and formation of a life insurance contract Event insured against Life insurance contract- Circumstance affecting the risk
- b. Amount recoverable under the Life Policy- Persons entitles to payment- Settlement of claim and payment of money- Life Insurance Act, 1956,

Module 4

Insurance against third party rights:

- a. General Insurance Act, 1972
- b. The Motor Vehicles Act, 1988 – Nature and scope, persons governed, definitions of 'use', 'drives', 'motor vehicle' - Section145-177A

Module 5

Public Liability Insurance

- a. Public Liability Insurance Act, 1991 - Objective, purpose and scope -Legal aspects of Motor Insurance
- b. Claims – Own Damages Claims – Third Party Liability Claims - No fault liability

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Module 6

Fire Insurance:

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

Module 7

Marine Insurance:

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

Relevant Case laws to be prescribed by the faculty

Prescribed Books:

- K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance
- M. H. Srinivasan - Principles of Insurance Law.
- E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters.
- Insurance Act, 1938.
- The Marine Insurance Act, 1963.
- General Insurance (Business) (Nationalization) Act, 1972.
- The Life Insurance Corporation Act, 1956.
- Motor Vehicle Act, 1988.

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Art of Cross-Examination and Moot Court Exercise

Paper : 10.55

Maximum Marks 50

This Course comprises of seven Modules of eight hour teaching duration. Each Module has been divided in to two units again to be discussed in four hours in one week.

Module- 1

- (a) Meaning, object types and scope of cross-examination.
- (b) Discretion of the court to control the cross-examination.

Module- 2

- (a) Cross-examination techniques; Types of witness; Credibility of witnesses; Hypnotism upon a witness.
- (b) Abuse of cross-examination, ethical consideration in cross examination.

Module- 3

- (a) i. Cross-examination of advocates, co-defendant witness, co-accused; women, children, invalids, illiterates and feeble understanding.
- ii. Cross-examination of police officers, detectives.
- (b) i. Cross-examination of public servants – Privileges.
- ii. Cross-examination of medical, ballistics, chemical examiner and other expert witnesses.

Module- 4

- (a) Witness of mistake, hostile witness.
- (a) Evidence as to character; trap witnesses; biased witness

Module- 5

- (a) Brow-beating and bullying cross-examination; Leading question; Misleading cross-examination; Suggestive cross-examination.
- (b) Dramatic cross-examination; Over cross-examination; Rapid and Quick cross-examination.

Module- 6

- (a) Savage, smiling and humorous cross-examination; Silent cross-examination.
- (b) Recall and re-examination of witnesses.

Module- 7

- (a) Concept, purpose and importance of Moot Court
- (b) Moot Court and its role in legal education

Suggested Reading :

1. B. Malik's : Practical Hints on Cross-Examination.
2. Ratan Lal : The Law of Evidence
3. Batukala : Law of Evidence
4. Vepa P. Sarathi : Law of Evidence
5. Avtar Singh : Law of Evidence
6. Raja Ram Yadav: Evidence Law
7. Justice Monir: Law of Evidence
8. Murlidhar Chaturvedi: Law of Evidence

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Human Rights Law and Practice

Paper : 10.56

Maximum Marks 50

Aims and Objectives of the Course

Human Right, such as life, liberty, equality and dignity, are the very basic rights and may also be described as fundamental rights which a man or women possesses by virtue of having born as a human being. They are vital for human survival and needed for complete development of human personality. The States have been recognized them through their constitutional and other law and courts are to enforce the human rights as natural and inalienable rights. Actually speaking, rights against the State to treat their citizens with dignity.

There is, however, no consensus as to what these rights should be? Further, the human rights may interpret as being different according to the socio-economic, political and cultural conditions of the given society. The law in relation to human rights is, therefore, of utmost importance.

The course is designed to expose the students to various problems of human rights and law relating thereto and acquaint them with the law as stand as today and its shortcomings.

Module -1

- (a) Human Rights in their Historical perspective; Evolution of Human Rights thinking, Magna Carta, the British Bill of Rights, French and American Declarations.
- (b) Concept, Meaning and various Theories of Human Rights, i.e. Human Rights Jurisprudence

Module -2

- (a) Human Rights under the Constitution of India- Fundamental Rights
- (b) Human Rights vis-à-vis Directive Principles under the Constitution of India

Module -3

- (a) Meaning of Human Rights under the (Indian) Protection of Human Rights Act, 1993
- (b) Human Rights Courts in India

Module -4

- (a) National Human Rights Commission in India – Its composition, powers and Functions
- (b) State Human Rights Commissions – Its composition, powers and functions

Module-5

- (b) Judicial Response for the Protection and Enforcement of Human Rights defined in the Constitution of India.
- (b) Judicial Response for the protection and enforcement of Human Rights as defined in the Protection of Human Rights

Module-6

- (a) Protection of Human Rights relating to Scheduled Castes and Scheduled Tribes under the various Laws in India (Protection of Civil Rights Act, 1955 and the Prevention of Atrocities Act, 1986)
- (b) National Commission for Scheduled Castes and Scheduled Tribes

Module-7

- (a) National Commission for Women in India
- (b) National Commission for Child Rights in India

Suggested Readings:

- S. K. Verma, An Introduction to International Law (Satyam International Publication)
- Upendra Baxi, Human Rights in a Post human World (Oxford University Press)
- H. O. Agarwal, Human Rights (Central Law Publications)
- Kapoor, Manav Adhikar (Central Law Agency)
- Manoj Kumar Sinha, Implementation of Basic Human Rights (LexisNexis)

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Cyber Laws

Paper : 10.57

Maximum Marks 50

About the Course:

In recent times the Cyber law has emerged as medium for growth with immense potentials for solving many new and interesting challenges. With growing dependency on internet, new threats to network and information security have emerged and there is ever-growing vulnerability to Cyber Crime. This has been the matter of concern for the legislators all over the world and each legal system has attempted to change the law according to the changing needs of the times. This course attempts to make the students familiar with Indian law, various challenges and remedies to address the issues in cyberspace.

Course Objectives:

- To familiarize students with the dynamics of Information Technology & Cyber Laws at the national and international levels
- To establish a basic knowledge on the technical side of Information Technology & Cyber Laws.
- To generate awareness and understanding of the various cyber crimes and Indian legal framework to address such crimes
- To give an update of recent developments and issues relating to cyber laws
- To provide tools for further study of Information Technology & Cyber Laws.

Module 1 - Introduction

1. Cyberspace and its components
2. Evolution of Internet and WWW
3. Cyber Law- Genesis & Scope – UNCITRAL Model Law on E-commerce 1996
4. Cyber Jurisprudence Internationally and in India

Module 2 - Information Technology Act and Latest Amendments

1. Object and scope of IT Act, Definitions, e-commerce, and Digital Signature
2. Impact on other related Acts (Amendments): Amendments to Indian Penal Code, Amendments to Indian Evidence Act, Amendments to Bankers Book Evidence Act, Amendments to Reserve Bank of India Act.
3. Various authorities under IT Act and their powers: Controller of Certifying Authorities, Appellate Tribunal, Appropriate Authority – Central & State Government, National nodal agency - In-CERT
4. Salient features of IT (Amendment) Act, 2008

Module 3 - Electronic Commerce and Electronic Governance

1. **Electronic Commerce:** E-commerce-Salient Features and advantages and challenges posed, Models of E-commerce like B2B, B2C & C2C, Electronic Contracts; E-taxation, E-banking
2. **Electronic Governance:** Concept of electronic records and electronic signatures, Rules for attribution, acknowledgement, and dispatch of such records

Module 4 - Cyberspace Jurisdiction

1. Jurisdiction issues under IT Act, 2000
2. Traditional principles of Jurisdiction
3. Extra-territorial Jurisdiction
4. Theories of Jurisdiction in cyberspace

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Module 5 - Offences and Penalties

1. Penalties and Adjudication under IT Act
2. Understanding cyber crimes - *actus reus* and *mens rea*, difference between traditional crime and cyber crimes, classification of cyber crimes, Cyber Crimes under IT Act, 2000 and IT (Amendment) Act, 2008, Cyber Crimes under Indian Penal Code, 1860
3. Power of police officer and other officers, Power to investigate offences, Examiner of Electronic Evidence
4. Liability of Intermediaries

Module 6 - Intellectual Property Issues in Cyber Space

1. Interface with Copyright Law
2. Interface with Patent Law
3. Trademarks & Domain Names Related issues
4. Domain Name dispute resolution mechanism

Module 7 - Contemporary Issues

1. Protection of Human Right in Cyberspace
2. Issue of Censorship
3. Cyber Security
4. Data Protection & Privacy

Reading Materials:

- Information Technology Act, 2000 and amendments
- UNCITRAL Model Law on Electronic Commerce, 1996
- Council Of Europe - Budapest Convention On Cybercrime, 2001

Leading Cases:

1. Adobe Systems Inc. v. Sachin Naik (2013)
2. Ashcroft v. Free Speech Coalition (2002)
3. Avnish Bajaj v. State, (2005) 3 CompLJ 364 Del
4. Banyan Tree Holding (P) Limited v. A. Murali Krishna Reddy & Anr (2009)
5. Christian Louboutin Sas v. Nakul Bajaj & Ors (2018)
6. Director of Public Prosecutions v. Murdoch (1993) IVR 406
7. Fatima Riswana v. State Rep. by ACP, Chennai & Ors, AIR 2005 712
8. Firos v. State of Kerala., AIR 2006 Ker 279
9. Google India Pvt Ltd v. Visaka Industries Limited (2009)
10. Harpal Singh v. State of Punjab (2016)
11. Miller v. California 413 U.S.1524 (1973)
12. Nasscom v. Ajay Sood & Others (2005)
13. ProCD v. Zeidenberg
14. Ranjit D. Udeshi v. State of Maharashtra, AIR 1965 SC 881
15. Reno v. ACLU
16. Ritu Kohli Case (2001)
17. Sanjay Kumar v. State Of Haryana (2013)
18. Shreya Singhal v. Union of India (2015)
19. Sreekanth C. Nair v. Licensee/Developer (2008)
20. Syed Asifuddin And Ors. v. The State Of Andhra Pradesh [2005 CriLJ 4314]
21. Times Internet Ltd. v. M/S Belize Domain Whois Service (2010)
22. US v. Thomas
23. Yahoo! Inc. v. Akash Arora (1999)
24. Zippo Manufacturing v. Zippo .Com

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Suggested Books:

1. Amit M. Sachdeva, International Jurisdiction in Cyberspace: A Comparative Perspective
2. Anirudh Rastogi, Law of Information Technology and Internet, Lexis Nexis
3. Chetan Karnatak, Cyberspace: Jurisdictional Issues of E-Commerce and Consumer Protection
4. Clough, Principles of Cybercrime, Cambridge
5. Craig, Cyber Law: The Law of the Internet and Information Technology, Pearson
6. Debarati Haldar & K. Jaishankar, Cybercrime against women in India, Sage Publishing
7. Garima Tiwari, Understanding Cyber Laws & Cyber Crimes, Lexis Nexis
8. Rodney D Ryder, Guide to Cyber Laws (Information Technology Act, 2000. E-Commerce, Data Protection and the Internet), Lexis Nexis-India
9. J.P. Mishra, Introduction to Cyber Laws, Central Law Publication
10. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co, New Delhi
11. Karnika Seth, Computers, Internet and New Technology Laws, Lexis Nexis Butterworths Wadhwa Nagpur.
12. Nandan Kamath, Law Relating to Computers Internet & E-commerce, Universal Law Publishing
13. Pavan Duggal, Textbook On Cyber Law Paperback, Universal Law Publishing
14. Prashant Mali, Cyber Law & Cyber Crimes Simplified, Cyber Infomedia
15. Rohas Nagpal, Cyber Crime and corporate liability, Wolter Kluwers
16. S. K. Verma & Raman Mittal, Legal Dimensions of Cyber Space, Indian Law Institute, New Delhi

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Criminology, Penology and Victimology

Paper : 10.58

Maximum Marks 50

OBJECTIVES OF THE COURSE:

This course aims to enable the students and understanding the systematic knowledge of crime, its classification and reasons behind commission of crime, so that summarization of criminological findings can be made as a law student. The objective of the Course is also provided understanding the Criminal behavior and various theories of causation of crime and scientific study of crime. The course also provide penal punishment, prison reforms for accused and about victimology.

Module - 1

- (i) Crime, Criminology and Its Scope
- (ii) Schools of Criminology
- (iii) Causation of Crime

Module - 2

- (i) Punishment,
- (ii) Theories of punishment
- (iii) Deterrent theory, Retributive theory, Reformatory theory
- (iv) Forms of punishment in India, Capital punishment and Judicial sentencing

Module -3

- (i) Fundamentals of Police Administration,
- (ii) Organization and structure of Police.
- (iii) Police Reforms and Police system
- (iv) Legal functions of Police

Module -4

- (i) Prison administration
- (ii) Prison system in India
- (iii) Role of prison in modern penology
- (iv) Classification of prisoners

Module -5

- (i) Custodial torture in prison
- (ii) Solitary confinement
- (iii) Open Prison, Origin of Open Prison, Advantages of Open Prison
- (iv) Functioning of Open Prison in India

Module -6

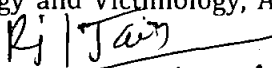
- (i) Recidivism, Alcoholism and crime
- (ii) Crime prevention

Module -7

- (i) Victimology- Definition & Meaning
- (ii) Objective of Victimology

Suggested Readings:

1. Dr N.V. Paranjape Criminology, Penology & Victimology
2. Sutherland: Principles of Criminology (latest Edition)
3. Garofalo: Criminology Part I, II, and III (latest Edition)
4. Gillin: Criminology and Penology Part I to Part IV (latest Edition)
5. Taft: Criminology(latest)
6. Pillai: Principles of Criminology
7. Lombroso Cisser: Crime, its cause and remedies.
8. Dr S.R. Myneni, Crime and Criminology, Allahabad Law Agency, (latest Edition)
9. Dr S.R. Myneni, Crime and Penology and Victimology, Allahabad Law Agency, (latest Edition)


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Environmental Law

Paper : 10.59

Maximum Marks 50

OBJECTIVES OF THE COURSE:

The development of ecological knowledge has necessitated an overall change not only in managerial studies but also in socio-legal explorations. This approach to the growing dimensions of environmental law is essential for the development of the law students. This course also aims to create awareness among the students about the legislative measures for protection of environment and spirit of the Indian Constitution for protection of environment. It also provides the opportunities to the students to understand the activist role played by Indian Judiciary in protection of environment and evolution of different principles. At the end of this course the students would be familiar with the overall environmental legal regime of the country as well as its international obligations. This course would finally equip the students with basic knowledge and skills to understand environmental law issues.

MODULE 1

- (a) History of Environment Protection in India; Meaning, Definition and Components of Environment; Environmental Pollution, Its kinds, Causes and Effects.
- (b) Historical development of Environment Law in India; International and Indian Jurisprudence; Nature of Environmental Law: Public or Private Law

MODULE - 2

- (a) Environment Protection under the Constitution of India; Other Common Law and Statutory Remedies.
- (b) Public Interest Litigation and Environment Protection; Role of Indian Judiciary; Principles of Sustainable Development; Polluter Pays Principles; Precautionary Principle; Public Trust Doctrine.

MODULE - 3

- (a) Principles of International Environmental Law and Their Relevance in India: [Limited to History, importance and objectives, key features, future scope]
- (b) Stockholm Conference, 1972, Rio Summit or Earth Summit-I, 1992; United Nations Environment Programme (UNEP), Convention on Biological Diversity, Earth Summit - II, 1997; World Summit on Sustainable Development, 2002, United Nations Framework Convention on Climate Change (UNFCCC), 2015

MODULE - 4


- Importance and Objectives; Meaning and Definitions of Key Words and Salient Features of these Acts
- (a) The Environment (Protection) Act, 1986
 - (b) National Green Tribunal Act, 2010

MODULE - 5

- Importance and Objectives; Meaning and Definitions of Key Words and Salient Features of these Acts
- (a) The Water (Prevention and Control of Pollution) Act, 1974
 - (b) The Air (Prevention & Control of Pollution) Act, 1981

MODULE - 6

- Importance and Objectives; Meaning and Definitions of Key Words and Salient Features of these Acts
- (a) The Scheduled Tribes And Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006
 - (b) The Biological Diversity Act, 2002


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MODULE - 7

Importance and Objectives; Meaning and Definitions of Key Words and Salient Features of these Acts

- (a) The Wild Life (Protection) Act, 1972
- (b) The Rajasthan Noise Control Act, 1963

LEADING CASES:

- A.P. Pollution Control Board v. Prof. M.V. Nayudu AIR 1999 SC 812
- Enviro-Legal Action v. Union of India AIR 1996 SC 1446
- M.C. Mehta and Anr. v. Union of India &Ors. AIR 1997 SC 734
- M.C. Mehta v. Kamal Nath 1997(1) SCC 388.
- M.C. Mehta v. Union of India &Ors. 1991 SCC (2) 353
- M.C. Mehta v. Union of India &Ors. AIR 1988 4 SCC 471
- M.C. Mehta v. Union of India AIR 1987 SC 965
- Municipal Council, Ratlam v. Shri Vardhichand &Ors. AIR 1980 SC 1622
- People's Union for Democratic Rights v. Union of India 1982 (2) SCC 253
- Rural Litigation and Entitlement Kendra Dehradun &Ors. v. State of U.P. &Ors. AIR 1985 SC 652
- Union Carbide Corporation &Ors. v. Union of India &Ors., 1991 4 SCC 584
- Vellore Citizens' Welfare Forum v. Union of India AIR 1996 SC 2715

SUGGESTED READINGS:

1. P.B. Sahasranaman, Handbook of Environmental Law, Oxford University Press, 2012
2. P. Leelakrishnan, Environmental Law in India, LexisNexis, 2018.
3. P.S. Jaswal, Environmental Law, Allahabad Law Agency, 2017.
4. Ritwick Dutta and Sanjeet Purohit, Commentary on the National Green Tribunal Act, 2010, Universal Law Publications
5. Shyam Divan and Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press, 2002.
6. S. C. Tripathi, Environmental Law, 7th Ed., Central Law Publication, 2019.
7. S. C. Shastri, Environmental Law, Eastern Book Company, 2018.
8. S. Shanta Kumar, Introduction to Environmental Law, Wadhwa & Company, 2008.

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Professional Ethics and Professional Accounting

Paper : 10.60

Maximum Marks 50

This Course comprises of seven Modules of eight hour teaching duration. Each Module has been divided in to two units again to be discussed in four hours in one week.

Module - 1

- (i) Professional conduct of a lawyer
- (ii) Professional conduct
- (ii) Professional misconduct

Module - 2

- (i) Professional responsibility of advocates
- (ii) Conduct of advocate in general
- (iii) Arguments in appeals and revisions

Module - 3

- (i) Skill of attracting clients
- (ii) Persuasion through arguments

Module - 4

- (i) Preparation of brief
- (ii) Future problems of advocacy

Module -5

- (i) Fee structure
- (ii) Maintaining accounts of clients fee

Module - 6

- (i) Contempt of courts and lawyers
- (ii) Strikes, protests and demonstrations by legal professions

Module - 7

- (i) Information technology and legal profession
- (ii) Advocates and political activities

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