Courses of Law, Eligibility for Admission, Course Component, Curriculum, Examination Pattern and Standard of Passing for

B.A. LL.B. (Bachelor of Arts and Bachelor of Laws)
B.B.A. LL.B. (Bachelor of Business Administration and Bachelor of Laws)
LL.B. (Bachelor of Laws)
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   Third Year LL.B. - Semester V
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   Fifth Year B.B.A. LL.B. - Semester X
   Third Year LL.B. - Semester VI
Part I

Under Graduate Courses of Law

1. Under Graduate Courses of Law:

There shall be three under graduate courses of law leading to Bachelors Degree in Law as hereunder:

1) B.A. LL.B. (Bachelor of Arts and Bachelor of Laws):
   It shall be Integrated Double Degree Five Academic Years Course in Arts and Law. The course shall be divided into ten semesters.

2) B.B.A. LL.B. (Bachelor of Business Administration and Bachelor of Laws):
   It shall be Integrated Double Degree Five Academic Years Course in Management and Law. The course shall be divided into ten semesters.

3) LL.B. (Bachelor of Laws):
   It shall be three Academic Years Degree Course in Law. The course shall be divided into six semesters.

Note: The affiliated college can choose either of B.A. LL.B. and B.B.A. LL.B. courses. The college may also offer both B.A. LL.B. and B.B.A. LL.B. courses simultaneously on the basis of approved divisions. It is the choice of each college to offer any single or both the courses. For starting B.B.A. LL.B. course the college needs to follow norms of the Bar Council India, University, Government and University Grants Commission. However there is no need to obtain permission from All India Council for Technical Education or any other authority.

2. Objectives of Revised Curriculum:

The objectives of revised curriculum of courses of law are:

1) To reorient legal education by making provision for sufficient opportunity to the students for extensive as well as intensive study of law.

2) To equip the students with (a) knowledge of law, (b) practical application of law, (c) analytical thinking and logical reasoning, (d) effective communication skill.

3) To meet the needs of contemporary requirements of Bar, Bench and Industry in the globalised economic era.

4) To educate them of diverse backgrounds to become effective, ethical and expert personage who are employable in a variety of legal settings.

3. Extent and Application:

The rules as to eligibility for admission, course component, curriculum, examination pattern and standard of passing for B.A. LL.B., B.B.A. LL.B. and LL.B. given herein shall be applicable initially for the first year of B.A. LL.B., B.B.A. LL.B. and LL.B. and will come into force w.e.f. the academic year 2017-2018. The entire programme will be introduced in a phased manner as shown below:
### B.A. LL.B.:

<table>
<thead>
<tr>
<th>S.N.</th>
<th>Year / Class of Course</th>
<th>Academic Year of Application</th>
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<tbody>
<tr>
<td>1.</td>
<td>First Year of B.A. LL.B</td>
<td>2017-2018</td>
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<td>2.</td>
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<td>2018-2019</td>
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<td>3.</td>
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<td>2019-2020</td>
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<td>4.</td>
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<td>2020-2021</td>
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<tr>
<td>5.</td>
<td>Fifth Year of B.A. LL.B</td>
<td>2021-2022</td>
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### B.B.A. LL.B.:

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<tbody>
<tr>
<td>1.</td>
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<td>3.</td>
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<td>2019-2020</td>
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<td>4.</td>
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<td>5.</td>
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<td>2021-2022</td>
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### LL.B.:

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<td>2017-2018</td>
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<td>2.</td>
<td>Second Year of LL.B.</td>
<td>2018-2019</td>
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<tr>
<td>3.</td>
<td>Third Year of LL.B.</td>
<td>2019-2020</td>
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</table>
Part II

Eligibility for Admission for B.A. LL.B., B.B.A. LL.B. and LL.B. Courses

1. Qualifying Examination for Admission:

1) B.A. LL.B. and B.B.A. LL.B. (Integrated Double Degree Programme):

An applicant who has successfully completed Senior Secondary School course ('+2') or equivalent (such as 11+1, ‘A’ level in Senior School Leaving certificate course) from a recognized University of India or outside or from a Senior Secondary Board or equivalent, constituted or recognized by the Union or by a State Government or from any equivalent institution from a foreign country recognized by the government of that country for the purpose of issue of qualifying certificate on successful completion of the course, may apply for and be admitted into the programme of the Centres of Legal Education to obtain the integrated degree in law with a degree in any other subject as the first degree from the University whose such a degree in law is recognized by the Bar Council of India for the purpose of enrolment.

2) LL.B. (Three Year Law Degree Course):

An applicant who has graduated in any discipline of knowledge from a University established by an Act of Parliament or by a State legislature or an equivalent national institution recognized as a Deemed to be University or foreign University recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three years’ degree program in law leading to conferment of LL.B. degree on successful completion of the regular program conducted by a University whose degree in law is recognized by the Bar Council of India for the purpose of enrolment.

Provided that applicants who have obtained +2 Higher Secondary Pass Certificate or First Degree Certificate after prosecuting studies in distance or correspondence method shall also be considered as eligible for admission in the Integrated Five Years course or three years’ LL.B. course, as the case may be.

Explanation: The applicants who have obtained 10 + 2 or graduation / post graduation through open Universities system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the law courses.

2. Minimum Marks in Qualifying Examination for Admission:

A candidate passing Higher Secondary School Certificate Examination (10+2) or its equivalent, as prescribed by the Bar Council of India or the University, with minimum 45 % marks shall be eligible to apply for admission to (i) First Year of B.A. LL.B. or (ii) First Year of B.B.A. LL.B. There shall be relaxation of 5 % marks in case of scheduled caste and scheduled tribe candidates.

A candidate passing Bachelor’s degree examination or its equivalent in any faculty of this University or any other recognised University, as prescribed by the Bar Council of India or
the University, with minimum 45% marks shall be eligible to apply for admission to First Year of LL.B. There shall be relaxation of 5% marks in case of scheduled caste and scheduled tribe candidates.

If the candidate has obtained 44.5% marks or more in qualifying examination for admission is permitted to be rounded off as 45% marks for the purpose of admission to (i) First Year of B.A. LL.B., or (ii) First Year of B.B.A. LL.B., or (iii) First Year of LL.B., as the case may be.

Similarly, if the candidate belonging to scheduled caste or scheduled tribe category has obtained 39.5% marks or more in qualifying examination for admission is permitted to be rounded off as 40% marks for the purposes of admission to (i) First Year of B.A. LL.B., or (ii) First Year of B.B.A. LL.B., or (iii) First Year of LL.B., as the case may be.

Such a minimum qualifying marks shall not automatically entitle a person to get admission into an institution or college but only shall entitle the person concerned to fulfill other criteria notified by the institution / college concerned or by the University or by the Bar Council of India or by the government concerned from time to time to apply for admission.

Explanation: Candidates for Scheduled Caste and Scheduled Tribes categories should be those declared as Scheduled Caste and Scheduled Tribes for the State of Maharashtra.

3. Prohibition to Register for two Regular Courses of Study:

No student shall be allowed to simultaneously register for a law degree programme with any other graduate or postgraduate course run by the same or any other University or an Institute for academic or professional learning except in the integrated degree program of the same institution.

4. Prohibition against Lateral Entry and Exit:

There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course, at any intermediary stage of integrated double degree course.
The term “lateral entry” means an admission given to graduate applicants at the beginning of third year in an integrated five year course.
The term “lateral exit” means opting out at the end of three year after successfully completing the courses up to the third year, from an integrated five year course on being awarded a bachelor degree.

5. Miscellaneous Rules of Eligibility for Admission:

The rules given herein are for the general understanding of the candidates. However, the admission to (i) First Year of B.A. LL.B., (ii) First Year of B.B.A. LL.B. and (iii) First Year of LL.B. shall be subject to the rules made and conditions prescribed, from time to time, by the University, Central Government, State Government, Bar Council of India, University Grants Commission, or any other authority empowered.
Part III
Course Component of
B.A. LL.B., B.B.A. LL.B. and LL.B.

1. Course Component of First Year B.A. LL.B.:

<table>
<thead>
<tr>
<th>Subject Code</th>
<th>Semester I</th>
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<tbody>
<tr>
<td>CE 0101</td>
<td>General English</td>
</tr>
<tr>
<td>BA 0102</td>
<td>General Principles of Political Science</td>
</tr>
<tr>
<td>BA 0103</td>
<td>General Principles of Economics</td>
</tr>
<tr>
<td>BA 0104</td>
<td>General Principles of Sociology</td>
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<tr>
<th>Subject Code</th>
<th>Semester II</th>
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<tbody>
<tr>
<td>CE 0201</td>
<td>English for Law</td>
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<tr>
<td>BA 0202</td>
<td>Political Theories</td>
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<tr>
<td>BA 0203</td>
<td>Macro Economics, Policies and Practice</td>
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<tr>
<td>BA 0204</td>
<td>Theoretical Perspectives of Sociology</td>
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2. Course Component of First Year B.B.A. LL.B.:

<table>
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<tr>
<th>Subject Code</th>
<th>Semester I</th>
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<tbody>
<tr>
<td>CE 0101</td>
<td>General English</td>
</tr>
<tr>
<td>BB 0102</td>
<td>Managerial Accounting</td>
</tr>
<tr>
<td>BB 0103</td>
<td>Principles of Management</td>
</tr>
<tr>
<td>BB 0104</td>
<td>Business Communications</td>
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<tr>
<th>Subject Code</th>
<th>Semester II</th>
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<tbody>
<tr>
<td>CE 0201</td>
<td>English for Law</td>
</tr>
<tr>
<td>BB 0202</td>
<td>Organisational Behaviours</td>
</tr>
<tr>
<td>BB 0203</td>
<td>Management Information System</td>
</tr>
<tr>
<td>BB 0204</td>
<td>Principles of Marketing</td>
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3. Course Component of Second Year B.A. LL.B.:

<table>
<thead>
<tr>
<th>Subject Code</th>
<th>Semester III</th>
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<tbody>
<tr>
<td>CE 0301</td>
<td>Legal Language and Legal Reasoning</td>
</tr>
<tr>
<td>BA 0302</td>
<td>Public Policy and Public Administration</td>
</tr>
<tr>
<td>BA 0303</td>
<td>Theories of Development and Indian Economy</td>
</tr>
<tr>
<td>BA 0304</td>
<td>Society in India</td>
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</table>
Subject Code  
CE 0401  
BA 0402  
BA 0403  
BA 0404  

Semester IV  
Law and Literature  
International Relations  
Law and Economics  
Social Research Methods

4. Course Component of Second Year B.B.A. LL.B. :  

Subject Code  
CE 0301  
BB 0302  
BB 0303  
BB 0304  

Semester III  
Legal Language and Legal Reasoning  
Basics of Finance  
Managerial Economics  
Business Ethics and Corporate Governance

Subject Code  
CE 0401  
BB 0402  
BB 0403  
BB 0404  

Semester IV  
Law and Literature  
Human Resource Management  
Case Studies in Business Environment  
Business Research Methods

Course Component of Third Year B.A. LL.B., Third Year B.B.A. LL.B. and First Year LL.B. :  

Subject Code  
LC 0501  
LC 0502  
LC 0503  
LC 0504  

Third Year B.A. LL.B. - Semester V  
Legal and Constitutional History  
Family Law I  
Law of Contract I  
Law of Crimes  
Optional Subject 1 (Any one from the following)

Subject Code  
LO 0505  
LO 0506  
LO 0507  
LO 0508  
LO 0509  

Third Year B.B.A. LL.B. - Semester V  
(a) Health and Food Law  
(b) Equity and Trust Law  
(c) Criminal Psychology and Criminal Sociology  
(d) Agricultural Marketing Law  
(e) Intellectual Property Rights I

Subject Code  
LC 0601  
LC 0602  

First Year LL.B. - Semester I  
Constitutional Law I  
Family Law II

Subject Code  
LC 0601  
LC 0602  

First Year LL.B. - Semester II  
Constitutional Law I  
Family Law II

Subject Code  
LC 0601  
LC 0602  

First Year LL.B. - Semester III  
Constitutional Law I  
Family Law II

Subject Code  
LC 0601  
LC 0602  

First Year LL.B. - Semester IV  
Constitutional Law I  
Family Law II
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<tbody>
<tr>
<td>LC 0603</td>
<td>Law of Contract II</td>
</tr>
<tr>
<td>LC 0604</td>
<td>Tort and Consumer Protection Law</td>
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<tr>
<td>LO 0605</td>
<td>Optional Subject 2 (Any one from the following)</td>
</tr>
<tr>
<td>LO 0606</td>
<td>(a) Media and Law</td>
</tr>
<tr>
<td>LO 0607</td>
<td>(b) Banking and Insurance Law</td>
</tr>
<tr>
<td>LO 0608</td>
<td>(c) Penology and Victimology</td>
</tr>
<tr>
<td>LO 0609</td>
<td>(d) Land Acquisition Law</td>
</tr>
<tr>
<td>LO 0609</td>
<td>(e) Intellectual Property Rights II</td>
</tr>
</tbody>
</table>

**Course Component of Fourth Year B.A. LL.B., Fourth Year B.B.A. LL.B. and Second Year LL.B. :**

<table>
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<tr>
<th>Subject Code</th>
<th>Fourth Year B.A. LL.B. - Semester VII</th>
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<tbody>
<tr>
<td>LC 0701</td>
<td>Constitutional Law II</td>
</tr>
<tr>
<td>LC 0702</td>
<td>Property Law and Easement</td>
</tr>
<tr>
<td>LC 0703</td>
<td>Public International Law</td>
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<tr>
<td>LP 0704</td>
<td>Practical Training Paper I - Professional Ethics and Contempt of Court Law</td>
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<tr>
<td>LO 0705</td>
<td>Optional Subject 3 (Any one from the following)</td>
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<tr>
<td>LO 0706</td>
<td>(a) Comparative Constitutions</td>
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<tr>
<td>LO 0707</td>
<td>(b) Investment and Securities Law</td>
</tr>
<tr>
<td>LO 0708</td>
<td>(c) Criminal Minor Acts</td>
</tr>
<tr>
<td>LO 0709</td>
<td>(d) Cooperative Law</td>
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<tr>
<td>LO 0709</td>
<td>(e) Private International Law</td>
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<th>Subject Code</th>
<th>Fourth Year B.A. LL.B. - Semester VIII</th>
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<tbody>
<tr>
<td>LC 0801</td>
<td>Labour and Industrial Law</td>
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<tr>
<td>LC 0802</td>
<td>Jurisprudence</td>
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<tr>
<td>LC 0803</td>
<td>Law of Evidence</td>
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<tr>
<td>LP 0804</td>
<td>Practical Training Paper II - Alternate Dispute Resolution System</td>
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<tr>
<td>LO 0805</td>
<td>Optional Subject 4 (Any one from the following)</td>
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<tr>
<td>LO 0806</td>
<td>(a) Human Rights Law and Practice</td>
</tr>
<tr>
<td>LO 0807</td>
<td>(b) Competition Law</td>
</tr>
<tr>
<td>LO 0808</td>
<td>(c) Vulnerable and Disadvantaged Groups and Criminal Law</td>
</tr>
<tr>
<td>LO 0809</td>
<td>(d) Civil Minor Acts</td>
</tr>
<tr>
<td>LO 0809</td>
<td>(e) International Economic Law</td>
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Course Component of Fifth Year B.A. LL.B., Fifth Year B.B.A. LL.B. and Third Year LL.B.:

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<tr>
<th>Subject Code</th>
<th>Fifth Year B.A. LL.B. - Semester IX</th>
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<tbody>
<tr>
<td>LC 0901</td>
<td>Civil Procedure Code</td>
</tr>
<tr>
<td>LC 0902</td>
<td>Interpretation of Statutes</td>
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<tr>
<td>LC 0903</td>
<td>Environmental Law</td>
</tr>
<tr>
<td>LP 0904</td>
<td>Practical Training Paper III - Drafting, Pleading and Conveyance</td>
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</table>

Optional Subject 5 (Any one from the following):

- (a) Law on Education
- (b) Principles of Taxation Law
- (c) Law of Forensic Science
- (d) Land Laws I
- (e) International Law on Air, Space and Sea

<table>
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<th>Subject Code</th>
<th>Fifth Year B.A. LL.B. - Semester X</th>
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<tbody>
<tr>
<td>LC 1001</td>
<td>Criminal Procedure Code</td>
</tr>
<tr>
<td>LC 1002</td>
<td>Administrative Law</td>
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<tr>
<td>LC 1003</td>
<td>Company Law</td>
</tr>
<tr>
<td>LP 1004</td>
<td>Practical Training Paper IV - Moot Court Exercise and Internship</td>
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</table>

Optional Subject 6 (Any one from the following):

- (a) Election Law
- (b) Bankruptcy and Insolvency Law
- (c) Comparative Criminal Justice System
- (d) Land Laws II
- (e) Humanitarian and Refugee Law

8. Choosing Optional Law Subjects for B.A. LL.B., B.B.A. LL.B and LL.B:

The arrangement of optional subjects in law for B.A. LL.B., B.B.A. LL.B and LL.B courses allows the student to have specialization, to some extent, in (a) Constitutional Law Group, or Business Law Group, or (c) Crime and Criminology Group, or (d) Law and Agriculture Group, or (e) Intellectual Property Rights and International Law Group by choosing the optional subjects from given list in each semester.

Explanation 1:

A student willing to have specialization in Constitutional Law Group can choose optional papers at serial no. (a) in each semester. A student willing to have specialization in Business Law Group can choose optional papers at serial no. (b) in each semester.

A student willing to have specialization in Crime and Criminology Group can choose optional papers at serial no. (c) in each semester.
A student willing to have specialization in Law and Agriculture Group can choose optional papers at serial no. (d) in each semester.
A student willing to have specialization in Intellectual Property Rights and International Law Group can choose optional papers at serial no. (e) in each semester. Explanation 2:

This arrangement of optional subjects in law is made to allow the student to have specialization, to some extent, in a specified group. It will be mandatory for the student to choose subjects as given in explanation 1.

Explanation 3:
The college may offer all or any of the groups of optional subjects of specialization at its discretion.

9. Abbreviations used in Subject Codes:

The abbreviations used in the subject codes in the course component of B.A. LL.B., B.B.A. LL.B. and LL.B. courses shall have meaning as under:

- BA means subject from discipline of Arts for B.A. LL.B. course.
- BB means subject from discipline of Business Administration for B.B.A. LL.B. course.
- LC means Compulsory Law subject for law courses.
- LP means Compulsory Practical Training subject for law courses.
- LO means Optional Law subject for law courses.
Part IV

Examination Pattern for
B.A. LL.B., B.B.A. LL.B. and LL.B. Courses

1. Attendance of Lectures, Internals and Moot Court:

A student of B.A. LL.B., B.B.A. LL.B. and LL.B. courses shall not be allowed to take the end semester examination in a subject if the student concerned has not attended minimum of 75% of the classes held in the subject concerned as per University rules.

If a student for any exceptional reasons fails to attend 75% of the classes held in any subject, a student may be allowed to take the end semester examination in a subject by the University as per rules.

2. Duration of Studies:

The curriculum of study for the B.A. LL.B. and B.B.A. LL.B. shall be spread over five academic years and shall be divided into ten semesters for the examination purposes.

The course leading to B.A. LL.B. and B.B.A. LL.B. degree shall not have less than 30 class hours per week including tutorials, moot court exercises, guest lectures and seminars. There shall be at least 24 lecture hours per week.

The curriculum of study for the LL.B. shall be spread over three academic years, and shall be divided into six semesters for the examination purposes.

The course leading to LL.B. degree shall not have less than 30 class hours per week including tutorials, moot court exercises, guest lectures and seminars. There shall be at least 24 lecture hours per week.

3. Medium of Instruction and Division of Marks:

The medium for instruction and for examination of all subjects in B.A. LL.B., B.B.A. LL.B. and LL.B. courses shall be English.

Each subject of B.A. LL.B., B.B.A. LL.B. and LL.B. courses shall be of 100 marks.

The division of 100 marks for all the subjects, except for practical training subjects, shall be as under:

- University Written Examination: 80 marks.
- Internal Assessment by College: 20 marks.
4. Division of Marks in Practical Training Subjects :
The compulsory practical training subjects of B.A. LL.B., B.B.A. LL.B. and LL.B. shall carry the division of marks as under:

(1) Practical Training Paper I - Professional Ethics and Contempt of Court Law:
   (a) University Written Examination
   (b) Written submissions and viva voce examination 20 Marks

(2) Practical Training Paper II - Alternate Dispute Resolution System :
   (a) University Written Examination
   (b) Written submissions and viva voce examination 80 Marks

(3) Practical Training Paper III - Drafting, Pleading and Conveyance :
   (a) University Written Examination
   (b) Written submissions and viva voce examination 80 Marks

(4) Practical Training Paper IV - Moot Court Exercise and Internship :
   (a) Moot court exercises (30 Marks), Observance of trials (30 Marks) and Pre-trial preparations (30 Marks) activities
   (b) Written submissions and Viva voce examination 90 Marks

5. University Written Examination (80 Marks) :

There shall be University written examination of 80 marks for each subject at the end of each semester of B.A. LL.B., B.B.A. LL.B. and LL.B. courses.

There shall not be University written examination for Practical Training Paper IV - Moot Court Exercise and Internship.

6. Question Paper Pattern for University Written Examination (80 Marks) :

The question paper for University written examination of each subject, except for Practical Training Paper IV - Moot Court Exercise and Internship, shall consists of three parts :

(1) Part A Questions (40 marks) :
Part A of the question paper may consist of essay questions and hypothetical problems. The candidate has to write an essay question with critical evaluation. The candidate is expected to substantiate his answer with support of relevant legal perspectives. For questions on problems, the candidate needs to substantiate the answer with legal arguments along with support of decided case law. In non-law papers, candidates need to answer the question with a critical perspective along with contemporary developments of the respective areas in the respective paper. There shall be four questions and the student has to answer any two questions. Each question shall be for 20 marks.

(2) Part B Questions (30 marks):
The Part B of question paper shall consists short essay type questions, critical comments on a decided case, etc., depending on the nature of subject. A student has to answer the question with critical evaluation. There shall be four questions and the student has to answer any two questions. Each question shall be for 15 marks.

(3) Part C Questions (10 marks) :
The Part C of question paper shall consist of short answer questions. There shall be four questions and the student has to answer any two questions. Each question shall be for 5 marks. The question paper pattern given herein may be changed or altered by the University at any time without prior information to the students. The question paper pattern given herein may also be changed or altered by the University depending on the nature of subject.

7. Internal Assessment by College (20 Marks)*:

A schedule of mid-term written examination in each term or semester shall be prepared by the college.

There shall be a mid-term written examination in each term or semester of B.A. LL.B., B.B.A. LL.B. and LL.B. courses.

The internal written test to be conducted by the college in the middle of the semester for 20 marks. The internal test shall comprise of two components. Component one shall have an essay question for 15 Marks. The other component shall be of a short answer question of 05 Marks. All colleges need to adopt this pattern without any deviation. After the examination the internal marks need to be displayed within 20 working days.

The college, for failed or absent students, shall conduct re-examination for internal assessment (mid-term written examination) of a subject as per University rules.

The internal assessment marks may be withheld or withdrawn by the college on the ground of non-fulfillment of attendance requirement by the student as prescribed by the University rules.

8. Conduct of Viva Voce Examination:

The viva voce examination for the practical training subjects shall be conducted in accordance with the schedule prepared by the University.

The viva voce examination for all practical training subjects shall be conducted by the committee of examiners appointed by the University.

The committee of examiners shall not take viva voce examination of a student unless he/she submits a duly assessed written submissions at the time of viva voce examination.

Explanation: The written submissions by the student, as required under any of the practical training subjects, means handwritten submissions.

*As amended by the Academic Council vide resolution no B 18 PA /18/ 2017 its meeting on 13/07/2017.
Part V
Standard of Passing for
B.A. LL.B., B.B.A. LL.B. and LL.B.

1. Standard of Passing for First and Second Year of B.A. LL.B. and B.B.A. LL.B.:

In case of any subject of First and Second Year B.A. LL.B. and B.B.A. LL.B. courses a student must obtain not less than 40 marks to pass a subject. The total marks of a subject shall be computed by adding marks of University written examination and internal assessment. There shall be separate passing for University written examination and internal assessment. A student must obtain not less than 32 marks to pass University written examination of a subject. A student must obtain not less than 8 marks to pass internal examination of a subject. A student shall be declared as passed in a particular year or class if he / she have passed in all the subjects of two terms or semesters of a year or class taken together. There shall not be a separate passing for a single semester or term examination. The class shall be awarded to the student if he / she have passed in all the subjects of two terms or semesters of a year or class taken together. A student shall be entitled to the benefit of grace marks or additional marks for extra-curricular activities as per University rules. The difference between the percentage of University written examination marks and percentage of internal assessment marks of a student for any subject shall not be more than 15%. If the percentage of marks obtained by a student for any subject in internal assessment exceed the percentage of marks obtained by him / her in University written examination by more than 15% the marks obtained by him / her in internal assessment shall be brought down to that extent.

The class shall be awarded to the student for that year or class as under:

<table>
<thead>
<tr>
<th>S.N.</th>
<th>Percentage of Marks</th>
<th>Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Aggregate 40 % and more but less than 50 %</td>
<td>Pass Class**</td>
</tr>
<tr>
<td>(ii)</td>
<td>Aggregate 50 % and more but less than 55 %</td>
<td>Second Class</td>
</tr>
<tr>
<td>(iii)</td>
<td>Aggregate 55 % and more but less than 60 %</td>
<td>Higher Second Class</td>
</tr>
<tr>
<td>(iv)</td>
<td>Aggregate 60 % and above but less than 70 %</td>
<td>First Class</td>
</tr>
<tr>
<td>(V)</td>
<td>Aggregate 70 % and above</td>
<td>First Class with Distinction</td>
</tr>
</tbody>
</table>
Standard of Passing for (a) Third, Fourth and Fifth Year of B.A. LL.B., (b) Third, Fourth and Fifth Year of B.B.A. LL.B., and (c) First, Second and Third Year of LL.B.:

In case of any subject of (a) Third, Fourth and Fifth Year of B.A. LL.B., (b) Third, Fourth and Fifth Year of B.B.A. LL.B. and (c) First, Second and Third Year of LL.B., a student must obtain not less than 40 marks to pass a subject.

**The aggregate for passing shall be 40% for all years of B.A. LL.B., B.B.A. LL.B. and LL.B. from the academic year 2018-19 as per circular Ref. No. C.B.L./46 dated 15-01-2018.**

The total marks of a subject, except for practical training subjects, shall be computed by adding marks of University written examination and internal assessment. There shall be separate passing for University written examination and internal assessment. A student must obtain not less than 32 marks to pass University written examination of a subject. A student must obtain not less than 8 marks to pass internal examination of a subject.

The total marks of practical training subjects, except for Practical Training Paper IV - Moot Court Exercise and Internship, shall be computed by adding marks for two components - (a) University written examination and (b) written submissions and viva voce examination. There shall be separate passing for these two components of a subject. A student must obtain not less than 32 marks to pass a University written examination of a subject. A student must obtain not less than 8 marks to pass a written submissions and viva voce examination of a subject.

The total marks of Practical Training Paper IV - Moot Court Exercise and Internship shall be computed by adding marks for two components - (a) moot court exercises, observance of trials, pre-trial preparations and (b) written submissions and viva voce examination. There shall be separate passing for these two components. A student must obtain not less than 36 marks to pass in a moot court exercises, observance of trials, pre-trial preparations of a subject. A student must obtain not less than 4 marks to pass a written submissions and viva voce examination of a subject.

A student shall be declared as passed in an examination of particular year or class if:

he / she has passed in all the subjects of two terms or semesters of a year or class; and
he / she has obtained not less than 50% of aggregate marks in all the subjects of two terms or semesters of a year or class taken together.

(7) There shall not be a separate passing for a single semester or term examination.

(8) A student failed in a particular year or class examination or a student allowed to keep terms (ATKT) shall be required to register and appear for the University written examination of the subject or subjects in which he / she has obtained less than 50 % marks in University written examination. Similarly, he / she shall be required to register and appear for the internal examination of the subject or subjects in which he / she has obtained less than 50 % marks in internal examination.

(9) A student failed in a particular year or class examination or a student allowed to keep terms (ATKT) shall be exempted from registering and appearing for the examination of the subject or subjects in which he / she has obtained not less than 50marks.

(10) The class shall be awarded to the student if he / she is declared as passed in a particular year or class.
(11) A student shall be entitled to the benefit of grace marks or additional marks for extra curricular activities as per University rules.

(12) The difference between the percentage of University written examination marks and percentage of internal assessment marks of a student for any subject shall not be more than 15%. If the percentage of marks obtained by a student for any subject in internal assessment exceed the percentage of marks obtained by him / her in University written examination by more than 15% the marks obtained by him / her in internal assessment shall be brought down to that extent.

(13) The class shall be awarded to the student for that year or class as under:

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<tbody>
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<td>Second Class</td>
</tr>
<tr>
<td>(ii)</td>
<td>Aggregate 55 % and more but less than 60 %</td>
<td>Higher Second Class</td>
</tr>
<tr>
<td>(iii)</td>
<td>Aggregate 60 % and above but less than 70 %</td>
<td>First Class</td>
</tr>
<tr>
<td>(iv)</td>
<td>Aggregate 70 % and above</td>
<td>First Class with Distinction</td>
</tr>
</tbody>
</table>

Note: - As per circular Ref. No. C.B.L/46 dated 15-01-2018 there shall be a pass class from academic year 2018-19 below 50% of marks.

3. Eligibility for Award of Degree:

A student of B.A. LL.B. course passed in examination of all the years or classes shall be eligible to obtain the B.A. LL.B. degree.

A student of B.B.A. LL.B. course passed in examination of all the years or classes shall be eligible to obtain the B.B.A. LL.B. degree.

A student of LL.B. course passed in examination of all years or classes shall be eligible to obtain the LL.B. degree.

If any add-on papers introduced either by the University, Government, UGC from time to time as compulsory courses, students need to undergo and pass such papers apart from prescribed syllabi for each law programme as per norms. The marks scored in those papers will have no effect on the class of the student of their regular course of study. The marks earned in the add-on papers will reflect separately in the statement of mark of each student. Such add-on courses will not affect the ATKT Rules.

4. Allowed to Keep Terms* (ATKT) for B.A. LL.B. Course:

A student of First Year B.A. LL.B. shall be eligible for admission to Second Year B.A. LL.B. if he / she has passed in at least five subjects of First Year B.A. LL.B. in first and second semester examinations taken together.

A student of Second Year B.A. LL.B. shall be eligible for admission to Third Year B.A. LL.B. if he / she has passed in at least five subjects of Second Year B.A. LL.B. in third and fourth semester examinations taken together.

A student of Second Year B.A. LL.B. shall not be eligible for admission to Third Year B.A. LL.B. unless he has passed First Year B.A. LL.B. examination.
A student of Third Year B.A. LL.B. shall be eligible for admission to Fourth Year B.A. LL.B. if he / she has obtained not less than 50 marks in at least seven subjects of Third Year B.A. LL.B. in fifth and sixth semester examinations taken together.

A student of Fourth Year B.A. LL.B. shall not be eligible for admission to Fifth Year B.A. LL.B. unless he has passed Second Year B.A. LL.B. examination.

A student of Fourth Year B.A. LL.B. shall be eligible for admission to Fifth Year B.A. LL.B. if he / she has obtained not less than 50 marks in at least seven subjects of Fourth Year B.A. LL.B. in seventh and eight semester examinations taken together.

A student of Fourth Year B.A. LL.B. shall not be eligible for admission to Fifth Year B.A. LL.B. unless he has passed Third Year B.A. LL.B. examination.

5. Allowed to Keep Terms* (ATKT) for B.B.A.LL.B. Course :
   A student of First Year B.B.A. LL.B. shall be eligible for admission to Second Year B.B.A. LL.B. if he / she has passed in at least five subjects of First Year B.B.A. LL.B. in first and second semester examinations taken together.
   A student of Second Year B.B.A. LL.B. shall be eligible for admission to Third Year B.B.A. LL.B. if he / she has passed in at least five subjects of Second Year B.B.A. LL.B. in third and fourth semester examinations taken together.
   A student of Second Year B.B.A. LL.B. shall not be eligible for admission to Third Year B.B.A. LL.B. unless he has passed First Year B.B.A. LL.B. examination.
   A student of Third Year B.B.A. LL.B. shall be eligible for admission to Fourth Year B.B.A. LL.B. if he / she has obtained not less than 50 marks in at least seven subjects of Third Year B.B.A. LL.B. in fifth and sixth semester examinations taken together.
   A student of Third Year B.B.A. LL.B. shall not be eligible for admission to Fourth Year B.B.A. LL.B. unless he has passed Second Year B.B.A. LL.B. examination.
   A student of Fourth Year B.B.A. LL.B. shall be eligible for admission to Fifth Year B.B.A. LL.B. if he / she has obtained not less than 50 marks in at least seven subjects of Fourth Year B.B.A. LL.B. in seventh and eight semester examinations taken together.
   A student of Fourth Year B.B.A. LL.B. shall not be eligible for admission to Fifth Year B.B.A. LL.B. unless he has passed Third Year B.B.A. LL.B. examination.

6. Allowed to Keep Terms* (ATKT) for LL.B. Course :
   A student of First Year LL.B. shall be eligible for admission to Second Year LL.B. if he / she has obtained not less than 50 marks in at least seven subjects of First Year LL.B. in first and second semester examinations taken together.
   A student of Second Year LL.B. shall be eligible for admission to Third Year LL.B. if he / she has obtained not less than 50 marks in at least seven subjects of Second Year LL.B. in third and fourth semester examinations taken together.
   A student of Second Year LL.B. shall not be eligible for admission to Third Year LL.B. unless he has passed First Year LL.B. examination.
   A student of Third Year LL.B. shall be eligible for admission to Fourth Year LL.B. if he / she has obtained not less than 50 marks in at least seven subjects of Third Year LL.B. in fifth and sixth semester examinations taken together.
   A student of Third Year LL.B. shall not be eligible for admission to Fourth Year LL.B. unless he has passed Second Year LL.B. examination.
   A student of Fourth Year LL.B. shall be eligible for admission to Fifth Year LL.B. if he / she has obtained not less than 50 marks in at least seven subjects of Fourth Year LL.B. in seventh and eight semester examinations taken together.
   A student of Fourth Year LL.B. shall not be eligible for admission to Fifth Year LL.B. unless he has passed Third Year LL.B. examination.

*If a student passes in not less than 2/3 of total subjects, his result status will be ATKT. Thus if there are total eight subjects to pass, minimum number of passing subjects allowed to avail ATKT status is 8x2/3=5. It means a student should pass in minimum five out of eight subjects.
7. Duration to Complete Entire Course:
A student of B.A. LL.B. course, in order to become eligible for award of the degree, must pass in all the subjects, divided in ten semesters, within a span period of ten academic years including academic year in which he / she was admitted to first year of the course. No student shall be admitted as a candidate for any examination of the said course after the said period of ten academic years unless he / she is readmitted to the course.

A student of B.B.A. LL.B. course, in order to become eligible for award of the degree, must pass in all the subjects, divided in ten semesters, within a span period of ten academic years including academic year in which he / she was admitted to first year of the course. No student shall be admitted as a candidate for any examination of the said course after the said period of ten academic years unless he / she is readmitted to the course.

A student of LL.B. course, in order to become eligible for award of the degree, must pass in all the subjects, divided in six semesters, within a span period of six academic years including academic year in which he / she was admitted to first year of the course. No student shall be admitted as a candidate for any examination of the said course after the said period of six academic years unless he / she is readmitted to the course.

8. Removal of Doubts and Difficulties:
   Notwithstanding anything stated in the rules herein or any issue stated hereinabove, for any unforeseen issues arising, and not covered by the rules herein, or in the event of differences of interpretation, the Vice-Chancellor of the University may take a decision and the said decision of the Vice-Chancellor shall be binding.
Part VI
Syllabus of First Year of B.A. LL.B.
First Year B.A. LL.B. - Semester I

CE 0101 General English

Objectives of the Course: The purpose of the course is to acquaint the students with the nature of English language and its grammatical concepts. This paper focuses on strengthening the students’ syntactical competence so as to bring quality and correct grammatical constructions in their writing and it is also meant to train them on how to study for various purposes.

Module 01 Language and Grammar:
- Defining Language
- Nature of Language
- Syntactical Competence (Introductory)
- Grammar and Usage -
  - Sentence Structure- Subject and Predicate
  - Concord
  - Tenses
  - Use of Articles
  - Accurate Use of Prepositions
  - Making Questions (Why- and yes-no questions and question tags)
- Use of Modal Auxiliary Verbs (making requests, suggestions, seeking permission etc.)
- Some Common Errors

Module 02 Sentence Transformation:
- Active and Passive Voice
- Types of Sentences (Statements, interrogative, exclamatory and imperative)
- Simple, Complex and Compound Sentences
- Reported Speech
- Syntactic Ambiguity

Module 03 Vocabulary Skills:
- Idioms and Phrases
- One Word Substitution

Module 04 Communication Skills:
- Communication - Verbal, Non-verbal and Written
- Significance of Communication Skills for Lawyers- Listening, Speaking, Reading and Writing (Introductory)
  - Electronic Communication and its Types (Telephone, Facsimile, E-mail, Voice mail, Teleconferencing, Video-conferencing, Word processor, Internet, Social Media)
- Formal Correspondence
Resume Writing

**Module 05 Study Skills for Law Students:**

SQ3R (Survey Question Read Recite and Review)

Reading - Types- intensive and extensive; techniques- scanning, skimming and critical

Note making

Writing (Correct grammar, spelling, punctuation and clarity)

Paragraph Writing

**Recommended Readings:**

BA 0102 General Principles of Political Science

Objectives of the Course: This paper focuses on understanding the basic concepts, theories and functioning of State. It tries to enable students to understand the entire gamut of Political Science and its inter-relationship with other disciplines. This paper focuses on creating an understanding of theories of State, its basic concepts and functioning of State and Government. As a final point, the course attempts to make the students aware about the structure, organization and principles of political Parties as a vital element of democratic machinery.

Module 01 Introduction:
- Definition and Nature of Political Science
- Concept of Political Science
- Significance of Political Science
- Relationship of Political Science with other allied subjects - Sociology, Economics and Law

Module 02 Origin and Development of State:
- Historical Evolution of State from Individual to State
- Meaning and definition of State
- Essential elements of State - Population-Territory- Government and Sovereignty

Module 03 Sovereignty of State:
- Meaning and definition of Sovereignty
- Characteristics of Sovereignty
- Sovereignty and Constitutional law
- Austin’s Interpretation and Pluralistic Interpretation of Sovereignty

Module 04 Theory of Separation of Powers:
- Origin and Development of the concept
- Significance of Theory of Separation of Powers
- Interrelation between Legislature, Executive and Judiciary

Module 05 Political Obligation:
- Meaning and Nature of Political Obligation
- Significance of Political Obligation
- Individual and Political Obligation
- Theories of Political Obligation – Liberal Theory – Force Theory – Consent Theory
- Idealist Theory- Marxist Theory- Utilitarian Theory
Political Obligation and Unjust Laws
Concept of Punishment and its need
Theories of Punishment – Deterrent Theory- Retributive Theory- Preventive Theory- Reformative Theory - Expiatory Theory

Module 06  Government and its Forms:
Difference between State and Government
Classification of Government – Classical view - Plato and Aristotle
Modern Forms of Government – Monarchy- Aristocracy- Democracy- Dictatorship- Parliamentary- Presidential- Unitary and Federal- Local Self Government – An over view

Module 07  Political Parties and Pressure Groups:
Origin and evolution of Political Parties
Meaning and nature of Political Parties
Structure, Power and functions of Political Parties
Types of Political Party System – Single Party System- Multi-Party System
Types of Political Parties – Indian Scenario- Umbrella Party- National Parties- State Parties- Regional Parties
Pressure Groups – Meaning and significance and functions
Election process – Understanding basic concepts- Electoral- Constituency- Universal Adult Franchise- Representation and its types Commission
Role of Election Commission in regulating Political Parties

Recommended Readings:
1) Asirvatham Addi, Political Theory (New Delhi, S. Chand and Co. 1988).
6) Heywood, Andrew, Politics (New York, Palgrav, 2002).
9) Johari, J.C. Principles of Modern Political Science (New Delhi, Sterling Publisher, 2005).
10) Kapur, A.C., Principles of Political Science (New Delhi, S. Chand and Co. 2005).

Recommended Articles:
2) Khushi Pandya (April 22, 2013), Separation of Powers - An Indian Perspective,

**Recommended Journals:**

3) American Political Science Review. (www.apsanet.org/apsr).
5) Indian Journal of Political Science. (http://www.ijps.net.in/).
BA 0103 General Principles of Economics

Objectives of the Course: The objectives of the course are: (1) To study the basic concepts of economics; (2) To apply the economic reasoning to problems of society; (3) To become conversant with fundamental principles of economics; (4) To expose students of Law to economics.

Module 01 Introduction to Economics:
- Meaning and Definition of Economics
- Scope and Importance of Economics
- Branches of Economics – Micro, Macro, Positive, Normative, Developmental and Welfare Economics
- Interrelationship of Economics with Political Science, Management and Governance

Module 02 Basic Concepts and Definitions:
- Utility, commodity, services, consumption, production, income, wealth and equilibrium
- Difference between economic and non-economic goods, economic and non-economic wants
- Significance of resources and their scarcity

Module 03 Demand and Supply:
- Law of Demand and Supply
- Elasticity of Demand – Price, Income and Cross Elasticity of Demand
- Law of Diminishing Marginal Utility
- Law of Equity - Marginal Utility
- Indifference Curve Analysis – Consumer Surplus

Module 04 Theory of Production and Cost:
- Factors of Production - Land, Labour, Capital and Organisation
- Production Function - Law of Variable Proportions and Returns to Scale
- Economies and Diseconomies of Scale – Internal and External
- Concepts of Cost - Money vs Real Cost, Explicit and Implicit Cost, Fixed and Variable Cost, Private and Social Cost, Opportunity Cost, Total Cost, Average Cost and Marginal Cost

Module 05 Market Structure and Price Determination:
- Classification of Market - Perfect Competition, Monopoly, Monopolistic Competition, Oligopoly and Duopoly
- An overview of Price Determination in different market structures
- Understanding about Cartel, Trust, Company, Merger and Amalgamation

Module 06 Factor Pricing:
- Functional and Personal Distribution of Income
- Marginal Productivity Theory of Distribution
- An overview of theories of Determination of Rent, Wages, Interest and Profit
Recommended Readings:
BA 0104 General Principles of Sociology

Objectives of the Course: Sociology is a significant area to study and observe the various ethical, moral and cultural standards and the significant role played by social institutions in regulating the behavioural patterns of individuals in every society. Law also contemplates the same in a different perspective; this introductory paper is intended to acquaint the students with sociology as a social science and the distinctiveness of its approach among the social science. It is organized in such a way that to give an idea to the students of law the Significance of sociology in the society and its impact and relationship on law and the importance of social aspects in law making.

Module 01 Introduction:
- Origin and Development of Sociology
- Meaning and Definition of Sociology
- Scope and Concept of Sociology – significance of sociology
- Relationship of sociology with other Sciences - Economics - Politics - Law - Psychology - Science and Technology

Module 02 Basic Concepts of Sociology:
- Values - Ethics and Norms
- Social and social system-Community - Individual-Culture
- Institutions - Family - Marriage - Kinship - Religion - Education - Polity

Module 03 Social Anthropology:
- Meaning and scope of social anthropology
- Relationship between sociology and social anthropology
- Development of social anthropology
- Social differentiation
- Differences between societies

Module 04 Social Processes:
- Socialization: Process, Stages, Agencies
- Social Mobility: Meaning, Forms, Factors
- Social Control: Forms, Agencies

Module 05 Social Stratification:
- Meaning - Forms and Theories
- Nature of Social Classes - Family - Class - Endogamy
- Social Stratification - Functions and dysfunctions of Social Stratification

Module 06 Relationship between Sociology and Law:
- Law as an Instrument of social Change
- Role of Social movements and its impact on law
- Religious and Cultural aspects and their significance in Law
- Family and its importance in Social Legislations

Recommended Readings:

**Recommended Journals:**

1) American journal of Sociology.
2) Indian Journal of Sociology.
3) British Journal of Sociology.
4) Social Currents.
5) Social Action.
6) Social Change.
7) South India Journal of Sociology.
First Year B.A. LL.B. - Semester II

CE 0201 English for Law

Objectives of the Course: The main objective of this course is to familiarize the students with the correct pronunciations of words and to acquaint them with the role of meanings of words and their interpretation in law. This paper also intends to make the students familiar with the basic idea of law and its nature.

Module 01 Phonology and Morphology:
- Use of English and its Significance for Communication in Indian Legal Context (in the Supreme Court, High Courts and various tribunals)
- Correct Pronunciation - Speech Sounds, Word Stress and Intonation
- Structure of Words
- Processes of Word Formation (examples from law)

Module 02 Semantics and Role of Meaning in Law:
- Concept of Meaning
- Types of Meaning (Denotative, Connotative, Social, Emotive, Reflected, Collocative and Thematic)
- Semantic Ambiguity
- Components and Contrasts of Meaning-Synonyms, Antonyms and Hyponym and their Significance in Legal Language (focus on examples)
- Lexical Relations-Homographs, Homophones and Polysemy and their Significance in Legal Language (focus on examples)

Module 03 Composition Skills:
- Report Writing
- Précis Writing
- Notices of General Nature
- Essay Writing on Legal Topics
- Translation:
  - Definition of ‘Translation’ and its Nature
  - Techniques of Translation
  - The Significance of Translation in Law

Module 04 Understanding the Law:
- Defining Law
- Meaning of Act, Bill, Custom, Law, Laws, Morality, Ordinance, Precedent, Rule, Statute
- Nature of Law
- Classification of Laws- Municipal Law and International Law, Public and Private Laws, Civil and Criminal laws

Interpreting Law and Role of Language in Interpretation (Use of definitions, meanings of words, literal meaning and contextual meaning (Refer to Porritts and Spencer (Asia) Ltd v. State of Haryana1979 SCC (1) 82 and Duport Steels v. Sirs, (1980)1 All ER 529, (1980) ICR 161)
Etymology, Significance, Meaning and Usage of Legal Terms in Procedural, Civil and Criminal Laws - Legal Terms (75)

**Module 05  Foreign Terminology in Law:**
Use of Foreign Terms in Legal English - the Origin of Law and Reasons for their Use
Foreign Words (30)
Legal Maxims (15)

**List of Legal Terms (Module 4.6):**

<table>
<thead>
<tr>
<th>Abduction</th>
<th>Deponent</th>
<th>Parole</th>
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</thead>
<tbody>
<tr>
<td>Abetment</td>
<td>Detention</td>
<td>Partition</td>
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<td>Abscond</td>
<td>Discharge</td>
<td>Perjury</td>
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<td>Accomplice</td>
<td>Encumbrance</td>
<td>Petition</td>
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<td>Accused</td>
<td>Eviction</td>
<td>Plaintiff</td>
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<td>Acquittal</td>
<td>Evidence</td>
<td>Pleadings</td>
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<td>Adoption</td>
<td>Extortion</td>
<td>Precedent</td>
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<td>Admission</td>
<td>Fraud</td>
<td>Prosecute</td>
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<td>Affidavit</td>
<td>Heir</td>
<td>Probation</td>
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<td>Alibi</td>
<td>Homicide</td>
<td>Proviso</td>
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<td>Alimony</td>
<td>Intellectual Property</td>
<td>Rebuttal</td>
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<td>Amendment</td>
<td>Intestate</td>
<td>Restitution</td>
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<td>Appeal</td>
<td>Investigation</td>
<td>Remand</td>
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<tr>
<td>Approver</td>
<td>Judgment</td>
<td>Respondent</td>
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<td>Bail</td>
<td>Jurisdiction</td>
<td>Self defence</td>
</tr>
<tr>
<td>Bankrupt</td>
<td>Justice</td>
<td>Succession</td>
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<td>Charge sheet</td>
<td>Juvenile</td>
<td>Summons</td>
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<tr>
<td>Claimant</td>
<td>Legacy</td>
<td>Testator</td>
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<td>Confession</td>
<td>Liability</td>
<td>Testimony</td>
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<td>Conviction</td>
<td>Misappropriation</td>
<td>Trial</td>
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<td>Damages</td>
<td>Mortgage</td>
<td>Trespass</td>
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<td>Decree</td>
<td>Negligence</td>
<td>Verdict</td>
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<td>Deed</td>
<td>Oath</td>
<td>Voluntarily</td>
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<td>Defamation</td>
<td>Overrule</td>
<td>Warrant</td>
</tr>
<tr>
<td>Defendant</td>
<td>Ownership</td>
<td>Will</td>
</tr>
</tbody>
</table>

**List of Foreign Words (30) (Module 5.2):**

*Ab initio* - From the beginning.
*Ad hoc* - Established for a particular purpose.
*Ad valorem* - According to value.
*Amicus curiae* - An impartial Advisor.
*Bona vacantia* - Ownerless property.
*Compos mentis* - of sound mind.
*De facto* - In actual fact.
De jure - In law, By legal right.
Ex parte - One side only.
Fauxpas - Blunder.
In limine - At the outset.
In memoriam - In memory of.
In personam - Personally.
Inter alia - Among other things.
Inter se - Among themselves.
Lis pendens - During the pendency in any court.
Locus standi - Right to speak or intervene in a matter.
Mala fide - In bad faith.
Mens rea - Criminal intention or guilty mind.
Modus operandi - Mode or Method of working.
Nudum pactum - A bare promise.
Onus probandi - The burden of proof.
Par excellence - Without comparison.
Prima facie - At first sight.
Ratio decidendi - The reasons for decisions.
Sine die - To a date not at the moment fixed.
Sub judice - Under judicial consideration.
Suo moto - By itself.
Ultra vires - Beyond powers.
Vox populi - The voice of people.

List of Legal Maxims (15) (Module 5.3):

Actus curiae neminem gravabit - An act of the court shall prejudice no one.
Actus non facit reum, nisi mens sit rea - An act does not make a person guilty unless the mind is guilty.
Audi alteram partem - Let the other side be heard as well.
Delegatus non potest delegare - A delegate cannot delegate.
Ex nudo pacto non oritur actio - No action arises from a contract without consideration.
Expressio unius est exclusio alterius - Express mention of one thing excludes all others.
Ignorantia facti excusat, ignorantia juris non excusat - Ignorance of facts excuses but ignorance of law excuses no one.
Nemo dat quod non habet - No one gives what he does not have.
Noscitur a sociis - The meaning of a doubtful word can be derived from its association with other words.
Qui facit per alium facit per se - He who acts through another does the act himself.
Respondeat superior - Let the master answer.

Recommended Readings:

Objectives of the Course: This is an introductory paper for the concepts, ideas and ideologies in political theory. It seeks to explain the evolution and usage of these concepts, ideas and theories with reference to individual thinkers both historically and analytically. The different ideological standpoints with regard to various concepts and theories are to be critically explained with the purpose of highlighting the differences in their perspectives and in order to understand their continuity and change. Furthermore, there is a need to emphasize the continuing relevance of these concepts today and explain how ideas and theory of yester years gains prominence in contemporary political theory.

Module 01  Introduction:
Meaning and definition of Political Theory
Significance of Political Theory
Impact of Political Theory on Society and Law

Module 02  Approaches to the study of Political Theory:
Traditional Approaches – Philosophical- Historical- Legal- Institutional
Contemporary Approaches – Positivism, Constructive and Communitarian

Module 03  Theories of Power and Authority:
Nature and Significance of Power and Authority
Max Webber’s View on Authority and Robert Dahl’s views on Influence
Different forms of Power and Authority
Theories of Power – Elite Theory and Group Theory
Difference between Power and Authority and Legitimacy

Module 04  Overview of Political Theory:
Liberalism - Meaning- Main currents of liberalism- J. S. Mill’s views-
Decline of Liberalism
Socialism and its variants - Fabian – Guild - Syndicalism – An overview
Marxism- Contemporary relevance
Utilitarianism - Jeremy Bentham and Contribution of J.S. Mill
Nationalism and its facets – Fascism and Nazism, Challenges before Nationalism – Sub-nationalism - Regionalism
Gandhism and Sarvodaya
Social Justice Theory of Dr. B.R. Ambedkar

Module 05  Contemporary Political Theories and Viewpoints:
Theories of Environment, Feminism
Realism and Cultural-relativism
Human Rights
Current State of Political Theory - Pluralism and Reconciliation

Recommended Readings:

Recommended Articles:
12) Chela Sandoval, "US Third World Feminism"; "Feminist Theory under Postmodern Conditions: Toward a Theory of Oppositional Consciousness".
13) Joan Scott, "The Evidence of Experience: Gender and the Politics of History"; her essay in Contesting Feminisms; ed, Feminism and History.

**Recommended Journals:**

1) Journal of International Political Theory. (www.st-andrews.ac.uk/intrel/publications/journalofinternationalpoliticaltheory)
3) Political Theory.(http://journals.sagepub.com/home/ptx).
BA 0203 Macro Economics, Policies and Practice

Objectives of the Course: The objectives of the course are: (1) To understand the basic concepts of Macroeconomics; (2) To study the behaviour of the economy; (3) To know the macroeconomic policies to solve economic problems.

Module 01 Introduction to Macroeconomics:
- Meaning and Definition of Macroeconomics
- Scope and Importance of Macroeconomics
- Interdependence between Microeconomics and Macroeconomics
- Meaning and relation between economic variables – aggregate demand, aggregate supply, general price level, level of output, full employment, unemployment, saving, investment, income, consumption, rate of interest, etc.

Module 02 National Income:
- Meaning and Definition of National Income
- Concepts related to National Income – GDP, GNP, NNP, Personal Income, Disposable Income, Per Capita Income, etc.
- An overview of measurement methods of National income
- GDP as a measure of welfare
- Green Accounting concept
- Union Budget – Deficit Finance

Module 03 Business Cycle and Inflation:
- Meaning of Business Cycle, Inflation, Deflation, Stagflation, Demand pull and Cost push inflation, multiplier, accelerator, etc.
- Phases of business cycle – prosperity, recession, depression and recovery
- Policies for control of business cycle – monetary and fiscal policy

Module 04 Output and Employment:
- Classical theory of employment
- Keynesian theory of employment

Module 05 Economic Growth:
- Concept of economic growth
- Growth vs. Development
- Indicators of economic growth
- Economic growth in India
- Problem of poverty and unemployment
- Government policies for combating poverty and unemployment

Module 06 International Trade:
- Meaning and definition of International Trade
- Domestic trade vs. foreign trade
- Advantageous and disadvantageous of international trade
- Concept of Terms of Trade, Balance of Trade and Balance of Payments
- Foreign Trade Policy
**Recommended Readings:**


BA 0204 Theoretical Perspectives of Sociology

Objectives of the Course: This paper is intended to familiarize the students with the social, political, economic and intellectual contexts in which sociology emerged as a distinctive discipline and has had a significant influence on the legislative framework law. Its objective is to help students gain an understanding of some of the classical contributions in sociology, and their continuing relevance to its contemporary concerns.

Module 01 Introduction:
- Significance and Importance of Theory
- Enlightenment - The social, economic and political forces
- The French and Industrial Revolutions in the development of sociological thought
- Indian Movements and their contribution for the development of sociology in India

Module 02 Schools of Sociological Theory and Content of Theories - an Overview:
- Significance of Theories and their relationship to Law
- Schools of sociological theories- Functionalism, Conflict School, Social Action Perspective

Module 03 Significant Western Sociological Thinkers:
- August Comte - Positivism-Impact of Science on Society
- Herbert Spencer - Social Darwinism; Super - organic evolution
- Emile Durkheim - Social solidarity - Social Structure and Individuals actions - social relations
- Karl Marx - Dialectic and Historical Materialism - Class and Class Conflict - Importance of Labour in Production
- Max Weber - Power - Authority and Legitimacy and the concept of Ideal Type - connection between culture and economy

Module 04 Significant Indian Sociological Thinkers:
- Andre Beteille - Religion and Secularism - Caste - Class - Links between Poverty and inequality - Role of Institutions
- M.N. Srinivas - Caste and Caste Systems - Social Stratification
- Gail Omvedt - anti-caste movements - environmental movements - farmer’s and women’s movements
- Ashish Nandey - Culture of Knowledge - Psychology of violence

Module 05 Social Dominance Theory:
- Psychology of Dominance - Circulation of Oppression - Oppression and cooperation
- Theoretical and practical issues of Psychological Dominance in Indian Context

Recommended Readings:
2) Barnes, H.E. 1959. Introduction to the history to the sociology. Chicago The University of Chicago press.
Part VII
Syllabus of First Year of B.B.A. LL.B.

First Year B.B.A. LL.B. - Semester I

CE 0101 General English

Objectives of the Course: The purpose of the course is to acquaint the students with the nature of English language and its grammatical concepts. This paper focuses on strengthening the students’ syntactical competence so as to bring quality and correct grammatical constructions in their writing and it is also meant to train them on how to study for various purposes.

Module 01 Language and Grammar :
- Defining Language
- Nature of Language
- Syntactical Competence (Introductory)
- Grammar and Usage - Sentence Structure- Subject and Predicate
- Concord
- Tenses
- Use of Articles
- Accurate Use of Prepositions
- Making Questions (Why- and yes-no questions and question tags)
- Use of Modal Auxiliary Verbs (making requests, suggestions, seeking permission etc.)
- Some Common Errors

Module 02 Sentence Transformation :
- Active and Passive Voice
- Types of Sentences (Statements, interrogative, exclamatory and imperative)
- Simple, Complex and Compound Sentences
- Reported Speech
- Syntactic Ambiguity

Module 03 Vocabulary Skills :
- Idioms and Phrases
- One Word Substitution

Module 04 Communication Skills :
- Communication - Verbal, Non-verbal and Written
  - Significance of Communication Skills for Lawyers- Listening, Speaking, Reading and Writing (Introductory)
  - Electronic Communication and its Types (Telephone, Facsimile, E-mail, Voice mail, Teleconferencing, Video-conferencing, Word processor, Internet, Social Media)

Formal Correspondence
Study Skills for Law Students:

SQ3R (Survey Question Read Recite and Review)

Reading - Types: intensive and extensive; techniques: scanning, skimming and critical

Note making

Writing (Correct grammar, spelling, punctuation and clarity)

Paragraph Writing

Recommended Readings:

BB 0102 Managerial Accounting

Objectives of the Course: The objectives of the course are:(1) To enable the students to acquire sound knowledge of basic concepts of accounting; (2) To impart knowledge about recording of transaction; (3) To impart the knowledge about preparation of Final Account of Proprietorship and Company accounts; (4) To acquaint the student about accounting software and packages.

Module 01 Introduction to Accounting:
   Financial Accounting - Definition and Scope, Objectives, Advantages and Limitation
   Branches of Accounting
   Users of Accounting Information
   Basic Financial Accounting Terminologies

Module 02 Conceptual Framework:
   Role of Accountant
   Book keeping and Accounting, Accounting Principles
   Concepts and Conventions, Accounting Policies
   Double Entry System, Accounts, Classification of Accounts, Rules of Debit and Credit
   Accounting Equation

Module 03 Recording of Transactions:
   Voucher system
   Accounting cycle
   Journal, Ledger, Subsidiary Books of Accounts, Cash Book
   Trial Balance

Module 04 Bank Reconciliation Statement

Module 05 Accounting for Depreciation:
   Written Down Value Method (WDVM)
   Straight Line Method (SLM)

Module 06 Preparation of Final Accounts:
   Preparation of Trading Account of Sole Proprietary Business
   Preparation of Profit and Loss Account of Sole Proprietary Business
   Preparation of Balance Sheet of Sole Proprietary Business

Module 07 Introduction to Company Final Accounts:
   Important provisions of the Companies Act, 2013 in respect of preparation of Final Accounts
   Understanding the final accounts of company

Module 08 Accounting in Computerized Environment:
   Computer and Financial Application
   Introduction to Accounting Software Package- Tally 9.0
   An overview of Computerized Accounting System- Salient features and significance, Generating Accounting Reports
Recommended Readings:

Recommended Journals:
BB 0103 Principles of Management

Objectives of the Course: Management plays a vital role in the progress and prosperity of a business enterprise. The main intention of management is to run the enterprise smoothly. The profit making objective of business is also to be taken care while undertaking various functions. In this subject students will be exposed to basic concepts and ideas of management. It will help students to understand fundamental knowledge about working of business organization, management process, functions and principals. And it will make students familiar with recent trends in management.

Module 01 Nature of Management:
Definitions and Meaning, Nature and objectives
Concept of management, organization, and administration
Social and Ethical Issues in Management
Relationship between Law and management

Module 02 Evolution of Management Thoughts:
Contribution of F.W. Taylor, Henry Fayol Elton Mayo and C.K. Pralhad to the Management Thoughts

Module 03 Management and Environment:
Concept of Environment
Environmental Factors- Internal and External
Impact of Environment on Business

Module 04 Functions of Management:
Planning- Definitions, Meaning, Policies and procedures
Methods of planning
Decision making – Types - Process of rational decision making and techniques of decision making
Organizing- Process, Principles of Organization, Types of organizations, Delegation of Authority, Decentralization

Module 05 Functions of Management:
Staffing - meaning and importance
Nature and functions of personnel management
Selection, Training and development, Performance appraisal
Leadership - meaning - styles, Qualities and functions of leaders
Controlling- concepts and basic control process, Essential of a good control system, Traditional and non-traditional control devices

Module 06 Functions of Management:
Direction - Nature – Principles
Communication – Types and Importance
Motivation - Importance – Need hierarchy theory of Motivation

Module 07 Conflict, Coordination and Corporate Social Responsibility:
Concept of Conflict, Conflict Management
Definitions, Meaning, Internal and External Coordination
Corporate Social Responsibility
Module 08  Strategic Management:
Concept of Strategy, Role Strategic management, Strategic Planning
Top level business Strategies formulation and implementation, Competitive advantage and core competence

Recommended Readings:

Recommended Journals:
1) Harward Business Review.
2) Journal of Commerce and Management Thought.
3) Indian Journal of Commerce and Management Studies.
4) Indian management.
Objectives of the Course: The objective of this paper is to make the students understand the concept, need, process and importance of communication and to acquaint them with various methods and media and recent trends in business communication. It aims to develop an integrative approach where reading, writing, oral and nonverbal components are used together to enhance students’ ability to communicate effectively. It will inculcate business communication skills through application and exercises.

Module 01 Introduction to Business Communication:
- Meaning, Definition, Objectives, Features, Process and importance
- Importance of Communication Skills for legal professionals, Principles of good communication
- Barriers to communication and remedies

Module 02 Methods, Types and Channels of Communication:
- Written Communication, Oral Communication, Silent Communication (Body language
- Proximity, Touch, Signs and Symbols, Paralinguistic with their Merits and Demerits)-Its relevance in Court Proceedings
- Channels of communication in organisation and their types, merits and demerits

Module 03 Soft Skills:
- Meaning, Definition and Importance, Elements of Soft Skills
- Grooming manners and Etiquettes
- Effective Speaking, Interview skills, Negotiation skills, Listening skills, Group Discussion, Presentation skills

Module 04 Business Correspondence:
- Need, Functions, Components and layout of Business letter, Drafting Letter - Enquiry letter and replies
- Placing order, Complaints and follow up letters, Sales letter, Circulars, Credit and status enquiries
- Application for employment and writing Bio-data / resume / Curriculum Vitae, 4.Office Memo, Orders, Notices, Agenda, Press releases, Email Etiquettes

Module 05 New Technologies and Media of Communication:
- Internet – email, Websites, Blogs
- Introduction, Advantages and Disadvantages of – Fax, Voice mail, Teleconferencing, Videoconferencing, Cellular phones, SMS, MMS, Social media network
- Use of new technologies in legal profession

Recommended Readings:

**Recommended Journals:**
3) Journal of Communication Management.
4) Business and Professional Communication Quarterly.
First Year B.B.A. LL.B. - Semester II

CE 0201 English for Law

Objectives of the Course: The main objective of this course is to familiarize the students with the correct pronunciations of words and to acquaint them with the role of meanings of words and their interpretation in law. This paper also intends to make the students familiar with the basic idea of law and its nature.

Module 01 Phonology and Morphology:
Use of English and its Significance for Communication in Indian Legal Context (in the Supreme Court, High Courts and various tribunals)
Correct Pronunciation - Speech Sounds, Word Stress and Intonation.
Structure of Words
Processes of Word Formation (examples from law)

Module 02 Semantics and Role of Meaning in Law:
Concept of Meaning
Types of Meaning (Denotative, Connotative, Social, Emotive, Reflected, Collocative and Thematic)
Semantic Ambiguity
Components and Contrasts of Meaning-Synonyms, Antonyms and Hyponym and their Significance in Legal Language (focus on examples)
Lexical Relations-Homographs, Homophones and Polysemy and their Significance in Legal Language (focus on examples)

Module 03 Composition Skills:
Report Writing
Précis Writing
Notices of General Nature
Essay Writing on Legal Topics
Translation:
Definition of ‘Translation’ and its Nature
Techniques of Translation
The Significance of Translation in Law

Module 04 Understanding the Law:
Defining Law
Meaning of Act, Bill, Custom, Law, Laws, Morality, Ordinance, Precedent, Rule, Statute
Nature of Law
Classification of Laws- Municipal Law and International Law, Public and Private Laws, Civil and Criminal laws
Interpreting Law and Role of Language in Interpretation (Use of definitions, meanings of words, literal meaning and contextual meaning (Refer to Porritts and Spencer (Asia) Ltd v. State of Haryana1979 SCC (1) 82 and Duport Steels v. Sirs, (1980)1 All ER 529, (1980) ICR 161)
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Use of Foreign Terms in Legal English- the Origin of Law and Reasons for their Use
Foreign Words (30)
Legal Maxims (15)

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Abetment Detention Partition
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Accused Eviction Plaintiff
Acquittal Evidence Pleadings
Adoption Extortion Precedent
Admission Fraud Prosecute
Affidavit Heir Probation
Aliibi Homicide Proviso
Alimony Intellectual Property, Rebuttal
Amendment Intestate Restitution
Appeal Investigation Remand
Approver Judgment Respondent
Bail Jurisdiction Self defence
Bankrupt Justice Succession
Chargesheet Juvenile Summon
Claimant Legacy Testator
Confession Liability Testimony
Conviction Misappropriation Trial
Damages Mortgage Trespass
Decree Negligence Verdict
Deed Oath Voluntarily
Defamation Overrule Warrant
Defendant Ownership Will

List of Foreign Words (30) (Module 5.2) :

*Ab initio* - From the beginning.

*Ad hoc* - Established for a particular purpose.

*Ad valorem* - According to value.

*Amicus curiae* - An impartial Advisor.

*Bona vacantia* - Ownerless property.

*Compos mentis* - of sound mind.

*De facto* - In actual fact.

*De jure* - In law, By legal right.
**List of Legal Maxims (15) (Module 5.3):**

*Actus curiae neminem gravabit* - An act of the court shall prejudice no one.

*Actus non facit reum, nisi mens sit rea* - An act does not make a person guilty unless the mind is guilty.

*Audi alteram partem* - Let the other side be heard as well.

*Delegatus non potest delegare* - A delegate cannot delegate.

*Ex nudo pacto non oritur actio* - No action arises from a contract without consideration.

*Expressio unius est exclusio alterius* - Express mention of one thing excludes all others.

*Ignorantia facti excusat, ignorantia juris non excusat* - Ignorance of facts excuses but ignorance of law excuses no one.

*Nemo dat quod non habet* - No one gives what he does not have.

*Noscitur a sociis* - The meaning of a doubtful word can be derived from its association with other words.

*Qui facit per alium facit per se* - He who acts through another does the act himself.

*Respondeat superior* - Let the master answer.

*Res ipsa loquitur* - The thing speaks for itself.

*Ubi jus ibi remedium* - Where there is a right there is a remedy.

*Vigilantibus non dominentibus jura subveniunt* - The law assists those that are vigilant with their rights and not those that sleep thereupon.

*Volenti non fit injuria* - To a willing person, injury is not done.
Recommended Readings:


BB 0202 Organisational Behaviors

Objectives of the Course: Organizational Behavior is the study of the way people interact within groups. The central idea of the study of organizational behavior is that a scientific approach can be applied to the management of workers. In this subject student will learn basic concepts of organizational behavior, its fundamentals, scope and importance. They will obtain frameworks and tools to effectively analyze various organizational situations. It will help them to understand the impact that individual, group and structures have on their behavior within the organizations.

Module 01 Fundamentals of Organizational Behavior:
- Definition, Nature, Scope, and Goals of Organizational Behavior
- Fundamental Concepts of Organizational Behavior
- Models of Organizational Behavior
- Relevance of OB in legal profession

Module 02 Attitude, Values and Motivation:
- Effects of employee attitudes, Personal and Organizational Values
- Nature and Importance of Motivation, Motivation Process
- Theories of Work Motivation: Maslow's Need Hierarchy Theory, McGregor’s Theory ‘X’ and Theory ‘Y’, Herzberg's two factor theory of Motivation

Module 03 Personality:
- Definition of Personality, Determinants of Personality
- Theories of Personality: The Big Five Personality Model, Myers-Briggs Type Personality, Locus of Control

Module 04 Stress Management:
- Meaning and definition of Stress, Sources of Stress: Individual Level, Organizational Level, Causes of stress in organization
- Effect of Stress - Physiological Effect, Psychological Effect, Behavioral Impact
- Stress Management – Individual Strategies, Organizational Strategies, Stress management in legal profession

Module 05 Conflict in Organizations:
- Concept of Conflict, Process of Conflict, Types of Conflict: Intra-personal, Interpersonal, Intergroup, Organizational
- Effects of Conflict, Conflict Management Strategies

Module 06 Group Behavior and Change in Organization:
- Nature of Group, Types of Groups
- Goals of Organizational Change, Resistance to change, Overcoming resistance to change

Module 07 Team and Leadership Development:
- Team Building, Team Effectiveness
- Concept of Leadership, Qualities of a Leader
Module 08   Emerging aspects of Organizational Behavior :
TQM,
Managing Cultural Diversity, Quality Circles
Total Employee involvement, Organizational Change

Recommended Readings :
2) Hema, B. *Organizational Behaviour*. New Delhi: Scitech Publisher.

Recommended Journals:
2) Indian Journal of Industrial Relations.
3) Harvard Business Review.
4) Journal of Commerce and Management.
BB 0203 Management Information System

Objectives of the Course: The objective of this paper is to provide student with a comprehensive understanding of the concepts of Information System. The students will study the concepts of system analysis and design and learn the various issues in MIS. The students will be able to learn in depth how today’s business firms use information technologies and systems to achieve corporate objectives.

Module 01 Introduction to Information Systems:
Introduction to System and its classification, System Approach, Information System
Role of Information systems in business today, Contemporary Approaches to Information System

Module 02 Information Systems Concept:
Types of Information systems
Information system impact on Organizations and Business Firms
Using Information Systems to Achieve Competitive Advantage

Module 03 Information Technology Infrastructure:
IT Infrastructure, Components, Data communication channels
Types of Networks, Network topologies

Module 04 Databases and Information Management:
Organizing Data in a Traditional File Environment, Problems with the Traditional File Environment
Database Management Systems, Capabilities of Database Management Systems, Designing Databases
Challenge of Big Data, Business Intelligence Infrastructure, Analytical Tools: Relationships, Patterns, Trends

Module 05 Systems Analysis and Design:
Systems Development Process, Structured and Object-Oriented Methodologies, Alternative Systems-Building Approaches- Prototyping, End-User Development
Application Software Packages and Outsourcing, Rapid Application Development (RAD)

Module 06 Decision Making and Information Systems:
The Decision-Making Process, Herbert Simon Model, Business Intelligence and Analytics
Decision Support for Operational and Middle Management, Group Decision-Support Systems, Knowledge systems, Expert systems and Artificial Intelligence, ERP

Module 07 Securing Information Systems:
System Vulnerability and Abuse

Module 08 Ethical and Social Issues in Information Systems:
- Understanding Ethical and Social Issues Related to Systems
- Key Technology Trends that Raise Ethical Issues, Professional Codes of Conduct

Module 09 Moral and Legal Dimensions of Information Systems:
- Information Rights: Privacy and Freedom in the Internet Age, Internet challenges to privacy, Technical solutions
- Property Rights: Intellectual Property, Trade Secrets, Copyright, Patents, Challenges to Intellectual Property rights

Module 10 E-Commerce:
- E-commerce and E-commerce Business models, M-commerce

Recommended Readings:
1) Laudon and Laudon, Management Information Systems, Pearson Education Asia.
3) Davis and Olson, Management Information Systems, Tata McGraw Hill.
4) Turban and Aronson, Decision Support Systems and Intelligent Systems, Pearson Education Asia.
5) Jayant Oke, Management Information Systems.

Recommended Journals:
1) MIS Quarterly, University of Minnesota.
2) CSI Communications, Computer Society of India, Mumbai.
BB 0204 Principles of Marketing

Objectives of the Course: Marketing is a key part of any successful business, and a good theoretical and practical knowledge of the subject will be of immense benefit to an aspiring manager or entrepreneur. In this subject students will be exposed to concepts and ideas of marketing, its general nature scope importance and functions. This subject will help student to gain knowledge of basic skills and their various application, all in the context of the competitive business environment.

Module 01 Introduction of Marketing:
Marketing – Definition, Concepts, Significance
Approaches to the study of Marketing, Relevance of Marketing in developing economy, Role and functions of Marketing Manager
Regulatory Environment of Marketing

Module 02 Functions of Marketing:
On the basis of exchange, On the basis of physical supply and facilitating functions

Module 03 Classification and Types of Markets:
Traditional classification of marketing, Service Marketing: 7P’s of services marketing, importance of services marketing, importance of service sectors
Rural Marketing: Meaning, feature and importance of rural marketing, Difficulties in rural marketing and suggestions for improvement of rural marketing

Module 04 Recent Trends in Marketing:
Rural Marketing: Meaning, Features, Importance and Difficulties in Rural Marketing
Retail Marketing: Meaning, Types and Role of Retail Marketing
Tele marketing: Meaning, Definition, Applications
E-Marketing: Meaning, Definition, Tools, and Importance
Digital marketing: meaning, importance of digital marketing
Green Marketing: Meaning Importance

Module 05 Marketing Environment and Market Segmentation:
Marketing Environment – Definition, Meaning, Internal and external factors influencing Marketing environment
Market Segmentation: Meaning, Definition, Essentials of effective Market Segmentation, and types of segmentation

Module 06 Marketing Mix (Product and Price):
Product mix: concept of a product, product characteristics: intrinsic and extrinsic, PLC, Product simplification, product elimination, product diversification, new product development
Price mix: meaning, element, importance of price mix, factors influencing pricing, pricing methods and recent trends in pricing

Module 07 Marketing Mix (Place and Promotion):
Place mix: meaning and concepts of channel of distribution, types of channel of distribution or intermediaries, Factors influencing selection of channels, types of distribution strategies: intensive, selective and extensive
Promotion mix: meaning, elements of promotion mix, types of media: outdoor, indoor, print, press, transit - merits and demerits, concept of media mix, recent trends in promotion

**Recommended Readings:**

**Recommended Journals:**
1) Indian Journal of Marketing.
2) Harvard Business Review.
3) International Journals of Marketing.
4) IUP Journal of Marketing Management.
5) Journal of Retailing.
Part VIII
Syllabus of Second Year of B.A. LL.B.

Second Year B.A. LL.B. - Semester III

CE 0301 Legal Language and Legal Reasoning

Objectives of the Course: This paper is designed to give the students more exposure to the nature of legal language and the issues related to it in drafting legislations and legal documents. It intends to acquaint the students with advocacy skills so much so to bridge the gap between theoretical and practical knowledge and to strengthen and enhance their critical thinking. It also introduces the students to logical reasoning and its use in law to set up good arguments.

Module 01 Legal Language and its Nature:
Law and Language
Meaning of Legal Language
Scope and Domain of Legal Language

Module 02 Problems of Legal Language and Remedies:
Problems of Legal Language
Problems of Legal Language in Drafting Statutes and Writing Judgments
Principles of Legal Writing
Simplicity, Clarity and Precision
Plain English and Plain Language Vocabulary
Eliminating the Jargon “Legalese”
Avoid Repetitions
Slash Unnecessary Words
Breaking up Long and Complex Sentences
Connecting Sentences
Linking Paragraphs
Use of Passive Voice
Use of Symbols and Abbreviations

Module 03 Use of Language in Drafting:
Use of Legal Language and its Significance in Drafts (Sale Deed, Gift Deed, Release Deed, General Power of Attorney and Will)
Use of Legal Language in Drafting in Legal Notices (Notice to Tenant on behalf of Landlord and vice versa and Notice to Husband on behalf of Wife and vice versa)

Module 04 Advocacy Skills:
Meaning of Advocacy
Advocacy as an Art
Qualities of Lawyers (Good voice, command of words, confidence, practical wisdom, etc.)
Use of Rhetoric- Figures of Speech (Euphemism, Hyperbole, Irony, Metaphor, Paradox, Simile, Synecdoche and Understatement)
Etiquettes and Manners for Law Professionals
Client Counseling and Interviewing

**Module 05  Legal Reasoning and Skills of Arguments:**

- Logic and its Scope
- Meaning of Logic and its Nature
- Some Major Sources of Knowledge- a priori, evidence, memory, observation, perception, reasoning and testimony
- Structure of Argument-Statements/Premises and Conclusion
- Methods of Reasoning- Deductive, Inductive and Reasoning by analogy
- Fact and Opinion
- Truth and Validity
- Syllogism.
- Meaning of Syllogism
- Rules of Syllogism
- Types of Syllogism-Categorical, Conditional and Disjunctive
- Fallacy
- Meaning and Reasons of Fallacy
- Types of Fallacies-Faulty Cause, Sweeping Generalization, Faulty Analogy, Anecdotal Fallacy, Bifurcation (False Dilemma), Equivocation, Tautology, Appeal to Popular Opinion and Association Fallacy
- Application of Reasoning to Law - Facts of a Case and provisions /Case Laws(Refer to Dahyabhai Chhaganbhai Thakker v. State of Gujarat, AIR 1964 SC 1563 for legal reasoning)

**Recommended Readings:**

BA 0302 Public Policy and Public Administration

Objectives of the Course: Public Administration as a discipline of study is basically known as the science of ruling and the study of the rulers and the ruled. Traditionally, it covered the study of man in the process of governing himself. Today it is seen as an encyclopedia of governing the people. The main objective of this course is to enable students to understand the basic concepts of administration. It tries to make the students understand the evolution of this subject and its need. It also tries to focus on different approaches to study Public Administration and its various basic concepts.

Module 01 Introduction:
Meaning and nature of Public Administration
Evolution of Public Administration as a discipline
Scope of Public Administration- POSDCORB (Planning, Organising, Staffing, Directing, Coordinating, Reporting and Budgeting) view versus People’s expectations from the government
Relation of Public Administration with Political Science and Law

Module 02 Introduction to Public Policy:
Meaning and Objectives of Public Policy
Difference between Policy and Rules
Impact of Executive decisions and Public Policy on Traditional Practices and Law
Impact of Policy formulation on Law and Justice

Module 03 Approaches to Public Administration:
Traditional Approaches – Woodrow Wilson and Max Weber – An Overview
Recent Approaches - Public Choice, Good Governance, New Public Management
Post 1990’s Approach - Development Administration – Concept-Characteristics and Scope
State versus Market Debate

Module 04 Accountability and Control:
Concepts of Accountability and Control
Mechanisms of Accountability and control – Executive, Media, Interest groups, Right to Information, Social Audit, Civil Society and People’s Participation

Module 05 Importance of Judicial Administration in Modern Era:
Ethical and moral values in Judicial Administration
Role of State in Judicial Administration
Importance of Financial Autonomy in Judicial Administration
E-Governance in Judicial Administration

Recommended Readings:
9) P.B. Mehta, Oxford Publication (Student Edition), 2015.

**Recommended Articles:**


**Recommended Journals**:

2) International Review of Administrative Sciences, SAGE Journals. (journals.sagepub.com/home/ras).
4) Educational Administration Quarterly - SC Imago. (www.scimagojr.com/).
BA 0303 Theories of Development and Indian Economy

Objectives of the Course: The objectives of the course are: (1) To understand the theories of economic growth; (2) To know the important sectors of the Indian Economy; (3) To analyse the various issues of the Indian Economy.

Module 01 Economic Development and Growth:
Concept of Development, Economic Development and Economic Growth
Human Right Dimension in Economic Development and Economic Growth
Features and Indicators of Economic Development
Vicious Cycle of Poverty
Determination of Poverty Line

Module 02 Strategies of Economic Growth:
An overview of Theories of Development
Balanced and Unbalanced Growth
Big Push Theory
Relation between Population Growth and Per Capita Income
Concept of Sustainable Development – Sustainable Development Goals
Concept of Human Development – Determination of HDI and PQLI

Module 03 Agrarian Economy in India:
Features of Indian Agriculture
Subdivision and Fragmentation of Land
Pattern of Land Holding In India
Agricultural Credit - Institutional and Non-Institutional Credit
Issues of Agricultural Labours
Contractual Farming
Issues of Corporatisation of Farming

Module 04 Industrial Economy in India:
Features of Indian Industry
Concept of SME, MSME, PSU and MNC
Controversy over land acquisition for Industry
Issues of Industrial Labour and Labour Legislation
Capital – Sources of Domestic Capital and Foreign Capital

Module 05 Other Areas of Indian Economy:
Inflation – Trends in Prices and Money Supply
Black Money and Corruption – Reasons and Measures
Food Security – Problem of Hunger and Malnutrition – PDS
Issue of Employment – Skill Development, Make in India Programme
Issue of Special Economic Zones
Trends in Revenue and Expenditure of Central and State Government

Recommended Readings:
BA 0304 Society in India

Objectives of the Course: This course aims to make students understand the plural Indian society. Indian society has regional; religious and linguistic diversity. Social stratification in India is also different than remaining world. To understand the process of social change, social movements and Act and Law; it is essential to know social structure in Indian society. The continuity between the present and the past is an evident feature of Indian society. The sociological perspective on Indian society will help students to gain a better understanding of their own society and the continuity and change in Indian society.

Module 01 Indian Social Structure – India as Plural Society:
Religious diversity - Hinduism, Islam, Buddhism and Christianity
Primitive Tribes and Nomadic tribes in India
Linguistic and regional diversity

Module 02 Social Stratification and Social Institutions:
Social stratification- Caste, class, tribe and gender
Social Institutions - Family, Kinship, and Marriage

Module 03 Social Movements in pre and post-Independent India:
Dalit movement, Linguistic movements and Tribal movements
Peasant movement, Women’s movement, Student’s movements and Environment movements

Module 04 Segments of India Society and its Characteristics:
Tribal Society
Rural society
Urban society

Module 05 Continuity and Change:
Major process of Change - Sanskritisation, Westernization and Modernization
Factors of change - Economy, Education and Constitutional provisions

Recommended Readings:
9) Shah Ghanshyam, Social Movements and the State, Sage, New Delhi, 2002.
11) Sharma, K.L. Essays on Social Stratification, Rawat, New Delhi.
Second Year B.A. LL.B. - Semester IV

CE 0401 Law and Literature

Objectives of the Course: The knowledge of English literature is important for everyone to develop new ideas and ethical standpoints. Therefore, the main object of this paper is to instill human values and concern among students of law through exposure to literary texts. This paper also intends to strengthen the students’ listening, speaking, reading and writing skills by using literature and to enable the students to analyze the case laws from the perspective of language.

Module 01 Drama with Legal Themes:
- The Significance of Literature in Understanding the Law
- The Merchant of Venice (focus on Act IV) - William Shakespeare
- Justice (focus on Act II) - John Galsworthy

Module 02 Short Stories with Legal Themes:
- Before the Law - Franz Kafka
- Justice Is Blind - Thomas Wolfe
- The Benefit of Doubt - Jack London
- The Web of Circumstance - Charles W Chesnutt
- The Case for Defense - Graham Greene

Module 03 Prose Works:
- Of Judicature-Francis Bacon
- Some Reminiscences of the Bar - M. K. Gandhi
- Why the Indian Labor is Determined to Win the War - B.R. Ambedkar
- Joy of Reading - APJ Abdul Kalam
- M.C. Chagla - The Centenary of a Judicial Statesman - V. R. Krishna Iyer

Module 04 Poetry:
- Ode: Intimations of Immortality - William Wordsworth
- Stopping by Woods on a Snowy Evening - Robert Frost
- Where the Mind is without Fear - Rabindranath Tagore
- Law like Love - W. H. Auden
- Freedom, Justice and Equality - Lonnie Hicks

Module 05 Legal Text as Literature for Analytical Study:
- Balaji Raghvan v. Union of India (AIR 1996 SC 770)
  (Case laws are to be analyzed with focus on narrative and argumentative skills)

Recommended Readings:


BA 0402 International Relations

Objectives of the Course: This paper deals with concepts and dimensions of international relations. It attempts an analysis of the different theories with a view to highlighting the major debates and differences within the different theoretical paradigms. The dominant theories of power and the question of equity and justice, the different aspects of balance of power leading to the present situation of a unipolar world are included. It focuses on the various aspects of conflict and conflict resolution through collective security and the role of United Nations.

Module 01  Introducing International Relations:
Historical Origins of International Relations - Overview
Meaning and Definition of International Relations
Scope of International Relations
Significance of Behavioral Actors, State and Non-State factors

Module 02  Approaches to the study of International Relations:
Idealistic Theory
Realist Theory
Marxist Theory
Impact of John Rawls on International Relations

Module 03  Peace and Conflict Studies:
Significance of International Peace and security
Causes of war
Arm Race-Disarmament
Methods of Conflict Resolution
End of war – Francis Fukuyama’s views

Module 04  Foreign Policy and Diplomacy:
Evolution of Foreign Policy and Diplomacy
Meaning and Scope of Foreign Policy and Diplomacy
Impact of Diplomacy on Foreign Policy
Role of Multinational Companies and impact of pressure politics on Foreign Policy and Diplomacy

Module 05  International Organizations:
Emergence and growth of International Organizations
League of Nations - An Overview
United Nations - Objectives - Principles of United Nations
Structure and Organs of United Nations (General Assembly, Security Council, Secretariat, Economic and Social Council and International Court of Justice)
Specialized Agencies - Meaning and significance
Relevance of United Nations in present context

Module 06  Regional Organizations:
Historical evolution of Regional Organizations
Structural and functions of EU, OAU, OAS, SAARC, BRIICS and IBSA
Role of Regional Organizations in developing peace (UNO Charter Art 52 to

70 SPP University • Law Faculty Revised Curriculum • B .A. LL.B., B.B.A. LL.B. and LL.B.
Difference between International Organizations and Regional Organizations

Recommended Readings:


Recommended Articles:


**Recommended Journals:**
1) Journal of International Relations & Foreign Policy (JIRFP). (www.jirfp.com/).
4) BJIPR | The Political Studies Association (PSA). (https://www.psa.ac.uk/members/).
BA 0403 Law and Economics

Objectives of the Course: The Objectives of the Course are: (1) To study the relationship between Law and Economics; (2) To know the significance of Economics in Law; (3) To understand the impact of Economics on Law.

Module 01 Introduction:
Interrelationship between Law and Economics
Origin and Development of Law and Economics
Economic Analysis of Law
Why lawyers should study Economics

Module 02 Fundamentals of Economic Analysis of Law:
Positive and Welfare Economics and Its Impact on Law
Economic Factors of Pricing – Theories of Wages – Exploitation of Labour
Economic Implications on Agrarian Reforms
Significance of Economics in Land Regulation
Significance of Economic Legislation - An overview of FEMA, Banking Regulation Act

Module 03 Impact of Economic Theories on Law and Development:
Pareto and Hicks Theory of Economic Efficiency on Law and Development
The Coase Theorem on Property and Liability
Welfare Economics - Impact on Law and Development

Module 04 Interrelationship between Economics and Property:
Economic Perspective of Property
Types of Property - Public and Private Property - Intellectual Property
Bargaining Theory
Economic Theory of Property with reference to Marx and Locke
Economic Theories of Distribution of Property

Module 05 Impact of Economic Policies on Law:
Significance of Planning – Role of Niti Aayog
Impact of Globalisation on Law – An Overview
Impact of Liberalisation and Privatisation on Law and Legislation
Impact of Market Economy on Law
International relations between Economics and Law

Recommended Readings:
(Note - Students are advised to refer latest editions of the books)
BA 0404 Social Research Methods

Objectives of the Course: This course aims to introduce basic Sociological approaches to research. It is an attempt to provide an understanding of the research process and techniques of data collection in social research. There are different perspectives and methods of understanding social phenomena. It aims to acquaint the students with the quantitative and qualitative strategies of research. Overall this course aims to introduce scientific method to understand social reality and social phenomena.

Module 01 Introduction to Social Research - Philosophy of Social Research:
Social research - meaning and significance
Types of social research - pure and applied research
Values and ethics in social research

Module 02 Research Process:
Steps in social research
Selection and formulation of research problem
Hypothesis - meaning, characteristics and types
Data collection - primary and secondary sources
Sampling - meaning and techniques

Module 03 Techniques of Data Collections:
Observation - nature, types, advantages and limitations
Interview - nature, advantages and limitations
Questionnaire - nature, types, advantages and limitations

Module 04 Quantitative and Qualitative Research:
Difference between Quantitative and Qualitative research
Quantitative research methods
Survey - Meaning, nature, advantages and disadvantages
Qualitative research methods
Case study - meaning, nature, advantages and disadvantage
Recent strategies - combining the quantitative and qualitative methods in research

Module 05 Computer in Social Research:
E-research: using the internet as object and method of data collection
Use of compute in data analysis

Module 06 Report Writing:
Importance of report writing
Writing qualitative and quantitative research - presentation and interpretation
Qualities of good research report

Recommended Readings:
8) Garrett Henry 1981 *Statistics in Psychology and Education* David Mckay Indian Publication.
9) Mrs. A.F. Sheikh for Vakils, Bombay, Tenth Reprint.
Part IX

Syllabus of Second Year of B.B.A. LL.B.

Second Year B.B.A. LL.B. - Semester III

CE 0301 Legal Language and Legal Reasoning

Objectives of the Course: This paper is designed to give the students more exposure to the nature of legal language and the issues related to it in drafting legislations and legal documents. It intends to acquaint the students with advocacy skills so much so to bridge the gap between theoretical and practical knowledge and to strengthen and enhance their critical thinking. It also introduces the students to logical reasoning and its use in law to set up good arguments.

Module 01 Legal Language and its Nature:
- Law and Language
- Meaning of Legal Language
- Scope and Domain of Legal Language

Module 02 Problems of Legal Language and Remedies:
- Problems of Legal Language
- Problems of Legal Language in Drafting Statutes and Writing Judgments
- Principles of Legal Writing:
  - Simplicity, Clarity and Precision
  - Plain English and Plain Language Vocabulary
  - Eliminating the Jargon “Legalese”
  - Avoid Repetitions
  - Slash Unnecessary Words
  - Breaking up Long and Complex Sentences
  - Connecting Sentences
  - Linking Paragraphs
  - Use of Passive Voice
  - Use of Symbols and Abbreviations

Module 03 Use of Language in Drafting:
- Use of Legal Language and its Significance in Drafts (Sale Deed, Gift Deed, Release Deed, General Power of Attorney and Will)
- Use of Legal Language in Drafting in Legal Notices (Notice to Tenant on behalf of Landlord and vice versa and Notice to Husband on behalf of Wife and vice versa)

Module 04 Advocacy Skills:
- Meaning of Advocacy
- Advocacy as an Art
- Qualities of Lawyers (Good voice, command of words, confidence, practical wisdom, etc.)
- Use of Rhetoric- Figures of Speech (Euphemism, Hyperbole, Irony, Metaphor, Paradox, Simile, Synecdoche and Understatement)
- Etiquettes and Manners for Law Professionals
- Client Counseling and Interviewing

Module 05 Legal Reasoning and Skills of Arguments:
Logic and its Scope:
- Meaning of Logic and its Nature
- Some Major Sources of Knowledge: a priori, evidence, memory, observation, perception, reasoning and testimony
- Structure of Argument: Statements/Premises and Conclusion
- Methods of Reasoning: Deductive, Inductive and Reasoning by analogy
- Fact and Opinion
- Truth and Validity

Syllogism:
- Meaning of Syllogism
- Rules of Syllogism
- Types of Syllogism: Categorical, Conditional and Disjunctive

Fallacy:
- Meaning and Reasons of Fallacy
- Types of Fallacies: Faulty Cause, Sweeping Generalization, Faulty Analogy, Anecdotal Fallacy, Bifurcation (False Dilemma), Equivocation, Tautology, Appeal to Popular Opinion and Association Fallacy

Recommended Readings:
BA 0302 Public Policy and Public Administration

Objectives of the Course: Public Administration as a discipline of study is basically known as the science of ruling and the study of the rulers and the ruled. Traditionally, it covered the study of man in the process of governing himself. Today it is seen as an encyclopedia of governing the people. The main objective of this course is to enable students to understand the basic concepts of administration. It tries to make the students understand the evolution of this subject and its need. It also tries to focus on different approaches to study Public Administration and its various basic concepts.

Module 01 Introduction:
Meaning and nature of Public Administration
Evolution of Public Administration as a discipline
Scope of Public Administration - POSDCORB (Planning, Organising, Staffing, Directing, Coordinating, Reporting and Budgeting) view versus People’s expectations from the government
Relation of Public Administration with Political Science and Law

Module 02 Introduction to Public Policy:
Meaning and Objectives of Public Policy
Difference between Policy and Rules
Impact of Executive decisions and Public Policy on Traditional Practices and Law
Impact of Policy formulation on Law and Justice

Module 03 Approaches to Public Administration:
Traditional Approaches – Woodrow Wilson and Max Weber - An Overview
Recent Approaches - Public Choice, Good Governance, New Public Management
Post 1990’s Approach - Development Administration – Concept- Characteristics and Scope
State versus Market Debate

Module 04 Accountability and Control:
Concepts of Accountability and Control
Mechanisms of Accountability and control – Executive, Media, Interest groups, Right to Information, Social Audit, Civil Society and People’s Participation

Module 05 Importance of Judicial Administration in Modern Era:
Ethical and moral values in Judicial Administration
Role of State in Judicial Administration
Importance of Financial Autonomy in Judicial Administration
E-Governance in Judicial Administration

Recommended Readings:
9) P.B. Mehta, Oxford Publication (Student Edition), 2015.

**Recommended Articles:**


**Recommended Journals:**

1) Indian Journal of Public Administration. ([www.iipa.org.in](http://www.iipa.org.in)).
2) International Review of Administrative Sciences, SAGE Journals. ([journals.sagepub.com/home/iras](http://journals.sagepub.com/home/iras)).
5) Public Administration Review. ([https://publicadministrationreview.org/](https://publicadministrationreview.org/)).
BA 0303 Theories of Development and Indian Economy

**Objectives of the Course:** The objectives of the course are: (1) To understand the theories of economic growth; (2) To know the important sectors of the Indian Economy; (3) To analyse the various issues of the Indian Economy.

**Module 01 Economic Development and Growth:**
Concept of Development, Economic Development and Economic Growth  
Human Right Dimension in Economic Development and Economic Growth  
Features and Indicators of Economic Development  
Vicious Cycle of Poverty  
Determination of Poverty Line

**Module 02 Strategies of Economic Growth:**
An overview of Theories of Development  
Balanced and Unbalanced Growth  
Big Push Theory  
Relation between Population Growth and Per Capita Income  
Concept of Sustainable Development – Sustainable Development Goals  
Concept of Human Development – Determination of HDI and PQLI

**Module 03 Agrarian Economy in India:**
Features of Indian Agriculture  
Subdivision and Fragmentation of Land  
Pattern of Land Holding In India  
Agricultural Credit - Institutional and Non-Institutional Credit  
Issues of Agricultural Labours  
Contractual Farming  
Issues of Corporatisation of Farming

**Module 04 Industrial Economy in India:**
Features of Indian Industry  
Concept of SME, MSME, PSU and MNC  
Controversy over land acquisition for Industry  
Issues of Industrial Labour and Labour Legislation  
Capital – Sources of Domestic Capital and Foreign Capital

**Module 05 Other Areas of Indian Economy:**
Inflation – Trends in Prices and Money Supply  
Black Money and Corruption – Reasons and Measures  
Food Security – Problem of Hunger and Malnutrition – PDS  
Issue of Employment – Skill Development, Make in India Programme  
Issue of Special Economic Zones  
Trends in Revenue and Expenditure of Central and State Government

**Recommended Readings:**


BA 0304 Society in India

Objectives of the Course: This course aims to make students understand the plural Indian society. Indian society has regional; religious and linguistic diversity. Social stratification in India is also different than remaining world. To understand the process of social change, social movements and Act and Law; it is essential to know social structure in Indian society. The continuity between the present and the past is an evident feature of Indian society. The sociological perspective on Indian society will help students to gain a better understanding of their own society and the continuity and change in Indian society.

Module 01 Indian Social Structure – India as Plural Society:
Religious diversity - Hinduism, Islam, Buddhism and Christianity
Primitive Tribes and Nomadic tribes in India
Linguistic and regional diversity

Module 02 Social Stratification and Social Institutions:
Social stratification- Caste, class, tribe and gender
Social Institutions - Family, Kinship, and Marriage

Module 03 Social Movements in pre and post-Independent India:
Dalit movement, Linguistic movements and Tribal movements
Peasant movement, Women’s movement, Student’s movements and Environment movements

Module 04 Segments of India Society and its Characteristics:
Tribal Society
Rural society
Urban society

Module 05 Continuity and Change:
Major process of Change - Sanskritisation, Westernisation and Modernization
Factors of change - Economy, Education and Constitutional provisions

Recommended Readings:
9) Shah Ghanshyam, Social Movements and the State, Sage, New Delhi, 2002.
11) Sharma, K.L. Essays on Social Stratification, Rawat, New Delhi.
17) Uberoi, Patricia: *Family, Kinship and Marriage in India*, Oxford, New Delhi, 1993
Second Year B.A. LL.B. - Semester IV

CE 0401 Law and Literature

Objectives of the Course: The knowledge of English literature is important for everyone to develop new ideas and ethical standpoints. Therefore, the main object of this paper is to instill human values and concern among students of law through exposure to literary texts. This paper also intends to strengthen the students’ listening, speaking, reading and writing skills by using literature and to enable the students to analyze the case laws from the perspective of language.

Module 01 Drama with Legal Themes:
   The Significance of Literature in Understanding the Law
   The Merchant of Venice (focus on Act IV) - William Shakespeare
   Justice (focus on Act II) - John Galsworthy

Module 02 Short Stories with Legal Themes:
   Before the Law - Franz Kafka
   Justice Is Blind - Thomas Wolfe
   The Benefit of Doubt - Jack London
   The Web of Circumstance - Charles W Chesnutt
   The Case for Defense - Graham Greene

Module 03 Prose Works:
   Of Judicature-Francis Bacon
   Some Reminiscences of the Bar - M. K. Gandhi
   Why the Indian Labor is Determined to Win the War - B.R. Ambedkar
   Joy of Reading - APJ Abdul Kalam
   M.C. Chagla - The Centenary of a Judicial Statesman - V. R. Krishna Iyer

Module 04 Poetry:
   Ode: Intimations of Immortality - William Wordsworth
   Stopping by Woods on a Snowy Evening - Robert Frost
   Where the Mind is without Fear - Rabindranath Tagore
   Law like Love - W. H. Auden
   Freedom, Justice and Equality - Lonnie Hicks

Module 05 Legal Text as Literature for Analytical Study:
   Balaji Raghvan v. Union of India (AIR 1996 SC 770)
   (Case laws are to be analyzed with focus on narrative and argumentative skills)

Recommended Readings:
1) Ambedkar, B R. “Why the Indian Labour is determined to win the war.” Dr.
   Babasaheb Ambedkar: Writings and Speeches. Vol. 10.New Delhi: Govt. of India,
   2014.


BA 0402 International Relations

Objectives of the Course: This paper deals with concepts and dimensions of international relations. It attempts an analysis of the different theories with a view to highlighting the major debates and differences within the different theoretical paradigms. The dominant theories of power and the question of equity and justice, the different aspects of balance of power leading to the present situation of a unipolar world are included. It focuses on the various aspects of conflict and conflict resolution through collective security and the role of United Nations.

Module 01 Introducing International Relations:
- Historical Origins of International Relations - Overview
- Meaning and Definition of International Relations
- Scope of International Relations
- Significance of Behavioral Actors, State and Non-State factors

Module 02 Approaches to the study of International Relations:
- Idealistic Theory
- Realist Theory
- Marxist Theory
- Impact of John Rawls on International Relations

Module 03 Peace and Conflict Studies:
- Significance of International Peace and security
- Causes of war
- Arm Race-Disarmament
- Methods of Conflict Resolution
- End of war – Francis Fukuyama’s views

Module 04 Foreign Policy and Diplomacy:
- Evolution of Foreign Policy and Diplomacy
- Meaning and Scope of Foreign Policy and Diplomacy
- Impact of Diplomacy on Foreign Policy
- Role of Multinational Companies and impact of pressure politics on Foreign Policy and Diplomacy

Module 05 International Organizations:
- Emergence and growth of International Organizations
- League of Nations - An Overview
- United Nations - Objectives - Principles of United Nations
- Structure and Organs of United Nations (General Assembly, Security Council, Secretariat, Economic and Social Council and International Court of Justice)
- Specialized Agencies - Meaning and significance

Relevance of United Nations in present context

Module 06 Regional Organizations:
- Historical evolution of Regional Organizations
- Structural and functions of EU, OAU, OAS, SAARC, BRIICS and IBSA
Role of Regional Organizations in developing peace (UNO Charter Art 52 to 54)

Difference between International Organizations and Regional Organizations

Recommended Readings:

Recommended Articles:
Recommended Journals:
1) Journal of International Relations & Foreign Policy (JIRFP). (www.jirfp.com/).
4) BJIPR | The Political Studies Association (PSA). (https://www.psa.ac.uk/members/).
BA 0403 Law and Economics

Objectives of the Course: The Objectives of the Course are: (1) To study the relationship between Law and Economics; (2) To know the significance of Economics in Law; (3) To understand the impact of Economics on Law.

Module 01 Introduction:
- Interrelationship between Law and Economics
- Origin and Development of Law and Economics
- Economic Analysis of Law
- Why lawyers should study Economics

Module 02 Fundamentals of Economic Analysis of Law:
- Positive and Welfare Economics and Its Impact on Law
- Economic Factors of Pricing – Theories of Wages – Exploitation of Labour
- Economic Implications on Agrarian Reforms
- Significance of Economics in Land Regulation
- Significance of Economic Legislation - An overview of FEMA, Banking Regulation Act

Module 03 Impact of Economic Theories on Law and Development:
- Pareto and Hicks Theory of Economic Efficiency on Law and Development
- The Coase Theorem on Property and Liability
- Welfare Economics - Impact on Law and Development

Module 04 Interrelationship between Economics and Property:
- Economic Perspective of Property
- Types of Property - Public and Private Property - Intellectual Property
- Bargaining Theory
- Economic Theory of Property with reference to Marx and Locke
- Economic Theories of Distribution of Property

Module 05 Impact of Economic Policies on Law:
- Significance of Planning – Role of Niti Aayog
- Impact of Globalisation on Law – An Overview
- Impact of Liberalisation and Privatisation on Law and Legislation
- Impact of Market Economy on Law
- International relations between Economics and Law

Recommended Readings:
(Note - Students are advised to refer latest editions of the books)
BA 0404 Social Research Methods

Objectives of the Course: This course aims to introduce basic Sociological approaches to research. It is an attempt to provide an understanding of the research process and techniques of data collection in social research. There are different perspectives and methods of understanding social phenomena. It aims to acquaint the students with the quantitative and qualitative strategies of research. Overall this course aims to introduce scientific method to understand social reality and social phenomena.

Module 01 Introduction to Social Research - Philosophy of Social Research:
- Social research - meaning and significance
- Types of social research - pure and applied research
- Values and ethics in social research

Module 02 Research Process:
- Steps in social research
- Selection and formulation of research problem
- Hypothesis - meaning, characteristics and types
- Data collection - primary and secondary sources
- Sampling - meaning and techniques

Module 03 Techniques of Data Collections:
- Observation - nature, types, advantages and limitations
- Interview - nature, advantages and limitations
- Questionnaire - nature, types, advantages and limitations

Module 04 Quantitative and Qualitative Research:
- Difference between Quantitative and Qualitative research
- Quantitative research methods
- Survey - Meaning, nature, advantages and disadvantages
- Qualitative research methods
- Case study - meaning, nature, advantages and disadvantage
- Recent strategies - combining the quantitative and qualitative methods in research

Module 05 Computer in Social Research:
- E-research: using the internet as object and method of data collection
- Use of compute in data analysis

Module 06 Report Writing:
- Importance of report writing
- Writing qualitative and quantitative research - presentation and interpretation
- Qualities of good research report

Recommended Readings:
7) Garrett Henry 1981 *Statistics in Psychology and Education* David Mckay Indian Publication.
8) Mrs. A.F. Sheikh for Vakils, Bombay, Tenth Reprint.
Part IX

Syllabus of Second Year of B.B.A. LL.B.

Second Year B.B.A. LL.B. - Semester III

CE 0301 Legal Language and Legal Reasoning

Objectives of the Course: This paper is designed to give the students more exposure to the nature of legal language and the issues related to it in drafting legislations and legal documents. It intends to acquaint the students with advocacy skills so much so to bridge the gap between theoretical and practical knowledge and to strengthen and enhance their critical thinking. It also introduces the students to logical reasoning and its use in law to set up good arguments.

Module 01 Legal Language and its Nature:
- Law and Language
- Meaning of Legal Language
- Scope and Domain of Legal Language

Module 02 Problems of Legal Language and Remedies:
- Problems of Legal Language
- Problems of Legal Language in Drafting Statutes and Writing Judgments
- Principles of Legal Writing
- Simplicity, Clarity and Precision
- Plain English and Plain Language Vocabulary
- Eliminating the Jargon “Legalese”
- Avoid Repetitions
- Slash Unnecessary Words
- Breaking up Long and Complex Sentences
- Connecting Sentences
- Linking Paragraphs
- Use of Passive Voice
- Use of Symbols and Abbreviations

Module 03 Use of Language in Drafting:
- Use of Legal Language and its Significance in Drafts (Sale Deed, Gift Deed, Release Deed, General Power of Attorney and Will)
- Use of Legal Language in Drafting in Legal Notices (Notice to Tenant on behalf of Landlord and vice versa and Notice to Husband on behalf of Wife and vice versa)

Module 04 Advocacy Skills:
- Meaning of Advocacy
- Advocacy as an Art
- Qualities of Lawyers (Good voice, command of words, confidence, practical wisdom, etc.)
- Use of Rhetoric- Figures of Speech (Euphemism, Hyperbole, Irony, Metaphor, Paradox, Simile, Synecdoche and Understatement)
Etiquettes and Manners for Law Professionals
Client Counseling and Interviewing

Module 05  Legal Reasoning and Skills of Arguments:
Logic and its Scope:
  Meaning of Logic and its Nature
  Some Major Sources of Knowledge- a priori, evidence, memory, observation, perception, reasoning and testimony
  Structure of Argument-Statements/Premises and Conclusion
Methods of Reasoning- Deductive, Inductive and Reasoning by analogy
Fact and Opinion
Truth and Validity

Syllogism:
  Meaning of Syllogism
  Rules of Syllogism
  Types of Syllogism- Categorical, Conditional and Disjunctive

Fallacy:
  Meaning and Reasons of Fallacy
  Types of Fallacies- Faulty Cause, Sweeping Generalization, Faulty Analogy, Anecdotal Fallacy, Bifurcation (False Dilemma), Equivocation, Tautology, Appeal to Popular Opinion and Association Fallacy
Application of Reasoning to Law - Facts of a Case and provisions /Case Laws (Refer to Dahyabhai Chhaganbhai Thakker v. State of Gujarat, AIR 1964 SC 1563 for legal reasoning)

Recommended Readings:
BB 0302 Basics of Finance

**Objectives of the Course:** The objectives of the course are: (1) To learn and apply concepts and techniques of Basics of Finance. (2) To apply Finance concepts and techniques in day to day decision making process and capital expenditure decisions by a manager. (3) To get familiar with legal aspects of Finance. (4) Apply financial concepts and tools to the financing decisions and dividend decisions faced by the firm. (5) Appraise the risk profile of firms; specifically, estimate the costs of capital, including debt and equity capital, using financial data.

**Module 01  Introduction:**
- Finance function, Broad areas under finance - Scope and Significance
- Role of a finance executive
- Financial and legal implications of various forms of business organizations.
- Sources of Finance
- Financial system – Meaning and significance, Players in the financial system and their role
- Financial Institutions and their role
- Types of securities, Legal aspects of Issue and redemption of securities

**Module 02  Important Concepts:**
- Time Value of Money, Discounting and Compounding
- Cost of Capital, meaning cost of capital, cost of Equity, Cost of Debt WACC

**Module 03  Capital Budgeting:**
- Nature and Significance
- Basic Methods for evaluating capital expenditure proposals (Traditional And Modern methods)

**Module 04  Preparation of Financial Statements of Companies:**

**Module 05  Analysis and Interpretation of Financial Statements using the Techniques like:**
- Ratio Analysis
- Fund flow Analysis (Basic Problems)

**Module 06  Management of Profits:**
- Introduction to procedural and legal formalities involved in the payment of dividend, Bonus Shares

**Module 07  Capital Structure:**
- Optimum capital structure
- Factors influencing capital structure

**Module 08  Capitalisation:**
- Over capitalisation - meaning, causes, consequences, remedies
- Under Capitalisation - meaning, causes - consequences, remedies

**Note:** Problems should be covered at least on the following topics:
- Simple problems on Ratio Analysis.
- Simple problems on Cash Flow Analysis.
Time value of money, Calculation of cost of capital and problems on capital structure.
Methods for evaluation of Capital Expenditure.

**Recommended Readings :**

4) *Principles of Managerial Finance* - Lawrence J. Gitman, published by Pearson Education
5) *Financial Management* - Prasanna Chandra published by Tata McGraw Hill
6) *Financial Management* – Rustagi published by Taxmann
7) *Financial Management* - Dr. Mahesh Abale and Dr. Shri Prakash Soni, published by Himalaya Publication House.

**Recommended Journals :**

1) Journal of Business Finance & Accounting (Wiley-Blackwell)
3) Accounting, Auditing & Accountability Journal (Emerald Group Publishing).
BB 0303 Managerial Economics

Objectives of the Course: The objectives of the course are: (1) To expose students to basic micro economic concepts; (2) To apply economic analysis in the formulation of business policies; (3) To use economic reasoning to problems of business.

Module 01 Introduction:
- Meaning, Nature and Scope of Business Economics, Micro and Macro
- Basic Economic Problems
- Market forces in solving economic problems
- Circular Flow of Income and Expenditure

Module 02 Demand Analysis:
- Concept of Demand, Elasticity of Demand and their types
- Revenue Concepts - Total Revenue, Marginal Revenue, Average Revenue and their relationship

Module 03 Supply Analysis:
- Concept and Law of Supply
- Factors Affecting Supply

Module 04 Cost Analysis:
- Accounting Costs and Economic Costs
- Short Run Cost Analysis: Fixed, Variable and Total Cost Curves, Average and Marginal Costs
- Long Run Cost Analysis: Economies and Diseconomies of Scale and Long Run Average and Marginal Cost Curves

Module 05 Pricing under Various Market Conditions:
- Perfect Competition - Equilibrium of Firm and Industry under Perfect Competition
- Monopoly - Price Determination under Monopoly
- Monopolistic Competition - Price and Output Determination under Monopolistic Competition

Module 06 Distribution:
- Marginal Productivity Theory of Distribution
- Rent: Modern Theory of Rent
- Wages: Wage Determination under Imperfect Competition - Role of Trade Union and Collective Bargaining in Wage Determination Interest
- Liquidity, Preference Theory of Interest Profits: Dynamic, Innovation, Risk - Bearing and Uncertainty Bearing Theories of Profits

Recommended Readings:
2) Introduction to Positive Economics - Richard G. Lipsey.
3) Business Economics (Micro) - Dr. Girijashankar; Atharva Prakashan, Pune.
4) Micro Economics - M. L. Seth.
6) Managerial Economics - Theory and Application - D. M. Mithani.

Recommended Journals:
2) Computational Economics published by Springer.
3) Managerial and Decision Economics published by Wiley.
BB 0304 Business Ethics and Corporate Governance

Objectives of the Course: The objective of this paper is to equip the students with the concept and relevance of Business Ethics in the modern era. The students will be able to apply general ethical principles to particular cases or practices in business.

Module 01 Introduction to Business Ethics:
- Concept, Characteristics, Importance and Need for business ethics
- Indian Ethos, Ethics and Values, Work Ethos

Module 02 Importance of Ethics in Business:
- Ethical Theories: Met ethics, Normative Theory-Market system-Impact of unethical behavior in the market system: Bribery, Coercion, Deception, Theft, Discrimination
- Trust and Ethics: Supplier Relations, Customers, Employees- Integrative social contract theory: Hyper norms, Macro Social Contract, Micro Social Contract

Module 03 Ethical Principles in Business:
- 1.Role of Board of Directors, Organization Climate and Structure and Ethics
- Addressing Ethical Dilemmas, Code of Ethics; Ethics Committee; Ethics Training; Integrity Pact

Module 04 Corporate Governance:
- Corporate Governance: Concept, Importance, Evolution of Corporate Governance, Principles of Corporate Governance
- Regulatory Framework of Corporate Governance in India, SEBI Guidelines and clause 49
- Elements of Good Corporate Governance, Failure of Corporate Governance and its consequences

Module 05 Legislative Framework of Corporate Governance in India:
- Under Listing Agreement, SEBI Guidelines, Companies Act, Corporate Governance in PSUs, Banks, Insurance Companies

Module 06 Business Ethics and Corporate Governance:
- Introduction, Importance and Need for Business Ethics in Indian Context, Roots of Unethical Behavior and Issues
- Corporate Governance Ethics; How Ethics can Make Corporate Governance more meaningful

Module 07 Corporate Governance and Other Stakeholders:
- Employees, Customers, Lenders, Vendors, Government, Society

Module 08 Application of Ethics in Functional Areas of Business:
- Ethics in the Areas of Production, Marketing, Finance and Human

Module 09 Corporate Social Responsibility:
- Meaning and Definition; Objectives; Drivers and Catalysts of CSR; Importance and Benefits of CSR; Attributes of an effective CSR; CSR under Companies Act, 2013, Arguments for and against CSR, Future Changes of CSR

Module 10 Ethical Issues in Global Business:
- Multinational organization - An Overview, Why companies go global, Ethical issues in MNC's, Political activities, Sales Marketing and Advertising, Technology, Economic activities
Regulatory actions in acquisitions of global business, Social obligations in global business

**Recommended Readings:**
2) A.C. Fernando: *Business Ethics and Corporate Governance* - Pearson.
4) S.K. Chakraborty: *Management by Values* - OUP India.

**Recommended Journals:**
1) International Journal of Business Governance and Ethics.
2) Business & Professional Ethics Journal.
3) Journal of Business Ethics.
6) Indian Journal of Corporate Governance.
Second Year B.B.A. LL.B. - Semester IV
CE 0401 Law and Literature

Objectives of the Course: The knowledge of English literature is important for everyone to develop new ideas and ethical standpoints. Therefore, the main object of this paper is to instill human values and concern among students of law through exposure to literary texts. This paper also intends to strengthen the students’ listening, speaking, reading and writing skills by using literature and to enable the students to analyze the case laws from the perspective of language.

Module 01 Drama with Legal Themes:
The Significance of Literature in Understanding the Law
The Merchant of Venice (focus on Act IV) - William Shakespeare
Justice (focus on Act II) - John Galsworthy

Module 02 Short Stories with Legal Themes:
Before the Law - Franz Kafka
Justice Is Blind - Thomas Wolfe
The Benefit of Doubt - Jack London
The Web of Circumstance - Charles W Chesnutt
The Case for Defense - Graham Greene

Module 03 Prose Works:
Of Judicature-Francis Bacon
Some Reminiscences of the Bar - M. K. Gandhi
Why the Indian Labor is Determined to Win the War - B.R. Ambedkar
Joy of Reading - APJ Abdul Kalam
M.C. Chagla - The Centenary of a Judicial Statesman - V. R. Krishna Iyer

Module 04 Poetry:
Ode: Intimations of Immortality - William Wordsworth
Stopping by Woods on a Snowy Evening - Robert Frost
Where the Mind is without Fear - Rabindranath Tagore
Law like Love - W. H. Auden
Freedom, Justice and Equality - Lonnie Hicks

Module 05 Legal Text as Literature for Analytical Study:
Balaji Raghvan v. Union of India (AIR 1996 SC 770)
(Case laws are to be analyzed with focus on narrative and argumentative skills)

Recommended Readings:
   Frost, Robert. Stopping by Woods on a Snowy Evening


BB 0402 Human Resource Management

Objectives of the Course: Business environment today is highly competitive. Organisations can create unique competitive advantage if quality of their employees, their engagement and productivity helps them deliver superior business value. This paper on Human Resource Management will help the students understand the functioning of Human Resource Management in an organizational setting. The paper also equips the students with the knowledge of the legal framework of Human Resource. The failure to appreciate the legal implications can be disastrous for organization.

Module 01 Introduction to Human Resource Management:
  - Concept, Nature, Scope, Objectives and Importance and Evolution of HRM
  - Difference between Personnel Management and HRM, Role, Duties and responsibilities of HR Manager, Structure of HR Department, Challenges of HRM
  - Strategic HRM: Meaning objectives and challenges, HR in International Context: Global competency and Global Dimensions, Developing Cross Cultural Sensitivity

Module 02 Human Resource Planning and Related Laws:
  - HR Planning - Meaning and Definition, Strategic Planning and Human Resource Planning
  - Job Analysis - Job Description and Job Specification Estimating Human Resource requirement
  - Exit Policy - Meaning and Procedure, Challenges in implementing Exit Policy
  - Voluntary Retirement Schemes - Meaning, Merits and Demerits
  - Labor Turnover - Meaning, Measurement of Labor Turnover, Causes and Control measures
  - Role and Significance of Industrial Employment (Standing Orders) Act, 1946

Module 03 Training and Development:
  - Concept and Importance of Training, Types and methods of Training, Design and Evaluation of Training Programme

Module 04 Performance Management and Appraisal:
  - Performance Appraisal - Concept and Objectives, Job Description and Analysis and Performance Appraisal

Module 05 Compensation and Maintenance:
  - Job Evaluation: Concept, Process and Significance
  - Components of Employee Remuneration: Base and Supplementary, Maintenance

Module 06 Personnel Records Reports and Audit:
- Meaning and Significance of Records and Reports, Essentials of a good Record and good Report
- Personnel Audit - Objective, Scope and Importance, Methods of Analysis, Audit Report - Meaning and Importance

Module 07 Fundamentals of Industrial Relations:
- Introduction to IR, Various participants in IR - Trade Unions, the State, Employers / Management
- Collective Bargaining, Collective Bargaining and the Indian Industrial Relations System. Role of HRM in Industrial Relations
- An Overview of Management Perspective towards Regulatory Compliances under Labour welfare Legislations

Recommended Readings:

Recommended Journals:
1) *Journal of Human Resources.*
2) *Journal of Human Values.*
3) *Indian Journal of Industrial relations.*
4) *Indian Journal of Management Science.*
BB 0403 Case Studies in Business Environment

Objectives of the Course: The objective of this paper is to familiarize the students with the business environment conditions prevailing in India and international and understand its implications to business. Case method is instruction that utilizes descriptions of actual situations to develop a discussion among students and teacher. These case descriptions are usually written. The case method is an effective tool of teaching learning process, where students develop their ability to take decisions in actual professional situations. The intent of the case method is to narrow the gap between theories and practice by giving certain situations. Situations given in case are expected to be analyzed by students through their creative thinking so as to get the conclusion. Conclusion is about findings and suggestions for the improvement and providing alternative solutions to the existing problems in given situation.

Through case studies, students can develop their own problem-solving and decision-making skills. In this exercise students develop new ways of thinking. Comprehensive, multi-departmental, and multi-industrial cases that present real life situations place the student in the role of an analyst.

In case studies, students read a written case in advance. The case may or may not be accompanied by theoretical or an analytical framework. Sometimes the theory is given in lectures before, during, or after the case discussion. Students are expected to read the case in advance, analyze it, reach a conclusion, and then come to class prepared to join with their classmates.

Guidelines for Case Study Analysis and Discussion:

Step 1: Identify Problems (in a given case/situation).

Step 2: Analyse the problem (with the help of different functional areas of business environment such as Marketing, finance/accounting, organizational/people, productions/operations, Policies, economical, legal technological environment, human resources, etc on the basis of SWOT-if necessary).

Step 3: Developing alternative solutions (Students can think critically and provide the best possible creative or original solutions to the existing problems).

Step 4: Selecting the best alternative solution (while selecting best alternative student can think of risk involved, legal/economical/financial/social aspect, resources and feasibility).

Step 5: Justify the solution: Students will have to justify their choice of rejecting or accepting particular alternative solution.

Steps 6: Probable outcome of your solution: (Students can explore the probable consequences of their choice of ‘solution’. They can consider possible contingency plans, in the event that their ‘solutions’ do not work out satisfactorily, if implemented in practice.)
The above systematic format ensures that all possible problem areas are taken into account in your final recommended solutions, or future courses of action.

**Topics for Case Studies**

**Module 01** Cases Studies:
- Meaning, Objectives, Contents, Structure, Importance and Characteristics of Case Studies, analysis techniques like SWOT, PESTEL, etc.

**Module 02** Introduction to Business Environment:
- Concept, Significance, Components of Business environment (national and global)
- Factors affecting Business Environment, Types of Environment (Internal and External)
- Emerging Trends in Indian Business Environment, Sustainable Business Development

**Module 03** Business Functions:
- Strategic: Planning, Budgetary Control, Location of Business, Decision Making, and Government Policies
- Finance: Nature and Significance of Financial Management, Financial Planning- Sources of Funds, Investment of Funds, Distribution of Profit
- Marketing: Concept of Marketing and Selling, Marketing Mix, Functions of Marketing

**Module 04** Government and Business environment:
- Role of Government in Regulating, Promoting, Planning and Development of Business
- Monetary and Fiscal Policy; Role EXIM Policy, FEMA

**Module 05** Socio-Cultural Environment in India:
- Nature and impact of culture on business, Culture and Globalization
- Social Responsibilities of business, Business and Society, Social Environment
- Poverty and Poverty Alleviation Programs, Labor and Employment, Women in the Workforce, Child Labour, Education, Health, Population and Family Welfare

**Module 06** Economic Environment:

**Module 07** Legal Environment:
- Introduction, Legal Environment, Laws Impacting Industry in India, Intellectual Property Rights, Major Regulations Pertaining to Business and various forms of business organizations

**Module 08** Technological Environment:
- Role of Technology in Business, Innovations, Research and Technological Development, Transfer of Technology, Management of technology
Technology and infrastructural development including roads, ports, airports, hospitals, education, healthcare, communication, etc. Automation in Business

**Module 09**  
**Political Environment :**  
Political System, Functions of States, Political stability and its impact on business environment

**Module 10**  
**International Business Environment :**  
Globalization: Reasons for Globalization; Features and Stages of Globalization; Drawbacks of Globalization; Impact of Globalization on Indian Economy, International Economic Integration, WTO and India  
Privatization: Objects and Benefits, Conditions for Success, Privatization Policy, Privatization in India, Advantages and Drawbacks of Privatization

**Recommended Readings :**

**Recommended Journals:**
1) Asian Journal of Management cases.
2) International Journal of Case studies.
3) Journal of Case Studies.
4) Indian Journal of International Business and Finances.
5) Asian Journal of Management Cases.
6) Global Journal of International Business Research.
7) Harvard Business Review.
8) Journal of International Business.
BB 0404 Business Research Methods

**Objectives of the Course:** The objective of this paper is to equip the students with the process of Business Research, its importance and relevance to organizations and introduce the latest developments and progress in the field. The students will be able to plan, design and carry out business research using scientific methods and prepare research report(s)/paper(s).

**Module 01 Introduction to Business Research:**
- Meaning, Objectives and Motivation in research - Types of research
- Legal Research - Research Approaches - Research Process - Validity and Reliability in research. Applications of Research

**Module 02 Research Design:**
- Features of a good design - Types of Research Design, Basic principles of Experimental Design

**Module 03 Literature Review:**
- Role and importance sources, methods, etc., Referencing styles - APA, MLA, Cambridge, Harvard, etc., Software Tools for Literature Review

**Module 04 Sampling:**
- Meaning, Advantages, and disadvantages, Sampling Design, Different types of sampling designs used for social research

**Module 05 Measurement in Research:**
- Identifying variables, Levels of variable measurement, types of variables, Possible sources of error in measurement, Issues in measurement - reliability and validity of measures, Scaling – Techniques used in social research

**Module 06 Sources of Data:**
- Primary data - advantages and disadvantages-sources of primary data
- Secondary data – advantages and disadvantages- sources of secondary data
- Schedule and questionnaire Meaning, Types of schedule, Evaluation of schedule, questionnaire – advantages and limitations, construction of questionnaire, layout of questionnaire, essentials of a good questionnaire
- Observation – meaning and characteristics, types, advantages and disadvantages, 5.Interview - Meaning and role, Objectives, Types, The process, Advantages and Disadvantages

**Module 07 Processing and Analysis of Data:**
- Editing, coding, classification, tabulation, parts and types of the table, graphics and diagrammatic presentation of data types of diagrams – Histogram, Polygon, Bar and pie charts, Pictographs
- Uni-variate analysis – Use of appropriate statistical measures, Bi-variate analysis – Use of appropriate statistical measures Multi-variate analysis – Use of appropriate statistical measures, Non-parametric tests – Use of appropriate statistical measures
- Hypothesis testing – Use of appropriate statistical measures

**Module 08 Report Writing:**
- Layout of report, Steps, Use of computers in research, Essential qualities of research report, Data protection and research ethics

**Recommended Readings:**

**Recommended Journals:**
1) Journal of Service Research.
3) Harvard Business Review.
4) Management Science.
Part X
Syllabus of Third Year B.A. LL.B., Third Year B.B.A. LL.B. and First Year LL.B.

Third Year B.A. LL.B. - Semester V
Third Year B.B.A. LL.B. - Semester V
First Year LL.B. - Semester I

LC 0501 Legal and Constitutional History

Objectives of the Course: The advent of British rule in India has introduced a completely new form of law, legal institutions and administration system in India. The traces of colonial rules are still present in Independent India. To understand the present legal system it is pertinent to study the Legal and Constitutional History of the colonial period. This course is designed with an objective to introduce students with the growth of Administrative, Judicial and Legislative institutions in Colonial India. This will help students to get an appropriate insight of the present institutions.

Module 01  Historiography:
The meaning of Historiography
Ancient Indian Historiography
Historiography in the courts of Muslim and Hindu Rulers in Medieval India
Modern Indian Historiography
The development of the Modern European idea of History
Humanism and Substantialism
The Christian idea of History
The Renaissance and Reformation
Historical method and the lawyer

Module 02  Early Administration of Justice in Bombay, Madras and Calcutta:
European Settlement in India
The East India Company: Development of authority
Organisational setup of the English Company’s Factories or settlements in India
Madras Settlement and Administration of Justice
Administration of Justice in Bombay
Administration of Justice in Calcutta

Module 03  The Mayor’s Courts and the Courts of Requests:
Early Mayor’s Court in Madras
Provisions of the Charter of 1726
Consequences of the Charter of 1726
Critical estimate of the working of the Mayor’s Court from 1726 to 1753
Charter of 1753: Reforms introduced
Criticism of the Charter
Abolition of the Mayor’s Court
Appraisal of the Mayor’s Court under the Charter of 1726 and 1753
The Courts of Request (Small Cause Courts)

Module 04  Adalat System in Bengal:
Courts in Bengal under the Mughals
Dual Government in Bengal and its consequences
The Company as Diwan
Warren Hasting’s plan of 1772
Defect of the Plan
New Plan of 1774
Reorganisation of Adalats in 1780
Defects of the reorganization Plan
Reforms of 1781: Initiative of Impey and Warren Hastings
Reforms in the Administration of Criminal Justice

Module 05  The Regulating Act of 1773:
Circumstances prior to Act of 1773
Salient features of the Regulating, 1773
Legislative power under the Act of 1773
Charter of 1774 and the Supreme Court of Calcutta
Critical estimate of the Provisions of the Regulating Act, 1773 and the Charter of 1774
Trial of Raja Nand Kumar (1775)
“Kamaluddin” Case (1775)
“Patna” Case (1777-1779)
“Cossijurah” Case (1779-1780)
Salient features of Act of Settlement 1781
Major defects of the Act of Settlement, 1781
Supreme Court at Calcutta
Supreme Court at Madras and Bombay
Laws administered in the Supreme Court

Module 06  Judicial Measures of Cornwallis:
Company’s Government before Cornwallis
Important provisions of the Pitt’s Act 1784
Judicial reform of Cornwallis
  Judicial Plan of 1787
  Re-organisation of the Criminal Judicature
    Scheme of Criminal Judicature, 1790
Judicial Plan of 1793
Cornwallis v. Hastings
Appraisal of the System of 1793

Module 07  Judicial Reforms from 1793-1833
Reforms of Sir John Shore
Reforms of Lord Wellesley
Reforms of Lord Cornwallis (1805)
Reforms of Lord Minto (1807)
Lord Hastings and the administration of Justice (1813)
Reforms of Lord Amherst (1823)
Judicial Reforms of Lord Bentinck (1828)
Charter Act, 1833
Dual system of courts (1834-1861)

Module 08 Establishment of High Courts:
The Indian High Courts Act, 1861
Letters patent establishing High Courts
Indian High Courts Act of 1865 and 1911
The Government of India Act, 1915
The Government of India Act, 1935
High Courts established during 1947 to 1950

Module 09 The Privy Council: Highest Court of Appeal:
The Origin of Privy Council
Appeal to the Privy Council (1726-1860)
Appeal to the Privy Council (1861-1949)
Precedential value of the Privy Council decisions

Module 10 The Federal Court of India:
Foundation of the Federal Court
Jurisdiction of the Federal Court:
  Original Jurisdiction
  Appellate Jurisdiction
  Advisory Jurisdiction
Authority of law laid down by Federal Court
Abolition of Federal Court

Module 11 Evolution of Law in Colonial Period:
Codification in England
Development of Muslim criminal Law in India
Salient features of Muslim criminal law
Evolution of Law through legislation and Judicial Decisions in colonial period
Land Laws:
The Land revenue Settlement, 1793
The Bengal Rent Act (Act X of 1859)
Legislation and Hindu Society:
The Sati Regulation Act of 1829
The Caste Disabilities Removal Act, 1850
Case 1. Charlotte Abraham v. Francis Abraham, (1861-1864) 9 MIA 199 (PC)
Case 2. Miter Sen Singh v. Maqbul Hasan Khan, (1929-1930) 57 IA 313
The Hindu Widows Remarriage Act, 1856
  Case 2. Debi Mangal Prasad Singh v. Mahadeo Prasad Singh, (1911-1912) 39 IA 121
Case 3. Venayeck Arundrow v. Luxumeebae, (1861-1864) 9 MIA 520
Restitution of conjugal rights -
  Muslim Law and restitution of conjugal rights
Parsi Law and restitution of conjugal rights
  Case 1. Ardaseer Cursetjee v. Perozeboy, (1854-1857) 6 MIA 348
Hindu Law and restitution of conjugal rights
  Case1. Dadaji Bhikaji v. Rukmabai, ILA (1885-1886) 10 Bom 301
Justice equity and good conscience -
  Case 1. Manzur Hasan v. Muhammad Zaman, (1924-1925) 52 IA 61

Module 12  Constitutional History :
  Government of India Act 1858
  Indian Council Act, 1861
  Indian Council Act 1892
  Morley-Minto reforms and the Indian Council Act, 1909
  Montagu-Chelmsford Report and the Government of India Act 1919:-
    Main features of the system introduced by the Act of 1919
    Shortcomings of the Act of 1919
  The Simon Commission Report
  The Nehru Report, 1928
  Rejection of Nehru Report and Fourteen Points Report by the Muslim League
  Communal Award and Poona Pact
  The Civil Disobedience Movement
  The Government of India Act 1935:-
    Main features of the Government of India Act 1935
    Opposition to the Government of India Act 1935
    Defects of Government of India Act 1935

Module 13  Making of the Constitution :
  Demand for a Constitution framed by a Constituent Assembly
  Cripps’ offer of 1942
  Quit India Movement
  The Wavell Plan of 1945
  The Proposals of TejBahadur Committee
  B.N. Rau scheme of January 1946
  The Cabinet Mission Plan, 1946
  Mountbatten Plan, 1947
  Indian Independence Act, 1947
  Constituent Assembly in India and framing of the Constitution: -
    Formation of the Constituent Assembly of India
    The issues before the Constituent Assembly
    Passing of the Constitution
    Dr. Ambedkar’s warning and anxiety about the working of the Constitution
Date of Commencement of the Constitution

Recommended Readings:

E.J. Rapson, Cambridge History of India, 1992, (Vol I – VI)
Arvind S. Avhad, The Indian Legal History (Hind Law House, Pune)
LC 0502 Family Law I

Objectives of the Course: The personal law applicable to Hindus, Muslims, Christians, Parsis and other denominations is not fully codified. While these personal laws are similar in their essential broad underlying principles, they are much different in their details. Personal law is applicable not only to aspects of family relations, viz. marriage and divorce, support and maintenance, children and their custody and guardianship, adoption and the like, but also to law relating to property, viz. joint family systems, devolution to property upon death of a person. The differences in the provisions applicable to different denominations arise from the history and growth of these laws over centuries. All these are covered in the two courses of Family Law I and Family Law II.

This course (Family Law I) covers the history and development of the principles and provisions of different personal laws, and the sources from which these laws are derived. It primarily comprises the laws applicable to family relations: marriage and divorce, maintenance, alimony, adoption and guardianship. It also lays emphasis on the general law applicable to all persons: the Special Marriage Act 1963 and the Foreign Marriages Act 1969. The course familiarises the students to the differences in the various systems, and to understand the reasons, merits and demerits of the various provisions. Study of this subject should enable him to view family law not merely as a separate system of personal laws based upon religious beliefs, but as one cutting across religious lines, eventually enabling fulfillment of the Constitutional directive of Uniform Civil Code.

Module 01 Introduction to Hindu and Muslim Law:
   - Nature of Hindu law, Application of Hindu law
   - Sources of Hindu law - Ancient to Modern
   - Schools of Hindu law
   - Development and nature of Muslim law, Application of Muslim law
   - Sources of Muslim law
   - Schools of Muslim law

Module 02 Marriage and Matrimonial Reliefs under Hindu Law:
   - Evolution and concept of the institution of marriage, nature and forms of marriage under ancient Hindu law
   - Essentials of a valid marriage under the Hindu Marriage Act, 1955; ceremonies of marriage; valid, void and voidable marriages; importance of custom; marriage with a non-Hindu; registration of marriage; effect on legitimacy of children.
   - Divorce, theories of divorce, grounds of divorce, customary divorce, effect of divorce, emerging trends; Bar to remarriage after a divorce
   - Other matrimonial reliefs: Nullity of marriage; Judicial separation; Repudiation of marriage; Restitution of conjugal rights; Other reliefs granted by a court in matrimonial proceedings (other than maintenance); Bar to matrimonial reliefs
   - Jurisdiction of courts: under the Hindu Marriage Act 1955 and the Family Courts Act 1984
Module 03  Marriage and Matrimonial Reliefs under Muslim law :

Muslim marriage : pre-Qura’nic background, definition of nikah, nature and classification of marriages
Essentials and formalities of a valid marriage, legal effects of a valid marriage, mut’a marriage, stipulation in marriage contract; guardianship in marriage with reference to Shias and Sunnis
Mehr / dower, nature and kinds of dower, rights of wife in case of unpaid dower
Nullity of marriage; restitution of conjugal rights; option of puberty (khair-ul-bulugh)
Talaq, kinds of talaq, divorce under Dissolution of Muslim Marriage Act, 1939
Remarriage; iddat: its rationale, utility and periods; prohibition to marry in certain cases

Module 04  Marriage and Matrimonial Reliefs among Parsis, Christians and under the Special Marriage Act 1954

Marriage under the Parsi Marriage and Divorce Act, 1936: Essentials of a valid marriage; Solemnization of marriage and its registration; Dissolution of marriage, divorce, nullity, judicial separation, restitution of conjugal rights; Remarriage; Parsi Matrimonial Courts and procedures
Marriage under the Indian Christian Marriage Act, 1872; Essentials of a valid marriage; Solemnization of marriage and its registration; Marriage of Indian Christians; Provisions under the Indian Divorce Act, 1869: relating to dissolution of marriage, judicial separation, nullity, restitution of conjugal rights; Remarriage; Jurisdiction of courts and procedures
Marriage under the Special Marriage Act 1954: Essentials of a valid marriage, Solemnisation of marriage and procedure, its registration and certificate; Registration of existing marriages, procedure and registration; Effect and consequences of such marriages; Void and voidable marriages; Remedies of divorce, judicial separation, restitution of conjugal rights; Remarriage; Jurisdiction of courts and procedures
Marriages of citizens outside India under the Foreign Marriages Act 1969: Essentials, solemnisation of marriage, procedure and certificate; Effect of such marriage; Divorce of foreign marriages
Comparative analysis of marriage and matrimonial reliefs in different laws.
Relationship in the nature of marriage: live-in relationship, same-sex relationships

Module 05  Alimony and Maintenance :

Maintenance pendente lite and permanent maintenance; Maintenance of wives, children and parents under the Hindu law, Muslim law, Christian law and Parsi law; Maintenance in matrimonial proceedings under these laws and maintenance under the Special Marriage Act 1954, the Protection of Women Alimony from Domestic Violence Act 2005, the Code of Criminal Procedure 1973, and the Maintenance and Welfare of Parents and Senior Citizens Act, 2007
Module 06  Law on Adoption and Guardianship:

Adoption: Essentials of valid adoption with reference to the person adopted, the person adopting and other conditions; Procedure; When adoption is complete; Effect of adoption; Right of adoptive parents to dispose of their property

Inter-country adoption, CARA guidelines; Recognition of foreign adoptions; Adoption by foreign parents

Guardianship under the Hindu and Muslim law, and under the Guardian and Wards Act 1890: Kinds of Guardians; Procedure for appointment of a guardian; Guardian’s powers over the person and property of children; Rights, obligations, duties, liabilities, disqualifications and disabilities of guardians

Powers of Court

Custody of Minor and Minor’s property; Powers of courts in matrimonial proceedings to pass orders about custody and well-being of children

Recommended Readings:

1) Kusum, Family Law Lectures : Family Law I, LexisNexis, New Delhi
2) Satyajeet A Desai, Mulla’s, Hindu Law, LexisNexis, New Delhi.
3) Justice Ranganath Mishra, Mayne’s Hindu Law and Usage, Bharat Law House, New Delhi.
   Mulla, Principles of Mohammedan Law, Lexis Nexis, Nagpur.
Objectives of the Course: Individuals, organisations, institutions, governments make countless contracts for effecting their transactions. They enjoy considerable freedom in devising the terms of their transactions, which they will decide through negotiations. The general principles that affect these contracts, and that allow their enforcement in case of breach, are given in sections 1 – 75 of the Indian Contract Act, 1872 (ICA). Contract remedies are also provided in the Specific Relief Act 1963 (SRA). These two laws form the main course for this paper.

This course is designed to acquaint a student with the general conceptual and practical principles of contract, rules for formation of contract, performance, and enforcement of contract remedies.

Module 01 Introduction to Contract Law:
- The nature of contractual obligations
- Introduction to certain types of contracts and discussion about their parties, parties’ relative position, terms, remedies: for example: Bank loan, Purchase of goods, Construction or works contract, Warehousing contract, Guarantee, Sale of vehicle, Engaging cleaning or canteen services, Hiring a bank locker, Terms of use of online sale platform, Confidentiality agreement, Agreement for purchase land for a factory, etc.
- Enforcement - Primary purpose of contract law

Module 02 Formation of Contract:
- Agreement and Contract
- Proposal and Acceptance:
  - Proposal - essential elements, forms, invitations for proposals and tenders, communication of proposal, floating offers, options
  - Acceptance - essential elements, forms, the requirement of communication, silence as acceptance
  - Revocation of proposal and acceptance
  - E-contracts with reference to provisions of the Information Technology Act, 2000
- Express and implied terms, express and implied contracts
- Standard form contracts - their advantages and vices, and strategies to handle the vices
- Formalities - writing, signatures, attestation, registration, notarisation, stamp duty. Formalities of a contract with the government - Article 299 of the Constitution of India

Module 03 Competency of Parties - Sections 10 – 12 of ICA:
- Age of majority under the Indian Majority Act 1875, contracts with minors, effect of contracting with a minor, the purpose of the law, liability for supply of necessaries: section 68 of ICA
Soundness of mind for the purpose of making contracts, effect of unsoundness of mind on the contract
Legal disqualification – examples: Section 75 of the Patents Act 1970, section 75 of the Indian Forests Act 1927, section 130 of the Transfer of Property Act 1882
Competency of prisoners in jail, married women, aliens, insolvents
Competency of companies, statutory bodies, central and state governments

Module 04 Free Consent - Sections 13 to 22, 64, 65, 67 of ICA:
Consent and free consent
Coercion and its effect on the contract: sections 15 and 19 of Indian Contract Act, 1872
Undue Influence and its effect on the contract, pardanashin women unconscionable bargains: sections 16 and 19A of Indian Contract Act, 1872
Misrepresentation and its effect on the contract: sections 18 and 19 of Indian Contract Act, 1872
Fraud and its effect on the contract: sections 17 and 19 of Indian Contract Act, 1872
Mistake, mutual and common mistake, unilateral mistake, mistake of law and fact, effect on the contract: sections 20 - 22 of ICA, section 26 of SRA
Remedies available to the party whose consent is not free: rescission, restoration. Sections 19, 19A, 67, 64, 65 of ICA. Loss of right of rescission. Sections 25 and 28 of SRA
Definitions, meaning and importance, essential elements
Act, forbearance and promise
Present, past and future consideration
Adequacy of consideration and effect of inadequacy
No consideration, no contract; and exceptions to the rule

Module 06 Void Agreements - Sections 23 – 30 of ICA:
Unlawful agreements, circumstances in which agreements enforced even if unlawful: sections 23-24, 57 – 58 of ICA, section 27 of SRA
Void agreements: Restraint of marriage, trade and legal proceedings, uncertain agreements, wagers: sections 26 - 30 of ICA
Effect of void and of unlawful agreements

Module 07 Contingent Contracts and Quasi-Contracts:
Contingent contracts and their enforcement - sections 31 – 36 of ICA:
Definition of contingent contract, contingent and absolute obligations
Effect of non-happening of event
Enforcement of contingent contracts
Quasi-contracts - sections 68 – 71, 73 (para 3) of ICA:
Five kinds of quasi-contracts stated in the Act
Doctrine of restitution
Effect of breach of quasi-contractual obligation

Module 08 Performance of Contract:
Obligation to perform or offer to perform; who must perform, effect of death, personal contracts, rights and liabilities under a contract: sections 37 - 41 of ICA
Doctrine of privity, and exceptions to the doctrine
Joint rights and liabilities: sections 42-45 of ICA
Time of performance, right to terminate if time is of essence: sections 46-50, 55 of ICA
Liability to pay interest for delay: under contract terms, under the Interest Act 1978
Place of performance: sections 47-50 of ICA
Reciprocal promises, effect of non-performance of one of reciprocal promises; unilateral and bilateral promises: sections 51 - 54 of ICA
Appropriation of payments: sections 59-61 of ICA

Module 09 Discharge of a Contract:
- By performance; by offer of performance: sections 38 of the ICA
- By non-performance by one party: 54 of ICA
- By breach and rescission: sections 39, 53, 55 of ICA; anticipatory breach: section 39 of ICA
- Doctrine of impossibility and effect: section 56 of ICA
- By agreement: novation, alteration and rescission: section 62 of ICA
- By act of promisee: dispensing, remission and waiver, extension of time, accord and satisfaction: section 63 of ICA
- Termination or discharge under contract provisions

Module 10 Contract Remedies:
- Remedies under contract law through court or arbitration:
  - Compensation (damages) section 73-74 of ICA:
  - General and special, substantial and nominal, aggravated and punitive, liquidated and unliquidated
  - Causation
  - Contemplation and Remoteness
  - Duty of mitigation
  - Assessment
  - Claim for the agreed sum: viz. suit for price, return of loan amount
  - Claim in quantum meruit

- Remedies of Specific Relief through court or arbitration under SRA:
  - Specific performance:
  - Cases in which it can and cannot be granted- sections 10 and 14 of SRA
  - Personal bars to relief - section 16 of SRA
  - Discretionary relief - section 20 of SRA
  - Who can claim specific performance - section 15 of SRA
  - Against whom can specific performance be claimed - section 19 of SRA
  - Claim for compensation and other reliefs in a suit for specific performance - sections 21 – 24, 29 of SRA
  - Defences in suits of specific performance - section 9 of SRA
Rescission of a contract of which specific performance has been decreed - section 28 of SRA

Injunctions in suits relating to contract:
  Discretionary relief - section 36 of SRA
  Kinds - Temporary and perpetual, prohibitory and mandatory: section 36-37, 39 of SRA
  When can injunction be granted? - section 38 (1) and (2) of the SRA
  When will injunction not be granted? - section 41 clauses (a), (b), (e), (g), (i), (j) of SRA
  Injunction to enforce negative covenants - section 42 of SRA
  Claim for compensation in a suit for injunction. - section 40 of SRA:
    Rescission - section 27, 30 of SRA
    Rectification of instruments - section 26 of SRA
    Cancellation of instruments - section 31, 33 of SRA

Module 11  Contractual Freedom, Role of Contract Law, Interpretation of Contracts:
  Role of contract law in general, and applicability of the Indian Contract Act, 1872, Contract law as default rules
  Remedies without intervention of court or arbitration - Introduction only of self-help remedies with examples- lien and retention, set-off, invoking bank guarantees, termination under contract provisions, right of sale without intervention of court
  Laws affecting contracts- laws affecting special contracts, regulatory laws, laws for protection of disadvantaged party
  Economic aspects of contract law, role and function of contract law in the growth of an economy and in the legal system
  Introduction to the rules of interpretation of contracts

Recommended Readings:
3) Ritu Gupta, Law of Contract – includes the Specific Relief Act 1963, 2015, Lexis-Nexis
16) Sarkar on *Specific Relief*, Sudipto Sarkar and R Yasho Vardhan eds, 17\textsuperscript{th} ed, 2016, Lexis Nexis
LC 0504 Law of Crimes

Objectives of the Course: Crime and Punishment has always been the most important aspect of Rule of Law. A proper understanding of crimes, methods of controlling them and the reasons for their existence is extremely important to build a just and humane society. This course is designed with a prime object to familiarize students with the principles of criminal liability and other concepts of substantive criminal law along with relevant case laws. It is also meant to enable them to articulate informed opinion over important controversial issues in criminal law.

Module 01 Nature of Crime and Criminal Liability:
- Historical Development of Indian Penal Code, 1860
- Nature of Crime, Definition of Crime in social and legal context, Test of Criminality, Approaches to Crime, Distinction between Moral, Civil and Criminal wrongs, Criminal law and Morality, Crime and Tort, Crime and Sin, Aim and Function of the Criminal law
- Criminal Liability – Theories - Subjective and Objective theories, Principles - Actus non facit reum, nisi mens sit rea, Origin and development of mens rea, Liability without mens rea, mens rea in Indian Penal Code. Facets of mens rea - Motive, Knowledge, Intention, Recklessness and Negligence, Malice
- Elements of Crime - Human Conduct, Voluntary act, Guilty intention, Causal Connection, Prohibited Result

Module 02 General Principles of Criminal Law:
- Nulla poena sine lege, nullum crimen sine lege.
- Retroactivity of criminal law (ex post facto law), Narrow construction of criminal law, Rule against judicial creation of offences and vagueness of criminal statutes
- Principles of mala in se, mala prohibita, Joint liability, Vicarious liability, Strict liability and Absolute liability
- Stages in Commission of Crime, Intention - mere intention not punishable, Preparation, Attempt - Attempt when punishable, specific provisions of IPC, Tests for determining what constitute attempt, proximity, equivocality and social danger test, Impossible attempt, Commission of offence

Module 03 Introduction to Substantive Criminal Law:
- Jurisdiction under Indian Penal Code, 1960
- Crime and Punishment - Objectives of punishment, Kinds of Punishment
- Discretion in awarding punishment and minimum punishment in respect of certain offences
- General Explanations - Movable Property, Wrongful Loss and Wrongful gain, Dishonestly, Fraudulently, Common Intention, Common Object, Voluntarily, Good faith, Criminal Conspiracy

Module 04 General Defenses:
- Excuses (Mental Incapacity) - Minority (Infancy), Involuntary Intoxication and Insanity as a Defense
justifications – necessity, mistake of fact, acts done with consent, accident, judicial acts, triviality
right of private defense of body and property - justifications and limits

module 05  offences against state, public tranquility, administration of justice, etc.:
abettment, abetment when punishable? liability of abettor, abetment of offence punishable with death or imprisonment for life
harboring offender, harboring deserter
waging war, sedition, conspiracy to waging war
unlawful assembly, rioting, affray, promoting enmity between different groups, imputations/assertions prejudicial to national integration
Giving False Evidence, Fabricating false evidence

module 06  offences relating to public health, religion, decency and morality:
public nuisance, adulteration, obscenity, rash or negligent driving, causing danger or obstruction to any person in public way
injuring or defiling place of worship with intent to insult the religion of any class, deliberate and malicious acts intended to outrage religious feelings, disturbing religious assembly, uttering words etc. with deliberate intent to wound the religious feelings

module 07  offences against human body:
culpable homicide, murder, ingredients, exceptions and distinction between culpable homicide and murder, when culpable homicide is murder?
attempt to commit culpable homicide, attempt to murder
causing death by negligence, causing death with the consent of the deceased – euthanasia and its constitutionality
suicide – abetment and attempt, its constitutional validity
hurt, voluntarily causing hurt, etc.; grievous hurt, voluntarily causing grievous hurt, etc., wrongful restraint, wrongful confinement
criminal force, assault, kidnapping and abduction, distinction between them

module 08  offences relating to woman:
cruelty against woman, dowry death, causing miscarriage, acid attack
outraging modesty of woman, sexual harassment, voyeurism, stalking
rape – its ingredients, developments in law along with relevant judicial decisions, unnatural offences
deceitful cohabitation, bigamy, mock marriages, adultery

module 09  offences against property and person, etc.:
theft, extortion, robbery and dacoity, distinction between them, forms of robbery and dacoity
criminal misappropriation, criminal breach of trust, stolen property, cheating, mischief, criminal trespass, house trespass, lurking house trespass, house breaking, house breaking by night
defamation, criminal intimidation and insult
forgery and making of false document, falsification of accounts

recommended readings:
1) **Common Law in India** (Chapter III, Criminal Law, p. 124-176) by Setelvad.
2) **History of English Law** Vol. III (Last chapter on Indian Penal Code) by Stephen.
4) **Criminal Law** by Glanville Williams, Universal Law Publishing Co.
5) **Kenny’s Outlines of Criminal Law** by J W Cecil Turner, Universal Law Publishing Co.
6) **Criminal Law** by Smith and Hogan, Oxford University Press.
7) **Principles of Criminal Law** by Andrew Ashworth, Clarendon Law Series.
9) **Penal Law of India** (4 volumes) by Dr. Hari Singh Gaur.
10) **Indian Penal Code** (Ed. II 1901, p.242-249) by J. D. Mayne.
11) **Essay’s on Indian Penal Code** by Prof. K. N. Chndranshekhar Pillai.
13) **A Text Book on Indian Penal Code** by Prof K. D. Gaur.
14) **Criminal Law Cases and Material** by Prof K. D. Gaur.
15) **The Indian Penal Code** by Ratanlal and Dhirajlal, Wadhwa and Company Nagpur.
Optional Subject 1 (Any one from the following)
LO 0505 Health and Food Law

Objectives of the Course: The objectives of the course are: (1) To enable the students to acquire knowledge of constitutional protections with respect to health; (2) To impart knowledge to the students of basic laws relating to protection of health; (3) To impart knowledge about need and nature of right to food and nutrition in India; (4) To expose students to need and nature of programme on food safety and standards in India; (5) To expose students to need and nature of programme of national food security in India; (6) To enable the students to acquire sound knowledge of health and food regulatory mechanism in India.

Module 01 Introduction:
- Concept and Importance of Health
- Public Health in India - Ancient, medieval and modern perspectives
- Human Rights Perspectives of Health - Overview

Module 02 Health and Constitutional Protections:
- Fundamental Rights - Right to Health – Right to Decent Environment – Right to Shelter - Reproductive Rights of Women
- Directive Principles of State Policy and Health

Module 03 Health and Legal Protection - Relevant Provisions under following Laws:
- The Prenatal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
- The Factories Act, 1948
- Law on Mental Health
- The Maternity Benefit Act, 1961
- The Infant Milk Substitutes, Feeding Bottles and Infant Foods Act, 1992
- The Transplantation of Human Organs Act, 1994
- The Indian Penal Code, 1860 - Chapter XIV (Sections 269 to 278)

Module 04 Right to Food and Nutrition in India:
- Fundamental Rights - Right to Food and Nutrition
- Directive Principle of State Policy on Food and Nutrition
- Human Rights Perspectives of Food and Nutrition-Overview

Module 05 The Food Safety and Standards Act, 2006:
- Need, Objects and Basic Concepts
- Food Safety and Standards Authority of India
- General Principles of Food Safety
- General Provisions as to Articles of Food
- Provisions Relating to Import
- Enforcement of the Act
- Analysis of Food
- Offences and Penalties
- Adjudication and Food Safety Appellate Tribunal
Module 06  The National Food Security Act, 2013 :
Need, Objects and Basic Concepts
Provisions for Food Security and Food Security Allowance
Identification of Eligible Households
Reforms in Targeted Public Distribution System.
Women Empowerment
Grievance Redressal Mechanism
Obligations of Central Government for Food Security
Obligations of State Government for Food Security
Obligations of Local Authorities
Transparency and Accountability
Provisions for Advancing Food Security

Recommended Readings :
2) Pragya Kumar & Virendra Kumar, *Health as a Fundamental Human Right*, in Dilemmas in Health Policy, at C-1 C-8 (1986).
LO 0506 Equity and Trust Law

Objectives of the 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 rights 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 equitable considerations. Trusts 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. Students should also to be made aware of the emerging public trust doctrine of common property resources.

Module 01 The Indian Trusts Act, 1882:
- Objects and Basic Concepts, Kinds of Trusts
- Comparison of Trust with other relationships - Trust and Ownership, Trust and Bailment, Trust and Agency, Trust and Contract, Trust and Equitable Charge, Trust and Mortgage, Trust and Administration

Module 02 The Indian Trusts Act, 1882:
- Creation of Trusts
- Appointment of Trustees
- Vacating the Office of Trustee
- Extinction of Trusts

Module 03 The Indian Trusts Act, 1882:
- Duties and Liabilities of Trustees
- Rights and Powers of Trustees
- Disabilities of Trustees
- Rights and Liabilities of the Beneficiary
- Certain Obligations in the Nature of Trusts

Module 04 The Bombay Public Trusts Act, 1950:
- Objects and Basic Concepts
- Establishment
- Charitable Purposes and Validity of Certain Public Trusts

Module 05 The Bombay Public Trusts Act, 1950:
- Registration of Public Trust
- Budget, Accounts and Audit
- Powers and Duties and Restrictions on Trustee

Module 06 The Bombay Public Trusts Act, 1950:
- Control, Powers and Functions of Charity Commissioner
- Other Functions and Powers of Charity Commissioner, Dharamada, Cypress

Module 07 The Bombay Public Trusts Act, 1950:
- Special Provision as Respects Religious and Charitable Institutions and Endowments
- Public Trusts Administration Fund

Module 08 The Bombay Public Trusts Act, 1950:
Module 09  Equity :

Concept of Common Law and Common Law Courts
Concept and Definition of Equity
Origin and Development of Equity
Maxims of Equity -
  a) Equity will not suffer a wrong to be without a remedy
  b) Equity follows the law
  c) He who seeks equity must do equity
  d) He who comes to equity must come with clean hands
  e) Delay defects equity
  f) Equality is equity
  g) Equity looks upon that as done which ought to have been done
  h) Equity looks to the intent rather to the form
  i) Equity imputes an intention to fulfill an obligation
  j) Equity acts in personam
  k) Where the equities are equal the first in time shall prevail
  l) Where there is equal equity, the law shall prevail

Recommended Readings :
2) R.E. Megarry and P.V. Baker, Snell's principles of Equity (1964) ELBS, Sneet and Maxwell.
6) Rangacharya I V, The Indian Trusts Act.
14) Ahmad Aquil, Equity, Trusts and Specific Relief.
15) Basu Durga Das, Equity, Trusts and Specific Relief.
LO 0507 Criminal Psychology and Criminal Sociology

Objectives of the Course: The course is designed to acquaint students with advances made by sociology and psychiatry in understanding human behavior, particularly, deviant behavior. The objective of the course is to provide in-depth understanding of crime causation and its prevention. Advancement in the science of psychiatry and sociology has changed the understanding of criminology as a science. At the end of the course students would be able to understand the causation of crime in a better scientific and rational manner.

Module 01 Crime, Criminal and Criminology:
What is crime? Who is the criminal?
What is Criminology?
Schools of Criminology:
- The Pre-Classical School
- The Classical School
- Neo-Classical School
- Positivist Approach - Radical Positivism and Liberal Positivism
- Cesare Lombroso
- Enrico Ferri
- Raffaele Garofalo
- Gabriel Tarde

Module 02 Psychology and Crime:
Meaning, purpose and scope of criminal psychology
Psychological vs. Psycho-analytical approach to crime
Behaviorist approach to crime
Definition of criminal behavior - Psychodynamics of criminal behavior.
Mental illness and crime
Human aggression and violence to crime

Module 03 Psychometric Test - Its use in Criminal behavior:
Measurement of criminal behavior - Psychological test to measure criminal behavior
Criminal profiling: Definition and process of profiling criminal personality
Factors underling criminal profiling
Merit and demerit of criminal profiling

Module 04 Forensic Psychology - Concept and Importance:
Definition, meaning and scope of forensic psychology
Historical background of forensic psychology in India and abroad
Role of forensic psychology in the investigation of crime
Psychology and the police
Application of psychology in court

Application of psychology in prison

Module 05 Sociological Theories - Crime and Social Structure:
1) Social structure theory
2) Social disorganization theory
3) Merton, anomie and strain

**Module 06 Subcultural Theories:**
4) Cohen’s theory of the delinquent subculture
5) Miller’s lower class gang delinquency

**Module 07 Crime and Social Process:**
6) Socialization and Crime - Differential association theory
7) Differential reinforcement theory
8) Neutralization and rift theory
9) Hirsch’s Social Control or Social Bond Theory
10) Becker’s Labelling theory
11) Self-Control and Self Esteem as related to crime

**Recommended Readings:**
15) Prof. N.V. Paranjape, Criminology And Penology With Victiomology, Central Law Publications.
16) S.M.A. Quadri, Criminology And Penology, Eastern Book Company
17) Dr. Krishna Pal Malik, Penology , Victimology And Correctional Administration In India, Allahabad Law Agency
18) J.P. Sirohi, Criminology And Criminal Administration, Allahabad Law Agency
LO 0508 Agricultural Marketing Law

Objectives of the Course: Agriculture is the most important sector of Indian economy. About 65 percent of the population depends upon agriculture and 70 percent live in the villages. Indian agriculture contribution to the national gross domestic product (GDP) is an important factor. With food being the crowning need of mankind, much emphasis has been on commercialising agricultural production. For this reason, adequate production and even distribution of food has of late become a high priority global concern. Agricultural marketing is mainly the buying and selling of agricultural products. In earlier days when the village economy was more or less self-sufficient the marketing of agricultural products presented no difficulty as the farmer sold his produce to the consumer on a cash or barter basis. The objective of the course is to provide student with a theoretical and empirical basis for valuating agricultural marketing organization and actors for market performance and public policy decision.

Module 01 Basic Concepts of Agricultural Marketing:
- Concept of Agricultural Marketing and Meaning
- Definition of Market and Agricultural Marketing
- Classification of Markets, Types of Marketing
- Functions and Services, Future Trading, Marketing Channels
- Different systems of agricultural marketing
- Marketing Justifications and Organizations
- Defects of Agricultural Marketing in India

Module 02 Legislative Perspectives of Agricultural Marketing - Overview:
- Salient Features of the Model Act of 2016 on Agricultural Marketing
- The Maharashtra State Agricultural Produce Marketing (Development and Regulation) Act, 2003
- Historical Background:
  - The Agricultural Produce (Grading and Marketing) Act, 1937
  - The Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963
- Improvements made by new Legislation over old Legislation

Module 03 Integrated Legal Developments for Agricultural Insurance by or on the basis of International Organizations/Covenants:
- Trade related aspects of Intellectual Property Rights (TRIPS) through World Health Organization, World Trade Organization and Government of India introduced various schemes as follows
  - Pradhan Mantri Fasal Bima Yojna (PMFBY)
  - Comprehensive Crop Insurance Scheme (CCIS), Experimental Crop Insurance (ECI)
  - Farm Income Insurance Scheme (FIIS)
  - National Agriculture Insurance Scheme (NAIS)

Module 04 Procedure for getting Benefits of Agricultural Insurance, Food and Nutritional Security by or on the Basis of International Organizations/
Covenants:

Information about availability of application forms of schemes for getting Agricultural Insurance offline or online at State government and Central Government web sites

Information about availability of application forms of schemes for getting benefits of National Food Securities Act, 2013 at State government and Central Government web sites

Module 05 Protection of Plant Varieties and Farmers Rights Act, 2001:

Objects of the Act
Definitions and Meaning
Protection of Plant Varieties and Farmers Rights
Authority and Registry
Compulsory License
Role of Plant Varieties Protection and Appellate Tribunal
Judicial Pronouncements on Farmers Rights, Varieties of Plants, etc.

Module 06 Provisions under the National Food Securities Act, 2013:

Midday Meal Scheme (MMS)
Integrated Child Development Services (ICDS)
Public Distribution Systems (PDS), etc.

Recommended Readings:

1) Dr. C.S. Prasad: *Agriculture and Sustainable Development in India*, New Century Publications, New Delhi, India 2012
3) Rais Ahamd: *Co-operative and Rural Development in India*, New Century Publications, New Delhi, India 2013
5) S.S China: *Agricultural Labour-Problems and Policy Implications*, Regal Publications, New Delhi
9) Dr. B.K Mohanty: *Agricultural Finance and Rural Development*, Regal Publications, New Delhi, 2010
12) Mukharji: Agricultural Marketing in India, Thacker, Spink 1930
LO 0509 Intellectual Property Rights I

Objectives of the Course: The significant factors that contribute for the development of International Law of Intellectual Property Rights are expansion of voluminous trade; increasing interdependence of international commerce; the development of science and technology (otherwise known as cultural property) and the flow of communication. Further the development of human rights had resulted in expanding the horizons of states to expand their protection mechanism beyond their boundaries to protect the rights of nationals led the international community to develop the principles to prevent infringements to the rights of individuals. Accordingly due to the vastness of the subject it has been divided into two papers. Paper-I gives a subtle back ground to the international perspective in a nutshell to understand the practical application of it in the National Regime in paper –II in Subtle Perspective.

Module 01 Introduction to Intellectual Property Rights:
Definition, Concept and Nature of Property, Kinds of Property
Need for Protection of Intellectual Property- Policy Consideration
Origin and Development of Intellectual Property Rights
Principles of Reciprocity and Priority- Concept of Minimum Standards-Concept of National Treatment-Concept of Most Favoured Nation (MFN) with respect to Intellectual Property Rights

Module 02 Theories of Intellectual Property:
Theory of Natural Rights
Social Contract Theory
Incentive to Disclose Theory
Locke’s Theory of Property
Utilitarian Theory
Theory of Cultural Relativism

Module 03 Law of Copyright and Neighboring Rights:
Historical Origins of Law of Copyright and Neighboring Rights
Development of International Law of Copyright and Neighboring Rights
Conventions- An Overview
Meaning and definition of Copyright and Secondary Rights under International Law of IPR
Interrelationship between Copyright and Neighboring Rights
Copyright and New Technologies with reference to TRIPS- Computer Programs and Protection of software - Internet Protection of the content-database-infringement of database
Common law- Civil law Percepts of Copyright and Neighboring Rights -An Overview

Module 04 Patent Law:
Origin and Development of Patent Law with respect to Paris Convention
Patent Cooperation Treaty- WTO- TRIPS- Harmonization of CBD and TRIPs
Meaning, definition and Scope of Patent Law
Rights and Liabilities of Patent Holders under IPR
Enforceability of Patent Rights- claim interpretation- Doctrine of Equivalents-
Public dedication Rule
Misuse- Monetary Damages and Equitable relief

Module 05 Trademarks and Geographical Indications :
Origin and Development of Trademarks and Geographical Indications from
Madrid Convention to TRIPS Convention- An Overview
Meaning and definition of Trademarks and Geographical Indications
Territoriality in Trade Marks; Well - Known Marks in International Law
Geographical Indications - International Protection under TRIPS
Conflict and Convergence of Trademarks and Geographical Indications

Module 06 Industrial Designs :
Origin and Development of Industrial Designs, Layout Designs and Integrated
Circuits- An Overview
Meaning and definition of Industrial Designs, Layout Designs and Integrated
Circuits
Protection of Industrial Designs from Paris Convention to TRIPS

Module 07 Contemporary Issues of IPR :
Inter-relationship between IPR and Human Rights - An Overview (Art 17 and
27 of UDHR; Art 15 (1) of ICESCR)
IPR and Protection of the rights of Indigenous people
Impact of Economic, Social, Cultural and Ethical Dimensions on IPR
Access to Genetic Resources and Benefit Sharing
IPR and Cultural Property – Folk Flore
Remedies for Infringement of IPRs: Role of State and Private International
Law-An over view

Recommended Readings :
   2014
3)V.K. Ahuja, Law Relating to Intellectual Property Rights ( Lexis Nexis) 2015
7)Lionel Bentley and Brad Sherman, Intellectual Property Law (Oxford University Press,
   New Delhi, 2003).
8)Dr. M. K. Bhandari, Law Relating to IPR (Central Law Publications) 2012
   (Edward Elgar) 2015
10) Dr. Sreenivasasulu N.S., Intellectual Property Rights (Regal), 2011
12) Yo Takagi (Editor), Larry Allman (Editor), Mpazi A. Sinjela (Editor), Teaching of Intellectual Property: Principles and Methods, Cambridge University Press (2008).

Case Book :

Recommended Journals :

1) Journal of Intellectual Property Rights
2) Thomson Reuters’ International Journal Of Intellectual Property Rights
3) Journal of intellectual Property Law and Practice – Oxford
4) The Journal of World Intellectual Property- Wiley Online Library
5) The WIPO Journal
LC 0601 Constitutional Law I

Objectives of the Course: The Course is designed to acquaint students with the basic principles of Constitution and Constitutionalism. The reason and justification of the growth of Fundamental Rights. The operation of Fundamental Rights, Directive Principles in India and its effect is to be studies. The basic norm of the land is to be taught with the help of appropriate judicial decisions.

Module 01 Introduction:
- Concepts of Constitution, Constitutional Law and Constitutionalism
- Forms and character of various models of Constitution
- Classification of Constitutions
- Forms of Governments
- Salient features of the Indian Constitution
  - Preamble:
    - Meaning of the Preamble
    - Object, Purpose and Scope of the Preamble
    - Utility of Preamble in interpretation of the Constitution
    - Whether Preamble is part of the Constitution
    - Contents of the Preamble
- Union and its Territory

Module 02 Citizenship of India:
- Constitutional Provisions -
  - Citizens by Domicile
  - Citizens by Migration
  - Citizens by Registration
  - Termination of Citizenship
  - Dual Citizenship
- The Citizenship Act, 1955 -
  - Citizenship by Birth
  - Citizenship by Descent
  - Citizenship by Registration
  - Citizenship by Naturalisation
  - Citizenship by Incorporation of territory
  - Cessation of Citizenship
  - Deprivation of Citizenship
  - Expulsion of Foreigner

Module 03 Fundamental Rights
- Concept of Fundamental Rights – Their Origin and Development
History of the demand for Fundamental Rights in India
Justiciability of Fundamental Rights -
Laws inconsistent with fundamental rights
Unconstitutionality of Statute
Doctrine of Eclipse
Doctrine of Severability
Waiver of Fundamental Rights
Concept of State and its Importance
Concept of Law and Law in force
Personal Law
Custom
Whether the Constitution Amendment Act is law under Article 13?

Module 04 Right to Equality:
Equality before law and Equal protection of Law
Article 14 permits ‘Reasonable Classification’ but prohibits ‘Class legislation’
Article 14 Strikes at Arbitrariness
Prohibition of discrimination against citizens
Right to Access to Public Places
Special provisions for women and children
Special provisions for Backward Classes
Equality of Opportunity in Matters of Public Employment
Requirement as to Residence in State
Reservation of Posts for Backward Classes
Reservations in Promotion
Carry Forward of Reserved Vacancies
Percentage of Reservation - Rule of rounding up
Abolition of Untouchability
Abolition of Titles

Module 05 Right to Freedom:
Freedom of Speech and Expression and Reasonable Restrictions on it
Freedom of Assembly and Reasonable Restrictions on it
Freedom to form Association or Union and Reasonable Restrictions on it
Freedom of Movement and Reasonable Restrictions on it
Freedom of Residence and Settlement and Reasonable Restrictions on it
Freedom of Profession, Occupation, Trade and Business and Reasonable Restrictions on it
Right to Property -
Pre- 1978 Position - Article 19(f) and 19(5); Eminent Domain;
Article 31; Inter-relation of Article 31, Article 14 and Article 19(1)(f)
Present Position - Article 31 A, Article 31 B, Article 31 C, Article 300 A
Module 06  Right to Freedom:
- Protection in Respect of Conviction for offences - Protection against Ex-post Facto Law
- Guarantee against Double Jeopardy
- Privilege against Self-Incrimination
- Protection of Right to Life and Personal Liberty - A. K. Gopalan to Maneka Gandhi
- Relationship between Articles 19, 21 and 22
- Due Process of Law
- Extended view in post Maneka Gandhi period
- Right to Education - Evolution and Importance
- Protection against Arrest and Detention - Protection against Arrest
- Protection against Preventive Detention
- Laws Authorising Preventive Detention

Module 07  Right against Exploitation:
- Traffic in Human Beings
- Begar and Similar forms of Forced Labours
- Compulsory Services for Public Purpose
- Prohibition of Employment of Children

Module 08  Right to Freedom of Religion:
- Concept of Secularism
- Freedom of Conscience and right to Profess or Practice and Propagate religion
- Freedom of Religion of Religious Denomination
- Freedom from Paying of Taxes for Promotion of any Religion
- Annual payment to certain Devasworm Funds (Article 290 A)
- Prohibition of Religious Instructions in Educational Institutions

Module 09  Cultural and Educational Rights:
- Concept of Minority
- Protection of Interest of Minorities
- Right of a Minority to Establish Educational Institution
- Regulation of Minority Educational Institution

Module 10  Right to Constitutional Remedies:
- Enforcement of Fundamental Rights
- Procedure in Enforcement of Fundamental Rights
- Power to issue Writs, Directions or Orders – Types of Writs
- Comparison between Article 32 and Article 226
- Public Interest Litigation
- Fundamental Rights during Emergency
- Power of Parliament to modify fundamental Rights with respect to some Forces
- Fundamental Rights during operation of Martial Law
- Legislation to give effect to Fundamental Rights

Module 11  Directive Principles of State Policy and Fundamental Duties
- Nature and Importance of Directive Principles
Inter-relationship between Fundamental Rights and Directive Principles.
Directive Principles from Article 38 to Article 51

Module 12 Amendment of the Constitution:
- Power and Procedure of Amendment
- Amendment / Change by Simple Majority
- Amendment by Special Majority
- Amendment by Special Majority with Ratification by Majority of States
- Amendment of Fundamental Rights

Recommended Readings:
4) H. M. Seervi, Constitutional Law of India, N.M. Tripathi.
9) Granville Austin, Working of a Democratic Constitution - The Indian Experience, Oxford University Press.
LC 0602 Family Law II

Objectives of the Course: This course involves the student with the personal law as it affects property relations. It primarily covers the concept of Undivided Family of the Hindu law, the provisions relating to intestate and testamentary succession applicable to persons of all denominations, and provisions relating to wakf, and relating to gifts in Muslim law because these special provisions to which personal law is applicable.

The study of the course must expose to the similarities and differences across the personal law systems, and to appreciate these differences in the context of development of these laws. The other objective is to view family law not merely as a separate system of personal laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code.

Module 01 Hindu Joint Family System:
- Evolution of joint family system in India
- Institution of Hindu joint family and joint family property; Family arrangement; Separate or self-acquired property
- Coparcenary, Mitakshara and Dayabhaga coparcenary; Women as coparceners; Rights and powers of coparceners, sole surviving coparcener; Effect of amendments to the Hindu Succession Act 1956.
- Karta, his position, powers and duties; Father’s powers of alienation; Alienee’s rights and remedies
- Partition – under Dayabhaga and Mitakshara systems; Subject matter of partition; Persons entitled to claim partition and who get share on partition; Kinds of partition; Principle of survivorship and representation; Reopening and Reunion

Module 02 Intestate Succession:
1. Hindu Succession Act, 1956 – Application of Act; Succession to the property of a Hindu male; Succession to the property of a Hindu female, stridhana and women’s estate; General provisions relating to succession; and disqualifications from inheritance; Escheat
   - General principles of inheritance under Muslim law, Law of inheritance applicable to Sunnis and Shias, and the distinction between the two, Disqualifications
   - Indian Succession Act 1925: Domicile, and its relevance in succession to property; Consanguinity; Provisions relating to intestate succession applicable to Parsis and persons other than Parsis; General principles of succession; Rules of devolution
Module 03 Testamentary Succession:
- Indian Succession Act, 1925: Wills and codicils; Competence of the testator; Execution of privileged and unprivileged will; Attestation; Revocation, alteration and revival of wills; Construction of wills
- Indian Succession Act, 1925: Vesting of legacies; Void, onerous, contingent and conditional bequests; Specific legacies and demonstrative legacies; Ademption of legacies, lapse of legacies; Election; Gifts in contemplation of death
- Hindu Succession Act 1956: Testamentary succession
- Will under Muslim law (wasiyat)

Module 04 Right of Pre-emption:
- Pre-emption under Muslim law (shufa), meaning, nature, who can claim the right; Subject Matter of shufa; Formalities and legal effect; Legal devices of evading right of pre-emption: Loss of the right
- Pre-emption under Hindu Law

Module 05 Gifts under Muslim Law (Hiba):
- Nature and characteristics of hiba, types of hiba, donor and donee, what may be given in gift
- Essentials of valid gift, exceptions to general rule; Oral gift and its validity; Registration; Kinds of gifts; Gifts involving return; Marz-ul-mouth (death-bed gift)
- Revocation and revival of gift

Module 06 Wakf:
- Origin and Development of Wakf
- Importance, Meaning and Definition, Characteristics
- Essentials, Kinds, formalities for creation, the Wakif, Objects and Purposes of the Wakf
- Administration of Wakf under the Wakf Act, Appointment, Removal, Powers and Duties of Mutawalli

Recommended Readings:
2) Paruck, *Indian Succession Act, 1925*.
Objectives of the Course: Special provisions that apply to special contracts form this course. Provisions relating to contracts of indemnity and guarantee, of bailment and pledge, and of agency are contained in three chapters of the Indian Contract Act 1872 and in three other statutes: The Sale of Goods Act 1930, The Indian Partnership Act 1932 and the Negotiable Instruments Act 1881. These transactions play a very important role in commerce and trade. This course follows the course about the general principles that apply to all contracts. They deal with general principles that apply to each specific contractual relationship. The study of this course will enable a good understanding of the purposes with which each of these transactions is made, the features of each of these transactions, and the rights and liabilities of the parties to them. The course also emphasizes the study of remedies provided in these laws.

Module 01 Contracts of Indemnity - Sections 124-125 of the Indian Contract Act 1872:
- Principle of indemnity in general
- Definition of the contract of indemnity
- Formation and essential features
- Purpose of the contract of indemnity, and its use in facilitating and supporting transactions
- Nature and extent of liability of the indemnifier
- Commencement of liability of the indemnifier
Examples: Indemnity for issuing duplicate share certificate, or bank deposit receipt; Indemnity by owner of a plot of land to a local authority as condition for grant of commencement certificate for construction; Indemnity clause in a contract between a publisher and the printer; Indemnity clause in a sale deed of land supporting assurance of title given by the seller
- Distinction between an indemnity, a warranty and a representation

Module 02 Contracts of Guarantee - Sections 126 to 147 of the Indian Contract Act 1872:
- Definition of a contract of guarantee
- Formation and essentials features of a contract of guarantee. Parties to the contract; effect of minority of principal debtor
- Contract of guarantee as distinguished from a contract of indemnity
- Consideration for a contract of guarantee
- Continuing guarantee, and its revocation
- Nature and extent of surety’s liability. Its commencement, duration and termination
- Surety’s rights against the principal debtor
- Surety’s rights against the creditor
- Special position of a surety: a privileged debtor
- Circumstances that discharge a surety. Contracting out of such discharge.
- Letters of credit and bank guarantees
- Co-surety and manner of sharing liabilities and rights
Module 03  Contracts of Bailment - Sections 71, 148-171, 180-181 of the Indian Contract Act 1872 :
Definition of a contract of bailment
Formation and essential features of a contract of bailment. Parties to the contract
Creation of a contract of bailment. Obligations of bailment despite contract
Gratuitous baiements
Examples of contracts of bailment: for benefit of bailor, for benefit of bailee
Kinds of bailees
Rights, duties, disabilities and liabilities:
  of a bailor
  of a bailee vis-à-vis the bailor
  of a bailee vis-à-vis the third parties, and the true owner
Termination of bailment, and consequences of termination
Finder of goods as a bailee

Module 04  Contracts of Pledge - Sections 172 – 179 of the Indian Contract Act 1872 :
Definition of a contract of pledge
Essential features of a contract of pledge. Parties to the contract
Creation of a contract of pledge
Distinction between contracts of pledge, bailment, hypothecation
Rights, liabilities, duties and disabilities of the pawnor
Rights, liabilities, duties and disabilities of the pawnee; pawnee's right of sale
Pledge by certain specified persons: sections 178, 178A, 179 of ICA.

Module 05  Contracts of Agency : sections 182 – 238 of the Indian Contract Act 1872 :
Definition of a contract of agency
Essential features of a contract of agency. Parties involved. Kinds of agents
and agencies
Creation of agency
Distinction between agent, servant or employee, and independent contractor
Agent’s authority. Scope and extent. Express, implied, apparent or ostensible
authority, and authority in an emergency. Restrictions or limitations on
authority
Delegation of authority. Relationship between a principal, agent and sub-
agent. Substituted agents.
Ratification
Rights, duties, immunities, disabilities and liabilities of an agent towards the
principal and third party
Rights, duties, immunities, disabilities and liabilities of a principal towards the
agent and the third party
Personal liability of an agent
Pretended agent. Undisclosed principal
Revocation and other modes of termination of agency. Irrevocable agency
Effect of termination. Liability of the principal and agent before and after
termination
Module 06  **Contracts of Sale of Goods - The Sale of Goods Act 1930:**

- Definition of a contract of sale of goods
- Essential features of a contract of sale. Parties to the contract
- Sale as a transfer of property. Sale and agreement to sell
- Four elements: price, delivery, risk and property (ownership)
- Goods – Meaning, Existing and future goods, Specific, ascertained, unascertained goods, Effect of perishing of goods
- Implied conditions and warranties. Express conditions and warranties
- The rule ‘caveat emptor’. Principle, meaning, and exceptions to the rule
- Other implied terms
- Transfer of title. Transfer by non-owners
- Passing of risk
- Delivery of goods. Various modes of delivery and their effect. Inspection of goods. Rejecting goods
- Rights and liabilities of the buyer and seller. Unpaid seller and his rights.
- Remedies for price and for breach. Interest and taxes
- Auction sales
- An introduction to
  - INCOTERMS

Module 07  **Contracts of Partnership - The Indian Partnership Act 1932 and The Limited Liability Partnership Act 2008:**

- Definition of a contract of partnership
- Essential features of a contract of partnership, the firm and the partners,
- Parties to the contract, Minor as partner
- Kinds of partnership
- Relations of partners with one another: their rights, liabilities, duties, immunities and disabilities
- Property of the firm, Firm name
- Relations of partners to third parties, Partner as agent of firm, Partners’ authority, Implied authority, Mode of exercising authority, Liability of the firm for acts of partners
- Change in constitution of a firm. Admission, retirement, expulsion, death and insolvency of any partner. Public notice. Effect of change in constitution of the firm
- Dissolution of a firm, Modes of dissolution, Effect of dissolution, Agreements in restraint of trade
- Registration of firms, Procedure of registration, Effect of non-registration, Limited Liability Partnership : Essential features, Distinction between LLP and ordinary partnership

Module 08  **Negotiable Instruments - The Negotiable Instruments Act 1881:**

- A negotiable instrument, types, definitions
Essential features of negotiable instruments, and each type of instrument. Instruments payable to order or to bearer; payable at specified time or on demand
Maturity of an instrument
Parties to negotiable instruments. Their rights and liabilities
Negotiation – Meaning – Requirements - Types of endorsement - Modes of negotiation - Who can negotiate? - Effect of negotiation by various modes - Negotiation in particular cases (sections 57-59) - Period of negotiation (section 60)
Presentment, Purposes of presentment, Time for presentment, Place of presentment, Presented to whom? Effective presentment, Delay in presentment, When is presentment not necessary? Liability of banker for negligent dealing
Payment and Interest, Delivery of instrument, Immunity to bankers
Discharge from liability on negotiable instruments, Modes of discharge
Dishonour, Modes of dishonor, Notice of dishonor, Noting and protest
Acceptance and payment for honour and reference in case of need
Compensation
Rules of evidence, Presumptions and estoppel
Crossed cheques
Bills in sets
Penalties in case of dishonor, Criminal liability, Procedure

Recommended Readings:
13) Benjamins’s Sale of Goods, Michael Bridge ed, 9th ed, 2016, Sweet and Maxwell
21) D S Chopra, A Commentary on Sale of Goods, Partnership and Negotiable Instruments, 2016, Thomson Reuters
LC 0604 Tort and Consumer Protection Law

Objectives of the Course: The Law of Tort is about civil wrongs. The liability for such wrongs is distinct from liability under criminal law and contract law: negligence, defamation, trespass, assault, conspiracy, deceit are examples of such wrongs.

Tort law provides various remedies: compensation for injury and injunction. It is not governed by any statute, but has developed over centuries through principles developed by courts. It is therefore developmental and the law responds to the needs of the times. Liability for new kinds of wrongs is recognised, or an existing wrong (tort) develops with contemporary needs.

The course enables study of the general principles of tortious liability and its difference from criminal and contractual liability. The course also covers specific torts, and remedies available for their redressal.

This course also covers the Consumer Protection Act 1986, and the principles of liability in case of accidents under the Motor Vehicles Act 1988

Module 01 Introduction and Principles of Liability in Tort:
- Development of tort actions in England and India
- Meaning and definition of tort
- Tort distinguished from contract, quasi-contract and crime
- Constituents of tort – wrongful act, damage and remedy
- Malfeasance, misfeasance and non-feasance
- Strict liability, absolute liability, no-fault liability; exceptions to these
- Doctrine of sovereign immunity

Module 02 Liability for the Wrong Committed by Other Person – Vicarious Liability:
- Principle of vicarious liability - nature, scope and justification
- Joint tort-feasors, joint and several liability

Module 03 General Defences / Justifications in an action for Tort:
- Volenti non fit injuria, consent, voluntary assumption of risk, exclusion clauses
- Vis major (act of God)
- Inevitable accident
- Act of third parties
- Novus actus interveniens
- Plaintiff’s wrong or default
- Self-defence and defence of property
- Necessity
- Statutory authority
- Judicial and quasi-judicial acts
- Parental and quasi-parental authorities
- Illegality
- Mistake

Module 04 Torts against Persons:
- Assault, Battery, Mayhem
Causing Emotional Distress
Malicious Prosecution and abuse of legal proceedings; False Imprisonment
Deceit and Conspiracy
Particular defences available in each of these types

Module 05  Torts against Reputation:
Defamation: Libel and slander; Freedom of speech and expression
Defamation in the civil and criminal law; different branches of Defamation
Libel, Slander; Cyber Defamation: Defamation in cyber space
Defences to defamation
Invasion of privacy and defences

Module 06  Torts against Property:
Trespass to land
Trespass to personal property
Detention and conversion
Passing off; Injury to trademark, patent and copyrights
Public and private nuisance
Particular defences available in each of these types

Module 07  Unintentional Torts:
Product Liability and defences
Negligence: Duty to take care and its breach; Foreseeability, causation
Contributory negligence and other defences to negligence; Occupier’s liability; *res ipsa loquitur*
Liability of driver and owner under the Motor Vehicles Act 1988 for motor accidents: Liability on fault basis (negligence), no-fault basis (section 140-144), structured formula basis (section 163A, 163B and Schedule), compensation in hit-and-run cases (section 161 and 163); Powers and jurisdiction of a Motor Accidents Claims Tribunal; Introduction only to the scheme of compulsory insurance under the Act (sections 2 (30), 145(b), 146 (1) and (2), 147(1)(i) and (2), 149, 151(1), 158(1), 160, 196)

Module 08  Remedies in Tort Law:
Judicial remedies:
Damages: Types: General and special, nominal, contemptuous, aggravated, exemplary; Compensatory damages: Principles of causation, foreseeability, certainty; assessment and calculation of damages: principles, personal injuries, death, loss of property, economic and non-economic losses
Injunction: permanent and temporary, qua timet action
Replevin
Ejectment
Extra-judicial remedies:
Self-defence, reentry on land, recapture of goods, abatement, distress damage feasant
Module 09  Consumer Protection Law :

Basic Concepts: Consumer, complaint, complainant, service, goods, defect, deficiency, trader, consumer dispute, restrictive trade practice, unfair trade practice
Authorities under the Act: Consumer Councils; Redressal agencies and their composition and jurisdiction: substantive, territorial and pecuniary; Appeals; Additional remedy
Remedies available under the COPRA
Procedure for filing a complaint and of the redressal agency, Limitation; Enforcement of orders, vexatious complaints
Origin and development of consumer law; Role of the UN Consumer Protection Guidelines 1985, 1999, 2006; Critical evaluation of consumer law

Recommended Readings:
7) Wienfield and Jolowicz on Tort, W V H Rogers ed, 18th ed, 2010, Sweet and Maxwell
8) Salmond and Heuston on the Law of Torts, R F V Heuston and R A Buckley Eds, 21st ed, Sweet and Maxwell
10) John Murphy, Street on Torts, Eleventh Edi Oxford University Press 2006.
Optional Subject 2 (Any one from the following)
LO 0605 Media and Law

Objectives of the Course: Media is a social instrument which provides a platform to the people in the society to freely profess their right to freedom of speech and expression. The significance of media and its freedom can never be over emphasised in a participatory democratic setup like that of India, which regards ‘Media’ as the ‘fourth estate’ of democracy. The prima facie objective of this paper is to study and analyse the historical background, present position and future prospects of the various privileges, rights and freedoms guaranteed by the state to media through various laws and judicial interventions.

Module 01 History of Press and Theories of Press:
- Historical Foundations of Media Laws in UK, USA and India (Pre and Post-Independence)
- International Law and Freedom of Media (UDHR, ICCPR, ECOSOC etc.)
- Theories of Press -
  - Authoritarian Theory
  - Libertarian Theory
  - Communist Theory
  - Theory of Social Responsibility
  - Development Media Theory
  - Democratic Participant Media Theory

Module 02 Constitutional Framework of Freedom of Media in India:
- Free Speech and Constituent Assembly Debates in India
- Freedom of Speech and Expression in Indian Constitution
- Facets of Freedom of Speech and Expression
  - Freedom of Speech and Expression includes Freedom of Press
  - Right to Circulation
  - Right to Receive Information
  - Right to Advertise
  - Right to Telecast/ Broadcast
  - Censorship
- Reasonable Restrictions
- Legislative Privileges and Media
- Right to Privacy and Media
- Freedom of Media during emergency

Module 03 Legal Dimensions of Media:
- Media and Criminal Law (Sedition, Obscenity and Defamation)
- Media and Law of Torts (Civil Law of Defamation and Negligence)
- Media and Judiciary (Contempt of Court)
- Media and Executive (The Official Secrets Act, 1923, The Right to Information Act, 2005)
Media and Journalists (The Working Journalists (Conditions of Service) Act, 1955)

Module 04 Regulatory Framework of Media:
Methods of Regulation (Self Regulation and Statutory Regulation)
The Cinematograph Act, 1952
The Cable Television Networks (Regulation) Act, 1955
The Prasar Bharti Act, 1990
The Press Council of India Act, 1978
Telecom Regulatory Authority of India Act, 1997
Advertising Standards Council of India and its codes
The Indecent Representation of Women Act, 1986

Module 05 Issues in Media Laws:
String Operation and Media Broadcasting Rights
Taxation and Media
Media and Convergence
Infringement of Intellectual Property Rights
Internet and freedom of media
Violence against Media persons and Law

Recommended Readings:
9) Kiran Prasad, Media Law in India, Kluwer Law International.
LO 0606 Banking and Insurance Law

Objectives of the Course: The modern society functions, contrary to the old barter system, on monetary transactions. In a developing country like India, the banking system takes off and becomes quite common even among the common people. The services banks render to the general public do have a significant contribution to the development of the economy. Paripassu, the security to the assets money as well as other valuable belonging to individuals and family units is to a large extent assured through the service of the banks. The variety of assistance tended by the banks to the common people and business community cannot be overemphasized in this context. The process of the working of the banks and the legal control over them as well as the protection to the consumers of banking services are areas which a student of law is necessarily familiar with.

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

Module 01 Banking System in India:
Kinds of Banks and their Functions
History of Banking in India
Bank Nationalization and Social Control over Banking
Relationship between Banker and Customer:-
    Legal Character
    Contract between Banker and Customer
    Bank’s Duty to Customers
    Liability under the Consumer Protection Act, 1986

Module 02 The Reserve Bank of India Act, 1934:
Object, Application and Definitions
Incorporation, Capital, Management And Business
Central Banking Functions
Collection And Furnishing of Credit Information
Provisions Relating to Non-Banking Institutions Receiving Deposits And Financial Institutions
Prohibition of Acceptance of Deposits by Unincorporated Bodies
General Provisions
Penalties

Module 03 The Banking Regulation Act, 1949:
Object, Application and Definitions
Business of Banking Companies
Control over Management
Prohibition of Certain Activities In Relation to Banking Companies
Acquisition of the Undertakings of Banking Companies in Certain Cases
Suspension of Business and Winding up of Banking Companies
Special Provisions for Speedy Disposal of Winding up Proceedings
Provisions Relating to Certain Operations of Banking Companies
Application of the Act to Co-Operative Banks

Module 04  Lending, Securities and Recovery by Banks:
Principles of Lending
Position of Weaker Sections
Nature of Securities and Risks Involved
Default and Recovery
Recovery of Debts with and without Intervention of Courts / Tribunal -
Recovery of Debts due to Banks and Financial Institutions Act, 1993
Securitization and Reconstruction of Financial Assets and Enforcement of
Security Interests Act, 2002 (Definitions, Section 13, Section 17)

Module 05  Insurance Law:
Nature of Insurance Contracts
General principles of law of Insurance
Kinds of Insurance -
  Life Insurance - provisions applicable as per the Life Insurance
  Corporation Act, 1956
  General Insurance - Types of General Insurance and relevant provisions as
  per -
  The Marine Insurance Act, 1963
  The Personal Injuries (Compensation Insurance) Act, 1963
  The Public Liability Insurance Act, 1991

Module 06  The Insurance Act 1938:
Object Application and Definitions
Prohibition of transaction of insurance business by certain person - Section
2C
Assignment and transfer of insurance policies - Section 38
Nomination by policy holder - Section 39
Licensing of insurance agents - Section 42
Registration of principal agents, chief agents and special agents - Section 42A
Issue of license to intermediary or insurance intermediary - Section 42D
Commission, brokerage or fee payable to intermediary or insurance
Intermediary - Section 42E
Register of insurance agents - Section 43
Policy not to be called in question on ground of mis-statement after two years
Section 45
Module 07  The Insurance Regulatory and Development Authority Act, 1999:
Constitution, Functions and Powers of Insurance Regulatory and Development Authority
Role of IRDAI under various Regulations issued by the Authority

Recommended Readings:
LO 0607 Penology and Victimology

Objectives of the Course: The objectives of the course is to acquaint students with the penal policies including theories of punishment, their supposed philosophical and sociological justifications. This course also offers a specialized understanding of the functioning of the penal institutions along with rehabilitation and protection of victims of crime.

Module 01 Penology - Introduction:
- Definition, nature and scope of Penology
- Crime Control Mechanism:
  - Police
  - Court
  - Public Prosecutor
  - Jail Administration
  - Open Prison

Module 02 Punishment:
- Concept of Punishment
- Theories of Punishment:
  - Deterrent Theory
  - Retributive Theory
  - Preventive Theory
  - Reformative Theory
- Forms of Punishment
- Penal Policy in India

Module 03 Police System in India:
- Origin of Police
- Development of Police Organization
- Police Force in India
- Nature and Objectives of Indian Police System
- Police organization under the State Government
- Police organization under the Central Government
- Principles of Policing
- Legal functions of police
- Law Relating to Police Administration
- Police Reforms
- Legislative Trends
- Judicial Approaches
- NHRC guideline on Police-Public Relations

Module 04 Prison System in India:
- History of Prison System
- Prison in British India
- Role of Prison in Modern Penology
- Types of Prisons and Prisoners
Problems of Prisons:
- Over Crowding
- Basic Amenities
- Prison Discipline
- Prisoner’s Health
- Criminality in Prison
- Problems of Under-trials

Prison Reforms:
- Commission on Prison Reforms
- Jurisprudence of Prison Reforms
- Legislative Trends
- Judicial Trends

Module 05  Open Prisons:
- Definition and Origin of Open Prison
- The Philosophy underlying the Open Prison
- Main Characteristics of Open Prisons
- Advantages of Open Prison
- Critical Appreciation of the working of Open Prison

Module 06  Parole:
- Meaning and Definition of Parole
- Concept of Parole
- Distinction between Parole and Indeterminate Sentence
- Distinction between Parole and Furlough
- Comparison between Parole and Probation
- Parole in India
- Structural setup of Parole Boards and their Functions
- Conditions of Parole
- Essentials of an Ideal Parole System
- Judicial Trend in India
- Parole Violation

Module 07  Victimology - Victim and Victimization:
- Victim – Meaning and Kinds
- Impact of Victimization - Physical, Economic and Psychological
- Double/Secondary victimization
- Victimology - Definition, Nature and Scope
- Theories of Victimology -
  - The Precipitation Theory
  - Life-style Theory
  - Deviant Place Theory
  - Routine Activity Theory

Module 08  Legal Perspectives of Victim Assistance:
- Victim Assistance Program:
- Victim’s Rights - Approach at International and Municipal Jurisdiction.
The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985
Constitution of India and Rights of Victim
Statutory Provisions- Code of Criminal Procedure, Probation of Offenders Act
Access to Justice -
  Compensation to victims of crime
  Rights of victims during trial
  Legal assistance to the victims
  Role of victim at time of granting bail
  Right of victim to appeal

Recommended Readings:
5) Ahmad Siddique, Criminology and Penology, Eastern Book Company.
6) Davis Lurigo Herman, Victims of Crime, Sage Publications
LO 0608 Land Acquisition Law

Objectives of the Course: Land acquisition in India refers to the process by which the union or a state government in India acquires private land for the purpose of industrialisation, development of infrastructural facilities or urbanisation of the private land, and provides compensation to the affected land owners and their rehabilitation and resettlement.

The main aim or object of the Act is to provide a law, which will enable the State to acquire the land of others. However, the power of Government to acquire the land is not absolute. The cardinal rule is that there should be compensation for acquisition of land. The power of the sovereign to take private property for public use and the consequent rights of the owner to compensation are well established in the Act.

Therefore the present syllabus is aimed to make aware the students not only about the legal right to property but also to get detailed idea of policy of state on land laws emphasised on the basic of statutory provisions under national and local laws.

Module 01 Historical Perspectives of Land Acquisition in India:
- Pre-independence and Post-independence
- Meaning and definition of Land Acquisition
- Need for land acquisition in India
- Important judicial pronouncements on acquisition of land in context of Constitutional law of India

Module 02 Legislative Perspectives of Land Acquisition in India - Overview:
- Old Land Acquisition Act, 1894, Comparative analysis with New Act of 2013
- Importance of New Amended Act of 2013, object and purpose, Right to fair Compensation and Transparency in land acquisition, Rehabilitation and Resettlement Act, 2013
- Important provision of both old and new Act pertaining to Land Acquisition
- Important judicial pronouncement on land Acquisition in India

Module 03 Procedural Approach towards Land Acquisition:
- Stages in acquisition of Land and preliminary survey declaration of Acquisition, Enquiry and Award by collector and taking possession (Sec. 6 to 10, Sec. 11 to 15 A, 16, 17)
- Reference to court and procedure (Sec. 18 to 22), Matters to be considered and neglected in determining Compensation (Sec. 23, 24)
- Award by the Court (Sec. 25 to 28); Redetermination of amount of Award (Sec. 28 A), Apportionment and Payments of Compensation (Sec. 29 to 34), Acquisition of Land for complaints (Sec. 38 to 44B), Latest amendments

Module 04 Procedural Approach towards Land Acquisition:
- Requisitioning and Acquisitioning of immovable property
- Land Acquisition, inquiry notice and hearing – Examinaton of Ecological Moves
Salient features of transparency in Land Acquisition
Rehabilitation and Resettlement
Concept of Public Purpose and its wider Interpretation by judiciary

Recommended Readings:

5) Ramchandran, V G; *The law of Land Acquisition and Compensation*, Eastern Book Company.
LO 0609 Intellectual Property Rights II

Objectives of the Course: This course is intended to introduce the student to acquaint with Intellectual Property Rights in the Indian context. This course also aims to give an overview knowledge to the student on the practical applicability of international conventions in Indian scenario.

Module 01  The Indian Copyright Act, 1957:
- Historical development of Law of Copyright and Neighboring Rights in India with reference to Legislative and Judicial Perspectives
- Meaning –Definition and Subject Matter of Copyright - Types and forms of works in Under Copyright Act
- Rights and Liabilities of Copyright owners
- Assignment of Copyright and Licenses
- Role of Copyright Societies in administration of Copyright
- Rights and Liabilities of Performer's Rights
- Authorities under the Copyright Law
- Remedial Mechanism for infringement of Copyright and Neighboring Rights

Module 02  The Indian Patent Act, 1970:
- Meaning and Definition of Patent- Patentable Subject Matter- Patentability Criteria
- Grant of Patent -Rights and Liabilities of Patentee-Restoration of lapsed Patents – Surrender and Revocation of Patents
- Authorities under the Patent Act- Registrar of Patents- Controller General
- 5. Patent Infringement- Remedies

Module 03  The Trade Marks Act 1999:
- Legal Framework of Trademarks in India –An Over vie w
- Meaning and Definition of Trade Marks -Types -Individual and Collective Trade Marks
- Conditions and Procedure for Registration of Trade Marks
- Rights and Liabilities of Trade Mark Owner- Content of Rights—Exhaustion of Rights—Protection Mechanism
- Contemporary Developments - Domain Names and Effects of Information Technology

Module 04  The Designs Act 2000:
- Historical background of law of Designs in India
- Meaning and Definition of Designs
Procedure for registration of Designs
Rights and Liabilities of registered Design owners
Copyright in Registered Designs
Piracy of Registered Design and Remedial mechanism

Module 05  The Geographical Indications of Goods (Registration and Protection) Act, 1999:
Historical background of law of Geographical Indications of India
Meaning and Definition of Geographical Indications Geographical Indications Act- An overview
Procedure for Registration - Duration of Protection –Penalties and Remedies
Distinction between Geographical Indications and Trade Marks
Powers of the Registrar of Geographical Indications

Module 06  The Protection of Plant Varieties and Farmers' Rights, 2001 :
Meaning and definition of Plant Varieties and Farmer’s Rights
Registrable varieties –Procedure for registration-
Plant Varieties Protection Appellate Tribunal-Role and Functions
Infringement Offences and Penalties
5. Genetically Modified Varieties – Protection of Breeders and Farmers Rights-Researcher’s Rights

Recommended Readings:

6) P. Narayanan, Copyright and Industrial Designs, Eastern Law House (2007)

Recommended Journals :
5)The WIPO Journal.
Fourth Year B.B.A. LL.B. - Semester VII
Second Year LL.B. - Semester III

LC0701 Constitutional Law II

Objective of the Course: The Course is designed with an objective to acquaint the students with the Federal principles of Indian Constitution and the powers, functions & structures of various Constitutional bodies. The course is to be studied in the social, economic and political context in which the constitution operates

Module 01 Introduction to Federalism:
- Essential characteristics of Indian Federalism
- Indian Federalism distinguishes from American Federalism
- Federalism and Basic Structure Doctrine

Module 02 Distribution of Legislative and Executive Powers:
- The Scheme of Distribution of Legislative powers
- Territorial extent of Union and State Legislature
- Limitations to the territorial jurisdiction of the Parliament
- Distribution of Legislative subjects
- Residuary powers
- Expansion of Legislative powers of the Union under different circumstances
- Interpretation of Legislative lists
- Distribution of Executive powers:
  - Union – State Co-ordination
  - Inter-Governmental Delegation of Powers
  - Delegation by the Union
  - Entrustment of State’s Power to the Union
  - Union’s direction to the State
  - All India Services
  - Inter-State Council
- Important commissions and committees on Union-State relations:
  - Administrative Reforms Commission (1966)
  - Rajmunnar Committee (1969)
  - Sarkaria Commission (1983)
  - Punchhi Commission (2007)

Module 03 Distribution of Financial Powers:
Part A Pre-G.S.T. Position
- Allocation of Taxing Powers
- Restriction of State’s Power to levy Taxes
- Distribution of Revenue between the Union & the States:
  - Assignment of Union Revenue to the State
  - Compulsory Tax Sharing
  - Permissive Sharing of Taxes
  - Grant-in Aid
Part B Post- G.S.T. Position


The Goods and Services Tax Act, 2016:

Overview of important provisions:
The Goods and Services Tax Council
Composition of council
Powers and functions of council
Implications of G.S.T. on Financial autonomy of states

Module 04 Structure, Powers and Functions of Union Legislature (Parliament):

Bicameral Legislature
Constitution of Houses of Parliament
Qualification and Disqualification for Membership of Parliament
Officers of Parliament
Secretariats of Parliament
Meeting of Parliament
Termination of Parliament
Functions of Parliament:-
  Legislation
  Control of Public Finance
  Deliberation and Discussion
  Parliamentary Committees

Anti-Defection Law
Parliamentary Privileges

Module 05 Structure, Powers and Functions of Union Executive:

The President of India:-
  Election of the President
  Powers of the President
  Position of the President

The Vice-President of India:-
  Qualifications for the Office of Vice-President
  Election of the Vice-President
  Term of Office of Vice-President, Resignation
  Removal of Vice-President
  Oath of Office and Conditions of Office

Council of Ministers:-
  Appointment of Prime Minister
  Appointment of Ministers
  Non-Justiciable of Cabinet Advice

Module 07 Structure, Powers Functions of State Executive:

Governor:-
  Appointment of Governor
  Term of Office
  Removal of Governor
  Powers of Governor

The Council of Ministers:-
  Appointment of Chief Minister and Other Ministers.
Interaction between the Executives and the Legislature.
Conduct of Governments Business.

Module 8  The High Courts:
Composition of High Court
Jurisdiction and Powers of High Court:-
 Court of Record
 Writ Jurisdiction
 Supervisory Jurisdiction
Independence of High Courts

Module 9  Freedom of Trade, Commerce and Intercourse:
Object and Scope of Article 301.
Restriction on Freedom of Trade under the Parliamentary Law.
Restriction on Freedom of Trade and Commerce under a State Law.
Saving of Existing Law.
Saving of Laws Providing for State Monopoly.
Authority for carrying out the Purposes of Articles 301-304.

Module 10  Emergency Provisions:
National Emergency.
Failure of Constitutional Machinery in a State.
Financial Emergency.

Module 11  Constitutional Position of Jammu and Kashmir:
Article 370 of the Constitution.
Status of Article 370.

Recommended Readings:
4)  H. M. Seervi, Constitutional Law of India, N.M. Tripathi.
9)  Granville Austin, Working of a Democratic Constitution- The Indian Experience, Oxford University Press.
10) Granville Austin, The Indian Constitution – Cornerstone of a Nation, Oxford University Press.
LC 0702 Property Law and Easement

Objectives of the Course: The subject is a basic and fundamental law that covers principles applicable to transfers of all kinds of property. A sound grasp of this subject is the foundation necessary for a better understanding of all special laws that affect property. The course will enable the student to appreciate the fundamental principles, features, rights and liabilities of parties and the consequences of specific transactions affecting immovable property. The topic of actionable claims is very relevant in the modern business environment and financing models. The course also covers law relating to easements and licenses.

Module 01 Concepts, meaning and types of property:
- Meaning of property, the subject matter, the thing, property as rights, the bundle of rights
- Historical perspectives of property and property law
- Kinds of property: Movable and immovable; tangible and intangible; existing and future; real and personal. Common property
- Possession, Meaning, Actual, symbolic and constructive possession; Possession, occupation and custody
- Ownership, of subject matter and rights over subject matter, Modes of acquiring ownership, First ownership, Transfer and chain of title
- Relationship between possession and ownership; Presumption of ownership; Possession valid against all except person with better title; Title of finder of goods
- Fundamental principles:
  - Property must exist so that it can be owned
  - There cannot be property without an owner
  - Property must remain in the market
  - Role of property rights in social and economic development

Module 02 Transfer of property:
- Meaning and Definition and types of Property-Transfer of movable and immovable property, Modes, Distinction
- Essentials of a valid transfer of property; Types of transferrable property, capacity of parties to transfer property
- Procedural perspective for transfer of property-Effect of non-payment of stamp duty and non-registration.
- Doctrine of notice

Module 03 General principles relating to transfer of property:
- Conditions restraining alienation, enjoyment, defeating insolvency or assignability
- Transfers to unborn persons
- Rule against perpetuity and accumulation of income
- Vested and contingent interests
- Conditions precedent and subsequent, conditional transfers
- Doctrine of election- Apportionment

Module 04 General principles relating to transfer of immovable property:
- Doctrine of priority
- Transfers affecting rights of third persons; Transfer by ostensible owner, person without authority to transfer, and co-owner
Co-ownership
Right to insurance amount, Effect of rent paid bona fide, Reimbursement for improvements by bona-fide holders
Doctrine of *lis pendens*-Fraudulent transfer-Doctrine of part performance.

**Module 05 Sales and Exchanges:**
Meaning and definition of Sale and Exchange, distinction between sale and Exchange; Essentials of a valid sale, Parties to a sale, Formalities
Distinction between Sale and contract for sale, Registration of a contract for sale and effect of non-registration Rights and liabilities of a buyer and seller
Marshalling, Discharge for encumbrances on sale.
Exchange, Rights and liabilities of parties to an exchange

**Module 06 Mortgages:**
Definition of mortgage-Types of mortgages- Mortgagor, Mortgagee, Mortgage money; Essentials of a valid mortgage and Formalities
Rights and liabilities of a mortgagor and mortgage
Doctrine of substituted security
Charge of immovable property
Distinction between charge, mortgage, pledge, hypothecation and other security interests over property
Mortgagee’s and charge-holder’s rights and remedies under Securitisation Act

**Module 07 Leases:**
Definition of lease- Lessor- lessee- Kinds of leases -premium and rent, Essentials of a valid lease and Formalities
Rights and liabilities of the lessee and Lessor
Term and determination of a lease.
Forfeiture and relief against forfeiture.
Leases for agricultural purposes
Broad distinction between leases under the Transfer of Property Act and the laws relating to rent control

**Module 08 Gift, and Transfers of Actionable Claims:**
Definitions of Gift, Donor and Donee
Essentials of a valid gift-Revocation of gifts
Distinction between property and *donatio mortis causa* and gifts under Mohammedan law
Actionable claims: Definition, Formalities, and their importance in commercial transactions
Requirement of notice to debtor, and effect of notice
Rights and liabilities of transferor and transferee

**Module 09 Easements:**
Definition of Easement – types of easement -Formalities for creating an easement
Creation and acquisition of Easements- Dominant and servient owners and heritages- grant-custom- necessity-Quasi-necessity, Prescription
Rights, duties and liabilities of dominant and servant owners
Remedies for disturbance of easements
Extinction of easements, Suspension and revival of easements
Module 10  Licenses:
Definition of License- Essentials of a license- kind and Formalities
Transfer of license- Transfer of grantor’s interest- Death of licensor or licensee
Rights and liabilities of licensee-revocable and Irrevocable license; Rights of licensee on revocation and eviction
Distinction between leases and licenses
Distinction between licenses under Easement Act with that of the Maharashtra Rent Control Act

Recommended Readings:
1) V P Sarathi’s Law of Transfer of Property - Including Easements, Trusts and Wills, Malika Taly (ed), Eastern Book Company, 2017
2) Poonam Pradhan Saxena, Property Law, Lexis Nexis, 2017
4) Shriniwas Gupta, A Text Book on Transfer of Property Law, Thomson Reuters, 2016
8) Sanjiva Row, Transfer of Property Act (in 2 volumes), Universal, 2016
9) Shriniwas Gupta, Lae Relating to Transfer of Property, Thomson Reuters, 2016
10)Darashaw Vakil, Commentaries on the Transfer of Property Act, Lexis Nexis, 2017
12) H S Gour, Commentary on Transfer of Property Act, Delhi Law House, 2014
13)B B Katiyar, Law of Easements and Licences, Universal, 2010
LC 0703 Public International Law

Objective of the Course: This course provides the student with an introduction to international law and its significance in the economically globalised world. In view of the vastness of the subject, only important chapters relating to peace have been covered here as an introductory perspective to prod and provoke the inquisitiveness of the students to grasp the key features of international law and their relevance in a subtle perspective and help for the preparation of various competitive examinations.

Module 01 Nature and Development of International Law:
- Meaning and Definition of International Law
- Theoretical Basis of International Law - Natural law Theory- Positive Law Theory- Grotius Theory- Consent theory
- Historical perspective of International Law-Codification of International Law: work of International Law Commission
- India’s Contribution for the development of International Law-Ancient to Modern times

Module 02 Sources of International Law:
- Statute of the International Court of Justice, 1945 (Article 38)
- Other Sources of International Law-Resolutions of General Assembly- Resolutions of Security Council

Module 03 Relationship between International Law and Municipal Law:
- Theories - Monistic Theory; Dualistic Theory; Transformation theory; Delegation Theory- Specific Adoption theory
- Practice of States: United Kingdom, United States of America and India

Module 04 Subjects of International Law:
- Meaning and Definition of State
- Kinds of Different States in International Law –Sovereign States-Semi-Sovereign States-Protectorate-Vassal –Trust Territories; Special type of States—Holy See—Neutralized States
- Individuals as subjects and object of International Law
- Role and Status MNC’s

Module 05 Recognition of States:
- Meaning and Significance of Recognition
- Theories of Recognition - Constitute Theory –Declarative Theory——Stimson Doctrine- Estrada Doctrine
- Types of Recognition-Defacto –Dejure--Differences between Defacto and Dejure Recognition
- Recognition of Insurgency and Belligerency

Module 06 State Territory and State Succession:
- Meaning and Definition of State Territory
- Types of Acquiring and Lo State Territory—Occupation-Prescription—Accretion—Cession—Session-Dismemberment—Retro-Cession ( The Case of Hong Kong)
Meaning and Concept of State Succession - Difference between State Succession and Succession of Governments
States Succession to Treaties – Membership of International Organizations Recent Developments—State succession to Public Property-Torts-Debts and Archives
Theories of State Succession to Treaties- Theory of Universal Succession- Theory of Negativism- Contemporary Theories: Neo-Universalism- Neo-Negativism- Theory of Gestation or Nyerere Doctrine

Module 07 State Jurisdiction:
Territorial Jurisdiction- Civil and Criminal jurisdiction - Universal Jurisdiction-
Extra territorial Jurisdiction of State
State jurisdiction and State Territory-Land Territory-National Waters-Territorial sea-Contiguous zone-Exclusive Economic Zone—Air and Outer Space – obligations of states under outer space Treaty 1966
Jurisdiction based on Nationality- Modes of Acquiring and losing Nationality-
Double Nationality-nationality of Married Women and Indian position
Admission of Aliens- Rights and Duties of Aliens-Expropriation of Alien Property
Meaning and Significance of Statelessness- Role of UNHCR
Meaning and Definition of Extradition- Types of offenders and Process of Extradition
Extradition and Human Rights
Definition and significance of Asylum—Territorial and Extra-Territorial Asylum-
Asylum and Extradition
Significance and Importance of Diplomatic Agents and Classification of Diplomatic Agents
Functions and objectives of Diplomatic Agents
Immunities and Privileges of Diplomatic Agents— Inviolability of Diplomatic Agents-Inviolability of Premises—Immunity from local, Civil, Administrative and Criminal Jurisdiction—Immunity from Taxes and Custom Duties—Freedom of Movement, Travel, Communication and worship

Module 08 Law of State Responsibility:
Nature and Basis of State Responsibility
Theories of State Responsibility—Fault or Subjective Theory—Risk or Objective theory—Eclectic Theories of Responsibility—Absolute Liability
Elements of State Responsibility—Act or Omission of international and international acts
Significance of Doctrine of Culpa
Defenses precluding State Responsibility

Module 09 Law of Treaties:
Meaning and Definition of a Treaty-Types of Treaties
Parties to a treaty—Formation of a Treaty- Significance of Pact Sunt Servanda
Significance of Jus Cogens
Role Rebus Sic Stantibus (Changed Circumstances) in Treaties
Procedure for Termination of Treaties
Module 10  
**International Institutions:**
- Historical Origins of International Institutions
  - League of Nations- An Over View
  - United Nations- Purposes and Principles
- Structure Powers and functions of Security Council-General Assembly- the Economic and Social Council- Trusteeship Council- Appointment, Powers and Functions of Secretary General
- International Court of Justice-Historical Evolution- Composition of the Court
- Types of Jurisdiction of the Court-Contentious—Advisory
- Law Applied by the Court—Binding Nature of Judgment
- Legal Status of International Organisations

**Recommended Readings:**
3) I.A. Shearer, Starke’s *International Law* (1st Indian ed., 2007)
4) D.J. Harris, *Cases and Materials on International Law* (7th ed., 2010)
10) V.K. Ahuja, Public International Law (Lexis Nexus 2016)
11) Shilpa Jain: Introduction to Public International Law (EBC 2016)
12) T.S.N. Sastry, State Succession in Indian context (Dominant 2004) Chapters 1 & 2
14) Visit the Web Site of Dr tsnsastry.weebly.com for research papers on some of the areas.

**Recommended Journals:**
1) American Journal of International Law
2) Harvard International Law Review
3) International Legal Materials
4) International Law and Comparative Law
5) Indian Journal of International Law
6) Journal of Indian Law Institute
7) Heinlein On line Journals
8) British Year Book of International Law
LP 0704  Practical Training Paper I

Professional Ethics and Contempt of Court Law

Module 01  The Advocates Act, 1961:
  Historical Origins of Advocates Act.
  Structure powers and Functions of Bar Council of India
  Structure, Powers and Functions of  State Bar Councils
  Admission  Enrollment and Conduct of Advocates
    Qualifications to be admitted as an advocate
    Types of Advocates-Senior and other Advocates
    Roll of Advocates
    Right of Pre-audience
    Disqualification
    Right to practice
    Conduct of an Advocate - Professional Misconduct
    Punishment
    Disciplinary proceeding (Authorities and Stages
    Powers of the Disciplinary Committee
  Entry of foreign lawyers
  Need for Code of Ethics

Module 02  Advocates Relationship with Courts:
  Duty to the Court (Rules 1 to 10 of Chapter II of Bar Council of India Rules)
  Respect to the Court
  Addressing the Judge
  Conduct in the court room
  Avoid multiplicity of litigation

Module 03  Advocates Relationship with Clients:
  Duties to Client (Rules 11 to 33 of Chapter II of Bar Council of India Rules)
  Confidentiality, Implied Duty and Sections 126 to 129 of the Evidence Act
  Fees
  Avoiding conflict of interests.

Module 04  Relationship with others:
  (Rules 34 to 39 of Chapter II of Bar Council of India Rule)
  Towards opposite party
  Towards colleagues
  Advertisement by Advocates
    Name-plates
    News
    Photographs
    Sign boards
    Web-site

Module 05  Cases relating to Advocates Act and Professional Ethics:
  Vishram Singh Raghubanshi v. State Of UP  AIR 2011 SC 2275
  Vijay Singh v. Murarilal  AIR 1979 SC 1719
SJ Chaudhary v. State Of Delhi AIR 1984 SC 618
Chandra Shekhar Soni v. Bar Council of Rajasthan AIR 1983 SC 1012
Ex-Capt Harish Uppal v. Union Of India AIR 2003 SC 739
John D’Souza v. Edward Ani AIR 1994 SC 975
Himalayan Cooperative Group Housing Society v. Balwan Singh AIR 2015 SC 170
Vishwanath Swami v. Bar Council of India AIR 2013 SC 3589
A S Mohammed Rafi v. State of Tamil Nadu AIR 2011 SC 308
D Saibaba v. Bar Council of India AIR 2003 SC2502

Module 06 Contempt of court:
Meaning and scope, Need for sparing use, Maintaining the dignity and respect for Courts and Judiciary
Historical development of law of contempt of court in India
Freedom of speech and contempt of court: The Constitutional perspectives
Meaning of contempt
Civil contempt
Criminal contempt
Implications of amendment in Contempt of Courts Act (2006 amendment)
Defenses for contempt
Punishment for contempt
Procedure for initiating contempt proceeding
Contempt by Judges, Magistrate, Lawyers, Companies and Others
Remedies, Apology, Appeal and Review
Contempt of Supreme Court, High Court and Subordinate Court
Comparison with Order 39 Rule 2A of Civil Procedure Code

Module 07 Cases relating to Contempt of Court:
Arundhati Roy v. High court of Judicature at Bombay 2017 SC
Pushpaben v.Narandas V Badiani AIR 1979 SC 1536
LD Jaikwal v. State of UP AIR 1984 SC 1734
Charan Lal Sahu v. Union Of India AIR 1988 SC 107
PN Duda v. V P Shiv Shankar AIR 1988 SC 1202
Noorali Babul Thanewala v. KMM Shetty AIR1990 SC 464
Bal Kishan Giri v. State of UP AIR 2014 SC (Supp)469
High Court of Judicature of Bombay v. Manisha Koirala 2 003 CriLJ 1634 (Bombay HC)
Dr. Subramanian Swamy v. Arun Shourie AIR 2014 SC 3020
Re: S Mulgaokar AIR 1978 SC 717

Recommended Readings:
1) K.V. Krishnaswamy Iyer – Professional Conduct and Advocacy
2) Dr. Kailash Rai - Legal Ethics – Accountancy for Lawyers and Bench and Bar relations
3) B.R. Aggarwala – Supreme Court Practice and Procedure
4) P. Ramanath Iyer- Legal and Professional Ethics
5) Dr. S.P.Gupta - Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations.
6) M.P. Jain – Outline of Indian Legal History – Chapter : Development of Legal Profession
8) Dr B Malik : The Art of a Lawyer
9) Raju Ramachandran : Professional Ethics for Lawyers - Changing Profession, Changing Ethics
10) Saadiya Suleman : Professional Ethics & Advertising by Lawyers
11) Nilendra Kumar and Neha Chaturvedi : M.K. Gandhi's - The Law and the Lawyers
Module 01 The Advocates Act, 1961:
Historical Origins of Advocates Act.
Structure powers and Functions of Bar Council of India
Structure, Powers and Functions of State Bar Councils
Admission Enrollment and Conduct of Advocates :-
Qualifications to be admitted as an advocate
Types of Advocates-Senior and other Advocates
Roll of Advocates
Right of Pre-audience
Disqualification
Right to practice
Conduct of an Advocate - Professional Misconduct
Punishment
Disciplinary proceeding (Authorities and Stages
Powers of the Disciplinary Committee
Entry of foreign lawyers
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Fees
Avoiding conflict of interests.

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(Rules 34 to 39 of Chapter II of Bar Council of India Rule)
Towards opposite party
Towards colleagues
Advertisement by Advocates:-
Name-plates
News
Photographs
Sign boards
Web-site

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Vijay Singh v. Murarilal AIR 1979 SC 1719
SJ Chaudhary v. State Of Delhi AIR 1984 SC 618
Chandra Shekhar Soni v. Bar Council of Rajasthan AIR 1983 SC 1012
Module 06 Contempt of court:

- Meaning and scope, Need for sparing use, Maintaining the dignity and respect for Courts and Judiciary
- Historical development of law of contempt of court in India
- Freedom of speech and contempt of court: The Constitutional perspectives
- Meaning of contempt
- Civil contempt
- Criminal contempt
- Implications of amendment in Contempt of Courts Act (2006 amendment)
  - Defenses for contempt
  - Punishment for contempt
  - Procedure for initiating contempt proceeding
  - Contempt by Judges, Magistrate, Lawyers, Companies and Others
  - Remedies, Apology, Appeal and Review
  - Contempt of Supreme Court, High Court and Subordinate Court
  - Comparison with Order 39 Rule 2A of Civil Procedure Code

Module 07 Cases relating to Contempt of Court:

- Arundhati Roy v. High court of Judicature at Bombay 2017 SC
- Pushpaben v. Narandas V Badiani AIR 1979 SC 1536
- LD Jaikwal v. State of UP AIR 1984 SC 1734
- Charan Lal Sahu v. Union Of India AIR 1988 SC 107
- PN Duda v. V P Shiv Shankar AIR 1988 SC 1202
- Noorali Babul Thanewala v. KMM Shetty AIR 1990 SC 464
- Bal Kishan Giri v. State of UP AIR 2014 SC (Supp) 469
- High Court of Judicature of Bombay v. Manisha Koirala 2 003 CriLJ 1634 (Bombay HC)
- Dr. Subramanian Swamy v. Arun Shourie AIR 2014 SC 3020
- Re: S Mulgaokar AIR 1978 SC 717

Recommended Readings:

1) K.V. Krishnaswamy Iyer – Professional Conduct and Advocacy
2) Dr. Kailash Rai - Legal Ethics – Accountancy for Lawyers and Bench and Bar relations
3) B.R. Aggarwala – Supreme Court Practice and Procedure
4) P. Ramanath Iyer- Legal and Professional Ethics
5) Dr. S.P. Gupta - Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations.
6) M.P. Jain – Outline of Indian Legal History – Chapter : Development of Legal Profession
8) Dr B Malik : The Art of a Lawyer
9) Raju Ramachandran: Professional Ethics for Lawyers - Changing Profession, Changing Ethics
10) Saadiya Suleman: Professional Ethics & Advertising by Lawyers
11) Nilendra Kumar and Neha Chaturvedi: M.K. Gandhi's - The Law and the Lawyers
Optional Subject 1 (Any one from the following)

LO 0705 Comparative Constitutions

Objectives of the Course: This paper aims to acquaint the students with scope and significance of comparative study of the constitutional law from the point of view of its making and its contemporary working. It will help the students to appreciate the constitutional developments from the national and international perspectives. It takes in its fold the basic principles of interpretation of Constitution. It will enhance the comprehension of Constitutional law as a branch of public law.

Module 01 Scope and Significance of Comparative Study of Constitutional Law:
- Forms of government - Parliamentary-Presidential-Monarchial
- Types of Constitutions
- Scope and significance of comparative study of constitution in constitution making
- Significance of comparative study of constitution in interpretation
  - Common law of England
  - American Constitution
  - The Common law heritage
  - Indian position

Module 02 History of Constitution Making and its Development In India:
- Applicability of foreign precedents in interpretation of the Constitution of India
- Fundamental Rights: Bill of Rights
- Instances of application of foreign precedents
- Instances of departures from foreign precedents
- Forms of Government: Article 74 and 75

Module 03 Federalism - Comparative study:
- Principles of federalism
- Legal features of federalism
- Co-operative federalism
- Transition from comparative federalism to co-operative federalism
- Distribution of legislative and financial power in a federal system
- Federalism-Indo-U.S. comparative perspective
- Separation of power: Checks and balance mechanism
- Amending power in India, U.S. and Australia: comparative perspective

Module 04 Judicial Review:
- Evolution and concept of judicial review
- Meaning of judicial review
- Characteristics of modern constitutions and their impact on Judicial Review
- Constitutional growth in India under judicial review and its impact

Module 05 Justification and limitation of written constitution:
- Incidents of written constitution - a legal instrument
- Justiciability of written constitution
- Written constitutions which are not justiciable: France, U.S.S.R., China
- Indian Constitution: Justiciability and non-justiciability

Module 06 Interpretation of Constitution:
Interpretation as a legal instrument
Limitations of liberal interpretation
Spirit of constitution
Indian constitution and instances of interpretation

**Module 07  The Constitution as higher law:**
Higher law distinguished from ‘Rule of Law’
Elements of Rule of Law
Parliamentary supremacy under the Indian Constitution
Distinction between Constitutional Law and Ordinary law

**Module 08  Role of Judiciary And Doctrine of State Action**
Court as guardian of the constitution
Exceptions to judicial review
Special functions of judiciary in federation
Constitutional Law as a branch of public law

**Recommended Readings :**
1) Dr. D.D. Basu, *Comparative Constitutional Law* (LexisNexis Butterwoths Wadhwa, Nagpur)
2) Dr. D.D. Basu, *Comparative Federalism* (Wadhwa and Company, Nagpur)
3) Dr. Chakradhar Jha, *Judicial Review of Legislative Acts* (LexisNexis Butterwoths Wadhwa, Nagpur)
LO 0706 Investment and Securities Law

Objectives of the Course: The securities market plays a very important role in the growth and development of Indian market economies. Mature and well-regulated securities market supports corporate initiatives and also facilitate the management of financial risks. Also, retail investors are investing an increasing proportion of their money in mutual funds and other collective investments which places the securities markets at the central of individual wealth. This paper aims to introduce students to the various laws and regulations enacted by the competent legislative and regulating bodies governing the operation and movement of security market.

Module 01 Historical evolution of Investment and Securities Laws:
- Meaning and Definition of Investment and Securities
- Historical origins of Investment and Securities law – International and National Perspective
- History of Capital Markets in India
- Need for securities legislation and investor protection

Module 02 Regulatory Framework to Govern Securities in India:
- Concept of Securities
- Kinds of Securities - Ownership instruments, Shares, Stocks
- Debt instruments - Debentures and Bonds
- Offered Documents – Prospectus
- Norms of disclosure under different laws- The Companies Act, 2013, The Securities Contracts (Regulation) Act, 1956 and The Securities Exchange Board of India Act, 1992 (only relevant provisions relating to the above)

Module 03 Concept of Securities Market:
- Primary Market: Scheme of Primary Market, Advantages- Dis-advantages to companies and investors.
- Players in Primary Market – Underwriters- Brokers to an issue- Managers to the issue- Bankers to the issue and Registrar to the issue
- Secondary Market - Players in the Secondary Market- Brokers- Over the Country Exchange of India (OCTEL)

Module 04 Banks and Securities:
- Role of Banks to Issue Securities
- Changing Functions of Banks from Direct Lending to Modern System of Investment Banking.
- The Debt Recovery Tribunal

Module 05 Stock Exchange and Investor Protection:
- Trading, Spot delivery contract, Badla Contract, Future contracts, Options, Derivatives, Listing of Shares
- Investors Protection mechanism under various statutes:- Role and functions of SEBI Tribunal,
- Depositories Act, 1996 – Rights and Obligations of depositories, participants, issuers and beneficial owners, Penalties.
- Dematerialisation of securities (Advantages and Dis-advantages)
The Companies Act, 2013: Acceptance of deposits, Misstatement in prospectus, fraudulently inducing person to invest money, non-payment of dividend, Right to demand financial statement, Investor Education and Protection Fund, class action suits.
The Securities Exchange Board of India Act, 1992: Measures under Section 11(2) of SEBI Act, Investor awareness program
The Securities Contracts (Regulation) Act, 1956: Recognized stock exchanges, listing of securities, penalties and procedure.

Module 06  Foreign Investment Laws:  
The Foreign Exchange Management Act, 1999: Regulation and management of Foreign Exchange, Contravention and Penalties, Adjudication and Appeal, Directorate of enforcement
Difference from FERA, Administration of Exchange Control, Adjudicatory Powers
Joint ventures in India and Foreign Collaborations: Concept of Transnational Corporations and Multinational Corporations
Foreign Direct Investment- Foreign Institutional Investors- Regulatory Mechanism in India

Module 07  Insider Trading:
Meaning and Definition of Insider Trading
Position in UK- USA
Indian perspective of Insider trading -SEBI Guidelines-The Companies Act, 2013

Recommended Readings:
3) NitiBhasin, FDI In India, New Century Publication, 2008.
4) V.A. Avdhani, Investment and Securities Market in India, Himalaya Publishing House, 2011
5) Vishal Saraogi : Capital Markets and Securities Laws simplified, Lawpoint Publication
6) E. Gordon & K. Natarajan : Capital Market in India; Himalaya Publishing House, Ramdoot
7) V.L. Iyer : SEBI Practice Manual; Taxman Allied Service (P) Ltd
8) S. Suryanarayanan& : SEBI – Law, Practice & Procedure; Commercial Law Publishers (India)
LO 0707 Criminal Minor Acts

Objectives of the course: Indian Penal Code is not the only criminal law in India, though it is one of the major criminal law. Apart from IPC there are many other criminal legislations. Post-independence many more legislations were enacted by the State to control crime and criminal behavior. These special legislations redefined crime and the criminal procedure to be followed. These legislations are rampanty been used by police and courts in day to day life. he course is designed to acquaint students with few important minor criminal Laws which are essential for all criminal law lawyers.

Module 01 The Maharashtra Police Act 1951:
Scope and objects and historical perspectives of the Act
Important Definitions
Regulation of Public Acts and Police powers under chapter III
Special Measures for maintenance of Public Order and Safety of State. Executive Powers and Duties of the Polices
Offences and Punishment under the Maharashtra Police Act, 1951

Module 02 The Prevention of Corruption Act 1988:
Legislative History, Object and Scope of the Act- Public Duty and Public Servant Defined.
Appointment of Special Judges
Offences and Penalties
Investigation into cases under the Act
Sanction for Prosecution Special Procedure: Change in Rules of Evidence and Criminal Procedure (Secs. 20-24)

Module 03 The Maharashtra Control of organized Crime Act 1999:
Legislative History, Object and Scope of Maharashtra Control of organized Crime Act 1999
Organized Crime: Definition and Scope
Punishments
Courts and Public Prosecutor (Secs 6-12)
Interception of wire, electronic or oral communication (Secs 13-16)
Special Procedure: Change in Rules of Evidence and Criminal Procedure (Secs 17-23)

Module 04 The Narcotic Drugs and Psychotropic Substances Act, 1985:
Legislative history, Object and intent of NDPS Act 1985
Authorities and officers under the NDPS Act 1985
Prohibition, Control and Regulation of narcotic Drugs and psychotropic substances
Offences and Punishments under the NDPS Act 1985
Procedure under NDPS Act 1985

Recommended Readings:
4) R.P Kataria, Law Relating to Narcotic Drugs and Psychotropic Substances in India, Oriental Publication
LO 0708 Cooperative Law

Objectives of the Course: This course enables study of the form of organisation set up for mutual benefit. The first part of the course is about principles of cooperation, its history, growth and development and the characteristics of a cooperative society as a form of organisation in comparison with other forms. The other part of the course is a detailed study of the Cooperative Law in force in Maharashtra, that will enable a student to know about the process of formation, management and control of cooperative societies, their relations with third parties and its members, and settlement of disputes between the society and its members. This study will equip a student to understand this special law, and to specialize in this branch of law.

Part I: General Principles of Co-operation and Co-operative Societies

Module 01 Theory and Principles of Co-operation:
Capitalist, socialist and co-operative forms of organisation
Definition of co-operation
Fundamental principles of co-operation
Importance, advantages and limitations of co-operation
Advantages of co-operative organization in the society and the economy
Social, economic and moral benefits of co-operation

Module 02 History, Growth and Development:
History, growth and development of co-operative movement in India, Growth and development through Five-Year Plans
Role of the State in development of co-operation, State aid to societies.
Role of National Co-operative Development Corporation, NABARD.
Co-operative legislations, particularly the State cooperative laws and Multi State Cooperative law, with special reference to Maharashtra

Module 03 Co-operative Societies:
Characteristics of a co-operative society
Comparison with other forms of organization, viz, company, trust and partnership firms
Role and functions of different kinds of co-operative societies: Credit, finance, banking; Producers, farmers, dairy; Consumers; Housing; Marketing.
Salient features of the law relating to Multi-State Cooperative Societies Act

Part II: The Maharashtra Co-operative Societies Act 1960 and Rules

Module 04 Registration of Societies:
Societies that can be registered, and limited liability, Classification of societies
Conditions of registration, Name,
Procedure for registration
Bye-laws, important features of Model Bye-laws
Cancellation of registration, De-registration
Amalgamation, Transfer, Division or Conversion Societies

Module 05 Members of a Society:
Who is a member, types of members, open membership
Who can become a member
Procedure for admission, continuation and cessation of membership, Removal and expulsion of a member
Rights, privileges, duties, disabilities and liabilities of members, Voting power of a member

Module 06 Incorporation, Duties and Privileges of a Society:
Effect of incorporation
Register of members, and its inspection and copies
Rights, privileges and immunities of a Society
Duties, disabilities, liabilities of, and restrictions on a Society

Module 07 Elections and Management of a Society:
Final authority of General Body
Election of the Managing Committee, Procedure, Supervision over elections, Elections to specified and notified societies, No-confidence against officers of societies
The Managing Committee, Constitution, Who can be its members, Reservation of seats, its powers and functions, Liability of members of the managing committee
Appointment and nomination of members of committee, Disqualification of membership of the committee
Meetings of General Body and Managing Committee, Annual general meeting and special general meeting, Conduct of business at such meetings
Registrar’s powers of supervision, inquiry, investigation and administration.

Module 08 Dispute Settlement:
Types of disputes, and forums for redressal, Cooperative Court, Registrar;
Exclusive jurisdiction of the cooperative court, Jurisdiction, Limitation period
Powers of the Co-operative court, Its decision, Appeals against decisions, Contempt of Co-operative Court and Cooperative Appellate Court
Constitution and powers of the Maharashtra State Co-operative Appellate Court
Disputes for recovery of money, Recovery certificate and its effect, Liquidation of Cooperative Societies, Procedure for liquidation and winding up.
Offences and Penalties, Cognizance of offences

Module 09 Finance, Accounts and Audit:
State aid to societies, Role of apex societies.
Funds and their utilization, Restrictions on utilization of funds, Reserve Fund, Restriction on dividends, Investment of funds
Maintenance of account books and registers, Audit of cooperative societies, need for audit,
Rectification of defects in accounts
Registrar’s powers of inspection and supervision

Recommended Readings:
2) Rish Pal Nainta, Laws Relating to Cooperative Societies – A Commentary, 2004
5) V V Ghanekar, Co-Operative Movement in India, Institute of Rural Development & Education, 2004
LO0709 Private International Law

Objectives of the Course: In the contemporary economically packed globalised era, the relations between individuals and legal persons increased vastly compare to yester years. The interaction between individuals brings forth the legal regulations of various states to the forefront to address the problems that arise out of such relations. Conflict of laws or Private International law is another side of international law which regulates the disputes under different private laws that regulate the foreign elementary provisions between individuals and legal persons in their day to day transactions. The significance of private international law and its practice before the courts is rapidly increasing in which India lags behind in educating its pupil in a most important area of legal studies. The above course has been drafted to give a over view of the subject to the students which is highly helpful in further research and professional carrier.

Module 01 Introduction :
- Historical Development of Private International Law
- Meaning and Definition of Private International Law
- Sources of Private International Law
- Relationship between Public International Law and Private International Law

Module 02 Connecting Factors of Private International Law :
- Choice of Law Rules (Conflict of Law Rules)—Foreign element and foreign law characterization
- Nationality or citizenship-general significance-Constitutional Provisions (Art 5-11)
- Domicile of Origin—Choice—Dependent persons-Married women—Minor Children—Lunatics
- Residence—Habitual Residence—Temporary Residence
- Residence of Legal Persons

Module 03 Law of Contractual and Non-Contractual Obligations: An Over view :
- Validity and Formation of Contract—Formal and Material Validity
- Performance of contract-Illegal contracts by proper Law-Contracts in Which Performance is unlawful-illegal contracts by Lex Fori-Public Policy-Breach of contract-Remedies
- Non-Contractual Obligations:- Law of torts-Defenses-Damages —Unjust Enrichment

Module 04 Law of Property :

Module 05 Family Law :
- Marriage—Dissolution of Marriage—Divorce—Judicial Separation – Maintenance-Choice of Law
- Legitimacy, Legitimization and Adoption –Choice of Law Rules
Module 06  Foreign Judgments :
   1. Basis of Enforcement of Foreign Judgments
   2. Recognition of Foreign Judgments- Jurisdictional and Legal Issues
   3. Execution of Foreign Judgments by Indian Courts-Execution of Indian Judgments by Courts Out Side India-Clauses of reciprocity

Convections to be referred:
1) Hague Codification convention on Private International Law
2) Convention of 15 June 1955 relating to the settlement of the conflicts between the law of nationality and the law of domicile
3) Convention of 1 June 1956 concerning the recognition of the legal personality of foreign companies, associations and institutions
4) Convention of 24 October 1956 on the law applicable to maintenance obligations towards children
5) Convention of 15 November 1965 on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions
6) Convention of 1 June 1970 on the Recognition of Divorces and Legal Separations
7) Convention of 14 March 1978 on Celebration and Recognition of the Validity of Marriages
8) Principles on Choice of Law in International Commercial Contracts 2015
9) Convention of 1 February 1971 on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters
10) Relevant Indian Legislative provisos of Contracts, CPC, Family Law; Law of Property

Recommended Readings:
1) Dicey, Morris & Collins on the Conflict of Laws (Sweet and Max well 15th edn 2016)
3) Setalavad: Conflict of Laws, Lexis Nexis, 2014
5) K.B. Agraawal & Vandana Singh: Private International Law in India , 2010 ( walters Kulwer Netherlands)
6) Universals Private International Law 2016
7) V. C Govindraj: Conflict of Law in India (oxford) 2011

Recommended Journals:
1) International Law and Comparative Law
2) Indian Journal of International Law
3) British Year Book of International Law
4) Indian Year Book of International Law
Part X
Syllabus of Fourth Year B.A. LL.B, Fourth Year B.B.A LL.B, and Second Year LL.B
Fourth Year B.A. LL.B. - Semester VIII
Fourth Year B.B.A. LL.B. - Semester VIII
Second Year LL.B. - Semester IV

LC 0801 Labour and Industrial Law

Objectives of the Course: The labour movement has been instrumental in the enacting of laws protecting labour rights in the 19th and 20th centuries. Labour rights have been integral to the social and economic development since the industrial revolution. After the Independence the government of India has enacted numerous legislations for the regulation of labour relations and their welfare. Labour and Industrial law mediates many aspects of the relationship between trade unions, employers and employees. It defines the rights and obligations of workers, union members and employers in the workplace. An understanding of Labour Laws is very essential for law students because of the fact that the scope and ambit of these laws is very wide and is touching the lives of millions of people in the country.

Module 01  Introduction:
Industrial Jurisprudence and Labour Policy in India
Labour Problems
Industrial Relations
Principles of labour legislations (Social welfare, justice, equity and security)
Labour legislations and Constitutional provisions (Fundamental Rights, Directive Principles of State Policy and Distribution of legislative powers)

Module 02  Discipline in Industry:
The Industrial Disputes Act, 1947 :- Objectives, Definitions, Industry and Industrial Disputes, Settlement of Industrial Disputes - Authorities and Procedures, Strike, Lock-out, Lay off, Retrenchment and Unfair Labour Practices
The Industrial Employment (Standing Orders) Act, 1946 – Definitions, Legal nature of standing orders (Submission, Conditions, Certification, Duration and Modification, Payment of Subsistence Allowance, Model Standing Orders, Penalties and Procedures)
Disciplinary Proceedings in Industries – Charge-sheet, Domestic Inquiry, Inquiry Officer, Rights of Employee during Inquiry Proceedings, Evidence in Inquiry, Inquiry Reports and Punishment

Module 03  Social Security Legislations:
Concept of Social Security, Its Characteristics and Constituents, Social Security system in India
The Employees’ Compensation Act, 1923 – Objects and reasons, Definitions, Employer’s Liability for Compensation, Amount of Compensation and Employee’s Compensation Commissioner
The Employees’ State Insurance Act, 1948 – Objects and Reasons, Employees’ State Insurance Corporation, Contributions, Benefits, Adjudication of Disputes and Claims

**Module 03 Concept of Wages and Unfair Labour Practices:**
The Minimum Wages Act, 1948 – Objects, Definition of Wages, Fixation and Revision of Minimum Wages
The Payment of Wages Act, 1936 – Objects, Payment of wages, Deductions from Wages, Authorities

**Recommended Readings:**
1) Avtar Singh and Harpreet Kaur, Introduction to Labour and Industrial Law, LexisNexis
2) G.M. Kothari, How to Conduct and Defend Disciplinary Inquiry and Cases, Eastern Book Company
4) P.L. Malik, Handbook of Labour and Industrial Law, Eastern Book Company
6) S.K. Puri, Labour and Industrial Law, Allahabad Law Agency
7) S.N. Mishra, Labour and Industrial Laws, Central Law Publications
9) Taxmann’s Labour Law
10) V.G. Goswami, Labour and Industrial Laws, Central Law Agency
LC 0802 Jurisprudence

Objectives Of The Course: The course aims at developing an analytical approach to understand the nature of law and the development and legal system. Jurisprudence seeks to answer fundamental questions about law. The concern of jurisprudence are an inescapable feature of the law and legal system. Jurisprudence has generous frontiers. It accommodates copious subjects of intellectual enquiry. This paper attempt to identify and elucidate several of the major preoccupations of legal theory. This paper also intent to create an understanding of basic legal concepts like Rights, Title, Possession, Ownership, Liability, Obligation which are basic to the study of Law.

Module 01 Introduction to Jurisprudence:
- Jurisprudence – Meaning- definition- Significance.
- Character of Law –Meaning and types of Law
- Sources of Law and Legislation-Precedent-Custom –Juristic Writings
- Relationship between Law – Morality and Ethics

Module 02 Schools of Jurisprudence:
- Natural Law School-Classical and Modern
- Positivist School
- Sociological School
- Historical School
- Realist School
- Feministic School-Liberal- Radical and Post Modern

Module 3 Marxist Theories of Law and State
- Dialectics, Hegel and Marx
- Marx and Hegel’s Political Philosophy
- The Materialist Conception of History
- Marx and Ideology
- The State and Law
- Marx and Justice, Morality and Human Rights

Module 4 Concept of Property, Ownership and Possession.
- Property, meaning, kinds, theories, modes of acquisition property.
- Ownership, definition, characteristic of ownership, subject-matter, kinds of Ownership.
- Possession, idea, kinds, modes of acquiring possession and possessory Remedies.
- Difference between Ownership and Possession.

Module 5 Persons:
- Legal Status of Persons- Natural and Legal
- Lower Animals, Dead persons, Unborn Persons
- Kinds of Legal Persons.
- Theories of Legal Personality

Module 6 Rights and Duties:
- Meaning of Legal Rights, Duties, Scope
- Classification of Legal Rights and Duties
- Theories of Legal Rights
- Hohfeldian analysis of rights - Correlation of Rights and Duties.
Module 7  Title:
Definition and Nature of Title
Classification of Titles
Importance of Agreements
Kinds of Agreements
Validity of Agreements
Modes of Acquiring Possession
Modes of Acquiring Ownership

Module 8  Liability:
Definition and Nature
Kinds of Liability
General Conditions of Liability
Measure of Penal Liability
Measure of Civil Liability.

Module 9  The Law of Obligations:
Definition of Obligation
Solidary Obligations
Sources of Obligations

Recommended Books:
**LC 0803 Law of Evidence**

**Objectives of the Course:** The course equips the student with the fundamental principles of evidence law, and the strict application its rules in judicial proceedings. He will understand the role of evidence law and its principles in civil and criminal proceedings, the connection of this law with substantive law and other laws of procedure. He will also understand its relevance in non-litigation practice. The student will also be exposed to the trans-national initiatives in this field.

**Module 01 Preliminary:**
- Importance and significance of law of evidence, and its role in civil and criminal proceedings.
- Facts, Facts-in-issue, Relevant Facts
- Evidence, Kinds of evidence: direct and substantial, direct and circumstantial, intrinsic and extrinsic, oral and documentary
- Proof: Proved, not proved, disproved
- Presumptions: Shall presume, may presume and conclusive proof
- Applicability of the Evidence Act; affidavits, arbitration, commissions, tribunals, court-martials etc.
- Three basic principles of evidence
- Evidence must be confined to facts in issue
- Best evidence must be given in all cases
- Hearsay evidence must be excluded

**Module 02 Relevancy - I:**
- Relevancy under the Act, Logical and legal relevancy, Purpose of theory of relevancy
- Facts connected with other facts (sections 6 – 16), Res gestae, Conduct, Statements, State of mind, Motive and preparation, Identity of a thing, Identification parades, Existence of conspiracy, Compensation and damages, evidence of inconsistent and improbable facts, Alibi, State of mind and body, Past similar transactions, Usual course of business
- Admissions and confessions, What are these concepts, Distinction between the two, Admissibility of confessions, judicial and extra-judicial confessions, Confessions to police officer, and in police custody, retracted confession, confession of co-accused, Discovery of fact, Admissibility, Reliability and Weight to different types of admissions and confessions

**Module 03 Relevancy – II:**
- Statements of persons who cannot be called as witnesses, Dying declaration: its admissibility, reliability and weight, Books of accounts, other statements.
- Statements under special circumstances
- Judgments in other cases, Judgments in rem, Other judgments.
- Character: Meaning of character, Its relevancy in civil and criminal proceedings.
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<th>Module 04</th>
<th><strong>Proof of Facts – Documentary Evidence:</strong></th>
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<td>Proof of handwriting and signature, proof of unsigned and of printed documents</td>
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<td>Primary and secondary evidence</td>
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<td>Proof of electronic record</td>
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<td>Public and private documents</td>
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<td>Certified copies, Bankers’ Books Evidence Act</td>
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<th>Module 05</th>
<th><strong>Proof of Facts and Oral Evidence:</strong></th>
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<td>Facts that need not be proved</td>
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<td>Oral evidence and contents of documents</td>
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<td>Oral evidence must be direct</td>
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<td>Witnesses</td>
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<td>Requirement of oath</td>
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<td>Competency and Compellability</td>
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<td>Number of witnesses</td>
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<td>Relationship between oral and documentary evidence, Parol evidence rule.</td>
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<td>Estoppel: meaning, Estoppel of tenant, licensee, acceptor, bailee, Promissory estoppel</td>
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<th>Module 06</th>
<th><strong>Burden of Proof:</strong></th>
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<td>Meaning, burden and onus of proof, burden of proof of the case and of particular facts, Standard of proof in civil, criminal and other cases</td>
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<td>Situations in which burden of proof cast on particular party</td>
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<td>Presumptions</td>
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<td>Presumptions as to documents: as to genuineness, due procedure, formalities and contents.</td>
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<td>Presumptions of fact, Of life and death relationship of partners etc, ownership, good faith in transactions, legitimacy</td>
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<td>Special provisions of burden of proof and presumptions in criminal cases</td>
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<td>General presumption in section 114</td>
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<th>Module 07</th>
<th><strong>Witnesses:</strong></th>
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<td>Privileges and disabilities of witnesses, Judicial, Matrimonial, Official, Matters of affairs of state, Title-deeds, Other privileges and disabilities</td>
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<td>Disability and privilege relating to legal practitioners</td>
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<td>Privilege concerning incriminating answers</td>
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<td>Evidence of an accomplice</td>
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<th>Module 08</th>
<th><strong>Examination of Witnesses:</strong></th>
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<td>Order of production and examination</td>
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<td>Examination in chief, Cross examination, Re-examination, Meaning, purpose, scope and limits, Questions that can be asked.</td>
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<td>Questioning credibility of a witness</td>
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<td>Use of writing during examination and cross-examination</td>
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<td>Compelling witness to answer</td>
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<td>Hostile witness</td>
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<td>Refreshing memory, use of earlier statements for corroboration</td>
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<th>Module 09</th>
<th><strong>Control of the Judge, and International Conventions:</strong></th>
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<td>Control of the Judge</td>
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to decide admissibility of evidence

to put questions and order production

effect of improper admission or rejection of evidence

International Conventions (Broad provisions only)

Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters

Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents (Apostille Convention)

Recommended Readings:


**LP 0804 Practical Training Paper II – Alternative Dispute Resolution System**

**Objectives of the Course:** The objective of this paper is to acquaint students with various modes of ADR. ADR mechanism is less bound by procedural formalities and speedy in giving results. For this reason ADR is appreciated by many countries around the world. The course is designed in a way that it will give the students insightful knowledge about this emerging area. The goal of the course is to help the students to understand practically the various methods of resolving disputes under ADR system, so that they can help their clients and society to select and employ the most effective, just and humane methods. The inability to resolve disputes in a timely manner eviscerates public and private rights obligations. To overcome this drastic situation ADR is highly recommended and accepted.

**Marking scheme:**
(A) University written examination at end of term: 80 Marks
(B) Written submissions: 10 Marks
(C) Viva voce examination: 10 Marks

**Part A: University Written Examination: 80 Marks**

**Module 01 Alternate Dispute Resolution Mechanisms:**
Alternate Dispute Resolution Mechanisms: Meaning—Definition—Concept—History
Structure powers and Functions of National and State Legal Services Authorities under the Legal Services Authority Act
Legislative and judicial sanction for ADR
Forms of ADR: Negotiation, Mediation, Conciliation, Arbitration
Structure Powers and functions Ombudsman
Lok-pal and Lokayukta, Lok-adalats..

**Module 02 Negotiation and Mediation:**
Meaning, features, theories, types of negotiation
Appointment, role and qualities of the negotiator, Process of negotiation
International negotiation
Meaning, features, theories and role of mediation
Appointment and role of mediator
Good offices

**Module 03 Conciliation:**
Meaning, features and modes of conciliation
Conciliation under the Arbitration and Conciliation Act 1996
Appointment and role of conciliator,
Techniques of conciliation and Termination of conciliation proceedings
Contractual provisions about conciliation

**Module 04 Arbitration:**
Meaning, features, theories and types of arbitration
Historical perspectives of arbitration as a dispute settlement mechanism, and law of arbitration
Types of Arbitration – Domestic and International arbitration,
Institutional arbitration
Advantages and disadvantages of arbitration of arbitration
Difference between Negotiation--Mediation--Conciliation--Arbitration.

Module 05  Arbitration agreement:
The arbitration agreement, formation, its essentials
Validity of arbitration agreement
Rule of severability, Effect of death, insolvency etc on agreement
Parties to arbitration agreement, Agreement as binding on third parties
Power of court to refer parties to arbitration
Jurisdiction of courts

Module 06  Structure, Powers and Functions of Arbitral Tribunal:
Constitution of Arbitral Tribunal- qualifications to act as arbitrator
Disclosures by arbitrator, Disqualification of arbitrators
Grounds to challenge appointment and procedure of Arbitrators
Powers of Courts to appoint Arbitrators
Jurisdiction of arbitral tribunal - power to rule on its own jurisdiction
Interim measures ordered by arbitral tribunal, interim measures by court.

Module 07  Arbitration proceedings and award:
Conduct of arbitral proceedings, procedure, rules of procedure
Language, impartiality of arbitrator, equal treatment of parties
Procedure before arbitral tribunal, claim, defence, hearing, evidence, experts,
confidentiality; Application of the law of evidence and limitation
Court’s assistance in taking evidence, Fast track procedure
Arbitral award – Types of award- Form and CONTENT- Finality of award-
Interpretation of award
Correction in award--Stamp duty—Registration--Additional award
Costs, Termination of proceedings
Time limits for award, extension of time
Recourse against award, Grounds of setting aside award, Court’s role
Enforcement of award

Module 08  International Perspectives and Enforcement of Foreign Awards:
International perspectives: -
UNCITRAL Model Law on International Commercial Arbitration
The Geneva Protocol on Arbitration Clauses 1923
The Geneva Convention on the Execution of Foreign Arbitral Awards 1927
The New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958
Foreign awards – meaning and definition (New York Convention Awards and Geneva Convention Awards)
Referring parties to arbitration
Binding nature of foreign awards,
Enforcement of foreign award, Proof of award conditions for enforcement
Jurisdictional issues
Part B: Written submissions: 10 marks

Students shall maintain a journal through the semester. The journal will be assessed by the teacher, and shall be presented at the time of viva voce examination. The journal shall contain the following drafts:

1. A domestic arbitration agreement after a commercial dispute has arisen between parties.
2. An arbitration clause in an international contract (having one Indian company as a party) for referring matter to institutional arbitration of an institution situated outside India.
3. A conciliation clause in a commercial contract.
4. An invitation for conciliation proceedings.
5. A request by one party to the other party requesting that their commercial dispute be referred to arbitration.
6. A letter requesting an arbitrator to act as arbitrator in a case after disputes have arisen.
   Assume that the contract has an arbitration clause with reference to one arbitrator.
7. An application to the appropriate court to appoint an arbitrator when parties have failed in their attempts to appoint one according to the arbitration agreement.
8. An application to the court seeking interim injunction or appointment of receiver before the arbitral proceedings have begun.
9. An application to the court for setting aside an award.
10. An application for enforcement of a foreign award.

Part C: Viva voce examination: 10 Marks

Viva voce examination shall be confined to the following:

a) Drafts written in the journal, and
b) The detail provisions of laws applicable to drafts written in the journal (including the substantive law involved in the dispute)

Recommended readings:

5) Vishnu Warrier, Arbitration, Conciliation and Mediation, Lexis Nexis, 2015
7) Anirban Chakraborty, Law and Practice of Alternative Dispute Resolution in India – a Detailed Analysis, Lexis Nexis, 2016
9) Shriram Panchu, Mediation Practice and Law - The Path to Successful Dispute Resolution, 2nd ed, Lexis Nexis, 2015
11) Ujwala Shinde, Alternative Dispute Resolution, Hind Law House
Objectives of the course: The National Legal Systems recognized the rights of individuals from ancient periods and extended protection through various legal regulations. However, they could not provide an effective remedy for breaches outside the state and state violations. This scenario and other developments in the beginning of 20th century led the nation-states to bring the aspects of individuals rights under the purview of international law and appropriately titled them as Human Rights with the adoption of Charter of UN in 1945. In pursuance of the directions of the preamble and other provisions of Charter, a plethora of international instruments have been agreed upon by the States Parties to Protect and promote the Human Rights of Individuals both international and domestic levels. In view of the gaining significance of International Law of Human Rights, this paper presents subtly an over view of the International and Domestic perspectives of Human Rights along with the redress mechanism.

Module 01 Introduction:

Module 02 Types of Generational Human Rights:
Civil and Political Rights (First Generational Rights):
Political Rights:Equal access to public --- Participation in Governance—Right to Vote –Good Governance

Economic, Social and Cultural Rights (Second Generational Rights):
Economic and Social Rights: Labour Rights—Right to Property – Right to Education- freedom of association --Right to Social Security (Pension, Medical Services-the right to insurance for sickness, old age –Unemployment allowance etc).
Cultural Rights: Right to develop their languages—Right to follow customs, folkways, literatures, and traditions—Right to enjoy scientific and Technological benefits


Right to Genetic Engineering(Fourth Generational Rights): Right to Protect from Human Genome—Right to Genetic Identity—Right to impose restrictions on medical-Scientific and Technology
interference—Right to Die in peace and Dignity—Right to infanticide—Right to fetus

Module 03 Human Rights of Vulnerable and Disadvantaged Groups:

Meaning and Definition of Vulnerable and Disadvantaged Groups
Social and Economic Status of Women and Children
Status of Socially and Economically Disadvantaged groups—Indigenous People—SC/STS—Aged and Disabled –Rights of Minorities
Vulnerable Groups—Sex Workers—Stateless Persons—Migrant Workers—HIV/AIDS patients—Third Gender

Module 04 Human Rights and Enforcement Mechanism:

International Mechanism:
Commission on Civil and Political Rights
Commission on Economic, Social and Cultural Rights
Commission on Women and Children and Disabled Person
Role of Human Rights Council and Office of the High Commissioner for Human Rights

National Mechanism:
National Human Rights Commission
National Commission for Women
National Commission for Protection of Child Rights
National Commissions for SC/STS, Minorities and other disadvantaged groups
Role of Judiciary

Module 05 Significance of Human Rights Education:

Meaning and Definition of Human Rights Education
Role of UN in the Promotion of Human Rights Education
Role of Govt of India in the Promotion of Human Rights Education – UGC and Universities

In this paper in every Unit the students need to be imparted a comparative approach of both international and national scenario with reference to the relevant International declarations, covenants, Conventions along with the Part III and Part IV of the Constitutional Perspective. While dealing with the units, appropriate international and national case laws has to be imparted basing on the significance of the topic and linkage of the cases that are relevant and more suited to the area with contemporary developments.

Recommended Reading:
6) V. K. Ahuja, Public International Law (Lexis Nexis, Noida, 2016)
8) Economic social and Cultural Rights in International Law, ed Eibe Riedgal, Gilles Giacca, Christophe Golay (Oxford University Press, UK, 2014)
LO 0806 Competition Law

Objectives of the Course: There is aggressive competition in today’s market. New start-ups and entrepreneurs are emerging almost every day. With opening of Indian markets in almost all sectors, the study of Competition law becomes inevitable. It is a rapidly growing area of law which reflects the free market economy and increasing world globalization. The course aims to give an overview on the basics of Competition Law in India through a comparison of the main jurisdictions (especially U.S. and UK) and thus provide a solid background for further studies of this subject. The course will 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. Emphasis will be placed on the Competition Act, 2002 with discussion of laws from selected other jurisdictions such as US, UK and EU.

Module 01 Introduction:
- Basic Concepts: Customer and Consumer, Market, Types of Market - Perfect Market, Monopoly, Oligopoly and Monopsony
- Rationale behind Competition Law
- Constitutional aspect of Competition Law with respect to Human Rights and Social Justice (Article 39 (b) and (c) of Constitution of India, 1950)
- Relation between Competition Policy and Competition Law
- Objectives of Competition Law
- Economic analysis of Competition Law

Module 02 Historical Development of Competition Law:
- History and Development of Competition Law/ Antitrust Law
- Development of Competition Laws in USA, UK and EU
- Sachar Committee, Raghavan Committee Report
- Salient Features of MRTP Act, 1969
- Competition Act 2002 – Salient Features
- Difference between MRTP Act and Competition Act
- Important Definitions under the Competition Act, 2002.
- Brief overview of Competition Law in USA, UK and EU

Module 03 Anti-Competitive Agreements:
- Anti-Competitive Agreements: Meaning and Scope
- Types of Anti-competitive agreements - Horizontal and Vertical agreement
- Rule of Perse and Reason
- Exemption from anti-competitive agreements
- Prohibition of Anti-competitive agreement/ Cartel/bid rigging Practices, decisions and agreements resulting into cartels
- Pro-competitive and anti-competitive effects of joint ventures
- Pre-competitive and anticompetitive effects of vertical agreements
- Procedure for inquiry by CCI
- Prevention of Anti-competitive agreements in USA, UK and EU

Module 04 Regulation of Abuse of Dominant Position:
- Economics of abuse of dominance
- Types of Abuse by a Dominant Player: Exploitative Abuses: Vertical restraints and Excessive pricing: Exclusionary Abuses- Price discrimination, discounts and predation
Enterprise
Relevant Market
Dominance in Relevant Market
relevance of sector specific competitive dynamics on dominant position
Predatory Pricing
Defenses against abuse of dominance
The remedies in case of abuse of dominance
Prevention of Abuse of Dominant Position in UK and USA

Module 05 Regulation of Combinations:
Combinations: Merger, Acquisition, Amalgamation and Takeover
Jurisprudence of Horizontal, Vertical and Conglomerate Mergers
Private Equity Investments
Notification of combinations
Jurisdictional test: Turn over, Asset, Domestic nexus, Exemptions
Regulations and Penalties.
Position in USA, UK and EU

Module 06 Enforcement Mechanisms:
Establishment and Constitution of Competition Commission of India, Powers and Functions
Jurisdiction of the CCI
Adjudication and appeals
Competition Appellate Tribunal
Director General of Investigation (DGI)- Penalties and Enforcement.
Competition Advocacy in India and International Perspective

Module 07 Interface of Competition Law with other laws:
Intellectual Property Rights and Competition Law
International Trade and Competition Law
Consumer law and Competition Law

Recommended Readings:
1) Richard Whish & David Bailey, Competition Law, Oxford University Press.
2) Avtar Singh, Competition Law, Eastern Book Company.
3) Vinod Dhall, Competition Law Today, Oxford University Press.
5) Srinivasan Parthasarathy , Competition Law in India, Kluwer Law International B.V., 2017
6) T. Ramappa, Competition Law in India: Policy, Issues, and Developments, Oxford University Press, 2014
9) Kirsty Middleton, Barry Rodger, Angus MacCulloch, Cases and Materials on UK and EC Competition Law, Oxford University Press
LO 0807 Vulnerable and Disadvantaged Groups and Criminal Law

Objectives of the course: In India there are multiple socio-economic disadvantages that members of particular groups experience. The task of identifying the vulnerable groups is not an easy one. Besides there are multiple and complex factors of vulnerability with different layers and more often than once it cannot be analyzed in isolation. In this course paper the vulnerable groups that face discrimination include- Women, Scheduled Castes (SC), Scheduled Tribes (ST) and Children. From the British era, Criminal law was used to eradicate social evils. The fear of punishment was a tool of social change. Post-Independence, the modern State has used criminal law to bring social change. This Course paper will help students to understand the role of Criminal Law in protecting the vulnerable and disadvantaged groups in India.

Module 01 Introduction to Vulnerable and Disadvantaged groups:
  - Meaning of Vulnerable and Disadvantaged groups
  - Structural discrimination and vulnerable groups
  - Role of law to overcome discrimination
  - Criminal law as a tool of social change

Module 02 The Protection of Civil Rights Act 1955:
  - Social menace of Untouchability
  - Legislative history, objectives and scope of the Act
  - Practices of untouchability and its Punishment
  - Presumption of courts in some cases
  - Power of court to impose collective fine
  - Non application of Probation of offenders Act

Module 03 The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989:
  - Legislative history, objectives and scope of the Act
  - Defining Atrocity against Scheduled Caste and Scheduled Tribes
  - Offences of Atrocities and punishment thereof
  - Externment procedure
  - Collective Fine
  - Special Courts and Special Prosecutor
  - Presumption by courts in certain cases
  - Precautionary and Preventive measures under the Rules of 1995
  - Non application Anticipatory Bail and Probation of Offenders Act
  - Investigation and supervision.
  - Personnel under the Act and their duties

Module 04 Dowry Prohibition Act 1961:
  - Dowry a social menace
  - Legislative history, objectives and scope of the Act
  - Dowry Defined
  - Penalty for giving and taking dowry.
  - Dowry for benefit of wife or her heirs.
  - Change in procedural law and Evidence Law.
  - Dowry Prohibition officers.
Module 05  The Protection of Children from Sexual Offences (POCSO) Act 2012:
Legislative history, Objective and Scope of the Act
Sexual offences against children
Using child for pornographic purpose
Abetment of an attempt to commit an offence
Procedure for reporting of cases
Procedure for recording statement of the child
Special courts: Procedure and powers of special courts and recording of evidence
Punishments under the Act.

Module 06  The Immoral Traffic (Prevention) Act, 1956:
Legislative history, Object and reasons of the Act
Social Landscape of Prostitution.
Prostitute: Vaguely defined under the Act.
Protection of Morals and Places of Residence.
Ponce or Poncing under the Act.
Corrective Institutions and Protective Homes.
Personnel under the Act.

Note: The above Legislations are to be studied along with relevant rules framed under the Act by appropriate governments.

Recommended Reading:
4) SmitaNarula, Broken People: Caste violence against India’s Untouchables, Human Rights Watch.
LO 0808 Civil Minor Acts

Objectives of the Course: This Course covers subjects that a civil practitioner, whether working in litigation or not, needs to address very often. While the law relating to interest is a substantive law, other laws in this course are procedural. Nevertheless their study is indispensable to each lawyer. The Specific Relief Act in this Course covers only those reliefs that were not covered in the course in contract law.

Module 01  The Interest Act 1978:
- When can a court allow interest
- Rate of interest
- Effect of provisions relating to interest in other statutes
- Date from which interest shall commence
- Section 34 of the Civil Procedure Code
- Powers of an arbitrator to award interest

Module 02  The Specific Relief Act 1963:
- Nature of specific relief, specific relief only for enforcing individual civil rights
- Possession, Nature of remedy, Recovery of specific movable and of immovable property, summary remedy for forcible dispossession, Liability to deliver to person entitled to immediate possession
- Declaration, Claim for consequential relief
- Injunctions, Types of injunctions, Circumstances in which injunction is granted, When will injunction not be granted, Compensation in suits for injunction

Module 03  The Limitation Act 1963:
- Limitation bars the remedy but does not extinguish the right. The role of limitation law
- The bar of limitation, Prescribed period and the Schedule, Continuous running of time, Special period of limitation for the government, Application to arbitration proceedings
- Extension of period: court closed, for sufficient cause, legal disability; No bar in suits against trustees
- Computing period of limitation, Exclusion of time, Effect of death, defendant being out of India, fraud and mistake
- Effect of acknowledgment in writing and payment on account of debt
- Adverse possession: acquisition of ownership by possession

Module 04  The Registration Act 1908:
- Authorities under the Act
- Documents of which registration is compulsory, and is optional
- Provisions about contents of documents
- Time and place for registration
- Procedure of registration: Fees, Presentation, who can present, Enquiry, Admission or denial, procedure on denial of execution; Enforcing attendance, Endorsements on the document, Registration; Recording in books and indexes, Electronic indexes
- Inspection and copies of books and indexes
Registration of wills
Effect of registration and non-registration
Refusal to register, Grounds for refusal

Module 05  The Indian Stamp Act 1899 and the Maharashtra Stamp Act 1958.
Object and purpose of stamp duty, and the Act, Authorities under the Act and their powers and functions
Instrument, which instruments are chargeable to stamp duty, calculation of stamp duty
Liability to pay stamp duty, Who is liable to pay
Mode of payment of stamp duty, unstamped instrument
Valuation for purposes of stamp duty, Adjudication of stamp duty, procedure of adjudication
Allowances for stamps
Offences and penalties

Module 06  The Maharashtra Court Fees Act 1959.
Court fees, Nature of levy, Object and purpose of the Act
Documents chargeable to court-fees, Plaint and counter-claims, the Schedule, Exempt documents, Mandatory nature of payment
Computation of court fees, Fixed fees and ad-valorem fees, Modes of collecting court fees, Cancellation of stamp.
Decision of questions as to valuation
Refund of court fees
Multifarious suits

Module 07  The Suits Valuation Act 1887.
Object and purpose of the Act.
Valuation for suits relating to land
Valuation in other suits
Objections in appeals to over valuation or under valuation

Recommended Readings:
1) Sarkar, Specific Relief Act, Sudipto Sarkar and R Yashod Gardhan (eds), 17th ed, Lexis Nexis, 2016
3) B M Gandhi, Equity, Trusts and Specific Relief, Eastern Book Company, 2017
4) Anand and Iyer’s Commentary on the Specific Relief Act, 1963, Delhi Law House, 13th ed
5) S C Banerjee, Law of Specific Relief, 13th ed, Universal, 2015
13) K Krishnamurthy’s The Indian Stamp Act, 12th ed, M R Hariharan Nair and Boris Paul (ed), Lexis Nexis, 2017
17) A N Khanna, Law of Court Fees and Suits Valuation, 8th ed, Universal, 2011
18) MLJ Manual on the Court Fees Act 1870, Lexis Nexis, 2017
LO 0809 International Economic Law

Object of the Course: In the Changing dimension of Globalisation and the increasing demand of interdependence on economic relations of nation states, the significance of international law has grown considerably in the contemporary era. The relations of nation-states are mostly depending on economic cooperation than on political perspectives only as compared to yester years. In order to have a broad outlook of the nation-state relations in the field of economic era, this course equips the student to understand an overview of economic legal scenario of states.

Module 01 Introduction:
Definition, Nature and Sources of International Economic Law
Relationship between national and international economic laws
Origin and Development of International Economic Law - Bretton Woods Conference

Module 02 Developments in the context of de-colonization:
Structural Perspective of GATT – Significance of Ministerial Conferences— Mechanism for Dispute Resolution—Problems and Perspective of GATT Regime.

Module 03 International and Regional Financial Institutions:
IBRD Structure Powers and Functions – Significance of IRO
Structure Powers and functions of IMF
Structure Powers and Functions of World Bank
Structure powers and Functions of Asian Development Bank
Structure Powers and Functions of G-20
Structure Powers and functions of BRICS

Module 04 Significance of Treaties Bilateral Agreements and International Economic Law:
Multilateral and Bilateral treaties and significance
Uruguay round and its impact on International Economic Law
Significance of most Favoured Nations Clause and National Treatment
Objective Principles of GATT 1994 – Reduction of Tariff and Non-Tariff Barriers to Trade.
General Exceptions to Article XX and XXI of GATT 1994
Safe Guard Measures under XIX of GATT 1994

Module 05 WTO and International Economic Law:
Historical origins of WTO
Structure Powers and Functions
Role and Responsibility of Secretariat
Dispute Settlement System under WTO
Impact of WTO Law on Domestic Law
Recommended Readings:
7) Schwazemberger – Foreign Investment and International Law
8) Oxolic – Legal Aspects of International Transfer of Technology.
9) Wallace – Multinational Corporations.
10) O’Conell – International Law, Vol. I & II.
11) Harves D.D, - Cases and Materials on International Law

Recommended Journals:
1) American Journal of International Law
2) British Year Book of International Law
3) Indian Journal of International Law
4) Journal of Economic Law of Oxford
5) International Economic Law e journal
6) Indian Journal of International Economic Law
Part XI
Syllabus of Fifth Year B.A. LL.B, Fifth Year B.B.A LL.B, and Third Year LL.B
Fifth Year B.A. LL.B. - Semester IX
Fifth Year B.B.A. LL.B. - Semester IX
Third Year LL.B. - Semester V

LC 0901 Civil Procedure Code

Objectives of the Course: Civil Procedure Code is subject of daily use by the courts and lawyers. Students cannot afford to have scant knowledge of civil procedure when he goes out to practice as a lawyer. It is necessary to have good grounding in the subject before one enters the profession. The substantive law determines the rights of persons affected by action. The main objective of this paper is to give to a law student a thorough knowledge of procedural aspects of working of civil courts and other machineries.

Module 01 Preliminary, Institution of suits, Bar to jurisdiction, Maintainability:
The Code of Civil Procedure, its objects and purpose, History of the Code of Civil Procedure
Definitions: (to be considered along with the relevant topic): decree, decree-holder, district, judge, judgment, judgment-debtor, legal representative, mesne profits, order
Subordination of courts
Jurisdiction (all suits of civil nature), types of jurisdiction, issue of jurisdiction as preliminary issue, objections to jurisdiction, Bar to jurisdiction
Place of suing, Institution of suits
Res judicata and stay of suit
Parties to a suit, Joinder, misjoinder and non-joinder of parties,
Recognised agents and pleaders, Effect of death, marriage and insolvency of parties
Frame of suit, whole claim, Joinder and misjoinder of causes of action and claims, Bar of suit on same cause of action.

Module 02 Summons and Pleadings:
Issue of summons and documents, Purpose of issuing summons,
Service of summons, persons who can serve summons, mode of service, on whom can it be served, substituted service, service on defendant outside jurisdiction of the court, Effect of not taking steps to serve summons, Effect of non appearance of defendant after being served.
Exemption from appearance
Pleadings, purpose, forms, particulars in pleadings, mandatory particulars, Verification, Amendment of pleadings
Plaint, particulars, contents, relief, grounds of relief, admitting plaint,
Return of plaint, Rejection of plaint, Effect of return and rejection of plaint, Accompaniments to plaint: Documents, Address
Written statement, admission and denials, Counter claim, Set off,
Grounds of defence
Registered addresses of parties, Appearance of parties and consequence of non-appearance, setting aside ex-parte decrees

Module 03 Preliminary procedures, Issues, hearing and judgment and orders:
- Examination of parties by court, Discovery and inspection
- Admissions and effect, Production, impounding and return of documents
- Framing of issues, effect if parties not at issue
- List of witnesses, Summons to witness, Expenses of witness, Witness to give evidence and production of documents
- Hearing of suit, Right to begin, Order of appearance of witnesses, Manner of taking evidence, Language, Recording questions and answers and objections, Demeanour of witness, recording evidence on commission, Affidavits and personal attendance, Adjournments
- Withdrawal and adjustment of suits, Payment into court
- Judgment, Its contents, Decision on each issue
- Interest and Costs, Compensatory costs, Costs for causing delay
- Inherent powers of a court, Open court and in camera proceedings

Module 04 Decrees and execution of decrees:
- Decree, Meaning, Purpose, Court which passed the decree, Decrees granting particular reliefs.
- Execution of decrees, court by which decree will be executed, Transfer of decree,
- Persons by whom and against whom decree can be executed, Transferees, Legal representatives
- Payment under decree, Procedure of executing a decree, Issue of process, Stay of execution,
- Property that can or cannot be attached.
- Modes of execution of different kinds of decrees, Attachment and Garnishee order, Sale, Arrest and detention
- Questions to be determined by executing court, Resistance or obstruction to execution.

Module 05 Interlocutory, incidental, supplemental and special proceedings:
- Commissions
- Settlement of disputes outside Court
- Arrest and attachment before judgment, Security for costs
- Interim injunction
- Interlocutory orders
- Receivers
- Cavaet

Module 06 Particular proceedings:
- Summary procedure
- Third party procedure
- Suits by or against government and public officers
- Suits by aliens and foreign states
- Suits by or against corporations, partnership firms, persons carrying on business in names other than their own.
Suits by or against minors
Suits by indigent persons
Interpleader suits
Special case

Module 07 Appeals, Revision and Review, Recognition of judgments:
Appeals from original and from appellate decrees, Appeals to Supreme Court
Appeals from orders
Powers of Appellate Courts, Procedure in appeals, Filing appeal, Stay of proceedings or execution, Hearing, Judgment and decree in appeal
Reference, review and revision
Recognition of foreign judgments

Module 08 Procedure of Commercial Courts:
Various courts under the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act 2015, purpose of establishing these courts, commercial disputes, jurisdiction of commercial courts.
Important provisions of Code of Civil Procedure as amended by the Commercial Courts etc. Act relating to:
Written Statement and denials in written statement
Costs
Form and verification of pleadings
Summary judgment
Case management hearings
Written arguments

Module 09 The Limitation Act 1963:
The role of limitation law.
Bar of limitation, Prescribed period and the Schedule, Continuous running of time, Special period of limitation for the government, Application to arbitration proceedings.
Extension of period: court closed, for sufficient cause, legal disability; No bar in suits against trustees
Computation of period of limitation, Exclusion of time, Effect of death, defendant being out of India, fraud and mistake
Effect of acknowledgment in writing and payment on account of debt
Adverse possession: acquisition of ownership by possession

Recommended Readings:
5) Shah A.N. The code of civil procedure, Universal, Delhi.
10) Avtar Singh, Code of Civil Procedure, Central Law Publication 89
12) U. N. Mitra, Limitation and Prescription
13) AIR Commentaries on the Limitation Act
14) S. R. Myneni, Law of Limitation, Asia Law House, Hyderabad 90 LL.B. Semester
17) Civil Manuat - Issued by the High Court Bombay
18) Takwani C. K. - The Code of Civil Procedure
21) AIR Commentaries on Limitation Act, W.W. Chitaley, AIR Ltd., Nagpur
22) Taxman’s - The Code of Civil Procedure 1908
33) A.N. Saha: Code of Civil Procedure
38) Ganguly A. C. - Civil Court Practice and Procedure
LC0902 Interpretation of Statutes

Objectives of the Course: This paper aims to acquaint the students with basic principles of interpretation. It focuses on general and specific rules of interpretation of statutes. It 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.

Module 01 Introduction:
Meaning of Interpretation
Object of Interpretation
Classification of Statutes
The General Clauses Act, 1897: An overview of important provisions and important definitions

Module 02 General Principles of Interpretation:
Literal Rule
Golden Rule
Mischief Rule
Statute must be read as a whole in its context
Statute to be construed to make it effective and workable
Omissions not to be inferred
Every word in a statute to be given a meaning

Module 03 Subsidiary Rules of Interpretation:
Same word same meaning
Use of different words
Rule of last antecedent
Non-obstante clause
Legal fiction
Mandatory and directory provisions
Conjunctive and disjunctive words ‘or’ and ‘and’
Construction of general words - Noscitur A Socis
Rule of ejusdem generis
Words of rank
Reddendo Singula Singulis

Module 04 Internal Aids to Construction:
Preamble
Definition
Sections
Heading
Marginal notes
Punctuation marks
Illustrations
Proviso
Explanation
Schedule
Module 05  **External Aids to Construction:**
- Parliamentary history
- Historical facts and surrounding circumstances
- Social economic and political developments
- Reference to other statutes
  - *Contemporanea exposition*
- Other external aids- codifying and consolidating statutes

Module 06  **Interpretation of Statutes Affecting Jurisdiction of Courts**
- General principles
- The extent of exclusion
- Exclusion of jurisdiction of superior Courts

Module 07  **Construction of Penal and Taxing Statutes:**
- Rule of strict construction of taxing statutes
- General principles of strict construction
- Limits of rule of strict construction
  - *Mens rea* in statutory offences and Indian Penal Code
- Vicarious liability in statutory offences

Module 08  **Construction of Remedial Statutes:**
- Distinction between remedial and penal statutes
- Liberal construction of remedial statutes

Module 09  **Commencement and Operation of Statutes:**
- Commencement of statute
- Retrospective operation of statute

Module 10  **Expiry and Repeal of Statutes**
- Perpetual and temporary statutes
- Effect of expiry of temporary statutes
- Express or implied repeal
- Consequences of repeal

Module 11  **Interpretation of the Constitutional Document**
- Rules of interpretation of Constitutional documents
- Liberal interpretation and not narrow interpretation
- Specific rules for interpretation :-
  - Broad and liberal interpretation
  - Doctrine of pith and substance
  - Doctrine of colourable legislation
  - Doctrine of implied powers
  - Principle of incidental and ancillary powers
  - Principle of occupied field
  - Doctrine of waiver
  - Doctrine of severability
  - Doctrine of eclipse
  - Harmonious construction
  - Doctrine of basic feature
  - Doctrine of prospective overruling
  - Principle of implied prohibition
Recommended readings:
1) G.P. Singh, Interpretation of Statutes (LexisNexis, Butterworth Wadhwa, Nagpur)
2) Bindra N.S., Interpretation of Statutes (LexisNexis)
3) Vepa Sarathi, Interpretation of Statutes (Eastern Book Company)
4) Maxwell, Interpretation of Statutes (Sweet and Maxwell)
5) Rupert Cross, Statutory Interpretation (Butterworth)
6) Avtar Singh, Introduction to Interpretation of Statutes (LexisNexis, Butterworth Wadhwa)
7) Battacharya T., Interpretation of Statutes (Central Law Agency)
8) R.D. Shrivastava, Textbook of Interpretation of Statutes (Central Law Publication)
9) Swarup, Legislation and Interpretation (University Book Agency)
10) M.P. Tondon, Interpretation of Statutes (Allahabad Law Agency)
LC 0903 Environmental Law

Objectives of the course: The environmental pollution and degradation of biodiversity has become one of the biggest hazards not only to human existence but also to the existence of all the gifts that nature has bestowed on mankind. Unless immediate and urgent steps are taken to control environmental pollution, a bleak and terrible future awaits the humanity. This fact has accelerated the emergence of different legal and governmental measures at national and international level for prevention of environmental pollution. This course aims to create awareness among the students about the legislative measures for protection of environment and spirit of 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 such as polluter pay principle, precautionary principle, inter-generational equity and sustainable development. 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 equip the students with basic knowledge and skills to understand Environmental Law issues.

Module 01 Introduction:
- Historical origin of Environment Law—International and Indian Jurisprudence
- Components of Environment—Ecology, Ecosphere and Biosphere
- Protection of Environment in Ancient India and during British period
- Meaning and definition of Environment, Environmental Pollution – Its kinds (Natural and artificial – Air, Water, Noise, Soil), causes and effects.
- Nature of Environmental Law - Public law or private law
- Common law aspects of environmental law - Nuisance, Trespass, Negligence, Absolute and Strict liability.
- Criminal Liability and Environment Protection – Offences affecting public health and safety under Indian Penal Code, 1860 and Section 133 of Cr. P.C.

Module 02 Environment Protection under Indian Constitution:
- Remedies – Writ Jurisdiction of High Court and Supreme Court
- Public Interest Litigation and Environment Protection.
- Role of Indian Judiciary in protection of Environment

Module 03 Principles of International Environmental Law and their relevance in India:
- World Summit on Sustainable Development, 2002, UNFCCC, 2015–Position in India
- Responsibility of States in Protection of Environment—Trans-boundary pollution and state’s responsibility—Trail Smelter Arbitration
- Significance and Protection of Ozone Layer- Global Warming-Acid Rain-Oil Spills- Gas Leak- Marine Pollution
- Sustainable Development, Inter-generational Equity, Precautionary Principle, Polluter Pays Principle, Public Trust Doctrine- Relevance of
above in India

Module 04  Resource Management I: Legislative and Judicial Perspective:
The Water Act, 1974, the Air Act, 1981, the Environment (Protection) Act 1986 - Definitions, Measures taken for protection and conservation of natural resources, Authorities, offences and penalties and important judicial decisions under these legislations
Protection of Forests:
The Forest Act,1927 - Definitions, Types of Forests, Acts prohibited in these forests, transit of forest produce, powers of forest officers, offences and penalties, important judicial decisions
The Forest (Conservation) Act, 1980 - De-reservation of forest land for non-forest purpose, Advisory Committee, Penalties
The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006 – Forest rights, recognition, restoration and vesting of forest rights and related matters, authorities and procedure for vesting of forest rights, offences and penalties, important judicial decisions
The National Forest Policies of 1952 and 1988
The Wildlife Protection Act, 1972 - Important Definitions, Authorities under the Act, Wildlife Advisory Board, Hunting, Protection of Specified plants, Sanctuaries and National Parks, Central Zoo Authority and Recognition of Zoos, Trade or commerce in wild animals, animal articles and trophies, Forfeiture of Property Derived from Illegal Hunting and Trade, Offences and Penalties, important judicial decisions.

Module 05  Resource Management II: Legislative and Judicial Perspective:
The Biological Diversity Act, 2002- Important Definitions, Regulation of access to biological diversity, national biodiversity authority, state biodiversity board, biodiversity management committees, equitable benefit sharing, judicial decisions.
The Public Liability Insurance Act, 1991 – Important definitions, Liability to give relief in certain cases on principles of no fault, Duty of owner to take out insurance policies, relief and establishment of Environmental Relief Fund, offences and penalties.
Environment Protection Rules:-
The Noise Pollution (regulation and Control) Rules, 2000
Guidelines for Eco-Sensitive Zones around Protected Areas
The Environment (Protection) Rules
CRZ Notification
Hazardous Wastes (Management and Handling) Rules
Manufacture, Storage and Import of Hazardous Chemical Rules
Municipal Solid Wastes (Management and handling) Rules
The Ozone Depleting Substances (Regulation and Control) Rules
Module 06  Environment and Development:

Recommended Readings:
1) Ritwick Dutta and Sanjeeet Purohit, Commentary on the National Green Tribunal Act, 2010, Universal Law Publications.
2) P.S. Jaswal, Environmental Law, Allahabad Law Agency
3) Majumdar, Nnandy, Mukherjee, Environment and Wildlife laws in India, LexisNexis.
4) Maheshwara Swamy, Textbook on Environmental Law, Asia Law House, Hyderabad
5) S. Shantakumar, Introduction to Environmental Law, Wadhwa & Company, Nagpur
6) S.C. Shastri, Environmental Law, Eastern Book Company, Lucknow, 2005
7) H. N. Tiwari, Environmental Law, Allahabad Law Agency
8) Shyam Divan and Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press, New Delhi
9) P Leelakrishnan, Environmental Law in India, Lexis Nexis, New Delhi
10) P Leelakrishnan, Environmental Law Case Book, Lexis Nexis, New Delhi
13) P B Sahasranaman, Handbook of Environmental Law, Oxford University Press
Objectives of the Course: This course covers essential skills required of an Advocate: the skill of drafting conveyances and pleadings. Developing the ability to draft effectively requires development of skills of writing purposefully, articulation, legal research, and of qualities of language, its clarity and precision. All of these develop by practice. The objective of the course is to introduce the student to these skills, and lead him through various basic documents that an Advocate would be called upon to prepare.

The subject of Conveyancing will enable a student to know the aspects of the drafting process, essential features of some transactions involving transfer of property and contracts, as also other documents that he would have to make for his clients. He will learn addressing the interests of all parties to the transaction, and the need for protecting to the best extent possible the interests of his own client as a transacting party.

The subject of Pleadings will alert the student towards the basic principles of drafting pleadings that state the case of his client. He will understand the process of pleadings, particularly the interplay between different substantive laws applicable to the case. He will also understand the application of principles of pleadings, and the rules of procedure, and the mandatory contents in different categories of pleadings.

Marking scheme:
(A) University written examination at end of term: 80 Marks
(B) Written submissions: 10 Marks
(C) Viva voce examination: 10 Marks

Part A: University Written Examination: 80 Marks

Module 01 General principles relating to conveyancing:
  Object of Conveyancing, essentials of drafting
  The drafting process: Know the laws, Know the transaction, Scheme of the draft, Ascertain facts, Language, Style, Form, Need for precision and clarity, Use of precedents.
  Contents of a draft conveyance: Commencement, Parties, Recitals, Parcels, Operative part, Arrangement of obligations, Signatures, Attestation.
  Formalities: Writing, Attestation, Notarisation, Registration
  Investigation of title, Chain of title, Public notices and their purpose, search and title report.

Module 02 Transfers:
  Agreement to sell immovable property
  Sale deed of immovable property
  Lease deed of immovable property
Simple mortgage of immovable property
Gift of immovable property
Sale of raw materials by its supplier to a manufacturing company.

**Module 03  Contracts:**
Agreement for a short term loan given by an individual proprietor to his employee
Partition deed between members of a joint Hindu family
General power of attorney
Partnership deed
Agreement to transfer shares of a private limited company
Non-disclosure agreement between parties negotiating a contract
Indemnity bond
Leave and licence agreement

**Module 04  Notices and other documents:**
Will
Affidavit
Acknowledgment in writing under section 18 of the Limitation Act 1963
Public notice inviting objections to a transaction of immovable property
Notices:
For dissolution of a partnership at will
Under section 106 of the Transfer of Property Act 1882
Under section 138 of the Negotiable Instruments Act, 1882
Reply to notice under section 138 of the Negotiable Instruments Act, 1882
Notice under section 80 of the Civil Procedure Code

**Module 05  General principles relating to pleadings:**
Meaning and purpose of pleadings, Importance of pleadings in the administration of justice
Rules of pleadings, Types of pleadings, Orders VI to VIII of Civil Procedure Code 1908, Relationship between pleadings and evidence
The pleading process: Know relevant substantive laws, Identify provisions applicable, Understand essential elements of provisions, Know presumptions, Ascertain facts, Select facts, Language, Style, Form, Need for precision and clarity, Use of precedents.
Jurisdiction, Limitation, Valuation, Court fees and calculation
Prayers, Prayers and court fees, Verification

**Module 06  Plaints etc. Civil Proceedings:**
Suit for recovery of price of goods sold
Suit for declaration of share and partition of property of a joint Hindu family
Suit for specific performance
Application for probate
Petition for divorce by mutual consent
Petition for divorce alleging grounds of divorce
Caveat application

**Module 07  Written statements etc. in Civil Proceedings:**
Written statement in a suit for recovery of price of goods sold
Written statement in a suit for declaration of share and partition of property of a joint Hindu family
Written statement in a suit for specific performance
Reply to an application for probate contesting the will
Reply to an application for succession certificate giving consent to grant of succession certificate
Reply contesting a petition for divorce
Reply to a petition for restitution of conjugal rights

Module 08  Pleadings in Criminal proceedings:
Application for bail
Application for anticipatory bail
Criminal complaint alleging defamation, or affray and simple hurt
Application to court for recovery of motor vehicle seized by police.
Application for compounding an offence of defamation or an offence under 498A of IPC.
Application by a wife for maintenance for herself and her children

Module 09  Appeals, Petitions and other proceedings:
Consumer complaint alleging defect in goods or deficiency in services
Reply to consumer complaint about defect in goods or deficiency in services
Writ petition under Article 14 or Article 19 or Article 21 of the Constitution of India
Appeal from a judgment and decree dismissing a suit for specific performance
Appeal from a judgment refusing to grant divorce

Part B: Written submissions: 10 marks
Students shall maintain a journal, and shall write in the journal any one draft from each of Module Nos. 02, 03, 04, 06, 07, 08 and 09. (total seven drafts). The journal will be assessed by the teacher, and shall be presented at the time of viva voce examination.

Part C: Viva voce examination: 10 Marks
Viva voce examination shall be confined to the following: a) Drafts written in the journal, and b) the detail provisions of laws applicable to drafts written in the journal.

Recommended Readings:
1) Medha Kolhatkar, Drafting, Pleading and Conveyancing, Lexis-Nexis 2015
3) S P Aggarwal, Drafting and Conveyancing, Lexis Nexis 2015
4) Nayan Joshi, Legal Writing and Drafting, Kamal Publications, 2017
9) A S R Rao, Modern Commercial Draftsman, Eastern Book Company, 1989
22) P S Narayana, Pleadings and Practice (Civil and Criminal), 11th ed, Asia Law House, 2017
Optional Subject 5 (Anyone of the following)

LO 0905 Law And Education

Objectives of the Course:
This paper aims to acquaint the students with constitutional provisions guaranteeing the right to education. It provides the students with significance of the directive principles of state policies dealing with policies on education. It acquaints the students with the mechanism of regulation of education by Government. It provides the students with the judicial and legislative developments in the field of right to education. It introduces the students with the changing scenario in the field of higher education.

Module 01 Education: Constitutional Allocation of Power:
Right to education- Constitutional and legal dimensions
Legislative competence - Article 246 read with Schedule VII
Concurrent List Entry 25
Union List Entries 63, 64, 65 and 66
Reasons for transferring Education from state list to concurrent list
Areas of Central Legislation over Education, The U.G.C. Act 1956

Module 02 Constitutional Goals:
Free and Compulsory Education for children below 14 years under Article 45
Right to Education And Article 41
Right to Education And Judicial Trends
Right to Education and Article 21A
The Right to Education under The Right To Education Act, 2009

Module 03 Equality of opportunity to take education:
Articles 14, 15, 16 and 29 (2)
Reasonable classification
Reservation of seats and special concessions for SC/ST and Other classes
Right to Education Social Justice Through Social Inclusion

Module 04 Minorities and Education:
Minority’s Rights : Right to conserve distinct script and culture- Art.29 (1)
Right To Establish and administer educational institution of their choice
Minority Institutions- Right to compensation if property is acquired for public purpose- Article 301 (a)
No discrimination in grant in aid- Art. 30 (2)

Module 05 Government Control and educational institutions:
Governor-Chancellor
Appointment of Vice-Chancellor
Government Power To nominate members on various University Bodies and their role
The Maharashtra Universities Act, 2016 : Overview
Private Universities And Right To Education
Funding to education, concessions, scholarship, freeship etc.
Autonomy vs. Social Control

Module 06 Fair Hearing In Educational Matters:
Disciplinary actions, Malpractices in examination, punishments
Disputes between staff and management : Grievance mechanism
Observance of principles of natural justice

Module 07 Mechanism For Discipline In Educational Institutions:
Chancellor
Provision for Appeal to Educational Tribunals
Appointment and termination of staff, appointment of administrator
Law Commissions Reports

Module 08 Educational Institutions And Judicial Review:
Educational Institution And Article 12
Right to education, Financial Autonomy, Capitation fee
Right of private, aided, non-aided, minority and non-minority institutions
:Admission And Fee Structure
The National Commission For Minority Educational Institutions Act, 2004 : An Overview
Establishment of new schools and colleges : Grant- denial of affiliation
State Educational Councils
Educational Institutions and Right to Information: Government, Private, Deemed Jurisdiction of Court under Articles 136, 226 and 227

Module 09 Higher And Technical Education And Regulatory Authorities
Regulation under the University Grants Commission Act, 1956
U.G.C. Inspection of Universities Rules, 1960
U.G.C. Rules Regarding Fitness of Universities
U.G.C. Recognition of college in terms of Regulations, 1974
U.G.C. (Establishment and Maintenance of Institutions) Regulations, 1985
Regulation of Legal Education by Bar Council of India under the Advocates Act, 1961

Recommended Readings:
1) R.D. Agarwal, Law of Education And Educational Institutions In India (1983)
2) B.M. Sankudhar, Encyclopedia of Education System In India ( Deep and Deep Publication,1999)
4) S.P. Sathe, Fundamental Rights And Directive Principles of State Policy Constitutional Developments Since Independence (Indian Law Institute, 1974)
5) G.S. Sharma (ed.), Educational Planning : Its Legal And Constitutional Implications In India(1967)
7) N. Sudaarshan (ed.), Right To Education Emerging Scenario (The Icfai University Press, Hyderabad, 2007)
8) Sumeet Malik, Supreme Court Educational Institutions Cases (Eastern Book Company,Lucknow, 2008)
LO 0906 Principles of Taxation Law

Objectives of Course: This paper aims to acquaint the students with basic principles of taxation. It highlights the important principles of computation of income. It provides important tenets of calculation of income of natural and legal person. It also prescribes for powers and functions of various authorities under Income Tax Act. It provides the important features of the Goods and Services Tax Act.

Module 01 Introduction:
Importance and Significance of Taxation
Constitutional provisions relating to taxation (Art. 265-289)
Types of Tax Laws – Income Tax, GST, Wealth Tax and Service Tax

Module 02 Basic aspects of Income Tax Act, 1961:
Introduction to historical lineage of Income Tax Act
Scope and objectives of Income Tax Act
Some of the Basic Definitions:
Agricultural Income
Advance Tax
Asset
Capital Asset
Dividend
Income
Previous Year
Assessment Year
Revenue Receipts
Revenue Expenditure

Module 03 Computation of Income:
Income from Salaries
Deductions from Salary and Computation of Salaries
Income from House Property:
Self Occupied, Let Out
Exemption of property income from tax
Computation of Self Occupied Property
Capital Gains
Profits and gains of Business or Profession
Rebates and Reliefs
Applicable rates of tax and tax liability

Module 04 Taxation of Natural and Legal persons:
Individuals including non-residents
Hindu Undivided Family
Companies and Firms
Association of Persons
Trust and Cooperative Societies
Charitable and Religious Institutions

Module 05 Authorities under the Income Tax Act:
Director General of Income Tax
Director of Income Tax
Additional Directors
Joint Director–Deputy Directors

Module 06 Powers and Functions of various authorities:
Tax avoidance, Tax evasion and Tax Planning
Concept of tax avoidance, Tax evasion and Tax Planning (With Distinction)
Inspections
Search
Seizure
Penalties for tax evasion and tax avoidance

Module 07 ST, Goods and Services Tax Act, 2017:
Scope and object of GST
Important Definitions:
Aggregate Turnover
Business
Capital Goods
Casual Taxable Person
Composite Supply
Continuous Supply of goods and services
Input Tax
Output Tax
Outward Supply
Persons under GST-Place of Business-E- Contract-E- Filling

Levy and Collection of tax – Tax liability on composite and mixed supplies
Composition Levy: Power to grant exemption from tax
Sharing of Income between Union and States
Structure, Powers and Functions of GST Council
Offences and Penalties for certain offences under section 122

**Recommended Readings:**

3) Dr. Girish Ahuja And Dr. Ravi Gupta: Concise Commentary on Income Tax including Wealth Tax with Tax Planning/Problems & Solutions, 2014, Eastern Book Company
4) Dr. Girish Ahuja and Dr. Ravi Gupta: A Compendium of Issues on Income Tax & Wealth Tax (in 2 Vols.), 2010 Eastern Book Company
5) CA Atul Kumar Gupta: Goods and Services Tax – Law, Practice and Procedures, Lexis Nexis 2017
7) Tax Mann: Latest Edition on Income Tax
8) V.S. Datey : GST Ready Reckoner, TAxMann 2017
LO 0907 Law of Forensic Science

Objectives of the Course: This Course introduces to the student to acquire the basic knowledge in forensic sciences in order to appreciate the criminal law perception with a practical approach to understand the investigative process conducted by the investigative agencies. It also further acquaints the students to appreciate the technicalities and the interlink between law and medicine.

Module 01 Introduction:
- Crime, Criminal behavior, Criminal Justice System
- Nature and scope of Medical Jurisprudence/Forensic Science
- Historical Development of Medical Jurisprudence and Forensic Science
- Basic Principles and Significance
- Organizational structure of Forensic Science labs in Central and State
- Code of Medical ethics

Module 02 Crime Scene Management:
- Defining the Scene of crime
- Managing a crime scene and its hierarchy
- Role of First Responding officers
- Search patterns of a crime scene
- Crime Scene Documentation
- Collection, Packaging, Labeling and Forwarding of exhibits for forensic laboratories
- Preservation of evidence
- Health and safety protocols

Module 03 Forensic Science and its application in crime investigation:

Crime Scene Evidences:
- Blood, Semen & other Biological fluids
- Viscera
- Shoe impressions, Tool marks, Tyre marks
- Bite marks
- Hair- Animal & Human, Fibers & Fabrics
- Glass, Soil, pollen Paint
- Establishment of identity of individuals
- DNA
- Fingerprints/Foot prints
- Anthropology-Skeletal Remains
- Odontology

Questioned Document and their Identification:
- Identification of objects by shape and size
- Handwriting and signature-analysis, identification and examination
- Procedure for examination
- Types of forgery
Anonymous letter
Charred document
Indented writing
Counterfeit coins and notes

Module 04  **Forensic Evidences in various offences:**
- Medico legal aspect of Death
- Sexual offences
- Abortion, medical termination of pregnancy, female feticide
- Impotence, virginity, sterility and artificial insemination
- Infanticide
- Age determination
- Identification
- DNA/RNA
- Postmortem

Module 05  **Forensic Ballistics and Vehicular accident reconstruction:**
- Firearms & Their Classification
- Ammunition, Projectiles, Mechanism of Firing
- Bullet, Weapon & Cartridge case Identification
- GSR-Detection and analysis
- Nature of Injuries – Entry & Exit wounds
- Range of Fire and factors affecting it
- Primary causes of vehicular accidents
- Analytical tools to evaluate accidents

Module 06  **Medical Toxicology:**
- Forensic Toxicology
- Forensic Pharmacology
- Analytical and Clinical Toxicology
- Poison and their Medico-legal aspect

Module 07  **Recent advancement in Forensic Science:**
- Cyber Crime
- Forensic Speaker Identification
- Narco analysis
- Brain mapping
- Polygraph
- Facial reconstruction
- Preventive Forensic
- Forensic DNA Fingerprinting

**Recommended Readings:**
1) Ganguly’s Medical Jurisprudence and Toxicology, Dwivedi Law Agency, Allahbad edi.2007
2) Modi, a Text Medical Jurisprudence and Toxicology,
3) Jhala and Rajus, Medical Jurisprudence, revised by R.M. Jhala and K. Kumar
4) Lyon’s Medical Jurisprudence and Toxicology
LO 0908 Land Laws I

Objectives of the Course: Land law deals with the rights to use, alienate, or exclude others from land. Land use agreements, including renting, are an important intersection of property and contract law. Land rights refer to the inalienable ability of individuals to freely obtain, use, and possess land at their discretion, as long as their activities on the land do not impede on other individuals’ rights.

The purpose of the course, divided across two semesters, is to apprise the students about laws that govern the use and dealing with land and buildings, and regulation and control of activities concerning land.

This paper deals with laws that mainly affect urban properties, their development and dealings. With a sound background of law of transfer of property, this course equips the student with all other laws that affect use and dealings of land, and activities that enable its best exploitation. Although much of course content involves laws in force in the State of Maharashtra, the principles governing these laws are common across laws on the subjects in other states. Although detail provisions might differ in laws of other states, study of principles that underpin the laws forming part of this course will enable the student to apply these to similar laws in other states.

Module 01  Maharashtra Ownership Flats Act 1963:

- Purposes and objects of the Act
- Definitions : flat, construct a block or building of flats or apartments, and promoter
- Duties, liabilities, responsibilities and disabilities of a promoter
- Alterations, additions and defects to structure and building
- Flat purchase agreement, and its registration
- Rights, liabilities of a flat-taker
- Essential supplies and services
- Offences by promoters, by companies

Module 02  Maharashtra Apartment Ownership Act 1970:

- Purpose and objects of the Act
- Definitions of : apartment, apartment owner, building, common areas and facilities, common expenses, common profits, Declaration, limited common areas and facilities, property,
- Apartment as transferable property, its ownership, separate assessment
- Declaration, its contents, formalities, registration; Amendment to Declaration
- Common areas and facilities, encumbrances against apartments,
- Contribution to common expenses, charge
- Rights, duties, liabilities and disabilities of an apartment owner, tenants and users
- Bye-laws, Management of Apartments Condominium
Disposition of property, destruction or damage
Distinction between ownership of apartment, ownership of share in joint property, and holding of flat in a cooperative housing society.

Module 03  
Real Estate (Regulation and Development) Act, 2016, and the Maharashtra Real Estate (Regulation and Development)(Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017: The Act, and Registration of Projects and Real Estate Agents:
- Purpose and object of the Act; Enactment scheme (Central and State): Act, Rules and Regulations; Housing Policies of Governments.
- Meaning of the following terms: advertisement, allottee, apartment, building, carpet area, commencement certificate, common areas, competent authority, completion certificate, development, development works, estimated cost of real estate project, garage, interest, occupancy certificate, promoter, prospectus, real estate agent, real estate project, sanctioned plan
- Registration of real estate project, procedure, consequences of non-registration
- Registration of real estate agents, procedure and consequences of non-registration; Functions, duties and liabilities of real estate agents

Module 04  
Real Estate (Regulation and Development) Act, 2016, and the Maharashtra Real Estate (Regulation and Development)(Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017: Relationship between parties:
- Functions, duties, obligations and liabilities of a promoter: from advertisement to completion of project.
- Publication on web-site, effect.
- Transfer of title, Agreement for sale
- Rights, duties and liabilities of allottees

Module 05  
Real Estate (Regulation and Development) Act, 2016: The Authority, The Tribunal, and Remedies:
- Real Estate Regulatory Authority: Establishment, Incorporation, Composition, Qualification of Chairpersons and members, Meetings, Powers and functions, Filing of complaints, Enforcement of orders, Appearance in person and legal representation (Sections 20-23, 29, 31, 32, 34-38, 40, 56)
- Effect of the Act (sections 88-89), Bar of jurisdiction (section 79)
- Appeals: Real Estate Appellate Tribunal, Establishment, Composition, Application to Tribunal, Powers, Execution of orders (sections 43-45, 53-54).
- High Court (section 58)
- Offences and Penalties by promoter, allottee and real estate agents (sections 59-68)
- Power to adjudicate compensation (sections 71-72)

Module 06  
Maharashtra Regional and Town Planning Act 1966:
The purpose and object of the Act, and its general scheme
Development Plan, its contents and its implementation (sections 21, 22 and 42)
Control of Development and use of Land included in Development Plans (sections 43-58)

Module 07 Maharashtra Rent Control Act 1999: Forfeiture and Recovery of Possession:
- Rent Control in urban areas, Purpose and object of the Act, Historical background of the Act
- Application of the Act, Exemptions
- Definitions: Landlord, legal representative, licensee, paying guest, premises, tenant,
- Relief against forfeiture
- Recovery of possession by landlord (sections 16, 18-22)
- Landlord’s rights, duties and liabilities: enter for inspection, essential supplies, conversion of use, receipt for rent, registration of agreements, lawful charges
- Jurisdiction of courts, Appeals

Module 08 Maharashtra Rent Control Act 1999: Standard Rent, Repairs, Sub-Tenancies:
- Definition: standard rent, permitted increase,
- Standard rent: its concept, components, increase in rent, liability to pay standard rent, Application for fixing standard rent, Court’s power to fix standard rent;
- Landlord’s duty to repair, Recovery or possession for repairs (sections 16(1)(h), 17)
- Prohibition on sub-letting, assignment or transfer; Sub-tenants to become tenants.

Module 09 Maharashtra Rent Control Act 1999: Special cases and Licences:
- Special provisions for recover of possession by licensors, effect of non-registration of agreement
- Special provisions for recover of possession by members of armed forces
- Competent Authority, its powers and functions, bar of jurisdiction, no appeal, summary disposal of applications, special procedures, enforcement of orders

Recommended Readings:
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<th>No.</th>
<th>Author(s)</th>
<th>Title and Year</th>
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<td>A B Puranik, D R Choudhari, and A N Choudhari</td>
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<td>A S Chandurkar</td>
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236 SPP University • Law Faculty Revised Curriculum • B.A. LL.B., B.B.A. LL.B. and LL.B.
LO 0909 International Law on Air, Space and Sea

Objectives of the course: International Law of Air, Space and Sea are the part of the jurisdictional perspective of a State. The aim of the course is to subtly introduce to the students, the significance of Air, Space and Law of the Sea as the basic components of International Law with a background of Indian perspective. Law of Air, Space and Sea constitutes as an important resource zones for the sustainability of nation states the course introduces the basic percepts of these areas with current developments.

Module 01 Introduction to Air and Space Law:
- Historical background of Air and Space Law
- Meaning and Definition of Air and Space Law
- Concept of Outer Space and Space Activities

Module 02 Principles of Air and Outer Space Law:
- Sovereignty of state over Air Space
- Meaning and Distinction between Air and Space Law
- Five Freedoms of the Air
- International Legal Regime on Outer Space in the context various legal instruments
- Role of ICAO in the regulation of Air and Outer Space
- Definition of Moon and other celestial bodies – Legal Regulations for exploration

Module 03 Law of the Sea:
- An overview on the Historical background of law of the sea
- Significance of Law of the Sea in the contemporary era
- Territorial waters – Rights and duties of coastal states – Innocent passage - Criminal jurisdiction of coastal states
- Importance of Contiguous Zone – Rights and duties of States
- Exclusive Economic Zone : Rights and duties of coastal states in EEZ – Rights of land locked states
- Continental Shelf – Rights and duties of coastal states in Continental shelf – Significant of straight baseline—Continental Slope and Edge
- High Seas : Jurisdiction – Piracy, Right of hot pursuit – Criminal Jurisdiction of States in High Seas
- Legal Regulation of Marine Environment-Legal rules of International, Regional and National Perspective with respect to Pollution from Land based resources – Vessels-Dumping of Wastes
- Sea-Bed Authority-Structure Powers and Functions – Role of the Enterprise
- International Tribunal for the Law of the Sea-Structure-Powers and Functions

Module 04 Law of AIR and space and Sea: Indian Interests:
- Regulation in Air and Space Law :
  - Air safety provisions- Air Traffic management,
  - Legal regime of Air Space and Outer Space
  - Problem of application of Air, Space - Liability under International Civil Aviation
**Law of the Sea:**

Indian Maritime Interests, Policy and Law

The Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976

**Recommended Readings:**


4) S. Bhatt, The New Aviation Policy in India (1977) Carole Blackshow, Aviation Law and Regulation

5) V.S.Mani: Recent Trends in International Space and Policy (1996) DrRuwantissaAbeyratne


7) V.K. Ahuja, Public International Law (Lexis Nexis 2016)

8) I.A. Shearer, Starke’s International Law (1st Indian ed., 2007)

9) D.J. Harris, Cases and Materials on International Law (7th ed., 2010)


12) D.P. O’Connell: Law of the Sea (clear don Press 1988)

13) Surendra Kumar Yadav: International Space Law Applicability in Indian Perspective; International Journal of Science and Research (IJSR) available at [https://www.ijsr.net/archive/v5i7/1071602.pdf](https://www.ijsr.net/archive/v5i7/1071602.pdf)

**Recommended Journals:**

1) Indian Journal of Air and Space Law
2) Indian Journal of International Law
3) American Journal of International Law
4) International Legal Materials
Part
Syllabus of Fifth Year B.A. LL.B, Fifth Year B.B.A LL.B, and Third Year LL.B

Part
Fifth Year B.A. LL.B. - Semester X
Fifth Year B.B.A. LL.B. - Semester X
Third Year LL.B. - Semester VI

LC 1001 Criminal Procedure Code

Objectives of course: Procedural Law providing for a fair procedure is significant for a just society. Criminal Procedure has to be just, fair and reasonable to the accused as well as to the victims. At the same time it confronts a crises of intrusion into individual rights in order to protect the common weal. The criminal process involves increasing expenditure of government resources. Criminal procedure, thus, makes a balance of conflicting interests. Thus a duty is imposed on all those who are connected with the working of the criminal process to abide by the law and to exercise discretion conferred on them in the best manner. The main object of the course is to familiarise students with the working of the criminal justice delivery system and also to make them understand the significant riddles of the procedure. The course is aimed at driving home the students how the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The Course will acquaint the students with organisation of the functionaries under the Criminal Procedure Code, their powers and functions.

Juvenile Justice and Probation of offenders 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. The Course teacher, in addition, shall endeavour to familiarise the students with the case papers like, FIR, Police statement, charge sheet etc.

Module 01  Introductory:
1. The rationale of criminal procedure: the importance of fair trial
2. Constitutional perspective: Article 14, 20 & 21
3. The Organisation of police, prosecutor, defense counsel and prison authorities and their duties, functions and powers

Module 02  Pre-trial process: arrest:
1. Distinction between cognizable and non-cognizable offence
2. Warrant and summons:
   Arrest with and without warrant.
   1. The absconder status.
   2. Rights of the accused person

Module 03  Pre-trial process: Search and Seizure:
1. Search warrant and search without warrant
2. Police search during investigation
   a) General principles of search:
   b) Seizure
   c) Constitutional aspects of validity of search and seizure proceeding

Module 04  Pre-trial Process: FIR:
1. F.I.R.
2. Evidentiary value of F.I.R.

Module 05  Pre-trial Process: Magisterial Power to Take Cognizance:
Module 06  Trial Process:
Commencement of proceeding.
Dismissal of complaints.
Bail: Concept and purpose.
Bailable and Non-Bailable offences.
Cancellation of bail.
Anticepatory bail.
Appellate bail powers.
General principles concerning bond.

Module 07  Fair Trial:
Conception of fair trial
Presumption of innocence
Venue of trial
Right of the accused to know the accusation
Right to cross examination and offering evidence in defence
Right to speedy trial

Module 08  Charge:
Framing of charge
Form and content of charge
Separate charges for distinct offence
Discharge- pre-charge evidence

Module 09  Preliminary pleas to bar the trial:
Jurisdiction.
Time limitation: rational and scope.
Pleas of autrefois acquit and autrefois convict.
Issue- Estoppel.
Compounding of offences.

Module 10  Trials and Execution:
Trial before a court of session
Trial of warrant cases by magistrate
Trail of summons cases by magistrate
Summary Trials
Submission of Death sentences for confirmation
Execution, Suspension, remission and commutation of sentence

Module 11  Judgment:
Form and content
Post-conviction orders in lieu of punishment: emerging penal policy
Compensation and cost
Modes of providing judgment

Module 12  Appeal, Review, revision:
No appeal in certain cases
The rational of appeal, review and revision
The multiple range of appellate remedies:-
Supreme Court of India
High Court
Sessions Court.
Special right to appeal
Governmental appeal against sentencing
Judicial power in disposal of appeals.
Legal aid in appeals.
Revisional Jurisdiction.
Transfer of cases.

Module 13  Miscellaneous:
Maintenance of wives, children and parents
Transfer of criminal cases
Irregular proceedings
Limitations of taking cognizance
Compounding of Offences and Plea-bargaining.
Security for peace and good behaviour
Maintenance of Public order and tranquility

Module 14  Probation:
Concept of Probation: Origin and Development in India
Probation of offender’s law
Judicial attitude
Mechanism of probation: Standards of probation services
Problem and prospects of probation
The suspended sentence

Module 15  Juvenile delinquency:
Nature and magnitude of the problem
Causes
Juvenile Court system
Treatment and rehabilitation of juveniles
Juveniles and adult crime
Legislative and judicial protection of juvenile offenders
Juvenile Justice (Care and Probation of Children) Act, 2000

Recommended Books:
3) Woodroffe, Commentaries on Criminal Procedure Code, Universal, Delhi.
7) N.K. Chakrabarti, Probation System in the Administration of Criminal Justice.
8) VedKumari, Juvenile Justice System.
LC 1002 Administrative Law

Objectives of Study: Today, it is expected that the Administrative Law should be specifically deals with delivering two fundamental aspects of good governance firstly rule based administration that ensure transparency in discretion based administration to avoid arbitrariness and secondly delivery of administrative justice in furtherance of a welfare functions of the State where in litigative justice may not be accountable, efficient and effective.

Therefore, there is need to understand the evolution, nature and scope of Administrative Law and to realise its relation with Constitutional Law. Hence, while framing this syllabus the objective is to insight the law student that how administrative law functions to control the government and ensures the exercise of public power according to the Constitution and the rule of law. As the scope of Administrative law is as broad and involved as the extent of government itself so the efforts are taken while incorporating contents under this paper to 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 discretion and principles of administrative adjudication. Thus, efforts are taken to cover all the above aspects while framing the syllabus of this paper.

Module 01 Evolution, Nature and Scope of Administrative Law:
Evolution, Definitions and scope of Administrative Law
Relationship between Constitutional Law and Administrative Law,
Reasons for growth of Administrative Law, Conseild’Etat
Rule of Law and Separation of Powers
Administrative Law vis-à-vis privatization
Accountability and responsiveness of administrative agencies,
Administrative deviance- corruption, nepotism, mal-administration.

Module 02 Legislative Powers of Administration:
Meaning of Delegated Legislation, Comparative position – U.K., USA & India
Necessity and Constitutionality, Forms and requirements delegated legislation
Powers of exclusion and inclusion and power to modify statute,
Requirements for the validity of delegated legislation
Brief study of control on delegated legislation - Legislative and Judicial Control

Module 03 Judicial Powers of Administration:
Need for devolution of adjudicatory authority on Administration
Adjudicatory power of administrative authority and Principles of Natural Justice, Exceptions to Principle of Natural Justice

Module 04 Administrative Discretion and Judicial Control:
Need for conferring discretion on administrative authorities,
Limitations on exercise of discretion and role of the Constitutional mandates - Grounds of Judicial review
Impact of Liberalisation, Privatisation and Globalization, on Administration

Module 05 Liability for wrongs of Government(Tortious and Contractual):
Tortious liability in cases of Sovereign and Non-Sovereign Function,
Contractual liability of government
Statutory Immunity - Act of State - Liabilities Government privilege in legal proceedings – state secrets, public interest, Estoppel and waiver
Remedies in the form of Judicial Review and Statutory remedies, Suits for Compensation
Public Interest Litigation (Social Action Litigation) – Meaning, Laches, Res Judicata

Module 06 Corporations and Public Undertakings:
State monopoly vis-a-vis arbitrary action, Liability of public and private corporations – departmental undertakings
Legislative and Governmental Control over Corporations and public undertakings
Legal remedies, Accountability - Committee on Public Undertakings, Estimates Committee

Module 06 Informal Methods of Settlement of Disputes and Grievance Redressal Procedures:
Conciliation and mediation through social action groups, Use of media, lobbying and Public participation
Commissions of Inquiry Act, 1952, Public Enquiries and Commissions of Inquiry
Significance of Lokpal and Lokayuktas Act, 2013, Vigilance

Module 07 Right to Information Act, 2005:
Transparency and right to information – Constitutional imperative
Object and Salient features of the Act
Right to Information and obligations of Public Authorities
Hurdles in the implementation of the Act

Recommended Readings:
1) C. K. Allen, Law and Orders (1985)
2) D.D. Basu, Comparative Administrative Law (1998),
3) Franks, Report of the Committee on Administrative Tribunals and Inquiries (HMSO, 1959)
5) Wade, Administrative Law (Seventh Edition, Indian Print 1997), (Universal, Delhi)
7) S. P. Sathe, Administrative Law (1998), (Butterworth – India, Delhi.)
9) M.A. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000), Butterworth – India,
10) Jain and Jain, Principles of Administrative Law (1997) (Universal Delhi)
12) De Smith, Judicial Review of Administrative Action (1995), (Sweet and Maxwell with supplement)
13) Kriesberg, Martin (ed), Comparative Administrative Theory, (Washington Rhodes)
14) Aldershort, R.A.W. Public Administration and Policy Analysis
Objectives of the course: Company legislation in India owes its origin to the English company law. Modern business ventures require knowledge of company law. There have been considerable changes in company law over the last few years. These Changes have put more responsibility on the shoulder of Directors. A company has to comply with lot of procedures as covered under Companies Act. Listing agreement, SEBI Act and regulations. Moreover corporate Governance is now actively being implemented in various corporate houses. Law students are expected to study these changes thoroughly and minutely. Company Act 2013 seems to strengthen the Corporate Governance. This paper provides study of company law in detail which is essential for budding lawyers. This paper should be taught to students according to latest developments in Company Law.

Module 01 Concept, Nature & Meaning of Company:
Historical origin of company law in India & Fundamental concept of company law, important definitions of company law.
Characteristics of company – (Company a Legal Person, Separate Legal Entity, Perpetual Succession, Nomination facility, Common Seal, Limited liability)
Doctrine of Corporate Veil.
Important changes introduced by Companies Act 2013.
Importance of Company Law in Globalised world.
Difference between company & others forms of business organizations.

Module 02 Registration & Incorporation of Company:
Types of Company ( Single man Company, Company Limited by Share Holders, Unlimited Company, Private and Public Company, Multinational Company)
Formation of Company (Public Company, Private Company, One man Company)
Certificate of Incorporation.
Pre-incorporation contracts.
Commencement of Business.
Memorandum of Association, Alteration of MOA, Doctrine of Ultra vires.
Article of Association.
Doctrine of constructive notice & Indoor Management.

Module 03 Promoters, Securities (shares), Debentures:
Promoters- Meaning, Duty & liability-Fiduciary relationship.
Prospectus
Kinds of Share.
Securities (Shares)- Allotment of securities & Share Holdings.
Issue of share.
Certificate of shares.
Share Holders voting right
Transfer of shares
Shareholders
Share Capital (kinds of share capital)
Publication of Authorized, Subscribed & paid up capital
Buy back shares
Dividends
Guidelines for issue of debentures by public sector.

**Module 04  Appointment, Role & Qualification of Director & Meetings of Boards:**
- Role, Appointment & Types of Directors
- Company to have Board of Directors
- Independent Director
- Manner of election of Director & maintenance of independent data.
- Position of Director (Director as agent, trustee & organ)
- Appointment of directors & Managerial Staff
- Directors Identification number
- Powers & Duties of Directors
- Civil & Criminal Liability Of Directors
- Inspection, Inquiry & Disqualification
- Removal of Director
- Various types of Meetings

**Module 05  Compromise, Reconstruction, Amalgamation & Mergers:**
- Arbitration
- Compromise, Arrangements & Amalgamations
- Sanction, Duties & Powers of Tribunal
- Power to Compromise or make arrangements with creditors and members
- Reconstruction & Amalgamation of Company
- Modes of reconstruction
- Declaration & Payments of dividends in above cases
- Fast track Mergers
- Amalgamation of companies by Central Government in public interest.

**Module 06  Accounts of Company:**
- Books of accounts etc to be kept by the Company
- System of maintenance of accounts in Company
- Audit & Auditors
- Protection of Minority Share Holders
- Prevention of Oppression and Mismanagement
- Removal of names of companies from register of companies
- Revival & Rehabilitation

**Module 07  Winding up Process:**
- Meaning of Winding up
- Procedures for winding up
- Winding up process by Tribunal
- Consequences of winding order
- Company liquidator & their appointments
- Report of the liquidator
- Custody of company’s property
- Company Dissolution
Voluntary Winding up
Declaration of insolvency
Procedure for voluntary Winding up
Appointment of Liquidators

Module 08 Constitution of National company Law Tribunal, Appellate Tribunal & Special Court:

Constitution of National Company law Tribunal
Appellate Tribunal
Selection of members, terms of office, salary
Removal of members
Order of Tribunal
Powers of Tribunal
Appeal from orders of Tribunals
Establishment of special courts
Offences trial by special courts
Meditation & Conciliation Panel
Corporate Social Responsibility

Recommended Readings:
1) Company Law, Dr. N. V Paranjape, Central Law Agency, 2016
3) Corporate Governance & Concept & Dimensions, Agrawal S
4) Amalgamation & Merger of Companies & the WTO: An Indian Perspective, Singh R. K., Eastern Law House-2013
5) Taxman’s Company Law & Practice, Kapoor G.K. and Dhamija Sanjay, 2017,
LP 1004

Practical Training Paper IV – Moot Court Exercise and Internship

Objectives of the Course: This course enables the student to apply all laws of the course in the practicals. The first part of moot courts will enable him to learn identifying facts, applying the law, deriving issues, oral presentation skills, organising argument, and presenting it with persuasion. The second part will give him the experience of visiting court proceedings, and watch advocates conduct matters.

Part A: Moot Courts

In this part, each student will prepare and present three moot courts. In each, he will present oral arguments for the case and side allotted by the teacher, and will write exercises in a journal. Oral presentation shall be done in the presence of all students of the class. It will be followed by critical positive analysis about the salient features of the presentation and content, and suggestions for improvement. The teacher shall ensure that these suggestions are implemented at the next presentation.

Students shall be formally dressed for the presentation.

Each moot court will be marked as follows:

a) Oral presentation: 05 marks
b) Journal exercise: 05 marks

Part B: Internship

Each student will attend, take notes and study two case proceedings in courts, and complete the writing exercises in the journal under the guidance of an Advocate.

Part A Moot Courts

Module 01 Pre-moot Preparations

Mooting: the activity, its meaning, purpose and goal
Nature and purpose of arguments in proceedings.
Organisation of an oral presentation
Oral presentation techniques
Reading and understanding the Moot Problem

Module 02 Legal Research for the Moot Problem

Identifying the legal provisions applicable, statutory law, case-law (for and against)
Using law reports and legal databases
Modes of citation, during oral presentation, and in written arguments
Reading a judgment, locating ratio decidendi, its use as precedent
Distinguishing judgments that lay down similar propositions
Module 03  Moot Court 1

1) Objectives:
Reading the moot problem, Identifying own party, Identifying and arranging facts, Identifying the law and its provisions.
Quoting statutory provisions with effect.

2) Journal exercise:
Table of facts arranged in chronological order
Statements of facts for the party that is represented.
Effective and complete prayer
Identify and state:-
The statutory law applicable, the section number, summary of that section. In case of common law: the principle of law and its ingredients
Case-law (for and against) with correct citation style, and one-sentence summary of the relevant principle involved.
List of books referred to (with uniform citation : JILI or OSCOLA or Blue Book)

Module 04  Moot Court 2

Objectives
Formalities: Addressing the judge, the other party and Advocate for the other party, Referring to parties during course of argument, Listening to, handling and answering court questions
Eye-contact with the judge
Respectful and deferent manner

Journal exercise:
One page summary of case and argument
Table of facts in chronological order
Statement of issues in the case
Statement of the full case of the other party / parties
Issue-wise statement of case of own party and other party
Effective and complete prayer
Identify and state:-
The statutory law applicable, the section number, summary of that section. If common law: the principle of law and its ingredients
Case-law (for and against) with correct citation style, and one-sentence summary of the relevant principle involved.
List of books referred to (with uniform citation : JILI or OSCOLA or Blue Book)
Module 05  Moot Court exercise 3  

Objectives  
- Oral presentation: Voice, tone, volume, pitch  
- Use of humour  
- Body language  
- Use of one-page summary of the case for the purposes of argument  
- Ability to present argument without dependence on notes  
- Ability to present complete argument within time limit set for the purpose

Module 06  Journal exercise:  
The entire argument for the party being represented within not more than twelve pages.  
Use of proper headings and paragraphs within the written argument.  
Use of correct citations and citation styles in the written argument.  
The written argument must contain the statement of case, summary of facts, case of the other party, issues or questions or charges, issue or charge-wise argument, prayer.

Part B: Internship  
This part involves attending court proceedings personally for observing cases. Students shall attend court for case observation outside college hours. Case observation or completing this exercise shall not be an excuse for attending classes, and there will be no attendance credits for attending court proceedings.  
Each exercise shall carry 20 marks.

Module 07  Observation of a Trial  
The student will observe a civil or criminal trial involving hearing of oral evidence under guidance or supervision of an Advocate. Student shall begin internship and case observation at the beginning of the academic year, and shall present notes in the journal for assessment at the end of the first term. Observation shall continue through the next term. The teacher shall verify the progress of the proceeding with the record of proceeding on e-court website. The supervising Advocate’s certificate shall be attached to the journal.

Important: Students shall maintain confidentiality of the parties, and facts and details in matrimonial matters or matters involving women and children, or matters of sensitive nature. In such a case, names, dates (of facts and not of court proceedings), locations etc shall be modified in the journal exercise.

Objectives  
a) Attending court and court proceedings  
b) Applying substantive law and procedure to facts  
c) Familiarity with court procedures
d) Court manners and discipline

**Journal exercise**

Case number, parties names (subject to confidentiality requirement stated above), Description of court, Place.

Maintain date wise notes of the proceedings

State and discuss the provisions of law involved in the proceedings on each date: aspects of procedure and substantive law.

Brief report of the proceeding on each date.

Summary of entire proceedings at the end of the first term.

Summary of the following at the end of observation: (The summary shall cover only those of the following stages that occurred):

- Case of the plaintiff or prosecution
- Case of the defendant or accused
- Issues or matters in controversy, or charges
- Substantive law involved, and its provisions
- Procedural law involved, and its provisions
- The legal character of each witness (viz. eye witness, attesting witness, knowing facts etc), and the purpose of examining him, brief summary of his evidence.
- Brief statement of important documents filed or relied upon.
- Summary of arguments of all parties
- Judgment or order passed.

**Module 07  Observation of Arguments**

The student will observe arguments in any other proceeding involving substantial question of facts and law, viz, appeal, petition, application, in any court: Labour court, Industrial Court, Consumer Forum or Commission, Company matter, District or High Court or Supreme Court. This observation may be completed during the first term or during the vacation between the two terms. Completed journal work must be presented for assessment at the beginning of the second term. The teacher shall check the passage of the proceeding with the record of proceeding on e-court website. Advocate’s certificate will not be necessary. Student shall give a declaration in the journal that he attended the case.

**Objectives**

- Observing arguments
- Observing organisation of arguments and presentations
- Observing interaction with judge
- Understanding analysis and arrangement of facts, and application of law to facts
- Learning Court manners
- Learning Presentation skills

**Journal exercise**

Case number, parties names (subject to confidentiality requirement stated above), Description of court, Place.

Maintain date wise notes of the proceedings
State and discuss the provisions of law involved in the proceedings on each date: aspects of procedure and substantive law.
Brief report of the proceeding on each date.
Summary of the following at the end of observation: (The summary shall cover only those of the following stages that occurred):
   - Case of the plaintiff or prosecution
   - Case of the defendant or accused
   - Issues or matters in controversy, or charges
   - Substantive law involved, and its provisions
   - Procedural law involved, and its provisions
   - Description of evidence produced by parties
   - Summary of arguments of all parties
   - Judgment or order passed.

**Recommended Readings:**
2) Abhinandan Malik, Moot Courts and Mooting, Eastern Book Company, 2017
3) Kailash Rai, Moot Court (Pre-Trial Preparation and Participation in Trial Proceedings), 5\textsuperscript{th} ed, Central Law Agency, 2015.
5) K Evans, Language of Advocacy, 1\textsuperscript{st} Indian Reprint, Universal Law Publishing, 2000
8) U Sakhalkar, Developing Skills Through Moot Court and Mock Trial, Allahabad Law Agency, 2014
10) D Pope and D Hill, Mooting and Advocacy Skills, 1\textsuperscript{st} South Asian edn, Sweet & Maxwell, 2014.
Optional Subject 6 (Any one from the following)

LC 1005 Election Laws

Objectives of the course:
This paper aims to acquaint the students with the vital elements of democracy. It prescribes the students with the constitutional and legislative aspects of representation. It provides the students with the process of conduct of election and related aspects. It also provides the students with judicial perspectives on electoral reforms. It acquaints the students with redressal mechanism for election disputes.

Module 01 Jurisprudential Aspects of Representation:
- Concept of representation and participation of people
- Election and viability of democratic system
- Historical perspectives of election in India:
  - The Government of India Act, 1861
  - The Government of India Act, 1892
  - The Government of India Act, 1902
  - The Government of India Act, 1935
- Election and its statutory significance under the Representation of People Act, 1951
- Modes of election:
  - Single nontransferable vote
  - Proportional representation

Module 02 Conduct of Elections And Administrative Machinery:
- Election Commission: A Constitutional Entity
- Powers and functions of Election Commission under Article 324 of the Constitution
- Election Commission and Power of High Court under Article 226
- Preparatory process for conduct of election
- Conduct of elections under the Conduct of Election Rules, 1961

Module 03 Election of President, Vice President and other Legislative Bodies:
- Election of President under Article 52 of the Constitution
- Election of Vice President under Article 63 of the Constitution
- Election to the House of People (LokSabha) and the Council of States (Rajyasabha)
- Election to the State Legislatures
- Election to Local bodies

Module 04 Election Disputes:
- Election petition
- Jurisdiction of High Court in election petitions
- Qualification for setting aside elections
- Disqualifications for setting aside elections
Statutory procedure: implications of non-compliance

**Module 05  Electoral Reform And Judicial Activism:**
- Transparency in election process: *People’s Union for Civil Liberties v. Union of India*, (2003) 4 SCC 399
- Disqualification of representative after conviction: *Lily Thomas v. Union of India*, (2013) 7 SCC 653

**Module 06  Constituencies And Delimitation:**
- Delimitation – meaning
- Bar to interfere by court
- Delimitation of Parliament and State Assembly
- Delimitation of Assembly Constituencies in Jammu and Kashmir

**Module 07  Electors and Electoral Rolls:**
- Preparation and revision of electoral rolls
- Electoral rolls of Parliament and Assembly
- Language, form and manner of preparation of electoral rolls
- Claims and objections of electoral rolls

**Module 08  Nominations, Scrutiny And Withdrawal of Candidature:**
- Nomination: form, proposer
- Procedure for setting up by Political Parties
- Disclosure by candidates and right to information: criminal antecedents, assets, liabilities, educational qualifications
- Scrutiny of nomination: date, time, place
- Withdrawal of candidature: period for withdrawal, notice, authorized persons

**Module 09  Political Parties And Election Symbols:**
- Evolution of symbol system
- Registration of political parties
- Recognition of political parties
- Promulgation of Election Symbols (Reservation and Allotment) Order 1968
- Splits and mergers of political parties and allotment of symbols
- Disputes relating to allotment of symbols and role of Election Commission

**Module 10  Campaign, Poll and Result:**
- Model code of conduct: evolution, application, violation
- Use of media, loudspeaker vehicles
- Opinion polls and exit polls
- Poll: law and order, voting systems, voting procedure, adjournment, fresh poll
Right to vote: in person, by post, preference votes, assistance to blind, illiterate or infirm

Declaration of result: uncontested returns, contested returns, publication of result, notification

**Recommended Readings:**

1) S.K. Mendiratta, *All You Want To Know About Indian Elections* (LexisNexisButterworthsWadhwa, Nagpur, 2009)
8) B.S. Chowdhury, *Law of Elections In Indian Republic* (1967)
12) P.M. Bakshi (ed.), *Chawla’s Elections : Law and Practice* (1985)
17) R. Kothari, *Party system and election studies* (1967)
18) S.C. Kashyap, *Election and electoral reforms in India* (1971)
LO 1006 Bankruptcy and Insolvency Law

Objectives of the Course: The Insolvency and Bankruptcy Code 2016 consolidated and amended the law relating to reorganization and insolvency resolution of corporations, partnership firms, and individuals. The Course will give the student an overview of the new law that not only opens opportunities for specialized practice in this area, but also in the course of transacting, and due diligence investigation. The student will apprise of the Insolvency resolution process, the distinction between Insolvency and Bankruptcy, the function of regulation in this area, the functioning of various authorities.

Module 01 Introduction:
- Historical perspectives of insolvency, bankruptcy and the laws
- Need for the Insolvency and Bankruptcy Code 2016
- Objects of the Code
- Applicability of the Code
- Definitions of the terms: claim, charge, corporate person, corporate debtor, core services, creditor, debt, default, financial information, financial institution, financial product, financial service, financial sector regulator, insolvency professional, person, property, security interest
- Concepts of Insolvency and Bankruptcy, Debtors and Creditors

Module 02 Insolvency Resolution and Liquidation Process for Corporate Persons:
- Corporate insolvency resolution process
- Liquidation process
- Fast track insolvency resolution process

Module 03 Insolvency Resolution and Bankruptcy for Individuals and Partnership Firms:
- Insolvency resolution process
- Bankruptcy order for individuals and partnership firms
- Administration and distribution of the estate of the bankrupt.

Module 04 Authorities under the Code:
- The Insolvency and Bankruptcy Board of India
- Powers and functions of the Board
- Insolvency professional agencies
- Information utilities
- Inspection and investigation

Module 05 Adjudicating Authorities under the Code:
- Adjudicating Authorities for Corporate Persons
- Adjudicating Authorities for Individuals and Partnership Firms
- Appeals

Module 06 Insolvency and Bankruptcy Code vis-à-vis Other Legislations:
- The Companies Act, 2013
- The Sick Industrial Companies (Special Provisions) Repeal Act, 2003
The Recovery of Debts Due to Banks and Financial Institutions Act, 1993
The Presidency Towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920

Module 07 Offences and Penalties for Contravention of the Provisions of the Code:
   By the debtor
   By the creditor
   By the bankrupt

Module 08 Cross Border Insolvency:
   UNCITRAL Model Law on Cross Border Insolvency
   World Bank Principles for Effective Insolvency and Creditor Rights
   Asian Development Bank Principles of Corporate Rescue and Rehabilitation

Recommended Readings:
1) UNCITRAL Legislative Guide to Insolvency Law
3) Sumant Batra, Corporate Insolvency – Law and Practice, Eastern Book Company, 2017
4) Guide To Insolvency and Bankruptcy Code, Taxmann, 2016
LO 1007 Comparative Criminal Justice System

Objectives of the Course: Comparative research earlier was a luxury. It served to broaden one’s horizons. Today, comparative research is a necessity. In the criminal justice system the only way to effectively prevent and combat crime on the world stage is via the harmonisation and the coordination of national and international efforts. That requires up-to-date and intimate knowledge of criminal justice arrangements abroad. This necessitates the appreciation of meaningful and valuable differences, stemming from culture, history and social discourse which helps shape criminal justice arrangements in places quite different from our own. The academic endeavour of comparative criminal justice requires detailed understanding of not just criminal justice process but also the actors involved in it and the society that forms the backdrop to these process.

Module 01 Introduction:
Meaning and Significance of Comparative Criminal Justice
A comparative perspective on criminal justice and its main components.
An overview of an impact of international criminal justice on comparative criminal justice
Impact of Comparative Criminal Justice on Indian Criminal Law

Module 02 Comparative Policing:
Police and policing
Policing and crime control:
  Community policing
  Zero tolerance policing
  Policing corruption
Rise of private policing

Module 03 Transnational and global policing:
Transnational policing
International policing institutions:
  Interpol
  Europol
  UNPOL[United Nations Police]
  UN Office on drugs and crime (UNODC)

Module 04 Prosecution & Pre-trial justice:
UN Guidelines on role of prosecutors
Prosecution :
  England (Crown prosecution services)
  Netherlands
  America (Grand Juris)
  India
Pre-trial justice the role of magistrate
Pre-trial custody in law and practice

Module 05 System of trial:
Inquisitorial trials in France
Adversarial trials in England and India
Trial in Islamic Legal Tradition

Module 06  Jury System:
The English jury
The American jury
Jury system in India
Juris in inquisitorial system

Module 07  Sentencing:
Death penalty and Human Rights
Death Penalty in USA and UK
Death Penalty in India

Module 08  Models of Criminal Justice Process:
Crime Control Model:
  Rights of Victim
  Rights of Accused Person
  Power of investigation agencies
  Role of Courts
Due Process Model:
  Rights of Victim
  Rights of Accused Person
  Power of investigation agencies
  Role of Courts

Recommended Readings:
2) Nelken D (ed)(2011) Comparative criminal justice and globalisation Farnham Ashgate
13) Hans V(2008) jury system around the world, Annual Review of Law and Social Science
LO 1008 Land Laws II

Objectives of the Course: This paper deals with laws dealing with agricultural and other lands, their use, holding, management and dealings. With a sound background of law of transfer of property, this course equips the student with all other laws that affect use and dealings of land, and activities that enable its best exploitation. Agricultural land is subject to such control and regulation as would enable its most effective and efficient use. This module apprises the student of such provisions. Specialisation in these laws is as much useful for practice in litigation in these specialised area and in specialised courts, but also in advise and consultancy in dealings of these properties.

Although much of course content involves laws in force in the State of Maharashtra, the principles governing these laws are common across laws on the subjects in other states. Detail provisions might differ in laws of other states, study of principles that underpin the laws forming part of this course will enable the student to apply these to similar laws in other states.

Module 01 The Maharashtra Land Revenue Code, 1966: Lands:
- Historical background of land revenue system, and the Code
- Revenue areas
- Lands: Vesting, Extinction of rights, assignment for special purposes, pasturage, right to trees, trees and forests, recovery of value of natural products and trees etc, regulating cutting and supply of wood.
- Grant of lands
- Use of land
- Encroachment on land
- Relinquishment of land

Module 02 The Maharashtra Land Revenue Code, 1966 : Land Revenue:
- Land Revenue: Liability and assessment (64-78)
- Assessment and settlement of land revenue of agricultural lands (sections 90-107)
- Assessment and settlement of land revenue of lands used for non-agricultural purposes (sections 108-120)
- Revenue Surveys: Procedure for survey, Survey numbers, Partitions, sub-divisions, (sections 79-88)
- Boundary and boundary marks (sections 132-146)

Module 03 The Maharashtra Land Revenue Code, 1966 : Land Records:
- Record of rights (sections 147-159)
- Rights in unoccupied lands (sections 160-167)
- Realisation of land revenue and other revenue demands: Liability, priority of claim, time for payment, recovery, enforcement (sections 168-184)

Module 04 The Maharashtra Land Revenue Code, 1966 : Procedures before Revenue Officers, Appeals and Tribunal:
- Revenue Officers, their powers and duties
Module 05  The Maharashtra Tenancy and Agricultural Lands Act, 1948: Holding and Use of land, Tenancies and Parties:

- Purpose and object of the Act and historical background.
- Concepts: Deemed tenants, Protected tenants, Ceiling area, Economic Holding, Irrigated land, Maximum and minimum rent, Certificated Landlord
- Rights, liabilities, duties and disabilities of landlord
- Rights, liabilities, duties and disabilities of tenant
- Restriction on holding of lands, restrictions on transfer of lands

Module 06  The Maharashtra Tenancy and Agricultural Lands Act, 1948: Personal Cultivation, Termination of Tenancies and Enforcement:

- Termination of tenancies by parties :
  - Without default: personal cultivation, non-agricultural use, and by certificated landlord
  - on default surrender

- Relief against termination
- Termination of tenancy by operation of law, Tiller’s day
- Purchase of land by tenants, procedure for purchase
- Right of tenant to exchange land

Module 07  The Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act 1947:

- Purpose and object of the Act and historical background.
- Determination of local and standard areas, entry in record of rights
- Restrictions and prohibitions on transfer and partition of fragments including court sales, exceptions, penalty, transfer of fragment to Government and compensation
- Consolidation, procedure, Reservation of land for public purpose, Scheme: its preparation and enforcement, and compensation and apportionment, Certificate of transfer, Rights in holdings, Transfer of encumbrances

Module 08  The Maharashtra Agricultural Lands (Ceiling on Holdings) Act 1961

- Purpose and object of the Act and historical background.
- Ceiling on holding of land, Exempted land, Prohibition on holding land beyond ceiling limits
- Restrictions on transfers and acquisitions, and consequences of
contravention
Surplus land, Submitting returns, Selection of land, Procedure of determining surplus land, Declaration of surplus land, Compensation, Distribution of surplus land
Collector and Maharashtra Revenue Tribunal, Powers and functions, Appeals

Module 09 The Mamlatdar Courts’ Act 1906
Purpose and object of the Act and historical background.
Mamlatdar and Joint Mamlatdars, their appointment and powers
Cause of action and limitation
Procedure from filing of plaint till enforcement of orders
Injunction and its disobedience
Collector and his powers and functions

Important Note: Definitions in above Acts must be covered as relevant to contents of modules.

Recommended Readings:
1) S Dighe, Land Laws in Maharashtra, Snow White, 2016
5) S Dighe, Maharashtra Tenancy and Agricultural Lands Act with Rules, 1956, Snow White, 2017
LO1009 Humanitarian and Refugee Law

Objective of the Course: The objective of this course is to familiarize the student with the expanding horizons of international law. The Law of war is today popularly referred to as International Humanitarian Law. A number of issues arise out of humanitarian consideration which fixes responsibilities on the nation-states to discharge their traditional responsibility under International Law. In view of the expanding tenets of international law of human rights, war and the various issues and crimes of individuals have to be dealt with without violating the international norms. In this paper the student is presented an overview of various aspects and institutional mechanism that has been developed over the years by states parties.

The Second part Refugee Law is also critically important and again brings forth the responsibility on nation-states to discharge their obligations in the prevention of Statelessness and the resultant consequences that arise out of loss of nationality. In view of the compelling jurisprudence of Human Rights Law, the states have an onerous duty to extend protection to people who lose their nationality for no fault of us. In this area again the aspects of Human Rights highlights that Individuals being a subject and object of international law, the responsibility of the States to protect the rights that are guaranteed under various international legal instruments.

Module 01 Introduction to International Humanitarian Law (IHL)
- History and Development of IHL
- Application of IHL – Martens Clause
- Armed Conflict and Non-international armed conflict - Common Articles 2 & 3
- International Human Rights Law and Humanitarian Law
- IHL and Human Rights

Module 02 Protected Persons and Property
- Prisoners of War.
- Medical, Religious and Relief Personnel
- Protection of Civilians.
- Protection of Women and Protection of Children
- Protection of Cultural Property.

Module 03 Implementation of IHL and Institutional Mechanisms
- Basic issues involved in Implementation of IHL.
- Implementation of Law at National Level.
- Grave Breaches of Geneva Conventions and Additional Protocols.
- Role of ICRC.
- War Crimes Tribunals an Over View
- International Criminal Court- Jurisdiction--Powers and Functions
- Conventions and Protocols to be covered in this area are
  - The first Geneva Convention protects wounded and sick soldiers on land during war 1949
  - The second Geneva Convention protects wounded, sick and shipwrecked military personnel at sea during war 1949
The third Geneva Convention applies to prisoners of war.
The fourth Geneva Convention affords protection to civilians, including in occupied territory.
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977.
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977.

- **Judicial Decisions**
  - International Military Tribunal at Nuremberg
  - International Military Tribunal for the Far East (Tokyo)
  - International Criminal Tribunal for the Former Yugoslavia (ICTY)
  - International Criminal Tribunal for Rwanda (ICTR)
  - Special Court for Sierra Leone

**Module 04** Introduction to International Refugee Law
- Historical Background of Refugee Law
- Meaning and Definition of Refugee Under various International Documents
- Difference between Refugees and Internally Displaced Persons
- Human Rights and Refugees – An over view

**Module 05** International Framework for Refugee Protection
- Asylum
- Protection
- Non-refoulement
- Non-discrimination
- Family Unity
- Durable Solutions
- International Cooperation - Burden Sharing - Extradition of Refugee-voluntary
- Repatriation - Naturalization
- An over view on role of UNHCR in the protection and Promotion of Refugee Rights

**Module 06** Refugees in Indian Context
- Legal and Constitutional Provisions
- Reasons for non signatory to Refugee Convention
- Role of Indian Government in Protecting Refugees
- Role of NHRC and Judiciary

**Recommended Readings:**
2) V. K. Ahuja, *Public International Law* (2016) Lexis Nexis

**Articles to be referred**
12) Indian Journal of International Law
13) American Journal of International Law
14) International Law and Comparative Law quarterly
15) Annual Survey of American Society of International Law
**Important Note:**

If any amendment takes place in any Legislation under any law either by the Union or by the State Legislature, such updations shall come into force only from the next academic year onwards automatically. Accordingly, such new enactments of any of the provisions of any law in partial shall be automatically deemed to me updated and accordingly the institutions need to cover such new provision in the place of old regulations without major modifications to syllabi. In case in any law if any of the provisions of the existing law are repealed such provisions shall automatically deemed to be repealed in the syllabi from the next academic year.

In any legislation if major changes are brought in by the Legislature at any point of time during the year after the commencement of the academic year, such changes shall come into affect only from the next academic year. In such cases, the BOS needs to take note of such major changes and draft such portions of syllabi either wholly or partially affecting such papers.

In case if any legislation is completely removed and new legislation is introduced in place of it, the BOS has to make the arrangements to draft syllabi of such papers basing on the new legislation. Such syllabi shall come into force only from the beginning of the new academic year.

With respect of any of the rules stated above, any changes introduced by University from time to time such rules shall come into force from such period mentioned in such circulars. Accordingly, the rules stated herein needs to be read in conjunction with such circulars.