

ARYAVART INTERNATIONAL UNIVERSITY

Tilthai, Dharmanagar, North Tripura-799250

Syllabus for BA LLB (H)

Semester 1

Theory										
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks	
25LW106	Legal Methods	4	0	0	4	70	30	0	100	
25LW102	Law of Contract-I	4	0	0	4	70	30	0	100	
25EN107	English-I: Language, Law and Literature(Western)	4	0	0	4	70	30	0	100	
25SS101	History-I: Ancient and Medieval India	4	0	0	4	70	30	0	100	
25SS102	Sociology-I: Introduction to Sociology	4	0	0	4	70	30	0	100	
25SS103	Political Science-I: Introduction to Political Science	4	0	0	4	70	30	0	100	
25SS104	Economics-I: Micro Economic Analysis	4	0	0	4	70	30	0	100	
Total					28	490	210	0	700	

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Detailed Syllabus

LEGAL METHODS

Code: 25LW106

Max Marks: 70

Course Objectives: This paper aims to enable students to (i) acquire essential lawyering skills such as, research, writing, analytical thinking, and oral advocacy; and (ii) have practical exposure and to acquire skills that are necessary to be an effective, ethical, and professional member of the legal community.

UNIT I: Introduction to Law

(10 Hrs)

- a. Definition of Law by various thinkers: John Austin, Jeremy Bentham, H.L. A Hart, Savigny, Sir Henry Maine, Roscoe Pound, Ehrlich, L.L. Fuller
- b. Concept of law under Article 13 of the Constitution of India
- c. Functions of Law
- d. Law, Justice and Morality
 - i. Concept of Justice and its kinds
 - ii. Concept of Morality: Social Morality and Constitutional Morality
 - iii. Nexus between law and morality
- e. Classification of Laws:
 - i. Municipal and International Law
 - ii. Public and Private Law
 - iii. Substantive and Procedural Law
 - iv. Civil Law and Criminal Law
 - v. Common Law and Civil Law

UNIT II: Source of Law

(10 Hrs)

- a. Custom
 - i. What is custom? Kinds of customs
 - ii. Essentials of a valid Custom to become a law
- b. Precedent
 - i. Concept of Precedents
 - ii. Types- a) Authoritative and Persuasive b) Original and Declaratory
 - iii. Difference between Custom, Precedent and Legislation
- c. Legislation
 - i. Legislation and kinds of legislation
 - ii. Delegated legislation and its Kinds
 - iii. Reasons for the growth of Delegated
 - iv. Legislation and its permissible limits in India

UNIT III: Basic Concepts of Indian Legal System

(10 Hrs)

- a. Principle of Natural Justice and Rule of Equity
- b. Rule of Law:
 - i. Dicey's Rule of Law
 - ii. Application of Rule of Law in India
- c. Separation of Powers:
 - i. Montesquieu's Doctrine of the Separation of Powers
 - ii. Position in India
- d. Indian Constitution: Salient Features
- e. Judicial System in India:
 - i. Hierarchy of Courts
 - ii. Jurisdiction of the Courts

UNIT IV: Legal Writing and Research

(10 Hrs)

- a. Legal Research and Kinds of Legal Research
 - i. Doctrinal Research
 - ii. Non-Doctrinal Research
- b. Importance of Legal Research
- c. Sources of Legal Research
- d. Techniques of Legal Research

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e. Citations, Bibliography and Footnoting

PSDA (Professional Skill Development Activities)

1 Hr/Week

- Statutes and Judgments Analysis
- Preparation of one Research paper
- Access to Legal Resources: Library and Online Database
- Participation in Debate/Seminar/Symposium/Group Discussion / Youth Parliament / Quiz.

Text Books:

1. A. T. H. Smith, Glanville William, *Learning the Law*, Sweet & Maxwell, London, 2016 (16th Edn.)
2. John William Salmond, *Jurisprudence*, Sweet & Maxwell, UK, 1966 (12th Edn.)
3. Ian McLeod, *Legal Method*, Palgrave Law Masters, Palgrave MacMillan, UK, 2013 (9th Edn.)
4. V.D Mahajan, *Jurisprudence and Legal Theory*, Eastern Book Company, Lucknow, 2020 (5th Edn.)

Reference Books:

1. S.K. Verma and M. Afzal Wani, *Legal Research and Methodology*, The Indian Law Institute, New Delhi, 2001(2nd Edn.). Also available on the following link:
2. https://www.academia.edu/38460017/Legal_Research_and_Methodology.pdf?auto=download
3. J.C. Dernbach, R.V. Singleton, et.al., *A Practical Guide to Legal Writing and Legal Method*, Aspen Publishers, New York, 2017 (6th Edn.)
4. D.D. Basu, *Introduction to the Constitution of India*, Lexis Nexis, Delhi, 2019 (24th Edn.)
5. Nomita Aggarwal, *Jurisprudence-Legal Theory*, Central Law Publications, Delhi, 2014, (10th Edn.)
6. Joseph Minattur, *Indian Legal System*, ILI Publication, New Delhi, 2006(2nd Edn.)
7. Robert Watt, *Concise Legal Research*, Universal Law Publication Co. Pvt. Ltd., Delhi, 2012(6th Edn.)
8. H.L.A Hart, *The Concept of Law*, Oxford Indian Paperbacks (OUP), 2014 (3rd Edn.)

List of Cases:

1. Navtej Singh Johar v. Union of India, AIR 2018 SC 4321.
2. Joseph Shine v. Union of India, 2018 SC 1676.
3. Regina v. Dudley and Stephens, 14 Q. B. D 274.
4. Suresh Kumar Kaushal v. NAZ Foundation and Others, AIR 2014 SC 563.
5. Ratanlal Alias Babulal Chunilal Samsuka v. Sumdarabai, AIR 2017 SC 5797.
6. Union of India and Another v. Raghubir Singh (Dead) Through LRs, (1989) 2 SCC 754.
7. In re Delhi Laws Act, AIR 1951 SC 332.
8. ADM Jabalpur v. Shivkant Shukla, AIR 1976 SC 1207.
9. A.K. Kraipak v. Union of India, AIR 1950 SC 150.
10. H.L. Trehan v. Union of India, AIR 1989 SC 568.
11. Menaka Gandhi v. Union of India, AIR 1978 SC 597.
12. L. Chandra Kumar v. Union of India, AIR 1997 SC 1125.
13. Union of India v. R. Gandhi, (2010) 11 SCC 1.
14. Ram Jawaya v. State of Punjab, AIR 1955 SC 549.

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LAW OF CONTRACT-I

Code: 25LW102

Max Marks: 70

Course Objective: This course aims to (i) develop understanding of conceptual and operational parameters of the general principles of contractual relations; (ii) trace the evolution of law of contract with a view to appreciate the relevance of widely used different forms of contracts such as tenders, auction, online contracts, etc.; (iii) understand the importance of concept of consideration and the necessity of the same to form a valid contract; (iv) analyze judicial reasoning to distil rules of contract law; (v) analyse the role of the state in regulating freedom of contract to understand the need for such interference; and (vi) examine the remedies available under the law of contract for the concerned violations.

UNIT I: Formation of Contract

(10 Hrs)

- a. Meaning, Nature, and Scope of Contract
- b. Offer / Proposal: Definition, Communication, Revocation, General/ Specific Offer
- c. Invitation to Treat
- d. Acceptance: Definition, Communication, Revocation, Tenders /Auctions
- e. Effect of Void, Voidable, Valid, Illegal, Unlawful Agreements
- f. Standard Form of Contract
- g. Online Contracts

UNIT II: Consideration and Capacity

(10 Hrs)

- a. Consideration- Definition, Kinds, Essentials, Privity of Contract
- b. Capacity to Enter into a Contract
- c. Minor's Position
- d. Nature/ Effect of Minor's Agreements

UNIT III: Validity, Discharge and Performance of Contract

(10 Hrs)

- a. Free Consent
- b. Coercion, Undue Influence, Misrepresentation, Fraud, Mistake
- c. Unlawful Consideration and Object
- d. Discharge of Contracts
- e. Performance, Impossibility of Performance and Frustration
- f. Breach: Anticipatory and Present

UNIT IV: Remedies and Quasi-Contracts

(10 Hrs)

- a. Breach
- b. Remedies:
 - i. Damages: Kinds
 - ii. Quantum Meruit
- c. Quasi Contracts

PSDA (Professional Skill Development Activities)

1 Hr/Week

- ❖ Contract Formation Exercise – Impact of IT &E-Contract
- ❖ Judgement Analysis
- ❖ Drafting of a Contract
- ❖ A class-based Moot Court Competition in Contract Law

Text Books:

1. Anson, *Law of Contract*, Oxford University Press, 2010 (29th Edn.)
2. Pollock & Mulla, *The Indian Contract and Specific Relief Act*, Lexis Nexis, 2013(14th Edn.)

Reference Books:

1. Avtar Singh, *Law of Contract and Specific Relief*, Eastern Book Company, 2013 (11th Edn.)
2. Pollock & Mulla, *The Indian Contract and Specific Relief Act*, Lexis Nexis, 2013(14th Edn.)
3. Cheshire and Fifoot, *Law of Contract*, Lexis Nexis, 2010 (10th Edn.)

List of Cases:

1. Carlill v. Carbolic Smoke Ball Co. (1893) All ER Rep. 127

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2. Pharmaceutical Society of Great Britain v. Boots Cash Chemist (Southern) Ltd. (1952) 2 All ER Rep. 456
3. Balfour v. Balfour (1918-19) All ER 860 (CA).
4. Lalman Shukla v. Gauri Datt (1913) XL ALJR 489 (All.).
5. Bhagwandas Goverdhandas Kedia v. M/s. Girdharilal Parshottam Das & Co. AIR 1966 SC 543.
6. Harvey v. Facey (1893) AC 552.
7. Felthouse v. Bindley (1862) 11 CB 869.
8. Kedarnath Bhattacharji v. Gorie Mahomed (1886) 7 I.D. 64 (Cal.)
9. Mohori Bibee v. Dharmodas Ghose (1903) 30 I.A. 114
10. Khan Gul v. Lakha Singh, AIR 1928 Lah. 609

ENGLISH I: LANGUAGE, LAW AND LITERATURE (WESTERN)

Code: 25EN107

Max Marks: 70

Course Objectives: The course objective is to (i) refine the cognitive and comprehension skills of law students; (ii) Learn tools of communication, reading, speaking and writing, which are vital in lawyering; (iii) enhance their communication skills, based on reasoning and logic for practical application in their professional life; (iv) The grammar part of the course aims at enhancing the accuracy, clarity and precision in their expression and write correct formal legal language; and (v) The literary component focuses on the classical western literature to acquaint the students to the finer nuances of the English language and to develop human sensitivity, and awareness about social issues.

UNIT I: Comprehension and Composition

(10 Hrs)

- a. Reading Comprehension of General and Legal Texts
- b. Basic Grammar: Sentence; subject and predicate; phrase and clause; Case, Number; Person; Gender; Tense; Active-Passive; Modals; Prepositions; Infinitives; Articles; Gerunds; Degrees of Comparisons; Editing and Omission
- c. Essay/Story Writing, Paragraph & Précis Writing
- d. Abstract Writing
- e. Note Taking

UNIT II: Communication and Law

(10 Hrs)

- a. Meaning and Communication Approaches; Types, Directions and Challenges; Formal & Informal Communication
- b. Written and Oral Communication: brevity, clarity, simplicity, accuracy and appropriateness
- c. Verbal, Nonverbal and Paralinguistic Communication
- d. Barriers to Communication and how to avoid them, Cultural and Language Sensitivity
- e. Legal Maxims, Foreign Words, Urdu and Hindi Words

UNIT III: Advocacy Skills and Legal Reasoning

(10 Hrs)

- a. Skills of Advocacy, Court Etiquette and Decorum
- b. Law and Logic: Aristotelian Logic and Syllogism
- c. Legal Reasoning: Definition, Components of Legal Reasoning
- d. Deductive and Inductive Reasoning,
- e. Levi's and Bodenheimer's Model of Legal Reasoning

UNIT IV: Law and Literature (Western)

(10 Hrs)

- a. *Justice* (1910) by John Galsworthy
- b. *To Kill a Mockingbird* by Harper Lee (Film and Book)
- c. *The Merchant of Venice* (Act IV, the court scene) by William Shakespeare
- d. *The Handmaid's Tale* (1985) by Margaret Atwood

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PSDA (Professional Skill Development Activities)

1 Hr/Week

- Regular collection of columns of newspapers
- Act over different portions of the play Justice, to enhance verbal and nonverbal communication skills/ Analysis of the legal perspective of the play
- Group discussions, debates, extempore, and Advocacy Skills
- Mock interviews, Personality Development

Text Books:

1. Krishna Mohan & Meera Banerji, *Developing Communication Skills*, Trinity Publishing House, Delhi, 2017
2. Bryan A. Garner, *The Winning Brief: 100 Tips for Persuasive Briefing in Trial and Appellate Court*, OUP USA, 2014 (Hardcover)
3. David Pope & Dan Hill, *Mooting and Advocacy Skills*, Sweet & Maxwell, 2015 (Paperback)
4. M.A. Yadugiri & Geetha Bhasker, *English for Law*, Foundation Books (Cambridge), Delhi, 2005
5. J.S. Singh & Nishi Behl, *Legal Language, Writing and General English*, Allahabad Law Agency, 2009
6. Glanville Williams, *Learning the Law*, Sweet & Maxwell, Hong Kong, 2013 (Indian Economy Reprint)
7. Julius Stone, *Legal System and Lawyers' Reasoning*, Stanford University Press, 1964
8. Edgar Bodenheimer, *On Jurisprudence: The Philosophy and the Method of Law*, Harvard University Press, US, 1962

Reference Books:

1. Stephens P. Robbins, *Organizational Behaviour*, Pearson Education India, 2013 (15th Edn)
2. Varinder Kumar, Raj Bodh, et.al., *Business Communication*, Oscar Publication, Delhi, 2010
3. S.C. Tripathi, *Legal Language, Legal Writing and General English*, Central Law Publication, Allahabad, 2014 (6th Edition)
4. John Gibbons, *Language and the Law*, Pearson, New York, 1999
5. Wren and Martin, *English Grammar and Composition*, Blackie ELT Books, New Delhi, (Latest Edition)
6. H.K. Mukherjee, *Legal Language, Legal Writing and General English*, Lawpoint Publication, Kolkata, 2011
7. Herbert Brown, *A Selection of Legal Maxims*, Sweet and Maxwell, London, 1998 (Reprint)
8. John Galsworthy, *Justice*, Fredonia Books, NL, 2001
9. Harper Lee, *To Kill a Mockingbird*, Grand Central Publishing, US, 1988
10. Margaret Atwood, *The Handmaid's Tale*, The Classic Collection, Brilliance Audio, 2014

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HISTORY I: ANCIENT AND MEDIEVAL INDIA

Code: 25SS101

Max Marks: 70

Course Objectives: (i) The primary objective of this paper is to explore the interdisciplinary approach in law and History; (ii) to expose students to debates in History and Historical Method; (iii) to study the nature of the state and administrative apparatus to give law students proper understanding of the legal systems in ancient and medieval India. and (iv) The paper will offer a close study of select themes, focussing specifically on the intersections in history and law.

UNIT I: History and Law

(08 Hrs)

- a. Interdisciplinary Approach in Law and History and its relevance
- b. History, Debates in History and Historical Method
- c. Sources of Ancient Indian History and Historiography: A Sense of History in Ancient India, Vedas, Epics and Itihasa-Puranas, Jain and Buddhist Traditions and Sangam Literature, Banabhatta and Kalahan
- d. Sources of Medieval Indian History: Al-biruni, Minhaj, Amir Khusrau, Ziauddin Barani, Baburnama, AbulFazl, Badauni, Time in the Medieval period and Communal Reading of History

UNIT II: Ancient India

(10 Hrs)

- a. State, Polity and Governance in the Vedic Age, Age of Mauryas and Guptas
- b. Theories of Kingship: Brahminic and Buddhist, Critical Study of Kautilya's *Arthashastra* and Kamandaka's *Nitisara*
- c. Social Differentiation: *Varnashrama Dharma* (*Varna, Jati, Gotra, Privara*, Family Slavery and Untouchability)
- d. Women and Society: Education, Marriage, Property

UNIT III: Medieval India

(10 Hrs)

- a. Cholas Administration and the Local Self-Government
- b. Delhi Sultanate: Administrative System, Iqtadari System, The Vijayanagara State
- c. The Mughal Empire: Revenue System, Mansabdari System and Mughal Administration
- d. Theory of Kingship under the Sultanate and Mughals, Influence of the Bhakti-Sufi Tradition on medieval state polity

UNIT IV: The Concept of Justice and Judicial Institutions in Ancient and Medieval India

(12 Hrs)

- a. Sources of Law in Ancient India: Concept and Sources of *Dharma*, Vedas, *Dharmasutra*, *Dharma Shastra*, Types of Courts and Procedures
- b. *Smritis* and *Smritikaras* of Ancient India: Manu and Manusmriti and Yajnavalkya
- c. Sources of Law in Medieval India (with special reference to Quran, *Hadis*, *Ijma*, *Qiyas*) and Islamic Schools of Jurisprudence
- d. Law and Justice under the Delhi Sultanate and Mughals

PSDA (Professional Skill Development Activities)

1 Hr/Week

- Screening Rashomon (1950): A Film by Akira Kurosawa (1910-1998) and discussion on the multiple interpretations in History
- Visit to the National Museum, New Delhi/Any Historical Place
- Historical Walks
- Interpretation of Historical Sources through paintings, Sculptures, etc.
- Seminar on the concept of Dharma, Law and Justice in Ancient and Medieval Worlds

Text Books:

1. H.V. Sreenivasa Murthy, *History of India*, Eastern Book Company, India, 2019
2. Romila Thapar, *Early India: From the Origins to AD 1300*, University of California Press, 2004
3. Satish Chandra, *History of Medieval India*, Orient Blackswan, Delhi, 2009
4. E. Sreedharan, *A Textbook of Historiography*, Orient Blackswan, Delhi, 2004

Reference Books:

1. E.H. Carr, *What is History*, Penguin, UK, 2008
2. Romila Thapar, *Time as a Metaphor of History*, OUP, India, 1996

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3. Satish Chandra, *Medieval India*, Vol. I, Har-Anand, New Delhi, 2000, (2nd Edn.)
4. Satish Chandra, *Medieval India*, Vol. II, Har-Anand, New Delhi, 2004, (3rd Edn.)
5. T. Rama Jois, *Legal and Constitutional History of India: Ancient Legal, Judicial and Constitutional System*, Universal Law Publishing Co., Delhi, 2004(Reprint)
6. A.L. Basham, *The Wonder that was India*, Part I, Rupa & Co., Delhi, 1993 (20th Edn.)
7. S.A.A. Rizvi, *The Wonder that was India*, Part II, Prakash Books, Delhi, 2004(Reprint)
8. Robert Lingat, *The Classical Law of India*, OUP, Oxford, 1998(Reprint)

SOCIOLOGY I: INTRODUCTION TO SOCIOLOGY

Code: 25SS102

Max Marks: 70

Course Objectives: This paper's objective is to: (i) familiarize the students with the basic understanding of the functionality of law and the normative structures in a society from the perspective of Sociology; (ii) undertake detailed discussion on social stratification, and social change as discussed by different theorists; (iii) draw a connection between environment and sociology, with special reference to culture and community; and (iv) critically study globalization, liberalization and urbanization..

UNIT I: Field of Study and Basic Concepts

(10 Hrs)

- a. Definition, aim and scope of Sociology, and its application
- b. Relation with other social sciences
- c. Basic concepts- society, community, association, social groups, status and role

UNIT II: Social Stratification

(10 Hrs)

- a. Key factors of stratification
- b. Conceptual understanding of differences and inequality, natural and social inequality, rise of meritocracy
- c. Perspectives of Parsons, Karl Marx and Max Weber
- d. Basis of stratification- class, race and gender
- e. Stratification in capitalist and socialist societies

UNIT III: Social Change

(10 Hrs)

- a. Causes and features of change
- b. Liberalization and privatization, globalization
- c. Urbanization, Ex-urbanization and suburbanization
- d. Modernization and post-modernization
- e. Changes introduced in society due to these processes
- f. Development, planning and change
- g. Social movements and change

UNIT IV: Environment and Society

(10 Hrs)

- a. Interrelationship between society and environment- Nature- Man- Spirit Complex
- b. Culture as adaptive Screen
- c. Community participation and environment management
- d. Environmental movements- forest-based, water-based, and land-based movements
- e. Indigenous knowledge and conservation

PSDA (Professional Skill Development Activities)

1 Hr/Week

- Symposium on Judicial Activism and Social Action Litigation
- Study of any popular group formation, such as a laughing club, etc. / Review *Soldiers in Sarong*. This movie is about the archaic army rules prevailing in the North-Eastern part of India. It is a portrayal of People's Resistance Movement for Human Rights.
- Evaluation of Law as an agency of Social Transformation
- Review of 'Neem ka ped'. The story starts in pre-independent India and ends in post-independent India, showing the vagaries of both the feudal and democratic systems in India, with its darker side, 'New Delhi Times'. The film tells the story of an honest journalist who moves to Delhi to run a newspaper, and soon uncovers a political assassination, and in the process, falls prey to a corrupt system and the nexus between politicians and media barons.

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Text Books:

1. C. Wright Mills, *The Sociological Imagination*, Chapter 1, Oxford University Press, London, 1959
2. Paul B. Horton & Chester L. Hunt, *Society*, McGraw-Hill Book Company, US, 1984
3. Anthony Giddens, *Sociology*, Polity Press, UK, 2009
4. Kingsley Davis, *Human Society*, The Macmillan Company, US, 1949
5. Robert M. MacIver and Charles H. Page (ed.), *Society: An Introductory Analysis*, Holt, Rinehart and Winston, New York, 1949

Reference Books:

1. Amita Baviskar, *In the Belly of the River: Tribal Conflicts over Development in the Narmada Valley*, Oxford University Press, India, 1999
2. Lalit Prasad Vidyarthi, *The Maler: A Study in Nature- Man – Spirit Complex in a Hill Tribe*, Bookland Private Ltd., Calcutta, 1963
3. Anthony Giddens, *Runaway World*, Routledge, England, 2002
4. Piotr Sztompka, *Sociology of Social Change*, Wiley-Blackwell, New Jersey, 1993
5. Garth Massey, *Ways of Social Change: Making Sense of Modern Times*, Sage Publications, US, 2015
6. Ramchandra Guha, “Chipko: Social History of an Environment Movement” in
7. Ghanshayam Shah (ed.) *Social Movements and the State* (Vol. 4), Sage Publications Pvt Ltd., Delhi, 2002
8. D.Howes, *Cross-cultural Consumption: Global Markets and Local Realities*, Routledge, London, pp 1-16, 1996
9. Robert Bierstedt, “The Social Order”, in *The Problem of Social Change*, McGraw-Hill, US, pp 527- 567, 1974
10. George Ritzer, 2004 *The McDonaldisation of Society*, Pine Forge Press, US, 2004
11. Robert Redfield, “How Human Society Operates” in Harry L Shapiro (ed.) *Men, Culture and Society*, Oxford University Press, New York, pp 345- 368, 1956

POLITICAL SCIENCE I: INTRODUCTION TO POLITICAL SCIENCE

Code: 25SS103

Max Marks: 70

Course Objectives: The paper aims to enable the students to: (i) understand the intricate relationship between Law and Political Science; (ii) examine state as a concept and various theories associated with it; (iii) build an aptitude for other disciplines of law such as constitutional law, public international law and administrative law; (iv) critically analyse the various models of government; (v) analyse the functioning of various organs of government; and (vi) critically appreciate doctrine of judicial review and judicial activism.

UNIT I: Understanding the Concepts

(10 Hrs)

- a. What is Politics: Theorizing the ‘Political’
- b. Approaches to Political Theory
 - i. Normative,
 - ii. Institutional,
 - iii. Behavioural
- c. What is Political Science- definition, aims and scope.
- d. Relationship between Political Science and Law

UNIT II: Political Theory

(10 Hrs)

- a. What is State? Concept, Evolution, Development and Elements
- b. State, government and law
- c. Theories of State:
 - i. Divine and Force Theory
 - ii. Organic Theory
 - iii. Idealist and Individualist Theory
 - iv. Theory of Social Contract
 - v. Kautilya’s Saptang theory
 - vi. Islamic concept of state

UNIT III: Organs of Government

(10 Hrs)

- a. Legislature: Concept, Functions and Types
- b. Executive: Concept, Functions and Types

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- c. Judiciary: Concept, Functions,
- d. Independence of Judiciary
- e. Judicial Review and Judicial Activism (Overview)

UNIT IV: Institutional Functioning

(10 Hrs)

- a. Parliamentary Form of Government
- b. Presidential Form of Government
- c. Political Process
 - i. Political Parties and Pressure Groups
 - ii. Changing Trends and Party System

PSDA (Professional Skill Development Activities)

1 Hr/Week

- Parliamentary Debate
- Mock Elections
- Quiz
- Political Debates/Discussions

Text Books:

1. R. Bhargava, what is Political Theory: An Introduction, Pearson Longman, New Delhi, 2008
2. O.P. Gauba, An Introduction to Political Theory, Macmillan, Delhi, 2009.
3. Z. Hasan (ed.), Parties and Party Politics in India, Oxford University Press, New Delhi, 2002

Reference Books:

1. Andrew Heywood, Politics, Palgrave Macmillan, New York, 2011
2. D. Glaser, 'Normative Theory', in Marsh, D. and Stoker, G. (eds), Theory and Methods in Political Science, Macmillan, London, pp. 21-40, 1995
3. D. Sanders, 'Behavioural Analysis', in Marsh, D. and Stoker, G. (eds), Theory and Methods in Political Science, Macmillan, London, pp. 58-75, 1995
4. T. Ball, 'History and the Interpretation of Texts', in Gerald F. Gaus and Chandran Kukathas (eds), Handbook of Political Theory, Sage Publications, London, Thousand Oaks, New Delhi, pp. 18-30, 2004
5. B. Shankar and V. Rodrigues 'The Changing Conception of Representation: Issues, Concerns and Institutions', in The Indian Parliament: A Democracy at Work, Oxford University Press, New Delhi, pp. 105- 173, 2011.
6. J. Manor 'The Prime Minister and the President', in B. Dua and J. Manor (eds.) Nehru to the Nineties: The Changing Office of the Prime Minister in India, University of British Columbia Press, Vancouver, pp. 20- 47, 1994.
7. U. Baxi, The Indian Supreme Court and Politics, The Eastern Book Company, Lucknow, 1989.
8. B. Chakrabarty, Indian Constitution, Text, Context and Interpretation, Sage, New Delhi, Ch 17, Judiciary in India, pp. 269-293, 2017.
9. G. Austin, The Indian Constitution: Cornerstone of a Nation, Oxford University Press, New Delhi (15th print) [Chapter 6: The Legislature – Unity Through Popular Government, pp. 144-163, 2010]
10. L. Rudolph and S. Rudolph 'Judicial Review Versus Parliamentary Sovereignty', in Explaining Indian Institutions: A Fifty-Year Perspective, 1956-2006, Volume 2: The Realm of Institutions: State Formation and Institutional Change, Oxford University Press, New Delhi, pp. 183-210, 2008

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ECONOMICS I: MICROECONOMIC ANALYSIS

Code: 25SS104

Max Marks: 70

Course Objectives: The objectives of the course is to (i) critically appreciate the interface between law and economics (ii) provide students thorough knowledge and understanding of the foundations of economics, current economic models and economic problems; (iii) make them grasp concepts related to demand and supply, production, cost, and market structure; (iv) provide fair understanding of the market mechanism as a means of allocating scarce resources; and (v) enable them to think analytically about real world economic phenomena.

UNIT I: Introduction to Economics

(10 Hrs)

- a. Definition, methodology and scope of Economics
- b. Forms of economic analysis – Micro vs. macro, partial vs. general, static vs. dynamic, positive vs. normative, short run vs. long run
- c. Basic concepts and precepts – economic problems, economic rationality, optimality
- d. Economic organization – market, command and mixed economy
- e. Relation between economics and law – various dimensions.

UNIT II: Demand and Supply

(10 Hrs)

- a. Theories of demand - demand function, law of demand. Concept of utility and utility theory-utility approach, indifference curve approach
- b. Law of supply, supply function
- c. Price determination; shift of demand and supply
- d. Elasticity of demand and supply; consumer surplus
- e. Applications of demand and supply –tax floor and ceilings; applications of indifference curves-tax, work

UNIT III: Production Analysis, costs and market structure

(10 Hrs)

- a. Concepts of Production- production isoquants, returns, returns to factor, returns to scale
- b. Cost and revenue concepts
- c. Classification of markets: pure and perfect competition; monopolistic and imperfect competition; monopoly, duopoly and oligopoly; cartels; Concept of Dumping

UNIT IV: Theory of determination of factor prices, rent, interest, wages and profit

(10 Hrs)

- a. Labour supply and wage determination
- b. Role of trade unions and collective bargaining in wage determination; minimum wage legislation
- c. Exploitation of Labour

PSDA (Professional Skill Development Activities)

1 Hr/Week

- Interrelation between Micro and Macro Economics/Goals of Economics for both micro and macro/ Economics and Law
- Applications of demand and supply – Tax, Floor and Ceilings/ Identification of different cases of floors, ceilings, taxes implemented by the State (Government) through legislation/ Exercises to be given to the students to identify the demand and supply of various professions/institutions / Usefulness of the concept of Elasticity through Case Study methods.
- Symposium on different market structures, Competition Law, Competition Commission of India (CCI)/ Role play on role of Trade Unions, Collective bargaining/ Presentations on Consumer Protection, Consumer as a 'King'.
- Workshop on the working of money markets and capital markets, different financial assets, financial instruments/ Showing documentaries

Text Books:

1. J.P. Gould & C.P. Lazear, *Micro Economic Theory*, McGraw-Hill, US, 1989
2. Richard G. Lipsey, *Introduction to Positive Economics*, ELBS, Oxford University Press, UK, 1995
3. P.A. Samuelson, *Economics*, Mc-Graw-Hill, Irwin, 2005

Reference Books:

1. Bilas Richard, *Microeconomic Theory*; Mc Graw Hill, New York, 1971 (2nd Edn.)
2. Amihai Glazer, David Hirshleifer & John Hirshleifer, *Price Theory and Applications*, Cambridge University Press, Cambridge, 2005 (7th Edn.)

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3. Hal Varian, *Intermediate Micro-economics*, Norton & Co., 2010, (8th Edn.)
4. K.K. Dewett, *Modern Economic Theory*, Sultan Chand & Sons, New Delhi (Latest Edition)

Theory Paper

Total: 100 Marks
External: 70 Marks
Internal: 30 Marks

External: 70 Marks

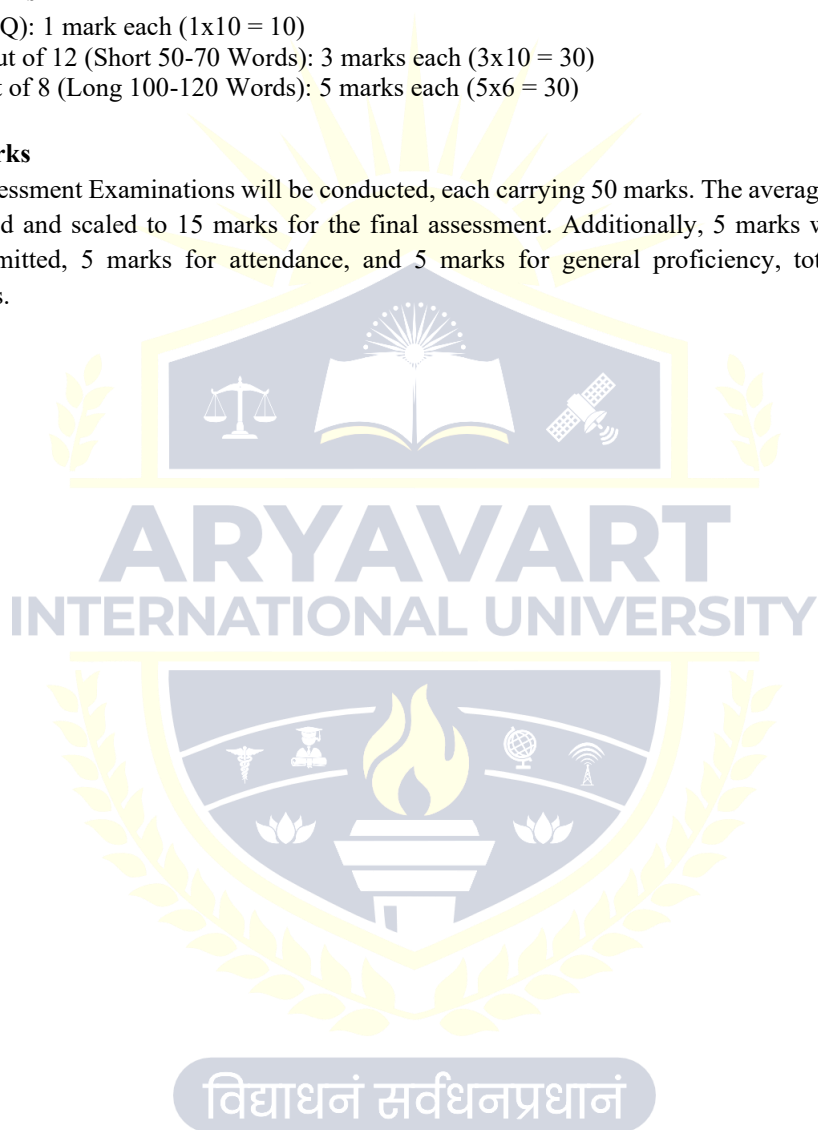
10 Question (MCQ): 1 mark each (1x10 = 10)

Answer any 10 out of 12 (Short 50-70 Words): 3 marks each (3x10 = 30)

Answer any 6 out of 8 (Long 100-120 Words): 5 marks each (5x6 = 30)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be allotted for assignments submitted, 5 marks for attendance, and 5 marks for general proficiency, totalling 15 internal assessment marks.



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Syllabus for BA LLB (H)

Semester 2

Theory										
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks	
25LW202	Law of Contract II	4	0	0	4	70	30	0	100	
25LW103	Law of Torts & Consumer Protection	4	0	0	4	70	30	0	100	
25LW301	Constitutional Law I	4	0	0	4	70	30	0	100	
25LW206	Legal History	4	0	0	4	70	30	0	100	
25LW207	Legal Research and Moot Court	4	0	0	4	70	30	0	100	
25SS202	Sociology II: Indian Society	4	0	0	4	70	30	0	100	
25EN205	English II: Language, Law, and Literature (Indian)	4	0	0	4	70	30	0	100	
Total					28	490	210	0	700	

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विद्याधनं सर्वधनप्रधानं

Detailed Syllabus

LAW OF CONTRACT-II

Code: 25LW202

Max Marks: 70

Course Objectives: This course aims to: (i) enable students to understand the basic concepts of indemnity, guarantee and agency in detail to further enhance their knowledge as to special kinds of contracts existing under contract law regime; (ii) study the nature of rights and duties of indemnifier/bailor/bailee/principal/agent to appreciate existing similarities and difference between stated kinds; (iii) apprise students about the nuances of partnership laws and sale of goods laws as extended contracts covered under different statutes owing to their own peculiarities; (iv) impart knowledge as to negotiable instruments and related laws for grasp over the various instrumental modes of payments.

UNIT I: Indemnity, Guarantee and Agency (Conceptual Study) (08 Hrs)

- a. Indemnity and Guarantee
- b. Right and Duties of Indemnifier
- c. Discharge of Surety
- d. Rights and Duties of Bailor/Bailee, Lien, etc
- e. Definitions of Agent and Principal, Creation of Agency, and its Termination

UNIT II: The Indian Partnership Act, 1932 (10 Hrs)

- a. Nature of Partnership Firm
- b. Rights /Duties of Partners *inter se*
- c. Incoming and Outgoing Partners, Position of Minor
- d. Dissolution and Consequences

UNIT III: The Sale of Goods Act, 1940 (10 Hrs)

- a. Definitions and Distinction between Sale and Agreement to Sale
- b. Conditions and Warranties
- c. Passing off, Property
- d. Rights of Unpaid Seller and Remedies for Breach of Contract

UNIT IV: The Negotiable Instrument Act, 1881 (12 Hrs)

- a. Definition and Kinds of Negotiable Instruments
- b. Holder and Holder-in-Due Course
- c. Material Alterations and Crossing of Cheque, etc.
- d. Dishonour of Negotiable Instruments

Text Books:

1. Pollock & Mulla, Indian Contract and Specific Relief Act, Lexis Nexis, Delhi, 2013(14th Ed)
2. Avtar Singh, Law of Partnership, Eastern Book Company, Lucknow, 2012 (4th Ed)
3. Avtar Singh, Law of Contract and Specific Relief, Eastern Book Company, Lucknow 2013 (11th Ed).
4. S. P. Sengupta, Commentaries on Negotiable Instruments' Act, Central Law Agency, Allahabad, 2008 (3rd Ed).

Reference Books:

1. Avtar Singh, Sale of Goods, Eastern Book Company, Lucknow, 2011 (7th Ed).
2. Michael G Bridge(ed.), Benjamin's Sale of Goods, Sweet & Maxwell, London, 2013 (8th Edn.)
3. P. S. Atiyah, Sale of Goods, Pearson Education, India, 2010 (12th Ed).
4. B.M. Prasad and Manish Mohan, Khargamvala on the Negotiable Instrument Act, 2013, Lexis Nexis, New Delhi, 2013 (21st Ed).
5. P. Mulla, The Sale of Goods and Indian Partnership Act, Lexis Nexis, New Delhi, 2012 (10th Ed).

LAW OF TORTS & CONSUMER PROTECTION

Code: 25LW103

Max Marks: 70

Course Objectives: This course aims to enable the students to (a) understand the origin, development, and general principles of the Law of torts, (b) understand the fundamental principles of the Law of torts, (c) analyse the theoretical background of torts along with significant principles of liability, (d) study and evaluate the specific torts against the individual and property, (e) learn the affirmative defences available in an action for torts and (f) give an over view of Consumer Protection Act, 2019.

UNIT I: Introduction and Principles of Liability in Tort **(10 Hrs)**

- a. Definition of Tort
- b. Development of the Law of Torts
- c. Distinction between Law of Tort, Contract, Quasi-Contract, and Crime
- d. Constituents of Tort: Injuria sine damnum, Damnum sine injuria
- e. Justification in Tort, Volenti in Jure, Necessity, Plaintiff's default, Act of God, Inevitable Accidents, Private Defence

UNIT II: Specific Torts-I **(10 Hrs)**

- a. Negligence
- b. Nervous Shock
- c. Nuisance
- d. False Imprisonment and Malicious Prosecution
- e. Judicial and Quasi-Judicial Acts
- f. Parental and Quasi-Parental Authority

UNIT III: Specific Torts-II **(10 Hrs)**

- a. Vicarious Liability
- b. Doctrine of Sovereign Immunity
- c. Strict Liability and Absolute Liability
- d. Defamations

UNIT IV: The Consumer Protection Act, 2019 **(10 Hrs)**

- a. Definitions of Consumer, Goods, and Services
- b. Rights and Duties of Consumer
- c. Authorities for Consumer Protection
- d. Remedies

PSDA (Professional Skill Development Activities) **1 Hr/Week**

- ❖ Mock Trial
- ❖ Moot Court
- ❖ Movie Review
- ❖ Poster Making

Text Books:

1. W. V. H. Rogers, Winfield and Jolowicz Tort, Sweet & Maxwell, London, UK, 2010 (18th Edn.)
2. Ratanlal & Dhirajlal, The Law of Torts, Lexis Nexis, India, 2013 (26th Edn)

References:

1. B. M. Gandhi, Law of Torts with Law of Statutory Compensation and Consumer Protection, Eastern Book Company, Lucknow & Delhi, 2011 (4th Edn)
2. R. K. Bangia, Law of Torts including Compensation under the Motor Vehicles Act and Consumer Protection Laws, Allahabad Law Agency, Allahabad, 2013
3. Ramaswamy Iyer's The Law of Torts, Lexis Nexis, India, 2007 (10th Edn.)

List of Cases:

1. Donoghue v. Stevenson (1932) A.C.562: 147L.T.281:48T.L.R.494
2. Klaus Mittelbachert V. EastIndia Hotels Ltd., 1997AIR201Delhi (Single Judge)
3. Ashby v. White (1703) 2 Lord Rayn, 938:(1703) 1 Sm.L.C. 13th Edn., 253
4. Bhim Singh v. State of J&K, 1986AIR494
5. Gloucester Grammar School Case (1410) Y.B. Hill 11 Hen, 4 of 47, p.21, 36
6. Hall v. Brooklands Auto Racing Club (1932) All E.R. Rep. 208: (1932) 1 K.B. 205

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7. Cassidy v. Ministry of Health (1951)1AllE.R.574
8. D. P. Choudhary v. Manjulata, 1997 AIR 170 Raj.
9. King v. Phillips (1953)1Q.B.429
10. Kasturi Lal v. State of U.P., AIR 1965SC1039

CONSTITUTIONAL LAW-I

Code: 25LW301

Max Marks: 70

Course Objectives: This paper aims to: (i) provide an understanding of basic concepts of the Indian Constitution and various organs created by the Constitution and their functions; and (ii) undertake elaborate discussions on the preamble, constitutionalism, and constitutional organs to develop interpretive skills in understanding every aspect of the Constitution.

UNIT I: Meaning and Concept of Constitution and Constitutionalism (10 Hrs)

- a. Definition of Constitution, Constitutionalism, and its Classification
- b. Sources and Framing of the Indian Constitution
- c. Preamble
- d. Salient features of the Indian Constitution
- e. Is the Indian Constitution Federal in nature?

UNIT II: Constitutional Organs of the Government (10 Hrs)

- a. Parliament
 - i. Composition
 - ii. Parliamentary Sovereignty
 - iii. Parliamentary Privileges
- b. Executive Power: Position and Power of President and Governor
- c. Judiciary
 - i. Jurisdiction of the Supreme Court and High Courts
 - ii. Appointment and Independence of Judiciary

UNIT III: Distribution of Powers between Union and States (10 Hrs)

- a. Legislative Relations between the Union and the States
- b. Administrative Relations between Union and the States
- c. Financial Relations between the Union and the States
- d. Relevant Doctrines:
 - i. Territorial Nexus
 - ii. Harmonious Construction
 - iii. Pith and Substance
 - iv. Doctrine of Repugnancy
 - v. Colourable Legislation

UNIT IV: Emergency, Amendments and Freedom of Trade and Commerce, etc. (10 Hrs)

- a. Freedom of Trade, Commerce, and Interchange
- b. Emergency Provisions: Articles 352- 360
- c. Amendment of Constitution
 - i. Procedure of Amendment of the Constitution
 - ii. Doctrine of Basic Structure

Text Books:

1. V. N. Shukla, Constitution of India, Eastern Book Agency, Lucknow, 2017 (13th Ed).
2. M. P. Jain, Indian Constitutional Law, Lexis Nexis, New Delhi, 2018.

References:

1. D. D. Basu, Introduction to the Indian Constitution of India, Prentice Hall of India Private Ltd., New Delhi, 2019.
2. H. M. Seervai, Constitutional Law of India, Universal Law Publishing Co., Delhi, 2016.
3. Glanville Austin, Indian Constitution-Corstone of the Nation, Oxford University Press, UK, 1999.

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4. P. M. Bakshi, The Constitution of India, Universal Law Publishing Co., Delhi, 2015.

LEGAL HISTORY

Code: 25LW206

Max Marks: 70

Course Objectives: Legal history will provide (i) understanding to the students as to the developments of modern legal procedures, laws and institutions and how they impacted the Indians and their old legal systems; (ii) detailed study of Anglo-Indian Legal System in India, tracing its historical developments from colonial times and its legacy in the present judicial system; and (iii) provide an in-depth knowledge to the students on important events in the Indian legal history such as colonial and post-colonial legal developments in India..

UNIT I: Early Developments (1600- 1836) (10 Hrs)

- a. Charters of the East India Company of 1600 and 1661 and Early Settlements in Surat, Madras, and Bombay
- b. Introduction of Authoritative and Uniform Judicial Pattern (1726-1773), Mayor's Court of 1726 and Establishment of Supreme Court in Calcutta under the Regulating Act, 1773, and the cases of Raja Nand Kumar, Kamaluddin, Patna, and Cossijurah; The Act of Settlement, 1781
- c. Establishment of Adalat System: Warren Hastings's Judicial Plans of 1772, 1774, and 1780; Lord Cornwallis's Judicial Plans of 1787, 1790, and 1793; Lord William Bentinck's Judicial Reforms

UNIT II: Evolution of Laws and Legal Institutions (10 Hrs)

- a. The great debate on the introduction of the English Laws in India: The Whigs, The Paternalists, and the Utilitarians, and the Codification of Laws: Charters of 1833 and 1853
- b. Establishment of High Courts under the Indian High Courts Act, 1861, The Indian Councils' Act, 1861
- c. Privy Council and Federal Court: An Appraisal
- d. Development of Legal Profession and Law Reporting

UNIT III: Social and Constitutional Policies and Legislation (10 Hrs)

- a. The Colonial Land Laws: Colonial Land Policies and Emergence of Land as a Commodity
- b. Development of Personal Laws and their administration by the British; and the Development of Criminal Law (Salient Features of Islamic Criminal Law and the changes introduced by the English Law)
- c. Progressive Social Legislation: The Abolition of Sati Act 1828, Abolition of Slavery Act 1833, Caste Disability Removal Act 1850, Hindu Widow's Remarriage Act 1856, Female Infanticide Prevention Act 1870
- d. The Government of India Acts, 1909, 1919, and 1935, the Indian Independence Act, 1947

UNIT IV: The Framing of Indian Constitution and Contemporary India (10 Hrs)

- a. The Constituent Assembly Debates and the Making of the Indian Constitution: A Brief History
- b. Constitutional Position of the Princely States
- c. Present Judicial System: Postcolonial Developments
- d. A Postcolonial Discourse on the Changing notions of Social Justice in Modern India with emphasis on Dalits and Women

Text Books:

1. M.P. Jain, Outlines of Indian Legal and Constitutional History, LexisNexis, India, 2014
2. Sumit Malik, V.D. Kulshreshtha's Landmarks of Indian Legal and Constitutional History, Eastern Book Company, 2016, Greater Noida (UP), (11th Edn.)
3. M. P. Singh, Outlines of Indian Legal History, Universal Law Publishing Co., Delhi, 2010
4. Abdul Hamid, A Chronicle of British Indian Legal History, University of California, 1991 (Hardcover)
5. A. B. Keith, Constitutional History of India, 1600-1935, Pacific Publication, Delhi, 2010

Reference Books:

1. Granville Austin, The Indian Constitution: Cornerstone of a Nation, OUP, New Delhi, 1999
2. Granville Austin, Working in a Democratic Tradition: A History of the Indian Experience, Oxford India Paperbacks, New Delhi, 2003
3. Marc Galanter, Law and Society in Modern India, Oxford University Press (Oxford India Paperbacks), New Delhi, 1989
4. J. Duncan M. Derett, Religion, Law and State in India, Oxford, Reprint India, 1999

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5. Radha Kumar, The History of Doing: An Illustrated Account of Movements for Women's Rights and Feminism in India, 1800-1990, Zubaan, Delhi, 1993
6. Rama Jois, Legal and Constitutional History of India, Vol. II. Universal Law Publishing - An imprint of LexisNexis, India, 2017 (Reprint)
7. Radhika Singha, A Despotism of Law: Crime and Justice in Early Colonial India, OUP India, 1998
8. Flavia Agnes, Law and Gender Inequality: The Politics of Women's Rights in India, Oxford University Press, India, 2001
9. Upendra Baxi and Bhiku Parekh, Crisis and Change in Contemporary India, SAGE Publications Pvt. Ltd., Delhi, 1995 (First Edn).
10. Rohit De, A People's Constitution: The Everyday Life of Law in the Indian Republic, Princeton University Press, Princeton, 2018
11. Mithi Mukherjee, Indian in the Shadows of Empire: Legal and Political History (1774-1950), OUP India, 2009
12. Lauren Benton, Law and Colonial Cultures: Legal Regimes in World History, 1400-1900, Cambridge University Press, Cambridge, 2009
13. Elizabeth Kolsky, Colonial Justice in British India: White Violence and the Rule of Law, Cambridge University Press, Cambridge, 2011
14. Ranajit Guha, A Rule of Property for Bengal: An Essay on the Idea of Permanent Settlement, Duke University Press, Durham, 1996,

SOCIOLOGY II: INDIAN SOCIETY

Code: 25SS202

Max Marks: 70

Course Objectives: It aims to deepen students' understanding of Indian society by examining its social structure, institutions, and contemporary issues through a sociological lens. It focuses on key themes such as caste, class, religion, gender, family, and social change, highlighting their impact on law and legal processes. The course encourages critical thinking about social inequalities, reforms, and the role of law in addressing social challenges. By connecting sociological theory with real-life legal scenarios, it equips students to better understand the socio-legal dynamics essential for effective legal practice and policymaking.

UNIT I

(10 Hrs)

Indian Society- Structure and Composition: Historical Background, Traditional Hindu Social Organization, Unity and Diversity. Villages, Towns, Cities, and Tribes.

UNIT II

(10 Hrs)

Basic Institutions of Indian Society: Indian Marriage, Family and Kinship, Caste, Class, Religion and Law. Change in Social Institutions.

UNIT III

(10 Hrs)

Nation-building in India: Social Background of Nationalism, Problem of Nation-building, Citizenship. Social Processes of Change: Sanskritization, Modernization, Westernization, Secularization, Urbanization, and Industrialization.

UNIT VI

(10 Hrs)

Social Problems in India: Casteism, Communalism, Regionalism, Poverty. Crimes against Women, Children, and the elderly.

Reference Books:

1. Ahuja, Ram. 1997: Social Problems in India, New Delhi.
2. Rawat. Dube, S.C. 1992: Indian Society. New Delhi: National Book Trust.
3. Desai A.R. 1996: Social Background of Indian Nationalism. Mumbai: Popular Prakashan.
4. Husain, S. Abid. 1978: The National Culture of India. New Delhi: National Book Trust.
5. Oommen, T. K. 1990: State and Society in India: Studies in Nation -New Delhi: Sage.
6. Oommen, T. K. and Venugopal: Sociology for Law Students,
7. C.N. 2002 Lucknow: Eastern Book Company.
8. Sharma, K. L. 1990: Indian Society: A Textbook on Sociology. New Delhi: NCERT.
9. Singh, Yogender 2004: Modernization of Indian Tradition. Jaipur: Rawat Publications.
10. Srinivas, M.N. 1991: India: Social Structure. Delhi: Hindustan Publishing Corporation

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ENGLISH II: Language, Law, And Literature (Indian)

Code: 25EN205

Max Marks: 70

Course Objectives: This paper aims to enable students to: (i) develop their interpersonal communication skill which is of utmost importance in legal profession, and to provide better understanding of communication strategies, i.e., to read and write analytically, and present complex information clearly and concisely; (ii) examine the sources of law including statutes and case laws, and learn about the components of a case-citations, parties, causes of action, facts etc. along with related key vocabulary and their application in practice through drafting various legal documents; (iii) understand techniques of client counselling; and (iv) sensitise them on socio-legal concerns of the Indian society through popular Indian literature.

UNIT I: Legal Writing and Language **(10 Hrs)**

- a. Fundamental Principles and Guidelines on Research Writing
- b. Reading of case laws, Case presentation, and Analysis
- c. Law and Language: Writing Research Project and Research Paper in Law
- d. Problems of Legal Language in Drafting
- e. Constitutional Provisions Relating to Language

UNIT II: Client Interviewing and Counselling **(10 Hrs)**

- a. Meaning and significance
- b. Different Components: listening, types of questions asked, Information gathering
- c. Definition and its differentiation from general counselling
- d. Different types of Counselling
- b. Approaches to Counselling
- c. Training Skills: Simulated Exercises

UNIT III: Professional Communication **(10 Hrs)**

- a. Group Discussion
- b. How to face an Interview
- c. Presentation Techniques
- d. Preparing Resume
- e. Writing for Employment – drafting cover and professional letters
- f. Nonverbal communication: Physical arrangement in meetings, hearings, and listening

UNIT IV: Law and Literature (Indian) **(10 Hrs)**

- a. A Fine Balance by Rohinton Mistry
- b. “Draupadi” by Mahashweta Devi (on Gender Inequality)
- c. “Silence! The Court is in Session” (Play) by Vijay Tendulkar
- d. “Panch Parmeshwar” (short story) by Premchand

Text Books:

1. Madabhushi Sridhar, Legal Language, Asia Law House, Hyderabad, 2019 (Paperback).
2. Anirudh Prasad, Outlines of Legal Language in India, Central Law Publication, Allahabad, 2019 (Paperback).
3. N.R. Madhava Menon, Clinical Legal Education, Eastern Book Company, Delhi, 2011 (Reprint).
4. Jenny Chapman, Interviewing and Counselling, Routledge, Cavendish, 2000 (2nd Ed).
5. Glanville Williams, Learning the Law, Universal Law, New Delhi, Chapter 14, 2000.
6. M.A. Yadugiri & Geetha Bhasker, English for Law, Foundation Books (Cambridge India), New Delhi, 2005.

Reference Books:

1. Ashok K. Ganguly, Landmark Judgements that Changed India, Rupa Publications, India, 2015.
2. Professor Peter M. Tiersma, ‘What is Language and Law? And does anyone care’, in Legal Studies Paper, 33, Nos. 2009-11, March 2009.
3. A.G. Noorani, The Trial of Bhagat Singh: Politics of Justice, Oxford India, 2005.
4. Rohinton Mistry, A Fine Balance, Faber, London (UK), 2006.
5. R. L. Gibson & M. H. Mitchell, Introduction to Counseling and Guidance, Pearson Education, India, 2015 (7th Ed).
6. V.R. Parti, Counselling Psychology, Authors Press, New Delhi, 2009 (7th Ed)

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LEGAL RESEARCH AND MOOT COURT

Code: 25LW207

Max Marks: 70

Course Objectives: The course on Legal Research and Moot Court aims to (i) hone students' written and oral advocacy skills, (ii) enable them to conduct proper research to prepare written submissions and present briefs, (iii) give guidance and practical training about the court practices and etiquette (iv) familiarize students with the working of an actual court.

UNIT I: Introduction

(08 Hrs)

- a. Meaning of Mooting
- b. Relevance of Mooting in Law School
- c. Difference between Moot Court & Court
- d. Judicial System in India
- e. Hierarchy of Courts
- f. Jurisdiction of the Courts

UNIT II: Structure of Moot Court

(12 Hrs)

- a. Moot Problem
- b. The Team
- c. Memorial
 - i. How to approach a problem.
 - ii. Identifying the issues using different resource authorities to substantiate the arguments framed
 - iii. for both sides.
 - iv. How to quote cases and other authorities in the memorial.
 - v. Bibliography.
- d. Oral Pleadings
 - i. Qualities of a good mooter
 - ii. Language
 - iii. Court Manners
 - iv. Appearance & Presentation
 - v. Emphasis on the Law

UNIT III: Techniques of Legal Research

(12 Hrs)

- a. Scientific Research in Law: The nature of scientific research, the applicability of scientific research in social science and law
- b. Research Approach: Historical, Comparative, Social Surveys, and Case Study
- c. Formulation of a Research Problem and preparing a Hypothesis
- d. Tools of Data Collection: Document and Content Analysis, Questionnaire, preparing for field interviews, and guidelines for interviews, nature, and types of interviews
- e. Research Ethics
- f. Processing of Data and Research Findings

UNIT IV: Tools of Legal Research

(08 Hrs)

- a. Use of Law Library
- b. Reading Legal Materials: Statutes, Reports, Journals, Manuals, Bills, Acts, Books, Law Reports, Law Commission Reports, Legislative and Constitutional Assembly Reports
- c. Computer and Internet
- d. Case Analysis
- e. Legal Writing and Drafting Skills: Avoid repetitions, avoid legalese in writing, minimize Passive voice, minimize unnecessary words, use parallel constructions, fix remote relative pronouns, use symbols and abbreviations, avoid sexist language, dashes, quotation marks, and spelling out numbers one to ten

Text Books:

1. N.R. Madhava Menon, Clinical Legal Education, Reprinted, EBC India, 2019 (1st Edn.)
2. Bryan A. Garner, The Winning Brief: 100 Tips for Persuasive Briefing in Trial and Appellate Court, OUP (USA), 2014 (Hardcover)
3. Kailash Rai, Moot Court, Pre-Trial Preparations & Participation in Trial Proceedings, Central Law Publications, Allahabad, 2019 (5th Edn.)

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4. Nomita Aggarwal & Mukesh Anand, "Beginners Path to Moot Court", Universal Law Publishing Co. Pvt. Ltd, Delhi, 2008 (2nd Edn.)

Reference Books:

1. David Pope & Dan Hill, Mooting and Advocacy Skills, Sweet & Maxwell, London, 2015 (Paperback)
2. Kailash Rai, Legal Ethics – Accountancy for Lawyers and Bench and Bar Relations, Central Law Publications, 2020 (11th Edn.)
3. R. E. Riggio, Introduction to Industrial/Organizational Psychology, New Jersey: Prentice-Hall, 2003 (4th Edn.)

Theory Paper

Total: 100 Marks
External: 70 Marks
Internal: 30 Marks

External: 70 Marks

10 Question (MCQ): 1 mark each (1x10 = 10)

Answer any 10 out of 12 (Short 50-70 Words): 3 marks each (3x10 = 30)

Answer any 6 out of 8 (Long 100-120 Words): 5 marks each (5x6 = 30)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be awarded for assignments submitted, 5 for attendance, and 5 for general proficiency, for a total of 30 internal assessment marks.

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Syllabus for BA LLB (H)

Semester 3

Theory										
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks	
25LW104	Family Law I	4	0	0	4	70	30	0	100	
25LW306	Law of Crimes I	4	0	0	4	70	30	0	100	
25LW401	Constitutional Law II	4	0	0	4	70	30	0	100	
25SS301	History II: Rise and Growth of the Indian National Movement	4	0	0	4	70	30	0	100	
25SS304	Economic II: Macro Economic Analysis	4	0	0	4	70	30	0	100	
25SS303	Political Science II: Political Systems and Political Thoughts	4	0	0	4	70	30	0	100	
Total					24	420	180	0	600	

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Detailed Syllabus

FAMILY LAW-I

Code: 25LW104

Max Marks: 70

Course Objectives: This paper aims to enable students to (i) analyse and critically understand the concept of marriage as a social institution and compare and contrast it to its changing form such as live-in relationships and same sex marriages; (ii) critically examine the provisions related to judicial separation, divorce and maintenance with help of decided case laws both in Hindu and Muslim laws; and (iii) analyse it from sociological perspective thereby understanding the importance of adoption law.

UNIT I: Hindu Marriage and Dissolution

(10 Hrs)

- a. Institution of Marriage under Hindu Law
 - i. Evolution and Concept of the Institution of Marriage
 - ii. Forms, Validity, and Voidability of Marriage
- b. Matrimonial Remedies
 - i. Restitution of Conjugal Rights
 - ii. Judicial Separation
 - iii. Dissolution of Marriage: Theories, Forms of Divorce, Grounds
 - iv. Divorce by Mutual Consent
 - v. Irretrievable Breakdown as a Ground for Dissolution

UNIT II: Muslim Marriage and Dissolution of Marriage

(10 Hrs)

- a. Nikah (Muslim Marriage)
 - i. Definition, Object, and Nature
 - ii. Essentials for Validity
 - iii. Kinds, Restitution of Conjugal Rights, Muta Marriage, Distinction between Nikah and Muta
- b. Dissolution of Marriage
 - i. Talaq: Introduction, Conditions, Modes, Talaq-i-Ahsan, Talaq-i-Hasan, Talaq-i-Biddat, Ila, Zihar, Talaq-ul-Tafweez, Khulla, Mubarrat, Lian, Faskh
 - ii. Dissolution of the Muslim Marriage Act, 1939

UNIT III: Adoption, Maintenance and Guardianship

(10 Hrs)

- a. Adoption
 - i. Nature
 - ii. Law on adoption
 - iii. Conditions and Effect
 - iv. Ceremonies
 - v. Capability
 - vi. Effect
 - vii. Inter Country Adoption
- b. Maintenance Under Hindu Adoption and Maintenance Act, 1956
 - i. Definition
 - ii. Maintenance of Wife
 - iii. Maintenance of Widowed Daughter in law
 - iv. Maintenance of Children and aged parents, Dependents
 - v. Determining Amount of Maintenance
- c. Maintenance (Nafaqa)
 - i. Definition
 - ii. Maintenance of Wife
 - iii. Maintenance of Children and Parents
 - iv. Maintenance under the Bhartiya Nagarik Suraksha Sanhita, 2023
- d. Guardianship Under the Hindu Minority and Guardianship Act, 1956
 - i. Natural Guardian and his Powers
 - ii. Testamentary Guardians and Powers
 - iii. Certified Guardians and Powers
 - iv. Guardian by Affinity
 - v. De Facto Guardian
- e. Guardianship Under Muslim Law
 - i. Guardianship of Person (Walayat-e-Nafs)

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- ii. Guardianship during Marriage (Walayat-e-Nikah)
- iii. Guardianship of Property (Walayat-e-Mal)
- iv. Testamentary Guardian and Powers
- v. Certified Guardians and Powers
- vi. De Facto Guardian

UNIT IV: Civil Marriage and Emerging Trends in Family Law

(10 Hrs)

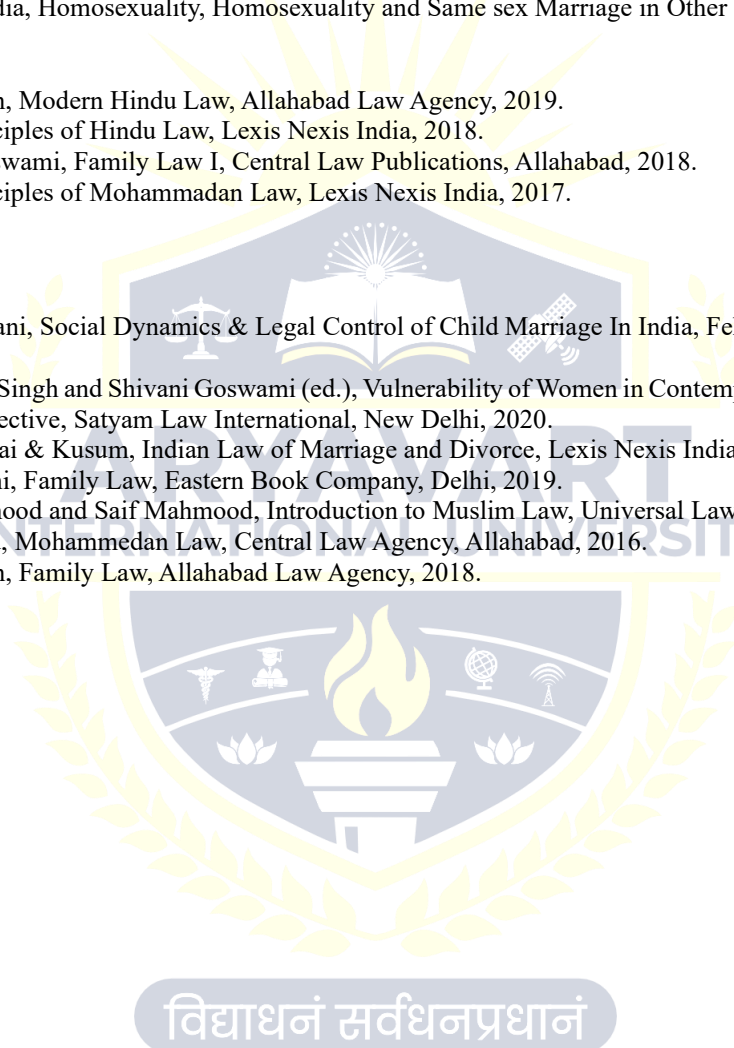
- a. Important Provisions of the Special Marriage Act, 1954
- b. Emerging Trends:
 - i. Surrogacy: Meaning and Types, Causes, Arguments against Surrogacy, Surrogacy Bill, Surrogacy throughout the world
 - ii. Live-in Relationship: Meaning, Reasons Associated, Live-in Relationship in India
 - iii. Domestic Violence: Definition, Causal Factors, Domestic Violence Act, 2005
 - iv. Same Sex Marriage: Historical Background, Homosexuality: For and Against, Same sex Marriage in India, Homosexuality, Homosexuality and Same sex Marriage in Other Countries

Text Books:

- 1. Paras Diwan, Modern Hindu Law, Allahabad Law Agency, 2019.
- 2. Mulla, Principles of Hindu Law, Lexis Nexis India, 2018.
- 3. Shivani Goswami, Family Law I, Central Law Publications, Allahabad, 2018.
- 4. Mulla, Principles of Mohammadan Law, Lexis Nexis India, 2017.

Reference Books:

- 1. M. Afzal Wani, Social Dynamics & Legal Control of Child Marriage In India, Fehmi Computers, Delhi, 2014.
- 2. Kanwal DP Singh and Shivani Goswami (ed.), Vulnerability of Women in Contemporary Times: A Socio-Legal Perspective, Satyam Law International, New Delhi, 2020.
- 3. Kumud Desai & Kusum, Indian Law of Marriage and Divorce, Lexis Nexis India, 2020.
- 4. B.M. Gandhi, Family Law, Eastern Book Company, Delhi, 2019.
- 5. Tahir Mahmood and Saif Mahmood, Introduction to Muslim Law, Universal Law Publishing, 2017.
- 6. Aqil Ahmad, Mohammedan Law, Central Law Agency, Allahabad, 2016.
- 7. Paras Diwan, Family Law, Allahabad Law Agency, 2018.



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LAW OF CRIMES I

Code: 25LW306

Max Marks: 70

Course Objectives: This paper aims to enable students to (i) build conceptual foundations of crime with the basic underlying philosophy of the Bhartiya Nyaya Sanhita, 2023; (ii) analyse the role and importance of criminal liability in various classes of offences (iii) understand exceptions under the criminal law; (iv) expound on offences against State, Public tranquillity etc. to maintain peace and order in the society; and (v) evaluate criminal law jurisprudence in light of constitutional and human rights law.

UNIT I: Introduction to Substantive Criminal Law (10 Hrs)

1. Definition of Crime.
2. Extent and operation of the Bhartiya Nyaya Sanhita, 2023
3. Constituent Elements of Crime: Actus Reus and Mens Rea
4. General Explanations (Sections 2 and 3 BNS)
5. Punishments (Section 4 – 13 BNS), Sentencing policy in India

UNIT II: General Exceptions (Sections 14-44 BNS, 2023) (10 Hrs)

1. Mistake
2. Judicial and Executive acts
3. Accident
4. Necessity
5. Infancy
6. Insanity
7. Intoxication
8. Consent
9. Good Faith
10. Private Defense against Body and Property

UNIT III: Incoherent Forms of Crime (10 Hrs)

1. Joint and Constructive Liability, Riot, Affray.
2. Criminal Conspiracy
3. Attempt
4. Abetment of offences, including suicide.

UNIT IV: Offences against State, Public Tranquillity, Religion, Public Health and Morals (10 Hrs)

1. Waging war (Sec. 147, 148), Act endangering the sovereignty, unity, and integrity of India (Sec. 152 BNS)
2. Promoting enmity between different groups (Sec. 196)
3. Offences against religion (Sec 298- 302)
4. Public Nuisance (Sec. 270) Offences affecting the Public Health, safety, Convenience, Decency and Morals (Sec. 271-297).

Text Books:

1. Glanville Williams, Text Book of Criminal Law, Universal Law Publishing Co., New Delhi, 2012
2. Ratanlal Dhiraj Lal, The Indian Penal Code, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. K. D. Gaur, Textbook on Indian Penal Code, Universal Law Publishing Co., New Delhi, 2012

Reference Books:

1. J.W. Cecil Turner, Russel on Crime, Vol. I &2, Universal Law Publishing Co., New Delhi, 2012
2. K. I. Vibhuti, PSA Pillai's Criminal Law, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. Glanville Williams, Text Book of Criminal Law, Universal Law Publishing Co., New Delhi, 2012
4. Ratanlal Dhiraj Lal, The Indian Penal Code, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
5. K.D. Gaur, Textbook on Indian Penal Code, Universal Law Publishing Co., New Delhi, 2012
6. Dr. H.S. Gaur, Penal Law of India, Law Publishers, Allahabad, 2013
7. John Dawson Mayne, Mayne's Criminal law of India, Gale, Making of Modern Law, 2013
8. Bare Act of BNS, 2023

CONSTITUTIONAL LAW-II

Code: 25LW401

Max Marks: 70

Course Objectives: This paper aims to: (i) orient students on constitutional rights and duties, including expansive judicial interpretation of various rights, enforcement, and remedies for their violations; (ii) enable students to critically appreciate the interface between fundamental rights and directive principles of state policies; and (iii) develop rational thinking while dealing with the various Constitutional issues.

UNIT I: Fundamental Rights – I

(12 Hrs)

- a. Evolution of the Concept of Fundamental Rights
- b. Definition of 'State' for Enforcement of Fundamental Rights: Justifiability of Fundamental Rights, Doctrine of Eclipse, Severability, Waiver
- c. Right to Equality (Articles 14-18): Doctrine of Reasonable Classification and the Principle of Absence of Arbitrariness, Legitimate Expectations, Principle of Compensatory Discrimination
- d. Fundamental Freedom (Article 19): Freedom of Speech and Expression, Freedom of Press, Judicial Interpretation of Article 19; Reasonable Restrictions (Article 19 clause (2) to (6))

UNIT II: Fundamental Rights – II

(15 Hrs)

- a. Right to Life and Personal Liberty (Articles 20-22): Scope and Content
- b. Right to Education (Article 21A): RTE Act, 2009
- c. Right against Exploitation (Articles 23-24): Forced Labour, Child Employment, and Human Trafficking
- d. Freedom of Religion (Articles 26-28)
- e. Educational Rights of Minorities (Articles 29-30)

UNIT III: Right to Constitutional Remedies

(07 Hrs)

- a. Article 32 and Article 226
- b. Writ Jurisdiction, Its Genesis
- c. Writs: *Habeas Corpus*, *Mandamus*, *Certiorari*, Prohibition, and *Quo Warranto*
- d. Public Interest Litigation

UNIT IV: Directive Principles and Fundamental Duties

(06 Hrs)

- a. Nature and Justifiability of the Directive Principles of State Policies
- b. Detailed Analysis of Directive Principles (Articles 37-51)
- c. Fundamental Duties

Text Books:

1. V.N. Shukla, Constitution of India, Eastern Book Agency, Lucknow & Delhi, 2017.
2. M.P. Jain, Indian Constitutional Law, Lexis Nexis. New Delhi, 2018.

Reference Books:

1. D.D. Basu, Introduction to the Indian Constitution of India, Prentice Hall of India Private Ltd., New Delhi, 2019.
2. H. M. Seervai, Constitutional Law of India, Universal Law Publishing Co., Delhi, 2016.
3. Glanville Austin, Indian Constitution: Cornerstone of the Nation, Oxford University Press, UK, 1999.
4. P.M. Bakshi, The Constitution of India, Universal Law Publishing Co., Delhi, 2015.

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HISTORY II: RISE AND GROWTH OF INDIAN NATIONAL MOVEMENT

Code: 25SS301

Max Marks: 70

Course Objectives: The objective of the course is to (i) impart in-depth knowledge to students on the historical movements that shaped the present India and various political and socio-religious thoughts that facilitated the historical reform movements in India; (ii) provide a critical understanding amongst students on the Indian freedom struggle and the relevance of a non-violent mass movement for independence; (iii) enable them to reflect on the contributions by Bhagat Singh and Mahatma Gandhi during the pre-independent struggle; and (iv) make them appreciate contributions by these two leaders and also B R Ambedkar and Nehru for the creation of an Indian Nation state.

UNIT I: Colonialism and its impact

(08 Hrs)

- a. Nationalism, Colonialism, and Imperialism
- b. Modern Indian Historiography: Imperialist School (including the Orientalist and Utilitarian Thought), Nationalist, Marxist, Marxist-Nationalist, Subaltern, Communalist, and Regional Histories
- c. Impact of Colonial Rule on the Indian Economy
- d. Socio-religious reform movements in the Nineteenth Century: Brahmo Samaj, Arya Samaj, Vivekanand and R K Mission, Jotiba Phule's lower caste movement, Parsi and Muslim Reform Movements

UNIT II: Early Years of Indian National Movement

(08 Hrs)

- a. Revolt of 1857 and its Impact
- b. Causes for the rise of Indian Nationalism and the social basis of the Indian National Movement
- c. Indian National Congress: Its Genesis, Aims and Objectives
- d. Moderates and Extremists, Partition of Bengal, Swadeshi Movement, Lucknow Pact

UNIT III: Revolutionary Movements and Mass Struggle

(12 Hrs)

- a. The First World War and Its Effect on India
- b. Emergence of Mahatma Gandhi: Non-cooperation and Khilafat Movement, Civil Disobedience Movement, and Quit India Movement
- c. The rise of revolutionary and socialist ideas: contribution of the Gadar Movement, HSRA, Bose, and Nehru
- d. Second World War and Transfer of Power: The Simla Conference, The Cabinet Mission Plan, Lord Mountbatten's Plan

UNIT IV: Post-colonial India

(12 Hrs)

- a. Growth of Communalism and Partition
- b. Postcolonial Readings of Gandhi, Bhagat Singh and B.R. Ambedkar
- c. Nehru's India: An Idea of a Nation State (1947-1962)
- d. Challenges of a Nation State: Left Politics, Populism and Emergency, Liberalization and Rise of New Political Organizations

Text Books:

1. Bipan Chandra, India's Struggle for Independence, Penguin India, 2016 (Reprint)
2. Sekhar Bandyopadhyay, From Plassey to Partition and After: A History of Modern India, Paperback, Orient Blackswan, Delhi, 2015
3. Ramachandra Guha, India after Gandhi: The History of the World's Largest Democracy, Macmillan India, 2009
4. Bipan Chandra, Mridula & Aditya Mukherjee, India Since Independence, Penguin India, 2008
5. Sumit & Tanika Sarkar, Women and Social Reform Movement in India: A Reader, Indiana University Press, Indiana, 2008 (Paperback)

Reference Books:

1. Sabyasachi Bhattacharya (ed.), Approaches to History: Essays in Indian Historiography, Primus Books, Delhi, 2013
2. A.R. Desai, Social Background of Indian Nationalism, Sage Publications India Private Limited, Sixth edition, 2016
3. Bipan Chandra, Nationalism and Colonialism, Orient Blackswan Private Limited, New Delhi, 1981.
4. Bipan Chandra, Communalism in Modern India, HarAnand Publications, New Delhi, 2009.

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5. K. N. Panikkar, Culture, Ideology, Hegemony: Intellectuals and Social Consciousness in Colonial India, Anthem South Asian Studies, London & New York, 2002
6. Gyanendra Pandey, Construction of Communalism in Colonial North India, Oxford University Press, 2012 (3rd Edn.)
7. Shahid Amin, Event, Metaphor, Memory: Chauri-Chaura, 1922-1992, University of California Press, 1995
8. Sunil Khilnani, The Idea of India, Penguin India, 2004
9. Ania Loomba, Colonialism/Postcolonialism, Routledge India, 1992
10. David Ludden, India and South Asia: A Short History (Including Bangladesh, Bhutan, Nepal, Pakistan, and Sri Lanka), One World Publications, Oxford, UK, 2004

ECONOMIC II: MACRO ECONOMIC ANALYSIS

Code: 25SS304

Max Marks: 70

Course Objectives: The objective of this course is to enable the students: (i) to develop critical thinking on behaviour of overall economy and individual units, and on wide range economic phenomena such as fluctuations, inflation, and deflation; (ii) to test, compare, and quantify macroeconomic theories including theories of money and banking, (iii) to familiarise with principles of public finance and interface between business cycles, poverty and unemployment.

UNIT I: Overview of Macroeconomics

(10 Hrs)

- a. Interdependence of micro and macro economics
- b. Development of macroeconomics-Schools of Thought-Classical, Keynesian, and Post-Keynesian
- c. Goals of macroeconomic policy
- d. Basic concepts-Stocks and Flows, National Product and Domestic Product, Aggregate Consumption, Circular Flow of Income
- e. Alternative measures of National Output, Real and Nominal GNP
- f. The Principle of Effective Demand-Aggregate Demand and Aggregate Supply

UNIT II: Theory of Money and Banking

(10 Hrs)

- a. Functions for money, classification, supply, and demand for money
- b. Effects of money on output and prices
- c. Inflation and deflation
- d. Monetary policy
- e. Money markets and capital markets
- f. Commercial Banking-functions, organization, and operations
- g. Central Banking- functions and credit control
- h. Non-Banking Financial Institutions-meaning, role, distinction between banks and NBFI

UNIT III: Principles of Public Finance

(10 Hrs)

- a. Tax system- its meaning and classification
- b. Public Finance vs. Private Finance
- c. Fiscal Policy- concept, objectives, and instruments
- d. Central Budget
- e. Burden of deficits and debts

UNIT IV: Poverty, Business Cycles and Unemployment

(10 Hrs)

- a. Concept, causes, and policy measures of poverty
- b. Features of business cycles
- c. Economic interpretation of unemployment

Text Books:

1. D. N. Dwivedi, Macroeconomics, Tata McGraw-Hill, Delhi (Latest Edn.)
2. E. Shapiro, Macroeconomic Analysis, Tata McGraw-Hill, Delhi, 1996
3. M.L. Seth. Money, Banking, International Trade and Public Finance, Lakshmi Narian Agarwal Educational Publishers, India (8th Edn.)

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Reference Books:

1. K. K. Dewett, Modern Economic Theory, S Chand Amp Co., Delhi, 2006
2. H.L. Bhatia, Public Finance, Vikas Publishing House Pvt. Ltd., Noida, 2017 (29th Edn.)
3. S.K. Mishra and V.K. Puri, Modern Macroeconomic Theory, Himalaya Publishing House (Latest Edn.)
4. M.L. Jhingan, Macroeconomic Theory, Vrinda Publications Pvt.. Lt., Delhi, 2016 (13th Edn.)

POLITICAL SCIENCE II: POLITICAL SYSTEMS AND POLITICAL THOUGHTS

Code: 25SS303

Max Marks: 70

Course Objectives: It aims to deepen students' understanding of the fundamental concepts, theories, and institutions of political science with a focus on comparative politics and government. It explores the structure and functioning of various forms of government, organs of the state, political ideologies, party systems, and electoral processes across different countries. The course is designed to help students critically analyse political systems, compare constitutional frameworks, and understand the relationship between law and politics in both democratic and non-democratic settings, thereby building a strong foundation for legal and civic reasoning.

UNIT I (10 Hrs)

1. Power: Meaning, Bases, Characteristics and Types
2. Authority: Meaning, Characteristics and Types. Distinction from Power
3. Legitimacy: Meaning, Bases, Characteristics and Crises

UNIT II (10 Hrs)

1. Liberty: Meaning, Importance and Kinds
2. Equality: Meaning, Types and its Relationship with Liberty
3. Justice: Meaning and its various Dimensions

UNIT III (10 Hrs)

1. Political Culture: Meaning & Types
2. 2 Political Socialisation: Meaning, Types & Agents
3. 3 Political Modernisation and Development: Meaning, Indicators and Characteristics

UNIT IV (10 Hrs)

1. Liberalism: Idealism, Utilitarianism and Individualism
2. Marxism and Socialism
3. Fascism and Gandhism

Reference Books:

1. Almond, Gabriel A. and Coleman, James S.: The Politics of Developing Areas
2. Appadorai, A: Substance of Politics
3. Asirvatham, A: Political Theory
4. Barry, N.P.: An Introduction to Modern Political Theory
5. Beetham, D.: The Legitimation of Power
6. Bell, D.: The End of Ideology? On the Exhaustion of Political Ideas in the 1950s.
7. Berlin, Isaiah: Four Essays on Liberty
8. Bentley, A.: The Process of Government
9. Binder, L.: Crises and Sequences in Political Development
10. Budge, I. and Mackie, D.: Developing Democracy Charlesworth,
11. J.C.: Contemporary Political Analysis Dahl,
12. A.R.: Modern Political Analysis Easton,
13. David: The Political System: An Enquiry into the State of Political Science
14. Gandhi, M.K.: The Story of My Experiments with Truth.
15. Griffen, R.: The Nature of Fascism
16. Habermas, J.: Legitimation Crisis
17. Heywood, A.: Political Ideologies: An Introduction Johari,
18. J.C.: Contemporary Political Theory
19. Kapur, A.C.: Principles of Political Science

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20. Kymlicka, Will: Contemporary Political Philosophy: An Introduction, Macpherson,
21. C.B.: Democratic Theory: Essays in Retrieval
22. Pye, L.W.: Aspects of Political Development Ramsay,
23. Maureen: What's Wrong with Liberalism: A Radical Critique of Liberal Philosophy Rawls,
24. John: A Theory of Justice,
25. Rudolph and Rudolph: Modernity of Tradition: Political Development in India
26. Sabine, G. H.: History of Political Theory Shtromas,
27. Alexandras: The End of 'Isms'? Reflections on the Fate of Ideological Politics after Communism's Collapse Tocqueville,
28. Alexis de: Democracy in America
29. Verma, S.P.: Modern Political Theory
30. Wayper, C.L.: Political Thought
31. Wright, A.: Socialisms: Theories and Practices

Theory Paper

Total: 100 Marks
External: 70 Marks
Internal: 30 Marks

External: 70 Marks

10 Question (MCQ): 1 mark each (1x10 = 10)

Answer any 10 out of 12 (Short 50-70 Words): 3 marks each (3x10 = 30)

Answer any 6 out of 8 (Long 100-120 Words): 5 marks each (5x6 = 30)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be awarded for assignments submitted, 5 for attendance, and 5 for general proficiency, for a total of 30 internal assessment marks.

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Syllabus for BA LLB (H)

Semester 4

Theory										
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks	
25LW204	Family Law II	4	0	0	4	70	30	0	100	
25LW406	Law of Crimes II	4	0	0	4	70	30	0	100	
25LW501	Administrative Law	4	0	0	4	70	30	0	100	
25SS401	History III: History of Modern Europe, 1740-1947	4	0	0	4	70	30	0	100	
24SS404	Economics III: Economic Development and Policy	4	0	0	4	70	30	0	100	
25SS403	Political Science III: International Relations	4	0	0	4	70	30	0	100	
Total					24	420	180	0	600	

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Detailed Syllabus

FAMILY LAW-II

Code: 25LW204

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) critically analyse both codified and uncoded portions of Hindu Law and Mohammedan Law relating to inheritance, intestate and testamentary succession, gifts, wills etc. in India; (ii) appraise the nature of property transaction that exist in Hindu family relations and the importance of ancestral property and Karta in Hindu family; and (iii) develop critical understanding of the property relations in a family, legal incidence of joint family and testamentary succession and intestate succession according to the Personal Law of different communities with practical approach.

UNIT I: Joint Hindu Family (10 Hrs)

- Mitakshara* and *Dayabhaga* Schools
- Formation and Incident under the Coparcenary Property under *Dayabhaga* and *Mitakshara*
- Karta of Joint Family: Position, Powers and Privileges
- Debts: Doctrine of Pious Obligation and Antecedent Debts

UNIT II: Partition (10 Hrs)

- Meaning, Division of Right and Division of Property
- Persons Entitled to Demand Partition
- Partition how Affected; Suit for Partition
- Re-opening of the Partition; Re-union

UNIT III: Principles of Inheritance under Hindu and Muslim Law (10 Hrs)

- The Hindu Succession Act, 1956, General Rules of Succession of a Hindu Male and Female dying Intestate under the Hindu Succession Act, 1956, Hindu Succession (Amendment) Act, 2005
- Stridhan* and Women's Estate
- Principles of Inheritance under Muslim Law (Sunni Law)

UNIT IV: Muslim Law of Property (10 Hrs)

- Hiba*: Concept, Formalities, Capacity, Revocability
- Wasiyat*: Concept, Formalities.
- Marz-ul- Maut*

PSDA (Professional Skill Development Activities) (1 Hrs/Week)

- ❖ Exercises on Distribution of Property
- ❖ Drafting a Deed of *Hiba*/*Wasiyat*
- ❖ Preparation of Pleading for a Partition Suit

Text Books:

- Paras Diwan, *Modern Hindu Law*, Allahabad Law Agency, 2019.
- Mulla, *Principles of Hindu Law*, Lexis Nexis India, 2018.
- Tahir Mahmood and Saif Mahmood, *Introduction to Muslim Law*, Universal Law Publishing, 2017.
- Paras Diwan, *Muslim Law in Modern India*, Allahabad Law Agency, 2016.

References:

- RK Aggarwal, *Hindu Law*, Central Law Agency, 2019.
- Paras Diwan, *Family Law*, Allahabad Law Agency, 2018.
- Mulla, *Principle of Mahomedan Law*, Lexis Nexis, 2017.
- Poonam Pradhan Saxena, *Family Law- II Lectures*, Lexis Nexis, 4th Edn., 2018.
- U.P.D. Kesari, *Modern Hindu Law*, Central Law Publications, 2018.
- Kanwal DP Singh and Shivani Goswami (ed.), *Vulnerability of Women in Contemporary Times: A Socio-Legal Perspective*, Satyam Law International, 2020.

LAW OF CRIMES II

Code: 25LW406

Max Marks: 70

Course Objectives: The paper aims to enable students to: (i) understand the nature of various crimes against the body, women, and property; (ii) acquaint themselves with crime as a phenomenon in a multidisciplinary manner to make criminal justice serve the goals of social defence.

UNIT I: Offences Affecting the Human Body-I **(10 Hrs)**

1. Culpable Homicide and Murder
2. Causing Death by Negligence.
3. Attempt to Murder
4. Organized Crime, Petty Organized Crime, Terrorist Act

UNIT II: Offences Affecting the Human Body- II **(10 Hrs)**

1. Hurt and Grievous Hurt
2. Criminal Force and Assault
3. Wrongful Restraint and Wrongful Confinement
4. Kidnapping, Abductions and Forceful Labour.

UNIT III: Offences against Women and Children **(10 Hrs)**

1. Offences against Women and Children.
2. Criminal Force and Assault against Women.
3. Offences relating to marriage.
4. Offences relating to Miscarriage.
5. Offences against Children

UNIT IV: Offences against Property **(10 Hrs)**

1. Theft, Extortion, Robbery, and Dacoity
2. Criminal Misappropriation of Property and Criminal Breach of Trust
3. Cheating and Forgery
4. Mischief, Criminal Trespass.

PSDA (Professional Skill Development Activities) **(1 Hrs/Week)**

- Awareness Camp
- Moot Court
- Case Study

Text Books:

1. K.D. Gaur, Textbook on Indian Penal Code, Universal Law Publishing Co., New Delhi, 2012
2. Dr. H.S. Gaur, Penal Law of India, Law Publishers, Allahabad, 2013

Reference Books:

1. J.W. Cecil Turner, Russel on Crime, Vol. I & 2, Universal Law Publishing Co., New Delhi.
2. K.I. Vibhuti, PSA Pillai's Criminal Law, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. Glanville Williams, Text Book of Criminal Law, Universal Law Publishing Co., New Delhi, 2012
4. Ratanlal Dhiraj Lal, The Indian Penal Code, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
5. John Dawson Mayne, "Mayne's Criminal Law of India", Gale, Making of Modern Law, 2013
6. Bare Act of Bhartiya Nyaya Sanhita, 2023.

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ADMINISTRATIVE LAW

ADMINISTRATIVE LAW

Code: 25LW501

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) understand how administrative law relates to other areas of public law; (ii) apply advanced principles of administrative law in complex legal and factual situations; (iii) understand the scope and operation of delegated power in governance and its control mechanisms; (iv) critically evaluate government accountability for the exercise of public power; and (v) critically appreciate the practice of judicial review of administrative action by courts and tribunals.

UNIT I: Meaning and Concept of Administrative Law (10 Hrs)

- a. Nature, Scope, and Development of Administrative Law
- b. Relationship between Constitutional Law and Administrative Law
- c. Classification of Administrative Law
- d. Rule of Law and Administrative Law
- e. Separation of Powers and Its Relevance

UNIT II: Delegated Legislation, Constitutionality and Control Mechanism (10 Hrs)

- a. Meaning and Concept of Delegated Legislation
- b. Constitutionality of Delegated Legislation
- c. Control Mechanism
 - i. Parliamentary Control of Delegated Legislation
 - ii. Judicial Control of Delegated Legislation
 - iii. Procedural control of Delegated Legislation

UNIT III: Judicial Functions of Administration and Principles of Natural Justice (10 Hrs)

- a. Need for Devolution of Adjudicatory Authority on Administration
- b. Problems of Administrative Decision Making
- c. Nature of Administrative Tribunals: Constitution, Powers, Procedures, Rules of Evidence
- d. Principles of Natural Justice
 - i. Rule against Bias
 - ii. Audi Alteram Partem
 - iii. Speaking Order (Reasoned Decisions)

UNIT IV: Administrative Discretion and Judicial Control of Administrative Action (10 Hrs)

- a. Meaning and Concept of Administrative Discretion
- b. Judicial Review of Administrative Action and Grounds of Judicial Review
 - i. Abuse of Discretion
 - ii. Failure to Exercise Discretion
 - iii. Illegality, Irrationality, Procedure Impropriety
 - iv. Doctrine of Legitimate Expectations, Law of Estoppel
 - v. Evolution of Concept of Ombudsmen
 - vi. Lokpal and Lokayukta Act and other Anti-Corruption Bodies and their Administrative Procedures

PSDA (Professional Skill Development Activities) (1 Hr/Week)

- ❖ Application for seeking relief from the government, its agencies, and instrumentalities
- ❖ Writs (all five)
- ❖ Application before CCI, SEBI, and TRAI for filing cases
- ❖ Application for issuing a visa and cases of rejection of visas

Text Books:

1. I.P. Massey, Administrative Law, Eastern Book Company, Lucknow, 2020 (9th Ed).
2. C. K. Takwani, Lectures on Administrative Law, Eastern Book Company, Lucknow, 2014, (4th Ed).
3. S.P. Sathe, Administrative Law, Lexis Nexis Butterworths Wadhwa, Nagpur, 2004.

References:

1. H.W.R. Wade & C.F. Forsyth, Administrative Law, Oxford University Press, UK, 2000.
2. M.P. Jain & S.N. Jain, Principles of Administrative Law, Lexis Nexis, Delhi, 2013.

HISTORY III: HISTORY OF MODERN EUROPE, 1740-1947

Code: 25SS401

Max Marks: 70

Course Objectives: The objectives of this paper is to: (i) analyse key historical changes and revolutions that shaped the modern Europe; (ii) develop critical evaluation of different movements in Europe from 1815 to 1850; (iii) critically examine the expansion of international laws/ human rights/ humanitarian laws across the world in post wars scenario in Europe; and (iv) analysing imperialism and colonialism in shaping the modern world, including the emergence of international organizations during post-colonial world.

UNIT I: Europe from 1740-1815

(08 Hrs)

- a. Industrial Revolution in England
- b. The French Revolution: Reasons, Girondins and Jacobins, The Directory
- c. Napoleonic Era and Europe
- d. The Treaty of Paris, 1814, The Vienna Settlement, 9 June 1815

UNIT II: Europe from 1815-1850

(12 Hrs)

- a. Metternich and the Concert of Europe and the Congress System: Congress of Aix-La-Chapelle (1818), Congress of Troppau (1820), Congress of Laibach (1821), Congress of Verona (1822), London Conference (1830), Holy and Quadruple Alliances
- b. The Democratic and Nationalist Aspirations in Europe: Independence of Belgium, Great Britain, France, Portugal, Italy, Germany, Austria-Hungary
- c. Working Class Movement: 1848 Revolution, Socialism, and Marx
- d. Women's Movement

UNIT III: Europe from 1850-1871

(08 Hrs)

- a. Crimean War (1853-56), Treaty of Paris (30 March 1856), and the Declaration of Paris (15 April 1856)
- b. Russia under Alexander II (1855-1881) and the Emancipation of Serfs in 1861
- c. The Unification of Italy, Geneva Convention (1864)
- d. The Unification of Germany

UNIT IV: Europe from 1871-1945 (Imperialism and Colonialism)

(12 Hrs)

- a. France after 1870: Third Republic and its Constitution, The German Empire
- b. The Hague Conventions (1899, 1907), Declaration of London (1909), First World War (Near East, Partition of Africa, Militant Nationalism and the Armament Race)
- c. The League of Nations, Interwar years, and the reasons for the Second World War
- d. The United Nations and the postcolonial world

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

1. Film Les Misérables and discussion on the changing concept of justice in modern times
2. Review of popular Historical Fiction: Leo Tolstoy's War and Peace, Charles Dickens's Hard Times.
3. Understanding the Second World War through the Nuremberg Trials after the Second World War (Film and Book), Robert E. Conot, Justice at Nuremberg. New York: Harper & Row, 1983; Screening the film All Quiet on the Western Front (Roman Polanski).
4. Seminar on the legacy of European imperialism in present-day postcolonial countries.

Text Books:

1. John Merriman, A History of Modern Europe: From the Renaissance to the Present, W.W. Norton, New York & London, 2009 (3rd Edn.)
2. Vandana Joshi, Revisiting Modern European History: 1789-1945, Pearson India, 2016 (First Paperback Edition)
3. James Joll, Europe since 1815: An International History, Penguin, UK, 1990 (4th Edn.)
4. C. D. M. Ketelby, A History of Modern Times from 1789, Surjeet Publication, Delhi, 2000
5. David Thomson, Europe Since Napoleon, Penguin Books, UK, 1990

Reference Books:

1. Edward McNall Burns, et.al, World Civilizations from Ancient to Contemporary, Volumes II and III, W. Norton, New York & London, 1990 (4th Edn.)
2. Henry Dunant, A Memory of Solferino, The International Committee of the Red Cross, Switzerland, 1959 (Reprint)

ECONOMICS III: ECONOMIC DEVELOPMENT AND POLICY

Code: 25SS404

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) understand the fundamental concepts of economics, economic developments, international trade, and new economic policies; (ii) critically analyse the issues and challenges faced by economies for development; and (iii) examine the specific problems and prospects in economic development of the developing countries.

UNIT I: Economies of Development

(10 Hrs)

- a. Concepts of Economic Development and Growth
- b. Factors of Economic Growth – Economic and Non-economic
- c. Obstacles of Economic Development
- d. Inequalities of income
- e. Concepts of Different Indices of measuring economic development
- f. Physical Quality Life Index (PQLI), Human Development Index (HDI), Green Index, Gross National Happiness, Happy Planet Index, Index of Sustainable Economic Welfare (ISEW), Multidimensional Poverty Index (MPI)

UNIT II: Issues in Economic Development

(10 Hrs)

- a. Debates on States vs. Markets
- b. Public vs. Private Sectors
- c. Economic Planning: Meaning and Significance of Planning
- d. Comparative Economic Development – Different growth models (Harrod Domar, Solow, Ragnar Nurkse, Albert Hirschman, Schumpeter, Rostow)
- e. Infrastructure and Development
- f. Purchasing Power Parity

UNIT III: International Trade

(10 Hrs)

- a. Free Trade and Protection
- b. Fixed and Flexible Exchange Rates
- c. Balance of Trade and Balance of Payments
- d. International Institutions- IMF, WB, WTO

UNIT IV: Liberalization, Globalization and related issues

(10 Hrs)

- a. New Economic Policy- Structural Adjustment Programme (SAP)
- b. Second Generation Reforms and related issues
- c. Regional Trading Blocks and Bilateral Trade Treaties
- d. SEZ, FDI, Inclusive Growth
- e. Movement from Millennium Development Goals to Sustainable Development Goals

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

1. Classroom discussions on Second Generation Reforms- need and challenges/ Public vs. Private Sector/ Discussion on case laws related to WTO/ Articles in Media related to IMF and WB, and thereafter preparing a Bibliography for the same

Text Books:

1. Todaro, P. Michael, and Smith, C. Stephen, (2008) Economic Development, Pearson, USA, 2015, (12th Edn.)
2. Jere R. Behrman and T.N. Srinivasan, Handbook of Development Economics, Volume I, II, III, Elsevier, Amsterdam, Boston, 2008(Latest Edn.)
3. Debraj Ray, Development Economics, Princeton University Press, Princeton (Latest Edn.)
4. H. Myint, The Economics of Developing Countries, Hutchinson University Library, London, UK, 1973
5. Economic Survey (Latest Issue)

Reference Books:

1. M. L. Jhingani, The Economics of Development and Planning, Vrinda Publications, 2014 (40th Edn.)
2. I. C. Dhangra, Indian Economy, Cosmos Bookhive, Gurugram, 2019
3. S. K. Mishra and V.K. Puri, Indian Economy, Himalaya Publishing House, Mumbai, 2015 (33rd Edn.)
4. B. P. Mathur, Public Enterprise Management, MacMillan, US, 1999

POLITICAL SCIENCE III: INTERNATIONAL RELATIONS

Code: 25SS403

Max Marks: 70

Course Objectives: This course aims to enable students to: (i) learn and understand conceptual tools to understand national and global predicaments; (ii) critique, analyse, and synthesise dominant views for understanding international relations; (iii) comprehend problems of the global domain, such as the balance of power.

UNIT I: Theoretical perspective on International Relations (10 Hrs)

- a. Realism
- b. Liberalism
- c. Contemporary mainstream approaches: Neo-realism and Neo-liberalism
- d. Globalisation

UNIT II: Key Concepts in International Relations (10 Hrs)

- a. Power, Elements of National Power: Population, Geography, Resources, Economy, Technology, and Military
- b. Limitations on National Power: International Morality, Public Opinion, and International Law
- c. Balance of Power

UNIT III: United Nations and International Relations (10 Hrs)

- a. Diplomacy: Old World and New World, Legal conflicts Settlement
- b. UN Principal Organs: General Assembly, Security Council, and International Court of Justice
- c. Peaceful Settlements of Disputes: Negotiations, Mediation, Conciliation, Arbitration, and Judicial Settlement
- d. Collective Security Mechanism

UNIT IV: Critical Global Concerns (10 Hrs)

- a. Cold War: Causes, Phases, and Case Studies (Korean Crisis, Vietnam Crisis, Cuban Crisis, and Gulf War)
- b. Post-Cold War: Iraq War, US Hegemony, Rise of Japan and China
- c. Non-Aligned Movement
- d. Regional Organizations: EU, SAARC and ASEAN, and BRICS
- e. International Terrorism: Non-state Actors and State-Sponsored Terrorism, post 9/11 developments.

PSDA (Professional Skill Development Activities) (1 Hrs/Week)

- Analysing Balance of Power in International events

Text Books:

1. J. Baylis, S. Smith and P. Owens, The Globalization of World Politics: An Introduction to International Relations, Oxford University Press, New York, 2008
2. Peu Ghosh, International Relations, Prentice Hall of India, New Delhi, 2009
3. Rumki Basu, The United Nations: Structure and Function of an International Organisation, South Asia Books, India, 2008

Reference Books:

1. Moore and Pubantz, The New United Nations, Pearson Education, India, 2008
2. E. H.Carr, International Relations between Two World Wars 1919-1939, Macmillan, Delhi, 2004
3. Shakti Mukherjee and Indrani Mukherjee, International Relations, World Press Pvt. Ltd., Kolkata, 1986
4. Hans J. Morgenthau, Politics Among Nations: The Struggle for Power and Peace, Alfred A.Knopf, New York, 1948
5. J.G. Starke, An Introduction to International Law, Butterworths, London 1993(Revised)
6. Joshua S. Goldstein, International Relations, Pearson Education, US, 2013
7. J.N. Dixit, India's Foreign Policy and its Neighbours, Gyan Publishing House, Delhi, 2001
8. Peter Calvocoressi, World Politics:1945-2000, Pearson Education, US, 2013
9. Pushpesh Pant, International Relations in the 21st Century, Tata McGraw-Hill Education Private Limited, New Delhi, 2011
10. J. Baylis, S. Smith and P. Owens, The Globalization of World Politics: An Introduction to International Relations, Oxford University Press, New York, 2008
11. A. Vanaik, Masks of Empire, pp. 103-128, Tulika, New Delhi, 2007
12. R. Keohane and J. Nye Jr, 'Globalization: What's New? What's Not? (And So What?)', in Foreign Policy, No. 118, pp. 104-119,2007

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13. McGrew, 'Globalization and Global Politics', in J. Baylis, S. Smith and P. Owens (eds.) Globalization of World Politics: An Introduction to International Relations, Oxford University Press, New York, pp. 14-31, 2011
14. Peter Calvocoressi, World Politics: 1945-2000, Pearson Education, USA, 2013

Theory Paper

Total: 100 Marks
External: 70 Marks
Internal: 30 Marks

External: 70 Marks

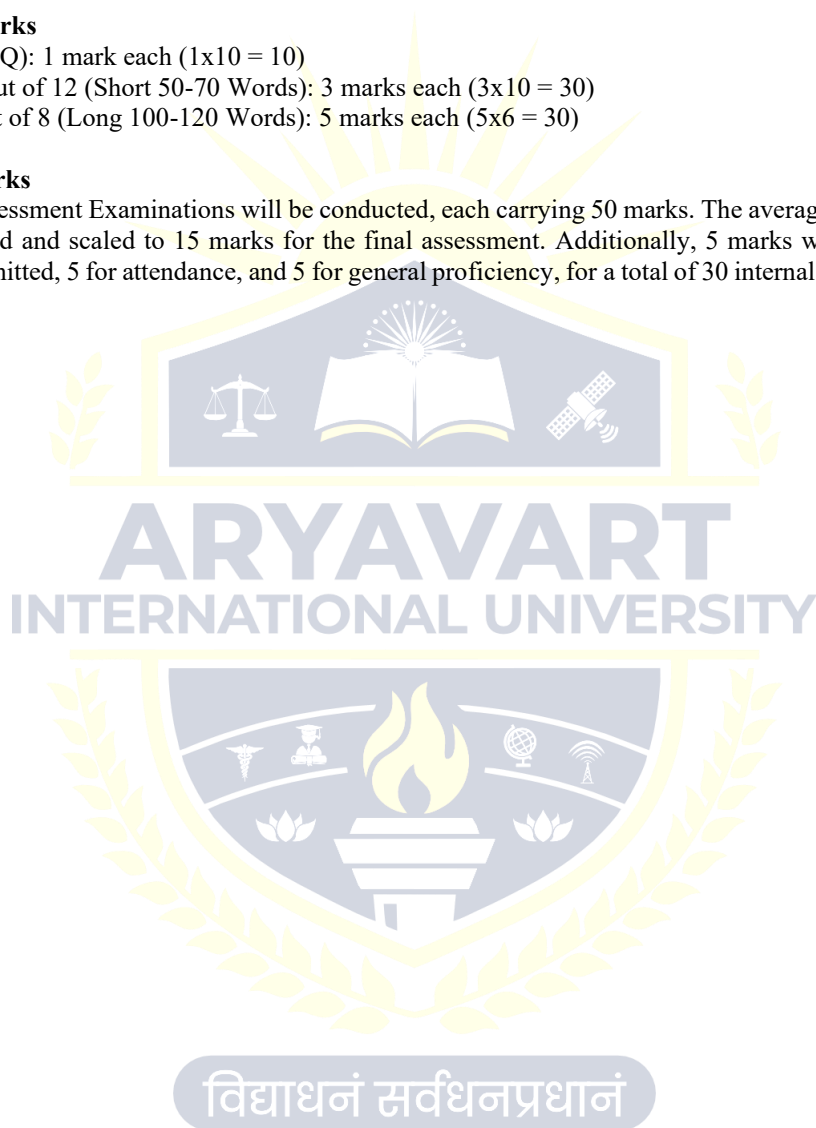
10 Question (MCQ): 1 mark each (1x10 = 10)

Answer any 10 out of 12 (Short 50-70 Words): 3 marks each (3x10 = 30)

Answer any 6 out of 8 (Long 100-120 Words): 5 marks each (5x6 = 30)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be awarded for assignments submitted, 5 for attendance, and 5 for general proficiency, for a total of 30 internal assessment marks.



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Syllabus for BA LLB (H)

Semester 5

Theory										
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks	
25LW506	Environmental Laws and Environmental Studies	4	0	0	4	70	30	0	100	
25LW507	Code of Civil Procedure I	4	0	0	4	70	30	0	100	
25LW508	Bharatiya Nagarik Suraksha Sanhita I	4	0	0	4	70	30	0	100	
25LW509	Human Rights	4	0	0	4	70	30	0	100	
25LW503	ADR: Arbitration, Mediation, and Conciliation	4	0	0	4	70	30	0	100	
25SS502	Sociology III: Sociology of Law and Deviance	4	0	4	4	70	30	0	100	
25LW692	Internship	0	2	0	2	0	100	0	100	
Total					26	420	280	0	700	

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विद्याधनं सर्वधनप्रधानं

Detailed Syllabus

ENVIRONMENTAL LAWS AND ENVIRONMENTAL STUDIES

Code: 25LW506

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) generate sensitivity towards the environmental issues; (ii) critically evaluate the role of law, policy and institutions in the conservation and management of natural resources as well as pollution control; (iii) examine critically the environment laws and policies both at the national and international level; and (iv) interpret landmark rulings relating to environment.

UNIT I: Introduction to Environmental Studies & Legal Framework for Environmental Protection: International and National Perspective (10 Hrs)

- a. Introduction to Environmental Studies
 - i. Environment: Meaning & Concept
 - ii. Environment and human interface: An Overview
 - iii. Religion and Environment - An Overview
 - iv. Pollution, Environment Pollution: Meaning, Kinds and Issues
- b. International Legal Framework
 - i. Environmental Law: Human Rights Perspective
 - ii. Stockholm Declaration & Rio-Declaration: Brief Overview
 - iii. Introduction to Sustainable Development – SDGs -MDGs
 - iv. UNEP
- c. Introduction to Indian Legal Framework
 - i. Constitutional Guidelines
 - ii. Pre-Environmental Legislation - Law of Torts, Law of Crimes, Cr. P.C., etc.
 - iii. Emergence of Environmental Legislation

UNIT II: Prevention and Control of Water, Air, Noise, and Land Pollution (10 Hrs)

- a. The Water (Prevention and Control of Pollution) Act, 1974
 - i. Water Pollution: Definition
 - ii. Central and State Pollution Control Boards: Constitution, Powers and Functions
 - iii. Water Pollution Control Areas
 - iv. Sample of effluents: Procedure; Restraint Order
 - v. Consent requirement: Procedure, Grant/Refusal, Withdrawal
 - vi. Citizen Suit Provision
- b. Air (Prevention and Control of Pollution) Act, 1981
 - i. Air Pollution: Definition
 - ii. Central and State Pollution Control Boards: Constitution, Powers and Functions
 - iii. Air Pollution Control Areas
 - iv. Consent Requirement: Procedure, Grant/Refusal, Withdrawal
 - v. Sample of Effluents: Procedure; Restraint Order
 - vi. Citizen Suit Provision
- c. Noise Pollution Control Order, 2000
- d. Land Pollution

UNIT III: General Environment Legislation and Protection of Forests and Wildlife & Remedies (10 Hrs)

- a. Environmental (Protection) Act, 1986
 - i. Meaning of “Environment”, “Environment Pollutant”, “Environment Pollution”
 - ii. Powers and Functions of the Central Govt.
 - iii. Important Notifications U/s 6: Hazardous Substance Regulation, Bio-Medical Waste
 - iv. Regulation and Coastal Zone Management, EIA
 - v. Public Participation & Citizen Suit Provision
- b. Laws Related to Forest
 - i. Forest Act, 1927: Kinds of forest – Permitted Activities – Authorities and Offences
 - ii. The Forest (Conservation) Act, 1980
 - iii. Forest Conservation vis-à-vis Tribals’ Rights – FRA, 2007
- c. The Wild Life (Protection) Act, 1972
 - i. Authorities to be Appointed and Constituted under the Act

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- ii. Hunting of Wild Animals
- iii. Protection of Specified Plants
- iv. Protected Area
- v. Trade or Commerce in Wild Animals, Animal Articles and Trophies; Its Prohibition
- d. National Green Tribunal
 - i. Constitution
 - ii. Functions and Powers

UNIT IV: Current Trends

(10 Hrs)

- a. Global Warming - Climate Change
- b. International Trade and Environment
- c. Sustainable Development
- d. Trans-boundary Pollution
- e. Natural Resources Conservation
- f. Waste management
- g. Green GDP
- h. Carbon Trading

PSDA (Professional Skill Development Activities)

(1Hr/Week)

- Field Trip to Ecologically Sensitive Places/Tribal Areas
- Visit to Biodiversity Park/ Zoos, and Preparation of Projects
- Preparation of plans for Water, Air Pollution
- Interaction with Eminent Environmental Activist /Invited Talks & Lectures

Text Books:

1. S. C. Shastri, Environmental Law, Eastern Book Company, Lucknow, 2018 (6th Edn.)
2. P. Leelakrishnan, Environmental Law in India, Lexis Nexis, India, 2018 (6th Edn.)

Reference Books:

1. Shyam Diwan & Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press, India, 2001 (2nd Edn.)
2. Gurdip Singh, Environmental Law in India, EBC, Lucknow, India, 2016
3. Snehlata Verma, Environmental Problems: Awareness and Attitude, Academic Excellence Publishers & Distributors, Delhi, 2007
4. Benny Joseph, Environment Studies, Tata McGraw-Hill, New Delhi, 2009

List of Cases:

1. Municipal Council, Ratlam v. Shri Vardhichand, AIR 1980 SC 1622
2. Vellore Citizen Welfare Forum v. Union of India, AIR 1996 SC 2715
3. Subhash Kumar v. State of Bihar, AIR 1991 SC 420
4. M.C. Mehta v. Union of India, AIR 1987 SC 1086
5. M/s Abhilash Textiles v. Rajkot Municipal Corporation, AIR 1988 Guj. 57
6. M.C. Mehta v. Union of India, AIR 1988 SC 1115
7. M.C. Mehta v. Kamal Nath, AIR 2000 SC 1997
8. Indian Council for Enviro-Legal Action v. Union of India, AIR 1996 SC 1446
9. A.P. Pollution Control Board v. M.V. Nayudu (2001) SCC 62
10. Church of God [Full Gospel] in India v. KKR Majestic Colony Welfare Association, AIR 2000 SC 2773
11. Narmada Bachao Andolan v. Union of India, AIR 2000 SC 3751
12. T.N. Godavarman Thirumulpad v. Union of India (1997) 2 SCC 267
13. S. Jagannath v. Union of India, AIR 1997 SC 811
14. Sachidananda Pandey v. State of West Bengal & Ors, AIR 1987 SC 1109
15. The Goa Foundation and Another v. The Konkan Railway Corporation And Ors., AIR 1992 Bom. 471

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CODE OF CIVIL PROCEDURE I

Code: 25LW507

Max Marks: 70

Course Objectives: The objective of this paper is to: (i) help law students to acquire a thorough knowledge of procedural aspects of working of civil courts and other associated machineries in India; (ii) Make them aware about the nuances of suit filing, rules as to pleadings, specific requirements of plaint and written statements, counter-claims; and (iii) understand some crucial concepts like res judicata, res-subjudice, inherent powers of courts, jurisdiction which are sine qua non for proceeding with civil matters before the courts.

UNIT I: Introduction

(10 Hrs)

- i. Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, Mesne Profits, Affidavit, Suit, Plaint, Written Statement
- ii. Important Concepts: Res Sub-Judice, Res Judicata, Restitution, Caveat, Inherent powers of courts, e-courts
- iii. Institution of Suit

UNIT II: Initial steps in a suit

(10 Hrs)

- i. Jurisdiction and place of suing
- ii. Pleadings: Meaning, Object, General rules, Amendment of pleadings
- iii. Plaint and written statement
- iv. Rejection of Plaint
- v. Discovery, Inspection, and production of documents
- vi. Appearance and non-appearance of parties
- vii. First hearing
- viii. Framing of Issues

UNIT III: Interim Orders

(10 Hrs)

- i. Commissions
- ii. Arrest before judgement
- iii. Attachment before judgement
- iv. Temporary Injunctions
- v. Interlocutory Orders
- vi. Receiver
- vii. Security of costs

UNIT IV: Suits in Particular Cases

(10 Hrs)

- i. Suits by or against the Government
- ii. Suits by Indigent persons
- iii. Interpleader Suit
- iv. Summary Procedure
- v. Suits relating to public nuisance

PSDA (Professional Skill Development Activities)

(1Hr/Week)

- Court Visit
- Case Comments
- Group Discussions
- Movie Review
- Research Paper

Text Books:

1. Code of Civil Procedure, 1908
2. C.K. Takwani, Civil Procedure with Limitation Act, Eastern Book Company, Lucknow & Delhi, 2017 (8th Edn.).
3. Mulla, Code of Civil Procedure, Lexis Nexis, India 2017, (19th Edn.)
4. Sarkar, Code of Civil Procedure, Lexis Nexis, India, 2016, (12th Edn.)

Reference Books:

1. M.R. Mallick & Sukumar Ray Ganguly's Court, Practice and Procedure, Eastern Law House, Delhi, 2016 (14th Edn.)
2. S.K. Raghuvanshi (ed.), Tandon's Code of Civil Procedure, Pioneer Printers, Delhi, 2016

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List of Cases:

1. Topandas v. Gorakhram, AIR 1964 SC 1348
2. Dhulabhai v. State of H.P., AIR 1969 SC 78
3. Premier Automobile v. Kamlakar, 1976 (1) SCC 496
4. Rajasthan State Road Transport Corpn. v. Krishna Kant, 1995 (5) SCC 75
5. Pandurang V/s Shantibai, AIR 1989 SC 2240
6. Workmen C.P. Trust v. Board of Trustees, 1978 (3) SCC 119
7. Razia Begum v. Anwar Begum, AIR 1958 SC 886 (895)
8. B.K.N. Pillai v. P. Pillas, AIR 2000 SC 614
9. Sangram Singh v. Election Tribunal, AIR 1955 SC 425
10. Martin Burn Ltd. v. Banerjee, AIR 1958 SC 79
11. Dalpat v. Prahlad, 1992 (1) SCC 719
12. Gujrat Battling Co. Ltd. v. Coca Cola Co., 1995 (5) SCC 545
13. Morgan Stanly v. Kartick Das, 1994 (4) SCC 225
14. Bihari Chordhary v. State of Bihar, 1984 (2) SCC 627
15. Raj Duggal v. Ramesh Kumar, AIR 1990 SC 2218

BHARATIYA NAGARIK SURAKSHA SANHITA I

Code: 25LW508

Max Marks: 70

Course Objectives: This paper's objective is to: (i) enhance the understanding of criminal courts and the judicial process; and (ii) help students nurture professional attitudes by acquiring procedural knowledge about criminal courts' structural set-up and working operations.

UNIT I Introduction

(10 Hrs)

1. Object and Importance of Bharatiya Nagarik Suraksha Sanhita, 2023, Basic concepts under BNSS.
2. Functionaries under BNSS.
3. Constitution of criminal courts and offices, power of courts.
4. Powers of superior officers of police and aid to the magistrates and the police.
5. Information to the Police and their powers to investigate

UNIT II Process to compel appearance and Production of things

(10 Hrs)

1. Punitive and Preventive Arrest (with or without warrant) and Provision for Bail under the BNSS.
2. Summons, warrant, proclamation and attachment
3. Search (with or without warrant)
4. Illegal search, arrest, and allied rights and remedies

UNIT III Proceeding before Magistrate-I

(10 Hrs)

1. Condition Requisites for Initiation of Proceeding
2. Complaint to Magistrate
3. Commencement of Proceeding before Magistrate
4. Provisions as to Accused Persons of Unsound Mind

UNIT IV Proceeding before Magistrate-II

(10 Hrs)

1. Security for Keeping Peace and Good Behaviour
2. Maintenance of Public Order and Tranquillity
3. Proceedings for Maintenance of 'wife', 'children', and 'parents'

PSDA (Professional Skill Development Activities)

(1 Hrs/Week)

- Mock Trial
- Visit to Police Station/Court/Prosecution Office
- Visit to Jail
- Symposium on Sentencing
- Exercise on Plea Bargaining
- Drafting a complaint

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Text Books:

1. Ratanlal & Dhirajlal, Criminal Procedure, Lexis Nexis Butterworths Wadhwa, Nagpur, 2012.
2. S.C. Sarkar, The Law of Criminal Procedure, Wadhwa & Co., Nagpur, 2007.

Reference Books:

1. K. N. Chandrasekharan Pillai, R.V. Kelkar's Lectures on Criminal Procedure, Eastern Book Company, 2013.
2. K.N. Chandrasekharan Pillai, Criminal Procedure, Eastern Book Company, 2004.
3. Aiyer, Mitter, Law of Bails- Practice and Procedure, Law Publishers (India) Pvt. Ltd., 2012.
4. P. V. Ramakrishna, Law of Bail, Bonds, Arrest and Custody, Lexis Nexis, 2008.
5. P.K. Majumdar, Law of Bails, Bonds and Arrest, Orient Publication, 2012.
6. Justice P. S. Narayana, Code of Criminal Procedure, ALT Publications, 2012.
7. Bare Act of Bhartiya Nagarik Suraksha Sanhita, 2023.

HUMAN RIGHTS

Code: 25LW509

Max Marks: 70

Course Objectives: This paper aims to (i) expose students to the history, theory, law and practice of human rights protection both in international and national framework (ii) provide them improved ability to evaluate the implementation and enforcement of human rights law critically; (iii) make them critically examine the functioning of Human Right Commissions and the multifaceted commissions formulated for protecting the vulnerable groups; and (iv) critically analyse the functioning of NHRC.

UNIT I: Concept, Evolution, and Development

(10 Hrs)

- a. Meaning, Nature and Significance
- b. Evolution (Global): From Ancient Period to League of Nations; World Wars to UDHR
- c. Evolution (National): Indian History of Human Rights: From the Vedic Period to the Constitution
- d. Universalism v/s Cultural Relativism
- e. Modern Developments
- f. Generations of Human Rights

UNIT II: Treaty Bodies and International Bill of Human Rights

(10 Hrs)

- a. Office of the UN High Commissioner for Human Rights, Human Rights Council, Commission on Human Rights; other Committees: CESCR, CCPR, CEDAW, CAT, CERD, CRC, CMW, SPT, CRPD, CED
- b. International Bill of Human Rights and International Implementation Mechanism: UDHR, ICCPR and its Protocols, ICESCR and its Protocol

UNIT III: Human Rights Protection in India

(10 Hrs)

- a. Constitutional Provisions (Fundamental rights and Directive Principles)
- b. Application of International Human Rights Law in India
- c. Role of judiciary in Protecting Human rights
- d. Permissible Limitations on human rights
- e. The Protection of Human Rights Act, 1993
- f. NHRC and State Human Rights Commissions: Composition, Powers and Functions
- g. NCW, NCM, NCSC, and NCST
- h. Role of Civil Societies and Media

UNIT IV: Human Rights of Vulnerable Groups and Contemporary Challenges

(10 Hrs)

- a. Vulnerable Group: International and National perspective; Governmental, Judicial, and Civil society initiatives
 - i. Women
 - ii. Children
 - iii. Disabled
 - iv. Refugees
 - v. Senior Citizens
 - vi. Prisoners

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- b. Contemporary Challenges
 - i. Terrorism and Narco Terrorism
 - ii. Technological and scientific development

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Moot courts
- Field visits in groups and reporting back
- Visit to Commissions
- Minor Projects on contemporary challenges and threats to Human Rights
- Drafting of Writs to enforce Human Rights

Text Books:

1. H.O. Agarwal, Human Rights, Central Law Publications, Allahabad, 2018
2. M. K. Sinha, Implementation of Basic Human Rights, Lexis Nexis, India, 2013
3. J. Symonides, Human Rights: International Protection, Monitoring and Enforcement, Reissued by Routledge, New York, 2003. V.K. Sircar, Protection of Human Rights in India, Asia Law House, Hyderabad. 2006

Reference Books:

1. Thomas Buergenthal, International Human Rights in a Nutshell, West Publishing Company, US, 2002
2. Henry Steiner & Philip Alston, International Human Rights in Context: Law, Politics, Morals: Text and Materials, Oxford University Press, New York, 2008
3. Jack Donnelly, Universal Human Rights in Theory and Practice, Cornell University Press, US, 2013
4. S. K. Kapoor, International Law and Human Rights, Central Law Agency, Allahabad, 2017 (7th Edn.)
5. Surya Deva, David Bilchitz (ed.), Human Rights Obligations of Business, Cambridge University Press, 2013
6. Susan Easton, Prisoners' Rights: Principles and Practice, Taylor & Francis, New York, 2011
7. Anna Arstein-Kerslake, Disability Human Rights Law, MDPI, 2018 (Open Access)
8. Mamata Rao, Law Relating to Women and Children, Eastern Book Co., Lucknow, 2018 (4th Edn.)
9. D.D. Basu, Human Rights in Constitutional Law, Lexis Nexis, India, 2016 (16th Edn.)
10. Upendra Baxi, The Future of Human Rights, Oxford University Press, New Delhi, 2002

List of Cases:

1. Indian Young Lawyers Assn. v. State of Kerala, 2018 SCC OnLine SC 1690
2. Romila Thapar v. UOI (2018) 10 SCC 802
3. National Legal Services Authority v. Union of India (2014) 5 SCC 438
4. Shreya Singhal v. UOI (2013) 12 SCC 73
5. Naz Foundation v. Government of NCT of Delhi and Ors. (2009) 160 DLT 277
6. Olga Tellis & Ors v. Bombay Municipal Council Corpn., 1985 SCC (3) 545
7. Sarla Mudgal, President, Kalyani and Ors. v. UOI, AIR 1995 SC 1531
8. Vishaka and others v. State of Rajasthan and Ors., AIR 1997 SC 3011
9. Selvi v. State of Karnataka and Ors. (2010) 7 SCC 263
10. The Chairman, Railway Board & Ors. v. Chandrima Das & Ors. (2000) 2 SCC 465
11. Maneka Gandhi v. Union of India, AIR 1978 SC 597
12. Air India v. Nergesh Meerza, AIR 1981 SC 1829
13. S.P. Gupta v. Union of India and Ors., AIR 1982 SC 149
14. Sunil Batra (I) v. Delhi administration, AIR 1978 SC 1675
15. Kishore Singh v. State of Rajasthan, AIR 1981 SC 625
16. D. K. Basu v. State of West Bengal (1997) (1) SCC 416
17. Veena Sethi v. State of Bihar, AIR 1983 SC 339
18. Nilabati Behara v. State of Orissa and Ors., AIR 1993 SC 1960

ADR: ARBITRATION, MEDIATION, AND CONCILIATION

Code: 25LW503

Max Marks: 70

Course Objectives: This course aims to (i) provide students theoretical and practical insight into the subtle art of dispute resolution; (ii) familiarize them with the use of available ADR models; (iii) train students in specialized techniques of mediation, arbitration and negotiation; (iv) introduce students to basic conceptual framework on which the entire edifice of ADR mechanism is founded; and (v) familiarize students to the contemporary needs of developing pragmatic approaches.

UNIT I: Introduction, Meaning, Objectives, and Importance of ADR **(10 Hrs)**

- a. Genesis and kinds of dispute resolution process
- b. Evolution of ADR in India, Objectives and Importance of ADR
- c. Various kinds of ADR mechanisms: Arbitration, Mediation, Conciliation, Expert Determination, Negotiation, Early Neutral Evaluation (ENE), Fact-finding, Med-Arb, or Mediation-Arbitration, Judge-hosted settlement conference, MEDOLA, Ombudsman, etc.
- d. Evolution of Legal Aid Movement in India
- e. Constitution, Powers and Functions of the Legal Services Authorities
- f. Salient features of Legal Services Authority Act
- g. Access to Justice through Lok Adalat and Permanent Lok Adalat

UNIT II: Mediation, Conciliation and Negotiation **(10 Hrs)**

- a. Concept of Mediation
- b. Evolution and Process of Mediation in India
- c. Conciliation
- d. Good Offices
- e. Negotiation theories, types, and strategies

UNIT III: Arbitration: Meaning, Agreement, Essentials, Appointment of Arbitrator **(10 Hrs)**

- a. Essentials and kinds of Arbitration Agreement, Rules of Severability
- b. Role of Courts in Reference to Arbitration
- c. Extent of judicial intervention
- d. Composition and Jurisdiction of Arbitral Tribunals
- e. Interim measures by Courts and Arbitral Tribunals
- f. Conduct of Arbitral proceedings and place of arbitration
- g. Arbitral Awards, Setting aside the arbitral awards and the enforcement of domestic awards

UNIT IV: Enforcement of Foreign Awards **(10 Hrs)**

- a. New York Convention awards
- b. Geneva Convention awards
- c. International Commercial Arbitration

PSDA (Professional Skill Development Activities) **(1 Hr/Week)**

- ❖ Mock Arbitration/Mediation/ Negotiation Session
- ❖ Visit to Court/ Mediation Centres
- ❖ Participation of students in Lok Adalats
- ❖ Conducting Mediation Awareness Programmes in collaboration with DLSA (District Legal Services Authority) in rural areas.
- ❖ Community Outreach Programmes
- ❖ Drafting session on Arbitration agreements/Mediation agreements in association with industry experts
- ❖ Simulation exercises

Text Books:

1. Dr. N. V. Paranjape, Law Relating to Arbitration & Conciliation in India, Central Law Agency, Allahabad, 2016 (9th Edn.)
2. Avtar Singh, Arbitration & Conciliation Act, Eastern Book Company, New Delhi, 2014
3. Shriram Panchu, Mediation Practice Law: The Path to Successful Dispute Resolution, LexisNexis, 2015 (2nd Edn.)
4. S. Muraleedar, Law, Poverty and Legal Aid, Access to Criminal Justice, LexisNexis Butterworths, Nagpur, 2004
5. Madabhushi Sridhar, ADR Negotiation and Mediation, LexisNexis Butterworths, New Delhi, 2010(1st Edn.)

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6. J. G. Merrills, International Dispute Settlement, Cambridge University Press, U.K., 2005(5th Edn.)
7. Henry J. Brown & Arthur Marriott, ADR Principle and Practice, Sweet & Maxwell, Thomson Reuters, 2013 (South Asian Edn)

References:

1. P. C. Markanda, Law Relating to Arbitration and Conciliation, LexisNexis, India 2013(8th Edn.)
2. B.P. Saraf and M. Jhunjhunwala, Law of Arbitration and Conciliation, Snow white, Mumbai, 2000
3. Gerald R. William (ed.), The New Arbitration and Conciliation Law of India, Indian Council of Arbitration, New Delhi, 1998
4. A.K. Bansal, Law of International Commercial Arbitration, Universal, Delhi, 1999
5. P.C. Rao & William Sheffield, Alternative Dispute Resolution- What it is and How it Works? Universal, Delhi, 2000
6. G.K. Kwatra, The Arbitration and Conciliation Law of India, Universal, Delhi, 2000
7. N. D. Basu, Law of Arbitration and Conciliation, Universal, Delhi, 2000 (Reprint 9th Edn.)
8. Johari, Commentary on Arbitration and Conciliation Act, Universal, Delhi, 1996 (Reprint 1999)
9. Carrie J. Menkel-Meadow et. al., Dispute Resolution: Beyond the Adversarial Model, Aspen Publishers, US, 2011
10. Jacqueline M. Nolan-Haley, Alternative Dispute Resolution in a Nutshell, Thomson West, US, 2013(4th Edn.)
11. Robert J. Niemic, Donna Stienstra, and Randall E. Ravitz (ed.) Guide to Judicial Management of Cases in ADR, Federal Judicial Centre, 2001, (Available at <https://www.fjc.gov/sites/default/files/2012/ADRGuide.pdf>)
12. J. Auerbach, Justice Without Law? Oxford University Press, New York, 1983
13. Abraham P. Ordover and Andrea Doneff, Alternatives to Litigation: Mediation, Arbitration, and the Art of Dispute Resolution, National Institute for Trial Advocacy, Notre Dame, 2002
14. R. S. Bachawat, Law of Arbitration & Conciliation, (5th Edn.), LexisNexis Butterworths Wadhwa, Nagpur, 2010
15. Indu Malhotra, The Commentary on the Law of Arbitration, Wolters Kluwer India Pvt. Ltd., Gurgaon, Haryana, 2019 (4th Edn.)

List of Cases:

1. Hussainara Khatoon v. State of Bihar (1980) 1 SCC 81 (Legal Aid)
2. Salem Advocate Bar Association v. Union of India, AIR 2005 (6) SCC 344 (Section 89 CPC, 1908)
3. Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd., (2010) 8 SCC 24 (Section 89 CPC, 1908)
4. Mr Krishna Murthiv. New India Assurance Co. Ltd., Civil Appeal No. 2476-2477 of 2019 (Mediation)
5. Haresh Dayaram Thakur v. State of Maharashtra, AIR 2000 SC 2281 (Conciliation)
6. Food Corporation of India v. Joginderlal Mohinderpal, 1989 (2) SCC 347
7. Sukanya Holding Pvt. Ltd. v. Jayesh H. Pandya, JT 2003 (4) SC 58
8. Renusagar Power Plant Co. Ltd. v. General Electric Company, AIR 1994 SC 860
9. Bharat Aluminium Company v. Kaiser Aluminium Technical Service, (2012) 9 SCC 522 (Domestic award)
10. Oriental Insurance Company Limited v. M/s Narbheram Power and Steel Pvt. Ltd., Civil Appeal No. 2268 of 2018 (Arbitral Clause to be strictly constructed)
11. Bhatia International v. Bulk Trading SA, AIR 2002 SC 1432
12. ONGC v. Saw Pipes, (2003) 5 SCC 705
13. Venture Global Engineering v. Satyam Computers Services Ltd. & Anr., (2008) 1SCALE 214 & (2010) 8 SCC 660
14. Shri Lal Mahal Ltd. v. Progetta Grano Sp, (2013) (3) ARB LR 1 (SC)
15. Vijay Kariav. Prysmian Cavi E, 2020 SCC OnLine SC 177

SOCIOLOGY III: SOCIOLOGY OF LAW AND DEVIANCE

Code: 25SS502

Max Marks: 70

Course Objectives: The objective of this paper is to : (i) acquaint students with the fascinating interface of 'society with law' and 'law with society' which is of utmost importance for law students for rational thinking; (ii) make them aware about the inter-dependence of sociology and law; (iii) understand the dynamism of law in the context of dynamism of society; (iv) expose students to the revolutionary changes brought by courts, lawyers and sociologists in form of social and legal reforms in a society which can only be realized on the touchstone of reality when one is fully aware about them.

UNIT I: Law and Society (10 Hrs)

- a. Interface and interrelationship between law and society
- b. Customs, Customary rights and customary Laws
- c. Perspective of W. G. Sumner, Emile Durkheim, Karl Marx, and Max Weber on law
- d. Social engineering of Roscoe Pound
- e. Courts as social institutions: the role of courts and lawyers in society

UNIT II: Deviance and Control (10 Hrs)

- a. Crime and Deviance; Legal and normative approach to crime
- b. Causes of crime in modern society- technological, economic, ecological
- c. Types of crime- crime against property and individuals
- d. Formal control and crime- role of law
- e. Informal control and crime- role of customs, primary groups, religion, and media

UNIT III: Important theories of crime and victimology (10 Hrs)

- a. Sociological theories- Functional, Sub-Culture and Interactionist Theories (Labelling Theory)
- b. Biological Theories- Lombroso, Genetic theory, Body Type Theory
- c. Psychological Theories- Social Learning, Psycho-Analytical Theories
- d. Victimology Theories- Routine activity, victim precipitation, lifestyle, and Deviant place theory

UNIT IV: Social Problems (10 Hrs)

- a. Organized crime and white-collar crime
- b. Crimes against women- domestic violence, sexual abuse
- c. Crimes against children- sexual abuse, child labour, pornography
- d. Juvenile delinquency- Juvenile justice, Children in need of care and Protection, Juveniles in conflict with the law
- e. Cyber crime
- f. Drug abuse and alcoholism

PSDA (Professional Skill Development Activities) (1 Hr/Week)

- Write a research article on any social problem with specific reference to women, children, or the differently abled.
- Discuss the cinematic glamorization of manifest forms of patriarchy and latent forms of violence.

Text Books:

1. Larry J. Siegel, Criminology: Theories, Patterns and Typologies, Cengage Learning, USA, 2017
2. M. Holborn and M. Haralambos, Sociology: Themes and Perspectives. London, Harper Collins Publishers (Chapter on Deviance), London, 2004
3. M. Inderbitzin (Ed.), Deviance and Social Control: A Sociological Perspective, Sage Publications, Delhi, 2012
4. Katherine S. Williams, Criminology, Oxford University Press, UK, 2013 (7th Edn.)
5. Marc Galantar, Law and Society in Modern India, Oxford University Press, Delhi, 1997

Reference Books:

1. P. I. Bhat, Law and Social Transformation, Lucknow, Eastern Book Company, Lucknow & Delhi, pp 1-126, 2009
2. Upendra Baxi, Towards a Sociology of Indian Law, ICSSR/ Satvahana Publications, Delhi, 1985

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3. Pratiksha Baxi, Public Secrets of Law: Rape Trials in India, Oxford University Press, Delhi, 2014
4. Srimati Basu, The Trouble with Marriage: Feminists Confront Law and Violence in India, University of California Press, 2015
5. Indra Dev (Ed.) Sociology of Law, Oxford University Press, New Delhi, 2005
6. S. Brickley and E. Comack, Social Basis of Law: Critical Readings in the Sociology of Law, Garamond Publications, Toronto, 1986
7. Roger Cotterrell, Sociological Perspectives on Law, Aldershot, Ashgate, 2001
8. Ved Kumari, The Juvenile Justice (Care and Protection of Children) Act 2015: Critical Analysis, Universal Law Publication, Delhi, 2015
9. Law Commission Report 131 on "Role of Legal Profession in Administration of Justice", 1988
10. Law Commission Report 266 on "The Advocates Act, 1961 (Regulation of Legal Profession)", 2017

INTERNSHIP

Code: 25LW692

Max Marks: 100

It is a mode of Clinical Legal education, a specified period to be spent by the student with a law firm/court/ Commissions/ NGO's and like institutions working with the realm of law or connected therewith. The reports, both by the student and the office, together with the diary, where applicable to be certified will be submitted for evaluation.

The Internship is a compulsory course. There is an Internship Data form where students fill in the details of where they are interning, with complete address and phone numbers. Customized Legal Reference /Diary is provided to the students on payment. They maintain a day-to-day record of the work that they do at the place where they are interning. They are expected to intern for a minimum of 90 days. They submit their completed diary, certificate from the employer, and a report of their experience at work. After submission, there is a Viva by the concerned faculty. They assess the student on the kind of work they have done during the internship, the presentation of the work they have done, and also on the practical knowledge they have gained.

The Paper is marked out of 100 marks. The breakup of the marks is as follows:

- | | |
|--|-------------|
| 1. Diary submission | : 25 Marks |
| 2. Report and certificate | : 25 Marks |
| 3. Viva (Panel of External Examiners) | : 40 Marks |
| 4. Attendance (Regularity in meeting the supervisor) | : 10 Marks |
| Total | : 100 Marks |

विद्याधनं सर्वधनप्रधानं

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Theory Paper

Total: 100 Marks
External: 70 Marks
Internal: 30 Marks

External: 70 Marks

10 Question (MCQ): 1 mark each ($1 \times 10 = 10$)

Answer any 10 out of 12 (Short 50-70 Words): 3 marks each ($3 \times 10 = 30$)

Answer any 6 out of 8 (Long 100-120 Words): 5 marks each ($5 \times 6 = 30$)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be awarded for assignments submitted, 5 for attendance, and 5 for general proficiency, for a total of 30 internal assessment marks.



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Syllabus for BA LLB (H)

Semester 6

Theory										
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks	
25LW101	Jurisprudence	4	0	0	4	70	30	0	100	
25LW605	Bharatiya Nagarik Suraksha Sanhita-II	4	0	0	4	70	30	0	100	
	Bhartiya Sakhsya Adhiniyam (BSA)	4	0	0	4	70	30	0	100	
25LW201	Property Law	4	0	0	4	70	30	0	100	
25LW302	Code of Civil Procedure-II	4	0	0	4	70	30	0	100	
25LW606	Public International Law	4	0	4	4	70	30	0	100	
25LW203										
Total					24	420	180	0	600	

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विद्याधनं सर्वधनप्रधानं

Detailed Syllabus

JURISPRUDENCE

Code: 25LW101

Max Marks: 70

Course Objectives: The objective of this course is to: (i) provide comprehensive knowledge about jurisprudence – the philosophy of law which besides providing disciplinary knowledge further enhances power of analytical reasoning of the students; (ii) explore the philosophical implications of understanding law as a cognitive process to encourage the research orientation among students; and (iii) inculcate an understanding of vocabulary, concepts, doctrines and various principles used in contemporary jurisprudential debates as well as a nuanced understanding of ideological and philosophical approaches in legal argumentation.

UNIT I: Clarificatory Jurisprudence (07 Hrs)

- a. What is jurisprudence, and why is jurisprudence?
- b. Descriptive, normative, and critical legal theory
- c. Concept of law - Classical Indian and Islamic schools
- d. Why obey the law, law as an Anarchy or an Obligation or Law as a Social Fact?
- e. Law and Morality
 - i. Judicial morality, moral and semantic questions relating to the judge's duty and choice, moral realism
 - ii. Hart v Fuller and Hart v Devlin
 - iii. Natural Law v Legal Positivism

UNIT II: Sources of Law (07 Hrs)

- a. Custom:
 - i. What is custom? Kinds of custom.
 - ii. Essentials of a valid custom to become a law
- b. Precedent:
 - i. Concept of Precedence
 - ii. Types- Authoritative and Persuasive, original and declaratory
 - iii. Difference between custom, precedent and legislation
- c. Legislation
 - i. Legislation and kinds of legislation
 - ii. Delegated legislation and its kinds
 - iii. Reasons for the group of delegated legislation
 - iv. Legislation and its permissible limits in India

UNIT III: Jurisprudential Schools of Thought (09 Hrs)

- a. Natural law
 - i. Classical natural law theory-Aristotle, Plato, St. Augustine, and Thomas Aquinas
 - ii. Hard and Soft natural law
 - iii. Natural law in political philosophy-Hobbes, Locke, Rousseau
 - iv. Decline of natural law
- b. Legal positivism
 - i. Classical legal positivism - Sir Jeremy Bentham and John Austin, their comparison.
 - ii. Modern legal positivism- H.L.A. Hart, Hans Kelsen, Joseph Raz
- c. Legal Realism

UNIT IV: Law and Social Theory (09 Hrs)

- a. The Sociological Perspective
 - i. Roscoe Pound, Eugene Ehrlich, Emile Durkheim (social solidarity and law)
 - ii. Max Weber (typology of law, theory of legitimate domination, capitalism and law)
 - iii. Karl Marx (ideology and legal fetishism); Jürgen Habermas (concept of modern state and law)
 - iv. Agreement on Subsidies and Countervailing Measures
- b. Anthropological/Historical Jurisprudence
- c. Feminist Jurisprudence
- d. Post Modernism
- e. Why do legal systems differ?
- f. Savigny, Sir Henry Maine, Max Gluckman.

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UNIT V: Concepts

(08 Hrs)

- a. Rights and duties
 - i. What is a Right? Theories of Rights
 - ii. Hohfeld's Analysis
 - iii. Human rights, Animal rights
- b. Personality
- c. Property, Possession, and Ownership
- d. Negligence
- e. Punishment: Retributivism-weak and strong, Consequentialism, restoration
- f. Theories of Justice- Utilitarianism, Libertarianism, Concept of equality, and Social justice
- g. Effectiveness of Precedents

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- ❖ Jurisprudential analysis of one contemporary problem/issue
- ❖ Preparation of Biographies of an Eminent Jurist
- ❖ Watching the Movie Schindler's List about how a Sovereign becomes the one above the Law
- ❖ Discussions and debates on contemporary jurisprudential issues

Text Books:

1. RWM Dias, Jurisprudence, LexisNexis (2013) (5th Edition).
2. H.L.A. Hart, The Concept of Law, Oxford University Press, UK, 2012 (3rd Edn.)
3. Nigel Simmonds, Central Issues in Jurisprudence, Thomson Reuters, London, 2018(5th Edn.)
4. Brian Bix, Jurisprudence: Theory and Context, Sweet& Maxwell, London, 2019(8th Edn.)
5. Stephen Mulhall & Adam Swift, Liberals and Communitarians, Wiley Blackwell, USA, 1996(2nd Edn.)
6. Will Kymlicka, Contemporary Political Philosophy, Oxford University Press, Oxford, 2002(2nd Edn.)

References:

1. Joseph Raz, The Authority of Law, Oxford, 1979, (Chapter 1, a critique of Wolff's view)
2. Joseph Raz 'Government by Consent' in Ethics in the Public Domain, Oxford, 1994
3. John Mitchell Finnis, Natural Law and Natural Rights, Vol. I & II, OUP, UK, 2011 (2nd Edn.). Read for prominent defenses of view (1) read either chapter 11, or John Finnis, 'Law as Coordination', in 2 Ratio Juris 301, 1989
4. Ronald Dworkin, Law's Empire, Harvard University Press, Cambridge, pp.190-216, 1986 73
5. Christopher H. Wellman & John Simmons, Is There a Duty to Obey the Law?, Cambridge University Press, Cambridge, 2005
6. N.E. Simmonds, 'Protestant Jurisprudence and Modern Doctrinal Scholarship' in 60(2), Cambridge Law Journal, pp. 271-300, July 2001(Focus on the chapter called 'A watershed')
7. Robert Ladenson, 'In Defence of a Hobbesian Conception of the Law', in 9(2), Philosophy and Public Affairs, pp.134-159,1980
8. Jean Hampton, Hobbes and the Social Contract Tradition, Cambridge University Press, Cambridge, 1986(Read Chapter 4, pp. 97-113)
9. Hampton, 'Democracy and the Rule of Law' in The Rule of Law, Nomos XXXVI, pp. 13-45, Ian Shapiro (ed.), NYU Press, 1994
10. David Dyzenhaus, 'Hobbes and the Legitimacy of Law', in 20 Law and Philosophy, 2001, 483. <http://plato.stanford.edu/entries/hobbes-moral/>
11. Joseph Raz, Practical Reason and Norms, OUP, Oxford, pp. 129-48, 1990, (2nd Edn.)
12. A. Marmor, 'The Pure Theory of Law', Stanford Online Encyclopaedia of Philosophy. <http://plato.stanford.edu/entries/lawphil-theory/4. Law and Morality>
13. Neil MacCormick, Legal Reasoning and Legal Theory, H.L.A. Hart, Stanford, pp. 42-60, 2008 (2nd Edn.)
14. Hans Kelsen, General Theory of Law and State, Harvard University Press, Massachusetts, pp. 58-64, 123-36, 115-22, 1945
15. Hans Kelsen, Pure Theory of Law, Vol. I, (Translated by Knight), pp. 114-19, 221-36, 193-214, University of California Press, Berkeley, 1967, (2nd Edn.)
16. H.L.A. Hart, 'Positivism and the Separation of Law and Morals', 71(4), Harvard Law Review, pp.593-629, 1958
17. W.J. Waluchow, 'Herculean Positivism', 5 (2), Oxford Journal of Legal Studies, pp. 187-210, 1985
18. William A. Edmundson, An Introduction to Rights, Cambridge University Press, Cambridge, 2004
19. H.L.A. Hart, 'Are There Any Natural Rights?', in Philosophical Review, 64, pp/ 175-91, 1955
20. Matthew Kramer, Nigel Simmonds, Hillel Steiner, A Debate Over Rights, OUP, Oxford, 2000
21. Roger Cotterill, The Politics of Jurisprudence, University of Pennsylvania Press, US, 2009

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22. Denis J. Galligan, Law in Modern Society, Oxford University Press, UK, 2007
23. Brian Tamanaha, A General Jurisprudence of Law and Society, Oxford University Press, Oxford, 2001
24. Kitty Calavita, Invitation to Law and Society, University of Chicago Press, Chicago, 2010
25. David Nelken's Law in Action or Living Law? Back to the Beginning in Sociology of Law', Legal Studies 4, pp. 152-174, 1984
26. Marc Hertogh (ed.) Living Law: Reconsidering Eugen Ehrlich, Hart Publishing, London, 2008

List of Cases:

1. Deputy Commissioner of Income Tax v. Pahar Ganj Grih Nirman Sahkari (2006) 99 TTJ JP 549
2. Union of India & Anrv. Raghbir Singh (Dead) By Lrs. Etc., AIR 1989 SC 1933: 1989 SCR (3) 316
3. Salar Jung Sugar Nulls Ltd. Etc v. State of Mysore & Ors., 1972 SCR (2) 228
4. State of Gujarat v. Gordhandas Keshavji Gandhi AIR 1962 Guj 128: (1962) 0 GLR 269
5. Nishikanta Roy v. Monmohon Sen Gupta, AIR 1973 Cal 529, 77 CWN 424
6. Late Nawab Sir Mir Osman Ali Khan vv.
7. Commissioner of Wealth Tax, 1987 AIR 522: 1986 SCR
8. (3)1072
7. Bandhua Mukti Morchav. Union of India, AIR 1984 SC 802: 1984 SCR (2) 67
8. Queen-Empress. Maru and Anr. (1888) ILR 10 All 207
9. Debendra Narain Roy v. Jogendra Narain Deb and Ors., 167 Ind Cas 615
10. Kanizak Husain And Ors. v. Jadu Rai And Anr. (1886) ILR 8 All 576

BHARATIYA NAGARIK SURAKSHA SANHITA II

Code: 25LW605

Max Marks: 70

Course Objectives: The objective of this paper is to (i) expose the students to different procedures that are followed in the judicial system during the course of a criminal trial, and (ii) undertake detailed discussions related to charge framing, various kinds of trials, execution of sentences, appeals, etc. which would not only enable students to identify the channels and the machinery involved but also enhance their analytical skills with application of same to litigation field.

UNIT I: Introduction to Trial Procedures

(10 Hrs)

1. The charge: Form of charges, Joinder of charges, Joinder of Persons
2. Evidence in inquiries and trials
3. General provisions as to inquiries and trials
4. Plea Bargaining and Compounding of Offences

UNIT II: Trials and Execution Proceedings

(10 Hrs)

1. Trial before a court of session
2. Trial of warrant cases by magistrates
3. Trial of summons – cases by Magistrates
4. Summary Trials
5. Judgement
6. Execution, suspension, remission, and commutation of sentences

UNIT III: Review Procedures

(10 Hrs)

1. Reference
2. Revisions
3. Appeals
4. Submission of death sentences for confirmation

UNIT IV: Miscellaneous

(10 Hrs)

1. Inherent Powers of the Court
2. Transfer of criminal cases
3. Irregular proceedings
4. Limitations for taking cognizance

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Mock Trial
- Visit to Police Station/Court/Prosecution Office

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- Visit to Jail
- Symposium on Sentencing
- Exercise on Plea Bargaining

Text Books:

1. Ratanlal & Dhirajlal, Criminal Procedure, Lexis Nexis Butterworths Wadhwa, Nagpur, 2012
2. S.C. Sarkar, The Law of Criminal Procedure, Wadhwa & Co., Nagpur, 2007

Reference Books:

1. K.N. Chandrasekharan Pillai, R.V. Kelkar's Lectures on Criminal Procedure, Eastern Book Company, 2013
2. K.N. Chandrasekharan Pillai, Criminal Procedure, Eastern Book Company, 2004
3. Aiyer, Mitter, Law of Bails- Practice and Procedure, Law Publishers (India) Pvt. Ltd., 2012
4. P.V. Ramakrishna, Law of Bail, Bonds, Arrest and Custody, Lexis Nexis, 2008
5. P.K. Majumdar, Law of Bails, Bonds and Arrest, Orient Publication, 2012
6. Justice P.S. Narayana, Code of Criminal Procedure, ALT Publications, 2012
7. Bare Act of Bhartiya Nagarik Suraksha Sanhita, 2023

BHARTIYA SAKSHYA ADHINIYAM

Code: 25LW201

Max Marks: 70

Course Objectives: The course aims to provide students with a foundational understanding of the Bharatiya Sakshya Adhiniyam and its role in the administration of justice. It enables learners to interpret and apply the principles of relevancy, admissibility, and evaluation of evidence, including digital and electronic records. The objective is to develop the ability to analyze and present evidence effectively while ensuring fairness and due process in legal proceedings.

UNIT I: Introduction to Law and Relevancy of Facts (08 Hrs)

- a. History, Nature, Scope and Applicability of Bhartiya Sakshya Adhiniyam, 2023
- b. Definitions (Section 2)
- c. Relevancy and Admissibility; Rebuttable Presumptions, Irrebuttable Presumptions and Conclusive Proof
- d. Types of Evidence and Admissibility of Circumstantial Evidence
- e. Relevancy of Facts and Closely Connected Facts (Sections 3-14)

UNIT II: Relevancy of Statements and Judgements (08 Hrs)

- a. Admissions and Confessions (Sections 15-25)
- b. Statement of Persons who cannot be called as Witness (Sections 26-27)
- c. Dying Declaration (Section 26(a))
- d. Statements under Special Circumstances (Sections 28-32)
- e. Judgments of Courts when relevant (Sections 34-38)

UNIT III: Expert Opinion, Relevancy of Character and Types of Evidence (08 Hrs)

- a. Opinions of Third Persons when relevant (Sections 39-45)
- b. Opinion of Forensic Science Expert and Evidentiary Value of D.N.A. Test, Narco-Analysis and Polygraph Test (Section 39)
- c. Character when relevant (Sections 46-50)
- d. Facts which need not to be proved (Sections 51-53)
- e. Oral and Documentary Evidence and Admissibility of Electronic Evidence (Sections 54- 73)

UNIT IV: Documentary Evidence and Doctrine of Estoppel (08 Hrs)

- a. Public Documents (Section 74-76)
- b. Presumptions as to Documents (Section 78-93)
- c. Exclusion of Oral by Documentary Evidence (Section 94-103)
- d. Burden of Proof and Presumptions relating to Burden of Proof (Section 104 -120)

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- e. Doctrine of Estoppel (Section 121-123)

UNIT IV: Production and Effects of Evidences

(08 Hrs)

- a. Witnesses and Privileged Communications (Sections 124-139);
- b. The Oaths Act, 1969 and its relation with the Bhartiya Sakshya Adhiniyam, 2023
- c. Examination of Witnesses (Sections 140-168)
- d. Witness Protection Schemes
- e. Improper Admission and Rejection of Evidence (Sections 169)

PSDA (Professional Skill Development Activities)

(1 Hrs/Week)

- Visit to Court
- Case Study
- Visit to Forensic Lab
- Interaction with Stakeholders

References:

1. Ram Jethmalani and D. S. Chopra, Law of Evidence: Concise Commentary, Thomson Reuters, 2015.
2. Stephen Mason, Electronic Evidence, 4th Ed., 2017 <http://humanitiesdigitallibrary.org/index.php/hdl/catalog/book/electronicEvidence>
3. Stephen Mason, Electronic Signatures in Law, 4th Ed, 2016, <http://humanitiesdigitallibrary.org/index.php/hdl/catalog/book/electronicSignatures>
4. Woodroffe & Amir Ali (Revised by B. M. Prasad & Manish Mohan) Law of Evidence (Set of 04 Volumes): Lexis Nexis. 20th Ed. 2017

List of Cases:

1. Aghnoo Nagesia v. State of Bihar AIR 1966 SC 119
2. Anvar P.V v. P. K. Basheer & Ors. AIR 2015 SC 180
3. Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal and Ors. (2020) 7 SCC 1
4. Dudh Nath Pandey v. The State of U.P. AIR 1981 SC 911
5. Goutam Kundu v. State of West Bengal And Anr. AIR 1993 SC 2295
6. Mahender Chawla & Others v. Union of India & Others 2018 SCC Online SC 2678
7. M.C. Verghese v. T.J. Ponnann & Another 1969 SC
8. Nishi Kant Jha v. State of Bihar 1969 SC
9. Pakala Narayana Swami v. Emperor 1939 BOMLR
10. Palvinder Kaur v. The State of Punjab 1952 SC
11. Selvi & Others v. State of Karnataka & Another 2010 SC
12. The State of Bombay v. Kathi Kalu Oghad & Others 1961 SC

PROPERTY LAW

Code: 25LW302

Max Marks: 70

Course Objectives: The objective of Property Law is to provide a clear understanding of principles and doctrines relating to the transfer and ownership of immovable property. It aims to equip students with skills to interpret and apply laws like the Transfer of Property Act, understand leases, gifts, and mortgages, and analyze property-related legal issues. The course also familiarizes students with drafting basic property documents and prepares them to deal with contemporary challenges in property law.

UNIT I: Concept of Property and General Principles Relating to Transfer of Property

(12 Hrs)

- a. Concept of property: distinction between movable and immovable property
- b. Definition clause: Immovable property, Attestation, Notice, Actionable claim
- c. Definition of transfer of property (Sec. 5)
- d. Transfer and non-transfer property (Sec. 10-12)
- e. Transfer to an unborn person and rule against perpetuity (Sec. 13, 14)

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- f. Vested and Contingent interest (Sec. 19 & 21)
- g. Rule of Election (Sec. 35)

UNIT II: General Principles Governing Transfer of Immoveable Property (12 Hrs)

- a. Transfer by ostensible owner
- b. Rule of feeding the grant by estoppel
- c. Rule of Lis Pendens
- d. Fraudulent transfer
- e. Rule of part performance
- f. Vested and contingent interest
- g. Conditional transfer

UNIT III: Specific Transfers (10 Hrs)

- a. Sale and gift
- b. Mortgage and charge
- c. Lease and Licence

UNIT IV: Easement Act (06 Hrs)

- a. Object and main provisions of the Easement Act

Acts:

- 1. The Transfer of Property Act, 1882
- 2. The Indian Easement Act, 1882

Text Books:

- 1. Mulla, Transfer of Property Act, 1999, Universal Delhi
- 2. Subba Rao, Transfer of Property Act, 1994, Subbiah Chetty, Madras
- 3. V. P. Sarathy, Transfer of Property, 1995 Eastern Book Co.
- 4. T. P. Tripathi, Transfer of Property Act, 2007
- 5. S. N. Shukla, Transfer of Property Act, 2007

Reference Books:

- 1. "Indian Property & Real Estate Law for A Common Man" by Sree Krishna Seelam
- 2. "Transfer of Property Act" commentary by Mulla
- 3. "Property Law" by R. K. Sinha
- 4. "Property Law" course e-book by Surbhi Aggarwal
- 5. "Guide on Benami Law" by Raj Kumar

CODE OF CIVIL PROCEDURE II

Code: 25LW606

Max Marks: 70

Course Objectives: The objective of this paper is to: (i) enlighten the students as to procedural aspects relating to the determination of civil litigation at the trial level and recourse available thereafter; and (ii) provide a systematic and coherent understanding regarding practical aspects and working of civil courts.

UNIT I: Judgment and Decree (10 Hrs)

- a. Judgment: Definition, Essentials, Pronouncement, Contents, and Alteration
- b. Decree: Definition, Essentials, Types, Drawing up of a decree, Contents, and Decree in particular cases
- c. Interest
- d. Costs

UNIT II: Execution (10 Hrs)

- a. Courts by which decree may be executed
- b. Payment under decree
- c. Application for Execution

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- d. Mode of Execution
- e. Stay of Execution
- f. Questions to be determined by the executing court

UNIT III: Appeals

(10 Hrs)

- a. General provisions relating to appeals
- b. Appeals from the original decree
- c. Appeals from appellate decrees
- d. Appeals from orders
- e. Appeals to the Supreme Court
- f. Appeals by Indigent Persons

UNIT IV: Reference, Review and Revision

(10 Hrs)

- a. Reference to High Court
- b. Review
- c. Revision

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- ❖ Judgment Writing
- ❖ Court Visit
- ❖ Group Discussions

Text Books:

1. Mulla, Code of Civil Procedure. Lexis Nexis, India 2017, (19th Ed).
2. Sarkar, Code of Civil Procedure, Lexis Nexis, India, 2016, (12th Ed).
3. C. K. Takwani, Civil Procedure with Limitation Act, Eastern Book Company, Lucknow & Delhi, 2017 (8th Ed).

Reference Books:

1. Code of Civil Procedure, 1908 (Relevant Provision).
2. S. K. Raghuvanshi (ed.), Tandon's Code of Civil Procedure, Pioneer Printers, Delhi, 2016.

List of Cases:

1. Jalada Dal and Uchha Bidyapith v. State of Orissa, AIR 1993Ori 257
2. Judhistir v. Surendra, AIR 1969 Ori 233
3. Mahadeo Prasad Singh v. Ram Lochan (1980)4 SCC354
4. Shyam Singh v. Distt Collector Hamirpur, 1993Supp (1) SCC693
5. Manilal Mohanlal v. Sardar Sayed Ahmed, AIR 1954 SC349
6. Shivraj Patil v. Mahesh Madhaw, AIR 1987 SC 294
7. Sarju Parsad v. S Jwaleshwari, AIR 1951SC 120
8. T D Gopalan v. Commerce HR& CE, Madras, AIR 1972 SC 1716
9. Madhusudan Das v. Narayani Bai, AIR 1983 SC114
10. Radha Madhav v. Gajadhar Singh, AIR 1960 Sc 115
11. State of Punjab v. Jagdev Singh Talwandi, AIR 1984 SC 444
12. Thungabhadra Industries Ltd. v. Govt of AP, AIR 1964 SC 1372
13. Major SS Khanna v. Brig FJ Dillon, AIR 1964 SC 497
14. Anil Rai v. State of Bihar, AIR 2001 SC 3173

विद्याधनं सर्वधनप्रधानं

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PUBLIC INTERNATIONAL LAW

Code: 25LW203

Max Marks: 70

Course Objectives: This paper aims to enable students to (i) develop knowledge of the nature of public international law and the structure of the international legal system; (ii) define and understand the implications of the basic elements of public international law - its sources and subjects, the recognition and jurisdiction of States in international law and principles of State responsibility; and (iii) appreciate the significant differences and similarities of international law and domestic law.

UNIT I: Introduction

(10 Hrs)

- a. Nature and Development of International Law
- b. Subject of International Law
- c. Concept of Subject of Law and of Legal Personality
- d. States: Condition of Statehood, Territory and Underlying Principles, Sovereignty
- e. International Organisation: Concept, Right and Duties under International Law
- f. Status of Individual
- g. Other Non-State Actors
- h. Relationship Between International Law and Municipal Law (UK, USA, India)
- i. Codification of International Law

UNIT II: Sources of International Law

(10 Hrs)

- a. Treaties
 - i. Nature, Scope and Types of Treaty
 - ii. Vienna Convention on Law of Treaties, 1969
 - iii. Accession to the treaty
 - iv. Ratification of Treaty
 - v. Reservation in the Treaty
 - vi. Termination of Treaty
- b. Custom
- c. General Principles of Law
- d. Jurist Works
- e. General Assembly Resolutions, Security Council Resolutions
- f. Other Sources

UNIT III: Recognition, Extradition and the Law of the Sea

(10 Hrs)

- a. Recognition
 - i. Theories of Recognition
 - ii. Defacto, Dejure Recognition
 - iii. Implied Recognition
 - iv. Withdrawal of Recognition
 - v. Retroactive Effects of Recognition
- b. Extradition and Asylum
 - i. State Jurisdiction
 - ii. Customary Law Basis
 - iii. Treaty Law
 - iv. The Nature of Obligation
- c. Law of The Sea
 - i. Territorial Sea
 - ii. Contiguous Zone
 - iii. Exclusive Economic Zone
 - iv. Continental Shelf
 - v. High Sea

UNIT IV: Contemporary International Issues

(10 Hrs)

- a. Prohibition of the Use of Force
- b. Exceptions to the Prohibition: Individual and Collective Self Defence, Authorized or Recognized Military Actions
- c. Responsibility to Protect
- d. International Criminal Court

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PSDA (Professional Skill Development Activities)

(1Hr/Week)

- ❖ Research Paper
- ❖ Moot Court
- ❖ Symposium on Contemporary Issues
- ❖ Analysis of International Treaties/Conventions
- ❖ Discussion Forums

Text Books:

1. Oppenheim, International Law, Biblio Bazaar, LIC, 2010
2. James Crawford Brownlie, Principles of International Law, Oxford University Press, UK, 2019 (9th Edn.)

References:

1. Starke, Introduction to International Law, Butterworths Law, UK, 2013(11th Edn.)
2. Shaw, International Law, Cambridge University Press, 2008 (6thEdn.)
3. A. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, New York, 2007
4. R.P. Dhokalia, The Codification of Public International Law, Manchester University Press, United Kingdom, 1970
5. Mark Villiger, 'The Factual Framework: Codification in Past and Present', in Customary International Law and Treaties, Mark Villiger, pp.63-113, Martinus Nijhoff, Netherlands, 1985
6. S.K. Kapoor, International Law, Human Rights, Central Law Agency, Allahabad, (8th Edn. 2018)
7. Brownlie, International Law and the Use of Force by States, Clarendon Press, Oxford, 1991

List of Cases:

1. S.S. Lotus (France v. Turkey), PCIJ
2. North Continental Shelf Case, ICJ Rep., 1969
3. Asylum Case, ICJ Rep., 1950
4. Right of Passage over Indian Territories (Portugal v. India), ICJ Rep., 1960
5. Anglo-Norwegian Fisheries Case, ICJ Rep., 1951
6. Vishaka v. State of Rajasthan, AIR 1997 SC 3011
7. Union of India v. Sukumar Sengupta, AIR 1990 SC 1692
8. Mubarak Ali Ahmed v. State of Bombay, AIR 1957 SC 857
9. Corfu Channel Case, ICJ Rep., 1949
10. Libya v. Tunisia Continental Shelf Case, ICJ Rep., 1982

Theory Paper

Total: 100 Marks
External: 70 Marks
Internal: 30 Marks

External: 70 Marks

10 Question (MCQ): 1 mark each (1x10 = 10)
Answer any 10 out of 12 (Short 50-70 Words): 3 marks each (3x10 = 30)
Answer any 6 out of 8 (Long 100-120 Words): 5 marks each (5x6 = 30)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be allotted for assignments submitted, 5 marks for attendance, and 5 marks for general proficiency, making a total of 30 internal assessment marks.

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Syllabus for BA LLB (H)

Semester 7

Theory									
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks
25LW701	Labour Law I	4	0	0	4	70	30	0	100
25LW504	Competition Law	4	0	0	4	70	30	0	100
25LW502	Company Law	4	0	0	4	70	30	0	100
25LW505	Law and Emerging Technology	4	0	0	4	70	30	0	100
25LW702	Intellectual Property Rights I	4	0	0	4	70	30	0	100
Elective (Choose any one)									
25LW711	Election Laws	4	0	0	4	70	30	0	100
25LW712	Socio-Economic Offences	4	0	0	4	70	30	0	100
25LW304	Private International Laws	4	0	0	4	70	30	0	100
25LW713	Law, Poverty, and Development	4	0	0	4	70	30	0	100
25LW791	Internship	0	2	0	2	0	100	0	100
Total					26	420	280	0	700



विद्याधनं सर्वधनप्रधानं

Detailed Syllabus

LABOUR LAW I

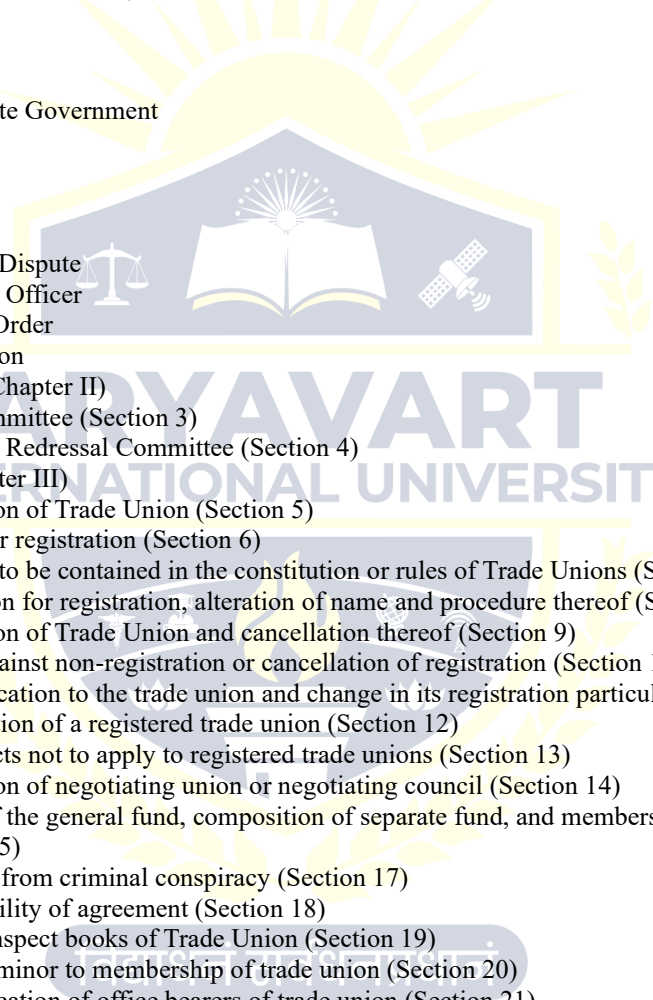
Code: 25LW701

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) appreciate the *raison d'être* behind the constitutional and legislative mandate for minimum wage; (ii) analyse the judicial delineation of an employer's liability, as against an accident arising out of and in the course of employment with special reference to the notional extension of employment, to pay compensation in certain cases; (iii) view the health, safety and welfare measures comprehensively contemplated for workers, especially in light of the LPG, and to suggest stock of the reforms needed; and (iv) analyse the insurance requirements of the workers from a multifarious perspective; (v) to appreciate the maternity benefit in a holistic perspective.

UNIT I: The Industrial Relations Code, 2020

(10 Hrs)

- 
- a. Applicability
 - b. Features
 - c. Definitions
 - i. Appropriate Government
 - ii. Employer
 - iii. Employee
 - iv. Worker
 - v. Industry
 - vi. Industrial Dispute
 - vii. Certifying Officer
 - viii. Standing Order
 - ix. Trade Union
 - d. Bi-Partite Forums (Chapter II)
 - i. Work Committee (Section 3)
 - ii. Grievance Redressal Committee (Section 4)
 - e. Trade Unions (Chapter III)
 - i. Registration of Trade Union (Section 5)
 - ii. Criteria for registration (Section 6)
 - iii. Provision to be contained in the constitution or rules of Trade Unions (Section 7)
 - iv. Application for registration, alteration of name and procedure thereof (Section 8)
 - v. Registration of Trade Union and cancellation thereof (Section 9)
 - vi. Appeal against non-registration or cancellation of registration (Section 10)
 - vii. Communication to the trade union and change in its registration particulars (Section 11)
 - viii. Incorporation of a registered trade union (Section 12)
 - ix. Certain Acts not to apply to registered trade unions (Section 13)
 - x. Recognition of negotiating union or negotiating council (Section 14)
 - xi. Objects of the general fund, composition of separate fund, and membership fee of trade union (Section 15)
 - xii. Immunity from criminal conspiracy (Section 17)
 - xiii. Enforceability of agreement (Section 18)
 - xiv. Right to inspect books of Trade Union (Section 19)
 - xv. Rights of minor to membership of trade union (Section 20)
 - xvi. Disqualification of office bearers of trade union (Section 21)
 - xvii. Adjudication of disputes of trade unions (Section 22)
 - xviii. Proportion of office bearers to be connected with industry (Section 23)
 - xix. Change of name, amalgamation, notice of change and its effect (Section 24)
 - xx. Dissolution (Section 25)
 - xxi. Annual Return (Section 26)
 - xxii. Recognition of trade union at the Central and state Level (Section 27)
 - f. Standing Orders (Chapter IV)
 - i. Application of standing order and related provisions (Section 28-41)
 - ii. Making of model standing orders by the central government and temporary application
 - iii. Preparation of draft standing orders by employers and procedure for certification
 - iv. Certifying officers and appellate authority to have powers of civil courts

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- v. Appeals and evidence

UNIT II: The Industrial Relations Code, 2020

(10 Hrs)

- a. Voluntary reference of disputes to arbitration (Section 42)
 - i. Mechanism for resolution of industrial Disputes (Section 43) (Chapter VII)
- b. Conciliation Office
- c. Industrial Tribunal
- d. National Industrial Tribunal
- e. Procedure and powers of arbitrator, conciliation officer, tribunal, and national industrial tribunal
 - i. Strike and Lockouts (Section 62-64) (Chapter VIII)
 - ii. Lay-off, Retrenchment and Closure (Section 65- 76)
- f. Workers Re-skilling Fund (Section 83) (Chapter XI)
 - i. Unfair labour practice (Section 84) (Chapter –XII)
 - ii. Offences and penalties (Chapter XIII)

UNIT III: Code on Wages, 2020

(10 Hrs)

- a. Applicability
- b. Definitions
 - i. Workers
 - ii. Wages
 - iii. Minimum wages
 - iv. Floor wages
 - v. Deduction
- c. Minimum wages (Chapter II)
- d. Fixation of minimum wages
- e. Components of minimum wages
- f. Procedure for fixing and revising minimum wages
- g. Power of the central government to fix the floor wage
- h. Wages of employees who work for less than a normal working day
 - i. Wages for two or more classes of work
- j. Minimum time rate wages for piece work
- k. Fixing hours of work for a normal working day
- l. Wages for overtime work

UNIT IV: Code on Wages, 2020

(10 Hrs)

- a. Payment of wages (Chapter III)
 - i. Mode of payment of wages (Section 15)
 - ii. Fixation of wage period (Section 16)
 - iii. Time limit for payment of wages (Section 17)
 - iv. Deductions which may be made from wages (Sections 18, 20- 25)
 - v. Fines (Section 19)
- b. Payment of Bonus (Chapter IV)
 - i. Eligibility for bonus, etc
 - ii. Disqualification for bonus
- c. Advisory Board (Chapter V)
- d. Inspector cum –Facilitator (Chapter VII)
 - i. Appointment of inspectors-cum-facilitators and their powers
- e. Offences and penalties (Chapter VIII)

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Student Lecture and Presentation: To support the development of a theoretical construct.
- Case study Method: Better understanding of the case structure and interpretation of law and procedure.
- Group Discussions on the recent issues revolving around the new concepts as per the new Act.
- An expert in the area will also be invited to speak to deal with the practical aspects.

Text Books:

1. S.N. Mishra, Labour and Industrial Law, Central Law Publication, Allahabad, 2013.
2. Goswami, Labour and Industrial Law, Central Law Agency, Allahabad, 2011.
3. GB Pai, Labour Law in India, Vol. 1., Butterworth's India, New Delhi, 2001.
4. The Industrial Relations Code, 2019-Ministry of Labour and Employment -labour.gov.in

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Reference Books:

1. BD Singh, Labour Law for Managers, Excel Books, New Delhi, 2007, (Chapter 1).
2. Bruce E. Kaufman, Industrial Relations, ILO, Geneva, 2006.
3. EM Rao, Industrial Jurisprudence, Lexis Nexis, New Delhi, 2004, Chapter 1.
4. Indian Law Institute, Cases and Materials on Labour Law and Labour Relations.
5. O.P. Malhotra, The Law of Industrial Disputes (Volume-I), Lexis Nexis, 2015.
6. S.C. Srivastava, Industrial Relations and Labour Law, Vikas Publishing House, New Delhi.
7. ZMS Siddiqi and M. Afzal Wani, Labour Adjudication in India, ILI, New Delhi, 2001.
8. Manupatra, Labour Law Reforms: Labour Code on Industrial Relations.

List of Cases:

1. Bangalore water supply v. A. Rajappa, 1978 AIR 548
2. State of Bombay v. Bombay Hospital Mazdoor Sabha, 1960 AIR 610
3. D.N. Banerjee v. P.R. Mukherjee, 1953 AIR 58
4. In University of Delhi v. Ram Nath, 1963 AIR 1873
5. Workmen of Dimakuchi Tea Estate v. Management of Dimakuchi Tea Estate, 1958 AIR 353
6. Tamil Nadu N.G.O. Union v. Registrar Trade Unions, 1962 AIR 234 Mad.
7. State of Bihar v. Deodhar Jha, 1958 AIR 51 Pat.
8. Tata Iron and Steel Co. v. Workmen, 1972 AIR 1917
9. L.H. Factories and Oil Mills, Pilibhit v. State of U.P. (1961) 1 LLJ 686.

Code: 25LW504

Max Marks: 70

COMPETITION LAW

Course Objectives: This paper aims to (i) offer a basic and effective grounding to students in Indian competition law and policy; and (ii) explore inter-relation of competition law with other areas of law.

UNIT I: Introduction to the Competition Law (10 Hrs)

- a. Definition of enterprise and competition and importance of competition in the market
- b. The evolving role of efficiencies in Competition Law
- c. Nature, Scope and Objectives of Competition Law
- d. Historical Development of competition law in USA, UK, Europe
- e. Overview of MRTP Act, 1969 and Monopolies Inquiry Commission, 1965.
- f. Overview and analysis of Raghavan Committee Report
- g. Interface between Competition and IPR & between Competition and Trade

UNIT II: Anti-Competitive Agreement and Abuse of Dominant Position (10 Hrs)

- a. Perspective of Appreciable Adverse Effect, Rule per se and Rule of Reason
- b. Nature and scope of horizontal and vertical agreements affecting competition under the Competition Act, 2002
- c. Cartelization, Bid-Rigging, collusive bidding
- d. Importance of Relevant market in context of Dominant position
- e. Exploitative and exclusionary abuses
- f. Predatory pricing, predatory behavior

UNIT III: Combination and Competition Commission of India (10 Hrs)

- a. Regulation of combination in the competitive market and its challenges
- b. Scope and impact of merger and amalgamation
- c. Treatment of joint venture under Indian competition law
- d. Nature, scope, function of Competition Commission of India
- e. Powers of NCLT, Competition Advocacy

UNIT IV: International Instruments related to Competition Law and Emerging Trends (10 Hrs)

- a. Competition law and practice in context of GATT, GATS, TRIMS and TRIPS
- b. Study of Competition policy and practice in context of UNCTAD, OECD
- c. Scope of European Competition law within Treaty on the Functioning of the European Union

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- d. International Competition Network and Competition Law
- e. Economics in Competition law and practice; Oligopoly
- f. Competition in Cyberspace ; Cross-border competition issues

PSDA (Professional Skill Development Activities)

(1 Hrs/Week)

- ❖ Visit to CCI, Tripura
- ❖ Study/Analysis of cases decided by CCI, NCLT
- ❖ Seminar & essay competition based on contemporary issues of competition law
- ❖ Interaction with Stakeholders

Text Books:

1. Richard Whish & David Bailey, *Competition Law*, Oxford University Press, US, 2015 (9thEdn.)
2. Vinod Dhalla (ed.), *Competition Law Today: Concept Issues and Law in Practice*, Oxford University Press, New Delhi, 2019 (2ndEdn.)
3. S.C Tripathi, *Competition Law*, Central Law Agency, Allahabad, 2019
4. T Ramappa, *Competition Law in India: Policy, Issues and Developments*, Oxford University Press, New Delhi, 2014(3rdEdn.)
5. Srinivasan Parthasarathy, *Competition Law in India*, Kluwer Law International, The Netherlands, 2019(5th Edn.)

References:

1. D. P. Mittal, *Taxmann's Competition Law and Practice*, 2007 (3rd Edn.)
2. *Universal's Guide to Competition Law in India*, Universal Law Publishing Company, New Delhi, 2003
3. T. Ramappa, *Competition Law in India: Policy, Issues and Development*, Oxford University Press, US, 2014 (3rdEdn.)
4. Aditi P Talati& Nahar S. Mahala, *Competition Act, 2002: Law, Practice and Procedure*, Commercial Law Publishers, New Delhi, 2006
5. Avtar Singh & Harpreet Kaur, *Introduction to Law of Tort and Consumer Protection*, Lexis Nexis-Universal, India, 2020 (3rdEdn.)

List of Cases:

1. *BrahmDuttv. Union of India*, AIR 2005 SC 730
2. *CCI v. Steel Authority of India &Anr.*(2010) 10 SCC 744
3. *Excel Crop Care Ltd. v. CCI*(2017) 8 SCC47
4. *CCI v. Co-ordination Committee of Artists and Technicians of W.B Film and Television*, SC Civil Appeal no.6691 of 2014
5. *Builders Association of India v. Cement Manufacturers*, Case no.29/2010,CCI
6. *All India Tyres Dealers Federation v. Tyres manufacturers*, 2013 COMP LR 92 (CCI), http://www.cci.gov.in/sites/default/files/202008_0.pdf
7. *Exclusive Motors Pvt. Ltd. v. Automobile Lamborghini SPA*, Case no.52/2012,CCI.
8. *Shamsher Katariav. Honda Sael Cars India Ltd.*, 2014 Comp LR 1 (CCI)
9. *Belaire Apartment Owner's Association v. DLF Ltd & HUDA*, 2011 Comp LR 0239(CCI)
10. *Jagmohan Chhabra and Shalini Chhabra v. Unitech*, 2011 Comp LR 31(CCI)
11. *MCX Stock Exchange v. National Stock Exchange Ltd.*, 2011 Comp 129 (CCI)
12. *Sh. Surinder Singh Barmiv. Board for Control of Cricket in India (BCCI)*, (2013) 113 CLA579(CCI)
13. *Ajay Devgan Films Informant v. Yash Raj Films Private Limited & Others*, Case No. 66 of 2012 (CCI)

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COMPANY LAW

Code: 25LW502

Max Marks: 70

Course Objectives: This course aims to: (i) equip the students to get in-depth knowledge of various concepts, principles, procedures and statutory authorities in accordance with current legal requirements and professional standards under the Companies Act and other associated statutes; (ii) Define and demonstrate the basic concepts, nature and Doctrines of Corporate Law and understand the minimum standard for formation & incorporation of company; (iii) classify and analyse the fundamental, sources and classification of corporate financing; and (iv) critically evaluate the concept of Corporate Social Responsibility and Corporate Liquidation, and analyse the role of NCLT and IBC for winding up company.

UNIT I: Incorporation and Formation of Company **(10 Hrs)**

- a. Definition, Nature, and Concept of Corporate Personality
- b. Advantages and Disadvantages of Incorporation, lifting of the corporate veil
- c. Different Kinds of Companies: One-person Company, Foreign Company, Multinational, Transnational Corporations, Companies not for profit, Family business.
- d. Mode of Incorporation
 - i. Memorandum of Association
 - ii. Articles of Association
 - iii. Promotion, Incorporation, registration, commencement of the company
- e. Doctrines
 - i. Doctrine of Constructive Notice
 - ii. Doctrine of Indoor Management
 - iii. Doctrine of Ultra Vires

UNIT II: Corporate Financing **(10 Hrs)**

- a. Prospectus and its Kinds
- b. Classification of Company Securities
- c. Shares and Share Capital - Concept, Nature and Kinds of Shares and Share Capital, Issue and Allotment of Shares.
- d. Debentures- Concept, Nature and Kinds, Debenture Bond, remedies of debenture holders.
- e. Transfer and Transmission of shares.
- f. Borrowing and Lending- Inter-Corporate Loans
- g. Financial Fraud- A Case Study of Vijay Mallya, etc.
- h. Fraudulent Practices to Finance Family Business in India: A Case Study of Nirav Modi, Yes bank etc.
- i. Role of Court to Protect Interests of Creditors and Shareholders, Class Action Suits, Derivative Actions, Shareholders' Rights- A Case Study of Tata Cyrus Mistry etc.

UNIT III: Company Management and Corporate Governance **(12 Hrs)**

- a. Company Management- Position, powers, duties of directors, appointment of directors, and removal of directors.
- b. kinds of directors- Independent Director, Women Director.
- c. Company Meetings- Kinds of Company Meetings and Procedure.
- d. Majority Rule, Prevention of Oppression and Mismanagement
- e. Investor Protection
- f. Insider Trading- Concept of Insider Dealings and its Prohibition
- g. Corporate Fraud
- h. Accounts and Audit, powers, duties and liabilities of auditors, appointment and removal of auditors.
- i. Corporate Governance- Meaning, Need, Current Developments, Corporate Governance in India.

UNIT IV: Corporate Social Responsibility and Corporate Liquidation **(08 Hrs)**

- a. Corporate Social Responsibility
 - i. Concept, Evolution and Emerging Trends of CSR
 - ii. CSR under Company Act
 - iii. Corporate legal liability - civil, criminal and environmental.
- b. Winding up of Company
 - i. Concept of winding up and Dissolution of Company
 - ii. Compulsory winding up of company
 - iii. Winding up of company under Insolvency and Bankruptcy Code 2016
 - iv. Role of NCLT/ NCALT in winding up

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- v. Consequences of winding up order, Role of Liquidator
- vi. Liability of past members, preferential payments, unclaimed dividends

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- ❖ Preparation of the document of the registration of a Company
- ❖ One class-based Moot Court competition
- ❖ Visit to a Corporate office

Text Books:

1. A. K. Majumdar & G. K. Kapoor, Company Law and Practice, Taxmann Publications Pvt. Ltd., Delhi, 2019 (24th Ed).
2. Avtar Singh, Company Law, Eastern Book Company, Lucknow, 2018 (17th Ed).
3. Saleem Sheikh & William Rees, Corporate Governance and Corporate Control, Cavendish Publishing Ltd., London, 1995.
4. Taxmann, Companies Act, Taxmann Publication Pvt. Ltd., New Delhi, 2019 (1st Ed).
5. Taxmann, A Comparative Study of Companies Act, Taxmann Publication Pvt. Ltd., New Delhi, 2013.
6. Paul L. Davies, Gower and Davies: Principles of Modern Company Law, Sweet & Maxwell, 2016 (10th Ed).
7. C. R. Datta, Datta on the Company Law, Lexis Nexis, Butterworths Wadhwa, 2017(7th Ed).
8. Ramaiya, Guide to the Companies Act, Lexis Nexis, Butterworths Wadhwa, 2015(18th Ed).

Reference Books:

1. Brenda Hannigan, Company Law, Oxford University Press, UK, 2018 (5th Ed).
2. C. A. Kamal Garg, Bharat's Corporate and Allied Laws, Bharat Law House Pvt. Ltd., Delhi, 2018 (8th Ed).
3. Dr. Charles Wild & Dr. Stuart Weinstein Smith and Keenan, Company Law, Pearson, London, 2009.
4. David Kershaw, Company Law in Context, Oxford University Press, UK, 2012.
5. Institute of Company Secretaries of India, Companies Act, 2013, CCH Wolters Kluwer Business (The Netherlands), Delhi, 2015.
6. J. P. Sharma, An Easy Approach to Corporate Laws, Ane Books Pvt. Ltd., New Delhi, 2015.
7. J. Charlesworth & Geoffrey Morse, Charlesworth and Morse, Company Law, Sweet & Maxwell, London, 1995.
8. Lexis Nexis, Corporate Laws, 2013 (Palmtop Edition).
9. L. C. B. Gower, Principles of Company Law, R. Cambray & Co. Pvt. Ltd., Kolkata, 1997.
10. Munish Bhandari, Professional Approach to Corporate Laws and Practice, Bharat Law House, Jaipur, 2018.
11. S. Kannal & V. S. Sowrirajan, Company Law Procedure, Taxman's Allied Services (P) Ltd., New Delhi, Year.
12. K. C. Garg, R. C. Chawla, Vijay Gupta: Company Law, Kalyani Publishers, New Delhi 2014.
13. V.S. Datey, Guide to Tax and Corporate Laws, Taxmann Publications Private Limited, Delhi, 2010.
14. M. C. Kuchhal, Modern Indian Company Law, Mahavir Publications, Delhi, 2015.
15. H. K. Saharay, Company Law; Universal Law Publishing Co., Delhi, 2016.

List of Cases:

1. Ganga Reddy v. MG-6 Wholesome Market (India) (P) Ltd. (2019) 4 Comp LJ 451 (NCLT)
2. Anant Rathi Commodities Ltd. v. Encore Natural Polymers (P) Ltd. (2019) 4 Comp LJ 508 (Bom).
3. Unitech Ltd. v. Registrar of Companies, Delhi and Haryana and Sunil Keswani (2019) 4 Comp LJ 537 (Del).
4. Atlas Cycles (Haryana) Ltd. and Ors. v. Vikram Kapur and Ors. (2019) Comp LJ 543 (NCLAT)
5. V.R.G. Healthcare (P) Ltd. and Ors. v. Ganesh Ramchandra Chakkarwar (2019) 4 Comp LJ 561 (NCLAT)
6. Shiv Kumar Agarwal v. Lal Chand Singhal and Moongipa Investments Ltd, and Others v. Lal Chand Singhal (2019) 4 Comp LJ 577 (NCLAT)
7. Man Industries (India) Ltd. v. State of Maharashtra (2019) 151 CLA 309 (Bom.)
8. SBI Global Factors Ltd. v. Official Liquidator of Minar International Ltd. (2019) 151 CLA 337 (Bom.)
9. Smiti Golyan and Anr. v. Nulon India Ltd. and Ors. (2019) 151 CLA (Snr.) 5 (NCLAT)
10. Manoj Bathla and Ors. v. Vishwanath Bathla and Anr. (2019) 151 CLA (Snr.) 5 (NCLAT)
11. Salomon v. Salomon & Co., Ltd. (1897) A.C. 22 (H.L.): (1895-95) All ER Rep. 33 11
12. Daimler Co., Ltd. v. Continental Tyre and Rubber Co. (Great Britain) Ltd., 1916 AC 307: (1916-17) All ER Rep. 191
13. Lee v. Lee's Air Farming, Ltd. (1960) 3 All E.R. 420
14. Workmen v. Associated Rubber Industries Ltd. (1985) 4 SCC 114: (1986) 59 Comp. Cas. 134 (SC) 65

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15. Ashbury Railway Carriage and Iron Co. Ltd. v. Riche (1875) L.R.7 H. L.: (1874-80) All ER Rep. 2219 (HL) 79
16. Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corporation of India, AIR 1963 SC 1185
17. Royal British Bank v. Turquand (1856) 119 ER 886: (1843-60) All ER Rep. 435
18. Foss v. Harbottle (1843) 2 Hare 461: (1843) 67 ER 189 178
19. Shanti Prasad Jain v. Kalinga Tubes Ltd., AIR 1965 SC 1535 199

LAW AND EMERGING TECHNOLOGY

Code: 25LW505

Max Marks: 70

Course Objectives: The objective of this paper is to inform students about various new technologies and their social and political aspects, along with the regulations.

UNIT I: Introduction: Notion of Technology **(10 Hrs)**

- a. Emergence of Technology and Industrial Revolution
- b. Legal Order and Technological Innovation
- c. Law, Ethics, and Technology
- d. Disruptive Technology – Nature, Scope, and Impact on Society
- e. Artificial Intelligence – Emerging Legal Issues
- f. Blockchain, Internet of Things – Emerging Legal Issues

UNIT II: E-Commerce **(10 Hrs)**

- a. Model Law of E-Commerce
- b. Online Contracting
- c. Jurisdiction Issue in E-Commerce
- d. Digital Signature/Electronic Signature
- e. E-payment, E-Banking

UNIT III: Cyber Crime **(10 Hrs)**

- a. Jurisdiction Issue in Cyber Crime
- b. Cyber Crime under the Information Technology Act: National Perspective
- c. Cyber Crime under the Information Technology Act: International Perspective
- d. International Convention on Cyber Crime
- e. Mobile Phones Crimes

UNIT IV: Genetic and Medical Technologies **(10 Hrs)**

- i. Genetic Technologies
 - i. Environmental Effect: Environmental Protection Act
 - ii. Genetic Engineering and Plant Variety Act
 - iii. Natural Resources and Bio-Diversity Act
- ii. Medical Technologies
 - i. Medical Technologies and Forensic Science
 - ii. DNA Profiling
 - iii. Brain Mapping
 - iv. Narco-analysis
 - v. Handwriting
 - vi. Any other new Forensic Science
- iii. Medical Technologies and Drugs
 - i. Patent Protection
 - ii. Life Saving Drugs
 - iii. Generic Drugs
 - iv. National Drugs Policies
- iv. Medical Technologies and New Areas
 - i. Organ Transplantation
 - ii. Experiment on Human Beings
 - iii. Sex Determination Test
 - iv. Designer Baby

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- v. Abortion
- vi. Cloning
- vii. Artificial Reproductive Technologies

PSDA (Professional Skill Development Activities)

(1 Hrs/Week)

- ❖ Practical Exercise on an E-Contract
- ❖ Trial of a Cyber Crime
- ❖ Visit to the Cyber Forensic department of Cyber Cell
- ❖ Visit to a leading Hospital in Delhi
- ❖ Interaction with Service Provider

Text Books:

1. UNCITRAL Model Law of E-commerce, 1996
2. Vakul Sharma, Information Technology Law and Practice, Universal Law Publishers, 2011 (3rd Edn)
3. Harish Chander, Cyber Laws and IT Protection, PHI Learning Pvt. Ltd., 2012
4. Nandan Kamath, Law Relating to Computers, Internet and E-commerce, Universal Law Publishing Co., Ltd., 2006

References:

1. Bernard E. Rollin, Science and Ethics, Cambridge University Press, 2006
2. Nandita Adhikari, Law and Medicine, Central Law Publication, 2012
3. World Customs Organization, Study Report on Disruptive Technologies, (June 2019)
4. Cuntz, A., Fink, C., and Stamm, H. (2024), "Artificial Intelligence and Intellectual Property: An Economic Perspective", WIPO Economic Research Working Paper No. 77, Geneva: World Intellectual Property Organization.
5. Pavan Duggal, Mobile Law, Universal Law Publishing Co., Ltd., 2012
6. UN Office on Drugs and Crime, Comprehensive Study of Cyber Crime (Report)
7. Arvind Kumar, Gobind Das, Biodiversity, Biotechnology and International Knowledge: Understanding Intellectual Property Rights, Narosa Book Distributors Pvt. Ltd., 2010
8. Jaiprakash G. Shevale, Forensic DNA Analysis: Current Practices and Emerging Technologies, 2013
9. Lori B. Andrews, Maxwell J. Mehlman, Mark A. Rothstein, Genetics: Ethics, Law and Policy, Gale Cengage, 2010 (3rd Edn)
10. Evanson C. Kamau, Gerd Winter, Genetic Resources, Traditional Knowledge and the Law: Solutions for Access and Benefit Sharing, Routledge, 2013
11. Sapna Rathi, Sex Determination Test and Human Rights, Neha Publishers & Distributors, 2011
12. Anja J. Karnein, A Theory of Unborn Life: From Abortion to Genetic Manipulation, Cambridge University Press, 2000
13. David Price, Legal and Ethical Aspects of Organ Transportation, Cambridge University Press, 2000
14. Kerry Lynn Macintosh, Illegal Beings: Human Clones and the Law, Cambridge University Press, 2005

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INTELLECTUAL PROPERTY RIGHTS I

Code: 25LW702

Max Marks: 70

Course Objectives: This course objective isto: (i) acquaint the students with basics of intellectual property rights with special reference to Indian law and practice;(ii) initiate critical thinking as to grant or non-grant of IPRs; and(iii) enlighten students about the national and international concerns about granting protection to the intellectual property and its relevance in the globalized world; and (iv) cover specific kinds of IPRs in details.

UNIT I: Fundamentals and Development of Intellectual Property **(05 Hrs)**

- a. Origin and Development of Intellectual Property Rights
- b. Nature, scope and concept of IPRs
- c. Justification of protection and theories of IPRs
- d. International Conventions and Treaties: Paris Convention, Berne Convention, WIPO and TRIPS

UNIT II: Copyright **(15 Hrs)**

- a. Introduction to Copyright Law
- b. Idea-expression dichotomy
- c. Subject matter of copyright
- d. Rights under copyright
- e. Ownership and authorship of Copyright
- f. Term of Copyright
- g. Assignment and Licensing
- h. Infringement and remedies
- i. Fair Use and Exceptions
- j. Neighbouring rights

UNIT III: Designs **(10 Hrs)**

- a. Industrial Design: Nature and Concept
- b. Brief outline of International Conventions
- c. Registration of Design
- d. Effect of registration
- e. Piracy in designs and remedies thereof
- f. Authorities and their powers
- g. Overlapping of designs with copyrights and trademarks

UNIT IV: Patents **(10 Hrs)**

- a. Meaning of Patent
- b. Brief Outline to International Conventions
- c. Conditions of Patentability
- d. Procedure for filing a patent application
- e. Revocation and surrender of patents
- f. Compulsory Licensing
- g. Use of Patents by the Government for its use
- h. Parallel Imports
- i. Infringement and Remedies
- j. Rights and limitations of patents
- k. Penal provisions

PSDA (Professional Skill Development Activities) **(1Hr/Week)**

- Writing Research Papers
- Case Presentations
- Filing the applications for registration

Text Books:

1. A.C. Kankanala, Indian Patent Law and Practice, Oxford India Paperbacks, 2012.
2. Alka Chawla, Law of Copyright: Comparative Perspective, Lexis Nexis, Delhi 2013.

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3. B. L. Wadhera, Law Relating to Intellectual Property, Universal Law Publishing, Delhi, 2014 (5th Ed).
4. N. S. Gopalakrishnan & T. G. Ajitha, Principles of Intellectual Property, Eastern Book Company, Lucknow, 2014 (2nd Ed).
5. P. Narayanan, Intellectual Property Law, Eastern Law House, Delhi, 2017 (3rd Ed).
6. Siva Vaidhyanathan, Intellectual Property: A Very Short Introduction, Oxford University Press, New York, 2017.
7. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, Delhi, 2017.
8. W. R. Cornish, Intellectual Property: Patents, Copyright, Trademark and Allied Rights, Universal Law Publishing, Delhi, 2001.
9. WIPO, Intellectual Property Handbook: Policy, Law and Use, Geneva, 2004 (2nd Ed).
10. S. Sivakumar and Lisa P. Lukose, 'Broadcasting Reproduction Right in India: Copyright and Neighbouring Rights Issues', Indian Law Institute, New Delhi, 2013.
11. Lionel Bently and Brad Sherman, Intellectual Property Law, Oxford University Press, Oxford, 2014, (4th Ed).

Reference Books:

1. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, India, 2001.
2. M. Sakthivel, Broadcaster's Rights in the Digital Era: Copyright Concerns on Live Streaming, Brill-Nijhoff, The Netherlands, 2020.
3. Catherin Colston and Jonathan Galloway, Modern Intellectual Property Law, Routledge, UK, 2010 (3rd Ed).
4. Chris Reed, Internet Law: Text and Materials, Delhi: Universal Law Publishing Co. under special arrangement with Cambridge University Press, U.K., 2010 (2nd Indian Reprint).

List of Cases:

1. Sap Aktiengesellschaft & Anr. v. Mr. Sadiq Pasha, Proprietor, 2011 (46) PTC 335 (Del) 101
2. R G Anand v. Deluxe Films, AIR 1978 SC 1613
3. University of London Press Ltd. v. University Tutorial Press Ltd. (1916) 2 Ch. D 601
4. Amar Nath Sehgal v. Union of India (2005) 30 PTC 253
5. Macmillan v. K J Cooper, AIR 1924 PC 75
6. John Wiley and Inc v. Prabhat Chander, 2010 (44) PTC 675 (Del)
7. Urmi Juvekar v. Global Broadcast News Ltd. 2008 (36) PTC 377 (Bom)
8. Eastern Book Company v. D.B. Modhak, 2008 (36) PTC 1 (SC)
9. Donoghue v Allied Newspapers Ltd, (1937) 3 All ER 503
10. Bharat Glass Tube Limited v. Gopal Glass Works Limited, 2008 (37) PTC 1 (SC)
11. Reckitt Benckiser (India) Ltd. v. Wyeth Limited, 2010 (44) PTC 589 (Del) (DB)
12. Crocs Inc. USA v. Bata India Ltd, CS (COMM) No. 772/2016
13. Bayer Corporation v. Natco Pharma Limited, 2014(60) PTC 277 (BOM)
14. Novartis AG v. Union of India (2013) 6 SCC 1

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ELECTION LAW

Code: 25LW711

Max Marks: 70

Course Objectives: This paper's objective is to: (i) acquaint the students regarding various intricacies of the Elections Law such as Power and Function of Election Commission of India, Disqualification, Nomination including electoral corrupt practices, which will facilitate them to choose responsive representatives for good governance; (ii) discuss anti-defection law, NOTA, role of social media and electronic/print media and (iii) understand and appreciate historical evolution of election law in India to enrich disciplinary knowledge.

UNIT I: Meaning and Concept of Election and Election Dispute (10 Hrs)

- a. History of Election Law in India
- b. Brief Account of R.P. Act, 1950 and R.P. Act, 1951
- c. Election Commission of India: Its Composition and Power and Functions of Election Commission
- d. Challenge to Election: Whom and How to Make
- e. Forum for filing Election Petition
- f. Parties to Election Petition
- g. Contents of Election Petition
- h. Grounds of Challenge to Election
- i. Trial of Election Petition
- j. Recriminatory Petition
- k. Withdrawal, Abatement, and Appeal

UNIT II: Qualification and Disqualification of Candidates (10 Hrs)

- a. Meaning and Distinction Between Qualification and Disqualification
- b. Qualifications and Disqualifications Provisions under the Indian Constitution and the Representation of the People's Act, 1951
- c. Office of Profit
- d. Government Contract
- e. Disqualifications on Convictions under the Representation of the People Act, 1951
- f. Anti-Defection Law

UNIT III: Nomination and Voter Rights to Antecedents of the Candidates (10 Hrs)

- a. Meaning of Valid Nomination
- b. Procedure for Filing of Nomination Security Deposits, etc.
- c. Grounds of Rejection of and Withdrawal of Nominations
- d. Consequence of Improper Acceptance and Improper Rejection of Nomination Paper
- e. Voters' Right to Know Antecedent of the Candidates
- g. Recognition of Political Parties and Election Symbols
- h. Election to President and Vice-President

UNIT IV: Emerging Election Challenges (10 Hrs)

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

PSDA (Professional Skill Development Activities) (1 Hr/Week)

- Drafting of Election Petition
- Preparing nomination papers and documents
- Visit to Parliament and State Legislature
- Voter Awareness-Debate/Discussions/Symposium

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Text Books:

1. V. S. Rama Devi & S.K. Mehendiratta, How India Votes- Election Law, Practice and Procedure, LexisNexis, India, 2007
2. P. C. Jain & Kiran Jain, Election Law and Practice, Chawla Publishers, Delhi, 1998
3. The Representation of the People's Act, 1950 (Bare Act)
4. The Presidential and Vice-Presidential (Election) Act, 1952 (Bare Act)
5. The Registration of Elector Rules, 1960 (Bare Act)
6. The Conduct of Election Rules, 1961 (Bare Act)

Reference Books:

1. P. M. Bakshi, The Constitution of India, Universal Publishing Company Ltd., LexisNexis, 2019

List of Cases:

1. T. N. Seshan v. Union of India (1995) 4SCC 611
2. M. S. Gills v. Chief Election Commissioner, AIR 1978 SC 851
3. S. S. Dhanoha v. Union of India, AIR 1991 SC 1745
4. Union of India v. Association for Democratic Reforms, AIR 2002 SC 2112
5. Election Commission of India v. Dr. Subramanian Swami, AIR 1996 SC 1810
6. Kihota Hollohon v. Zachillhu, AIR 1993 SC 412
7. Dr Mahachandra Prasad Singh V. Chairman, Bihar Legislative Council (2004) 3BLJR 2390 SC
8. Rajendra Singh Rana v. Swami Prasad Maurya (2007) 4 SCC 270
9. Mayawati v. Markandeya Chand (1998) 7 SCC 517
10. Ravi S Naik v. Union of India, AIR 1994 SC 1558
11. Speaker, Haryana Vidhan Sabha v. Kuldip Bishnoi (2015) 12 SCC 381
12. Keisham Meghchandra Singh v. Hon'ble Speaker, Manipur Legislative Assembly, 2020 SCC Online SC 55
13. Jaya Bachchan v. Union of India (2006) 5SCC266
14. Kanta Kathuria v. Manak Chand Surana 1969 (3) SCC 268
15. Shivamurthy Swami Inamdar v. Agadi Sanganna Andanappa (1971) 3SCC 870
16. Guru Govind Basu v. Shankari Prasad Ghosal, AIR 1964 SC 254
17. Ramesh Yashwant Prabhu v. Prabhakar Kashinath Kunte (1996) 1scc 130
18. Manohar Joshi v. Nitin Bahurao Patil (1996) 1SCC 384
19. People's Union for Civil Liberties v. Union of India (2003) 4SCC 399
20. Resurgence India v. Election Commission of India (2014) 14 SCC 189
21. Subramaniyan Swami v. Election Commission of India (2013) 10 SCC 500
22. Common Cause v. Union of India (1996) 2SCC 752

SOCIO-ECONOMIC OFFENCES

Code: 25LW712

Max Marks:100

Course Objectives: The objective is to (i) provide in-depth knowledge of law relating to socio-economic offences and Legal control mechanisms of socio-economic offences in the form of statutes to combat various socio-economic offences; (ii) inform students on food safety measures to prevent adulteration, money laundering, and (iii) understand corruption-related problems to foster an anti-corruption culture amongst students.

UNIT I: An Introduction to Socio-Economic Offences

(10 Hrs)

- a. Introduction to Socio-Economic Offences
- b. Nature and Scope of Socio-Economic Offences
- c. Distinction between Traditional and socio-economic crimes with reference to Mens Rea
- d. Concept of punishment and forms of punishment.

UNIT II: The Prevention of Money-Laundering Act, 2002

(10 Hrs)

- a. Need for combating Money-Laundering, Magnitude of Money-Laundering, its steps, and various methods
- b. Definitions. Offence of money laundering, Cognizance of offences.
- c. Adjudication & attachment, Summons, searches & seizures

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- e. Appellate tribunals, Special courts, Agreements with foreign countries
- f. Serious Fraud office, 2003
- g. PMLA amendment, 2019
- h. Hoarding and profiteering

UNIT III: The Food Safety and Standards Act, 2006

(10 Hrs)

- a. Definitions of 'food', 'Adulterant', 'contaminant', 'food business', 'misbranded food'.
- b. Authorities under the Act: Food Safety and Standards Authorities of India: Establishment and functions
- c. General Principles to be followed for food safety under the Act (Section 18)
- d. Food Safety Officer- Power, Function and liabilities, Licensing and Registration of food business (Section 31)
- e. Food Analysis
- f. Provisions related to offence and penalties (Sections 48 to 67), Adjudication and Appeal procedures (Sections 68 & 76).
- g. Spurious Drugs

UNIT IV: Corruption

(10 Hrs)

- a. The Prevention of Corruption Act, 1988
 - i. Need of the Act (read with Santhanam Committee Report)
 - ii. Definitions of public servant
 - iii. Offences and their Penalties (Sections 7 to 15)
 - iv. Sanction for prosecution (Sec. 19 r/w Sec. 218 of BNSS, 2023)
 - v. Presumption where public servant accepts gratification (Section 20)
- b. Investigation and Prosecution
 - i. Central Vigilance Commission (CVC)
 - ii. Central Bureau of Investigation (CBI)
 - iii. Criminal Investigation Department (CID)
 - iv. Other Organizations

PSDA (Professional Skill Development Activities)

(1 Hrs/Week)

- Quiz Competition
- Practical enactments to understand corruption at the grassroots
- Discussion to become aware of how little things we confront in life may constitute corruption and all of us are a party to it
- Activities ascertaining various ingredients of drugs and food items to find out the real meaning of adulteration

Text Books:

1. J.S.P. Singh, Socio-Economic Offences, Sri Sai Law Publication, New Delhi, 2002
2. J.P.S. Sirohi, Criminology and Penology, Allahabad Law Agency, Allahabad, 2010 (4th Edn.)
3. Kumar (Revised by Justice A.B. Srivastava and C.S. Lal), Commentaries on Prevention of Food Adulteration Act, 1954 with Central and States Rules along with Food Safety and Standards Act, 2006, 2009 (3rd Edn.)
4. Seth and Capoor, Prevention of Corruption Act with a treatise on Anti-Corruption Laws, Law Publishers, Allahabad, 2017.

Reference Books:

1. Ahmed Siddique, Criminology: Problems and Perspectives, Eastern Book Company, Lucknow, 2005 (5th Edn.)
2. K.N. Chandra Sekharan Pillai, Prevention of Money Laundering-Legal and Financial Issues, ILI, New Delhi, 2008
3. Giriraj Shah, White Collar Crimes, Eastern Book Company, New Delhi, 2002 (1st Edn.)
5. Geiss Gilbert and Scotland, White Collar Crime, London, 1980
6. Bhartiya Nagarik Suraksha Sanhita, 2023
7. Bhartiya Nyaya Sanhita, 2023

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Reports:

1. Law Commission of India 29th Report on Proposal to Include Certain Social and Economic Offences in Indian Penal Code.
2. Law Commission of India 47th Report on the Trial and Punishment of Social and Economic Offences.
3. Santhanam Committee Report on Corruption 1963.
4. Wanchoo Committee Report 1965
5. Vohra Committee Report, Government Of India.

List of Cases:

1. Nathulal v. State of M.P., AIR 1966 SC 43
2. Kisan Trimbak Kothula and others v. State of Maharashtra, AIR 1977 SC 435
3. Sarjoo Prasad v. State of UP., AIR 1961 SC 631
4. M/s Bhagwan Das Jagdish Chanderv. Delhi Administration, AIR 1975 SC 1309
5. Krishna Kumar v. Union of India, AIR 1959 SC 1390
6. Rup Singh v. State of Punjab, AIR 1991 SC 1125
7. State of Maharashtra v. Mayer Hans George, AIR 1965 SC 722
8. Indo-China Steam Navigation Co. Ltd. v. Jasjit Singh, Additional Collector of Customs, Calcutta, and others, AIR 1964 SC 114
9. Balumal Jamnadas Batra v. State of Maharashtra, AIR 1975 SC 2083
10. Director of Enforcement, M/s. MCTM. Corporation Pvt. Ltd, AIR 1996 SC 1100

Code: 25LW304

Max Marks: 70

Course Objectives: The objective of this course is to: (i) study the basic principles governing conflict of laws in their application to various situations; (ii) understand the difference in public and private international law and its area of operation; (iii) appreciate the effects of legal decisions taken in different jurisdictions into other jurisdictions; (iv) deeper understanding among students about the selection and the application of relevant legal system wherein foreign parties/laws are involved.

UNIT I: Introduction

(10 Hrs)

- a. Application and Subject Matter of Private International Law
- b. Distinction with Public International Law
- c. Characterization and Theories of Characterization
- d. Concept of Renvoi
- e. Application of Foreign Law
- f. Domicile
- g. Jurisdiction of Courts

UNIT II: Family Law Matters

(10 Hrs)

- a. Material and Formal Validity of Marriage under Indian and English Law
- b. Choice of Law and Jurisdiction of Courts in Matrimonial Causes: Dissolution of Marriage, Grounds of Divorce, Restitution of Conjugal Rights, Recognition of Foreign Judgments

UNIT III: Adoption

(10 Hrs)

- a. Recognition of Foreign Adoptions
- b. Adoption by foreign Parents,
- c. Jurisdiction under Indian and English Law

UNIT IV: Indian Law relating to Foreign judgement

(10 Hrs)

- a. Basis of recognition, recognition
- b. Finality, Failure
- c. Direct Execution of Foreign Decrees

Text Book:

1. Cheshire, Private International Law, Oxford University Press, 2008 (14th Edn.)

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References:

1. Dr. Paras Diwan, Private International Law, Deep and Deep Publication, 1998 (4th Edn.)
2. Morris, Private International Law, Sweet and Maxwell, 2012
3. Lakshmi Jambholkar, Select Essays on Private International Laws, Universal Law Publishing, 2011

List of Cases:

1. *Udny v. Udny* (1869) LR 1 SC & Div 441
2. *Kedar Pandey v. Narayan Vikram*, AIR 1966 SC 160
3. *Sankar Govinadan v. Lakshmi Bharati*, AIR 1974 SC 1774
4. *Loicis De Raedt v. Union of India*, AIR 1991 SC 1886
5. *Ogden v. Odgen* (1908) LRP 492
6. *Khambatta v. Khambatta*, AIR 1935 Bom 5
7. *Sarla Mudgal v. Union of India* AIR 1995 SC 1531
8. *Parwatawwa v. Channawwa*, AIR 1966 Mys 100
9. *Narasimha Rao v. Venkatalakshmi* (1991) 3 SCC 451
10. *Anoop Beniwal v. Jagbir Singh Beniwal*, AIR 1990 Delhi 305
11. *Lakshamma v. Thayamma*, AIR 1974 AP 255
12. *Pires v. Pires* AIR 1967 Goa 113
13. *My Space v. Super Cassettes Industries*, [236 (2017) DLT 478]
14. *Shaligram v. Firm Daulat Ram Kundanwal*, AIR 1967 SC 739

LAW, POVERTY, AND DEVELOPMENT

Code: 25LW713

Max Marks: 70

Course Objectives: The course on Law, Poverty and Development is designed to enable students to (i) critically analyse the legal effect to the phenomena of poverty and development in context of national and international sphere; (ii) develop critical thinking about development scheme and the interface of human, legal and social processes while suggesting law reforms as part of development; and (iii) make students understand how Poverty is inter-related to other problems of underdevelopment.

UNIT I: Introduction to the terms Poverty and Development

(10 Hrs)

- a. Poverty
 - ii. Concepts and Types of Poverty & Relative Dimensions
 - iii. Causes, Measurement and Determinants of Poverty
 - iv. Issues related to Poverty in India, Estimates of Poverty in India, Multidimensional Poverty in India, Poverty Alleviation schemes in India.
- b. Development
 - i. Meaning and Different Perspectives
 - ii. Indicators development
 - iii. Developmental Index

UNIT II: Constitutional Commitments for the Poor, including Women, Children, and especially abled persons

(12 Hrs)

- a. Constitutional Perspectives, Concept of Social Justice, Constitutional Provisions (Article 14,15,38, and 39-A), Equality and Protective Discrimination, Right to Basic Needs and Welfare, Legislation for Empowering the Weaker Sections, Right to Work, Social Security Legislation, Abolition of Untouchability, Protection of Civil Rights, Right to Development.
- b. Women: The Socio-economic status of women in India, Deprivations of women under family laws, Problems of women workers in organized and unorganized sectors, and gender discrimination, Constitutional provisions and reforms undertaken.
- c. Children; poverty, consequences, effects of Child Labour, Reforms, right to education.
- d. Divyang: Approaches to disability, the Rights of Persons with Disabilities Act, 2016
- e. Human Rights Violations and Legal Protection for the Poor- prostitution, land acquisition, and displacement, etc.

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UNIT III: International Dimensions of Poverty: Policies, Programs, and Mechanisms (08 Hrs)

- a. Global Multi-development Poverty Index
- b. Principles and role of international institutions in reduction of poverty - Role of UNO, ILO, WTO, World Bank in poverty reduction.
- c. OECD expressions and fourth world dimension

UNIT IV: Judicial System and the Poor (10 Hrs)

- a. Position of Poor and Indigent Persons under the Criminal Justice System
- b. Treatment of the poor by the Police
- c. Prosecution of the Poor for Attempt to Suicide
- d. Inability to get Bail
- e. The problems of poor under trials
- f. Legal Aid Concept, Free legal aid schemes, Evolution, Existing system of legal aid in India & role of Lok Adalat

PSDA (Professional Skill Development Activities) (1Hr/Week)

- ❖ Analysis, evaluation, and articulation of poverty removal schemes of the Government of India and a variety of legislation on the subject
- ❖ Obtaining a variety of data from different agencies, including the World Bank, Niti Aayog, and private agencies, to compare and interpret data on the prevalence of poverty
- ❖ Visit police stations/courts/prosecution offices
- ❖ Visiting jails and understanding bail and legal aid issues

Text Books:

1. Amarendra, Poverty, Rural Development and Public Policy, Deep & Deep Publications, India, 1999.
2. Atul Kohli, State and Poverty in India, Cambridge University Press, Cambridge, UK, 1989.
3. M. Govinda Rao (ed.), Development, Poverty and Fiscal Policy Decentralization of Institutions, Oxford, New Delhi, 2000.
4. M. L. Upadhyaya, Law, Poverty & Development, Taxmann Publications Private Limited, New Delhi, 2000.
5. S. Muralidhar, Law, Poverty and Legal Aid: Access to Criminal Justice, LexisNexis, India, Gurgaon, 2004.
6. Yogesh Atal, The Poverty Question: Search for Solution, Rawat Publications, New Delhi, 2002.

Reference Books:

1. Amartya Sen, Development as Freedom, Anchor Books, New York, 2000.
2. Deepali Pant Joshi, Poverty and Sustainable Development, Delhi, Gyan Publication, 2006.
3. Deepa Narayan (ed.), Empowerment and Poverty Reduction: A Source Book, Jaipur, Y Rawat, 2005.
4. Frank Munger, Law and Poverty, Ashgate Publishing Limited, UK, 2006.
5. G.S. Aurora, Poverty and Economic Reforms, New Delhi, Academic Foundation, 2008.
6. India Land Policies for Growth and Poverty Reduction, New York, Oxford University Press, 2007.
7. Khaja Ajamuddin, Poverty in Urban Area, Delhi, Adhyana Publishers & Distributors, 2006.
8. Lucy Williams, Asbjorn Kjonstad & Peter Robson: Law and Poverty: The Legal System and Poverty Reduction, Zed Books Ltd., UK, 2003.
9. Nilendra Kumar, Law, Poverty and Development, Universal Law Publishing Co. Private Limited, New Delhi, 2014.
10. Radhakrishnan Ray, Oxford Handbook of Poverty in India, Oxford University Press, New York, 2005.
11. S. R. Myneni, Law & Poverty, Allahabad Law Agency, Allahabad, 2012.
12. Sadhana Arya & Anupama Roy, Poverty, Gender and Migration, Sage Publications, New Delhi, 2006.
13. Upendra Baxi, Law and Poverty: Critical Essays, N. M. Tripathi, Bombay, 1988.

List of Cases:

1. Indore Development Authority v. Manohar Lal Sharma, S.L.P. (C) NOS.9036-9038 OF 2016, decided on 06.03.2020
2. Punjab and Sind Bank and Others Appellants v. Mrs. Durgesh Kuwar, Civil Appeal No 1809 of 2020
3. Siddharaju v. State of Karnataka &Ors., 2020 (3) SCALE 99
4. Kajal v. Jagdish Chand, 2020 SCC OnLine SC 127
5. Joseph v. State of Karnataka, 2019 SCC OnLine Kar 422
6. Ravi Agrawal v. Union of India, 2019 SCC OnLine SC 5
7. Rajive Raturi v. Union of India (2018) 2 SCC 413
8. Disabled Rights Group v. Union of India (2018) 2 SCC 397

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9. Ruchika Tomar v. State of Uttarakhand, 2019 SCC OnLineUtt 483
10. Cochin Institute of Science and Technology v. JisinJijo, 2019 SCC OnLine Ker 1800
11. Anil Bansal v. State of H.P., 2018 SCC OnLine HP 1617
12. Malati Sardar v. State of West Bengal, 2017 SCC OnLine Cal 9536
13. Inhuman Conditions in 1382 Prisons, In Re, 2018 SCC OnLine SC 821
14. Ankush Maruti Shinde v. State of Maharashtra, 2019 SCC OnLine SC 317

INTERNSHIP

Code: 25LW791

Max Marks: 70

It is a mode of Clinical Legal education, a specified period to be spent by the student with a law firm/court/Commissions/NGO's and like institutions working with the realm of law or connected therewith. The reports, both by the student and the office, together with the diary, where applicable to be certified will be submitted for evaluation.

The Internship during the summer break is a compulsory course. There is an Internship Data form where students fill in the details of where they are interning, with complete address and phone numbers. Customized Legal Reference /Diary is provided to the students on payment. They maintain a day-to-day record of the work that they do at the place where they are interning. They are expected to intern for a minimum of 90 days. They submit their completed diary, certificate from the employer, and a report of their experience at work. After submission, there is a Viva by the concerned faculty. They assess the student on the kind of work they have done during the internship, the presentation of the work they have done, and also on the practical knowledge they have gained.

The Paper is marked out of 100 marks. The breakup of the marks is as follows:

- | | |
|--|-------------|
| 1. Diary submission | : 25 Marks |
| 2. Report and certificate | : 25 Marks |
| 3. Viva (Panel of External Examiners) | : 40 Marks |
| 4. Attendance (Regularity in meeting the supervisor) | : 10 Marks |
| Total | : 100 Marks |

Total:100

External: 70 Marks

Internal: 30 Marks

External: 70 Marks

10 Question (MCQ): 1 mark each (1x10 = 10)

Answer any 10 out of 12 (Short 50-70 Words): 3 marks each (3x10 = 30)

Answer any 6 out of 8 (Long 100-120 Words): 5 marks each (5x6 = 30)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be allotted for assignments submitted, 5 marks for attendance, and 5 marks for general proficiency, making a total of 30 internal assessment marks.

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Syllabus for BA LLB (H)

Semester 8

Theory									
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks
25LW801	Intellectual Property Rights II	4	0	0	4	70	30	0	100
25LW802	Interpretation of Statutes	4	0	0	4	70	30	0	100
25LW803	Labour Law II	4	0	0	4	70	30	0	100
25LW804	International Trade Law	4	0	0	4	70	30	0	100
25LW805	Income Tax Law	4	0	0	4	70	30	0	100
Discipline Specific Elective (Choose any one)									
25LW811	Criminology, Victimology, and Penology	4	0	0	4	70	30	0	100
25LW812	Socio-Political System in India	4	0	0	4	70	30	0	100
25LW305	Women and Criminal Law	4	0	0	4	70	30	0	100
25LW813	International Commercial Law	4	0	0	4	70	30	0	100
25LW814	Comparative Constitutional Law	4	0	0	4	70	30	0	100
Total					24	420	180	0	600

विद्याधनं सर्वधनप्रधानं

Detailed Syllabus

INTELLECTUAL PROPERTY RIGHTS II

Code: 25LW801

Max Marks: 70

Course Objectives: The objective of this course is to: (i) familiarize the students with the working fundamentals of specific kinds of IPRs with focus on commercial aspects in reference to Indian practice and procedure; (ii) develop critical thinking among students by acquainting them about national IPR policy; and (iii) recognize and appreciate the emerging trends in IPRs, its relevance and application in academic, business and social contexts.

UNIT I: Trademarks

(14 Hrs)

- a. Meaning, Kinds and Functions of Trademark
- b. Brief introduction to International Conventions
- c. Registration of Trade Mark
- d. Trademark Infringement
- e. Passing off
- f. Assignment and Licensing of Trademark
- g. Domain Names
- h. Remedies

UNIT II: Geographical Indications

(08 Hrs)

- a. Concept, nature, scope, kinds of geographical indications and appellations of origin
- b. Brief Introduction to International Treaties and Convention
- c. Conditions and prohibitions of registration of certain geographical indications
- d. Procedure for registration, duration, renewal, removal, and restoration of registration
- e. Special provisions relating to Trademarks and prior users
- f. Infringement and Remedies

UNIT III: Other Intellectual Property Laws

(08 Hrs)

- a. Introduction to the Plant Varieties and Farmers' Rights: Basic Statutory Provisions
- b. Undisclosed Information/ Trade secrets
- c. Integrated Circuits
- d. National IPR Policy

UNIT IV: Emerging Issues

(10 Hrs)

- a. Traditional Knowledge
- b. IPR and Artificial Intelligence
- c. Interface between IPR and Human Rights
- d. Interface between IPR and Competition Law

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Writing Research Papers
- Case Presentations
- Filing the applications for registration

Text Books:

1. A.K. Bansal, Law of Trademark in India, Thomson Reuters, Gurgaon, 2014
2. Vandana Pal and Ramya Seetharaman, 'Legal Protection on Trade Secrets', 1 SCC 22, 2004
3. B.L. Wadhwa, Law Relating to Intellectual Property, Universal Law Publishing, Delhi, 2014 (5th Edn.)
4. Elizabeth Verkey, Law of Plant Varieties Protection, Eastern Book Company, New Delhi, 2007 (1st Edn.)
5. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, New Delhi, 2014 (2nd Edn.)
6. P. Narayanan, Intellectual Property Law, Eastern Law House, Lucknow & Delhi, 2017 (3rd Edn.)
7. R. R. Hanchinal and Raj Ganesh, Plant Varieties and Farmers' Rights, Eastern Law House, Delhi, 2018
8. Lisa P. Lukose, Interface Between Traditional Knowledge and Intellectual Property, LAP, Germany, 2013
9. K. Ahuja, Intellectual Property Rights, Lexis Nexis, Butterworths, Wadhwa, Nagpur, 2017
10. Vandana Singh, The Law of Geographical Indications: Rising above the Horizon, Eastern Law House, Delhi, 2017
11. W.R. Cornish, Intellectual Property: Patents, Copyright, Trademark and Allied Rights, Universal Law Publishing, Delhi, 2001

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12. WIPO, Intellectual Property Handbook: Policy, Law and Use, Geneva, 2004 (2nd Edn.)

Reference Books:

1. W Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, India, 2001
2. Catherin Colston and Jonathan Galloway, Modern Intellectual Property Law, Routledge, UK, 2010 (3rd Edn.)
3. Chris Reed, Internet Law: Text and Materials, Universal Law Publishing Co., Delhi, under special arrangement with Cambridge University Press, U.K., 2010 (2nd Indian Reprint)
4. Delphine Marie-Vivien, The Protection of Geographical Indications in India: A New Perspective on French and European Experiences, Sage Law, New Delhi, 2015
5. Digvijay Singh, Farmer's Rights under Intellectual Property Law, Satyam Law International, Delhi, 2018

List of Cases:

1. N. R. Dongrev. Whirlpool Corporation (1996) 5 SCC 714
2. Satyam Infoway Ltd v. Sifynet Solutions Pvt. Ltd, AIR 2004 SC 3540
3. M/s Hindustan Development Corporation Ltd v. The Deputy Registrar of Trade Marks, AIR 1955 Cal 319
4. Geep Flash Light Industries v. Registrar of Trade Marks, 18 AIR 1972 Del 179
5. Sunder Parmanand Lalwani v. Caltex (India) Ltd, AIR 1969 Bom 24
6. K. R. Krishna Chettiar v. Sri Ambal & Co, AIR 1970 SC 146
7. Carrefour v. V. Subburaman, 2007(35) PTC 225
8. Parley Products v. J P & Co, AIR 1972 SC 1359
9. Cadila Health Care Ltd v. Cadila Pharmaceuticals Ltd, 2001 PTC 541(SC)
10. Balakrishna Hatcheries v. Nandos International Ltd. 2007 (35) PTC 295 (Bom)
11. Hawkins Cookers Limited v. Murugan Enterprises, 2012(50) PTC 389 (Del)
12. ITC Limited v. Philip Morris Products S.A. 2010 (42) PTC 572 (Del)
13. N Ranga Rao v. Anil Garg, 2006 (32) PTC 15 (Del)
14. Tea Board v. ITC Ltd. (2019) 1 CAL LT 538
15. TK matters related to Indian Neem, Turmeric, and Basmati in various foreign courts
16. Scotch Whisky Association v. Pravara Sahakar Karkhana Ltd., AIR 1992 Bom 294.

INTERPRETATION OF STATUTES

Code: 25LW802

Max Marks: 70

Course Objectives: This course aims to (i) acquaint the students with the accepted tools and techniques of statutory interpretation by which the judiciary explores the intention behind the statutes.

UNIT I: Introduction

(10 Hrs)

- a. Meaning of Interpretation
- b. Need for Interpretation
- c. Interpretation vis-à-vis Construction
- d. Act, Enactment, Statutes, Ordinances, Rules, etc.

UNIT II: Internal Aids to Interpretation

(10 Hrs)

- a. Title
- b. Preamble
- c. Heading
- d. Marginal Note
- e. Section
- f. Sub-section
- g. Punctuation
- h. Illustration
- i. Exception
- j. Proviso
- k. Explanation
- l. Saving Clause
- m. Schedule

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UNIT III: External Aids to Interpretation

(10 Hrs)

- a. Constituent Assembly Debates for Constitutional Interpretation
- b. Constitution of India
- c. Legislative History: Legislative Intention
- d. Statement of Objects and Reasons
- e. Legislative Debates
- f. Committee Reports, Law Commission Reports
- g. Dictionaries

UNIT IV: Rules of Interpretation

(10 Hrs)

- a. Literal Rule
- b. Golden Rule
- c. Mischief Rule
- d. Legal Fiction
- e. Ejusdem generis
- f. Noscitur a sociis
- g. Reddendo singulari singularis
- h. Generalis specialibus non derogant
- i. Expressio unius est exclusio alterius
- j. Interpretation with reference to the subject matter of Statutes- Taxing Statutes, Penal Statutes & Remedial and Beneficial Statutes.

PSDA (Professional Skill Development Activities)

(1Hr/Week)

- Judgments and Statutes Analysis
- Judgment Writing
- Problem Solving
- Exercise of Drafting a Statute

Text Books:

1. G.P. Singh, Principles of Statutory Interpretation, Lexis Nexis, Delhi, 2015
2. N.S. Bindra, Interpretation of Statutes, Lexis Nexis, Delhi, 2017

Reference Books:

1. P. St. J. Langan, Maxwell's on the Interpretation of Statutes, Lexis Nexis, 1969 (12th Edn.)
2. V.P. Sarthi, Interpretation of Statutes, Eastern Book Company, 2010 (5th Edn.)
3. P.M. Bakshi, Interpretation of Statutes, Orient Publisher, Hyderabad, 2008
4. P. Singh, Principles of Statutory Interpretation, Wadhwa, Nagpur (14th Edn.)
5. St. Langan (Ed.) Maxwell on the Interpretation of Statutes, Lexis Nexis Butterworths, New Delhi (12th Edn.)
6. S. Interpretation of Statutes, Lexis Nexis Butterworths, New Delhi (12th Edn.)

List of Cases:

1. Reserve Bank of India v. Peerless General Finance and Investment Company Ltd. (1987) 1 SCC 424
2. Maneka Gandhi v. Union of India, AIR 1978 SC 597
3. Kesavananda Bharati Sripadagalvaru and Ors. v. State of Kerala and Anr., AIR 1973 SC 1461
4. S. Sundaram Pillai, etc. v. V.R. Pattabiraman, AIR 1985 SC 582
5. Carter v. Bradbeer [1975] 3 All. E.R. 158
6. State of Bombay & Ors. v. The Hospital Mazdoor Sabha & Others, AIR 1960 SC 610
7. Indra Sawhney v. Union Of India And Others, AIR 1993 SC 477
8. Smt. Selvi & Ors. v. State of Karnataka, AIR 2010 SC 1974
9. Supreme Court Advocates-on-Record Assn. v. Union of India (2016) 5 SCC 1
10. Lee v. Knapp (1967) 2 Q.B. 442
11. R.M.D.C. v. Union of India, AIR 1957 SC 628
12. Smith v. Hughes, [1960] 1 WLR 830
13. Calcutta Municipal Corpn. v. East India Hotels Ltd., AIR 1995 SC 419
14. Godfrey Phillips India Ltd and another v. State of U.P. and Ors. (2005) 2 SCC 515
15. K.M. Nanavati v. The State Of Bombay, AIR 1961 SC 112

LABOUR LAW II

Code: 25LW803

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) appreciate the *raison d'être* behind the constitutional and legislative mandate for minimum wage; (ii) analyse the judicial delineation of an employer's liability, as against an accident arising out of and in the course of employment with special reference to the notional extension of employment, to pay compensation in certain cases; (iii) view the health, safety and welfare measures comprehensively contemplated for workers, especially in light of the LPG, and to suggest stock of the reforms needed; and (iv) analyse the insurance requirements of the workers from a multifarious perspective; (v) to appreciate the maternity benefit in a holistic perspective.

UNIT I: The Occupational Safety, Health and Working Conditions Code, 2020

(10 Hrs)

- a. Applicability
- b. Features
- c. Definitions-
 - i. Manufacturing process
 - ii. Occupier
 - iii. Audio-visual worker
 - iv. Audio-visual production
 - v. Building workers
 - vi. Contract labour
 - vii. Dock work
 - viii. Building or other construction work
 - ix. Inter-state migrant worker
- d. Duties of Employers and Employees: Sections 6 to 13 (Chapter III) & Section 33 (Chapter VIII) & Section 78 (Chapter XI, Part VI)
- e. Rights of Employee: Section 14 (Chapter III)
- f. Occupational Safety & Health: Sections 16 to 22 (Chapter IV)
- g. Health, Safety & working conditions: Section 23 (Chapter- V)
- h. Welfare provisions: Section 24 (Chapter VI)
- i. Hours of work & Annual Leave with wages: Section 25-32 (Chapter VII)

UNIT II: The Occupational Safety, Health and Working Conditions Code, 2020

(10 Hrs)

- a. Inspector-cum-Facilitator and other Authority: Section 34 (Chapter- IX)
- b. Special provision relating to employment of women: Section 43
- c. Contract workers: Sections 45 to 58 (Chapter XI, Part I)
- d. Inter-State Migrant workers: Sections 59 to 65 (Chapter- XI, Part- II)
- e. Audio-visual workers: Sections 66 (Chapter XI, Part III)
- f. Mines: Sections 67 to 73 (Chapter XI, Part IV)
- g. Beedi and Cigar Workers: Sections 74 to 77 (Chapter- XI, Part- V)
- h. Factories: Sections 79 to 91 (Chapter XI, Part –VII)
- i. Plantation: Sections 92 – 93 (Chapter XI, Part VIII)
- j. Social Security Fund (Chapter XIII)
- k. Offences & Penalties

UNIT III: The Code on Social Security, 2020

(10 Hrs)

- a. Applicability
- b. Features
- c. Definitions:
 - i. Factory
 - ii. Dependant
 - iii. Employment injury
 - iv. Occupational disease
 - v. Permanent total disablement
 - vi. Permanent partial displacement
 - vii. Self-employed worker
 - viii. Home-based worker
 - ix. Gig workers
 - x. Wage worker
 - xi. Social security

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- xii. Contribution
- xiii. National Security Board
- d. Social Security Organization (Chapter II)
- e. Employees Provident Fund (Chapter III)
- f. Employees' State Insurance Corporation (Chapter IV)
- g. Gratuity (Chapter V)
- h. Maternity Benefit (Chapter VI)
- i. Employee's Compensation (Chapter VII)
- j. Social Security and CESS in respect of building and other construction workers (Chapter VIII)

UNIT IV: Social Security for Unorganized Workers under Code on Social Security, 2020 (10 Hrs)

- a. Framing of scheme for unorganized workers and constitution of social security fund for gig
- b. workers, platform workers, etc (Sections 109 & 110)
- c. Registration of unorganized workers. (Section 113)
- d. Schemes for gig workers & platform workers (Section 114)
- e. Offences & penalties (Chapter XII)
- f. Employment Information and monitoring (Chapter XIII)
- g. Miscellaneous (Chapter XIV)

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Document Preparation for Claim of Beneficiary
- Judgment Analysis
- Interaction with Workmen
- Visit to Authorities

Text Books:

1. S.N. Mishra, Labour and Industrial Law, Central Law Publication, Allahabad, 2013
2. Taxmann's Labour Law with Code on wages Edition: 2020

Reference Books:

1. Benjamin O. Alli, Fundamental Principles of Occupational Health and Safety, 2nd Edition, International Labour, Geneva, 2008.
2. The ILO Social Security (Minimum Standards) Conventions, 1952 (No. 102) – ilo.org
3. International Labour Standards as Social Security – ilo.org
4. Anitana Ghosh, GIG Economy in India Rising (Gen X Millennial – Z), Evince pub Publishing, Bilaspur, Chhattisgarh, 2020.
5. Eugene L. Meyer, The Gig Economy, Is the trend towards Non-Staff Employees Good for Workers? CQ Press, 2016

List of Cases:

1. U. Unichay v. State of Kerala, 1962 AIR 12.
2. Bank of India, Bombay and another v. T.S. Kelawala Bombay and others, 1988 IIL.L.J. 264 (Bom.)
3. State of Bombay v. Ali Saheb Kashim Tamboli, 1995 IIL.L.J. 182
4. State of Bombay v. Ardeshir Hormasji Bhiwandiwalla, 1956 IIL.L.J. 26
5. Bijay Cotton Mills Ltd. v. State of Ajmer, 1955 AIR 33.
6. Kamini Metals and Alloys v. Their Workmen, 1967 AIR 1175.
7. Hydro (Engineers) Private Ltd. v. The Workmen, 1969 AIR 182.
8. S.A.F.L. Works v. State Industrial Court, Nagpur, 1978 AIR 1113.
9. People's Union for Democratic Rights v. Union of India, (1992) 2 LJ 545 (SC).
10. Crown Aluminum Works v. Their Workmen, 1958 AIR 30.

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INTERNATIONAL TRADE LAW

Code: 25LW804

Max Marks: 70

Course Objectives: The course aims to enable students to (i) learn about legal operation and application of international trade agreements under the WTO multilateral trading framework, (ii) identify key areas of international trade law and key roles played by international organizations, and (iii) understand India's response towards international trade and WTO policies.

UNIT I: Introduction of International Trade Law

(10 Hrs)

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

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

(10 Hrs)

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

UNIT III: WTO Agreements

(10 Hrs)

- a. Agreement on Agriculture
- b. Agreement on Sanitary and Phytosanitary Measures
- c. Agreement on Subsidies and Countervailing Measures
- d. Agreement on Anti-Dumping
- e. Agreement on Safeguards
- f. General Agreement on Trade in Services
- g. Agreement on Trade-Related Investment Measures

UNIT IV: Contemporary Issues: International Trade and Regionalism

(10 Hrs)

- a. Trade and Environment
- b. Trade and Human Rights
- c. Doha Development Agenda
- d. SAPTA & SAFTA

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Research Paper
- Analysis of an Agreement
- A symposium on an Issue of Contemporary Significance
- Discussion Forums
- Creating a Documentary on Contemporary Issues

Text Books:

1. Raj Bhalla, International Trade Law: Theory and Practice, Lexis Nexis, Delhi, 2001 (2nd Ed).
2. A. K. Kaul, Guide to the WTO and GATT: Economics, Law and Politics, Kluwer Law International, New Delhi, 2006.
3. Craig Van Grasse, The History and the Future of the WTO, WTO Publications, Geneva, 2013.

Reference Books:

1. WTO, Doha Development Agenda, WTO, 2013.
2. Peter Van den Bossche, The Law and Policy of the WTO, Cambridge University Press, Cambridge, 2013.
3. Gabriel Moens and Peter Gillies, International Trade and Business: Law, Policy and Ethics, Routledge, UK, 2015.
4. Daniel, Oxford Handbook on International Trade Law, Oxford University Press, Oxford, 2009.

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5. Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts, GATT Secretariat, Geneva, 1994.
6. Francesco Francioni, (ed.) Environment, Human Rights & International Trade, Hart, Oxford, 2001.
7. J. Frank, Trade, Inequality and Justice: Towards a Liberal Theory of Just Trade, Transnational, New York, 2003.
8. Anil Arora, Jai Narayan Sharma, The International Trade Theories and Current Trend in the Globalised World, Deep & Deep Publications Pvt. Ltd., Delhi, 2008.
9. A. K. Dixit & V. Norman, Theory of International Trade, Cambridge University Press, Cambridge, 1980.
10. Robert E. Hudec, Developing Countries in the GATT Legal System, Gower Press for the Trade Policy Research Centre, London, 1987.
11. John H. Jackson, World Trade and the Law of GATT, Bobbs-Merrill, Indianapolis, 1969.
12. Ravindra Pratap, India at the WTO Dispute Settlement System, Manak Publications, New Delhi, 2004.
13. T. N. Srinivasan, Developing Countries and the Multilateral Trading System: From the GATT to the Uruguay Round and the Future, Oxford University Press, Delhi, 1998.
14. Philip A. Akakwam, "The Standard of Review in the 1994 Antidumping Code: Circumscribing the Role of GATT Panels in Reviewing National Antidumping Determination", Minnesota Journal of Global Trade, vol. 5, no. 2. P.277, 1996.
15. Jagdish Bhagwati and Robert E Hudec, Fair Trade and Harmonization: Prerequisites for Free Trade, . 2 Legal Analysis, Cambridge, Mass.: MIT Press, 1996.
16. Rainer M. Bierwagen, GATT Article VI and the Protectionist Bias in Anti-Dumping Law, Kluwer, Deventer, 1990.
17. B. S. Chimni, "WTO Dispute Settlement and Sustainable Development", p 1., World Wide Fund for Nature-India, May 1999 (Discussion Paper).
18. Nick Covelli, "Public International Law and Third-Party Participation in WTO Panel Proceedings", 33. 2 JWT, p. 125- 139, 1999.
19. John Croome, Reshaping the World Trading System: A History of the Uruguay Round, Kluwer, The Hague, 1999.
20. Kenneth W. Dam, The GATT: Law and International Economic Organization, University of Chicago Press, Chicago, 1970.

List of Cases:

1. Argentina - Safeguard Measures on Imports of Footwear, Panel Report, 2000
2. Australia - Measures Affecting Importation of Salmon, Panel Report, 1998
3. European Communities - Measures Affecting the Importation of Certain Poultry Products, Appellate Body Report, 1998
4. India – Patent Protection for Pharmaceutical and Agricultural Chemical Products, Panel Report, 1998
5. Japan – Taxes on Alcoholic Beverages, Appellate Body Report, 1996
6. Korea – Safeguard Measures on Imports of Certain Dairy Products, Appellate Body Report, 2000
7. United States – Import Prohibition of Certain Shrimp and Shrimp Products, Appellate Body Report, 1998
8. United States – Safeguards Measures on Imports of Wheat Gluten from European Communities, Appellate Body Report, 2001
9. India — Certain Measures Relating to Solar Cells and Solar Modules, Appellate Body Report, 2016
10. European Communities — Measures Affecting the Approval and Marketing of Biotech Products, Panel Report, 2006

विद्याधनं सर्वधनप्रधानं

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INCOME TAX LAW

Code: 25LW805

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) understand the fundamental concepts of taxation; (ii) deal with the tax treatment under various heads of income; (iii) determine tax liability under the existing tax regime; and (iv) relate the economic policies and processes to tax and fiscal policies in different systems of economic administration keeping the constitutional goals in view.

UNIT I: Income Tax Law: Basic Concepts (10 Hrs)

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

UNIT II: Residential Status, Heads of Income Chargeability (10 Hrs)

- a. Meaning and Rules for Determining Residential status of an Assessee, Concept of Permanent Establishment
- b. Charge of Income Tax and Scope of Total Income
- c. Heads of Income and its Justification
- d. Tax Treatment to Salary, Perquisites etc
- e. Tax Treatment of Income from House Property

UNIT III: Heads of Income (10 Hrs)

- a. Profits and Gains of Business & Profession
- b. Capital Gain Taxation; Capital Assets, Transfer Cost of Acquisition and Cost of Indexation
- c. Income from Other Sources, Dividend
- d. Set off and Carry Forward of Losses

UNIT IV: Returns of Income, Procedures etc. (10 Hrs)

- a. Set off and Carry Forward of Losses
- b. Return of Income and Assessment
- c. Search and Seizure Procedure, Rights and Duties of Assessee
- d. Penalty and Prosecution for Tax Evasion
- e. International Transfer Pricing

PSDA (Professional Skill Development Activities) (1 Hr/Week)

- ❖ Filing of Tax Returns
- ❖ Principle of Computation of Taxes
- ❖ Procedure for applying for PAN, TAN. Etc
- ❖ Analysis of the OECD Guidelines

Text Books:

1. Girish Ahuja and Ravi Gupta, Professional Approach to Direct Taxes, Law and Practice, Bharat Publishing House, Delhi, 2014.
2. Vinod Singhania & Kapil Singhania, Direct Taxes Law and Practice, Taxman, Delhi, 2018.
3. Chaturvedi & Pithisaria, Income Tax Act with Relevant Tax Allied Acts, Lexis Nexis, Delhi, 2017

Reference Books:

1. Taxmann's Income Tax Act as Amended by the Finance Act, Delhi, 2020.
2. Reuven S. Avi-Yonah, Nicola Sartori, and Omri Marian, Global Perspective on Income Taxation Law, Oxford University Press, UK, 2011.
3. B.B. Lal, Income Tax, Pearson, India, 2012

List of Cases:

1. Commissioner of Income Tax v. Setaladas Terathdas (1961) 41 ITR 367 SC
2. Raja Bejoy Singh Dadhuria v. CIT (1933) 1 ITR 135 PC

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3. Bacha F. Gujdar v. CIT Bombay AIR1955SC74
4. CIT v. Raja Benoy Kumar Sahas Roy (1957) 32 ITR 466 (SC)
5. CIT v. Soundarya Nursery (2000) 241 ITR 530
6. CIT v. Maddi Venkatasubbayya (1951) 20 ITR 151 Mad
7. Dooars Tea Comp Ltd. v. CIT (1962) 44 ITR 6 SC
8. J. M. Casev. CIT, AIR1930PAT44
9. V.V.R.N.M. Subbaya Chettiar v. CIT, AIR 1951 SC
10. CIT v. Nandla Gandhlal (1960)40ITR SC
11. Subayya Chettiar v. CIT, AIR 1951 SC 101
12. Narottam P and Parekh Ltd. v. CIT Bombay City, AIR 1954 Bom 67
13. Ram Prasad v. CIT (1972) 86 ITR 122 SC
14. CIT v. Manmohan Das (1966) ITR 699 SC
15. East India Housing and Land Development Trust Ltd. v. Commissioner of Income Tax (1961) 42 ITR 49 SC
16. CIT v. Modi Industries Ltd. (1994) 73 Taxman 691/210 ITR 1 (Del.) (FB)
17. CIT v. Cawnpore Club (1992) 195 ITR 142 SC
18. Jodha Mal Kuthiala v. CIT (1971) 82 ITR 570 SC
19. CIT v. Maharani Usha Devi (1998) 231 ITR 43 SC
20. CIT v. Tata Iron and Steel Ltd. Co. (1994) 206 ITR 196 (Bom)
21. Vania Silk Mills Pvt. Ltd. v. CIT (1991) 191 ITR 647
22. Tuticorin Alkali Chemicals & Fertilizers Ltd. v. CIT (1997) 227 ITR 172(SC)
23. CIT v. Kurji Jinabhai Kotecha (1977) 107 ITR 101 (SC)
24. CIT v. Podar Cement Pvt. Ltd. (1997) 226 ITR 625 SC

CRIMINOLOGY, VICTIMOLOGY, AND PENOLOGY

Code: 25LW811

Max Marks: 70

Course Objectives: This paper aims to enable the students to: (i) understand the nature and causes of crime, theoretical approaches of criminology, victimology, victimization process and penology; (ii) analyse and reciprocate the key criminological concepts, principles, theories and tools to tackle issues related to criminal behaviour; (iii) understand inter-related working of different wings of criminal justice system and their individual and collective impact on crime rate and prevention; (iv) develop an understanding about the anatomy of varied crimes and the related legal provisions; (v) deduce varied research areas in the subject and their future scope.

UNIT I: Criminology – Definition, Terminology and Criminal Process (12 Hrs)

- a. Definition and Extent of Crime, Crime and Deviance, Public Conception and Misconception of Crime
- b. Schools of Criminology- Pre-classical school, Classical school, Positive and Neo-classical school
- c. Theories of Crime causation: Psychological Explanation (Learning behavior, Psycho-analytical approach, mental disorder and criminality), Sociological Explanation (Ecological theory, Culture – conflict theory, Differential association, Anomie and strain, Labeling), Economic explanations of crime causation

UNIT II: Understanding Typology of Crimes and Related Legal Provisions (12 Hrs)

- a. Typology of violent crimes and Legal & Judicial Interventions: Homicide, Honor Killing, Mob Lynching
- b. Typology of Crime against Women and Children in physical and cyber space: Legal & Judicial Interventions
- c. Juvenile Delinquency: Nature, form, and Etiology of delinquency, legal and institutional framework, Preventing and controlling juvenile delinquency
- d. Positivist explanation of female criminality

UNIT III: Penology– Evolution and Latest Trends (08 Hrs)

- a. Theories of Punishments: legal and judicial incorporations
- b. Substantive Penal Policy of India: Punishments, their execution, commutation and remission
- c. Alternative Punishments – Nature and Scope
- d. Prison and Police Reforms

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UNIT IV: Victimology

(08 Hrs)

- a. Definition, Nature, Scope and Theories of Victimology
- b. Victims of Crime and Abuse of Power
- c. Victims' Access to Justice.
- d. Victim Assistance Initiatives: national and international

PSDA (Professional Skill Development Activities)

(3 Hrs/Week)

- Jail visits.
- Visits to shelter houses for women and children.
- Comparative analysis of sentencing Policies in Common law countries.
- Workshop/ Talk by members of the District Legal Services Authority for understanding the application and ground realities of Victim Assistance Initiatives.

Text Books:

1. Roger Hopkin Burke, An Introduction to Criminological Theory, Willian Publishing, 2001
2. Katherine S. Williams, Textbook on Criminology, Oxford Press, Oxford, 2004

Reference Books:

1. Frank A. Hagan, Introduction to Criminology: Theories, Methods and Criminal Behavior, Sage Publications Ltd., London, 1978
2. Larry Siegel, Criminology, Thomson Wadsworth, Canada, 2008
3. Sue Titus Reid, Crime and Criminology, Oxford University Press, Oxford, 2008
4. Mark Tunic, Punishment: Theory and Practice, University of California Press, Berkeley, 1992
5. Robert Elias, Victims Still: Political Manipulation of Crime Victims, Sage Publications Inc., 1993
6. R. I. Mawby & S. Walkate, Critical Victimology, Sage Publications Ltd., London, 1995

List of Cases:

1. The National Human Rights Commission v. State of Gujarat (2009) 6 SCC 342.
2. Arvind Yadav v. Ramesh Kumar, 2003 Cr. L. J. 2552.
3. Delhi Domestic Working Women's Forum v. Union of India (1995) 1 SCC 14.
4. Rudal Sah v. State of Bihar, AIR 1983 SC 1086.
5. Nilabati Behera v. State of Orissa (1993) 2 SCC 746.
6. Shri D.K. Basu v. State of West Bengal (1997) 1 SCC 416.
7. Vishakha & Ors. v. State of Rajasthan, AIR 1997 SC 3011.
8. Shatrughan Chauhan & Anrv. Union of India & Ors., Writ Petition (Criminal) NO. 55 OF 2013.
9. Dannjay Chatterjee v. State of West Bengal (2004) 9 SCC 757.
10. Macchi Singh v. State of Punjab, AIR 1983 SC 957.

SOCIO-POLITICAL SYSTEMS IN INDIA

Code: 25lw812

Max Marks: 70

Course Objectives: This paper's objective is to: (i) acquaint students with an intricate correlation between society and law; (ii) understand basic units and tenets of societal framework for in-depth interdisciplinary knowledge by examining various crucial concepts like family, marriage, kinship, class system, caste system, and gender related; (iii) understand concept of state, its organs, functionaries, their roles in modern contemporary societies where law operates as this would enlighten them the context of their working; and study Indian political set-up with comparative approach.

UNIT I: Human Society

(10 Hrs)

- a. Relationship between society and law
- b. Law and social transformation
- c. Family- functions, types and trends; Marriage- functions, types and trends; kinship- Principles of descent, Matrilineal and patrilineal systems
- d. Religion-Religion as uniting and divisive force; Secularism, fundamentalism and Communalism

UNIT II: Indian Society

(10 Hrs)

- a. Concept of Class (Karl Marx and Max Weber); Class stratification in rural and urban societies
- b. Caste – general concept and basic features. Class, caste and varna comparison; Changes and latest Trends

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- c. Concept of Tribes- important issues and administrative approaches
- d. Scheduled Castes and Scheduled Tribes in India
- e. Gender issues, with reference to women
- f. Issues of Women – various forms of violence and gender discrimination
- g. Issues related to Children- various forms of exploitation and deprivation

UNIT III: Concept of State and its Organs (10 Hrs)

- a. Government and its relation with the state
- b. Constitution – features and classification
- c. Legislature – Concept, types, and functions
- d. Executive: Concept and functions
- e. Judiciary- functions, judicial review, and independence of the judiciary

UNIT IV: Forms of Government and International Processes (10 Hrs)

- a. Democratic Government
- b. Unitary and Federal Form of Government- features, merits, and demerits
- c. Parliamentary and Presidential form of Government - features, merits, and demerits
- d. International Processes - Diplomacy; Role of UN in International Peace
- e. International Organizations in Global Politics: NGOs as Political Actors

PSDA (Professional Skill Development Activities) (1Hr/Week)

- Visiting NGOs and writing a report on the socio-political issues discussed
- Film Screening on socio-political issues, followed by discussions
- Seminar/Symposium on Social Transformations in Indian Society
- Parliamentary discussions

Text Books:

1. Harlambos, M. Sociology: Themes and Perspectives, Oxford University Press, UK, 1980
2. Bottomore, Sociology: A Guide to Problems and Literature, Blackie and Sons India Ltd., 1981
3. P. B. and C. L. Hunt, Sociology, McGraw-Hill Book Company, Singapore, 1984
4. Giddens, Sociology, Polity Press, UK, 1993
5. Eddy Asirvatham & K. K. Misra, Political Theory, S. Chand & Company Ltd., Delhi, 2010
6. C. Kapur, Principles of Political Science, S. Chand & Company Ltd, Delhi, 2014
7. Rumki Basu, International Politics: Concepts, Theories and Issues, Sage Texts, Delhi, 2019

Reference Books:

1. Ram Ahuja, Society in India: Concepts, Theories and Recent Trends, Rawat Publications, New Delhi, 1999
2. S. C. Dube, Indian Society, National Book Trust, India, 1992
3. K. L. Sharma, Indian Social Structure and Change, Rawat Publications, New Delhi, 2007
4. Dipankar Gupta, Social Stratification (Sociology and Social Anthropology, Oxford University Press, Delhi, 1997
5. Baylis, John and Steve Smith, The Globalization of World Politics, Oxford University Press, UK, 1997
6. Biswanath Chakraborty, Role of International Organizations in World Politics, Blue Roan Publishing House, Ahmedabad, (2019)
7. Bidyut Chakrabarty and R. K. Pandey, Indian Government and Politics, Sage Publications, Delhi, 2008
8. T. B. Bottomore, Sociology: A Guide to Problems and Literature, Blackie and Sons India Ltd., 1971

विद्याधनं सर्वधनप्रधानं

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WOMEN AND CRIMINAL LAW

Code: 25LW305

Max Marks: 70

Course Objectives: The objective of the course is to (i) expose students to the complex and multidisciplinary - social, political, economic, religious and legal problems women face in a male dominated society with focus on the issues specific to India; (ii) develop a critical understanding of the historical discrimination and victimization of women; (iii) make them to critically appreciate rights and protection provided for the women in the Constitution and in various laws and schemes - personal and general; and (iv) sensitize students on gender issues, to introspect on their attitudes and beliefs and question the gender discrimination.

UNIT I: Women and Constitution

(10 Hrs)

- a. Status of Women in India
 - i. Women in India during different periods: Vedic Period, Post Vedic Period, Medieval Period, British Period, Post Independent India
- b. Women under different religions
 - i. Women in Hindu Religion
 - ii. Women in Islam
 - iii. Women in Christianity
 - iv. Women in Parsi Religion
- c. International Instruments on Rights of Women
 - i. Introduction
 - ii. Preamble of United Nations Charter
 - iii. Convention on the Political Rights of Women, 1953
 - iv. Convention on the Nationality of Married Women, 1957
 - v. Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 1962
 - vi. Convention on Elimination of All Forms of Discrimination against Women, 1979
 - vii. Format of the Convention
 - viii. Reservations
 - ix. Optional Protocol
 - x. Declaration on Elimination of Violence against Women, 1993
 - xi. Other Instruments
- d. Women and Constitution of India
 - i. Preamble,
 - ii. Equality Provisions and Fundamental Rights
 - iii. Equality and Directive Principles of State Policy
 - iv. Fundamental Duties related to Equality
 - v. Panchayat, Cooperative Societies, Reservation of seats: 73rd and 74th Constitutional

UNIT II: Women and Personal Laws

(10 Hrs)

- a. Inequality Provisions Pertaining to Divorce and Guardianship between Men and Women
- b. Inequality Provisions Pertaining to Adoption and Maintenance
- c. Inequality Provisions Pertaining to Inheritance
- d. Uniform Civil Code
 - i. Historical Background and Constitutional aspect
 - ii. Uniform civil code and women under personal laws
 - iii. Judicial Trends
 - iv. Compulsory registration of Marriages
 - v. Opinion of the Law Commission

UNIT III: Women and Law of Crimes

(10 Hrs)

- a. Laws related to adultery
 - i. Historical Perspective
 - ii. Scenario Prior to the Joseph Shine Judgment
 - iii. Analysis of Joseph Shine
 - iv. Union of India
- b. Rape related Laws
 - i. Meaning, Scope, Judicial pronouncements

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- ii. Notable Changes in Rape laws after 2013
- iii. Difference between Rape and Attempt to Rape
- iv. Observation of Judiciary with Special Reference to Character of Victim
- c. Outraging the modesty of Women
 - i. Section 509 and Section 354 of IPC
 - ii. What constitute outraging Modesty of women
 - iii. Related Case Laws

UNIT IV: Women and Special Enactments/Legislations

(10 Hrs)

- a. The Immoral Traffic (Prevention) Act, 1956
 - i. The Scheme of the act
 - ii. Important Provisions
 - iii. Recent Developments
- b. Sexual Harassment at Work Place
 - i. Position before the Act
 - ii. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
 - iii. Recent Litigations
 - iv. IPC on Sexual Harassment
- c. Domestic Violence
 - i. Definition, Meaning, Type and Effects of Domestic Violence
 - ii. Important provisions and Related Case Laws
- d. Government Schemes Related to Women in India
 - i. Introduction
 - ii. National Perspective Plan for Women 1988 – 2000, Support to Training and Employment Programme for Women (STEP), Rashtriya Mahila Kosh – (National Credit Fund for Women), Indira Gandhi Matritva Sahyog Yojana (IGMSY) – Conditional Maternity Benefit (CMB) Scheme, SWADHAR (A Scheme for Women in Difficult Circumstances), Mother and Child Tracking System (MCTS), Pradhan Mantri Matritva Vandana Yojana (PMMVY), Rajiv Gandhi Scheme for Empowerment of Adolescent Girls – Sabla, Mahila E-haat, Beti Bachao Beti Padhao Scheme (BBBP. One Stop Centre Scheme (OSC), Working Women Hostels, Swayamsiddha Scheme, Development of Women and Children in Rural Areas (DWCRA), Nai Roshni, Digital Gender Atlas, Nand-Ghar Yojan.

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Visit to Tripura State Commission for Women (TSCW)
- Write judgement analysis
- Write a research paper

Text Books:

1. Mamta Rao, Law Relating to Women and Children, EBC, Delhi, 2019
2. Shivani Goswami & Neelu Mehra, Women & Law, Satyam Law Internationals, Delhi, 2020
3. Lalita Dhar Parihar, Women and Law, Eastern Book Company, Delhi, 2016

References:

1. Monica Chawla. Gender Justice Women and Law in India. New Delhi : Deep & Deep Publications Pvt. Ltd., 2006
2. Flavia Agnes, Women and law in India, Oxford, 2016
3. Dr S.C. Tripathi and Vibha Arora, Law Relating to Women & Children, Central Law Publications, Allahabad, 2017
4. Dr Anjani Kant, Law Relating to Women and Children, Central Law Publications, Allahabad, 2020
5. Dr SC Tripathi, Women and Criminal Law, Central Law Publications, Allahabad, 2014

List of Cases:

1. *Indian Young Lawyers Association v. State of Kerala*, 2018 SCC OnLine SC 1690
2. *Joseph Shine v. Union of India*, 2018 SCC OnLine SC 1676
3. *Gita Hariharan v. Reserve Bank of India*, AIR 1999 SC 1149
4. *Vineeta Sharma v. Rakesh Sharma and Others*, SLP Nos. 17661767 of 2020

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5. *Mohd. Ahmed Khan v. Shah Bano Begum*, (1985) 2 SCC 556
6. *Shayara Bano v. Union of India and others*, 1985 (2) SCC 556.
7. *Danial Latifi v. Union of India* (2001) 7 SCC 740
8. *Vishaka and Others v. The State of Rajasthan*, AIR 1997 SC 3011
9. *Sarla Mudgal v. Union of India*, 1995 AIR 1531
10. *Air India v Nargesh Mirza*, (2011) 11 SCC 538

INTERNATIONAL COMMERCIAL LAW

Code: 25LW813

Max Marks: 70

Course Objectives: This paper aims to: (i) acquaint the students with the tools and techniques of International Commercial Law; (ii) inform them on international mode of payments; and (iii) discuss cases of international commercial arbitration.

UNIT I: International Sales Contracts (10 Hrs)

- a. Formation of the Contract
- b. Breach of Contract and Avoidance of Contract, Doctrine of Frustration, Damage
- b. Rights and Duties of Buyers and Sellers
- c. Case Law

UNIT II: Carriage of Goods (10 Hrs)

- a. Uni-modal and Multi-modal Transportation of Goods
- b. Documents of Carriage of Goods by Sea
- c. Bills of Lading: Kinds, Nature, Features
- d. INCOTERMS 2010
- e. Case Law

UNIT III: International Payments (10 Hrs)

- e. Methods of International Payments
- f. Uniform Customs and Practice 600
- g. Types of Letters of Credit
- h. Parties to Letter of Credit
- i. Case Law

UNIT IV: Settlement of International Commercial Disputes (10 Hrs)

- a. Arbitration: Kinds
- b. Mediation
- c. Conciliation
- d. Recognition and Enforcement
- e. Investment Dispute Resolution (PCA, ICC, ICSID, Ad-hoc Arbitration and other
- f. Institutional Institution)
- g. Case Law

PSDA (Professional Skill Development Activities) (1 Hr/Week)

- Judgment Analysis
- Applied Exercise- Moot Problem
- Debate
- Visit to Institute of Foreign Trade

Text Books:

1. Jason C T Chuah, Law of International Trade: Cross Border Commercial Transactions, Sweet & Maxwell, London, 2019 (4thEdn.)
2. Schmitthoff, Export Trade: The Law and Practice of International Trade, Sweet and Maxwell, London, 2000

Reference Books:

1. ICC's Incoterms, 2010
2. F. Reynolds, "Some Reservations about CISG", in New Trends in International Trade Law, contributions on the occasion of the 10th Anniversary of the International Sale of Goods and Transportation, PP. 287-297, Giappichelli, Torino, 2000
3. P. Todd, Bills of Lading and Banker's Documentary Credits, Sweet and Maxwell, London, 1998

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4. Convention on Agency in the International Sale of Goods, 1983
5. International Convention for the Unification of Certain Rules of Law relating to Bills of Lading signed at Brussels on 25 August 1924, as amended by the Protocol signed at Brussels on 23 February 1968
6. New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958
7. Vienna Convention on Contracts for the International Sale of Goods, 1980

COMPARATIVE CONSTITUTIONAL LAW

Code: 25LW814

Max Marks: 70

Course Objectives: The objective of this paper is to provide a comparative understanding of different themes of Indian Constitutional Law, presidential and parliamentary forms of government; (ii) compare the Constitutions of other countries with a view to assess their working in the last several decades; and (iii) make students aware about accountability and transparency.

UNIT I: General **(10 Hrs)**

- a. Comparative Constitutional Law - Relevance, methodology, issues and concerns in comparison
- b. Various Forms of government – Presidential and Parliamentary; unitary and federal.
- c. Different Models of federalism – USA, Canada and India - Cooperative federalism

UNIT II: Specific Themes **(10 Hrs)**

- a. Rule of law – Formal and substantive versions
- b. Separation of Powers – India, UK, USA, France
- c. Models of Secularism - USA, France, India
- d. Concepts of Social Justice – USA, South Africa and India

UNIT III: Review of Constitution **(10 Hrs)**

- a. Systems of constitutional review – India, USA, Switzerland, France
- b. Amendment of Constitution – Manner and Limitations in India, USA and South Africa

UNIT IV: Transparency and Accountability in governance **(10 Hrs)**

- a. Ombudsman – Sweden, UK and India (Lokpal & Lokayukt)
- b. Right to Information – Extent and its limits in USA, UK and India
- c. Independence of Judiciary – Appointment of Judges to higher judiciary, Judicial activism and accountability – India, UK and USA

PSDA (Professional Skill Development Activities) **(1Hr/Week)**

- Case comments
- Parliament Visit
- Moot Court
- Intra-parliamentary Proceedings
- Research paper

Text Books:

1. Joseph Minattur, Indian Legal System, ILI Publication, 2006 (2nd Revised Edn.)
2. D.D. Basu, Comparative Constitutional Law, LexisNexis, 2014 (3rdEdn.)
3. M.V. Pylee, Select Constitutions of the World, Universal, 2016 (4thEdn.)

Reference Books:

1. A. V. Dicey, Introduction to the Study of Law of the Constitution, Liberty Fund Inc, U.K, 1982
2. K. C. Wheare, Federal Government Ch. 1 & 2, Oxford University Press, London, 1970 (4th Edn.)
4. D.D. Basu, Comparative Federalism, LexisNexis, 2008 (2ndEdn.)
5. H.M. Seervai, Constitutional Law of India: A Critical Commentary, Universal, 2012 (4thEdn.)
6. V. N. Shukla, Constitution of India, Eastern Book Co., Lucknow, 2017, (13thEdn.)
7. M. P. Jain, Indian Constitutional Law, LexisNexis, 2017 (7thEdn.)

List of Cases:

1. Atheist Society of India v. Govt of AP, AIR1992 SC31
2. Golak Nath v. State of Punjab, AIR 1967 SC 1643
3. I.R. Coelho v. State of Tamil Nadu, AIR 2007 Sc 861

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4. Indra Nehru Gandhi v. Raj Narian, AIR1975Sc 2299
5. Keshavanand Bharti v. State of Kerala, AIR 1973 SC 1461
6. Kuldeep Nayyar v. UOI, AIR 2006 SC 3127
7. Maneka Gandhi v. UOI, AIR 1978 SC 597
8. Minerva Mills v. UOI, AIR 1980 SC 1789
9. Ram Jawayav. State of Punjab, AIR 1955 SC 549
10. S.C Advocate on Record Association v. UOI, AIR 1994 SC268
11. Sirros v. Moore (1975) Q.B. 118

Theory Paper

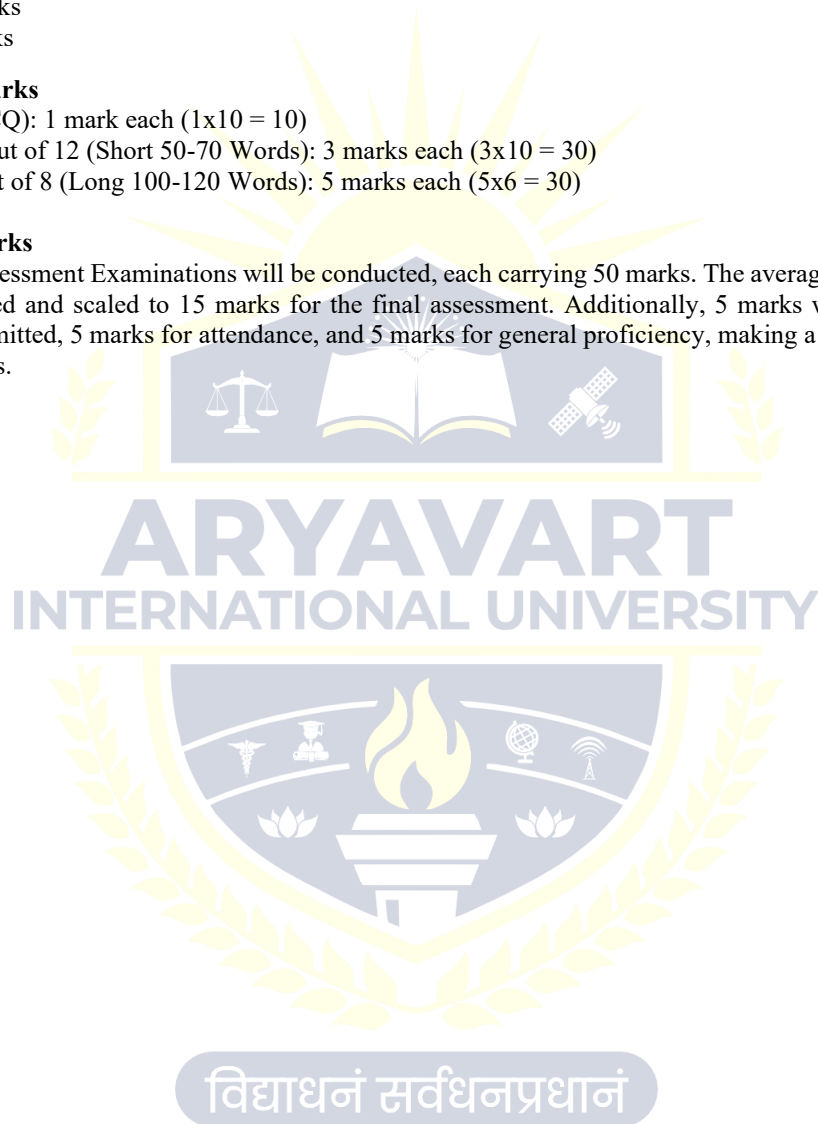
Total: 100 Marks
External: 70 Marks
Internal: 30 Marks

External: 70 Marks

10 Question (MCQ): 1 mark each (1x10 = 10)
Answer any 10 out of 12 (Short 50-70 Words): 3 marks each (3x10 = 30)
Answer any 6 out of 8 (Long 100-120 Words): 5 marks each (5x6 = 30)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be allotted for assignments submitted, 5 marks for attendance, and 5 marks for general proficiency, making a total of 30 internal assessment marks.



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Syllabus for BA LLB (H)

Semester 9

Theory										
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks	
25LW901	Legal Ethics and Court Crafts	4	0	0	4	70	30	0	100	
25LW303	Drafting, Pleading and Conveyancing	4	0	0	4	70	30	0	100	
25LW902	Land and Real Estate Laws	4	0	0	4	70	30	0	100	
Discipline Specific Elective										
A. Section I										
25LW911	Banking, Insolvency and Insurance Laws	4	0	0	4	70	30	0	100	
25LW912	Legal Research and Methodology	4	0	0	4	70	30	0	100	
25LW913	Health Care Laws	4	0	0	4	70	30	0	100	
25LW914	Tele Communication Laws	4	0	0	4	70	30	0	100	
B. Section II										
25LW921	Indirect Tax Laws	4	0	0	4	70	30	0	100	
25LW922	International Humanitarian and Refugee Laws	4	0	0	4	70	30	0	100	
25LW923	Socio Legal dimensions of Gender and Gender Justice	4	0	0	4	70	30	0	100	
25LW924	Right to Information, Vigilance and Whistle Blowers Protection	4	0	0	4	70	30	0	100	
C. Section III										
25LW604	International Organization	4	0	0	4	70	30	0	100	
25LW931	Sports & Media Law	4	0	0	4	70	30	0	100	
25LW932	Public Employment and Service Laws	4	0	0	4	70	30	0	100	
25LW933	Law and Empowerment of the Marginalized People	4	0	0	4	70	30	0	100	
	Summer Internship	0	0	2	2	0	30	70	100	
	Total				30	490	240	70	800	

Detailed Syllabus

LEGAL ETHICS AND COURT CRAFT

Code: 25LW901

Max Marks: 70

Course Objectives: This course aims to (i) impart knowledge about professionalism consistent with the legal profession's values and standards; and (ii) boost the ability of students to bridge the gap between law and society, exercising proper professional and ethical responsibilities to clients and the entire legal system.

UNIT I: Growth and Evolution of the Legal Profession in India

(12 Hrs)

- a. Legal Education in India- Development and the Role of its Regulatory Authorities
- b. Importance of the legal profession
- c. Development of law relating to legal profession in India
- d. The Advocates Act, 1961- An overview
- e. Bar Council of India-
 - i. Its constitution
 - ii. Powers and Duties
- f. State Bar Councils-
 - i. Its constitution
 - ii. Powers and Duties
- g. Different Committees under Bar Council of India and State Bar Councils
- h. Admission and enrollment of advocates
- i. Disqualification for enrolment
- j. Rights to practice
- k. Professional and other misconduct- Meaning
- l. How to make a complaint against an advocate
- m. Procedure after a complaint has been referred to a Disciplinary Committee
- n. Punishments
- o. Review and Appeal against the order of the disciplinary committees
- p. Consumer Protection Act- Advocates Deficiency of Service

UNIT II: Professional Ethics and Emerging Issues in Advocacy

(10 Hrs)

- a. Duty to court
- b. Duty to client
- c. Duty to opponent
- d. Duty to colleague
- e. Duty towards society and obligation to render legal aid
- f. Deficiency of Service by Lawyers and the Consumer Protection Act
- g. Advertising in legal profession
- h. Lawyers strike
- i. Entry of Foreign law firms in India
- j. Women's place at the bar

UNIT III: Bar-Bench Relation and Contempt of Court

(08 Hrs)

- a. Bench-Bar relation
- b. Contempt of Courts Act, 1971
- c. Contempt of court - meaning and nature
- d. Categories of contempt of court
- e. Basis and extent of contempt jurisdiction
- f. Procedure in case of contempt
- g. Punishment for contempt of court
- h. Defences
- i. Remedies against punishment

UNIT IV: Other Laws and Rules Essential for Advocacy

(10 Hrs)

- a. The Limitation Act, 1963.
 - i. Bar of Limitation
 - ii. Condonation of Delay
 - iii. Legal Disability
 - iv. Exclusion of Time of Proceeding in Good Faith in Wrong Court,

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- v. Acknowledgement
- vi. Law of Prescription
- vii. Adverse Possession
- b. The Registration Act, 1908.
 - i. Registration
 - ii. Compulsory Registered Documents s17
 - iii. Optional Registration s18
 - iv. Time and Place for Registration ss23-31
 - v. Effects of Registration and non-Registration ss47-50
- c. Supreme Court Rules
 - i. Advocates and their Course of Conduct
 - ii. Role of Single Judge and Registrar of the Supreme Court
 - iii. Types of Petition Entertained by the Supreme Court, Writ petition, Election Petition
- d. Delhi High Court Rules
 - i. Delhi High Courts Rules
 - ii. Advocates and their Course of Conduct
 - iii. Role and Power of Single Judge
 - iv. Civil and Criminal Jurisdiction of the Court

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Client Counselling
- Mock Trial
- Moot Court
- Client Interview

Text Books:

1. Kailash Rai, Legal Ethics, CLP, Allahabad 2007, (7thEdn.)
2. Raju Ramachandran, Professional Ethics for Lawyers-Changing Profession, Changing Ethics, Lexis Nexis, Delhi, 2014
3. GCV Subba Rao, Commentary on Contempt of Courts Act1971, ALT Publications, Delhi, 2014

Reference Books:

1. P. Ramanatha Iyer, Legal and Professional Ethics, Wadhwa, Nagpur, 2003 (3rdEdn.)
2. Chief Justice Dr B Malik, Art of a Lawyer - (Cross Examination, Advocacy, Court Manship), Lexis Nexis, Delhi, 2017 (12thEdn.)
3. N R Madhava Menon, David Annoussamy, D K Sampath, Adjudication in Trial Courts–A Bench book for Judicial Officers, Lexis Nexis, Delhi, 2012(1stEdn.)
4. N.R. Madhava Menon Murali Neelakantan Sumeet Malik, An Idea of a Law School- Ideas from the Law, EBC, Delhi, 2019
5. Selected Judgments on Professional Ethics, Vol. 1, Bar Council of India Trust, New Delhi, 2019(3rdEdn.)
6. Selected Judgments on Professional Ethics, Vol. 2, Bar Council of India Trust, New Delhi, 2019 (2nd Revised Edn.)
7. N.R. Madhava Menon (ed.), Legal Profession, B.C.I., Delhi, 1984
8. M.P. Singh, Outlines of Indian Legal and Constitutional History, Universal, Delhi, Chapter 13 (Legal Profession) (8thEdn.)
9. M.P Jain, Outlines of Indian Legal History, Wardha, Delhi (Chapter XXX, 'Growth of Legal Profession in India') (5thEdn.)
10. Thomas Morgan and Roland Rotunda, Professional Responsibility, Problems and Materials, Foundation Press, Delhi, (8thEdn.)
11. Sanjiva Row and Akshay Sapre, The Advocates Act, 1961, Lexis Nexis, Delhi, 2016

Act/ Rules/Regulations/Reports:

1. Legal Practitioners Act, 1879
2. Indian Bar Councils Act, 1926
3. India Bar Committee Report, 1923
4. All Indian Bar Committee Report, 1951
5. Law Commission of India 14th Report, 1958
6. The Advocates Act, 1961 Bare Act (Thomson Reuters)
7. The Contempt of Courts Act, 1971
8. The Limitation Act, 1963

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9. The Registration Act, 1908
10. Supreme Court Rules, 2013
11. Delhi High Court Rules, 1967
12. Part VI of Bar Council of India Rules 1975, (As amended up to 31st January, 2001), Chapter III Conditions for right to practice.
13. Part VII of Bar Council of India Rules 1975, (As amended up to 31st January, 2001), Chapter-I Complaints against Advocates and Procedure to be followed by Disciplinary Committees of the State Bar Council and the Bar Council of India.
14. Part VII of Bar Council of India Rules 1975, (As amended up to 31st January, 2001), Chapter – II Review

List of Cases:

1. Aswani Kumar Ghosh v. Arbind Bose, AIR 1952 SC 362
2. In re on advocate, AIR 1957 SC 149
3. Delhi Judicial Service Association v. State of Gujrat, AIR 1991 SC 2176
4. In re Dr. D.C. Sexenav. Hon'ble Chief Justice of India, AIR 1996 SC 2481
5. Supreme Court Bar association v. Union of India, AIR 1998 SC 1895
6. Bar Council of Maharashtra v. M.V. Dabhulkar 1976(1) SCR 306 also 1976 (2) SCR 48
7. Hanraj L. Chulaniv. Bar Council of Maharashtra 1996 (3) SCC 342
8. R.D. Saxena v. Balram Prasad, AIR 2000 SC 2912
9. Indian Council of Legal Aid v. Bar Council of India, AIR 1995 SC 691
10. Mahipal Singh Rana, Advocate v. State of Uttar Pradesh, 2016 CRI. L. J. 3734 SC
11. Bar Council of India v. High Court of Kerala 2004 AIR SCW 2684
12. R. K. Anand v. Registrar, Delhi High Court 2009 AIR SCW 6876

DRAFTING, PLEADING, AND CONVEYANCING

Code: 25LW303

Max Marks: 70

Course Objectives: This course aims at helping students: (i) to enhance their legal drafting skill which is one of the most intellectually demanding of all skills lawyers require; (ii) focus on the theory of effective drafting guidelines; (iii) emphasis on relevant formats to assist in understanding practical application of concepts and develop necessary skills for drafting legal documents; and (iv) to enable students to understand practical defects and difficulties in the legal drafting through critical assessment, scrutiny of documents and survey of cases.

UNIT I: Fundamental Pleadings

(10 Hrs)

- a. Pleadings (Order 6 CPC)
- b. Complaint Structure
- c. Written Statement and Affidavit
- d. Difference between Writ, Complaint, and Written Statement
- e. Fundamental Rules of Drafting
- f. Application under Section 5 of the Limitation Act
- g. Application for Setting aside ex parte Decree
- h. Application for execution
- i. Application for caveat section 148A of CPC
- j. Application for Compromise of Suit
- k. Writ Petitions

UNIT II: Civil Pleadings

(10 Hrs)

- a. Suit for Recovery under Order XXXVII of CPC
- b. Suit for Permanent Injunction
- c. Suit for Dissolution of Partnership
- d. Petition for dissolution of Marriage
- e. Application for Temporary Injunction Order XXXIX of CPC
- f. Appeal from Original Decree under Order 41 of CPC
- g. Revision Petition
- h. Review Petition

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UNIT III: Criminal Pleadings

(10 Hrs)

- a. Application under Section 156 CRPC
- b. Application for Bail
- c. Application under Section 125 CRPC
- d. Compounding of Offences by Way of Compromise under Section 320 (i) CRPC
- e. Complaint under Section 138, Negotiable Instruments Act, 1881
- f. Application under Section 482, CRPC

UNIT IV: Conveyancing

(10 Hrs)

- a. Notice to the Tenant under Section 106 of the Transfer of Property Act
- b. Notice under Section 80 of CPC
- c. Notice for Specific Performance of Contract
- d. Reply to Notice
- e. General Power of Attorney
- f. Special Power of Attorney
- g. Will
- h. Agreement to SELL
- i. Sale-Deed
- j. Lease-Deed
- k. Partnership Deed
- l. Mortgage Deed
- m. Relinquishment Deed
- n. Deed of Gift

Model Drafts

- i. Petition for Grant of Probate / Letters of Administration
- ii. Application for Appointment of Receiver/Local Commissioner
- iii. Application for Appointment of Guardian
- iv. Application to Sue as an Indigent Person under Order 33 CPC
- v. Appeal from orders under order 43 of CPC
- vi. Appeal from appellate decree
- vii. Reference to Arbitration and Deed of Arbitration

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- ❖ Drafting of Different types of Legal documents and Deeds, etc.
- ❖ Drafting of Notices
- ❖ Scrutiny of Documents
- ❖ Survey of Cases due to Drafting Defects

Text Books:

1. N.S. Bindra, Conveyancing, Draftsman and Interpretation of Dates, Delhi Law House, Delhi, 1985
2. G.C. Mogha & S. N. Dhingra, Mogha's Law of Pleading in India with Precedents, Eastern Law House, Delhi, 2013(18th Edn.)

References:

1. R.N. Chaturvedi, Conveyancing, Eastern Book Company, Lucknow, 2011 (7th Edn.)
2. G.C. Mogha, Indian Conveyancer, Dwivedi Law, Allahabad, 2009 (14th Edn.)
3. C. R. Datta & M.N. Das, D'Souza's Form and Precedents of Conveyancing, Eastern Law House, Delhi, 2008 (13th Edn.)
4. Rodney D. Ryder, Corporate and Commercial Agreements Drafting Guidelines, Forms and Precedents, Universal Law Publishers, New Delhi, 2011
5. MC Agarwal & GC Mogha, Mogha's Pleading, EBC, Lucknow, 2017 (Latest Edn.)
6. KS Gopalakrishnan's Pleadings and Practice, ALT Publications, Hyderabad, 2014

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LAND AND REAL ESTATE LAWS

Code: 25LW902

Max Marks: 70

Course Objectives: The objective of the course is to (i) provide a strong foundation to students on laws related to real estate fields and legal matters related to real estate and property; and (ii) The course will impart sufficient knowledge on the issues such as real estate agreements, land acquisition, sale transactions, registration of new projects, building permits, compliance requirements, disputes over lease, illegal encroachment of property, benami transaction, disputes between builders and unpaid vendors, real estate agreements, housing society disputes etc.

UNIT I: Land Reforms

(12 Hrs)

- a. Land Reforms in India: Mahal Wari System, Ryotwari System, Zamindari System
- b. Agrarian Relations in Pre-Independent India, Constitutional Imperatives and Objectives relating to Agrarian Reforms: Constitutional Provisions and Amendments, Development of cooperative farming and reorganization of agriculture.
- c. Land consolidation
- d. Land ceilings
- e. Abolition of intermediaries
- f. State enactments prohibiting alienation of land by tribals to non tribals

UNIT II: Land Acquisition

(08 Hrs)

- a. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013- Object and scope, Definitions- Affected Area, Affected Family, "Person Interested",
- b. Determination of social impact and public purpose, preliminary investigation, appraisal by expert group
- c. Notification and acquisition
- d. Process of Land Acquisition
- e. Rehabilitation and resettlement award
- f. Procedure and manner of rehabilitation and resettlement
- g. National monitoring committee for rehabilitation and resettlement
- h. Establishment of land acquisition, rehabilitation and resettlement authority
- i. Apportionment and payment of compensation
- j. Temporary occupation of land
- k. Offences and penalties
- l. Problems in implementation

UNIT III: Real Estate Development and Apartment Ownership

(08 Hrs)

- a. Real Estate Regulatory Act, 2016 (RERA)
 - i. Object and Scope
 - ii. Definitions and concepts- Carpet Area, Common Areas, Apartment, Building.
 - iii. Registration of Real Estate Project and Real Estate Agents
 - iv. Functions of Real Estate Agents, Promoter, Allottees – Powers, duties and functions.
 - v. Authorities- Real Estate Regulatory Authority, Central Advisory Council, Real Estate Appellate Tribunal, Powers and Functions.
 - vi. Offences, Penalties and Adjudication
- b. Role of DDA and overview of Delhi Apartment Ownership Act, 1986

UNIT IV: Rent Laws

(12 Hrs)

- a. Introduction to the Delhi Rent Control Legislation: 1958 and 1995
- b. Definition and Concepts- Landlord, Premises, Tenant, Basic Rent and Standard Rent
- c. Rights of Tenant and Landlord
- d. Grounds of eviction
- e. Provisions Safeguarding Sub-Tenant-Recovery of Possession
- f. Dispute settlement mechanism - Summary Trial, Deposit of Rent, Special Obligations of Landlords and Penalties.

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Research Paper/Project work
- Preparation of Rent Deed/ Notice of Eviction
- Visit to Land Acquisition and Rehabilitation Sites
- Visit to Rent Controller Office

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Text Books:

1. Jaspal Singh, Delhi Rent Control Act, Pioneer Books, Delhi, 2007
2. V.N. Shukla, Constitution of India, Eastern Book Agency, Lucknow, 2014
3. P.K. Sarkar, Law of Acquisition of Land in India, Eastern Law House, Delhi, 2012
4. S.U. Khan, Law of Rent Control in India, Universal Law Publishing (a unit of Lexis Nexis), Delhi, 2017
5. D.P.S. Kanwal, Land Laws (Including Land Acquisition and Rent Laws), Satyam Law International, New Delhi, 2014

Reference Books:

1. All India Rent Control Journal, Vinod Publication, Delhi, 1993
2. Commercial's The Real Estate (Regulation And Development) ACT, 2016 (2019-20 Session) Paperback, Commercial Law House, Delhi, 2019

List of Cases:

1. Indore Development Authority v. Manohar Lal Sharma, S.L.P. (C) Nos. 9036-9038 of 2016, decided on 06.03.2020
2. Chennai Metropolitan Development Authority v. D. Rajan Dev, (2020) 2 SCC 483
3. A. Mahalakshmi v. BalaVenkatram, (2020) 2 SCC 531]
4. Vidya Devi v. State of H.P., (2020) 2 SCC 569
5. Bihar Industrial Area Development Authority v. Amit Kumar, (2019) 10 SCC 733]
6. Alok Ranjan v. State of Bihar, 2019 SCC OnLine Pat 465
7. Tejpal Singh v. State of U.P., Writ C No. 7218 of 2019
8. Kapila Majhi v. State, 2019 SCC OnLine Ori 181
9. Gayatri Devi v. State of Uttar Pradesh, Writ- C No. 14473 of 2019
10. Binod Behera v. Tahasildar, 2019 SCC OnLine Ori 283
11. Flora Elias Nahoum v. Idrish Ali Laskar, (2018) 2 SCC 485
12. Maya Devi v. State of Haryana, (2018) 2 SCC 474]
13. Kuldeep Kaur v. MVL Ltd., Complaint No. RAJ-RERA-C-2018-2127
14. Neelkamal Realtors Suburban Pvt. Ltd. v. Union of India, 2017 SCC OnLineBom 9302

BANKING, INSOLVENCY AND INSURANCE LAWS

Code: 25LW911

Max Marks: 70

Course Objectives: This paper aims to enable students to (i) orient them towards emerging dimensions of the banking and insurance sectors bringing transformation in the role played by these sectors; (ii) develop comprehensive understanding of principles, practices and legal framework relating to banking and insurance; and (iii) study relevant statutes along with judicial interpretations which is focused towards encouraging critical and creative thinking.

UNIT I: Banking System in India

(10 Hrs)

- a. Historical Development of Banking System in India
- b. Bank Nationalization and Social Control
- c. Salient features of Banking Regulation Act, 1949 (Definitions, functions of banks and powers of RBI), Commercial & Investment Banking
- d. Relationship between Banker and Customer, KYC Norms,
- e. Banking Ombudsman and Application of Consumer Protection Law in Banking Services

UNIT II: Lending, Securities and Recovery Process by Banks

(10 Hrs)

- a. Principles of Lending
- b. Nature of Securities, Collateral and other Securities
- c. Scope, Nature and process of recovery under Recovery of Debts and Bankruptcy Act, 1993
- d. Non-performing Assets and Role of SARFAESI, 2002, Important Definitions and Enforcement of Security Interest
- e. Wilful Defaulter and Nature of Bank Fraud (Applicable laws and RBI Guidelines)

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UNIT III: Introduction to Insolvency and Bankruptcy Regime in India

(10 Hrs)

- a. Need, Rationale and objectives of Insolvency and Bankruptcy Code
- b. Role of Authorities and enforcement mechanism
- c. Creditors, Corporate Insolvency Resolution Process
- d. Contemporary Case Studies

UNIT IV: Insurance Law

(10 Hrs)

- a. Nature and Fundamental Principles of Insurance Contracts
- b. Kinds of Insurance: Life Insurance, Fire Insurance, Marine Insurance and Medi-claim Insurance
- c. Motor Vehicles Insurance (with reference to Third Party Insurance), MACT
- d. Powers, Duties of Insurance Regulatory Development Authority under IRDA Act 2002
- e. Application of Consumer Protection with reference to Insurance Services

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Visit to Debt Recovery Tribunal
- Study/Analysis of cases decided by IRBI, DRT
- Seminar & essay competition based on contemporary issues of banking law, Insolvency and Bankruptcy Laws
- Community Outreach Program on banking and Insurance Services

Text Books:

1. M.L. Tannan, Banking Law and Practice in India, Lexis Nexis, 2019 (23rd Edn.)
2. Banking and Insurance Law and Practice, Institute of Company Secretaries of India, Taxmann India, 2019
3. M.N. Mishra, Law of Insurance, Central Law Agency, Delhi, 2012, (9th Edn.)
4. V.S. Datey, Guide to Insolvency and Bankruptcy Code, 2016, Taxmann India, 2018
5. Ashish Makhija, Insolvency and Bankruptcy Code of India, LexisNexis India, 2018

Reference Books:

1. K.C. Shekhar, & Lekshmi Shekhar, Banking Theory and Practice, Vikas Publishing House, 2005 (19th Edn.)
2. J N Jain & R K Jain, Modern Banking and Insurance: Principles and Techniques, Regal Publications, 2008
3. Jyotsana Sethi & Nishwar Bhatia, Elements of Banking and Insurance, PHI Publishers, 2012 (2nd Edn.)
4. John Birds, Modern Insurance Law, Universal Publishing Co., 2003
5. Shah, Landmark Judgments on Insurance, Universal Publishing Co., 2004
6. C. Rangarajan, Handbook of Insurance and Allied Laws, Taxmann India, 2015

List of Cases:

1. Rustam Cawasjee Cooper v. Union of India, AIR 1970 SC 564.
2. All India Bank Officer's Confederation v. Union of India, AIR 1989 SC 2045.
3. Tara Chand Vyas v. Chairman Disciplinary Authority, AIR 11997 SCC 565.
4. Sajjan Bank (Pvt.) Ltd v. Reserve Bank of India, AIR 1961 Mad.8.
5. Canara Bank v. PRN Upadhyaya (1998) 6 SCC 526.
6. Pink v. Fleming (1890) 25 QBD396.
7. Mithoolal Nayak v. Life Insurance Corporation of India, AIR 1962 SC 814.
8. Kasim Ali Bulbul v. New India Assurance Co., AIR 1968 J&K 39.
9. Swiss Ribbons Pvt. Ltd. & Anr. v. Union of India, WP(Civil) No. 99 of 2018.
10. K. Kishanv. M/s Vijay Nirman Company Pvt. Ltd, Civil Appeal No. 21824 of 2017.
11. Nikhil Mehta & Sons (HUF) & Ors. v M/s AMR Infrastructures Ltd. (NCLT Delhi), C.P NO. (ISB)-03(PB)/2017.
12. Anuj Jain Interim Resolution Professional for Jaypee Infratech Limited v. Axis Bank Ltd., Civil Appeal Nos. 8512-8527 of 2019.
13. Tata Steel BSL Limited & Anr. v. Union of India & Anr. W.P.(Crl) 3037/2019.

LEGAL RESEARCH AND METHODOLOGY

Code: 25LW912

Max Marks: 100

Course Objectives: The objective of the course on Legal Research and Methodology is to enable the student (i) to understand the relevance, nature, types and tools of legal research; (ii) get a firm grounding in research techniques and methodologies appropriate to legal research; (iii) critically analyse and engage with relevant primary and secondary sources; (iv) identify and formulate proper research problems; (v) acquaint themselves with the process of formulating and developing research questions and hypotheses suitable for designing research framework; and (vi) collect, interpret and analyse data accurately.

UNIT I: Nature of Research – An Introduction

(12 Hrs)

- a. What is Research?
- b. Relevance of Legal Research
 - i. Objective of Legal Research
 - ii. Need for Legal Research and Importance of inter-disciplinary approach
 - i. Significance of Legal Research in India
 - ii. Legal Research as a profession in India
- c. Types of Research
 - i. Doctrinal or Traditional Research
 - ii. Non-doctrinal or Empirical Research
 - iii. Descriptive and Analytical Research.
 - iv. Applied and Fundamental Research
 - v. Qualitative and Quantitative Research
 - vi. Law Reform Research
 - vii. Historical Research
 - viii. Sociological Research

UNIT II: Research Processes

(10 Hrs)

- a. Identification of Research Problems
- b. Review of Literature
- c. Formulation of a Hypothesis/ research questions
- d. Sampling techniques
- e. Research Design
- f. Research Report - Use of Citations (Blue Book Citations - ILI Format), Foot Notes, Reference, Bibliography, Indexes, Appendix, etc.
- g. E- Resources
- h. Plagiarism
- i. Copyright Infringement

UNIT III: Methods of Investigation and tools for collection of data

(10 Hrs)

- a. Methods of Data Collection (Observation, Interview, Questionnaire, Schedules, Case Study)
- b. Tabulation and Evaluation of Data.
- c. Sampling (Advantages and Limitations of Sampling, Theoretical basis of Sampling, Classifications
 - a. of sampling, Sampling and Non- sampling Error)
- d. Jurimetrics

UNIT IV: Analysis and Interpretation of Data

(08 Hrs)

- a. Application of Content Analysis in Legal Research
- b. Analysis of aggregate Data
- c. Data Interpretation
- d. Legal input Analysis, the ideal and the practicable
- e. Data Processing- Summarizing of data, Codification and Tabulation

PSDA (Professional Skill Development Activities)

(1Hr/Week)

- Preparing a Questionnaire
- Identifying Research Material
- Writing a Hypothesis and preparing a synopsis
- Understanding legal research writing

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Text Books:

1. L. Morris Cohen, Legal Research in Nutshell, West Publishing Co., Minnesota, 1996
2. C.K. Kothari, Research Methodology: Methods and Techniques, Wilsey Eastern Limited, New Delhi, 2009.
3. Dawn Watkins and Mandy Burton, Research Method in Law (eds.), Routledge Publishers, London, UK, 2013.
4. Tiwari H.N., Legal Research Methodology, Allahabad Law Agency, Haryana, 1997, 2003.
5. S.K. Verma & M Afzal Wani, Legal Research and Methodology, ILI Publications, New Delhi, 2001.
6. Manoj Kumar Sinha & Deepa Kharb, Legal Research and Methodology, Lexis Nexis, India, 2017 (1stEdn.)
7. Vijay. K. Gupta, Decision Making in the Supreme Court of India: A Jurimetric Study, Kaveri Books, Delhi, 1995.

Reference Books:

1. Williams J. Grade & Hatt K Paul, Methods in Social Research, McGraw-Hill Book Company, London & Singapore, 1985 (Reprint)
2. B.N. Ghosh, Scientific Methods and Social Research, Sterling, New Delhi, 2003
3. Michael J. Crotty, The Foundations of Social Research: Meaning and Perspective in the Research Process, Sage Publications, London, Thousand Oaks, Delhi, 2012
4. Alan Bryman, Social Research Methods, OUP, UK, 2008
5. Matthew B. Miles, Qualitative Data Analysis: An Expanded Sourcebook, 1994, Sage Publications (CA) (2ndEdn.)

Code: 25LW913

Max Marks: 100

Course Objectives: This paper aims to focus (i) on various aspects of health care law; and (ii) discuss the constitutional perspective; (iii) highlight the obligations and negligence of medical professionals; and (iv) remedies available to consumers of health care.

UNIT I: Medicine and Healthcare

(10 Hrs)

- a. Emerging Health issues: National and International perspective
- b. Constitutional Provisions
 - i. Right to Health be expressly made Fundamental Right by Constitutional Amendment
 - ii. Remedies Available under the Indian Constitution
 - iii. Right to Information vis-à-vis the Right to Confidentiality
 - iv. Clinical trials and Human Rights of participants undergoing clinical trials

UNIT II: Legal dimensions of Healthcare and Medical ethics

(10 Hrs)

- a. Transplantation of Human Organs Act, 1994
- b. Pre-Conception and Pre Natal-Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994
- c. The International Code of Medical Ethics
- d. Mental Healthcare Act, 2017.
- e. The Drugs and Cosmetics Act, 1940

UNIT III: Medical Negligence

(10 Hrs)

- a. Ingredients
- b. Role of Consent in Medical Practice
- c. Error of Judgment and Gross Negligence
- d. Wrongful Diagnosis and Negligent Diagnosis

UNIT IV: Remedies for Medical Negligence

(10 Hrs)

1. Remedies:
 - a. Law of Torts
 - b. Law of Crimes
 - c. Consumer Protection Law
2. Lifesaving drugs: Balancing a private and public interest

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PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Research paper / Project work on emerging health issues
- Drafting RTI seeking information from Government hospitals
- Visit rehabilitation centres or mental asylums
- Observation of Consumer court proceedings in the cases of Medical Negligence

Text Books:

1. Anoop K. Kaushal, Medical Negligence & Legal Remedies, Universal Law Publications, Delhi, 2004
2. Dr. Jagdish Singh, Medical Negligence Compensation, Bharat Law Publications, Delhi, 2014

Reference Books:

1. Transplantation of Human Organs Act, 1994
2. PNDT Act, 1994
3. Indian Medicine Central Council Act, 1970
4. Dentists Act, 1948
5. The Drugs and Cosmetics Act, 1940
6. Mental Health Care Act, 2017

List of Cases:

1. Javed v. State of Haryana, AIR 2003 SC 3057.
2. Spring Meadow Hospital v. Harijol Ahluwalia, AIR 1988 SC 180.
3. Paschim Bangal Khet Mazdoor Samity & Others v. State of West Bengal & Other, AIR 1996 SC 2426.
4. State of Punjab v. Ram Lubhaya Bagga, AIR 1988 SC 117.
5. Pramanand Katara v. Union of India & Other, AIR 1989 SC 2039.
6. State of Karnataka v. Manjanna, AIR 2000 SC 2231.
7. CESE Ltd v. Subhash Chandra Bose, AIR 1992 SC 573.
8. Vincent v. Union of India, AIR 1987 SC 990.
9. Consumer Education & Research Centre & others v. Union of India, AIR 1995 SC 42.
10. In Re: Contagion of Covid 19 Virus in Prisons Petitioner v. Respondents, Suo Motu Writ Petition (Civil) No.1/2020, https://main.sci.gov.in/pdf/LU/16032020_100611.pdf

TELECOMMUNICATION LAWS

Code: 25LW914

Max Marks: 100

Course Objectives: The main purpose of the paper is to: (i) introduce the conceptual aspect of Telecommunications Law; and (ii) focus on the prevailing legal and regulating framework at national as well as International Level.

UNIT I: Introduction

(10 Hrs)

- a. Historical Evolution of Telecommunications Law.
- b. Terrestrial and Satellite broadcasting
- c. Internet services
- d. Cable television
- e. Telecommunication Laws in India: The Indian Telegraph Act 1885 – Telecom Regulatory Authority of India

UNIT II: International Bodies

(10 Hrs)

- a. International Regulations
- b. ITU Reform
- c. ICANN
- d. World Trade Organization

UNIT III: Reforms in Telecommunication

(10 Hrs)

- a. Economic reform in Telecommunication
- b. Constitutional aspects of Telecommunication
- c. Liberalization and deregulation policies of Govt.
- d. Foreign Direct Investment Policy in Telecommunication
- e. Technological reforms: Satellite Communication, Internet

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UNIT IV: Telecommunications: Issues and Challenges

(10 Hrs)

- a. Jurisdictional issues: National & International Aspects
- b. Cellular and mobile services
- c. Dispute Settlement under TRAI
- d. Consumer Protection
- e. Intellectual Property Rights
- f. Competition Law

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Discussions/Symposium/Seminars on Policy Issues
- Research on frontier areas in Telecommunication Laws
- Moot court Problems/Arbitration/Online Dispute Mechanism

Text Books:

1. Global Legal Group, The International Comparative Legal Guide to Telecommunication Laws and Regulations 2019: A Practical Insight to Cross-border Telecommunication Laws and Regulations, Global Legal Group, London, UK, 2008
2. India Telecom Laws and Regulations Handbook, Volume1, International Business Publications, USA, 2010
3. Vikram Raghavan, Communications Law in India: Legal Aspects of Telecom, Broadcasting, and Cable Services, LexisNexis Butterworths Wadhwa, Nagpur, 2007

Reference Books:

1. Media and Telecommunication Laws, Universal Law Publishing Company, 2009
2. Department of Telecommunication, Ministry of Communication and Information Technology, website: <http://www.dot.gov.in/>
3. Amit M. Schejter (ed.), Telecommunications, Broadcasting, and Information: Law, Policy, and Regulation, Cognella Academic Publishing, California, USA, 2012

Bare Acts:

1. The Indian Telegraph Act, 1885
2. Telecom Regulatory Authority of India Act, 2001
3. Information Technology Act, 2000

INDIRECT TAX LAWS

Code: 25LW921

Max Marks: 100

Course Objectives: This paper aims to enable the students to (i) examine the recent tax reforms in India in the form of GST; (ii) understand its aims, objectives and benefits; (iii) know about the principles related to classification of goods and services under GST regime; and (iv) understand the administrative framework of GST.

UNIT I: Introduction and Basic Concepts

(10 Hrs)

- a. Constitutional Frameworks of Good and Service Tax
- b. Rationale, objectives and Structure of GST
- c. Concept of CGST, SGST, IGST
- d. Administrative Structure: GST Council, GST Networks, State compensation Mechanism
- e. Registration, Its Procedure and Unit of Registration

UNIT II: Levy and collection of GST

(10 Hrs)

- a. Taxable Events: Concept of Supply of Goods and Services, Time and Place of Supply, Imports of Services
- b. Transaction Value, Its Inclusion and Exclusion
- c. Valuation Rules, Composite Levy Scheme
- d. Classification of Goods and Services

UNIT III: Input Tax Credit

(10 Hrs)

- a. Meaning and Concept of Input Tax Credit, Eligibility and Exempted Goods
- b. Input tax credit of Capital Goods,

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- c. Apportionment of Credit and Blocked Credit
- d. Payments of Taxes, Refund, Doctrine of Unjust Enrichment, TDS, TCS and Reverses Charge Mechanism

UNIT IV: Procedures and Customs Law

(10 Hrs)

- a. Tax Invoice, Credit and Debit Notes, Returns and Audit
- b. Assessment: Self-Assessment, Provisional, Summary and Best Judgement Assessment
- c. Anti- Profiteering, E- Way bill, offences and Penalty
- d. Customs Law: Basic Concept, Types of Custom Duties, Valuation
- e. Territorial Waters, Exclusive Economic Zone, High Seas, Indian Custom Waters
- f. Baggage Rules and Exemption.

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Comparative study of Classification of Goods-India and Global
- Registration Procedures
- Procedure of Allotment of GST Number
- Electronic filing GST Returns

Text Books:

1. SS Gupta, GST Manual with GST Law Guide & Digest of Landmark Rulings, Taxmann's Publication House, Delhi, 2020 (13thEdn.)
2. V.S. Datey, Customs Law Practice & Procedures, Taxmann's Publication House, Delhi, 2018 (21st Edn.)
3. V.K. Singhania, A Students' Guide to GST and Customs Law, Taxmann India, 2020 (5thEdn.)

Reference Books:

1. Divya Bansal, Law Relating to GST: A Section wise Commentary on GST Law, Taxmann, India, 2020
2. Milind Kumar, Good and Service Tax, EBC, Allahabad, 2020

INTERNATIONAL HUMANITARIAN AND REFUGEE LAWS

Code: 25LW922

Max Marks: 100

Course Objectives: The objective of the course is to enable the students to (i) comprehend the complex relationship between the IHRL, IHL, IRL treaties and the rules (ii) reflect on the ethical values as the foundation of humanitarian and refugee law, with special focus on contemporary challenges and (iii) develop respect for refugees and victims of armed conflicts armed stimulate sensitivity and constructive criticism in the students, which are necessary for life-long conflict earning and respect for human rights even in crises and conflicts.

UNIT I: Introduction

(10 Hrs)

- a. Global standards of human rights
- b. Linkage between international human rights law (IHRL), International humanitarian law (IHL) and international refugee law (IRL)
- c. Evolution of humanitarian law – Causes and Response
- d. Evolution of International Refugee Regime –Causes and Response

UNIT II: International Humanitarian laws

(10 Hrs)

- a. Geneva Conventions
- b. The concepts of international and internal armed conflicts
- c. Means and methods of warfare
- d. Protection of victims of war and armed conflicts
- e. Combatants and prisoners of war
- f. Terrorism and international humanitarian law
- g. Role of International Criminal Court, ICRC and UN Security Council

UNIT III: Refugee Laws –International Framework for Refugee Protection

(10 Hrs)

- a. The Evolution of the International Refugee Regime
- b. The Statute of the UNHCR for Refugees

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- c. Principles and Concepts of Refugee Law - (Asylum, Protection, Non-refoulement, Non-discrimination, Family Unity, Durable Solutions, International Cooperation etc.)
- d. Refugees vis a vis Migrants, Immigrants and Internally Displaced Persons
- e. The 1951 Refugee Convention and its 1967 Protocol
- f. Protection of refugees under UDHR and ICCPR

UNIT IV: Other Legal Frame works for Refugee Protection

(10 Hrs)

- a. Other relevant conventions (The UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, The UN Convention on the Rights of the Child, The Geneva Conventions and Protocols: Minimum Standards in Times of War)
- b. Special Forms of Protection and Status; Temporary Protection
- c. Cartagena Declaration 1984
- d. Issues associated with Refugee Crisis
- e. The Refugee Problem in Asia and Africa

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- Classification of situations of violence and of the actors encountered in armed conflict
- Selected case studies form International Criminal Court
- Discussions and debates on emerging topics such as Cyber war, new technologies and classification of conflicts, National Security vis a vis Refugees, environmental Refugees etc.

Text Books:

1. Marco Sassoli, International Humanitarian Law: Rules, Controversies and Solutions to Problems Arising in Warfare, Edward Elgar Publishing, 2019
2. B.S. Chimni, International Refugee Law: A Reader, Sage Publications, New Delhi, 2000

Reference Books:

1. Ingrid Detter, The Law of War, Cambridge University Press, Cambridge, 2000 (2ndEdn.)
2. Roberts and R. Guelff, (ed)., Documents on the Laws of War, Oxford University Press, 2000, (3rdEdn.)
3. Gary D. Solis, The Law of Armed Conflict: International Humanitarian Law in War, Oxford University Press, 2010
4. Eran Shor and Stephen Hoadley (ed), International Human Rights and Counter-Terrorism, Springer, Singapore, 2019
5. M. Rafiqul Islam and Md. Jahid Hossain Bhuiyan, An Introduction to International Refugee Law, Martinus Nijhoff Publishers, Belgium, 2013
6. B.S. Chimni, "The Birth of a Discipline: From Refugee to Forced Migration Studies", 22. 1 Journal of Refugee Studies, PP. 11-29 (2009).

List of Cases:

1. Nicaragua v. United States, ICJ Reports, 1986, 14
2. Cyprus v. Turkey, 120, ILR, 10
3. United States v. List, 15, Annual Digest, 632-653
4. Jones v. Saudi Arabia [2006] UKHL 26
5. R v. Secretary of State for Defence [2004] EWHC 2911
6. Negusie v. Holder, 555 U.S. 511 (2009)
7. A v. Minister for Immigration & Ethnic Affairs (1997) 142 A.L.R. 331 (Austl.)
8. Fedorenko v. United States, 449 U.S. 490 (1981)
9. Fornah v. Secretary of State for the Home Department [2006] UKHL 46
10. B v. Refugee Appeals Tribunals and Minister for Justice, Equality and Law Reforms [2011] I.E.H.C. 198
11. Citizens for Democracy v. State of Assam, 1995 SCC 743
12. Peoples Union for Civil Liberties [PUCL] v. Union Of India and Anr, AIR 1997 SC 568
13. Croatia v. Serbia, ICJ 2008 (GL No. 118)
14. Belgium v. Senegal, ICJ 2012 (GL No. 114)
15. Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo), ICJ GL No 103, ICGJ 52 (ICJ 2007)
16. Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory - Advisory Opinion [2004] ICJ Rep 136

SOCIO-LEGAL DIMENSIONS OF GENDER AND GENDER JUSTICE

Code: 25LW923

Max Marks: 100

Course Objectives: This paper's objective is to: (i) to sensitize the students about the changing dimensions of gender and also familiarizes them with the subtle manifestations of inequality rooted in our society; (ii) sensitize students about the importance of gender justice; (iii) make them aware about existing legal framework in the backdrop of social construct with a view to enable them to exhibit reflective thinking; and (iv) promote moral and ethical awareness in the existing legal system in India.

UNIT I: Introduction

(10 Hrs)

- a. Gender as a social construct, Gender stereotyping
- b. Production of masculinity and femininity, toxic masculinity
- c. Patriarchy, sexuality and control over sexuality, subordination of women
- d. Gender sensitization- problems and strategies
- e. Gender mainstreaming, Integrating gender into sustainable development
- f. Gender in media, Gender - Sensitive Indicators for Media (GSIM)

UNIT II: Feminist Jurisprudence

(10 Hrs)

- a. Constitution and Gender justice
- b. CEDAW, UN Conventions
- c. Perpetuation of Gender inequality
- d. Judicial Approaches to equality rights in India, with respect to gender
- e. Eco-feminism and feminism in bio-diversity

UNIT III: Social Issues and Related Laws

(10 Hrs)

- a. Honour killing
- b. Witch hunting
- c. Trafficking
- d. Female foeticide
- e. Prostitution
- f. Male victimisation

UNIT IV: Contemporary Gender Issues

(10 Hrs)

- a. Gender identities, social stigma and social exclusion
- b. Gendered bodies and sexualities
- c. Discrimination and violence against the third gender
- d. Emerging trends with respect to LGBT Community (Transgender Persons (Protection of Rights) Act, 2019)
- e. Global justice for third gender
- f. Transgenders Rights Act, legal gender recognition, Sec 377

PSDA (Professional Skill Development Activities) (1Hr/Week)

- Pursue a project on various manifestations of gender justice. This could take the form of a research paper or a workshop or an AV presentation.
- Student could also do a case study on a Self-Help Group which works towards the cause.

Text Books:

1. Nivedita Menon, (ed.), Gender and Politics in India, Oxford University Press, New Delhi, 1999
2. Madhu Kishwar, Off the Beaten Track: Rethinking Gender Issues for Indian Women, Oxford India Paperback, New Delhi, 2002
3. F. Agnes, (1999) Law and Gender Inequality: The Politics of Women's Rights in India, Oxford University Press, New Delhi, 1999
4. Amy. S. Wharton, The Sociology of Gender: An Introduction to Theory and Research, Wiley Blackwell, NJ, USA, 2004
5. Hines, Sally and Sanger, Tam (2010) Transgender Identities: Towards a Social Analysis of Gender. (ed) New York, Routledge, 2010
6. Laura Kramer, The Sociology of Gender, Roxbury Publishing Co., Los Angeles, 2005
7. Nandita Haskar, Demystification of Law for Women, Lancer Press Columbia, Distributed by South Asia Books, New Delhi, 1986

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Reference Books:

1. Sherry Ortner, "Is male to female as nature is to culture?" M.Z. Rosaldo and L. Lamphere (eds.) Women, Culture and Society, Stanford University Press, Stanford, pp. 67- 87, 1974
2. Patricia Uberoi, "Feminine Identity and National Ethos in Indian Calendar Art" In Economic and Political Weekly, Vol. 25, No. 17, pp. WS41-WS48, Apr. 28, 1990
3. David Gauntlett, Media, Gender and Identity: An Introduction, London: Routledge, 2008
4. B. Agarwal, "Patriarchy and the 'Modernizing' State", in Agarwal B. Structures of Patriarchy: The State, the Community and the Household, Zed Press, London, 1998
5. Leslie Feinberg, Transgender Liberation: A Movement Whose Time has Come, World View Forum Pub., NY, pp 205-220, 1992
6. Susan Stryker, Transgender History, Berkley, Seal, 2008
7. Christopher A. Shelley, Transpeople: Repudiation, Trauma, Healing, Toronto, University of Toronto Press, 2008
8. Nadine Taub & Elizabeth Schneider, "Perspective on Women's Subordination and the Role of Law" in D. Kairys (ed) The Politics of Law: A Progressive Critique, pp 328-355, Basic Books, NY, 1998
9. Madhu Kishwar, "Some Aspects of Bondage: The Denial of Fundamental Rights to Women" in, A.R. Desai(ed.), Expanding Government Lawlessness and Organised Struggles, Popular Prakashan, Bombay, 1991
10. Tharu Susie, and Tejaswini Niranjana, "Problems for a contemporary theory of gender" in Nivedita Menon (ed.) Gender and Politics in India, Oxford University Press, New Delhi, pp 494-525, 1999
11. Radha Kumar, "From Chipko to Sati: The Contemporary Indian Women's Movement" , in Nivedita Menon (ed.), Gender and Politics in India, Oxford University Press, New Delhi, pp 342-369, 1999

List of Cases:

1. Air India v. Nargesh Meerza, 1981 AIR 1829: 1982 SCR (1) 438
2. Navtej Singh Johar v. Union of India (2018) 10 SCC 1
3. Shakti Vahini v. Union of India and Ors. (2018) 7 SCC 192
4. National Legal Services Authority v. Union of India and Ors. (2014) 5 SCC 438 (SC)
5. Naz Foundation v. Government of Delhi and Ors., 160 DLT 277
6. State of Uttar Pradesh v. Kaushailaiya, 1964 SCR (4) 1002
7. Sareetha v. Venkata Subbahiah, AIR 1983 AP 356
8. Purananda Banerjee v. Sm. Swapan Banerjee and Anr. AIR 1981 Cal 123
9. Gaurav Jain v. State of Bihar and Ors. (1996) 5 SCC 125
10. Smt. Laxmi Kachhwaha v. The State of Rajasthan. AIR 1999 Raj HC 254
11. Budhadev Karmaskar v. State of West Bengal (2011) 11 SCC 538
12. Apne Aap Worldwide Trust v. The State of Bihar and Ors, 2015 (1) PLJR 268

RIGHT TO INFORMATION, VIGILANCE AND WHISTLE BLOWERS' PROTECTION

Code: 25LW924

Max Marks: 100

Course Objectives: The object of this paper is to (i) make the students understand the procedures of Right to Information Act; (ii) ensure effective functioning of the civil society; and (iii) discuss the latest Acts and the Whistle Blowers Protection Act.

विद्याधनं सर्वधनप्रधानं

UNIT I: Right to Information Act, 2005

(12 Hrs)

- a. Right to Information – Origin, nature, basis and scope
- b. Definitions – Appropriate Authority, Competent Authority, Information, Public Authority, Suo-moto disclosure by public authorities and Record
- c. Role of Public Information Officer (PIO) and APIO.
- d. Authorities under the Act – Central Information Commission, State Information Commission
- e. Obligations of Public Authorities

UNIT II: Right to Information Act, 2005: Information Accessed, Denied and Exempted

(12 Hrs)

- i. Procedure for making request
- ii. Disposal of request
- iii. Specific provisions of act which exempt certain kinds of information: Classification

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- iv. Application of public interest test with respect to exempted information.
- v. Partial disclosure or Doctrine of severability and exempted organisations
- vi. Third party information
- vii. Appeal

UNIT III: Central Vigilance Commission

(08 Hrs)

- a. Composition of Central Vigilance Commission.
- b. Functions and Powers of Central Vigilance Commission.
- c. Powers of Vigilance Commissioners and Central Vigilance Commissioners.
- d. Powers of the Central Vigilance Commission under the Lokpal and Lokayuktas Act, 2014.

UNIT IV: Whistle Blowers Protection Act, 2014

(08 Hrs)

- a. Competent Authority
- b. Public Interest Disclosure
- c. Procedure for dealing with Public Interest Disclosure
- d. Powers of Competent Authority

PSDA (Professional Skills Development Activity)

(1 Hr/Week)

- Draft of Right to Information Application, First Appeal, Second Appeal, Writ.
- Training session on the procedure for online submission of RTI applications
- Visit to the Tripura State Information Commission (TSIC)
- Visit to the Vigilance Department, Government of Tripura

Text Books:

1. Dr. J. N. Barowalia, Commentary on the Right to Information Act, Universal Law Publishing, Delhi, 2012 (3rdEdn.)
2. M. Sridhar Acharyulu, Right to Information (Duty to Disclose), Allahabad Law Agency, 2015(1stEdn.)
3. Sudhir Naib, The Right to Information Act 2005: A Handbook, Oxford India Handbooks, India, 2011
4. Pankaj K. P. Sheryaskar, RTI Act in India: Futures and Implications, McGraw Hill Education (India) Private Limited, India, 2017

Reference Books:

1. Pankaj K. P. Sheryaskar, Transparency and Right to Information, Latvia, EU, 2012
2. Shailesh Gandhi and Prahlad Kachare, RTI Act – Authentic Interpretation of Statute, Vakils, Feffer And Simons Pvt. Ltd., Mumbai, 2016
3. P. K. Das, Handbook on RTI Act, Universal Law Publishing, Delhi, 2016

List of Cases:

1. Union of India v. Namit Sharma (2013) 10 SCC 359 – Process of Appointment of Information Commissioners
2. Subhash Popatlal Davev. Union of India and Anr. (2012) 7 SCC 533 – Preventive detention and disclosure of grounds under the RTI Act
3. Chief Information Commissioner and Anr v. State of Manipur and Anr. (2011) 15 SCC 1 – Powers of the Commission under sections 18 and 19 of RTI Act
4. Central Public Information Officer, Supreme Court of India v. Subhash Chandra Agrawal - (2011) 1 SCC 496 – Disclosure of procedure adopted for appointment of Supreme Court Judges under RTI Act
5. Public Information Officer, Syndicate Bank v. Central Information Commission, 2011 SCC OnLine AP 852 – Seeking exemption under section 8 (1) of RTI Act when proceeding under SARFAESI Act has been initiated
6. Public Information Officer, Joint Secretary to Governor Raj Bhavan, Donapaula, Goa v. Shri. Manohar Parrikar Leader of Opposition, Goa State Assembly Complex, Porvorim, Bardez, Goa and Goa State Information Commissioner, 2011 SCC OnLine Bom – Immunity granted to Governor under Article 361 and RTI Act
7. Central Board of Secondary Education v. Sh. Anil Kumar Kathpal, 2012 SCC OnLine Del 3043 – Disclosure of marks scored in examination under the RTI Act wherein a policy of awarding grades is in place
8. Bharat Sanchar Nigam Ltd. v. Shri Chander Shekhar, 2012 SCC OnLine Del 1776 – Tender process and disclosibility of information
9. Ankur Mutreja v. Delhi University, 2011 SCC OnLine Del 154 – Information seeker being a party to penalty proceedings under section 20 of the RTI Act.
10. UPSC v. R. K Jain, 2012 SCC OnLine Del 3642 – Disclosure of Information on disciplinary proceedings of third party under section 8 (1) (j) of the RTI Act.

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INTERNATIONAL ORGANIZATIONS

Code: 25LW604

Max Marks: 70

Course Objectives: This course aims to enable the students to (i) understand the dynamics of the relationships between international organizations and their organs and the outside world; (ii) be proficient in understanding historical development and understanding the theoretical approaches related to international organizations and international law; (iii) get a concise account of the principles and norms of international law applicable to the main-types of international organization - the inter-governmental organizations; and (iv) have an insight into the interaction between universalism and regionalism

UNIT I: The Evolution of International Organization (10 Hrs)

- a. Rise of International Organisations
- b. League of Nations and United Nations
- c. The Bretton Woods Institutions: World Bank and IMF
- d. The International Labour Organization
- e. International Criminal Court
- f. Vienna Convention on the Law of Treaties between States and International Organizations

UNIT II: Functioning of International Organizations (10 Hrs)

- a. UN General Assembly
- b. Security Council
- c. Economic and Social Council
- d. International Court of Justice and its Jurisdiction
- e. Functions of WTO

UNIT III: Relations of International Organizations and States (10 Hrs)

- a. Members and Non-Members
- b. Municipal Law
- c. Rights and Immunities of International Organizations and their Personnel; Duties of Host Countries
- d. Dispute Settlement and Interpretative Powers
- e. Enforcement Techniques

UNIT IV: Human Rights and Humanitarian Interventions (10 Hrs)

- a. International Covenant on Civil and Political Rights
- b. UN Charter-based Human Rights System and UN Human Rights Council
- c. Protecting Human Rights through International Organization
 - i. The European Human Rights System
 - ii. The African Union and Human Rights
- d. Humanitarian Interventions: Issues of Sovereignty
- e. UN Peace Operations (Peace-keeping, Peace-making and Peace-enforcement): Principles, 174 Problems and Reforms

PSDA (Professional Skill Development Activities) (1Hr/Week)

- Critical Writing
- Case Studies
- Seminars on Contemporary Conflicts

Text Books:

1. Jan Klabbbers, An Introduction to International Organizations Law, Cambridge University Press, UK, 2015 (3rd Edn.)
2. L. Frederic, Jr. Kirgis, International Organizations in Their Legal Setting, West Publishing Co. Minnesota, 1994 (2nd Edn.)
3. Philippe Sands, Pierre Klein, Bowett's Law of International Institutions, Sweet & Maxwell, UK, 2009 (6th Edn.)
4. I. Hurd, International Organizations: Politics, Law, Practice, Cambridge: Cambridge University Press, Cambridge, 2017 (3rd Edn.)

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Reference Books:

1. Nigel White, The Law of International Organizations, Manchester University Press, 2017 (3rd Edn.)
2. A.O. Kruger, WTO as an International Organizations, University of Chicago Press, Chicago, USA, 2000
3. J. Steiner, Textbook on EEC Law, OUP, Oxford, 2003
4. T.A. Hartley, The Foundation of European Community Law, Oxford University Press, UK, 2014 (8th Edn.)

SPORTS AND MEDIA LAW

Code: 25LW931

Max Marks: 100

Course Objectives: The objectives of the course are to (i) appreciate the impact law has on the industry of sport and identify and critically analyse the legal issues sporting organizations and athletes face; (ii) analyse, critique, reflect upon and evaluate the effectiveness of various sports law, rules and provisions (iii) demonstrate, through cognitive, technical and creative skills a level understanding of the regulatory framework for sporting activity of India (iv) identify and analyse sports law issues from facts and offer modes of resolution; and (v) identify and evaluate links between the sports law and other areas of law such as IPR, ADR, Taxation, Human Rights, Competition laws etc.

UNIT I: Historical Perspective on Sports Regulations (08 Hrs)

- a. Introduction & Definition of sports
- b. Sociological and political aspects of sports
- c. Need for legal definition, Sports Integrity, Sportsmanship, Sports Culture
- d. Historical perspectives of sports regulatory and various regulatory regimes in India

UNIT II: Commercialization of Sports and Models of Regulation (08 Hrs)

- a. Commercialization of sports (BCCI, IPL, ICC, FIFA, etc)
- b. Sports Contract and related labour law issues
- c. Juridification of sports – the role of law · Different types of sporting bodies
- d. Sports Authority of India: Role, Responsibilities and challenges
- e. Legal Issues in Cricket, Hockey, Soccer and other sports
- f. Sports Ombudsman
- g. ADR issues in various aspects of sports

UNIT III: Emerging Issues in Sports Law - I (12 Hrs)

- a. IPR issues in Sports (Trademark, Copyright, patent & importance of branding, ambush marketing, sports merchandising, player endorsement, etc.)
- b. Broadcasting rights, Media rights
- c. Doping issues in Sports- Legal Issues
- d. Sports Gambling and Betting- Contemporary legal issues and challenges

UNIT IV: Emerging Issues in Sports Law– II (12 Hrs)

- a. Competition Law and Sports Law
- b. Tortious principle and Sports Law
- c. Sports Corruption and criminal liability issues in sports
- d. Sports and Human Rights
- e. Sports and Public Health Safety
- f. Taxation and Sports

PSDA (Professional Skill Development Activities) (1Hr/Week)

- Visit to the Directorate of Youth Affairs & Sports, Government of Tripura
- Study/Analysis Of Leading Legal Cases Related To Sports In India And Aboard
- Seminar & Essay Competition Based On Contemporary Issues Of Sports Law

Text Books:

1. Lovely Dasgupta & Shameek Sen (Ed.), Sports Law in India, Sage Publication, India, 2018
2. Mukul Mudgal, Law and Sports in India: Developments, Issues and Challenges, Lexis Nexis Publication, India, 2011

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3. Mitten Davis and Smith Berry, Sports Law and Regulations, Aspen Publishers, Wolters Kluwer (Law and Business), USA, 2019
4. Mohammad Naseem, Introduction to Sports Law, Wolters Kluwer International Publications, USA, 2011
5. Anderson Jack, Modern Sports Law, Hart Publishing, Oxford, Portland & Oregon, 2010

Reference Books:

2. David Griffith Jones, Law and the Business of Sports, Butterworths Publishers, London, 1997
3. Simon Gardiner and Mark James, Sports Law, Cavendish Publishing Ltd., Leeds, 2012(4thEdn.)
4. William J Stewart, T&T Clark, Sport and the Law: The Scott Perspective, Bloomsbury Professional, Edinburgh, 2000
5. Ian S. Blackshaw, International Sports Law: An Introductory Guide, TMC Asser Press, The Hague, 2017

List of Cases:

1. Zee Telefilms Ltd. and Anr. v. Union of India (UOI) and Ors., Writ Petition (civil) 541 of 2004
2. Secretary, Ministry of Information & Broadcasting, Government of India and Ors. etc. v. Cricket Association of Bengal and Ors. Etc., MANU/SC/0246/1995
3. M.P. Triathlon Association through its Secretary and Anr. v. Indian Triathlon Federation and Ors., 1996 (8) SCALE 693
4. Secretary, Madras Gymkhana Club Employees' Union v. Management of the Gymkhana Club, AIR 1968 SC 554
5. Bangalore Water Supply and Sewerage Board v. A. Rajappa and Ors., AIR 1978 SC 548
6. K. Murugan v. Fencing Association of India, Jabalpur and Ors., 1991 (2) SCC 412
7. Mr. Govindagiri S/o Shanmugam A.V. and Ors. v. The Government of Karnataka represented by its Secretary Education Department and Ors, MANU/KA/1171/2006
8. Dr. K.R Lakshmanan v. State of Tamil Nadu, AIR 1996 SC 1153
9. State of Andhra Pradesh v. K. Satyanarayana, AIR 1968 SC 825
10. Dhanraj Pillay & Ors v. M/S Hockey India (Case No. 73/2011(CCI))

PUBLIC EMPLOYMENT AND SERVICE LAWS

Code: 25LW932

Max Marks: 100

Course Objectives: This paper will focus upon (i) the selection, opportunities, conduct, integrity and skills that are a unique resource for public employment in India; (ii) will reflect upon the role, management and the recourse aimed at resolving service issues; and (iii) the functions performed by or behalf of delegated authority to ensure accountability for its proper use.

UNIT I: Constitutional Framework of Public Employment & Service Law

(10 Hrs)

- a. Service Laws
 - i. Historical background
 - ii. Scope of doctrine of pleasure
 - iii. Constitutional provisions (Articles 309, 310, and 311, Constitution of India, 1950).
- b. Opportunities in Public Employment
 - i. Articles 14, 15, 16, and 335 Constitution of India, 1950
 - ii. Equality and classification
 - iii. Reservation & Promotion
 - iv. Equal pay for equal work
- c. Role of Public Service Commission
 - i. Article 315 -319 & Article 320-321 of Constitution of India

UNIT II: General Aspects of Public Employment & Service Laws

(10 Hrs)

- a. Stages of Employment
 - i. Recruitment & Appointment
 - ii. Regularization & Absorption
- b. Incidents of Employment
 - i. Remuneration & Pay
 - ii. Transfer & Deputation
 - iii. Seniority & Promotion
- c. End of Employment

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- i. Suspension & disciplinary Proceedings
- ii. Principles of Natural Justice
- iii. Discharge & dismissal
- iv. Retirement & Voluntary Retirement

UNIT III: Civil Services Conduct, Classification, Control and Appeal Rules (10 Hrs)

- a. Central Civil Services (Conduct) Rules, 1964
- b. Central Civil Services (Classification, Control and Appeal) Rules, 1965
 - i. Application and classification of civil servants
 - ii. Rules on conditions of services, qualification and selection
 - iii. Appointing authority
 - iv. Suspension, Removal, Dismissal and Reinstatement
 - v. Penalties and disciplinary authorities
 - vi. Procedure for imposing penalties
- c. Central Civil Service (Leave) Rules, 1972
 - i. Kinds of leaves (Earned leave, Holiday leave, Study leave, Half pay Leave, Commuted leave, leave not due, Extraordinary leave, Leave Preparatory to retirement)

UNIT IV: Administrative Authorities (10 Hrs)

- a. Service Tribunals
 - ii. Central Administrative Tribunals: Powers, jurisdiction and procedure
 - iii. State Administrative Tribunals: Powers, jurisdiction and procedure.
- b. Constitutional Remedies
 - i. Writ Remedies: Article 32 & 226
 - ii. Judicial Pronouncements

PSDA (Professional Skill Development Activities) (1Hr/Week)

- Visit to Service Tribunals
- Judgment analysis
- Document preparation for claim of beneficiary
- Research paper

Text Books:

1. B.R. Ghaiye and Nirmala Malhotra, Employment: Its Terms and Conditions, Eastern Book Company, Lucknow, 1981
2. M.R. Mallick, Service Laws, Eastern Book Company, Calcutta, 2000
3. A.S. Ramachandra Rao, Law Relating to Departmental Inquiries, Universal Law Publishing, New Delhi, 1997
4. Samaraditya Pal, Law Relating to Public Service, LexisNexis, Gurgaon, 2013

Reference Books:

2. T. S. Doabia, The Law Services and Dismissals, Vol. I & II, LexisNexis, Nagpur, 2012
3. Randhir K. De, Service Disputes: Cases and Materials in Public Services, Eastern Book Company, Kolkata, 2012

List of Cases:

1. State of Karnataka v. Umadevi (2006) 4 SCC 1
2. Kailash Chand Sharma v. State of Rajasthan (2002) 6 SCC 562
3. Nagaland Senior Govt. Employees Welfare Association v. State of Nagaland (2010) 7 SCC 643
4. Food Corporation of India v. Jagdish Bal (2017) 8 SCC 670
5. State of U.P. v. Audh Narain Singh (1964) 7 SCR 89
6. Surinder Prasad Tiwari v. U.P. Rajya Krishi Utpadan Mandi Parishad (2006) 7 SCC 684
7. Govt. of India v. ISRO Drivers Association, 2020 SCC onLine SC 634
8. Nisha Priya Bhatia v. Union of India, 2020 SCC OnLine SC 394
9. Kakali Ghosh v. Andaman & Nicobar Admn. (2014) 15 SCC 300
10. Rajendra Singh Yadav v. State of U.P. (1990) 2 SCC 763
11. Kendriya Vidyalaya Sangathan v. Subhas Sharma (2002) 4 SCC 145
12. L. Chandra Kumar v. Union of India (1997) 3 SCC 261

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LAW AND EMPOWERMENT OF MARGINALISED SECTIONS

Code: 25LW933

Max Marks: 100

Course Objectives: This course aims at sensitizing the students (i) to the significance of the sociologic study of marginalized communities; (ii) to understand concepts of marginalisation and social justice, empowerment in the context of Human Rights; (iii) The focus would be on communities/groups suffering poverty, deprivation and discrimination; (iv) To identify structural barriers, inequalities and systemic changes existing in the society; and (v) To critically examine legal mechanisms available for protection of human rights of different vulnerable groups of the society.

UNIT I: Basic Concepts (10 Hrs)

- a. Marginalisation: Concept and Definitions
- b. Types of Marginalisation
- c. Reasons of Marginalisation
- d. Social Justice: Concept and dimensions

UNIT II: Marginalised Communities/ Groups in India (10 Hrs)

- a. Manifestations of social injustice in the Indian context: Exclusion, oppression and marginalization
- b. Scheduled Castes as a Weaker Section of Society
- c. Problems of Scheduled Tribes: Need for Assimilation and Integration
- d. Status of Women
- e. Socio-Economic Indicators of Marginalized Communities

UNIT III: Constitutional Rights for Marginalised Groups (10 Hrs)

- a. Constitutional Rights for SCs & STs
- b. Constitutional Rights for Minorities
- c. Constitutional Rights for Women
- d. Constitutional base of social justice, positive and protective discrimination

UNIT IV: Empowerment of Marginalised Sections (10 Hrs)

- a. International Perspective-UDHR, ICCPR, ICESCR etc
- b. Role of Indian Constitution: Fundamental rights, Directive Principles of State Policy and fundamental duties
- c. Indian Legal system and protection of marginalized section of society - case illustrations
- d. Statutory bodies/organs for justice – THRC, SCW (Tripura), NCM, NC for SC/ST, OBC

PSDA (Professional Skill Development Activities) (1 Hr/Week)

- Field Research on a nearby tribe and write a case report
- Internship with THRC/SCW (Tripura)/NGOs working with the marginalized
- Classroom Debates/Discussions
- Data Collection and Data Analysis on the position of the marginalised

Text Books:

1. Ram Ahuja, Rights of Women: A Feminist Perspective, Rawat Publications, New Delhi, 1992
2. Granville Austin, The Indian Constitution: Cornerstone of a Nation, Oxford University Press, New Delhi, 1999
3. R. Bajpai, 'Constituent Assembly Debates and Minority Rights' Economic and Political Weekly, XXXV (21-22), pp. 1837-1845, 2005
4. Durga Das Basu, Shorter Constitution, Prentice Hall, New Delhi, 2003
5. U. Baxi, The Future of Human Rights, Oxford University Press, New Delhi, 2002
6. S. Banerjee, Shrinking Space: Minority Rights in South Asia, Manohar, New Delhi, 1990
7. A. Beteille, The Backward Classes in Contemporary India, Oxford University Press, Delhi, 1992

Reference Books:

1. Chandra, K. Suman et al. (eds.), Strategies Towards Combating Dalit Marginalisation: Proceedings of a National Symposium, National Institute of Rural Development and Panchayati Raj, Hyderabad, 2014
2. Chandrima Chatterjee & Gunjan Sheoran, Vulnerable Groups in India, pp. 1-21, The Centre for Enquiry into Health and Allied Themes (CEHAT), Mumbai, 2007
3. S. N. Chaudhari, Changing Status of Depressed Castes in Contemporary India, Daya Publishing House, Delhi, 1988

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4. M. Clayton & A. Williams, (eds.) Social Justice, Blackwell Publishers, Oxford, 2004
5. Abhijit Dasgupta, On the Margins: Tribes, Castes and Other Social Categories, Sage Publications Pvt. Ltd., New Delhi, 2012
6. J. Ife, Human Rights and Social Work: Towards Rights-based Practice, Cambridge Publication of India (P) Ltd. University Press, UK, 2001
7. S.S. Jodhka, Caste in contemporary India, Routledge, New Delhi, 2015
8. P.S. Krishna, Social Exclusion and Justice in India, Taylor & Francis, 2017
9. Dastider Mollica, 'Marginalised as Minority: Tribal Citizens and Border Thinking in India', in Economic and Political Weekly, LI (25), pp. 49-54, 2016
10. Pulla Rao, Empowering Marginalised Categories in India: Problems and Prospects, Gurgaon (Haryana): Madhav Books, Gurgaon (Haryana), 2012
11. Yagati Chinna Rao & Sudhakara Karakoty, (ed.) Exclusion and Discrimination: Concepts, Perspectives and Challenges, New Delhi: Kanishka Publishers, Distributors, New Delhi, 2010
12. K. S. Singh, (ed.) The Scheduled Caste, Anthropological Survey of India, Delhi, Blackwell Publishing, USA, P. 2765, 1998
13. Debal K. Singharoy, (ed.) Social Development and the Empowerment of Marginalized Groups: Perspectives and Strategies, Sage Publication, New Delhi, 2001
14. H.C. Upadhyaya, (ed.) Scheduled Caste and Scheduled Tribe in India, Anmol Publication, Delhi, 1991

List of Cases:

1. Indra Sawhney v. UOI, AIR 1993 SC 477
2. Indra Sawhney v. UOI, AIR 2000 SC 498
3. Ashok Kumar Thakur v. UOI (2008)6 SCC 1
4. Arun Kumar Agarwal v. National Insurance Co. Ltd. (2010) 9 SCC 218
5. M. Nagaraj v. UOI, 2007 SC 71
6. BK Pavitra v. UOI, (2017) 4 SCC 620
7. State of Kerala v. NM Thomas, AIR 1976 SC 490
8. EP Royappa v. State of Tamil Nadu, AIR 1974 SC 555
9. Indra Sawhney v. UOI, AIR 2000 SC 498
10. St. Xavier's College v. State of Gujarat, AIR 1974 SC 1389
11. TMA Pai Foundation v. State of Karnataka (2002)8 SCC 481
12. PA Inamdar v. State of Maharashtra, AIR 2005 SC 3226

Code: 25LW991

Max Marks: 100

It is a mode of Clinical Legal education, a specified period to be spent by the student with a law firm/court/Commissions/NGO's and like institutions working with the realm of law or connected therewith. The reports, both by the student and the office, together with the diary, where applicable to be certified will be submitted for evaluation.

The Internship during the summer break is a compulsory course. There is an Internship Data form where students fill in the details of where they are interning, with complete address and phone numbers. Customized Legal Reference /Diary is provided to the students on payment. They maintain a day-to-day record of the work that they do at the place where they are interning. They are expected to intern for a minimum of 90 days. They submit their completed diary, certificate from the employer, and a report of their experience at work. After submission, there is a Viva by the concerned faculty. They assess the student on the kind of work they have done during the internship, the presentation of the work they have done, and also on the practical knowledge they have gained.

The Paper is marked out of 100 marks. The breakup of the marks is as follows:

1. Diary submission	: 25 Marks
2. Report and certificate	: 25 Marks
3. Viva (Panel of External Examiners)	: 40 Marks
4. Attendance (Regularity in meeting the supervisor)	: 10 Marks
Total	: 100 Marks

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Theory Paper

Total: 100 Marks
External: 70 Marks
Internal: 30 Marks

External: 70 Marks

10 Question (MCQ): 1 mark each (1x10 = 10)

Answer any 10 out of 12 (Short 50-70 Words): 3 marks each (3x10 = 30)

Answer any 6 out of 8 (Long 100-120 Words): 5 marks each (5x6 = 30)

Internal: 30 Marks

Two Internal Assessment Examinations will be conducted, each carrying 50 marks. The average of the two scores will be considered and scaled to 15 marks for the final assessment. Additionally, 5 marks will be allotted for assignments submitted, 5 marks for attendance, and 5 marks for general proficiency, making a total of 30 internal assessment marks.



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Syllabus for BA LLB (H)

Semester 10

Theory									
Course Code	Topic	L	T	P	Credit	Theory Marks	Internal Marks	Practical Marks	Total Marks
25LW992	Dissertation	0	0	20	20	70	30	0	100
25LW993	Internship (Lawyers/Law Firms)	0	0	10	10	70	30	0	100
Total					30	140	60	0	200



Detailed Syllabus

DISSERTATION

Code: 25LW992

Max Marks: 70

Course Objectives: This course aims to make the program in IPR research-oriented, every student must carry out Dissertation work selecting any topic from the subjects taught in the last three semesters, applying Legal Research Methodology, which is to be submitted for evaluation internally externally has to appear for viva-voce.

Dissertation Guidelines

The dissertation for LLM 4th-semester students should be under the guidance of the supervisor allotted to them. The students are required to meet their supervisors at least 5 times.

The students are required to prepare three hard-bound copies of the dissertation- two copies must be submitted to the office. One copy should remain with the respective students, which they must bring with them at the time of the viva.

The students will be required to submit a synopsis of the dissertation and one rough draft, and then the final draft of the dissertation, which should be prepared strictly in consultation with the supervisor.

The dissertation should be based on quality and original research. No Plagiarism will be tolerated in this regard.

Synopsis heads:

1. Topic of dissertation
2. Introduction
3. Literature review
4. Research objectives
5. Research questions/hypothesis
6. Research methodology
7. Chapterization with brief description
8. References

The final dissertation should consist of the following:

- a. Cover page consisting of Title (at the top), name of the university, enrolment number, name and designation of the supervisor (in the middle), university logo, name of the school and university in the bottom.
- b. Declaration by the student about the originality of the work.
- c. Certificate issued by the supervisor.
- d. Plagiarism check certificate- Please refer to UGC (Promotion and Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions) Regulation 2018. Plagiarism check should be done through DrillBit or Turnitin. The maximum permitted limit for similarity must be maintained at 20%.
- e. Preface and Acknowledgement
- f. Table of Contents
- g. List of Abbreviations
- h. List of Cases Cited
- i. The main body of the dissertation should be divided into chapters, with the first chapter on the introduction and the last chapter on the conclusion and suggestions. There should be a reference list/bibliography, along with an appendix.
- j. The dissertation should be 75-100 pages.

Formatting of the dissertation:

- a. Each chapter should have a title, which should be in the centre and placed two inches from the top, in uppercase.
- b. All pages must be numbered, with the preliminary pages marked in roman numbers, and the main chapters, annexures, and references/bibliography in Indo-numeric style, beginning from page number 1. All numbers should be placed at the bottom, centre of the page.
- c. Dissertation should be typed in 12 fonts, with 1.5 line spacing, in Times New Roman style, justified alignment.
- d. Margin of the left should be 1.5 inches, with top, bottom, and right-hand margins at 1 inch.
- e. Footnotes and citations should be 10 font size, Times New Roman style, with single spacing and justified alignment.

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INTERNSHIP (LAWYERS/LAW FIRMS)

Code: 25;W993

Max Marks: 100

It is a mode of Clinical Legal education, a specified period to be spent by the student with a law firm/court/Commissions/NGO's and like institutions working with the realm of law or connected therewith. The reports, both by the student and the office, together with the diary, where applicable to be certified will be submitted for evaluation.

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Evaluation

- | | |
|--|-------------|
| 1. Diary submission | : 25 Marks |
| 2. Report and certificate | : 25 Marks |
| 3. Viva (Panel of External Examiners) | : 40 Marks |
| 4. Attendance (Regularity in meeting the supervisor) | : 10 Marks |
| Total | : 100 Marks |

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