



# **SAVITRIBAI PHULE PUNE UNIVERSITY**

**(FORMERLY UNIVERSITY OF PUNE)  
GANESHKHIND PUNE 411007**

## **FACULTY OF HUMANITIES**

### **REVISED CURRICULUM OF UNDERGRADUATE DEGREE COURSES OF LAW 2017-18**

**(As Amended in July 2019)**

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

**for**

**B.A. LL.B. (Bachelor of Arts and Bachelor of Laws)  
B.B.A. LL.B. (Bachelor of Business Administration and Bachelor of Laws)  
LL.B. (Bachelor of Laws)**

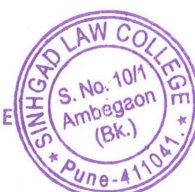
  
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## **PART I**

### **Undergraduate Degree Courses of Law**

#### **1. Three Degree Courses of Law :**

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

(1) B.A. LL.B. (Bachelor of Arts and Bachelor of Laws) :

It shall be Integrated Double Degree Five Academic Years Course in Arts and Law. The course shall be divided into ten semesters.

(2) B.B.A. LL.B. (Bachelor of Business Administration and Bachelor of Laws) :

It shall be Integrated Double Degree Five Academic Years Course in Management and Law. The course shall be divided into ten semesters.

(3) LL.B. (Bachelor of Laws) :

It shall be three Academic Years Degree Course in Law. The course shall be divided into six semesters.

**Note :** The affiliated college may choose all or any of the above undergraduate degree courses of law subject to the number of divisions approved by the University and Government of Maharashtra.

#### **2. Objectives of Revised Curriculum :**

The objectives of revised curriculum of courses of law are :

- (1) To reorient legal education by making provision for sufficient opportunity to the students for extensive as well as intensive study of law.
- (2) To equip the students with (a) knowledge of law, (b) practical application of law, (c) analytical thinking and logical reasoning, (d) effective communication skill.
- (3) To meet the needs of contemporary requirements of Bar, Bench and Industry in the globalised economic era.
- (4) To educate them of diverse backgrounds to become effective, ethical and expert personage who are employable in a variety of legal settings.

#### **3. Extent and Application of Revised Curriculum :**

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

  
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**B.A. LL.B. :**

S.N.	Year / Class of Course	Academic Year of Application
(1)	First Year of B.A. LL.B.	2017-2018
(2)	Second Year of B.A. LL.B.	2018-2019
(3)	Third Year of B.A. LL.B.	2019-2020
(4)	Fourth Year of B.A. LL.B.	2020-2021
(5)	Fifth Year of B.A. LL.B.	2021-2022

**B.B.A. LL.B. :**

S.N.	Year / Class of Course	Academic Year of Application
(1)	First Year of B.B.A. LL.B.	2017-2018
(2)	Second Year of B.B.A. LL.B.	2018-2019
(3)	Third Year of B.B.A. LL.B.	2019-2020
(4)	Fourth Year of B.B.A. LL.B.	2020-2021
(5)	Fifth Year of B.B.A. LL.B.	2021-2022

**LL.B. :**

S.N.	Year / Class of Course	Academic Year of Application
1.	First Year of LL.B.	2017-2018
2.	Second Year LL.B.	2018-2019
3.	Third Year of LL.B.	2019-2020

**4. Closing of Degree Courses of Law under 2003 Pattern :**

- (1) The present revised curriculum for Degree Courses of Law may be called as 2017 Pattern and which shall be introduced in a phased manner as shown above.
- (2) The old curriculum for Degree Courses of Law under 2003 Pattern shall be closed in a phased manner as shown below :

**B.A. LL.B. :**

S.N.	Year / Class of Course	Academic Year of Closing
1.	First Year of B.A. LL.B.	2017-2018
2.	Second Year of B.A. LL.B.	2018-2019
3.	Third Year of B.A. LL.B.	2019-2020
4.	Fourth Year of B.A. LL.B.	2020-2021
5.	Fifth Year of B.A. LL.B.	2021-2022



## LL.B. :

S.N.	Year / Class of Course	Academic Year of Closing
1.	First Year of LL.B.	2017-2018
2.	Second Year of LL.B.	2018-2019
3.	Third Year of LL.B.	2019-2020

(3) A student from Degree Courses of Law (B.A. LL.B. / B.S.L. LL.B. or LL.B.) under 2003 Pattern, desiring and qualified to take admission to the next class or year, which is closed as above, shall take admission in the concerned next class or year under the revised curriculum for Degree Course of Law i.e. 2017 Pattern.

(4) A student from Degree Course of Law (B.A. LL.B. / B.S.L. LL.B. or LL.B.) under 2003 Pattern admitted to Degree Course of Law (B.A. LL.B. or LL.B.) under Revised Curriculum i.e. 2017 Pattern shall be governed by the Rules of Equivalence (Rules of Absorption) notified separately.

  
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**PART II**  
**Eligibility for Admission for**  
**B.A. LL.B., B.B.A. LL.B. and LL.B. Courses**

**1. Qualifying Examination for Admission :**

**(1) B.A. LL.B. and B.B.A. LL.B. :**

An applicant who has completed Senior Secondary School Course (10+2) or equivalent (such as 11+1, 'A' level in Senior School Leaving Certificate Course) from a recognized University of India or outside or from a Senior Secondary Board or equivalent, constituted or recognized by the Union or by a State Government or from any equivalent institution from a foreign country recognized by the government of that country for the purpose of issue of qualifying certificate, on successful completion of the course, may apply for and be admitted to (i) First Year of B.A. LL.B. or (ii) First Year of B.B.A. LL.B., as the case may be.

**(2) LL.B. :**

An applicant who has graduated in any discipline of knowledge from a University established by an Act of Parliament or by a State legislature or an equivalent national institution recognized as a deemed to be University or foreign University recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for and be admitted to First Year of LL.B.

Provided that applicants who have obtained 10+2 Higher Secondary School Certificate or First Degree Certificate after prosecuting studies in distance or correspondence method shall also be considered as eligible for admission to (i) First Year of B.A. LL.B. or (ii) First Year of B.B.A. LL.B. or (iii) First Year of LL.B., as the case may be.

Explanation : The applicant who have obtained 10+2 or graduation / post graduation through Open University system directly without having any basic qualification for prosecuting such studies is not eligible for admission to (i) First Year of B.A. LL.B. or (ii) First Year of B.B.A. LL.B. or (iii) First Year of LL.B., as the case may be.

(3) The eligibility for admission, for any class / year other than first year / class of any law course, of a student migrating / transferring from any other recognized University to this University shall be subject to the rules of this University made from time to time.

**2. Minimum Marks in Qualifying Examination for Admission :**

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

(2) A candidate passing Bachelor's degree examination or its equivalent in any faculty of this University or any other recognised University, as prescribed by the Bar Council of India or the University, with minimum 45 % marks shall be eligible to apply for admission to First Year of

LL.B. There shall be relaxation of 5 % marks in case of scheduled caste and scheduled tribe candidates.

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

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

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

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

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

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

### **4. Prohibition against Lateral Entry and Exit :**


(1) There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course, at any intermediary stage of integrated double degree course.

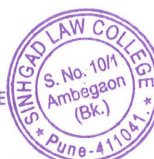
(2) The term “lateral entry” means an admission given to graduate applicants at the beginning of third year in an integrated five year course.

(3) The term “lateral exit” means opting out at the end of three year after successfully completing the courses up to the third year, from an integrated five year course on being awarded a bachelor degree.

### **5. Miscellaneous Rules of Eligibility for Admission :**

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

  
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**PART III**  
**Course Component of**  
**B.A. LL.B., B.B.A. LL.B. and LL.B.**

**1. First Year B.A. LL.B. :**

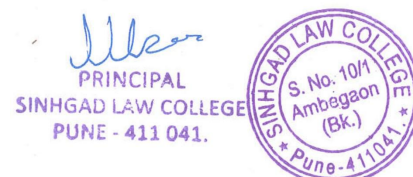
<b>Subject Code</b>	<b>Semester I</b>
CE 0101	General English
BA 0102	General Principles of Political Science
BA 0103	General Principles of Economics
BA 0104	General Principles of Sociology
<b>Subject Code</b>	<b>Semester II</b>
CE 0201	English for Law
BA 0202	Political Theories
BA 0203	Macro Economics, Policies and Practice
BA 0204	Theoretical Perspectives of Sociology

**2. First Year B.B.A. LL.B. :**

<b>Subject Code</b>	<b>Semester I</b>
CE 0101	General English
BB 0102	Managerial Accounting
BB 0103	Principles of Management
BB 0104	Business Communications
<b>Subject Code</b>	<b>Semester II</b>
CE 0201	English for Law
BB 0202	Organisational Behaviors
BB 0203	Management Information System
BB 0204	Principles of Marketing

**3. Second Year B.A. LL.B. :**

<b>Subject Code</b>	<b>Semester III</b>
CE 0301	Legal Language and Legal Reasoning
BA 0302	Public Policy and Public Administration
BA 0303	Theories of Development and Indian Economy
BA 0304	Society in India
<b>Subject Code</b>	<b>Semester IV</b>
CE 0401	Law and Literature
BA 0402	International Relations
BA 0403	Law and Economics
BA 0404	Social Research Methods



#### 4. Second Year B.B.A. LL.B. :

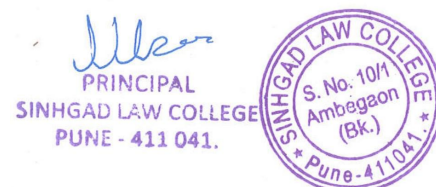
<b>Subject Code</b>	<b>Semester III</b>
CE 0301	Legal Language and Legal Reasoning
BB 0302	Basics of Finance
BB 0303	Managerial Economics
BB 0304	Business Ethics and Corporate Governance

<b>Subject Code</b>	<b>Semester IV</b>
CE 0401	Law and Literature
BB 0402	Human Resource Management
BB 0403	Case Studies in Business Environment
BB 0404	Business Research Methods

#### 5. Third Year B.A. LL.B., Third Year B.B.A. LL.B. and First Year LL.B. :

<b>Subject Code</b>	<b>Third Year B.A. LL.B. - Semester V</b> <b>Third Year B.B.A. LL.B. - Semester V</b> <b>First Year LL.B. - Semester I</b>
LC 0501	Legal and Constitutional History
LC 0502	Family Law I
LC 0503	Law of Contract I
LC 0504	Law of Crimes
	Optional Subject 1 (Any one from the following)
LO 0505	(a) Health and Food Law
LO 0506	(b) Equity and Trust Law
LO 0507	(c) Criminal Psychology and Criminal Sociology
LO 0508	(d) Agricultural Marketing Law
LO 0509	(e) Intellectual Property Rights I

<b>Subject Code</b>	<b>Third Year B.A. LL.B. - Semester VI</b> <b>Third Year B.B.A. LL.B. - Semester VI</b> <b>First Year LL.B. - Semester II</b>
LC 0601	Constitutional Law I
LC 0602	Family Law II
LC 0603	Law of Contract II
LC 0604	Tort and Consumer Protection Law
	Optional Subject 2 (Any one from the following)
LO 0605	(a) Media and Law
LO 0606	(b) Banking and Insurance Law
LO 0607	(c) Penology and Victimology
LO 0608	(d) Land Acquisition Law
LO 0609	(e) Intellectual Property Rights II



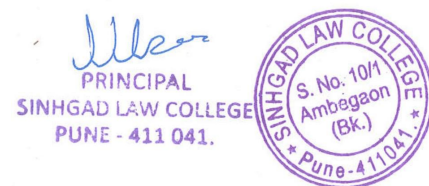
## **6. Fourth Year B.A. LL.B., Fourth Year B.B.A. LL.B. and Second Year LL.B. :**

<b>Subject Code</b>	<b>Fourth Year B.A. LL.B. - Semester VII</b> <b>Fourth Year B.B.A. LL.B. - Semester VII</b> <b>Second Year LL.B. - Semester III</b>
LC 0701	Constitutional Law II
LC 0702	Property Law and Easement
LC 0703	Public International Law
LP 0704	Practical Training Paper I - Professional Ethics and Contempt of Court Law
	Optional Subject 3 (Any one from the following)
LO 0705	(a) Comparative Constitutions
LO 0706	(b) Investment and Securities Law
LO 0707	(c) Criminal Minor Acts
LO 0708	(d) Cooperative Law
LO 0709	(e) Private International Law

<b>Subject Code</b>	<b>Fourth Year B.A. LL.B. - Semester VIII</b> <b>Fourth Year B.B.A. LL.B. - Semester VIII</b> <b>Second Year LL.B. - Semester IV</b>
LC 0801	Labour and Industrial Law
LC 0802	Jurisprudence
LC 0803	Law of Evidence
LP 0804	Practical Training Paper II - Alternate Dispute Resolution System
	Optional Subject 4 (Any one from the following)
LO 0805	(a) Human Rights Law and Practice
LO 0806	(b) Competition Law
LO 0807	(c) Vulnerable and Disadvantaged Groups and Criminal Law
LO 0808	(d) Civil Minor Acts
LO 0809	(e) International Economic Law

## **7. Fifth Year B.A. LL.B., Fifth Year B.B.A. LL.B. and Third Year LL.B. :**

<b>Subject Code</b>	<b>Fifth Year B.A. LL.B. - Semester IX</b> <b>Fifth Year B.B.A. LL.B. - Semester IX</b> <b>Third Year LL.B. - Semester V</b>
LC 0901	Civil Procedure Code
LC 0902	Interpretation of Statutes
LC 0903	Environmental Law
LP 0904	Practical Training Paper III - Drafting, Pleading and Conveyance
	Optional Subject 5 (Any one from the following)
LO 0905	(a) Law on Education





LO 0906	(b) Principles of Taxation Law
LO 0907	(c) Law of Forensic Science
LO 0908	(d) Land Laws I
LO 0909	(e) International Law on Air, Space and Sea

**Subject Code**

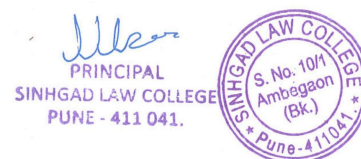
**Fifth Year B.A. LL.B. - Semester X**  
**Fifth Year B.B.A. LL.B. - Semester X**  
**Third Year LL.B. - Semester VI**

LC 1001	Criminal Procedure Code
LC 1002	Administrative Law
LC 1003	Company Law
LP 1004	Practical Training Paper IV - Moot Court Exercise and Internship
	Optional Subject 6 (Any one from the following)
LO 1005	(a) Election Law
LO 1006	(b) Bankruptcy and Insolvency Law
LO 1007	(c) Comparative Criminal Justice System
LO 1008	(d) Land Laws II
LO 1009	(e) Humanitarian and Refugee Law

### 8. Abbreviations used in Subject Codes :

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

- (a) CE means Compulsory English subject for B.A. LL.B. and B.B.A. LL.B. courses.
- (b) BA means subject from discipline of Arts for B.A. LL.B. course.
- (c) BB means subject from discipline of Business Administration for B.B.A. LL.B. course.
- (d) LC means Compulsory Law subject for law courses.
- (e) LP means Compulsory Practical Training subject for law courses.
- (f) LO means Optional Law subject for law courses.



**PART IV**  
**Examination Pattern for**  
**B.A. LL.B., B.B.A. LL.B. and LL.B. Courses**

**1. Attendance of Lectures, Internals and Moot Court :**

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

(2) If a student for any exceptional reasons fails to attend 75 % of the classes, he / she may be allowed to take the end semester examination as per University rules.

**2. Duration of Studies :**

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

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

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

**Explanations :**

(a) In order to implement the above rule of Bar Council of India 'regarding 30 class hours per week' the Colleges shall provide for minimum six lectures per subject in a week.

(b) In order to have continuous assessment of students, the colleges may reserve one lecture (out of those six lectures) for internal assessment of students.

**3. Medium of Instruction and Division of Marks :**

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

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

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

(a) University Written Examination

(b) Internal Assessment by College

  
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: 80 marks.

: 20 marks.

**4. Division of Marks in Practical Training Subjects :**

The compulsory practical training subjects of B.A. LL.B., B.B.A. LL.B. and LL.B. shall carry the division of marks as under :

- |   |          |
|---|----------|
| (1) Practical Training Paper I - Professional Ethics and Contempt of Court Law:                                       |          |
| (a) University Written Examination  | 80 Marks |
| (b) Written submissions and viva voce examination   | 20 Marks |
| (2) Practical Training Paper II - Alternate Dispute Resolution System :   |          |
| (a) University Written Examination  | 80 Marks |
| (b) Written submissions and viva voce examination   | 20 Marks |
| (3) Practical Training Paper III - Drafting, Pleading and Conveyance :  |          |
| (a) University Written Examination  | 80 Marks |
| (b) Written submissions and viva voce examination   | 20 Marks |
| (4) Practical Training Paper IV - Moot Court Exercise and Internship :  |          |
| (a) Moot court exercises (40 Marks), Observance of trials (20 Marks) and Pre-trial preparations (20 Marks) activities | 80 Marks |
| (b) Written submissions and Viva voce examination   | 20 Marks |

### **5. University Written Examination (80 Marks) :**

- (1) There shall be University written examination of 80 marks for each subject at the end of each semester of B.A. LL.B., B.B.A. LL.B. and LL.B. courses.
- (2) There shall not be University written examination for Practical Training Paper IV - Moot Court Exercise and Internship.
- (3) The University, while conducting a written examination of any subject, may provide a same question paper for the students of B.A. LL.B., B.B.A. LL.B. and LL.B. courses if the concerned subject is common to those courses having same syllabus.

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

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

- (1) Part A Questions (45 marks) :

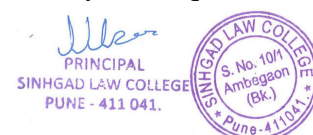
Part A of question paper shall consist of essay type questions or questions of critical comments depending on the nature of subject. A student has to answer the questions with critical evaluation. There shall be five questions and the student has to answer any three questions. Each question shall be for 15 marks.

- (2) Part B Questions (20 marks) :

Part B of question paper shall consist of short essay type questions depending on the nature of subject. A student has to answer the questions explaining concepts with illustrations. There shall be four questions and the student has to answer any two questions. Each question shall be for 10 marks.

- (3) Part C Questions (15 marks) :

Part C of question paper shall consist of short answer questions or solving of hypothetical problems, etc. There shall be five questions and the student has to answer any three questions. Each question shall be for 5 marks.



Note : The question paper pattern given herein may be changed or altered depending on the nature of subject e.g. non-law subjects. The question paper pattern given herein may also be changed or altered by the University at any time without prior information to the students.

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

(1) The division of 20 marks for each subject, except for practical training subjects, for internal assessment shall be as under:

(a) Written Submissions : 10 marks.

(b) Class Performance : 10 marks.

Though the division of marks for internal assessment by College i.e. written submissions and class performance, is given separately, the student has to complete both the activities as per specified rules.

(2) The written submissions of a student may include essay writing, project writing, case comments, writing answers of given questions, or any other assignment activity given and conducted at the discretion of College.

(3) The written submissions made by the student, as required for any subject, means handwritten submissions. In this matter, the College may grant a reasonable concession to the persons with disabilities.

(4) The class performance of a student may include viva voce / presentation on written submissions, punctuality, participation in class discussion, seminar presentation, participation in any other class activity conducted at the discretion of College.

(5) The method of internal assessment given hereinabove shall be applicable to the students admitted in the academic year 2019-20 and thereafter under the revised curriculum i.e. 2017 pattern.

(6) The method of internal assessment given hereinabove shall also be applicable to the students admitted in the academic year 2017-18 and 2018-19 and who have failed in or remained absent for any subject or subjects in internal assessment component.

(7) The evaluation of written submissions and class performance in each term or semester shall be conducted by the college before the University written examination.

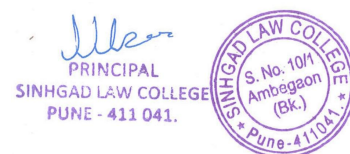
(8) The internal assessment marks may be withheld or withdrawn by the college on the ground of non-fulfillment of the attendance requirement by the student as prescribed by the University rules.

(9) The College, for the purposes of inspection by the University, shall maintain and preserve the record with respect to written submissions and class performance, at least for two academic years excluding the year of evaluation.

## **8. Conduct of Viva Voce Examination for Practical Training Subjects :**

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

(2) The viva voce examination for all practical training subjects shall be conducted by the committee of examiners.



(3) The committee of examiners shall consist of one internal examiner and one external examiner. The external examiner shall be appointed by the University from amongst the teachers in other affiliated colleges. The internal examiner shall also be appointed by the University from amongst the teachers working in the concerned college, preferably from the teachers teaching / conducting activities of the concerned practical training subject.

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

(4) The committee of examiners shall not submit the marks to the University unless the student appears for viva voce examination. In other words if the student submits a duly assessed written submissions without appearing for viva voce examination his / her marks shall not be submitted to the University.

Explanation : The written submissions by the student, as required under any of the practical training subjects, means handwritten submissions. In this matter, the College may grant a reasonable concession to the persons with disabilities.


  
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**PART V**  
**Standard of Passing for**  
**B.A. LL.B., B.B.A. LL.B. and LL.B.**

**1. Standard of Passing for B.A. LL.B., B.B.A. LL.B. and LL.B. Courses :**

- (1) In case of any subject of (a) B.A. LL.B., (b) B.B.A. LL.B. and (c) LL.B. Courses a student must obtain not less than 40 marks to pass a subject.
- (2) The total marks of a subject, except for practical training subjects, shall be computed by adding marks of University written examination and internal assessment. There shall be separate passing for University written examination and internal assessment of a subject. A student must obtain not less than 32 marks to pass University written examination of a subject. A student must obtain not less than 8 marks to pass internal assessment of a subject.
- (3) The total marks of practical training subjects, except for Practical Training Paper IV - Moot Court Exercise and Internship, shall be computed by adding marks for two components - (a) University written examination, and (b) written submissions and viva voce examination. There shall be separate passing for these two components of a subject. A student must obtain not less than 32 marks to pass a University written examination of a subject. A student must obtain not less than 8 marks to pass a written submissions and viva voce examination of a subject.
- (4) The total marks of Practical Training Paper IV - Moot Court Exercise and Internship shall be computed by adding marks for two components - (a) moot court exercises, observance of trials, pre-trial preparations activities, and (b) written submissions and viva voce examination. There shall be separate passing for these two components of a subject. A student must obtain not less than 32 marks to pass in a moot court exercises, observance of trials, pre-trial preparations activities of a subject. A student must obtain not less than 8 marks to pass a written submissions and viva voce examination of a subject.
- (5) A student shall be declared as passed in a particular year or class if he / she have passed in all the subjects of two terms or semesters of a year or class taken together.
- (6) There shall not be a separate passing for a single semester or term examination.
- (7) The class shall be awarded to the student if he / she have passed in all the subjects of two terms or semesters of a year or class taken together.
- (8) A student shall be entitled to the benefit of grace marks or additional marks for extra-curricular activities as per University rules.
- (9) The rule of scaling down of internal assessment marks shall be applicable if percentage of internal assessment marks exceeds percentage of University written examination marks by more than 15%. The difference between the percentage of University written examination marks and percentage of internal assessment marks of a student for any subject shall not be more than 15%. If the percentage of marks obtained by a student for any subject in internal assessment exceed the percentage of marks obtained by him / her in University written examination by more than 15%, the marks obtained by him / her in internal assessment shall be brought down to that extent.

  
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(10) The rule of scaling down of internal assessment marks shall not be applicable to practical training subjects.

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

S.N.	Percentage of Marks	Class
(i)	Aggregate 40 % and more but less than 50 %	Pass Class
(ii)	Aggregate 50 % and more but less than 55 %	Second Class
(iii)	Aggregate 55 % and more but less than 60 %	Higher Second Class
(iv)	Aggregate 60 % and above but less than 70 %	First Class
(v)	Aggregate 70 % and above	Distinction

## 2. Eligibility for Award of Degree :

(1) A student passed examination of third year of B.A. LL.B. shall be eligible to obtain the first degree of B.A. under the integrated B.A. LL.B. course. Provided that he / she has passed examination of second year of B.A. LL.B. Such a degree of B.A. shall not entitle the student to enroll as an advocate.

(2) A student passed examination of third year of B.B.A. LL.B. shall be eligible to obtain the first degree of B.B.A. under the integrated B.B.A. LL.B. course. Provided that he / she have passed examination of second year of B.B.A. LL.B. Such a degree of B.B.A. shall not entitle the student to enroll as an advocate.

(3) A student of B.A. LL.B. course passed examination of all the years or classes, divided in ten semesters, shall be eligible to obtain the B.A. LL.B. degree.

(4) A student of B.B.A. LL.B. course passed examination of all the years or classes, divided in ten semesters, shall be eligible to obtain the B.B.A. LL.B. degree.

(5) A student of LL.B. course passed examination of all years or classes, divided in six semesters, shall be eligible to obtain the LL.B. degree.

## 3. Allowed to Keep Terms (ATKT) for B.A. LL.B. Course :

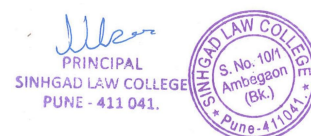
Allowed to Keep Terms is the process to allow student to take admission and study in the next class or year even if he / she has failed in specified number of subjects. The rules of ATKT for B.A. LL.B. Course are as under :

(1) If a student passes in not less than 2/3 of total subjects to pass, his result status will be Failed ATKT. The table given below shall decide the ATKT status of a student.

(2) In computing "total subjects to pass" for a student from 2003 Pattern admitted in the revised curriculum i.e. 2017 Pattern, the additional subject or subjects required to pass under the Rules of Equivalence (Rules of Absorption), shall not be taken into account.

(3) A student of Second Year B.A. LL.B. shall not be eligible for admission to Third Year B.A. LL.B. unless he / she have passed First Year B.A. LL.B. examination.

(4) A student of Third Year B.A. LL.B. shall not be eligible for admission to Fourth Year B.A. LL.B. unless he / she have passed Second Year B.A. LL.B. examination.





(5) A student of Fourth Year B.A. LL.B. shall not be eligible for admission to Fifth Year B.A. LL.B. unless he / she have passed Third Year B.A. LL.B. examination.

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

Allowed to Keep Terms is the process to allow student to take admission and study in the next class or year even if he / she has failed in specified number of subjects. The rules of ATKT for B.B.A. LL.B. Course are as under :

- (1) If a student passes in not less than 2/3 of total subjects to pass, his result status will be Failed ATKT. The table given below shall decide the ATKT status of a student.
- (2) A student of Second Year B.B.A. LL.B. shall not be eligible for admission to Third Year B.B.A. LL.B. unless he / she have passed First Year B.B.A. LL.B. examination.
- (3) A student of Third Year B.B.A. LL.B. shall not be eligible for admission to Fourth Year B.B.A. LL.B. unless he / she have passed Second Year B.B.A. LL.B. examination.
- (4) A student of Fourth Year B.B.A. LL.B. shall not be eligible for admission to Fifth Year B.B.A. LL.B. unless he / she have passed Third Year B.B.A. LL.B. examination.

#### 5. Allowed to Keep Terms (ATKT) for LL.B. Course :

Allowed to Keep Terms is the process to allow student to take admission and study in the next class or year even if he / she has failed in specified number of subjects. The rules of ATKT for LL.B. Course are as under :

- (1) If a student passes in not less than 2/3 of total subjects to pass, his result status will be Failed ATKT. The table given below shall decide the ATKT status of a student.
- (2) In computing "total subjects to pass" for a student from 2003 Pattern admitted in revised curriculum i.e. 2017 Pattern, the additional subject or subjects required to pass under the Rules of Equivalence (Rules of Absorption), shall not be taken into account.
- (3) A student of Second Year LL.B. shall not be eligible for admission to Third Year LL.B. unless he / she have passed First Year LL.B. examination.

#### Table for Deciding ATKT Status of Student of B.A. LL.B., B.B.A. LL.B., and LL.B. :

Total Number of Subjects to Pass	Minimum Number of Subjects Required to be Passed	Maximum Number of Failure Subjects Allowed for Availing Benefit of ATKT
5	4	1
6	4	2
7	5	2
8	6	2
9	6	3
10	7	3
11	8	3

  
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## 6. Duration to Complete Entire Course :

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

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

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

**Explanation :** For a student from 2003 Pattern admitted in revised curriculum i.e. 2017 Pattern under the Rules of Equivalence, the duration to complete remaining course, shall be proportional to the total duration to complete entire course given above.

Thus for example :

(a) If a student of 2003 Pattern is admitted in Second Year B.A. LL.B. of 2017 Pattern, his / her duration to complete the course shall be eight academic years including academic year in which he / she was admitted to Second Year B.A. LL.B.

(b) If a student of 2003 Pattern is admitted in Second Year LL.B. of 2017 Pattern, his / her duration to complete the course shall be four academic years including academic year in which he / she was admitted to Second Year LL.B.

## 7. Removal of Doubts and Difficulties :

Notwithstanding anything stated in the rules herein, for any unforeseen issues arising, and not covered by the rules herein, or in the event of differences of interpretation, the Vice-Chancellor of the University may take a decision and the said decision of the Vice-Chancellor shall be final and binding.

  
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## PART VI

### Syllabus of First Year of B.A. LL.B.

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

#### CE 0101 General English :

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

#### Module 01 Language and Grammar :

1. Defining Language
2. Nature of Language
3. Linguistic Competence (Introductory)
4. Grammar and Usage -
  - a) Sentence Structure- Subject and Predicate
  - b) Concord
  - c) Tenses
  - d) Use of Articles
  - e) Accurate Use of Prepositions
  - f) Making Questions (Why- and yes-no questions and question tags)
  - g) Use of Modal Auxiliary Verbs (making requests, suggestions, seeking permission etc.)
  - h) Some Common Errors

#### Module 02 Sentence Transformation :

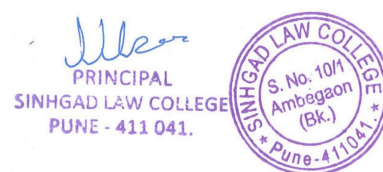
1. Active and Passive Voice
2. Types of Sentences (Statements, interrogative, exclamatory and imperative)
3. Simple, Complex and Compound Sentences
4. Reported Speech
5. Syntactic Ambiguity

#### Module 03 Vocabulary Skills :

1. Idioms and Phrases
2. One Word Substitution

#### Module 04 Communication Skills :

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



4. Formal Correspondence
5. Resume Writing

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

1. SQ3R (Survey Question Read Recite and Review)
2. Reading - Types- intensive and extensive; techniques- scanning, skimming and critical
3. Note making
4. Writing (Correct grammar, spelling, punctuation and clarity)
5. Paragraph Writing

#### **Recommended Readings :**

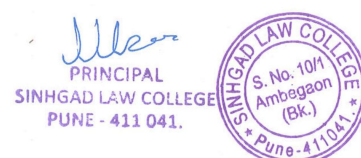
1. *Cambridge Idioms Dictionary*. Singapore : Cambridge University Press, 2006.
2. Donald, Sydney G. and Pauline E Kneale. *Study Skills for Language Students*. New York: OUP, 2001.
3. Green, David. *Contemporary English Grammar Structures and Composition*. Chennai: Macmillan, 1999.
4. Gupta, Shweta. *General English and Legal Language*, Allahabad: CLP, 2016.
5. Hansen, Randall S and Katherine Hansen. *The Complete Idiot's Guide to Study Skills*. New Delhi: Penguin Books, 2008.
6. Sanjay Kumar and Pushpa Lata. *Communication Skills*. India: OUP, 2011.
7. Thomson and Martinet. *A Practical English Grammar*. Mumbai: OUP, 1970.
8. Tripathi, S C. *Legal Language, Legal Writing and General English*. Allahabad: CLP, 2014.
9. Whitmore, Tracey. *How to write an Impressive CV and Cover Letter*. Rupa and Co. 2011.
10. Yadugiri, M. A. and Geeta Bhaskar. *English for Law*. New Delhi: Foundation Books, 2005.

#### **BA 0102 General Principles of Political Science :**

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

#### **Module 01 Introduction :**

1. Definition and Nature of Political Science
2. Concept of Political Science
3. Methods of studying Politics -Traditional Methods -Philosophical Method - Historical Method - Institutional Method-Legal Method - Modern Methods - Behavioural Method - Post Behavioural Method
4. Significance of Political Science
5. Relationship of Political Science with other allied subjects - Sociology,



**Module 02    Origin and Development of State :**

1. Historical Evolution of State from Individual to State
2. Meaning and definition of State
3. Essential elements of State - Population-Territory- Government and Sovereignty
4. Theories of origin of State–Divine origin Theory - Historical Theory -Genetic Theory- Social Contract Theories of Hobbes, Locke and Rousseau
5. Types of State - Unitary- Federal-Micro-Macro and City-State
6. Development of State from City State - Plato's ideal State
7. Nation State - Welfare State - Micro and Macro - Cosmopolitan State

**Module 03    Sovereignty of State :**

1. Meaning and definition of Sovereignty
2. Characteristics of Sovereignty
3. Sovereignty and Constitutional law
4. Austin's Interpretation and Pluralistic Interpretation of Sovereignty

**Module 04    Theory of Separation of Powers :**

1. Origin and Development of the concept
2. Significance of Theory of Separation of Powers
3. Interrelation between Legislature, Executive and Judiciary

**Module 05    Political Obligation :**

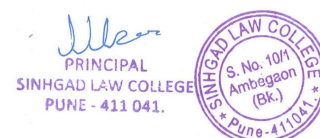
1. Meaning and Nature of Political Obligation
2. Significance of Political Obligation
3. Individual and Political Obligation
4. Theories of Political Obligation – Liberal Theory-Force Theory-Consent Theory - Idealist Theory- Marxist Theory- Utilitarian Theory
5. Political Obligation and Unjust Laws
6. Concept of Punishment and its need
7. Theories of Punishment – Deterrent Theory-.Retributive Theory-Preventive Theory- Reformatory Theory - Expiatory Theory

**Module 06    Government and its Forms :**

1. Difference between State and Government
2. Classification of Government –Classical view - Plato and Aristotle
3. Modern Forms of Government – Monarchy- Aristocracy- Democracy- Dictatorship-Parliamentary-Presidential- Unitary and Federal- Local Self Government – An over view

**Module 07    Political Parties and Pressure Groups :**

1. Origin and evolution of Political Parties
2. Meaning and nature of Political Parties
3. Structure, Power and functions of Political Parties
4. Types of Political Party System– Single Party System-Bi-Party System- Multi-Party System
5. Types of Political Parties – Indian Scenario- Umbrella Party- National Parties-



### State Parties-Regional Parties

6. Role of Election Commission in regulating Political Parties
7. Pressure Groups – Meaning and significance and functions
8. Election process – Understanding basic concepts- Electorate - Constituency- Universal Adult Franchise- Representation and its types

### Recommended Readings :

1. Asirvatham Addi, *Political Theory* (New Delhi, S. Chand and Co. 1988).
2. Barker, E. *Principles of Social and Political Theory*, (Calcutta, Oxford University Press, 1976).
3. Colin Hay (2002) *Political Analysis: A Critical Introduction*. Basingstoke: Palgrave Macmillan.
4. David Collier and John Gerring (eds.) (2009) *Concepts and Method in Social Science: The Tradition of Giovanni Sartori*. London: Routledge.
5. Gauba, O.P., *An Introduction to Political Theory* (New Delhi, Macmillan 2005).
6. Heywood, Andrew, *Politics* (New York, Palgrav, 2002).
7. Hobbes, T *Leviathan* (ed) R-Tuck, Cambridge, (Cambridge University Press, 1991).
8. Jain, P.V. *Political Science I (Political Theory)* Allahabad: Central Law Publication, 2016.
9. Johari, J.C. *Principles of Modern Political Science* (New Delhi, Sterling Publisher, 2005).
10. Kapur, A.C., *Principles of Political Science* (New Delhi, S. Chand and Co. 2005).
11. Leftwich, Adrian, *What is Politics* (Cambridge, Polity Press, 2005).
12. MacIver, R.M, *The Modern State* (Oxford, Oxford University Press, 1926).
13. Marx, K.H, *The Communist Manifesto C Moscow*, Progress Publishers, 1975).
14. Ramaswamy, Sushila, *Political Theory: Ideas and Concepts* (Delhi, Macmillan, 2003).
15. Tansey, S.D., *Politics: The Basics* (London, Routledge, 2000).

### Recommended Articles :

1. Jackson, John H (2003). *Sovereignty - Modern: A New Approach to an Outdated Concept*, Georgetown Law Faculty Publications and Other Works. ([scholarship.law.georgetown.edu/facpub/110/](http://scholarship.law.georgetown.edu/facpub/110/)).
2. Khushi Pandya (April 22, 2013), *Separation of Powers - An Indian Perspective*, University of Westminster - School of Law, ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2254941](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2254941)).
3. Eoin Carolan (Jan 1, 2009). *The Problems with the Theory of the Separation of Powers*. University College Dublin (UCD) - School of Law. ([https://papers.ssrn.com/sol3/papers2.cfm?abstract\\_id=1889304](https://papers.ssrn.com/sol3/papers2.cfm?abstract_id=1889304)).
4. Danny Gittings (2015). *Conflict Over Montesquieu's Doctrine' on Separation of Powers*. ([https://papers.ssrn.com/sol3/papers2.cfm?abstract\\_id=2617094](https://papers.ssrn.com/sol3/papers2.cfm?abstract_id=2617094)).
5. Jose Cheibub- *Systems of Government: Parliamentarism and Presidentialism*. ([https://www.hks.harvard.edu/fs/pnorris/.../Cheibub\\_Pres\\_Parlt.pdf](https://www.hks.harvard.edu/fs/pnorris/.../Cheibub_Pres_Parlt.pdf)).
6. Wilhelm Hofmeister and Karsten Grabow. (2011) *Political parties : functions and organisation in democratic societies* –Konrad Adenauer Stiftung. ([www.kas.de/wf/doc/kas\\_7671-1442-2-30.pdf?120920114650](http://www.kas.de/wf/doc/kas_7671-1442-2-30.pdf?120920114650)).



7. Kamal Rana (2014). *Role of Pressure Groups in Indian Democracy*. ([www.importantindia.com/.../role-of-pressure-groups-in-indian-democracy/](http://www.importantindia.com/.../role-of-pressure-groups-in-indian-democracy/)).
8. Mukulika Banerjee (2014). *Working of Indian Electoral Democracy -Why India Votes*, Routledge Publishers. ([www.mainstreamweekly.net/article6494.html](http://www.mainstreamweekly.net/article6494.html)).
9. Pratap Bhanu Mehta, *Is electoral and institutional reform the answer?* ([www.india-seminar.com/.../506%20pratap%20bhanu%20mehta.htm](http://www.india-seminar.com/.../506%20pratap%20bhanu%20mehta.htm)).
10. Anup Shah - *Democracy - Global Issues*. ([www.globalissues.org/article/761/democracy](http://www.globalissues.org/article/761/democracy)).
11. Ashutosh Varshney (1998) *India Defies the Odds: Why Democracy Survives* | Journal of Democracy, Volume 9, pp 36-50. ([www.journalofdemocracy.org/.../india-defies-odds-why-democracy-survives](http://www.journalofdemocracy.org/.../india-defies-odds-why-democracy-survives)).
12. T. N. Srivastava (2002). *Local Self Government and the Constitution*. Economic and Political Weekly, Vol. 37, No. 30, pp. 3190-3198.

#### **Recommended Journals :**

1. American Journal of Political Science - (<https://ajps.org/>).
2. British Journal of Political Science | Cambridge Core. (<https://www.cambridge.org/core/journals/british-journal-of-political-science>).
3. American Political Science Review. ([www.apsanet.org/apsr](http://www.apsanet.org/apsr)).
4. Canadian Journal of Political Science/Revue canadienne de science - (<https://www.cambridge.org/.../journals/canadian-journal-of-political-science-revue>).
5. Indian Journal of Political Science. (<http://www.ijps.net.in/>).

#### **BA 0103 General Principles of Economics :**

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

#### **Module 01 Introduction to Economics :**

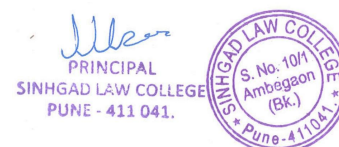
1. Meaning and Definition of Economics
2. Scope and Importance of Economics
3. Branches of Economics – Micro, Macro, Positive, Normative, Developmental and Welfare Economics
4. Interrelationship of Economics with Political Science, Management and Governance

#### **Module 02 Basic Concepts and Definitions :**

1. Utility, commodity, services, consumption, production, income, wealth and equilibrium
2. Difference between economic and non - economic goods, economic and non – economic wants
3. Significance of resources and their scarcity

#### **Module 03 Demand and Supply :**

1. Law of Demand and Supply





2. Elasticity of Demand – Price, Income and Cross Elasticity of Demand
3. Law of Diminishing Marginal Utility
4. Law of Equity - Marginal Utility
5. Indifference Curve Analysis – Consumer Surplus

**Module 04 Theory of Production and Cost :**

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

**Module 05 Market Structure and Price Determination :**

1. Classification of Market - Perfect Competition, Monopoly, Monopolistic Competition, Oligopoly and Duopoly
2. An overview of Price Determination in different market structures
3. Understanding about Cartel, Trust, Company, Merger and Amalgamation

**Module 06 Factor Pricing :**

1. Functional and Personal Distribution of Income
2. Marginal Productivity Theory of Distribution
3. An overview of theories of Determination of Rent, Wages, Interest and Profit

**Recommended Readings :**

1. Samuelson, Paul and Nordhaus, *Economics*, Tata McGraw Hill Publishing Company Ltd., New Delhi, 2007.
2. Ahuja, H. L., *Advanced Economic Theory: Micro Economic Analysis*, S. Chand and Company Ltd., New Delhi, 2007.
3. Chopra, P. N., *Principles of Economics*, Kalyani Publishers, Ludhiana, 2006.
4. Seth, M. L., *Principles of Economics*, Lakshmi Narain Agarwal Educational Publishers, Agra, 2001.
5. Bhutani, P. J., *Principles of Economics*, Taxmann Publication, New Delhi, 2000.
6. Agarwala, S. K., *Economic Systems and Micro Economic Theory*, Galgotia Publishing Company, New Delhi, 1997.
7. Sivagnanam, K. Jothi and Srinivasan R., *Business Economics*, Tata McGraw Hill Education Private Ltd., New Delhi, 2010.
8. Dwivedi, D. N., *Managerial Economics*, Vikas Publishing House Pvt. Ltd., New Delhi, 2002.
9. Reddy, Raghunatha R. and Chary Narasimha M. V., *Managerial Economics and Financial Analysis*, Scitech Publications (India) Pvt. Ltd., Chennai and Hyderabad, 2005.

**BA 0104 General Principles of Sociology :**

**Objectives of the Course :** Sociology is a significant area to study and observe the various ethical, moral and cultural standards and the significant role played by social institutions in



regulating the behavioral patterns of individuals in every society. Law also contemplates the same in a different perspective, this introductory course is intended to acquaint the students with sociology as a social science and the distinctiveness of its approach among the social science. It is organized in such a way that to give an idea to the students of law the Significance of sociology in the society and its impact and relationship on law and the importance of social aspects in law making.

**Module 01 Introduction :**

1. Origin and Development of Sociology
2. Meaning and Definition of Sociology
3. Scope and Concept of Sociology – significance of sociology
4. Relationship of sociology with other Sciences - Economics - Politics - Law - Psychology - Science and Technology

**Module 02 Basic Concepts of Sociology :**

1. Values - Ethics and Norms
2. Social and social system-Community - Individual-Culture
3. Institutions - Family - Marriage - Kinship - Religion - Education - Polity

**Module 03 Social Anthropology :**

1. Meaning and scope of social anthropology
2. Relationship between sociology and social anthropology
3. Development of social anthropology
4. Social differentiation
5. Differences between societies

**Module 04 Social Processes :**

1. Socialization: Process, Stages, Agencies
2. Social Mobility: Meaning, Forms, Factors
3. Social Control: Forms, Agencies

**Module 05 Social Stratification :**

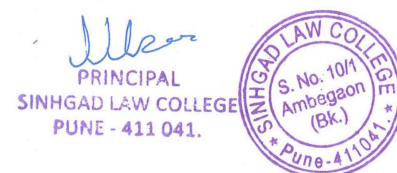
1. Meaning - Forms and Theories
2. Nature of Social Classes - Family - Class - Endogamy
3. Social Stratification - Functions and dysfunctions of Social Stratification

**Module 06 Relationship between Sociology and Law :**

1. Law as an Instrument of social Change
2. Role of Social movements and its impact on law
3. Religious and Cultural aspects and their significance in Law
4. Family and its importance in Social Legislations

**Recommended Readings :**

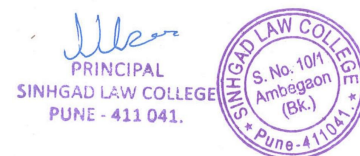
1. Ishwar Bhatt: 2009, *Law and Social Transformation*, Easter Book Company.
2. Bottomore, T.B. 1972. : *Sociology : A guide to Problems and literature*, Blackie and Son (India). Ltd.
3. Harlambos, M. 1998. : *Sociology : Themes and Perspectives*, New Delhi: Oxford University Press.



4. Inkeles, Alex. 1987. : *What is Sociology?* New Delhi: Prentice Hall of India.
5. Johnson, Harry M. 1995. : *Sociology : A Systematic Introduction*. New Delhi Allied Publishers.
6. MacIver, R.M. and 1996 : *Society : An Introductory Analysis Page*, Charles H. Macmillan India Limited.
7. Oommen, T.K. Venugopal, C.N and 2002 : *Sociology for Law Students*. Lucknow, Eastern Book Company.
8. LexisNexis : *Sociology for Law Students* 2016.
9. N. S. Timasheff: *Basic Concepts of Sociology*, American Journal of Sociology, Vol. 58, No. 2 (Sep., 1952),pp. 176-186 available at JSTOR gateway.
10. Lucy Mair, 1997, *an Introduction to Social Anthropology*, Oxford, New Delhi.

**Recommended Journals:**

1. American journal of Sociology.
2. Indian Journal of Sociology.
3. British Journal of Sociology.
4. Social Currents.
5. Social Action.
6. Social Change.
7. South India Journal of Sociology.



## First Year B.A. LL.B. - Semester II

### CE 0201 English for Law :

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

#### Module 01 Phonology and Morphology :

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

#### Module 02 Semantics and Role of Meaning in Law :

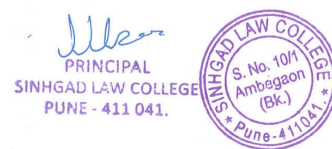
1. Concept of Meaning
2. Types of Meaning (Denotative, Connotative, Social, Emotive, Reflected, Collocative and Thematic)
3. Semantic Ambiguity
4. Components and Contrasts of Meaning-Synonyms, Antonyms and Hyponym and their Significance in Legal Language (focus on examples)
5. Lexical Relations-Homographs, Metonymy and Polysemy and their Significance in Legal Language(focus on examples)

#### Module 03 Composition Skills :

1. Report Writing
2. Précis Writing
3. Notices of General Nature
4. Essay Writing on Legal Topics
5. Translation :
  - a) Definition of 'Translation' and its Nature
  - b) Techniques of Translation
  - c) The Significance of Translation in Law

#### Module 04 Understanding the Law :

1. Defining Law
2. Meaning of Act, Bill, Custom, Law, Laws, Morality, Ordinance, Precedent, Rule, Statute
3. Nature of Law
4. Classification of Laws- Municipal Law and International Law, Public and Private Laws, Civil and Criminal laws
5. Interpreting Law and Role of Language in Interpretation (Use of definitions, meanings of words, literal meaning and contextual meaning (Refer to Porritts



and Spencer (Asia) Ltd v. State of Haryana 1979 SCC (1) 82 and Duport Steels v. Sirs, (1980) 1 All ER 529, (1980) ICR 161)

6. Etymology, Significance, Meaning and Usage of Legal Terms in Procedural, Civil and Criminal Laws - Legal Terms (75)

#### **Module 05 Foreign Terminology in Law :**

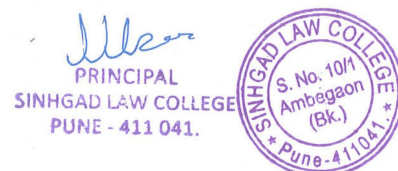
1. Use of Foreign Terms in Legal English- the Origin of Law and Reasons for their Use
2. Foreign Words (30)
3. Legal Maxims (15)

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

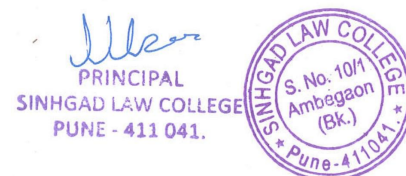
Abduction	Deponent	Parole
Abetment	Detention	Partition
Abscond	Discharge	Perjury
Accomplice	Encumbrance	Petition
Accused	Eviction	Plaintiff
Acquittal	Evidence	Pleadings
Adoption	Extortion	Precedent
Admission	Fraud	Prosecute
Affidavit	Heir	Probation
Alibi	Homicide	Proviso
Alimony	Intellectual Property,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

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

1. *Ab initio* - From the beginning.
2. *Ad hoc*- Established for a particular purpose.
3. *Ad valorem* - According to value.
4. *Amicus curiae* - An impartial Advisor.



5. *Bona vacantia* - Ownerless property.
6. *Compos mentis* - of sound mind.
7. *De facto* - In actual fact.
8. *De jure* - In law, By legal right.
9. *Ex parte* - One side only.
10. *Fauxpas* - Blunder.
11. *In limine* - At the outset.
12. *In memorium* - In memory of.
13. *In personam* - Personally.
14. *Inter alia* - Among other things.
15. *Inter se* - Among themselves.
16. *Lis pendens* - During the pendency in any court.
17. *Locus standi* - Right to speak or intervene in a matter.
18. *Mala fide* - In bad faith.
19. *Mens rea* - Criminal intention or guilty mind.
20. *Modus operandi* - Mode or Method of working.
21. *Nudum pactum* - A bare promise.
22. *Onus probandi* - The burden of proof.
23. *Par excellence* - Without comparison.
24. *Prima facie* - At first sight.
25. *Ratio decidendi* - The reasons for decisions.
26. *Sine die* - To a date not at the moment fixed.
27. *Sub judice* - Under judicial consideration.
28. *Suo moto* - By itself.
29. *Ultra vires* - Beyond powers.
30. *Vox populi* - The voice of people.



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

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

13. *Ubi jus ibi remedium* - Where there is a right there is a remedy.
14. *Vigilantibus non dormientibus jura subveniunt* - The law assists those that are vigilant with their rights and not those that sleep thereupon.
15. *Volenti non fit injuria* - To a willing person, injury is not done.

### **Recommended Readings :**

1. Bansal, R. K. and J. B. Harrison. *Spoken English for India: A Manual of Speech and Phonetics*. Hyderabad: Orient Longman, 1983.
2. Butt, Peter and Caste Richard, *Modern Legal Drafting*. New Delhi: Cambridge University Press, 2011.
3. Gandhi, B.M. *Legal Language, Legal Writing and General English*. Lucknow: Eastern Book Com., 2009.
4. Garner, Bryan A. ed. *Black's Law Dictionary*. 10<sup>th</sup> Edition.
5. Law Commission of India. *Non-feasibility of Introduction of Hindi as Compulsory Language in the Supreme Court of India*. Report No 216, December 2008.
6. Leech, Geoffrey. *Semantics- The Study of Meaning*. Great Britain: Penguin Books, 1981.
7. *Lexpedia*, The Law Students' Companion Guide (Legal Words, Phrases and Maxims) Gurgaon, LexisNexis, 2014.
8. Mohan, Krishna and Meenakshi Raman. *Advanced Communicative English*. New Delhi: Tata McGraw Hill, 2010.
9. Narayanswami, V. R. *Strengthen Your Writing*. Hyderabad: Orient Longman, 2000.
10. *P. Ramanatha Aiyer's Law Lexicon*. LexisNexis, 2012.
11. Wright, Chrissie, ed. *Handbook of Practical Communication Skills*. Mumbai: Jaico Publishing, 2006.
12. Yadugiri, M. A. and Geeta Bhaskar. *English for Law*. New Delhi: Foundation Books, 2005.

### **BA 0202 Political Theories :**

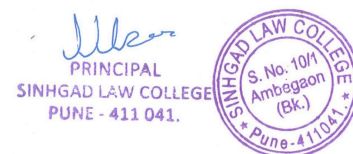
**Objectives of the Course :** This is an introductory course for the concepts, ideas and ideologies in political theory. It seeks to explain the evolution and usage of these concepts, ideas and theories with reference to individual thinkers both historically and analytically. The different ideological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

#### **Module 01 Introduction :**

1. Meaning and definition of Political Theory
2. Significance of Political Theory
3. Impact of Political Theory on Society and Law

#### **Module 02 Approaches to the study of Political Theory :**

1. Traditional Approaches – Philosophical- Historical- Legal- Institutional





2. Contemporary Approaches – Positivism, Constructive and Communitarian

### **Module 03 Theories of Power and Authority :**

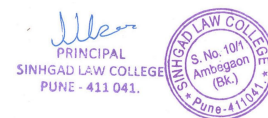
1. Nature and Significance of Power and Authority
2. Max Webber's View on Authority and Robert Dahl's views on Influence
3. Different forms of Power and Authority
4. Theories of Power – Elite Theory and Group Theory
5. Difference between Power and Authority and Legitimacy

### **Module 04 Overview of Political Theory :**

1. Liberalism - Meaning- Main currents of liberalism- J. S. Mill's views- Decline of Liberalism
2. Socialism and its variants - Fabian – Guild - Syndicalism – An overview
3. Marxism- Contemporary relevance
4. Utilitarianism - Jeremy Bentham and Contribution of J.S. Mill
5. Nationalism and its facets – Fascism and Nazism, Challenges before Nationalism – Sub-nationalism - Regionalism
6. Gandhism and Sarvodaya
7. Social Justice Theory of Dr. B.R. Ambedkar

### **Module 05 Contemporary Political Theories and Viewpoints :**

1. Theories of Environment, Feminism
2. Realism and Cultural-relativism
3. Human Rights
4. Current State of Political Theory - Pluralism and Reconciliation



### **Recommended Readings :**

1. Arneil, Barbara, *Politics and Feminism*, Oxford, Blackwell, 1999.
2. Bealey, Frank, *The Blackwell Dictionary of Political Science*, Oxford, Blackwell, 1999.
3. Beetham, David, *The Legitimation of Power*, Houndmills, Macmillan, 1991.
4. Rajeev Bhargava and Ashok Acharaya, *Political theory : An Introduction*, Pearson Longman, Delhi, 2008.
5. Cohen, J. and Arato, A., *Civil Society and Political Theory*, Cambridge, MIT Press, 1992.
6. David Boucher and Paul Kelly (2009) *Political Thinkers : From Socrates to the Present*. Oxford University Press.
7. De Crespigny, Anthony, et.al. (Eds.) *Contemporary Political Theory*, London, Nelson, 1970.
8. Dodson, Andrew, *Green Political Thought*, London, Routledge, 2000, reprint.
9. Dunn, John, *The History of Political Theory and Other Essays*, Cambridge, Cambridge University Press, 1996.
10. Jain, P.V. *Political Science I (Political Theory)*, Allahabad: Central Law Publication, 2016.
11. Varma S. P. *Modern Political Theory*, New Delhi, Vikas, 1983.
12. Sir E. Barker, *Principles of Social and Political Theory*, Calcutta, Oxford University Press, 1976.
13. S. Ramaswamy, *Political Theory: Ideas and Concepts*, Delhi, Macmillan, 2002.

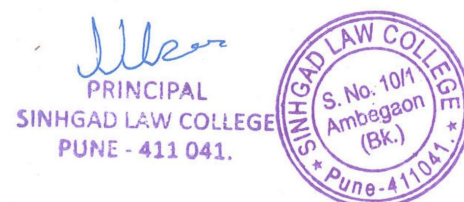
14. Mukherjee and S. Ramaswamy, *A History of Political Thought: Plato to Marx*, New Delhi, Prentice Hall, 1999.

**Recommended Articles :**

1. Guyora Binder (1999) *Cultural Relativism and Cultural Imperialism in Human Rights Law*, Buffalo Human Rights Law Review, Vol. 5, pp. 211-221.
2. Pradeep Nair and Sandeep Sharma (2016) *Gandhi and Governance: Relooking Development at Grassroot Level*, Mainstream, VOL LIV No 41, New Delhi.
3. Jonathan Haidt (July 2016). *When and Why Nationalism Beats Globalism*, The American Interest: Volume 12, Number 1.
4. Robert J. Delahunty (March 2012) *Nationalism, Statism and Cosmopolitanism*, Northwestern Interdisciplinary Law Review, U of St. Thomas Legal Studies, Research Paper No. 12-08.
5. Yogendra Yadav, *Rethinking social justice*.  
([www.india-seminar.com/2009/601/601\\_yogendra\\_yadav.htm](http://www.india-seminar.com/2009/601/601_yogendra_yadav.htm)).
6. Neer Varshney (Feb 2014), *Equality and Social Justice: Is Affirmative Action in India Justified?* OIDA International Journal of Sustainable Development, Vol. 06, No. 11, pp. 81-90.
7. Marc F. Plattner (2010) *Populism, Pluralism, and Liberal Democracy*, Journal of Democracy, Volume 21, Issue 1, 2010, pp. 81-92.
8. Sunita Narain, *Changing Environmentalism*.  
([www.india-seminar.com/2002/516/516%20sunita%20narain.htm](http://www.india-seminar.com/2002/516/516%20sunita%20narain.htm)).
9. Jyh-An Lee (2011), *The Greenpeace of Cultural Environmentalism*, Widener Law Review, Vol. 16, No. 1, 2010.
10. R. Claire Snyder (2008) *What Is Third-Wave Feminism? A New Directions Essay* - The University of Chicago Press Journals, Vol. 34, No. 1 (Autumn 2008), pp. 175-196 Stable. (<http://www.jstor.org/stable/10.1086/588436>).
11. S. Narayanswami *Sarvodaya Movement – A Critical Analysis* - (2001) Journal of Extension and Research, Volume III, Nos. 1 and 2, pp54-59.
12. Chela Sandoval, *"US Third World Feminism", "Feminist Theory under Postmodern Conditions: Toward a Theory of Oppositional Consciousness"*.
13. Joan Scott, *"The Evidence of Experience; Gender and the Politics of History"*; her essay in *Contesting Feminisms*; ed, Feminism and History.

**Recommended Journals :**

1. Journal of International Political Theory.  
([www.st-andrews.ac.uk/intrel/publications/journalofinternationalpoliticaltheory](http://www.st-andrews.ac.uk/intrel/publications/journalofinternationalpoliticaltheory))
2. American Journal of Political Science. ([www.ajps.org](http://www.ajps.org)).
3. Political Theory. (<http://journals.sagepub.com/home/ptx>).
4. Canadian Journal of Political Science (CJPS). (<https://www.cpsa-acsp.ca/cjps.php>).
5. International Political Science Review (IPSR). (<http://journals.sagepub.com/home/ipsr>).



## **BA 0203 Macro Economics, Policies and Practice :**

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

### **Module 01 Introduction to Macro Economics :**

1. Meaning and Definition of Macro Economics
2. Scope and Importance of Macro Economics
3. Interdependence between Micro economics and Macro economics
4. Meaning and relation between economic variables – aggregate demand, aggregate supply, general price level, level of output, full employment, unemployment, saving, investment, income, consumption, rate of interest, etc.

### **Module 02 National Income :**

1. Meaning and Definition of National Income
2. Concepts related to National Income – GDP, GNP, NNP, Personal Income, Disposable Income, Per Capita Income, etc.
3. An overview of measurement methods of National income
4. GDP as a measure of welfare
5. Green Accounting concept
6. Union Budget – Deficit Finance

### **Module 03 Business Cycle and Inflation :**

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

### **Module 04 Output and Employment :**

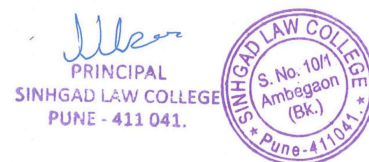
1. Classical theory of employment
2. Keynesian theory of employment

### **Module 05 Economic Growth :**

1. Concept of economic growth
2. Growth vs. Development
3. Indicators of economic growth
4. Economic growth in India
5. Problem of poverty and unemployment
6. Government policies for combating poverty and unemployment

### **Module 06 International Trade :**

1. Meaning and definition of International Trade
2. Domestic trade vs. foreign trade
3. Advantageous and disadvantageous of international trade
4. Concept of Terms of Trade, Balance of Trade and Balance of Payments
5. Foreign Trade Policy



### **Recommended Readings :**

1. Dwivedi, D. N., *Macro Economics*, Tata McGraw Hill Publishing Company Limited, New Delhi, 2006.
2. Ahuja, H. L., *Macroeconomics Theory and Practice*, S. Chand and Company Ltd., New Delhi, 2008.
3. Dornbusch R., Fischer S. and Startz R., *Macroeconomics*, Tata McGraw-Hill Publishing Company Limited, New Delhi, 2002.
4. Shapiro, Edward, *Macro Economic Analysis*, Galgotia Publications Private Limited, New Delhi, 2007.
5. Rana, K. C. and Verma K. N., *Macro Economic Analysis*, Vishal Publishing Company, Jalandhar, 2006.
6. Samuelson, P. A. and Nordhaus, W. D., *Economics*, Tata McGraw Hill Publishing Company Limited, New Delhi, 2002.
7. Jhingan, M. L., *Macro Economic Theory*, Vrinda Publications (P) Ltd, New Delhi, 2010.
8. Dwivedi, D. N., *International Economics*, Vikas Publishing House Pvt Ltd, Noida, 2013.

### **BA 0204 Theoretical Perspectives of Sociology :**

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

#### **Module 01 Introduction :**

1. Significance and Importance of Theory
2. Enlightenment - The social, economic and political forces
3. The French and Industrial Revolutions in the development of sociological thought
4. Indian Movements and their contribution for the development of sociology in India

#### **Module 02 Schools of Sociological Theory and Content of Theories - an Overview :**

1. Significance of Theories and their relationship to Law
2. Schools of sociological theories - Functionalism, Conflict School, Social Action Perspective

#### **Module 03 Significant Western Sociological Thinkers :**

1. August Comte - Positivism - Impact of Science on Society
2. Herbert Spencer - Social Darwinism; Super - organic evolution
3. Emile Durkheim - Social solidarity - Social Structure and Individuals actions -social relations
4. Karl Marx - Dialectic and Historical Materialism - Class and Class Conflict - Importance of Labour in Production
5. Max Weber - Power - Authority and Legitimacy and the concept of Ideal

Type - connection between culture and economy

**Module 04 Significant Indian Sociological Thinkers :**

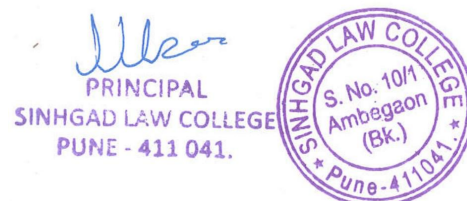
1. Andre Beteille - Religion and Secularism - Caste - Class - Links between Poverty and inequality - Role of Institutions
2. M.N. Srinivas - Caste and Caste Systems - Social Stratification
3. Gail Omvedt - anti-caste movements - environmental movements - farmer's and women's movements
4. Ashish Nandey - Culture of Knowledge - Psychology of violence

**Module 05 Social Dominance Theory :**

1. Psychology of Dominance - Circulation of Oppression - Oppression and cooperation
2. Theoretical and practical issues of Psychological Dominance in Indian Context

**Recommended Readings :**

1. Aron, Ramond. 1967 (1982 reprint). *Main Currents in Sociological Thoughts* (2 volumes). Harmondsworth, Middlesex : Penguin Books.
2. Barnes, H.E. 1959. *Introduction to the history to the sociology*. Chicago The University of Chicago press.
3. Coser, Lewis A. 1979. *Masters of Sociological Thought*. New York : Harcourt Brance Jovanovich.
4. Fletcher, Ronald. 1994. *The Making of Sociology* (2 volumes) Jaipur, Rawat.
5. Morrison, Ken.1995 *Marx, Durkheim, Weber: Formation of Modern Social Thought*. London; sage.
6. Ritzer, George. 1996. *Sociological Theory*. New Delhi. Tata-McGraw Hill.
7. Singh, Yogendra. 1986 *Indian Sociology: Social Conditioning and Emerging Trends*. New Delhi : Vistaar.
8. Zeitlin, Irving.1998 (Indian Edition). *Re-thinking sociology : A critique of Contemporary Theory*. Jaipur: Rawat.
9. Paramjit S Judge : *Foundations of Classical Sociological Theory*, 2012, New Delhi Pearson.



## PART VII

### Syllabus of First Year of B.B.A. LL.B.

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

##### **CE 0101 General English :**

**Note :** The syllabus of this subject is same as syllabus of CE 0101 General English of First Year B.A. LL.B. - Semester I.

##### **BB 0102 Managerial Accounting :**

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

##### **Module 01 Introduction to Accounting :**

1. Financial Accounting - Definition and Scope, Objectives, Advantages and Limitation
2. Branches of Accounting
3. Users of Accounting Information
4. Basic Financial Accounting Terminologies

##### **Module 02 Conceptual Framework :**

1. Role of Accountant
2. Book keeping and Accounting, Accounting Principles
3. Concepts and Conventions, Accounting Policies
4. Double Entry System, Accounts, Classification of Accounts, Rules of Debit and Credit
5. Accounting Equation

##### **Module 03 Recording of Transactions :**

1. Voucher system
2. Accounting cycle
3. Journal, Ledger, Subsidiary Books of Accounts, Cash Book
4. Trial Balance

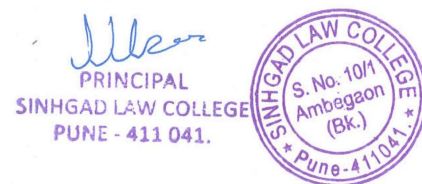
##### **Module 04 Bank Reconciliation Statement :**

##### **Module 05 Accounting for Depreciation :**

1. Written Down Value Method (WDVM)
2. Straight Line Method (SLM)

##### **Module 06 Preparation of Final Accounts :**

1. Preparation of Trading Account of Sole Proprietary Business





2. Preparation of Profit and Loss Account of Sole Proprietary Business
3. Preparation of Balance Sheet of Sole Proprietary Business

**Module 07 Introduction to Company Final Accounts :**

1. Important provisions of the Companies Act, 2013 in respect of preparation of Final Accounts
2. Understanding the final accounts of company

**Module 08 Accounting in Computerized Environment :**

1. Computer and Financial Application
2. Introduction to Accounting Software Package- Tally 9.0
3. An overview of Computerized Accounting System- Salient features and significance, Generating Accounting Reports

**Recommended Readings :**

1. P.C. Tulsian : *Financial Accounting*, McGraw Hill Education (India) Ltd.
2. Anil Chowdhry : *Fundamentals of Accounting and Financial Analysis*. (Pearson Education).
3. Mahesh Abale and Prakash Soni, *Accounting for Business Decision*, Himalaya Publication House.
4. M.C. Shukla and S.P Grewal : *Advanced Accounts*. (S. Chand and Co. New Delhi).
5. Dr. S.N. Maheshwari : *Financial Accounting for Management* (Vikas Publications).
6. Amrith Gupta : *Financial Accounting for Management* (Pearson Education).

**Recommended Journals :**

1. The Journal of Finance (Wiley-Blackwell and American Finance Association).
2. Journal of Business Finance and Accounting (Wiley-Blackwell).
3. The Review of Financial Studies (Oxford University Press).

**BB 0103 Principles of Management :**

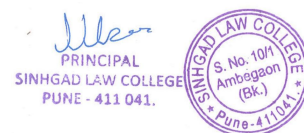
**Objectives of the Course :** Management plays a vital role in the progress and prosperity of a business enterprise. The main intention of management is to run the enterprise smoothly. The profit making objective of business is also to be taken care while undertaking various functions. In this subject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

**Module 01 Nature of Management :**

1. Definitions and Meaning, Nature and objectives
2. Concept of management, organization, and administration
3. Social and Ethical Issues in Management
4. Relationship between Law and management

**Module 02 Evolution of Management Thoughts :**

Contribution of F.W. Taylor, Henry Fayol Elton Mayo and C.K. Pralhad to the





## Management Thoughts

### **Module 03 Management and Environment :**

1. Concept of Environment
2. Environmental Factors- Internal and External
3. Impact of Environment on Business

### **Module 04 Functions of Management :**

1. Planning- Definitions, Meaning, Policies and procedures
2. Methods of planning
3. Decision making – Types - Process of rational decision making and techniques of decision making
4. Organizing- Process, Principles of Organization, Types of organizations,
5. Delegation of Authority, Decentralization

### **Module 05 Functions of Management :**

1. Staffing - meaning and importance
2. Nature and functions of personnel management
3. Selection, Training and development, Performance appraisal
4. Leadership - meaning - styles, Qualities and functions of leaders
5. Controlling- concepts and basic control process, Essential of a good control system, Traditional and non-traditional control devices

### **Module 06 Functions of Management :**

1. Direction - Nature – Principles
2. Communication – Types and Importance
3. Motivation - Importance – Need hierarchy theory of Motivation

### **Module 07 Conflict, Coordination and Corporate Social Responsibility :**

1. Concept of Conflict, Conflict Management
2. Definitions, Meaning, Internal and External Coordination
3. Corporate Social Responsibility

### **Module 08 Strategic Management :**

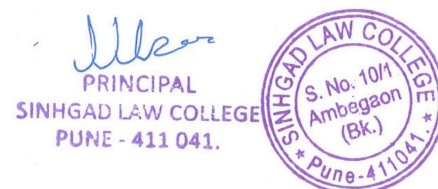
1. Concept of Strategy, Role Strategic management, Strategic Planning
2. Top level business Strategies formulation and implementation, Competitive advantage and core competence

### **Recommended Readings :**

1. Prasad, L. M.(2008), *Principles and Practice of Management*, New Delhi, Sultan Chand and Sons.
2. Drucker, P. F. (1991). *The Practice of Management*, Ahamadabad, Allied Publishers.
3. Kazmi, A. (2008), *Strategic Management and Business Policy*. New Delhi, Tata McGraw-Hill.
4. Tripathi, P. C., and Reddy, P. N. (1992), *Principles of Mnagement*, New Delhi, Tata McGraw - Hill.

### **Recommended Journals :**

1. Harward Business Review.
2. Journal of Commerce and Management Thought.



3. Indian Journal of Commerce and Management Studies.
4. Indian management.

### **BB 0104 Business Communications :**

**Objectives of the Course :** The objective of this course is to make the students understand the concept, need, process and importance of communication and to acquaint them with various methods and media and recent trends in business communication. It aims to develop an integrative approach where reading, writing, oral and nonverbal components are used together to enhance students' ability to communicate effectively. It will inculcate business communication skills through application and exercises.

#### **Module 01 Introduction to Business Communication :**

1. Meaning, Definition, Objectives, Features, Process and importance
2. Importance of Communication Skills for legal professionals, Principles of good communication
3. Barriers to communication and remedies

#### **Module 02 Methods, Types and Channels of Communication :**

1. Written Communication, Oral Communication, Silent Communication (Body language)
2. Proximity, Touch, Signs and Symbols, Paralinguistic with their Merits and Demerits)-Its relevance in Court Proceedings
3. Channels of communication in organisation and their types, merits and demerits

#### **Module 03 Soft Skills :**

1. Meaning, Definition and Importance, Elements of Soft Skills
2. Grooming manners and Etiquettes
3. Effective Speaking, Interview skills, Negotiation skills, Listening skills, Group Discussion, Presentation skills

#### **Module 04 Business Correspondence :**

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

#### **Module 05 New Technologies and Media of Communication :**

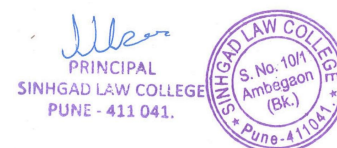
1. Internet – email, Websites, Blogs
2. Introduction, Advantages and Disadvantages of – Fax, Voice mail, Teleconferencing, Videoconferencing, Cellular phones, SMS, MMS, Social media network
3. Use of new technologies in legal profession

**Recommended Readings :**

1. '*Essentials of Business Communication*' - Rajendra Pal and J.S. Korlhalli, S. Chand and Co. New Delhi.
2. '*Media and Communication Management*' – C.S. Raydu, Himalaya Publishing House, Mumbai.
3. '*Professional Communication*' – Aruna Koneru, Tata McGraw - Hill Publishing Co. Ltd., New Delhi.
4. '*Effective Documentation and Presentation*' – Urmila Raiand, S.M. Rai, Himalaya Publishing House, Mumbai.
5. '*Principles and Practices of Business Communication*' – Aspi Doctor and Rhoda Doctor, Sheth Publishers Pvt. Ltd.
6. '*Business Communication – Concepts, Cases and Applications*' – P. D. Chautrvedi and Mukesh Chaturvedi, Pearson, Delhi.
7. '*Business Communication*' – Asha Kaul, Prentice Hall of India, New Delhi.
8. '*Business Communication*' – Madhukar R.K. – Vilas Publishing House Pvt. Ltd., New Delhi.
9. '*Business Communication*' – Nawal Mallika, Cengage Learning, Delhi.
10. '*Business Correspondence and Report Writing*' – R.C. Sharmaand Krishna Mohan, Tata McGraw - Hill Publishing Co. Ltd., New Delhi.

**Recommended Journals:**

1. International Journal of Business Communication.
2. Journal of Business Communication.
3. Journal of Communication Management.
4. Business and Professional Communication Quarterly.



## **First Year B.B.A. LL.B. - Semester II**

### **CE 0201 English for Law :**

**Note :** The syllabus of this Subject is same as syllabus of CE 0201 English for Law of First Year B.A. LL.B. - Semester II.

### **BB 0202 Organisational Behaviours :**

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

#### **Module 01 Fundamentals of Organizational Behaviour :**

1. Definition, Nature, Scope, and Goals of Organizational Behavior, Fundamental Concepts of Organizational Behaviour
2. Models of Organizational Behaviour
3. Relevance of OB in legal profession

#### **Module 02 Attitude, Values and Motivation :**

1. Effects of employee attitudes, Personal and Organizational Values
2. Nature and Importance of Motivation, Motivation Process
3. Theories of Work Motivation: Maslow's Need Hierarchy Theory, McGregor's Theory 'X' and Theory 'Y', Herzberg's two factor theory of Motivation

#### **Module 03 Personality :**

1. Definition of Personality, Determinants of Personality
2. Theories of Personality: The Big Five Personality Model, Myers- Briggs Type Personality, Locus of Control

#### **Module 04 Stress Management :**

1. Meaning and definition of Stress, Sources of Stress: Individual Level, Organizational Level, Causes of stress in organization
1. Effect of Stress - Physiological Effect, Psychological Effect, Behavioural Impact
2. Stress Management – Individual Strategies, Organizational Strategies, Stress management in legal profession

#### **Module 05 Conflict in Organizations :**

1. Concept of Conflict, Process of Conflict, Types of Conflict: Intra-personal, Interpersonal, Intergroup, Organizational
2. Effects of Conflict, Conflict Management Strategies



**Module 06 Group Behaviour and Change in Organization :**

1. Nature of Group, Types of Groups
2. Goals of Organizational Change, Resistance to change, Overcoming resistance to change

**Module 07 Team and Leadership Development :**

1. Team Building, Team Effectiveness
2. Concept of Leadership, Qualities of a Leader

**Module 08 Emerging aspects of Organizational Behaviour :**

1. TQM
2. Managing Cultural Diversity, Quality Circles
3. Total Employee involvement, Organizational Change

**Recommended Readings :**

1. Ashwathappa, K. (2009). *Organizational Behaviour*. Mumbai: Himalaya Publishing House.
2. Hema, B. *Organizational Behaviour*. New Delhi : Scitech Publisher.
3. Kotler, P., and Keller, K. L. (2016). *Marketing Management*. Noida : Pearson.
4. Nair, S. R. (2008). *Orhanizational Behaviour* . New Delhi: Himalaya Publishing House .
5. Prasad, L.M. (2007). *Organizational Behaviour*. New Delhi: S. Chand and Company.
6. Prasad, L. M.(2008). *Principles and Practice of Management*. New Delhi: Sultan Chand and Sons.

**Recommended Journals :**

1. Journal of Organizational Behaviour.
2. Indian Journal of Industrial Relations.
3. Harvard Business Review.
4. Journal of Commerce and Management.

**BB 0203 Management Information System :**

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

**Module 01 Introduction to Information Systems :**

1. Introduction to System and its classification, System Approach, Information System
2. Role of Information systems in business today, Contemporary Approaches to Information System

**Module 02 Information Systems Concept :**

1. Types of Information systems
2. Information system impact on Organizations and Business Firms

3. Using Information Systems to Achieve Competitive Advantage

**Module 03 Information Technology Infrastructure :**

1. IT Infrastructure, Components, Data communication channels
2. Types of Networks, Network topologies

**Module 04 Databases and Information Management :**

1. Organizing Data in a Traditional File Environment, Problems with the Traditional File Environment
2. Database Management Systems, Capabilities of Database Management Systems, Designing Databases
3. Challenge of Big Data, Business Intelligence Infrastructure, Analytical Tools: Relationships, Patterns, Trends

**Module 05 Systems Analysis and Design :**

1. Systems Development Process, Structured and Object-Oriented Methodologies, Alternative Systems-Building Approaches- Prototyping, End-User Development
2. Application Software Packages and Outsourcing, Rapid Application Development (RAD)

**Module 06 Decision Making and Information Systems :**

1. The Decision-Making Process, Herbert Simon Model, Business Intelligence and Analytics
2. Decision Support for Operational and Middle Management, Group Decision-Support Systems, Knowledge systems, Expert systems and Artificial Intelligence, ERP

**Module 07 Securing Information Systems :**

1. System Vulnerability and Abuse
2. Malicious Software: Viruses, Worms, Trojan Horses, and Spyware, Hackers and Computer Crime
3. Internal Threats: Employees, Software Vulnerability, Firewalls, Intrusion Detection Systems, and Antivirus Software, Securing Wireless Networks, Relevant Provisions of Information Technology Act, 2000

**Module 08 Ethical and Social Issues in Information Systems :**

1. Understanding Ethical and Social Issues Related to Systems
2. Key Technology Trends that Raise Ethical Issues, Professional Codes of Conduct

**Module 09 Moral and Legal Dimensions of Information Systems :**

1. Information Rights: Privacy and Freedom in the Internet Age, Internet challenges to privacy, Technical solutions
2. Property Rights: Intellectual Property, Trade Secrets, Copyright, Patents, Challenges to Intellectual Property rights

**Module 10 E-Commerce :**

E-commerce and E –commerce Business models, M-commerce



**Recommended Readings :**

1. Laudon and Laudon, *Management Information Systems*, Pearson Education Asia.
2. Jawadekar, *Management Information Systems*, Tata McGraw Hill.
3. Davis and Olson, *Management Information Systems*, Tata McGraw Hill.
4. Turban and Aronson, *Decision Support Systems and Intelligent Systems*, Pearson Education Asia.
5. Jayant Oke, *Management Information Systems*.

**Recommended Journals :**

1. MIS Quarterly, University of Minnesota.
2. CSI Communications, Computer Society of India, Mumbai.
3. Journal of Management Information Systems.

**BB 0204 Principles of Marketing :**

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

**Module 01 Introduction of Marketing :**

1. Marketing – Definition, Concepts, Significance
2. Approaches to the study of Marketing, Relevance of Marketing in developing economy, Role and functions of Marketing Manager
3. Regulatory Environment of Marketing

**Module 02 Functions of Marketing :**

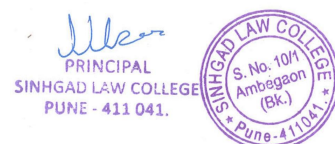
On the basis of exchange, On the basis of physical supply and facilitating functions

**Module 03 Classification and Types of Markets :**

1. Traditional classification of marketing, Service Marketing: 7P's of services marketing, importance of services marketing, importance of service sectors
2. Rural Marketing: Meaning, feature and importance of rural marketing, Difficulties in rural marketing and suggestions for improvement of rural marketing

**Module 04 Recent Trends in Marketing :**

1. Rural Marketing: Meaning, Features, Importance and Difficulties in Rural Marketing
2. Retail Marketing: Meaning, Types and Role of Retail Marketing
3. Tele marketing: Meaning, Definition, Applications
4. E-Marketing: Meaning, Definition, Tools, and Importance
5. Digital marketing: meaning, importance of digital marketing
6. Green Marketing: Meaning Importance





**Module 05 Marketing Environment and Market Segmentation :**

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

**Module 06 Marketing Mix (Product and Price) :**

1. Product mix: concept of a product, product characteristics: intrinsic and extrinsic, PLC, Product simplification, product elimination, product diversification, new product development
2. Price mix: meaning, element, importance of price mix, factors influencing pricing, pricing methods and recent trends in pricing

**Module 07 Marketing Mix (Place and Promotion) :**

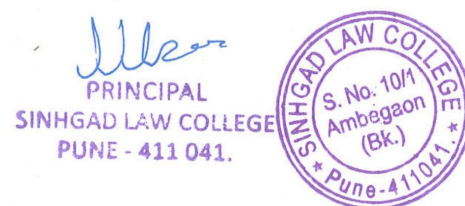
1. Place mix: meaning and concepts of channel of distribution, types of channel of distribution or intermediaries, Factors influencing selection of channels, types of distribution strategies: intensive, selective and extensive
2. Promotion mix: meaning, elements of promotion mix, types of media: outdoor,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

**Recommended Readings :**

1. Druker, P. F. (1954). *The Practice of Management*. New York : Happer and Row.
2. Kotler, P., and Keller, K. L. (2016). *Marketing Management*. Noida: Pearson.
3. Ramaswami, V., and Namakumari, S. (2003). *Marketing Management*. New Delhi : Macmillian India Ltd.
4. Stanton, W. (1978). *Fundamentals of Marketing*. New York : McGraw-Hill Book Company.

**Recommended Journals :**

1. Indian Journal of Marketing.
2. Harvard Business Review.
3. International Journals of Marketing.
4. IUP Journal of Marketing Management.
5. Journal of Retailing.



**PART VIII**  
**Syllabus of Second Year of B.A. LL.B.**

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

**CE 0301 Legal Language and Legal Reasoning :**

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

**Module 01 Legal Language and its Nature :**

1. Law and Language
2. Meaning of Legal Language
3. Scope and Domain of Legal Language

**Module 02 Problems of Legal Language and Remedies :**

1. Problems of Legal Language
2. Problems of Legal Language in Drafting Statutes
3. Principles of Legal Writing
  - a) Simplicity, Clarity and Precision
  - b) Plain English and Plain Language Vocabulary
  - c) Eliminating the Jargon “Legalese”
  - d) Avoid Repetitions
  - e) Slash Unnecessary Words
  - f) Breaking up Long and Complex Sentences
  - g) Connecting Sentences
  - h) Linking Paragraphs
  - i) Use of Passive Voice
  - j) Use of Symbols and Abbreviations

**Module 03 Use of Language in Drafting :**

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

**Module 04 Advocacy Skills :**

1. Meaning of Advocacy
2. Advocacy as an Art
3. Qualities of Lawyers (Good voice, command of words, confidence, practical wisdom, etc.)



4. Use of Rhetoric- Figures of Speech (Euphemism, Hyperbole, Irony, Metaphor, Paradox, Simile, Synecdoche and Understatement)
5. Etiquettes and Manners for Law Professionals
6. Client Counseling and Interviewing

#### **Module 05 Logic and Legal Reasoning :**

1. Logic and its Scope
  - a) Major Sources of Knowledge : Empiricism and rationalism - a priori, evidence, memory, observation, reasoning and testimony
  - b) Meaning of Logic and its Nature
  - c) Structure of Argument-Statements/Premises and Conclusion
  - d) Methods of Reasoning- Deductive, Inductive and Reasoning by analogy
  - e) Fact and Opinion
  - f) Truth and Validity
2. Syllogism.
  - a) Meaning of Syllogism
  - b) Rules of Syllogism
  - c) Types of Syllogism-Categorical, Conditional and Disjunctive
3. Fallacy
  - a) Meaning and Reasons of Fallacy
  - b) Types of Fallacies-Faulty Cause, Sweeping Generalization, Faulty Analogy, Anecdotal Fallacy, Bifurcation (False Dilemma), Equivocation, Tautology, Appeal to Popular Opinion and Association Fallacy
4. Elements of Legal Reasoning :
  - (a) Law, facts, issue in legal reasoning
  - b) Application of Reasoning to Law - Facts of a Case and provisions / Case Laws - *Dahyabhai Chhaganbhai Thakker v. State of Gujarat*, AIR 1964 SC 1563 and *Nirmala Anand v. Advent Corporation Pvt. Ltd.*, AIR 2002 SC 2290

*M. K. Joshi*

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#### **Recommended Readings:**

1. Agarwal, S P. *Drafting and Conveyancing*, Delhi : LexisNexis, 2005.
2. Asprey, Michele M. *Plain Language for Lawyers*. New Delhi : Universal Law Publishing Co., 2011. (Module 1-2 (a)- Ch.-2,3,13).
3. Anirudh, Prasad. *Outlines of Legal language in India*. Allahabad : Central Law Publications, 2009.
4. Basantani, K T. *Elementary Logic for LLB*. Sheth Publishers, 2013.
5. Howell, Tracey and Gary Kemp. *Critical Thinking A Concise Guide*. New York : Routledge, 2005.
6. Butt, Peter and Caste Richard, *Modern Legal Drafting*. New Delhi : Cambridge University Press, 2011.
7. Copi, Irving M and et al. *Introduction to Logic*. London : Pearson Education Ltd. 2014.
8. Garner, Bryan A. ed. *Black's Law Dictionary*. 9<sup>th</sup> Edition.

9. Garner, Bryan A. *The Winning Brief*, New York : Oxford University Press, 2014. (Module 2.3, Ch. 19, 21, 22, 27, 29, 30, 32, 34, 56).
10. Jayakumar, Srividya. *Client Counseling for Tomorrow's Lawyers*. All India Court Cases, January 2007. PP 13-17.
11. Selby, Hugh. *Advocacy Preparation and Performance*, New Delhi : Universal Law Publishing Co., 2009.
12. Sridhar, Madabhushi. *Legal Language*. Hyderabad : Asia Law House, 2004.
13. P. Ramanatha Aiyer's *Law Lexicon*. LexisNexis, 2012.
14. Tiersma Peter M. "What is Language and Law? And does anyone care?" *Legal Studies*. Paper No. 2009-11, March 2009.
15. Webb, Julia. *Lawyers' Skills*, United Kingdom : Oxford University Press, 2011.
16. Williams, Glanville. *Learning the Law*. New Delhi : Universal Law Publications, 2000.

### **BA 0302 Public Policy and Public Administration :**

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

#### **Module 01 Introduction :**

1. Meaning and nature of Public Administration
2. Evolution of Public Administration as a discipline
3. Scope of Public Administration- POSDCORB (Planning, Organising, Staffing, Directing, Coordinating, Reporting and Budgeting) view versus People's expectations from the government
4. Relation of Public Administration with Political Science and Law

#### **Module 02 Introduction to Public Policy :**

1. Meaning and Objectives of Public Policy
2. Difference between Policy and Rules
3. Impact of Executive decisions and Public Policy on Traditional Practices and Law
4. Impact of Policy formulation on Law and Justice

#### **Module 03 Approaches to Public Administration :**

1. Traditional Approaches –Woodrow Wilson and Max Weber- An Overview
2. Recent Approaches - Public Choice, Good Governance, New Public Management
3. Post 1990's Approach - Development Administration – Concept- Characteristics and Scope
4. State versus Market Debate

**Module 04 Accountability and Control :**

1. Concepts of Accountability and Control
2. Mechanisms of Accountability and control – Executive, Media, Interest groups, Right to Information, Social Audit, Civil Society and People's Participation

**Module 05 Importance of Judicial Administration in Modern Era :**

1. Ethical and moral values in Judicial Administration
2. Role of State in Judicial Administration
3. Importance of Financial Autonomy in Judicial Administration
4. E-Governance in Judicial Administration

**Recommended Readings :**

1. Avasthi and Maheshwari, *Public Administration*, Laxmi - Narain Aggarwal, Agra, 2010.
2. Mohit Bhattacharya: *New Horizons of Public Administration*, Jawahar Publishers, New Delhi, 2010.
3. Rumki Basu, *Public Administration - Concepts and Theories*, Sterling Publishers, New Delhi, 2007.
4. H. George Frederickson and Kevin B. Smith, *Public Administration Theory Primer*, Rawat Publications, Jaipur, 2008.
5. H. George Frederickson, *New Public Administration*, The University of Alabama Press, Alabama, 1980.
6. Raymond W. Cox III, Susan J. Buck and Betty N. Morgan, *Public Administration in Theory and Practice*, Pearson Education, New Delhi, 2005.
7. Hoshier Singh and Pardeep Sachdeva, *Administrative Theory*, Kitab Mahal, New Delhi, 2005.
8. M.P. Sharma and B. L. Sadana, *Public Administration in Theory and Practice*, Kitab Mahal, Allahabad, 1988.
9. P.B. Mehta, Oxford Publication (Student Edition), 2015.
10. J.D. Straussman, *Public Administration*, Holt, Rinehart and Winslow, New York, 1985.
11. A.R. Tyagi, *Public Administration - Principles and Practices*, Atma Ram and Sons, Delhi, 1992.
12. S.L. Goel, *Public Administration-Theory and Practice*, Deep and Deep Publications, New Delhi, 2003.
13. Dr. B. L. Fadia, *Public Administration*, Sahitya Bhawan Publications, Agra, 2010.

**Recommended Articles :**

1. John M. Gaus. 1950. *Trends in the Theory of Public Administration*. Public Administration Review 10(3): 161-168.
2. Stephen K. Bailey, 1964, *Ethics and the Public Service*, Public Administration Review 24(4), 234-243.
3. Yehezkel Dror, 1967, *Policy Analysts, A New Professional Role in Government Service*, Public Administration Review 27(3) : 197-203.
4. Nicholas Henry, 1975, *Paradigms of Public Administration*. Public Administration Review 35(4): 378-386.

5. Hal G. Rainey, Robert W. Backoff, and Charles H. Levine, 1976, *Comparing Public and Private Organizations*, Public Administration Review 36(2): 233-244.
6. Caroline J. Tolbert, and Karen Mossberger, 2006, *The Effects of E-Government on Trust and Confidence in Government*. Public Administration Review 66(3): 354-369.

#### **Recommended Journals :**

1. Indian Journal of Public Administration. ([www.iipa.org.in](http://www.iipa.org.in)).
2. International Review of Administrative Sciences, SAGE Journals. ([journals.sagepub.com/home/ras](http://journals.sagepub.com/home/ras)).
3. Journal of Public Administration Research and Theory, Oxford. (<https://academic.oup.com/jpart>).
4. Educational Administration Quarterly - SC Imago. ([www.scimagojr.com/](http://www.scimagojr.com/)).
5. Public Administration Review. (<https://publicadministrationreview.org/>).

### **BA 0303 Theories of Development and Indian Economy :**

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

#### **Module 01 Economic Development and Growth :**

1. Concept of Development, Economic Development and Economic Growth
2. Human Right Dimension in Economic Development and Economic Growth
3. Features and Indicators of Economic Development
4. Vicious Cycle of Poverty
5. Determination of Poverty Line

#### **Module 02 Strategies of Economic Growth :**

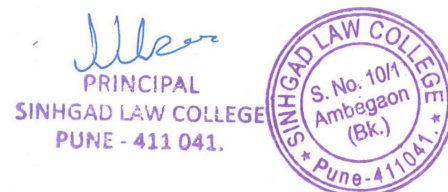
1. An overview of Theories of Development
2. Balanced and Unbalanced Growth
3. Big Push Theory
4. Relation between Population Growth and Per Capita Income
5. Concept of Sustainable Development – Sustainable Development Goals
6. Concept of Human Development – Determination of HDI and PQLI

#### **Module 03 Agrarian Economy in India :**

1. Features of Indian Agriculture
2. Subdivision and Fragmentation of Land
3. Pattern of Land Holding In India
4. Agricultural Credit - Institutional and Non- Institutional Credit
5. Issues of Agricultural Labours
6. Contractual Farming
7. Issues of Corporatisation of Farming

#### **Module 04 Industrial Economy in India :**

1. Features of Indian Industry
2. Concept of SME, MSME, PSU and MNC





3. Controversy over land acquisition for Industry
4. Issues of Industrial Labour and Labour Legislation
5. Capital – Sources of Domestic Capital and Foreign Capital

**Module 05 Other Areas of Indian Economy :**

1. Inflation – Trends in Prices and Money Supply
2. Black Money and Corruption – Reasons and Measures
3. Food Security – Problem of Hunger and Malnutrition – PDS
4. Issue of Employment – Skill Development, Make in India Programme
5. Issue of Special Economic Zones
6. Trends in Revenue and Expenditure of Central and State Government

**Recommended Readings :**

1. Agarwal A. N., *Indian Economy: Problems of Development and Planning*, New Age International Publishers, New Delhi, 2015.
2. Dutt R. and K. P. M. Sundharam, *Indian Economy*, S. Chand and Company Limited, New Delhi, 2016.
3. Jhingan, M. L., *The Economics of Development and Planning*, Vrinda Publication Private Limited, New Delhi, 2010.
4. Prakash, B. A., *The Indian Economy Since 1991 Economic Reforms and Performance*, Pearson Publication, Delhi, 2008.

**BA 0304 Society in India :**

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

**Module 01 Indian Social Structure – India as Plural Society:**

1. Religious diversity - Hinduism, Islam, Buddhism and Christianity
2. Primitive Tribes and Nomadic tribes in India
3. Linguistic and regional diversity

**Module 02 Social Stratification and Social Institutions :**

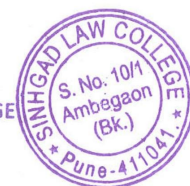
1. Social stratification- Caste, class, tribe and gender
2. Social Institutions - Family, Kinship, and Marriage

**Module 03 Social Movements in pre and post-Independent India :**

1. Dalit movement, Linguistic movements and Tribal movements
2. Peasant movement, Women's movement, Student's movements and Environment movements

**Module 04 Segments of India Society and its Characteristics :**

  
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1. Tribal Society
2. Rural society
3. Urban society

#### **Module 05 Continuity and Change :**

1. Major process of Change - Sanskritisation, Westernization and Modernization
2. Factors of change - Economy, Education and Constitutional provisions

#### **Recommended Readings :**

1. Ahuja, Ram: *Society in India: Concepts, Theories and Social Change*, Rawat, New Delhi, 2005.
2. Ahuja, Ram: *Indian Social System*, Rawat, New Delhi, 2002.
3. Aparna Rao and Michael J. Casimir (ed.), *Nomadism in South Asia*, Oxford University Press, New Delhi, 2003
4. Atal, Yogesh: *Changing Indian Society*, Rawat, Jaipur, 2006.
5. Atal, Yogesh (Ed.): *Understanding Indian Society*, Her Anand Publication, Delhi, 1992.
6. David, Mandelbaum: *Society in India*, Popular, Bombay, 1972.
7. Dube, S.C. *Indian Society*, Popular, Bombay, 2000.
8. Ramchandra, R.: *Urbanization and Urban System in India*, Oxford, New Delhi, 1991.
9. Shah Ghanshyam, *Social Movements and the State*, Sage, New Delhi, 2002.
10. Sharma, K.L. *Caste, Class and Tribe*, Rawat, New Delhi.
11. Sharma, K.L. *Essays on Social Stratification*, Rawat, New Delhi.
12. ICSSR *A Survey in Sociology and Social Anthropology*, 1999.
13. Singh, K. S. *The People of India*, Seagull, Calcutta, 1992.
14. Singh, Yogendra: *Modernization of Indian Tradition*, Thomson, 1973.
15. Srinivas, M. N.: *Social Change in Modern India*, University of California Press, Berkeley, California, 1963.
16. T.K. Oommen, *Social Movements in Independent India*, Vol. I and II, Oxford, New Delhi, 2010.
17. Uberoi, Patricia: *Family, Kinship and Marriage in India*, Oxford, New Delhi, 1993.



## Second Year B.A. LL.B. - Semester IV

### CE 0401 Law and Literature :

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

#### Module 01 Drama with Legal Themes :

1. The Significance of Literature in Understanding the Law
2. The Merchant of Venice (focus on Act IV) - William Shakespeare
3. Justice (focus on Act II) - John Galsworthy

#### Module 02 Short Stories with Legal Themes :

1. Before the Law - Franz Kafka
2. Justice Is Blind - Thomas Wolfe
3. The Benefit of Doubt - Jack London
4. The Web of Circumstance - Charles W Chesnutt
5. The Case for Defense - Graham Greene

#### Module 03 Prose Works :

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

#### Module 04 Poetry :

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

#### Module 05 Legal Text as Literature for Analytical Study :

1. *Balaji Raghvan v. Union of India* (AIR 1996 SC 770)
2. *S Gopal Reddy v. State of Andhra Pradesh* (1996 SCC (4) 596)  
(Case laws are to be analyzed with focus on narrative and argumentative skills)



#### Recommended Readings:

1. Ambedkar, B R. “*Why the Indian Labour is determined to win the war.*” Dr. Babasaheb Ambedkar: Writings and Speeches. Vol. 10. New Delhi : Govt. of India, 2014.
2. Auden, W H. *Law Like Love* (<https://www.poemhunter.com/poem/law-like-love/>).

3. Frost, Robert. *Stopping by Woods on a Snowy Evening* (<https://www.poemhunter.com/poem/stopping-by-woods-on-a-snowy-evening-2/>).
4. Galsworthy, John. *Justice*. Ed. A. Shanmugakani. Chennai : Macmillan, 1981.
5. Gandhi, M K. "Some Reminiscences of the Bar." *The Law and the Lawyers*. Ed. S B Kher. Ahmedabad: Navjivan Trust, 2004.
6. Hicks, Lonnie. *Freedom, Justice and Equality* (<https://www.poemhunter.com/poem/freedom-justice-and-equality/>).
7. Kalam, A P J Abdul. "Joy of Reading." *The Very Best of A P J Abdul Kalam - The Righteous Life*. New Delhi: Rupa Publications, 2014.
8. Krishna Iyer, V R. "M C Chagla - The Centenary of a Judicial Statesman." *Off the Bench*. New Delhi: Universal Law Publishing, 2001.
9. Ledwon, Lenora. *Law and Literature: Text and Theory*. London: Garland Publishing, 1996.
10. Oltman, Gretchen, et al. *Law Meets Literature a Novel Approach for the English Class Room*. London: Rowman and Littlefield, 2016.
11. Shakespeare, William. *The Merchant of Venice*. Ed. John Fletcher. OUP, 1998.
12. Tagore, Rabindranath. (XXXV) from *Gitanjali*. Rupa, 2002.
13. Takahav, N S. *Bacon Essays*. Mumbai: Karnatak Publishing House.
14. Wishingrad, Jay. *Legal Fictions: Short Stories about Lawyers and Law*. New York: Overlook Press, 1992.
15. Wordsworth, William. *Ode : Intimations of Immortality*. (<http://mural.uv.es/horpla/wordsworth.html>).

## **BA 0402 International Relations :**

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

### **Module 01 Introducing International Relations :**

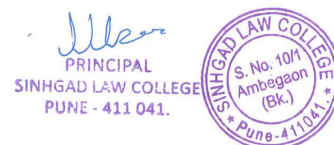
1. Historical Origins of International Relations - Overview
2. Meaning and Definition of International Relations
3. Scope of International Relations
4. Significance of Behavioural Actors, State and Non-State factors

### **Module 02 Approaches to the study of International Relations :**

1. Idealistic Theory
2. Realist Theory
3. Marxist Theory
4. Impact of John Rawls on International Relations

### **Module 03 Peace and Conflict Studies :**

1. Significance of International Peace and security



2. Causes of war
3. Arm Race-Disarmament
4. Methods of Conflict Resolution
5. End of war – Francis Fukuyama's views

**Module 04 Foreign Policy and Diplomacy :**

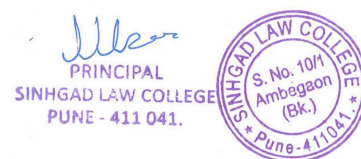
1. Evolution of Foreign Policy and Diplomacy
2. Meaning and Scope of Foreign Policy and Diplomacy
3. Impact of Diplomacy on Foreign Policy
4. Role of Multinational Companies and impact of pressure politics on Foreign Policy and Diplomacy

**Module 05 International Organizations :**

1. Emergence and growth of International Organizations
2. League of Nations - An Overview
3. United Nations - Objectives - Principles of United Nations
4. Structure and Organs of United Nations (General Assembly, Security Council, Secretariat, Economic and Social Council and International Court of Justice)
5. Specialized Agencies - Meaning and significance
6. Relevance of United Nations in present context

**Module 06 Regional Organizations :**

1. Historical evolution of Regional Organizations
2. Structural and functions of EU, OAU, OAS, SAARC, BRIICS and IBSA
3. Role of Regional Organizations in developing peace (UNO Charter Article 52 to 54)
4. Difference between International Organizations and Regional Organizations



**Recommended Readings :**

1. Bull, Hedley: *The Anarchical Society: A Study of Order in World Politics*, Columbia University press, New York, 1977.
2. Camilleri, Joseph A. and Falk, Jim: *The End of Sovereignty the Politics of a Shrinking and Fragmenting World*, Edward Elgar Publishing Ltd., 1992.
3. Chomsky, N.: *Pirates and Emperors International Terrorism in the Real World*, revised edition, Black Rose Books, Montreal, 1995.
4. Claude, I.: *Power and International Relations: Power and Justice*, Prentice Hall, Englewood Cliffs, New Jersey, 1986.
5. Geiger, Theodore: *The Future of the International System*, Unwin Hyman, Boston, 1988.
6. Gilpin, Theodore: *The Political Economy of International Relations*, Princeton University Press, Princeton, 1987.
7. Griffiths, Martin: *Realism, Idealism and International Politics*, Routledge, London, 1993.
8. Hughes, Barry: *Continuity and Change in World Politics*, Prentice Hall, Englewood Cliffs, New Jersey, 1991.
9. Luard, Evan: *Types of International Society*, The Free Press, New York, 1976.
10. Pettman, Ralph: *International Politics*, Longman, 1991.

11. Spero, Joan Edelm : *The Politics of International Economic Relations*, Routledge, London, 4th Edition, 1990.
12. Waltz, Kenneth Neal: *Theory of International Politics*, Addition Wesley, Rending, Massachusetts, 1979.
13. Yarborough, B. V.: *Co-operation and Governance in World Trade*, Princeton University Press, Princeton, 1992.
14. Brown, C. (2000). John Rawls *The Law of Peoples and International Political Theory*.

#### **Recommended Articles :**

1. Joseph, Jonathan (2007) *Philosophy in International Relations: A Scientific Realist Approach*. Millennium: Journal of International Studies, 35 (2), pp. 345-359.
2. Rynning, S. and Ringsmose (2008) *Why Are Revisionist States Revisionist? Reviving Classical Realism as an Approach to Understanding International Change*, Journal of International Politics, Volume 45, Issue 1, pp 19–39.
3. Kenneth W. Abbott and Duncan Snidal (1998) *Why States Act Through Formal International Organizations*, Journal of Conflict Resolution, Vol. 42, 1998.
4. Timothy M. Shaw (2015) From Post - BRICS' Decade to Post - 2015: *Insights from Global Governance and Comparative Regionalisms*, Palgrave Communications, Vol. 1, pp. 14004.
5. Tamar Meshel (2014) 'Commercial Peacemaking' - *The New Role of the International Commercial Arbitration Legal Order*, Cardozo Journal of Conflict Resolution 395 (2015).
6. W. M. Reisman (1993), *Peacemaking*, 18 Yale Journal of International Law, Vol. 18, Issue 1. (<http://digitalcommons.law.yale.edu/yjil/vol18/iss1/17>).
7. Nicholas Sambanis (2007) *Short-Term and Long - Term Effects of United Nations Peace Operations*, World Bank Policy Research Working Paper No. 4207.
8. John Rawls, First published Tue Mar 25, 2008; *Substantive Revision* Mon Jan 9, 2017. (<https://plato.stanford.edu/entries/rawls/>).

#### **Recommended Journals :**

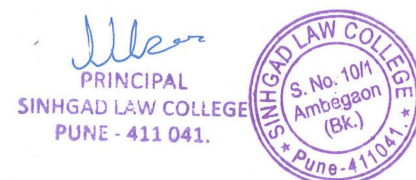
1. Journal of International Relations and Foreign Policy (JIRFP). ([www.jirfp.com/](http://www.jirfp.com/)).
2. Political Science and International Relations Journal. ([www.en.journals.sid.ir](http://www.en.journals.sid.ir)).
3. European Journal of International Affairs. ([www.european-journal.org](http://www.european-journal.org)).
4. BJPIR | The Political Studies Association (PSA). (<https://www.psa.ac.uk/members/>).
5. Conflict Management and Peace Science Journal Impact. (<https://www.researchgate.net/>).

#### **BA 0403 Law and Economics :**

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

#### **Module 01 Introduction :**

1. Interrelationship between Law and Economics
2. Origin and Development of Law and Economics
3. Economic Analysis of Law
4. Why lawyers should study Economics?



## **Module 02 Fundamentals of Economic Analysis of Law :**

1. Economic factors of pricing – Theories of Wages – Exploitation of Labour
2. Legal Land Reforms in India - Post-Independence - Tenancy reforms, Ceiling on Landholding, the Real Estate (Regulation and Development) Act, 2016
3. Agrarian Reforms and their Impact – the Maharashtra Agriculture Produce Marketing (Development and Regulation) Act, 1963 - Increasing the Yield and Productivity of farms
4. Significance of Economic Legislations – an overview - the Foreign Exchange Management Act, 1999, the Banking Regulation Act, 1949

## **Module 03 Impact of Economic Theories on Law and Development :**

1. Welfare Economics - Introduction, Welfare schemes and legislations in India and their impact – the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, National Social Assistance Program, the Right to Education Act, 2009
2. Notion of Pareto Optimality and Economic Efficiency – Pareto criterion of Social welfare
3. Coase Theorem on Property and Liability

## **Module 04 Interrelationship between Economics and Property :**

1. Economic Perspective of Property
2. Types of Property - Public and Private Property - Intellectual Property
3. Bargaining Theory
4. Economic Theory of Property with reference to Marx and Locke
5. Economic Theories of Distribution

## **Module 05 Impact of Economic Policies on Law :**

1. Significance of Planning – Composition and Role of Niti Aayog
2. Impact of Globalisation on Law – an Overview
3. Impact of Liberalisation and Privatisation on Law and Legislation
4. Impact of Market Economy on Law
5. International Economic Laws – Their Introduction, Significance and Impact

## **Recommended Readings :**

1. Shukla, M. B., *Indian Economy*, Taxmann Publication (P) Ltd., New Delhi, (2012).
2. Bhutani, Prem J., *Principles of Economics*, Taxmann Allied Services Pvt Ltd, New Delhi, (2008).
3. Misra, S. K. and Puri, V. K., *Indian Economy – Its Development Experience*, Himalaya Publishing House, Mumbai (2012).
4. Robert Cooter : *Law and Economics* (6<sup>th</sup> Edition) (2012) Pearson Publishers.
5. Polinsky, Mitchell A., *An Introduction to Law and Economics* (1983).
6. Harrison, Jeffrey, *Law and Economics in a Nutshell* (1995).
7. Calabresi, Guido, *The Future of Law and Economics : Essays in Reform and Recollection* (2016).
8. Leitzel, Jim, *Concepts in Law and Economics: A Guide for the Curious* (2015).



## **BA 0404 Social Research Methods :**

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

### **Module 01 Introduction to Social Research - Philosophy of Social Research :**

1. Social research - meaning and significance
2. Types of social research - pure and applied research
3. Values and ethics in social research

### **Module 02 Research Process :**

1. Steps in social research
2. Selection and formulation of research problem
3. Hypothesis - meaning, characteristics and types
4. Data collection - primary and secondary sources
5. Sampling - meaning and techniques

### **Module 03 Techniques of Data Collections :**

1. Observation - nature, types, advantages and limitations
2. Interview - nature, advantages and limitations
3. Questionnaire - nature, types, advantages and limitations

### **Module 04 Quantitative and Qualitative Research :**

1. Difference between Quantitative and Qualitative research
2. Quantitative research methods  
Survey - Meaning, nature, advantages and disadvantages
3. Qualitative research methods  
Case study - meaning, nature, advantages and disadvantage
4. Recent strategies - combining the quantitative and qualitative methods in research

### **Module 05 Computer in Social Research :**

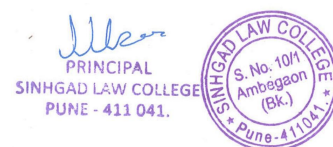
1. E-research: using the internet as object and method of data collection
2. Use of computer in data analysis

### **Module 06 Report Writing :**

1. Importance of report writing
2. Writing qualitative and quantitative research - presentation and interpretation
3. Qualities of good research report

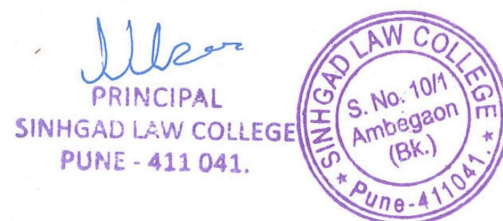
### **Recommended Readings :**

1. Ahuja, Ram. 2007. *Research Methods*. Rawat Publication. Jaipur.
2. Bhandarkar, P. L. and Wilkinson. 2007. *Methodology and Techniques of Social Research*, Himalaya Publishing House, New Delhi.





3. Bryman, Alan. 2008. *Social Research Methods*, Oxford University Press.
4. Goode and Hatt. 2006. *Methods in Social Research*. Surjeet Publication, New Delhi.
5. Haralambos, and Holborn. 2007. *Sociology : Themes and Perspectives*, London: Collins.
6. Newman, Lawrence. 2011. *Social Research Methods: Qualitative and Quantitative Approaches*, Pearson Education.
7. Beteille A and T.N. Madan 1975 *Encounter and Experience Personal Accounts of Fieldwork*, New Delhi: Vikas Publishing House.
8. Garrett Henry 1981 *Statistics in Psychology and Education* David McKay Indian Publication.
9. Mrs. A.F. Sheikh for Vakils, Bombay, Tenth Reprint.
10. Jayaram. N. 1989, *Sociology Methods and Theory*, Madras : MacMillian.
11. Kothari C.R.1989, *Research Methodology : Methods and Techniques*, Bangalore, Wiley Eastern.
12. Punch, Keith 1996. *Introduction to Social Research*, London: Sage.
13. Shipman Martin 1988. *The Limitations of Social Research*, London: Sage.
14. Srinivas, M.N. and A.M. Shah, 1979, *Fieldworker and The Field*, Delhi : Oxford.
15. Young. P.V. 1988, *Scientific Social Surveys and Research*, New Delhi: Prentice Hall.



**PART IX**  
**Syllabus of Second Year of B.B.A. LL.B.**

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

**CE 0301 Legal Language and Legal Reasoning :**

**Note :** The syllabus of this Subject is same as syllabus of CE 0301 Legal Language and Legal Reasoning of Second Year B.A. LL.B. - Semester III.

**BB 0302 Basics of Finance :**

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

**Module 01 Introduction :**

1. Finance function, Broad areas under finance- Scope and Significance
2. Role of a finance executive
3. Financial and legal implications of various forms of business organizations.
4. Sources of Finance
5. Financial system – Meaning and significance, Players in the financial system and their role
6. Financial Institutions and their role
7. Types of securities, Legal aspects of Issue and redemption of securities

**Module 02 Important Concepts:**

1. Time Value of Money, Discounting and Compounding
2. Cost of Capital, meaning cost of capital, cost of Equity, Cost of Debt
3. WACC

**Module 03 Capital Budgeting :**

1. Nature and Significance
2. Basic Methods for evaluating capital expenditure proposals (Traditional And Modern methods)

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

**Module 05 Analysis and Interpretation of Financial Statements using the Techniques like :**

1. Ratio Analysis
2. Fund flow Analysis (Basic Problems)



**Module 06 Management of Profits :**

Introduction to procedural and legal formalities involved in the payment of dividend, Bonus Shares

**Module 07 Capital Structure :**

1. Optimum capital structure
2. Factors influencing capital structure

**Module 08 Capitalisation :**

1. Over capitalisation - meaning, causes, consequences, remedies
2. Under Capitalisation - meaning, causes - consequences, remedies

**Note :** Problems should be covered at least on the following topics :

1. Simple problems on Ratio Analysis.
2. Simple problems on Cash Flow Analysis.
3. Time value of money, Calculation of cost of capital and problems on capital structure.
4. Methods for evaluation of Capital Expenditure.

**Recommended Readings :**

1. *Financial Management* - I.M. Pandey published by Vikas Publishing House.
2. *Finance* – Viva Books Pvt. Ltd, published in arrangement with BPP Learning Media London.
3. *Financial Management* - Khan and Jain published by Tata McGraw Hill.
4. *Principles of Managerial Finance*- Lawrence J. Gitman, published by Pearson Education.
5. *Financial Management* - Prasanna Chandra published by Tata McGraw Hill.
6. *Financial Management* –Rustagi published by Taxmann.
7. *Financial Management*- Dr. Mahesh Abale and Dr. Shri Prakash Soni, published by Himalaya Publication House.

**Recommended Journals :**

1. Journal of Business Finance and Accounting (Wiley-Blackwell).
2. The Review of Financial Studies (Oxford University Press).
3. Accounting, Auditing and Accountability Journal (Emerald Group Publishing).

**BB 0303 Managerial Economics :**

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

**Module 01 Introduction :**

1. Meaning, Nature and Scope of Business Economics, Micro and Macro
2. Basic Economic Problems
3. Market forces in solving economic problems
4. Circular Flow of Income and Expenditure

**Module 02 Demand Analysis :**

1. Concept of Demand, Elasticity of Demand and their types
2. Revenue Concepts - Total Revenue, Marginal Revenue, Average Revenue and their relationship

**Module 03 Supply Analysis :**

1. Concept and Law of Supply
2. Factors Affecting Supply

**Module 04 Cost Analysis :**

1. Accounting Costs and Economic Costs
2. Short Run Cost Analysis: Fixed, Variable and Total Cost Curves, Average and Marginal Costs
3. Long Run Cost Analysis: Economies and Diseconomies of Scale and Long Run Average and Marginal Cost Curves

**Module 05 Pricing under Various Market Conditions :**

1. Perfect Competition - Equilibrium of Firm and Industry under Perfect Competition
2. Monopoly - Price Determination under Monopoly
3. Monopolistic Competition - Price and Output Determination under Monopolistic Competition

**Module 06 Distribution :**

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

**Recommended Readings :**

1. *Textbook of Economic Theory* - Stonier and Hague; Longman Green and Co., London.
2. *Introduction to Positive Economics* - Richard G. Lipsey.
3. *Business Economics (Micro)* - Dr. Girijashankar; Atharva Prakashan, Pune.
4. *Micro Economics* - M. L. Seth.
5. *Micro Economics* - M. L. Jhingan; Vrinda Publications, New Delhi.
6. *Managerial Economics* - Theory and Application - D. M. Mithani.

**Recommended Journals :**

1. Journal of Economics and Management Strategy published by Wiley.
2. Computational Economics published by Springer.
3. Managerial and Decision Economics published by Wiley.

**BB 0304 Business Ethics and Corporate Governance :**

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

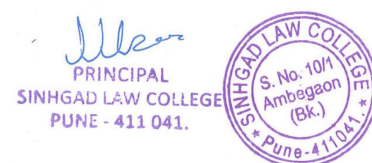
- Module 01 Introduction to Business Ethics :**
1. Concept, Characteristics, Importance and Need for business ethics
  2. Indian Ethos, Ethics and Values, Work Ethos
- Module 02 Importance of Ethics in Business :**
1. Ethical Theories: Met ethics, Normative Theory-Market system-Impact of unethical Behaviour in the market system: Bribery, Coercion, Deception, Theft, Discrimination
  2. Trust and Ethics: Supplier Relations, Customers, Employees- Integrative social contract theory: Hyper norms, Macro Social Contract, Micro Social Contract
- Module 03 Ethical Principles in Business :**
1. 1.Role of Board of Directors, Organization Climate and Structure and Ethics
  2. Addressing Ethical Dilemmas, Code of Ethics; Ethics Committee; Ethics Training; Integrity Pact
- Module 04 Corporate Governance :**
1. Corporate Governance: Concept, Importance, Evolution of Corporate Governance, Principles of Corporate Governance
  2. Regulatory Framework of Corporate Governance in India, SEBI Guidelines and clause 49
  3. Elements of Good Corporate Governance, Failure of Corporate Governance and its consequences
- Module 05 Legislative Framework of Corporate Governance in India :**
- Under Listing Agreement, SEBI Guidelines, Companies Act, Corporate Governance in PSUs, Banks, Insurance Companies
- Module 06 Business Ethics and Corporate Governance :**
1. Introduction, Importance and Need for Business Ethics in Indian Context, Roots of Unethical Behaviour and Issues
  2. Corporate Governance Ethics; How Ethics can Make Corporate Governance more meaningful
- Module 07 Corporate Governance and Other Stakeholders :**
- Employees, Customers, Lenders, Vendors, Government, Society
- Module 08 Application of Ethics in Functional Areas of Business :**
- Ethics in the Areas of Production, Marketing, Finance and Human Resource
- Module 09 Corporate Social Responsibility :**
- Meaning and Definition; Objectives; Drivers and Catalysts of CSR; Importance and Benefits of CSR; Attributes of an effective CSR; CSR under Companies Act, 2013, Arguments for and against CSR, Future Changes of CSR
- Module 10 Ethical Issues in Global Business :**
1. Multinational organization -An Overview, Why companies go global, Ethical issues in MNC's, Political activities, Sales Marketing and Advertising, Technology, Economic activities
  2. Regulatory actions in acquisitions of global business, Social obligations in global business

**Recommended Readings :**

1. Andrew Crane and Dirk Matten, *Business Ethics: Indian Edition*,: OUP.
2. A.C. Fernando: *Business Ethics and Corporate Governance*- Pearson.
3. M.G. Velasquez: *Business Ethics: Concepts and Cases*- Pearson.
4. S.K. Chakraborty: *Management by Values*- OUP India.
5. S. Sing *Corporate Governance– Global Concept*, Excel Books.
6. P.S. Bajaj, Raj Agarwal- *Business Ethics an Indian perspective*, Biztantra.

**Recommended Journals :**

1. International Journal of Business Governance and Ethics.
2. Business and Professional Ethics Journal.
3. Journal of Business Ethics.
4. Journal of Business Systems, Governance and Ethics (JBSGE).
5. International Journal of Trade, Economics and Finance.
6. Indian Journal of Corporate Governance.



## **Second Year B.B.A. LL.B. - Semester IV**

### **CE 0401 Law and Literature :**

**Note :** The syllabus of this Subject is same as syllabus of CE 0401 Law and Literature of Second Year B.A. LL.B. - Semester IV.

### **BB 0402 Human Resource Management :**

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

#### **Module 01 Introduction to Human Resource Management :**

1. Concept, Nature, Scope, Objectives and Importance and Evolution of HRM  
Difference between Personnel Management and HRM, Role, Duties and responsibilities of HR Manager, Structure of HR Department, Challenges of HRM
2. Strategic HRM: Meaning objectives and challenges, HR in International Context: Global competency and Global Dimensions, Developing Cross Cultural Sensitivity

#### **Module 02 Human Resource Planning and Related Laws :**

1. HR Planning - Meaning and Definition, Strategic Planning and Human Resource Planning
2. Job Analysis - Job Description and Job Specification Estimating Human Resource requirement
3. Recruitment - Meaning and Definition Recruitment Source - Internal vs. External, Factors affecting Recruitment. Selection - Meaning and Process, Promotion and Transfers - Policy and Procedures
4. Exit Policy - Meaning and Procedure, Challenges in implementing Exit Policy
5. Voluntary Retirement Schemes - Meaning, Merits and Demerits
6. Labor Turnover - Meaning, Measurement of Labor Turnover, Causes and Control measures
7. Role and Significance of the Industrial Employment (Standing Orders) Act, 1946

#### **Module 03 Training and Development :**

Concept and Importance of Training, Types and methods of Training, Design and Evaluation of Training Programme



**Module 04 Performance Management and Appraisal :**

1. Performance Appraisal - Concept and Objectives, Job Description and Analysis and Performance Appraisal
2. Methods of Performance Appraisal. Appraisal Forms, Formats and Measurements, Appraisal Communication and Counseling, Performance Management, Legal and ethical perspectives in Performance Appraisal

**Module 05 Compensation and Maintenance :**

1. Job Evaluation: Concept, Process and Significance
2. Components of Employee Remuneration: Base and Supplementary, Maintenance
3. Overview of Employee Welfare, Health and Safety, Social Security, Grievance Redressal Procedure, Employee Participation, Flexi time, ESOPs, Relevant Provisions of the Payment of Bonus Act, 1965, the Employees Provident Funds Act, 1952, the Employee's Compensation Act, 1923, the Employees' State Insurance Act, 1948, the Payment of Gratuity Act, 1972

**Module 06 Personnel Records Reports and Audit :**

1. Meaning and Significance of Records and Reports, Essentials of a good Record and good Report
2. Personnel Audit - Objective, Scope and Importance, Methods of Analysis, Audit Report - Meaning and Importance

**Module 07 Fundamentals of Industrial Relations :**

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

**Recommended Readings :**

1. K. Asawaththapa, *International Human Resource Management*, TMH, 2007.
2. Bohlander, *Human Resource Management*, 14th edition Cengage Learning, India, 2009.
3. Dessler, Verkey, *Human Resource Management*, Pearson Education, 2009.
4. Monir H. Tayeb, *International Human Resource Management*, Oxford, 2009.
5. Patnaik, *Human Resource Management*, 3rd edition, PHI, 2009.
6. Subba Rao, *International Human Resource Management*, Himalaya Publishing House.
7. Jeffery Mello, *Human Resource Management*, Cengage Learning, India, 2008.
8. Subba Rao, *Essential of HRM and Industrial Relation*, 2008, Himalaya Pub. House.
9. Methis and Jackson, *Human Resource Management*, 12th edition, 2008 Cengage Learning.

**Recommended Journals :****Journal of Human Resources :**

1. Journal of Human Values.
2. Indian Journal of Industrial relations.
3. Indian Journal of Management Science.



## **BB 0403 Case Studies in Business Environment :**

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

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

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

### **Guidelines for Case Study Analysis and Discussion :**

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

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

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

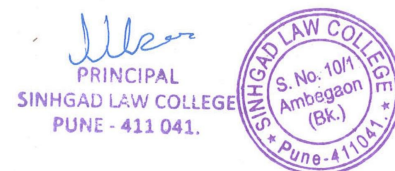
**Step 4 :** Selecting the best alternative solution (while selecting best alternative student can think of risk involved, legal / economical / financial / social aspect, resources and feasibility).

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

**Steps 6 :** Probable outcome of your solution : (Students can explore the probable consequences of their choice of 'solution'. They can consider possible contingency plans, in the event that their 'solutions' do not work out satisfactorily, if implemented in practice).

The above systematic format ensures that all possible problem areas are taken into account in your final recommended solutions, or future courses of action.

### **Topics for Case Studies :**



- Module 01 Cases Studies :**  
Meaning, Objectives, Contents, Structure, Importance and Characteristics of Case Studies, analysis techniques like SWOT, PESTEL, etc.
- Module 02 Introduction to Business Environment :**
1. Concept, Significance, Components of Business environment (national and global)
  2. Factors affecting Business Environment, Types of Environment (Internal and External)
  3. Emerging Trends in Indian Business Environment, Sustainable Business Development
- Module 03 Business Functions :**
1. Strategic: Planning, Budgetary Control, Location of Business, Decision Making, and Government Policies
  2. Finance: Nature and Significance of Financial Management, Financial Planning- Sources of Funds, Investment of Funds, Distribution of Profit
  3. Marketing : Concept of Marketing and Selling , Marketing Mix, Functions of Marketing
  4. Human Resources : Nature, Objectives and significance, Training and Development, Performance Appraisal
- Module 04 Government and Business environment :**
1. Role of Government in Regulating, Promoting, Planning and Development of Business
  2. Monetary and Fiscal Policy; Role EXIM Policy, FEMA
- Module 05 Socio-Cultural Environment in India :**
1. Nature and impact of culture on business, Culture and Globalization
  2. Social Responsibilities of business. Business and Society, Social Environment
  3. Poverty and Poverty Alleviation Programs, Labor and Employment, Women in the Workforce, Child Labour, Education, Health, Population and Family Welfare
- Module 06 Economic Environment :**  
Nature of Economic Environment. Economic factors-growth strategy, Economic planning, Kinds Economic Systems and their impact on Business.
- Module 07 Legal Environment :**  
Introduction, Legal Environment, Laws Impacting Industry in India, Intellectual Property Rights, Major Regulations Pertaining to Business and various forms of business organizations
- Module 08 Technological Environment :**
1. Role of Technology in Business, Innovations, Research and Technological Development, Transfer of Technology, Management of technology
  2. Technology and infrastructural development including roads, ports, airports, hospitals, education, healthcare, communication, etc. Automation in Business
- Module 09 Political Environment :**  
Political System, Functions of States, Political stability and its impact on business

environment

### **Module 10 International Business Environment :**

1. Globalization: Reasons for Globalization; Features and Stages of Globalization; Drawbacks of Globalization; Impact of Globalization on Indian Economy, International Economic Integration, WTO and India
2. Privatization: Objects and Benefits, Conditions for Success, Privatization Policy, Privatization in India, Advantages and Drawbacks of Privatization

### **Recommended Readings :**

1. Justin Paul, *Business Environment : Text and Cases*, Tata McGraw Hill, New Delhi.
2. Cross and Miller, *the Legal Environment of Business: Text and Cases*, Cengage Learning.
3. M.B. Shukla, *Business Environment : Text and Cases*, Taxmann.
4. Chidambaram, *Indian Business Environment*, Vikas, New Delhi.
5. Sundaram and Black, *International Business Environment – The Text and Cases*, Prentice Hall of India.
6. Pandey G.N., *Environmental Management*, Vikas Publishing House.
7. Saleem, *Business Environment*, Pearson, New Delhi.
8. Cherunilam, Francis; *Business Environment - Text and Cases*, Himalaya Publishing House, 2002, 12th revised edition.
9. Aswathappa, K.; *Essentials of Business Environment*, Himalaya Publishing House, 2000, 7<sup>th</sup> edition.
10. Barat, Nikhil, *Emerging Issues in Management, A Collection of Selected Case Studies*, Excel Books, New Delhi, 1998.
11. Sherlekar S. A. and Sherlekar V. S., *Case Studies in Marketing*, Himalaya Publishing House, Bombay, 1983.
12. Sandford C. T. / Bradbury, *Case Studies in Economics*, Economic Policy.
13. Chopra B. K., *Case Studies in Corporate Planning*, Times Research Foundation, Pune, 1989.
14. Bhasin M. L., *Human Resource Management : Case Studies*, Anmol Publications, 1992.
15. K. S. Aanandaram, *Case Studies in Personnel Management, Industrial Relations and Trade Unions*, Everest Publishing House, 2012.
16. Vrat Prem, *Case Studies in Management*, Vikas Publishing House Pvt. Ltd, Delhi, 2011.
17. Kulkarni Vilas, Achuthan Sarla, *Case Studies in Management*, Himalaya Publishing House, Bombay, 2016.
18. Jain Vandana, *Management Theory and Practice (with Case Studies)*, International Book House, New Delhi.
19. Ian Worthington and Chris Britton, *The Business Environment* (fifth edition), Pearson Education Limited, UK, (2006).

### **Recommended Journals :**

1. Asian Journal of Management cases.
2. International Journal of Case studies.
3. Journal of Case Studies.
4. Indian Journal of International Business and Finances.



5. Asian Journal of Management Cases.
6. Global Journal of International Business Research.
7. Harvard Business Review.
8. Journal of International Business.

### **BB 0404 Business Research Methods :**

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

#### **Module 01 Introduction to Business Research :**

Meaning, Objectives and Motivation in research - Types of research - Legal Research - Research Approaches - Research Process - Validity and Reliability in research. Applications of Research

#### **Module 02 Research Design :**

Features of a good design - Types of Research Design, Basic principles of Experimental Design

#### **Module 03 Literature Review :**

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

#### **Module 04 Sampling :**

Meaning, Advantages, and disadvantages, Sampling Design, Different types of sampling designs used for social research

#### **Module 05 Measurement in Research :**

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

#### **Module 06 Sources of Data :**

1. Primary data - advantages and disadvantages-sources of primary data
2. Secondary data – advantages and disadvantages- sources of secondary data
3. Schedule and questionnaire Meaning, Types of schedule, Evaluation of schedule, questionnaire – advantages and limitations, construction of questionnaire, layout of questionnaire, essentials of a good questionnaire
4. Observation – meaning and characteristics, types, advantages and disadvantages, 5. Interview - Meaning and role, Objectives, Types, The process, Advantages and Disadvantages

#### **Module 07 Processing and Analysis of Data :**

1. Editing, coding, classification, tabulation, parts and types of the table , graphics and diagrammatic presentation of data types of diagrams – Histogram, Polygon, Bar and pie charts, Pictographs
2. Uni-variate analysis – Use of appropriate statistical measures, Bi-variate

analysis – Use of appropriate statistical measures Multi-variate analysis – Use of appropriate statistical measures, Non-parametric tests – Use of appropriate statistical measures

3. Hypothesis testing – Use of appropriate statistical measures

#### **Module 08 Report Writing :**

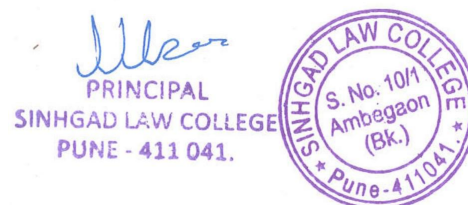
Layout of report, Steps, Use of computers in research, Essential qualities of research report, Data protection and research ethics

#### **Recommended Readings :**

1. William G. Zikmund, *Business Research Methods*, 7th edn. Cengage Learning, India.
2. K.N. Krishnaswamy, Appalyer Sivakumar, M. Mathirajan, *Management Research*.
3. *Methodology: Integration of Principles, Methods and Techniques*, Pearson Education 2008.
4. J. K. Sachdeva, *Business Research Methodology*, 2008, Himalaya Pub. House.
5. Paul E. Green, Donald S. Tull, *Research for Marketing Decisions*, PHI. 5th edition 2008.
6. Donald S. Tull, Del I. Hawkins, *Marketing Research, Measurement and Methods*, 6th edition, PHI Learning, 2009.
7. Naresh Malhotra and Satya Bhushan Das, *Marketing Research: An applied Orientation*, Pearson Education, 2008.
8. Donald Cooper and Pamela Schindler : “*Business Research Methods*” Tata McGraw Hill (9<sup>th</sup> Edition).

#### **Recommended Journals :**

1. Journal of Service Research.
2. Research World – Journal of Arts, Science and Commerce.
3. Harvard Business Review.
4. Management Science.





**PART X**  
**Syllabus of Third Year B.A. LL.B., Third Year B.B.A. LL.B.**  
**and First Year LL.B.**

**Third Year B.A. LL.B. - Semester V**

**Third Year B.B.A. LL.B. - Semester V**

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

**LC 0501 Legal and Constitutional History :**

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

**Module 01 Early Administration of Justice in Bombay, Madras and Calcutta :**

1. European Settlement in India
2. The East India Company : Development of authority
3. Organisational setup of the English Company's Factories or settlements in India
4. Madras Settlement and Administration of Justice
5. Administration of Justice in Bombay
6. Administration of Justice in Calcutta

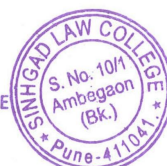
**Module 02 Mayor's Courts and the Courts of Requests :**

1. Early Mayor's Court in Madras
2. Provisions of the Charter of 1726
3. Consequences of the Charter of 1726
4. Critical estimate of the working of the Mayor's Court from 1726 to 1753
5. The Charter of 1753: Reforms introduced
6. Criticism of the Charter
7. Abolition of the Mayor's Court
8. Appraisal of the Mayor's Court under the Charter of 1726 and 1753
9. The Courts of Request (Small Cause Courts)

**Module 03 Adalat System in Bengal :**

1. Courts in Bengal under the Mughals
2. Dual Government in Bengal and its consequences
3. The Company as Diwan
4. Warren Hasting's Plan of 1772

  
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5. Defect of the Plan
6. New Plan of 1774
7. Reorganisation of Adalats in 1780
8. Defects of the reorganization Plan
9. Reforms of 1781: Initiative of Impey and Warren Hastings
10. Reforms in the Administration of Criminal Justice

**Module 04 The Regulating Act of 1773 :**

1. Circumstances prior to the Act of 1773
2. Salient features of the Regulating Act, 1773
3. Legislative power under the Act, 1773
4. Charter of 1774 and the Supreme Court of Calcutta
5. Critical estimate of the Provisions of the Regulating Act, 1773 and the Charter of 1774
6. Trial of Raja Nand Kumar (1775)
7. “Kamaluddin” Case (1775)
8. “Patna” Case (1777-1779)
9. “Cossijurah” Case (1779-1780)
10. Salient features of the Settlement Act, 1781
11. Major defects of the Settlement Act, 1781
12. Supreme Court at Calcutta
13. Supreme Court at Madras and Bombay
14. Laws administered in the Supreme Court

**Module 05 Judicial Measures of Cornwallis :**

1. Company’s Government before Cornwallis
2. Important provisions of the Pitt’s Act, 1784
3. Judicial reform of Cornwallis
  - a) Judicial Plan of 1787
  - b) Re-organisation of the Criminal Judicature
  - c) Scheme of Criminal Judicature, 1790
4. Judicial Plan of 1793
5. Appraisal of the System of 1793

**Module 06 Establishment of High Courts :**

1. The Indian High Courts Act, 1861
2. Letters patent establishing High Courts
3. The Indian High Courts Act, 1865 and of 1911
4. The Government of India Act, 1915
5. The Government of India Act, 1935
6. High Courts established during 1947 to 1950

**Module 07 Privy Council - Highest Court of Appeal :**

1. The Origin of Privy Council
2. Appeal to the Privy Council (1726-1860)
3. Appeal to the Privy Council (1861-1949)
4. Precedential value of the Privy Council decisions



## Module 08 Federal Court of India :

1. Foundation of the Federal Court
2. Jurisdiction of the Federal Court
  - a) Original Jurisdiction
  - b) Appellate Jurisdiction
  - c) Advisory Jurisdiction
3. Authority of law laid down by Federal Court
4. Abolition of Federal Court

## Module 09 Evolution of Law through Legislation and Judicial Decisions in Colonial Period :

1. Process of Codification in India - (a) The Charter Act of 1833, (b) The First Law Commission, (c) The Second Law Commission, (d) The Third Law Commission, and (e) The Fourth Law Commission
2. Land Laws -  
The Land Revenue Settlement, 1793  
The Bengal Rent Act (Act X of 1859)
3. Legislation and Hindu Society -  
The Sati Regulation Act, 1829  
The Caste Disabilities Removal Act, 1850  
Case 1. *Charlotte Abraham v. Francis Abraham*, (1861-1864) 9 MIA 199 (PC)  
Case 2. *Miter Sen Singh v. Maqbul Hasan Khan*, (1929-1930) 57 IA 313
4. The Hindu Widows Remarriage Act, 1856 -  
Case 1. *Bhagwandeem Doobey v. Myna Baee*, (1866-1867) 11 MIA 487  
Case 2. *Debi Mangal Prasad Singh v. Mahadeo Prasad Singh*, (1911-1912) 39 IA 121  
Case 3. *Venayeck Arundrow v. Luxumeebaee*, (1861-1864) 9 MIA 520
5. Restitution of Conjugal Rights -  
Muslim Law and restitution of conjugal rights  
Case 1. *Mooshee Buzloor Ruheem v. Shumsoonnissa Begum*, (1866-1867) 11 IA 551  
Parsi Law and restitution of conjugal rights  
Case 1. *Ardaseer Cursetjee v. Perozeboye*, (1854-1857) 6 MIA 348  
Hindu Law and restitution of conjugal rights  
Case 1. *Dadaji Bhikaji v. Rukmabai*, ILA (1885-1886) 10 Bom 301
6. Justice Equity and Good Conscience -  
Case 1. *Manzur Hasan v. Muhammad Zaman*, (1924- 1925) 52 IA 61  
Case 2. *Nawab Khwaja Muhammad Khan v. Nawab Husaini Begam*, (1909-1910) 37 IA 152  
Case 3. *Gopeekrist Gosain v. Gungapersaud Gosain*, (1854-1857) 6 MIA 53  
Case 4. *Gokul Chand v. Hukum Chand Nath Mal*, (1920-1921) 48 IA 162

## Module 10 Constitutional History :

1. Morley-Minto Reforms and the Indian Council Act, 1909

2. Montagu-Chelmsford Report and the Government of India Act, 1919
  - a) Main features of the system introduced by the Act of 1919
  - b) Shortcomings of the Act of 1919
3. The Simon Commission Report
4. The Nehru Report, 1928
5. Communal Award and Poona Pact
6. The Civil Disobedience Movement
7. The Government of India Act, 1935
  - a) Main features of the Government of India Act, 1935
  - b) Opposition to the Government of India Act, 1935
  - c) Defects of the Government of India Act, 1935



### **Recommended Readings :**

1. M.P. Jain, *Outline of Indian Legal and Constitutional History*, LexisNexis (2014).
2. Sumeet Malik, V.D. Kulshreshtha's *Landmarks in Indian Legal and Constitutional History*, Eastern Book Company (2012).
3. Nilakshi Jatar and Laxmi Paranjape, *Legal History- Evolution of the Indian Legal System*, Eastern Book Company, (2012).
4. Rama Jois, *Legal and Constitutional History of India*, Universal Law Publishing, (2016)
5. S.B. Shiva Rao, *The Framing of the Indian Constitution*, Vols. I and V, the Indian Institute of Public Administration, New Delhi (1966).
6. Granville Austin, *The Indian Constitution - Cornerstone of a Nation*, 5<sup>th</sup> Edition, Oxford University Press, New Delhi, (2002).
7. E.J. Rapson, Cambridge, *History of India*, 1992, (Vol. I - VI).

### **LC 0502 Family Law I :**

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

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

across religious lines, eventually enabling fulfillment of the Constitutional directive of Uniform Civil Code.

**Module 01 Introduction to Hindu and Muslim Law :**

1. Nature of Hindu law, Application of Hindu law
2. Sources of Hindu law - Ancient to Modern
3. Schools of Hindu law
4. Development and nature of Muslim law, Application of Muslim law
5. Sources of Muslim law
6. Schools of Muslim law

**Module 02 Marriage and Matrimonial Reliefs under Hindu law :**

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

**Module 03 Marriage and Matrimonial Reliefs under Muslim law :**

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

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

1. Marriage under the Parsi Marriage and Divorce Act, 1936: Essentials of a valid marriage; Solemnization of marriage and its registration; Dissolution

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

#### **Module 05 Alimony and Maintenance :**

1. Maintenance *pendent lite* and permanent maintenance; Maintenance of wives, children and parents under the Hindu law, Muslim law, Christian law and Parsi law; Maintenance in matrimonial proceedings under these laws
2. Alimony and maintenance under the Special Marriage Act, 1954, the Protection of Women from Domestic Violence Act, 2005, the Code of Criminal Procedure, 1973, and the Maintenance and Welfare of Parents and Senior Citizens Act, 2007

#### **Module 06 Law on Adoption and Guardianship :**

1. Adoption: Essentials of valid adoption with reference to the person adopted, the person adopting and other conditions; Procedure; When adoption is complete; Effect of adoption; Right of adoptive parents to dispose of their property
2. Inter-country adoption, CARA guidelines; Recognition of foreign adoptions; Adoption by foreign parents
3. Guardianship under the Hindu and Muslim law, and under the Guardian and Wards Act, 1890: Kinds of Guardians; Procedure for appointment of a guardian; Guardian's powers over the person and property of children; Rights, obligations, duties, liabilities, disqualifications and disabilities of guardians
4. Powers of Court
5. Custody of Minor and Minor's property; Powers of courts in matrimonial proceedings to pass orders about custody and well-being of children

### Recommended Readings:

1. Kusum, *Family Law Lectures : Family Law I*, LexisNexis, New Delhi.
2. Satyajeet A Desai, *Mulla's, Hindu Law*, LexisNexis, New Delhi.
3. Justice Ranganath Mishra, *Mayne's Hindu Law and Usage*, Bharat Law House, New Delhi.
4. H. K. Saharay, *Family Law in India*, Eastern Law House, New Delhi.
5. Flavia Agnis, *Family Law Vol I and II*, Oxford University Press, New Delhi.
6. Tahir Mahmood, *Principles of Hindu Law*, Universal Law Publishing, New Delhi.
7. Mulla, *Principles of Mohammedan Law*, LexisNexis, Nagpur.
8. Asaf A A Fyzee, *Outline of Muhammadon Law*, Oxford University Press, New Delhi.
9. Amer Ali, *Mohammedan Law*, Vol. I and II, Eastern Book Company.
10. Bharatiya V P, *Sayyad Khalid Rashid's Muslim Law*, Eastern Book Company, Luknow.
11. Derrett, *Introduction to Modern Hindu Law*, Universal.

### LC 0503 Law of Contract I :

**Objectives of the Course :** Individuals, organisations, institutions, governments make countless contracts for effecting their transactions. They enjoy considerable freedom in devising the terms of their transactions, which they will decide through negotiations. The general principles that affect these contracts, and that allow their enforcement in case of breach, are given in Sections 1 – 75 of the Indian Contract Act, 1872 (ICA). Contract remedies are also provided in the Specific Relief Act, 1963 (SRA). These two laws form the main course for this subject.

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

#### Module 01 Introduction to Contract Law :

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

#### Module 02 Formation of Contract :

1. Agreement and Contract
2. Proposal and Acceptance
  - a) Proposal - essential elements, forms, invitations for proposals and tenders, communication of proposal, floating offers, options
  - b) Acceptance - essential elements, forms, the requirement of





- communication, silence as acceptance
- c) Revocation of proposal and acceptance
- d) E-contracts with reference to provisions of the Information Technology Act, 2000
- 3. Express and implied terms, express and implied contracts
- 4. Standard form contracts - their advantages and vices, and strategies to handle the vices
- 5. Formalities - writing, signatures, attestation, registration, notarisation, stamp duty. Formalities of a contract with the government - Article 299 of the Constitution of India

### **Module 03 Competency of Parties - Sections 10 – 12 of ICA :**

1. Age of majority under the Indian Majority Act 1875, contracts with minors, effect of contracting with a minor, the purpose of the law, liability for supply of necessities: Section 68 of ICA
2. Soundness of mind for the purpose of making contracts, effect of unsoundness of mind on the contract
3. Legal disqualification – examples: Section 75 of the Patents Act, 1970, Section 75 of the Indian Forests Act, 1927, Section 130 of the Transfer of Property Act, 1882
4. Competency of prisoners in jail, married women, aliens, insolvents
5. Competency of companies, statutory bodies, central and state governments

### **Module 04 Free Consent - Sections 13 to 22, 64, 65, 67 of ICA :**

1. Consent and free consent
2. Coercion and its effect on the contract : Sections 15 and 19 of Indian Contract Act, 1872
3. Undue Influence and its effect on the contract, *pardanashin* women unconscionable bargains : Sections 16 and 19A of Indian Contract Act, 1872
4. Misrepresentation and its effect on the contract : Sections 18 and 19 of Indian Contract Act, 1872
5. Fraud and its effect on the contract: Sections 17 and 19 of Indian Contract Act, 1872
6. Mistake, mutual and common mistake, unilateral mistake, mistake of law and fact, effect on the contract : sections 20 - 22 of ICA, Section 26 of SRA
7. Remedies available to the party whose consent is not free : rescission, restoration - Sections 19, 19A, 67, 64, 65 of ICA, Loss of right of rescission - Sections 25 and 28 of SRA

### **Module 05 Consideration - Sections 2(d) and 25 of ICA :**

1. Definitions, meaning and importance, essential elements
2. Act, forbearance and promise
3. Present, past and future consideration
4. Adequacy of consideration and effect of inadequacy
5. No consideration, no contract, and exceptions to the rule
6. Doctrine of privity and exceptions

**Module 06 Void Agreements - Sections 23 – 30 of ICA :**

1. Unlawful agreements, circumstances in which agreements enforced even if unlawful: Sections 23-24, 57-58 of ICA, Section 27 of SRA
2. Void agreements : Restraint of marriage, trade and legal proceedings, uncertain agreements, wagers : Sections 26 - 30 of ICA
3. Effect of void and of unlawful agreements

**Module 07 Contingent Contracts and Quasi-Contracts :**

1. Contingent contracts and their enforcement - Sections 31 – 36 of ICA :
  - a) Definition of contingent contract, contingent and absolute obligations
  - b) Effect of non-happening of event
  - c) Enforcement of contingent contracts
2. Quasi-contracts - Sections 68-71, 73(Para 3) of ICA :
  - a) Five kinds of quasi-contracts stated in the Act
  - b) Doctrine of restitution
  - c) Effect of breach of quasi-contractual obligation

**Module 08 Performance of Contract :**

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

**Module 09 Discharge of a Contract :**

1. By performance; by offer of performance: Sections 38 of the ICA
2. By non-performance by one party: 54 of ICA
3. By breach and rescission : Sections 39, 53, 55 of ICA; anticipatory breach: Section 39 of ICA
4. Doctrine of impossibility and effect : Section 56 of ICA
5. By agreement : novation, alteration and rescission: Section 62 of ICA
6. By act of promisee : dispensing, remission and waiver, extension of time, accord and satisfaction : Section 63 of ICA
7. Termination or discharge under contract provisions

**Module 10 Contract Remedies :**

1. Remedies under contract law through court or arbitration :
  - a) Compensation (damages) Section 73-74 of ICA:
    - General and special, substantial and nominal, aggravated and punitive,

- liquidated and unliquidated
- Causation
- Contemplation and Remoteness
- Duty of mitigation
- Assessment
- b) Claim for the agreed sum: viz. suit for price, return of loan amount
- c) Claim in *quantum meruit*
- 2. Remedies of Specific Relief through court or arbitration under SRA :
  - a) Specific performance :
    - Cases in which it can and cannot be granted- Sections 10 and 14 of SRA
    - Personal bars to relief - Section 16 of SRA
    - Discretionary relief - Section 20 of SRA
    - Who can claim specific performance - Section 15 of SRA
    - Against whom can specific performance be claimed - Section 19 of SRA
    - Claim for compensation and other reliefs in a suit for specific performance - Sections 21–24, 29 of SRA
    - Defences in suits of specific performance - Section 9 of SRA
    - Rescission of a contract of which specific performance has been decreed - Section 28 of SRA
  - b) Injunctions in suits relating to contract :
    - Discretionary relief - Section 36 of SRA
    - Kinds - Temporary and perpetual, prohibitory and mandatory: Section 36-37, 39 of SRA
    - When can injunction be granted? - Section 38(1) and (2) of the SRA
    - When will injunction not be granted? - Section 41 clauses (a), (b), (e), (g), (i), (j) of SRA
    - Injunction to enforce negative covenants - Section 42 of SRA
    - Claim for compensation in a suit for injunction. - Section 40 of SRA
  - c) Rescission - Sections 27, 30 of SRA
  - d) Rectification of instruments - Section 26 of SRA
  - e) Cancellation of instruments - Sections 31, 33 of SRA

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### Recommended Readings :

1. Avtar Singh, *Law of Contract and Specific Relief*, 12<sup>th</sup> ed, 2017, Eastern Book Company.
2. V Kesava Rao, *Contract I: Cases and Materials*, 2<sup>nd</sup> ed, 2014, LexisNexis.
3. Ritu Gupta, *Law of Contract – includes the Specific Relief Act 1963*, 2015, LexisNexis.
4. Mulla, *The Indian Contract Act*, Anirudh Wadhwa ed., 15<sup>th</sup> ed., 2015, LexisNexis.
5. M. Krishnan Nair, *Law of Contracts*, 1998.
6. Garima Tiwari, *Understanding Laws – Contracts*, 2014, LexisNexis.
7. Anson's *Law of Contract*, Beetsen and Burrows ed. 29<sup>th</sup> ed., 2010, Oxford University Press.
8. G.H. Treitel, *Outline of Law of Contract*, 6<sup>th</sup> rev ed, 2005, Oxford University Press.
9. Atiyah's *Introduction to the Law of Contract*, Stephen Smith ed., 2<sup>nd</sup> ed, 1997 Oxford University Press.

10. Cheshire, Fifoot and Furmston's *Law of Contract*, Michael Furmston ed., 16<sup>th</sup> ed, 2012, Oxford University Press.
11. Pollock and Mulla's *Indian Contract Act*, Nilima Bhadbhade ed., 14<sup>th</sup> updated edition, 2014, LexisNexis.
12. Nilima Bhadbhade, *Contract Law of India*, 2<sup>nd</sup> ed 2009, Kluwer, available free on google books.
13. Pollock and Mulla's *Specific Relief Act*, Nilima Bhadbhade ed., 14<sup>th</sup> updated edition, 2014, LexisNexis.
14. Nilima Bhadbhade, *Specific Performance of Contracts: the Tests of Inadequacy and Effective Enforcement*, 2014, LexisNexis.
15. S C Banerjee, *Law of Specific Relief: Tagore Law Lectures*, 13th ed, 2015, LexisNexis.
16. Sarkar on *Specific Relief*, Sudipto Sarkar and R Yasho Vardhan eds, 17<sup>th</sup> ed, 2016, LexisNexis.
17. R K Singh, *Law Relating to Electronic Contracts*, 2<sup>nd</sup> ed, 2015, LexisNexis.
18. Sachin Rastogi, *Insights into E-Contracts in India*, 2013, LexisNexis.
19. Robert Cooter and Thomas Ulen, *Law and Economics*, 6<sup>th</sup> edition 2016, available for free download at <<http://scholarship.law.berkeley.edu/books>>, Chapters 1 and 9.
20. Shubhashis Gangopadhyay and V Shantakumar, *Law and Economics* Vol I and II, 2013, Sage Publications, Chapter 5.

## **LC 0504 Law of Crimes :**

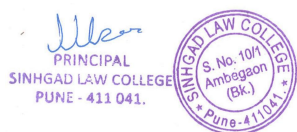
**Objectives of the Course :** Crime and Punishment has always been the most important aspect of Rule of Law. A proper understanding of crimes, methods of controlling them and the reasons for their existence is extremely important to build a just and humane society. This course is designed with a prime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

### **Module 01 Nature of Crime and Criminal Liability :**

1. Historical Development of Indian Penal Code, 1860
2. Nature of Crime, Definition of Crime in social and legal context, Distinction between Moral, Civil and Criminal wrongs, Aim and Function of the Criminal law
3. Criminal Liability Principles - *Actus non facit reum, nisi mens sit rea*, Origin and development of *mens rea*, Liability without *mens rea*, *mens rea* in Indian Penal Code. Facets of *mens rea* - Motive, Knowledge, Intention, Recklessness and Negligence, Malice
4. Elements of Crime - Human Conduct, Voluntary act, Guilty intention, Causal Connection, Prohibited Result

### **Module 02 General Principles of Criminal Law :**

1. *Nulla poena sine lege, nullum crimen sine lege*



2. Principles of *mala in se*, *mala prohibita*, Joint liability, Vicarious liability, Strict liability and Absolute liability
3. Stages in Commission of Crime, Intention - mere intention not punishable, Preparation, Attempt - Attempt when punishable, specific provisions of IPC, Tests for determining what constitute attempt, proximity, equivocality and social danger test, Impossible attempt, Commission of offence

**Module 03 Introduction to Substantive Criminal Law :**

1. Jurisdiction under Indian Penal Code, 1960
2. General Explanations - Movable Property, Wrongful Loss and Wrongful gain, Dishonestly, Fraudulently, Common Intention, Common Object, Voluntarily, Good faith, Criminal Conspiracy

**Module 04 General Defenses :**

1. Excusable: (Mental Incapacity) Minority (Infancy), Involuntary Intoxication and Insanity as a Defense
2. Justifiable: Necessity, Mistake of Fact, Acts done with Consent, Accident, Judicial acts, Triviality
3. Right of Private Defense of Body and Property - Justifications and Limits

**Module 05 Offences against State, Public Tranquility, Administration of Justice, Etc. :**

1. Meaning of Abetment, Abetment when punishable? Liability of Abettor, Abetment of offence punishable with death or imprisonment for life
2. Waging war, Sedition, Conspiracy to Waging war
3. Unlawful Assembly, Rioting, Affray, Promoting enmity between different groups, Imputations/assertions prejudicial to national integration

**Module 06 Offences against Human Body :**

1. Culpable Homicide, Murder, Ingredients, Exceptions and Distinction between Culpable Homicide and Murder, when culpable homicide is murder?
2. Attempt to commit Culpable Homicide, Attempt to Murder
3. Causing Death by Negligence, Causing Death with the consent of the deceased – Euthanasia and its Constitutionality
4. Suicide – abetment and attempt, its Constitutional validity
5. Hurt, Voluntarily causing hurt, etc.; Grievous Hurt, Voluntarily causing grievous hurt, etc., Wrongful Restraint, Wrongful Confinement
6. Criminal Force, Assault, Kidnapping and Abduction, distinction between them

**Module 07 Offences relating to Woman :**

1. Cruelty against Woman, Dowry death, Causing Miscarriage, Acid Attack
2. Outraging Modesty of woman, Sexual Harassment, Voyeurism, Stalking
3. Rape – its ingredients, developments in Rape law along with relevant judicial decisions, Unnatural offences
4. Deceitful Cohabitation, Bigamy, Mock Marriages, Adultery

**Module 08 Offences against Property and Person, Etc. :**

1. Theft, Extortion, Robbery and Dacoity, distinction between them, forms of Robbery and Dacoity

  
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2. Criminal Misappropriation, Criminal Breach of Trust, Stolen property, Cheating, Mischief, Criminal Trespass, House Trespass, Lurking House Trespass, House Breaking, House Breaking by Night
3. Defamation, Criminal Intimidation and Insult
4. Forgery and Making of False document, Falsification of accounts

### Recommended Readings :

1. M.C. Setelvad, *Common Law in India* (Chapter III, Criminal Law, p. 124-176), Stevens.
2. Stephen, *A History of Criminal Law of England*, Vol. III (Last Chapter on Indian Penal Code), London, Macmillan.
3. Principles of Criminal Law by R C Nigam, *Law of Crimes in India*, Vol. I, Asia Publishing House, New York.
4. Glanville Williams, *Criminal Law*, Universal Law Publishing.
5. J.W. Cecil Turner, *Kenny's Outlines of Criminal Law*, Universal Law Publishing.
6. Smith and Hogan, *Criminal Law*, Oxford University Press.
7. Andrew Ashworth *Principles of Criminal Law*, Clarendon Law Series.
8. S.K. Savaria, *R. A. Nelson's Indian Penal Code* (4 Volumes), LexisNexis Delhi.
9. Hari Singh Gaur, *Penal Law of India* (4 volumes), EBC.
10. PSA Pillai's Criminal Law, 13th Ed. Revised by K.I. Vibhute, LexisNexis, New Delhi.
11. J.D. Mayne, *Indian Penal Code* (Ed. II 1901, p.242-249).
12. K.N. Chndranshekhar Pillai, *Essay's on Indian Penal Code*, Indian Law Institute.
13. R.C. Srivastava, *Law Relating to Crime and Punishment*, Manav Law House, Allahabad.
14. K.D. Gaur, *A Text Book on Indian Penal Code* Universal Law Publishing.
15. K.D. Gaur, *Criminal Law Cases and Material*, Buttersworth.
16. Ratanlal and Dhirajlal, *The Indian Penal Code*, Wadhwa and Company, Nagpur.

### Optional Subject 1 (Any one from the following) :

#### LO 0505 Health and Food Law :

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

#### Module 01 Introduction :

1. Concept and Importance of Health
2. Public Health in India - Ancient, medieval and modern perspectives
3. Human Rights Perspectives of Health - an Overview



**Module 02 Health and Constitutional Protections :**

1. Fundamental Rights - Right to Health, Right to Decent Environment, Right to Shelter, Reproductive Rights of Women
2. Directive Principles of State Policy and Health

**Module 03 Health and Legal Protection - Relevant Provisions under following Laws :**

1. The Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
2. The Factories Act, 1948
3. Law on Mental Health
4. The Maternity Benefit Act, 1961
5. The Infant Milk Substitutes, Feeding Bottles and Infant Foods Act, 1992
6. The Transplantation of Human Organs Act, 1994
7. The Indian Penal Code, 1860 - Chapter XIV (Sections 269 to 278)

**Module 04 Right to Food and Nutrition in India :**

1. Fundamental Rights - Right to Food and Nutrition
2. Directive Principle of State Policy on Food and Nutrition
3. Human Rights Perspectives of Food and Nutrition - an Overview

**Module 05 The Food Safety and Standards Act, 2006 :**

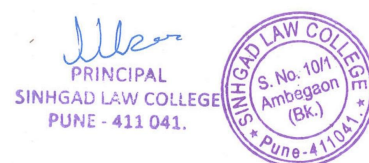
1. Need, Objects and Basic Concepts
2. Food Safety and Standards Authority of India
3. General Principles of Food Safety
4. General Provisions as to Articles of Food
5. Provisions Relating to Import
6. Enforcement of the Act
7. Analysis of Food
8. Offences and Penalties
9. Adjudication and Food Safety Appellate Tribunal

**Module 06 The National Food Security Act, 2013 :**

1. Need, Objects and Basic Concepts
2. Provisions for Food Security and Food Security Allowance
3. Identification of Eligible Households
4. Reforms in Targeted Public Distribution System.
5. Women Empowerment
6. Grievance Redressal Mechanism
7. Obligations of Central Government for Food Security
8. Obligations of State Government for Food Security
9. Obligations of Local Authorities
10. Transparency and Accountability
11. Provisions for Advancing Food Security

**Recommended Readings :**

1. R.K. Nayak (ed.), The Indian Law Institute, *Global Health Law*, (1998), World Health Organization, Regional Office for South East Asia, New Delhi.



2. Pragya Kumar and Virendra Kumar, *Health as a Fundamental Human Right*, in Dilemmas in Health Policy, at C-1 C-8 (1986).
3. M.L. Bhargava, *Law of Food Safety and Standards Act, 2006*, Kamal Publishers; 2017.
4. Kiron Prabhakar, *A Practical Guide to Food Laws and Regulations*, Bloomsbury India, September 2016.
5. Bhatnagar, *Food Laws in India*, Ashoka Law House, 2011.
6. R.K. Gupta (Eds.), *Food Safety in 21<sup>st</sup> Century – Public health Perspectives*, Academic Press, 2016.
7. Law Commission of India, Report No. 264, On the Criminal Law (Amendment) Bill, 2017 (Provisions dealing with Food Adulteration), January, 2017.
8. *Food Security and Right to Food* : S. Mahendrs Dass, K.P. Khanna, 2003, Institute for Human Development, New Delhi.
9. George Ken, *Human Right to Food and Dignity*.
10. "Right to Food Act : Beyond Cheap Promises" Economic and Political Weekly, July 18, Vol.42, No.29.
11. R. Radhakrishna, in K. Parikh, *Food and Nutrition Security*, India Development Report 2002, Oxford University Press, New Delhi.

## **LO 0506 Equity and Trust Law :**

**Objectives of the Course :** Trust being an obligation connected with property, the law has to play a key role in protecting interests of persons for whose benefit trust is created and for balancing the rights and duties of persons connected with trust transactions. There are also instances where even in the absence of specific trust, law has to protect the beneficial interests of persons on equitable considerations. Trusts may also be created for public purposes of charitable and religious nature. The existing laws in respect of trusts, equitable and fiduciary relations connected with property are to be taught in detail. The objectives of the course are to enable the students to acquire knowledge of law on private and public trust and also the principles of equity.

### **Part I The Indian Trusts Act, 1882 :**

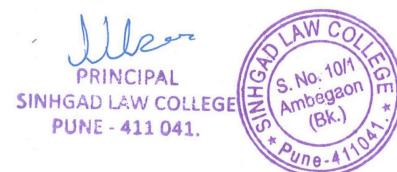
#### **Module 01 Introduction to Private Trust :**

1. Objects, Basic Concepts, Kinds of Trusts
2. Private trust and Public trust
3. Comparison of Trust with other relationships - Trust and Ownership, Trust and Bailment, Trust and Agency, Trust and Contract, Trust and Equitable Charge, Trust and Mortgage, Trust and Administration

#### **Module 02 General Principles :**

1. Creation of Trusts
2. Appointment of Trustees
3. Vacating the Office of Trustee
4. Extinction of Trusts

#### **Module 03 Regulation of Relationship Between Trustee and Beneficiary :**



1. Duties and Liabilities of Trustees
2. Rights and Powers of Trustees
3. Disabilities of Trustees
4. Rights and Liabilities of the Beneficiary
5. Certain Obligations in the Nature of Trusts
6. Fiduciary Relationship - Meaning, Express and Constructive Trusts, Application of the Principle of fiduciary Relations and Exceptions.

**Part II The Maharashtra Public Trusts Act, 1950 :**

**Module 04 Introduction to Public Trust :**

1. Objects, Application, Basic Concepts / Definitions, and Kinds of Trusts
2. Establishment
3. Charitable Purposes and Validity of Certain Public Trusts
4. Registration of Public Trusts
5. Change Reports
6. Framing of Schemes

**Module 05 Supervision and Control of Public Trusts :**

1. Budget, Accounts and Audit
2. Powers and Duties of, and Restriction on Trustees
3. Control of Public Trusts - Powers and Functions of Charity Commissioner
4. Other Functions and Powers of Charity Commissioner

**Module 06 Special Provisions under the Act :**

1. Special Provision as Respects Religious and Charitable Institutions and Endowments
2. Public Trusts Administration Fund
3. Offences and Penalties
4. Function of Charity Commissioner, Procedure, Jurisdiction and Appeals

**Part III Principles of Equity :**

**Module 07 Development and Maxims of Equity :**

1. Concept of Common Law and Common Law Courts
2. Concept and Definition of Equity
3. Origin and Development of Equity
4. Fusion of Common Law and Equity
5. Recognition of Equity under Indian Legal System - Overview
6. Maxims of Equity -
  - a) Equity will not suffer a wrong to be without a remedy
  - b) Equity follows the law
  - c) He who seeks equity must do equity
  - d) He who comes to equity must come with clean hands
  - e) Delay defects equity
  - f) Equality is equity
  - g) Equity looks upon that as done which ought to have been done
  - h) Equity looks to the intent rather to the form
  - i) Equity imputes an intention to fulfill an obligation

- j) Equity acts in personam
- k) Where the equities are equal the first in time shall prevail
- l) Where there is equal equity, the law shall prevail

### **Recommended Readings :**

1. S. Krishnamurthy Aiyar and Harbans Lal Swin, *Principles and Digest of Trusts Laws* (1998), University Book Agency, Allahabad.
2. R.E. Megarry and P.V. Baker, *Snell's principles of Equity* (1964) ELBS, Sneyd and Maxwell.
3. Iyer N., *Indian Trust Act* (1997), Delhi Law House, New Delhi.
4. Rajarathnam, Natarajan and Thankaraj, *Commentary on Charitable Trusts and Religious Institutions* (2000) Universal, Delhi.
5. Rao. C.R, *The Indian Trust Act and Allied Laws*, Puliani and Puliani Booksellers, Bangalore (1999).
6. Rangacharya I V, *The Indian Trusts Act*, Madras Law Journal Office (1972).
7. B.M. Gandhi - Equity, Trusts and Specific Relief (Eastern Book Company, Lucknow)
8. Aggarwal O P, *The Indian Trusts Act*.
9. Tandon M P, *The Indian Trusts Act*, Allahabad Law Agency.
10. Chaudhari D H, *The Bombay Public Trusts Act, 1950*.
11. Shah K N, *The Bombay Public Trusts Act, 1950*.
12. Apte M S, *The Bombay Public Trusts Act, 1950*.
13. Gupta and Dighe - The Bombay Public Trust Act (Hind Law House Pune).
14. Philip H. Pettit, *Equity and Law of Trust*, Oxford University (2012).
15. Ahmad Aquil, *Equity, Trusts and Specific Relief*, Central Law Agency.
16. Basu Durga Das, *Equity, Trusts and Specific Relief*, Kamal Law House, 1996.

### **LO 0507 Criminal Psychology and Criminal Sociology :**

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

### **Module 01 Crime, Criminal and Criminology :**

1. What is crime? Who is the criminal?
2. What is Criminology?
3. Schools of Criminology -
  - a) The Pre-Classical School
  - b) The Classical School
  - c) Neo-Classical School
  - d) Positivist Approach - Radical Positivism and Liberal Positivism



- Cesare Lombroso
- Enrico Ferri
- Raffaele Garofalo
- Gabriel Tarde

**Module 02 Psychology and Crime :**

1. Meaning, purpose and scope of criminal psychology
2. Psychological vs. Psycho - analytical approach to crime
3. Behaviourist approach to crime
4. Definition of criminal Behaviour - Psychodynamics of criminal Behaviour.
5. Mental illness and crime
6. Human aggression and violence to crime

**Module 03 Psychometric Test - Its use in Criminal Behaviour :**

1. Measurement of criminal Behaviour - Psychological test to measure criminal Behaviour
2. Criminal profiling: Definition and process of profiling criminal personality
3. Factors underlying criminal profiling
4. Merit and demerit of criminal profiling

**Module 04 Forensic Psychology - Concept and Importance :**

1. Definition, meaning and scope of forensic psychology
2. Historical background of forensic psychology in India and abroad
3. Role of forensic psychology in the investigation of crime
4. Psychology and the police
5. Application of psychology in court
6. Application of psychology in prison

**Module 05 Sociological Theories - Crime and Social Structure :**

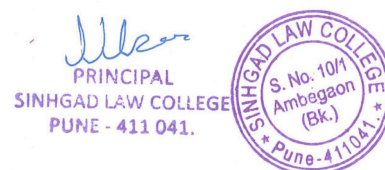
1. Social structure theory
2. Social disorganization theory
3. Merton, anomie and strain

**Module 06 Subcultural Theories :**

1. Cohen's theory of the delinquent subculture
2. Miller's lower class gang delinquency

**Module 07 Crime and Social Process :**

1. Socialization and Crime - Differential association theory
2. Differential reinforcement theory
3. Neutralization and rift theory
4. Hirsch's Social Control or Social Bond Theory
5. Becker's Labelling theory
6. Self-Control and Self Esteem as related to crime



**Recommended Readings :**

1. Akers, Ronald.L. and Sellers, Christin, S. (2004) *Criminological Theories* (4<sup>th</sup> Edition) Rawat Publication, New Delhi.

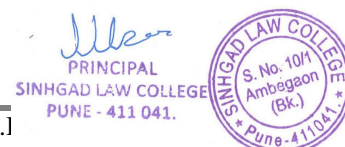
2. Void, George B., Benard Thomas J., and Snipes, Jeffrey B. (2002), *Theoretical Criminology*, Oxford University Press, Oxford.
3. Siegel, L.J (2003) *Criminology*, (8<sup>th</sup> Edition) Wadsworth, USA.
4. Schmallegger Frank, *Criminology Today*, (1996) Prentice Hall, New Jersey.
5. Dennis Howitt, 2002, *Forensic and Criminal Psychology*, Prentice Hall.
6. *Encyclopedia of Criminal and Deviant Behaviour*, 2001, Clifton D. Pryart, Editor-in Chief, Burunner Routledge Taylor and Frances Group.
7. Bartal, Curt R, 1999, *Criminal Behaviour: A Psychosocial Approach*, 5<sup>th</sup> edition, Prentice Hall, New Delhi.
8. Hollin, Clive R Routledge and Kegan Paul, 1989, *Psychology and Crime: An introduction to Criminal Psychology*, London.
9. Dartmouth Aldershot, 1987, *Criminal Detection and Psychology of Crime*.
10. Harvard LPC *Forensic Psychology*, 1981, Professor of Clinical Psychology, University of Surrey, Batsford Academic and Educational Ltd. London.
11. Adman Raine, 1983, *The Psychopathology of Crime, Criminal Disorder*, Academic Press, Inc.
12. Navin Kumar, (2015), *Criminal Psychology*, LexisNexis, New Delhi.
13. Shukla Girjesh, (2013), *Criminology*, LexisNexis, New Delhi.
14. McLaughlin Eugene and Newburn Tim (Ed) (2010), *the Sage Handbook of Criminological Theory*, Sage Publication Ltd, New Delhi.
15. Prof. N.V. Paranjape, *Criminology and Penology With Victimology*, Central Law Publications.
16. S.M.A. Quadri, *Criminology And Penology*, Eastern Book Company.
17. Dr. Krishna Pal Malik, *Penology , Victimology And Correctional Administration In India*, Allahabad Law Agency.
18. J.P. Sirohi, *Criminology And Criminal Administration*, Allahabad Law Agency.

#### **LO 0508 Agricultural Marketing Law :**

**Objectives of the Course :** The livelihood of majority of the country's population depends on agriculture. About 65 percent of the population depends on the agriculture and 70 percent live in the villages. The contribution of Indian agriculture to the national Gross Domestic Product (GDP) is also significant. The food being the crowning need of mankind, much emphasis has been made on commercializing agricultural production. In this era of globalisation adequate production, warehousing, distribution, marketing and export of agricultural produce has become a high priority. Agricultural marketing is mainly the buying and selling of agricultural products. The protection of farmers rights is also equally important. The objective of the course is to make the students well acquainted with the knowledge of law with respect to these matters.

#### **Module 01 Basic Concepts of Agricultural Marketing and Model Act :**

1. Concept of Agricultural Marketing and Market
2. Classification of Markets, Types of Marketing





3. Background, Objects and Reasons and Salient Features of the Model Act on the State Agricultural Produce Marketing (The State Agricultural Produce Marketing (Development and Regulation) Act, 2016)

**Module 02 The Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 :**

1. Objects, Application and Definitions under the Act
2. Establishment of National Integrated Produce Market
3. Direct Marketing, Establishment of Private Market and Farmer - Consumer Market
4. Contract Farming Agreement
5. Marketing of Agricultural Produce
6. Constitution of Market Committees
7. Powers and Duties of Market Committee
8. Cost of Supervision
9. Officers and Servants of Market committee
10. Market fund
11. Trade Allowances Prohibited
12. State Agricultural Marketing Board
13. Control of Market committee
14. Penalties for Contravention of Provisions under the Act

**Module 03 Legislation on Warehousing, Food Product Export, Grading and Marketing - Introduction, Objects and Reasons and Salient Features of the Laws :**

1. The Warehousing Corporations Act, 1962
2. The Agricultural and Processed Food Products Export Development Authority Act, 1985
3. The Agricultural Produce (Grading and Marking) Act, 1937

**Module 04 The Protection of Plant Varieties and Farmers Rights Act, 2001 :**

1. Objects and Definitions under the Act
2. Protection of Plant Varieties and Farmers Rights Authority and Registry
3. Registration of Plant Varieties and Essentially Derived Variety
4. Duration and Effect of Registration and Benefit Sharing
5. Surrender and Revocation of Certificate and Rectification and Correction of Register
6. Farmers' Rights
7. Compulsory License
8. Plant Varieties Protection Appellate Tribunal

**Module 05 Relevant Provisions under the National Food Securities Act, 2013 :**

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

**Module 06 Agricultural Insurance in India – an Overview :**

1. Characteristic Features of Indian Agriculture and Farmers' Community
2. Risk Perceptions of Indian Farmers

3. Unified Package Insurance Scheme :  
Pradhan Mantri Fasal Bima Yojana (PMFBY)
4. Past Experience with Crop Insurance Schemes in India :  
Comprehensive Crop Insurance Scheme(CCIS)  
Experimental Crop Insurance (ECI)  
Farm Income Insurance Scheme FIIS  
National Agriculture Insurance Scheme (NAIS)

### **Recommended Readings :**

1. Dr. C.S. Prasad: *Agriculture and Sustainable Development in India*, New Century Publications, New Delhi, India 2012.
2. A.K. Thaur and M.K. Sinha (ed.) : *Structural Reforms and Agriculture*, Deep and Deep Publications Pvt. Ltd. 2011.
3. Rais Ahamd : *Co-operative and Rural Development in India*, New Century Publications, New Delhi, India 2013.
4. *Law of Seeds* (Acts, Rules, Orders, Policy, Notifications, Varieties, Export and Import of Seeds etc.), 16th ed., Asia New House, 2012.
5. S.S China : *Agricultural Labour-Problems and Policy Implications*, Regal Publications, New Delhi.
6. Sudip Chakraborty : *Food Security and Child Labour*, Deep and Deep Publications PVT LTD. 2011.
7. Asian Development Bank : *Agriculture, Food Security and Rural Development*, Oxford University Press, 2010.
8. D. Narasimha Reddy and Srijit Mishra (ed) : *Agrarian Crisis in India*, Oxford University Press, 2010.
9. Dr. B.K Mohanty: *Agricultural Finance and Rural Development*, Regal Publications, New Delhi, 2010.
10. R. Datt and K.P.M Sundharm : *Indian Economics*, S. Chand, New Delhi, 2009.
11. Myneni : *Indian Economics* (For Law Course), Allahabad Law Agency, 2006.
12. B.B Mukharji : *Agricultural Marketing in India*, Thacker, Spink 1930.

### **LO 0509 Intellectual Property Rights I :**

**Objectives of the Course :** Intellectual Property has acquired tremendous role in the present technology driven economy throughout the world. The significant factors that contribute for the development of International Law of Intellectual Property Rights are expansion of voluminous trade; increasing interdependence of international commerce; the development of science and technology and the flow of communication. Due to the vastness of the subject it has been divided into two courses. Course-I gives a subtle back ground to the international perspective in a nutshell while the application of it in the National Regime is placed in course – II in a subtle manner. This course is designed with intend to familiarize the students with Concept, nature, characteristics and internationalization of Intellectual Property. It also

involves the study of important international instruments in the field of Intellectual Property with more emphasis on TRIPS agreement and the current issues.

**Module 01 Introduction to Intellectual Property Rights :**

1. Definition, Concept and Nature of Intellectual Property, Theories of Intellectual Property, Distinction between Intellectual Property and other tangible and intangible properties, Non-rivalrous nature of Intellectual Property, Kinds of Intellectual Property
2. Need for Protecting Intellectual Property- Policy Consideration, Importance of Intellectual Property in the present era, Monopoly v. Public Interest
3. Origin and Development of Intellectual Property, Internationalization of Intellectual Property Rights
4. Pre-TRIPS Scenario, Formulation of TRIPS, Basic Principles and Objectives of TRIPS, TRIPS and WIPO-WTO Cooperation, Transfer of Technology and TRIPS, The TRIPS Agenda, Critique of TRIPS
5. The Paris Convention for the Protection of Industrial Property, History, features and General Provisions

**Module 02 Law of Copyright and Neighboring Rights :**

1. Meaning and definition of Copyright, Neighboring rights (Related rights) and Secondary Rights
2. The Berne Convention for the Protection of Literary and Artistic Works - History, General Provisions, Developing Countries and the Berne Convention.
3. TRIPS provisions related to protection of Copyright.
4. Protection of technology-based works (such as computer programs and electronic databases), Secondary rights, Broadcasting rights

**Module 03 Patent Law :**

1. Meaning, Concept and Nature of Patent
2. The Patent Cooperation Treaty (PCT), History, Objectives of the PCT, Functioning of the PCT System, Advantages of the PCT System
3. Patent law harmonisation under TRIPS Agreement – Patentable subject Matter, Patentability Criteria, Non-Patentable inventions, Exceptions to Patent Rights, Compulsory Licences, Local working condition, Importation of patented goods, etc.
4. The Doha Ministerial Conference 2001
5. Introduction to the Budapest Treaty
6. Doctrine of Equivalents, Public dedication Rule, Patent Exhaustion, Patent Misuse, Enforceability of Patent Rights

**Module 04 Law of Trade Marks :**

1. Meaning and Nature of Trade Marks, Kinds of Marks, Well Known Marks
2. The Madrid Agreement Concerning the International Registration of Marks, Objectives, the Madrid System, Basic Features, Advantages of the System
3. Trademarks and the TRIPS Agreement

**Module 05 Protection of Industrial Designs :**

1. Meaning and definition of Industrial Designs
2. Industrial Designs Vs. Copyright
3. Introduction to the Hague Agreement Concerning the International Registration of Industrial Designs, Benefits of Accession to the Hague Agreement
4. Protection of Industrial Designs under TRIPS

**Module 06 Conventions and Treaties relating to other Intellectual Properties :**

1. Definition and Concept of Geographical Indications, Layout Designs, Trade Secret, Plant Varieties, etc.
2. Lisbon Agreement for the Protection of Appellations of Origin
3. Protection of Geographical Indications, Layout Designs and Trade Secret under the TRIPS Agreement
4. The UPOV Convention

**Module 07 Current IP Issues :**

1. Access to Genetic Resources and Benefit Sharing
2. Intellectual Property and Human Rights
3. Protection of the rights of indigenous people
4. IP protection and its impact on right to food security and public health
5. Environmental Protection and Intellectual Property
6. Protection of Bio-diversity and Traditional Knowledge - Economic, Social, Cultural and Ethical Dimensions

**Recommended Readings :**

1. Kamil Idris, *Intellectual Property: A Power tool for Economic Growth*, WIPO.
2. Tzen Wong and Graham Dutfield, *Intellectual Property and Human Development – Current Trends and Future Scenarios*, Cambridge Press.
3. UNCTAD-ICTSD. (2005). *Resource Book on TRIPS and Development*. New York: Cambridge University Press.
4. William Cornish and David Llewelyn, *Intellectual Property : Patents, Copyright, Trade Marks, and Allied Rights*. London: Sweet and Maxwell.
5. Carlos Correa, *Implementing TRIPS in developing countries*. Third World Network.
6. Catherine Colston, *Principles of Intellectual Property Law*. London: Cavindish Publishing Ltd.
7. Choudhary D. N., *Evolution of patent Laws*. New Delhi: Capital Law House.
8. Epstein M A, *Epstein on Intellectual Property* (Indian Reprint). New Delhi: Wolters Kluwer Law and Business.
9. Feroz Ali Khader, *The Law of Patents - With a special focus on Pharmaceuticals in India*, LexisNexis Butterworths Wadhwa, Nagpur.
10. Ganguli Prabuddha, *Intellectual Property Rights - Unleashing the Knowledge Economy*. New Delhi: Tata McGrawh-hill Publishing Company Ltd.
11. Gopalkrishnan N S, and Agitha T G, *Principles of Intellectual property*. Lucknow: Estern Book Company.

12. Gregory Stobbs, *Software Patents Worldwide*, Wolters Kluwer.
13. Jayshree Watal, *Intellectual Property in WTO and Developing Countries*. New Delhi: Oxford University Press.
14. Michael Blakeney, *Trade Related Aspects of Intellectual Property Rights: A concise Guide to the TRIPS Agreement*.
15. Parmeswaran Narayanan, *Intellectual Property Law*, Eastern Law House.
16. Rao M B and Guru M, *Understanding Trips Managing Knowledge in Developing Countries*. New Delhi: Response Books
17. Robert Merges and John Duffy, *Patent Law and Policy: Cases and Materials*, 2017.

  
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**Third Year B.A. LL.B. - Semester VI**

**Third Year B.B.A. LL.B. - Semester VI**

**First Year LL.B. - Semester II**

**LC 0601 Constitutional Law I :**

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

**Module 01 Making of the Constitution :**

1. Demand for a Constitution framed by a Constituent Assembly
2. The Cripps' offer of 1942
3. The Wavell Plan of 1945
4. The Cabinet Mission Plan, 1946
5. The Mountbatten Plan, 1947
6. The Indian Independence Act, 1947
7. Constituent Assembly in India and framing of the Constitution:
  - a) Formation of the Constituent Assembly of India
  - b) The issues before the Constituent Assembly
  - c) Passing of the Constitution
  - d) Dr. Ambedkar's warning and anxiety about the working of the Constitution
  - e) Date of Commencement of the Constitution

**Module 02 Basic Concepts, Preamble, Territory of India and Citizenship :**

**Basic Concepts under the Constitutional Law :**

1. Concepts of Constitutional Law and Constitutionalism
2. Forms and characters of various models of Constitution
3. Salient features of the Constitution of India

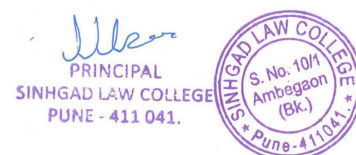
**Preamble to the Constitution of India :**

1. Meaning of the Preamble
2. Object, Purpose and Scope of the Preamble
3. Contents of the Preamble
4. Utility of Preamble in interpretation of the Constitution
5. Whether Preamble is part of the Constitution?

**Union and its Territory (Articles 1 to 4) :**

**Citizenship of India :**

1. Constitutional Provisions (Articles 5 to 11) :
  - a) Importance of Citizenship under the Constitution of India
  - b) Citizens by Domicile





- c) Citizens by Migration
- d) Citizens by Registration
- e) Termination of Citizenship
- f) Dual Citizenship
- 2. The Citizenship Act, 1955 :
  - a) Introduction, Objects and Reasons of the Act
  - b) Citizenship by Birth
  - c) Citizenship by Descent
  - d) Citizenship by Registration
  - e) Citizenship by Naturalisation
  - f) Citizenship by Incorporation of territory
  - g) Cessation of Citizenship
  - h) Deprivation of Citizenship
  - i) Expulsion of Foreigner

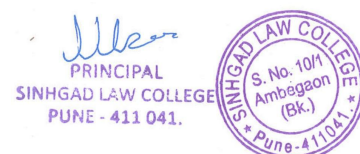
**Module 03 General Principles Relating to Fundamental Rights (Articles 12 and 13) :**

- 1. Concept of Fundamental Rights – Their Origin and Development
- 2. History of the demand for Fundamental Rights in India
- 3. Justiciability of Fundamental Rights -
  - a) Laws inconsistent with fundamental rights
  - b) Unconstitutionality of Statute
  - c) Doctrine of Eclipse
  - d) Doctrine of Severability
  - e) Waiver of Fundamental Rights
- 4. Concept of State and its Importance
- 5. Concept of Law and Law in force
- 6. Whether the Constitution Amendment Act is law under Article 13?

**Module 04 Right to Equality (Articles 14 to 18) :**

- 1. Equality before law and Equal protection of Law
- 2. Permission of Reasonable Classification but prohibition of Class legislation
- 3. Article 14 Strikes at Arbitrariness
- 4. Prohibition of discrimination against citizens
- 5. Right to Access to Public Places
- 6. Special provisions for women and children
- 7. Special provisions for Backward Classes
- 8. Equality of Opportunity in Matters of Public Employment
- 9. Requirement as to Residence in State
- 10. Reservation of Posts for Backward Classes
- 11. Reservations in Promotion
- 12. Carry Forward of Reserved Vacancies
- 13. Percentage of Reservation - Rule of rounding up
- 14. Abolition of Untouchability
- 15. Abolition of Titles

**Module 05 Right to Freedom I (Article 19) :**



1. Freedom of Speech and Expression and Reasonable Restrictions on it
2. Freedom of Assembly and Reasonable Restrictions on it
3. Freedom to form Association or Union and Reasonable Restrictions on it
4. Freedom of Movement and Reasonable Restrictions on it
5. Freedom of Residence and Settlement and Reasonable Restrictions on it
6. Freedom of Profession, Occupation, Trade and Business and Reasonable Restrictions on it
7. Right to Property -
  - a) Pre- 1978 Position - Article 19(f) and 19(5); Eminent Domain; Article 31; Inter-relation of Article 31, Article 14 and Article 19(1)(f)
  - b) Present Position - Article 31 A, Article 31 B, Article 31 C, Article 300 A

**Module 06 Right to Freedom II (Articles 20 to 22) :**

1. Protection in Respect of Conviction for offences -
  - a) Protection against Ex-post Facto Law
  - b) Guarantee against Double Jeopardy
  - c) Privilege against Self-Incrimination
2. Protection of Right to Life and Personal Liberty -
  - a) A. K. Gopalan to Maneka Gandhi
  - b) Relationship between Articles 19, 21 and 22
  - c) Due Process of Law
  - d) Extended view in post Maneka Gandhi period
3. Right to Education - Evolution and Importance
4. Protection against Arrest and Detention -
  - a) Protection against Arrest
  - b) Protection against Preventive Detention
  - c) Laws Authorising Preventive Detention

**Module 07 Right against Exploitation (Articles 23 and 24) :**

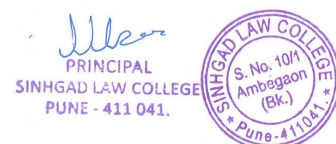
1. Traffic in Human Beings
2. Begar and Similar forms of Forced Labours
3. Compulsory Services for Public Purpose
4. Prohibition of Employment of Children

**Module 08 Right to Freedom of Religion (Articles 25 to 28) :**

1. Concept of Secularism
2. Freedom of Conscience and right to Profess or Practice and Propagate religion
3. Freedom of Religion of Religious Denomination
4. Freedom from Paying of Taxes for Promotion of any Religion
5. Annual Payment to certain Devaswam Funds (Article 290A)
6. Prohibition of Religious Instructions in Educational Institutions

**Module 09 Cultural and Educational Rights (Articles 29 to 30) :**

1. Concept of Minority
2. Protection of Interest of Minorities
3. Right of a Minority to Establish Educational Institution



4. Regulation of Minority Educational Institution

**Module 10 Right to Constitutional Remedies (Articles 32 to 35) :**

1. Enforcement of Fundamental Rights
2. Procedure in Enforcement of Fundamental Rights
3. Power to issue Writs, Directions or Orders – Types of Writs
4. Comparison between Article 32 and Article 226
5. Public Interest Litigation
6. Fundamental Rights during Emergency
7. Power of Parliament to Modify Fundamental Rights with respect to some Forces
8. Fundamental Rights during operation of Martial Law
9. Legislation to give effect to Fundamental Rights

**Module 11 Directive Principles of State Policy (Articles 36 to 51) and Fundamental Duties (Article 51A) :**

1. Nature and Importance of Directive Principles
2. Inter-relationship between Fundamental Rights and Directive Principles.
3. Directive Principles of State Policy
4. Fundamental Duties – Nature and Importance

**Module 12 Amendment of the Constitution (Article 368) :**

1. Power and Procedure of Amendment
2. Amendment / Change by Simple Majority
3. Amendment by Special Majority
4. Amendment by Special Majority with Ratification by Majority of States
5. Amendment of Fundamental Rights
6. Basic Structure Doctrine

**Recommended Readings:**

1. M. P. Jain, *Indian Constitutional Law*, LexisNexis (2015).
2. D.D. Basu, *Constitutional Law of India*, LexisNexis (2013).
3. Narendra Kumar, *Constitutional Law of India*, Allahabad Law Agency (2015).
4. H. M. Seervi, *Constitutional Law of India*, N.M. Tripathi.
5. Arvind Datar, *Commentary on Constitution of India* (3 Vols), LexisNexis (2010).
6. Sathya Narayan (Ed), *Selected Work of S.P. Sathe* (3 Vols), Oxford University Press (2015).
7. M.P. Singh, *V.N. Shukla's Constitution of India*, Eastern Book Company, (2013).
8. Sujit Chaudhry, Madhav Khosla and Pratap Bhanu Mehta, *The Oxford Handbook of the Indian Constitution*, Oxford University Press.
9. Granville Austin, *Working of a Democratic Constitution- The Indian Experience*, Oxford University Press.
10. Gautam Bhatia, *The Transformative Constitution: A Radical Biography in Nine Acts*, Harper Collins Publication, India. 2019.
11. Madhav Khosla, *The Indian Constitution* (Oxford India Short Introductions), Oxford University Press, 2012.

12. Sudhir Krishnaswamy, *Democracy and Constitutionalism in India – A Study of the Basic Structure Doctrine*, Oxford University Press.
13. S.B. Shiva Rao, *The Framing of the Indian Constitution*, Vols. I and V, the Indian Institute of Public Administration, New Delhi (1966).
14. H.R. Khanna, *Making of India's Constitution*, Eastern Book Co., Lucknow.

## **LC 0602 Family Law II :**

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

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

### **Module 01 Hindu Joint Family System :**

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

### **Module 02 Intestate Succession :**

1. The Hindu Succession Act, 1956 – Application of Act; Succession to the property of a Hindu male; Succession to the property of a Hindu female, stridhana and women's estate; General provisions relating to succession; and disqualifications from inheritance; Escheat
2. General principles of inheritance under Muslim law, Law of inheritance applicable to Sunnis and Shias, and the distinction between the two, Disqualifications
3. The Indian Succession Act, 1925: Domicile, and its relevance in succession to property; Consanguinity; Provisions relating to intestate succession applicable to Parsis and persons other than Parsis; General principles of succession;

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## Rules of devolution

### Module 03 Testamentary Succession :

1. The Indian Succession Act, 1925 : Wills and codicils; Competence of the testator; Execution of privileged and unprivileged will; Attestation; Revocation, alteration and revival of wills; Construction of wills
2. The Indian Succession Act, 1925 : Vesting of legacies; Void, onerous, contingent and conditional bequests; Specific legacies and demonstrative legacies; Ademption of legacies, lapse of legacies; Election; Gifts in contemplation of death
3. The Hindu Succession Act 1956 : Testamentary succession
4. Will under Muslim law (wasiyat)

### Module 04 Right of Pre-emption :

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

### Module 05 Gifts under Muslim Law (Hiba) :

1. Nature and characteristics of hiba, types of hiba, donor and donee, what may be given in gift
2. Essentials of valid gift, exceptions to general rule; Oral gift and its validity; Registration, Kinds of gifts, Gifts involving return, Marz-ul-mouth (death-bed gift)
3. Revocation and revival of gift

### Module 06 Wakf :

1. Origin and Development of Wakf
2. Importance, Meaning and Definition, Characteristics
3. Essentials, Kinds, formalities for creation, the Wakif, Objects and Purposes of the Wakf
4. Administration of Wakf under the Wakf Act, Appointment, Removal, Powers and Duties of Mutawalli

### Recommended Readings:

1. Poonam Pradhan Saxena, *Family Law Lectures: Family Law II*, LexisNexis, New Delhi.
2. Paruck, *The Indian Succession Act, 1925*, N M Tripathi Private Ltd.
3. Row Sanjiva, *The Indian Succession Act*, Law Book Co.
4. Basu, *Indian Succession Act*, Eastern Book Publication.
5. Diwan, *Law of Intestate and Testamentary Succession*, Wadhwa.
6. Satyajeet A Desai, *Mulla's, Hindu Law*, LexisNexis, New Delhi.
7. Justice Ranganath Mishra, *Mayne's Hindu Law and Usage*, Bharat Law House, New Delhi.
8. H. K. Saharay, *Family Law in India*, Eastern Law House, New Delhi.
9. Flavia Agnis, *Family Law Vol I and II*, Oxford University Press, New Delhi.
10. Tahir Mahmood, *Principles of Hindu Law*, Universal Law Publishing, New Delhi.
11. Mulla, *Principles of Mohammedan Law*, LexisNexis, Nagpur.

12. Asaf A A Fyzee, *Outline of Muhammadon Law*, Oxford University Press, New Delhi.
13. Amer Ali, *Mohammedan Law*, Vol. I and II, Eastern Book Company, Luknow.
14. Bharatiya V P, *Sayyad Khalid Rashid's Muslim Law*, Eastern Book Company, Luknow.
15. Derrett, *Introduction to Modern Hindu Law*, Universal Law Publishing.

### **LC 0603 Law of Contract II :**

**Objectives of the Course :** The special provisions of law that apply to special contracts are covered in this course. The provisions relating to contracts of indemnity and guarantee, of bailment and pledge, and of agency are contained in three chapters of the Indian Contract Act 1872 and in two other statutes: The Sale of Goods Act 1930 and the Indian Partnership Act. These transactions play a very important role in commerce and trade.

This course follows the course about the general principles that apply to all contracts. They deal with general principles that apply to each specific contractual relationship. The study of this course will enable a good understanding of the purposes with which each of these transactions is made, the features of each of these transactions, and the rights and liabilities of the parties to them. The course also emphasizes the study of remedies provided in these laws.

#### **Module 01 Contracts of Indemnity - Sections 124-125 of the Indian Contract Act, 1872 :**

1. Principle of indemnity in general
2. Definition of the contract of indemnity
3. Formation and essential features
4. Purpose of the contract of indemnity, and its use in facilitating and supporting transactions
5. Nature and extent of liability of the indemnifier
6. Commencement of liability of the indemnifier
7. Examples : Indemnity for issuing duplicate share certificate, or bank deposit receipt; Indemnity by owner of a plot of land to a local authority as condition for grant of commencement certificate for construction; Indemnity clause in a contract between a publisher and the printer; Indemnity clause in a sale deed of land supporting assurance of title given by the seller

#### **Module 02 Contracts of Guarantee - Sections 126 to 147 of the Indian Contract Act, 1872 :**

1. Definition of a contract of guarantee
2. Formation and essential features of a contract of guarantee. Parties to the contract; effect of minority of principal debtor
3. Contract of guarantee as distinguished from a contract of indemnity
4. Consideration for a contract of guarantee
5. Continuing guarantee, and its revocation
6. Nature and extent of surety's liability - commencement, duration and termination
7. Surety's rights against the principal debtor
8. Surety's rights against the creditor



- Special position of a surety : a privileged debtor
  - Circumstances that discharge a surety. Contracting out of such discharge.
9. Letters of credit and bank guarantees
  10. Co-surety and manner of sharing liabilities and rights

**Module 03 Contracts of Bailment - Sections 71, 148-171, 180-181 of the Indian Contract Act 1872 :**

1. Definition of a contract of bailment
2. Formation and essential features of a contract of bailment, Parties to the contract
3. Creation of a contract of bailment, Obligations of bailment despite contract  
Gratuitous bailments
4. Examples of contracts of bailment: for benefit of bailor, for benefit of bailee
5. Kinds of bailees
6. Rights, duties, disabilities and liabilities
  - of a bailor
  - of a bailee vis-à-vis the bailor
  - of a bailee vis-à-vis the third parties, and the true owner
7. Termination of bailment, and consequences of termination
8. Finder of goods as a bailee

**Module 04 Contracts of Pledge - Sections 172 – 179 of the Indian Contract Act 1872 :**

1. Definition of a contract of pledge
2. Essential features of a contract of pledge, Parties to the contract
3. Creation of a contract of pledge
4. Distinction between contracts of pledge, bailment, hypothecation
5. Rights, liabilities, duties and disabilities of the pawnor
6. Rights, liabilities, duties and disabilities of the pawnee; pawnee's right of sale
7. Pledge by certain specified persons : Sections 178, 178A, 179 of ICA.

**Module 05 Contracts of Agency - Sections 182 – 238 of the Indian Contract Act 1872 :**

1. Definition of a contract of agency
2. Essential features of a contract of agency. Parties involved. Kinds of agents and agencies
3. Creation of agency
4. Distinction between agent, servant or employee, and independent contractor
5. Agent's authority - Scope and extent, Express, implied, apparent or ostensible authority, and authority in an emergency, Restrictions or limitations
6. Delegation of authority, Relationship between a principal, agent and sub-agent, Substituted agents
7. Ratification
8. Rights, duties, immunities, disabilities and liabilities of an agent towards the principal and third party
9. Rights, duties, immunities, disabilities and liabilities of a principal towards the agent and the third party

10. Personal liability of an agent
11. Pretended agent. Undisclosed principal
12. Revocation and other modes of termination of agency, Irrevocable agency  
Effect of termination, Liability of the principal and agent before and after termination

**Module 06 Contracts of Sale of Goods - The Sale of Goods Act, 1930 :**

1. Definition of a contract of sale of goods
2. Essential features of a contract of sale. Parties to the contract
3. Sale as a transfer of property, Sale and agreement to sell
4. Four elements : price, delivery, risk and property (ownership)
5. Goods – Meaning, Existing and future goods, Specific, ascertained, unascertained goods, Effect of perishing of goods
6. Implied conditions and warranties, Express conditions and warranties
7. The rule '*cavaet emptor*', principle, meaning, and exceptions to the rule
8. Other implied terms
9. Transfer of title, Transfer by non-owners
10. Passing of risk
11. Delivery of goods, Various modes of delivery and their effect, Inspection of goods, Rejecting goods
12. Rights and liabilities of the buyer and seller, Unpaid seller and his rights
13. Remedies for price and for breach, Interest and taxes
14. Auction sales

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

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

### Recommended Readings:

1. Akhilesh Gupta, *Law Relating to Special Contracts—Contracts of Bailment, Pledge, Hypothecation, Indemnity and Guarantee*, 2013, LexisNexis.
2. Mulla, *The Indian Contract Act*, Anirudh Wadhwa ed., 15<sup>th</sup> ed., 2015, LexisNexis.
3. Avtar Singh, *Law of Contract and Specific Relief*, 12<sup>th</sup> ed, 2017, Eastern Book Company.
4. M. Krishnan Nair, *Law of Contracts*, 1998.
5. *Pollock and Mulla's Indian Contract Act*, Nilima Bhadbhade ed., 14<sup>th</sup> updated edition, 2014, LexisNexis.
6. Nilima Bhadbhade, *Contract Law of India*, 2<sup>nd</sup> ed 2009, Kluwer, available free on Google books.
7. *Pollock and Mulla's The Sale of Goods Act*, Akshay Sapre ed., 9<sup>th</sup> ed, 2014, LexisNexis.
8. Akhileshwar Pathak, *Law of Sale of Goods*, 2013, Oxford University Press.
9. Avtar Singh, *Law of Sale of Goods*, 2011, Eastern Book Company.
10. P S Atiyah, *The Sale of Goods*, 12<sup>th</sup> ed, 2010, Longman.
11. P S Ramanatha Aiyar, *Law of Sale of Goods*, Shriniwas Gupta ed., 10<sup>th</sup> ed, 2016, Universal Law Publishing.
12. *A Ramaiya's Commentary on the Sale of Goods*, K Shanmukham and H K Saharay eds, 5<sup>th</sup> ed, 2014, Universal Law Publishing.
13. *Benjamin's Sale of Goods*, Michael Bridge ed, 9<sup>th</sup> ed, 2016, Sweet and Maxwell.
14. *Pollock and Mulla's The Indian Partnership Act*, G C Bharuka ed., 7<sup>th</sup> ed, 2007, LexisNexis.
15. *Mulla's The Sale of Goods Act and the Indian Partnership Act*, K Kannan ed., 10<sup>th</sup> ed, 2012, LexisNexis.
16. Avtar Singh, *Introduction to Law of Partnership (including Limited Liability Partnership)* 10<sup>th</sup> ed., 2011, Eastern Book Company.
17. *S T Desai's The Law of Partnership in India*, Satyajeet Desai ed., 7<sup>th</sup> ed., 2009, LexisNexis.
18. C L Gupta, *Law of Partnership including Limited Liability Partnership*, Palok Basu ed., 5<sup>th</sup> ed., 2016, LexisNexis.
19. P C Markanda, *The Law of Partnership in India*, 2010, LexisNexis.
20. D S Chopra, *A Commentary on Sale of Goods, Partnership and Negotiable Instruments*, 2016, Thomson Reuters.

### LC 0604 Tort and Consumer Protection Law :

**Objectives of the Course :** The Law of Torts is about civil wrongs. The liability for such wrongs is distinct from liability under criminal law and contract law. The negligence, defamation, trespass, assault, conspiracy, deceit are examples of such wrongs. Tort law provides various remedies : compensation for injury and injunction. It is not governed by any statute, but has developed over centuries through principles developed by courts. It is therefore developmental and the law responds to the needs of the times. The liability for new kinds of wrongs is recognised, or an existing wrong develops with contemporary needs.

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

for their redressal. This course also covers relevant provisions under the Consumer Protection Act, 1986, and the principles of liability in case of accidents under the Motor Vehicles Act, 1988.

**Module 01 Introduction and Principles of Liability in Tort :**

1. Development of tort actions in England and India
2. Meaning and definition of tort
3. Tort distinguished from contract, quasi-contract and crime
4. Constituents of tort – wrongful act, damage and remedy
5. Malfeasance, misfeasance and non-feasance

**Module 02 Liability for the Wrong Committed :**

1. Strict liability, absolute liability, no-fault liability; exceptions to these
2. Principle of vicarious liability - nature, scope and justification
3. Doctrine of sovereign immunity
4. Joint tort-feasors, joint and several liability

**Module 03 General Defences / Justifications in an action for Tort :**

1. *Volenti non fit injuria*, consent, voluntary assumption of risk, exclusion clauses
2. *Vis major* (act of God)
3. Inevitable accident
4. Act of third parties
5. *Novus actus interveniens*
6. Plaintiff's wrong or default
7. Self-defence and defence of property
8. Necessity
9. Statutory authority
10. Judicial and quasi-judicial acts
11. Parental and quasi-parental authorities
12. Illegality
13. Mistake

**Module 04 Torts against Persons :**

1. Assault, Battery, Mayhem
2. Causing Emotional Distress
3. Malicious Prosecution and abuse of legal proceedings; False Imprisonment
4. Deceit and Conspiracy
5. Particular defences available in each of these types

**Module 05 Torts against Reputation :**

1. Defamation : Libel and slander; Freedom of speech and expression; Defamation in the civil and criminal law; Different branches of Defamation Libel, Slander; Cyber Defamation : Defamation in cyber space
2. Defences to defamation
3. Invasion of privacy and defences

**Module 06 Torts against Property :**

1. Trespass to land
2. Trespass to personal property
3. Detention and conversion
4. Passing off; Injury to trademark, patent and copyrights
5. Public and private nuisance
6. Particular defences available in each of these types

**Module 07 Unintentional Torts :**

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

**Module 08 Remedies in Tort law :**

1. Judicial remedies:
  - a) Damages : Types - General and special, nominal, contemptuous, aggravated, exemplary, Compensatory damages - Principles of causation, foreseeability, certainty, assessment and calculation of damages - principles, personal injuries, death, loss of property, economic and non-economic losses
  - b) Injunction - permanent and temporary, *qua timet* action
  - c) Replevin
  - d) Ejectment
2. Extra - judicial remedies - Self-defence, reentry on land, recapture of goods, abatement, distress damage feasant

**Module 09 Consumer Protection Law :**

1. Origin and development of consumer law
2. Basic Concepts - Consumer, complaint, complainant, service, goods, defect, deficiency, trader, consumer dispute, restrictive trade practice, unfair trade practice
3. Authorities under the Act - Consumer Councils, Redressal agencies and their composition and jurisdiction - substantive, territorial and pecuniary; Appeals, Additional remedy
4. Remedies available under the Act
5. Procedure for filing a complaint and of the redressal agency, Limitation; Enforcement of orders, vexatious complaints

### Recommended Readings:

1. Ramaswamy Iyers's *The Law of Torts*, Lakshminath ed, 10<sup>th</sup> ed, 2007, LexisNexis.
2. Avatar Singh, *Introduction to the Law of Torts*, 2<sup>nd</sup> ed., Delhi Law House.
3. Ratanlal and Dhirajlal, *The Law of Torts*, Akshay Sapre ed., 27<sup>th</sup> ed., 2016, LexisNexis.
4. P.S. Achuthan Pillai, *The Law of Tort*, Abhinandan Malik ed., 9<sup>th</sup> ed (reprint 2017), Eastern Book Company.
5. B M Gandhi, *Law of Torts*, 4<sup>th</sup> ed (rep 2016), Eastern Book Company.
6. Sathya Narayan, *Tort Law in India*, Wolters Kluwer, Netherland, 2013.
7. *Wienfield and Jolowicz on Tort*, W V H Rogers ed, 18<sup>th</sup> ed, 2010, Sweet and Maxwell.
8. *Salmond and Heuston on the Law of Torts*, R F V Heuston and R A Buckley Eds, 21<sup>st</sup> ed, Sweet and Maxwell.
9. Tony Weir, *An Introduction to Tort Law*, 2<sup>nd</sup> ed, 2006, Oxford University Press.
10. John Murphy, *Street on Torts*, Eleventh Edi Oxford University Press 2006.
11. Avtar Singh and Harpreet Kaur, *Introduction to the Law of Torts and Consumer Protection*, 3<sup>rd</sup> ed, 2013, LexisNexis.
12. Garima Tiwari, *Understanding Laws – Consumer Rights* 2014, LexisNexis.
13. Anirban Chakraborty, *Law of Consumer Protection – Advocacy and Practice*, 2014, LexisNexis.
14. Claire Andrews, *Enforcement of Consumer Rights and Protections*, 2016, LexisNexis.
15. Avtar Singh, *Consumer Protection: Law and Practice*, 5<sup>th</sup> ed, 2015, Eastern Book Co.

### Optional Subject 2 (Any one from the following) :

#### LO 0605 Media and Law :

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

#### Module 01 Introduction:

1. Introduction to Media and Communication
2. Importance of Media in Democracy
3. Kinds of Media
4. Functions of Media – Information, Surveillance, Service the economic system, Hold society together, Entertain, Act as a community forum, Service the political system, etc.

#### Module 02 History of Press and Theories of Press :

1. Historical Foundations of Media Laws in UK, USA and India (Pre and Post-Independence)



2. International Law and Freedom of Media (UDHR, ICCPR, ECOSOC etc.)
3. Theories of Press -
  - a) Authoritarian Theory
  - b) Libertarian Theory
  - c) Communist Theory
  - d) Theory of Social Responsibility
  - e) Development Media Theory
  - f) Democratic Participant Media Theory

**Module 03 Constitutional Framework of Freedom of Media in India :**

1. Free Speech and Constituent Assembly Debates in India
2. Freedom of Speech and Expression in Indian Constitution
3. Facets of Freedom of Speech and Expression
  - a) Freedom of Speech and Expression includes Freedom of Press
  - b) Right to Circulation
  - c) Right to Receive Information
  - d) Right to Advertise
  - e) Right to Telecast / Broadcast
  - f) Censorship
4. Law Commission of India : 101<sup>st</sup> Report on Freedom of Speech and Expression under Article 19 of the Constitution - an Overview
5. Reasonable Restrictions
6. Legislative Privileges and Media
7. Right to Privacy and Media
8. Freedom of Media during emergency

**Module 04 Legal Dimensions of Media :**

1. Media and Criminal Law (Sedition, Obscenity and Defamation)
2. Media and Law of Torts (Civil Law of Defamation and Negligence)
3. Media and Judiciary (Contempt of Court)
4. Media and Executive - an Overview (The Official Secrets Act, 1923, The Right to Information Act, 2005)
5. Media and Journalists - an Overview (The Working Journalists (Conditions of Service) Act, 1955)

**Module 05 Regulatory Framework of Media :**

1. Methods of Regulation (Self Regulation and Statutory Regulation)
2. The Cinematograph Act, 1952
3. The Cable Television Networks (Regulation) Act, 1955
4. The Prasar Bharti Act, 1990
5. The Press Council of India Act, 1978
6. The Telecom Regulatory Authority of India Act, 1997
7. Advertising Standards Council of India and its codes
8. The Indecent Representation of Women Act, 1986

**Module 06 Issues in Media Laws :**

1. Trial by Media (Law Commission of India : 200<sup>th</sup> Report on Trial by Media,

Free Speech and Fair Trial under Criminal Procedure Code, 1973 - an Overview)

2. String Operation and Media
3. Broadcasting Rights
4. Taxation and Media
5. Media and Convergence
6. Infringement of Intellectual Property Rights
7. Internet and freedom of media
8. Violence against Media persons and Law
9. Role of media in electoral process (Press Council of India, Report on Paid News, 2010, Ministry of Law and Justice, Report of the Committee on Electoral Reforms, 2010 - an Overview)

### Recommended Readings:

1. P.M. Bakshi - *"Press Law – An Introduction"* BTRFI Publications, 1985.
2. D.D. Basu - *"Law of the Press"*, LexisNexis Butterworth's Wadhwa, Nagpur.
3. Fred Seaton Siebert, Theodore Peterson and Wilbur Schramm, *"Four Theories of Press: The Authoritarian, Libertarian, Social Responsibility, and Soviet Communist Concepts of what the Press should be and Do"*, University of Illinois Press, 1963.
4. Madhavi Goradia - Divan - *"Facets of Media Law"* Eastern Book Company.
5. M.P. Jain *"Indian Constitutional Law"* LexisNexis, Butterworths, Wadhwa, Nagpur.
6. Ram Jethmalani and D. S. Chopra - *"Cases and Material on Media Law"*, Thomson Reuters, New Delhi.
7. P.M. Bakshi, *"Law of Defamation - Some Aspects"*, N.M. Tripathi, Bombay.
8. Ursula Smartt, *"Media and Entertainment Law"*, Routledge, First Edition.
9. Kiran Prasad, *Media Law in India*, Kluwer Law International.
10. Vidisha Barua, *Press and Media Law Manual*, Universal Law Publishing, New Delhi.
11. B. N. Ahuja, *"History of Press, Press Laws and Communications"*, Surjeet Publications, Delhi.
12. Gokhale, S. D., Sadhu, A., and Kuvalekar, V, (Eds). *"Press in India: On the Threshold of 21st Century"*, Sakal Paper Trust, Pune.
13. M. E. Price (Ed) *"Routledge Handbook of Media Law"*, Routledge, London.

### LO 0606 Banking and Insurance Law :

**Objectives of the Course :** The modern society functions on monetary transactions. The services banks render to the public have a significant contribution in the development of any economy. The security of assets, money and other valuable belonging to individuals, families, businesses is assured through the service that banks provide. The process of the working of the banks, legal control over them, and protection to consumers of banking services, are areas with which a law student must become familiar.

Insurance industry provides risk cover to individuals and businesses. It is growing, especially after the industry became open for private investments. While the business of insurance is

regulated, the relationship between the insurer and insured is contractual. The objective of the course is to give insights into the principles of insurance as applied in such contracts, the need and nature of regulation of insurance, and a brief study of types of insurance and their features.

### **Part I : Banking Law - Statutes :**

1. The Reserve Bank of India Act, 1934.
2. The Banking Regulation Act, 1949.
3. The Bankers' Books Evidence Act, 1891.
4. The Recovery of Debts due to Banks and Financial Institutions Act, 1993.
5. The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002.
6. The Limitation Act 1963.

#### **Module 01 Banking :**

1. Banking business : meaning and nature
2. Evolution and history of banking, and its growth in India
3. Types of banks and their functions : Central bank, Nationalised and Scheduled Banks, Regional rural banks, Local area banks, Non-scheduled banks, Cooperative banks, Foreign banks

#### **Module 02 Regulatory Framework :**

1. Reserve Bank of India : Its structure, primary and secondary functions; Control over banks in India.
2. Monetary and credit Policy
3. Cash Reserve Ratio, Statutory Liquidity Ratio, Currency Chests
4. Assets and liabilities of a bank, Permitted bank investments, Lending limits
5. Banking regulation, bank nationalisation and social control over banking - an overview

#### **Module 03 Banker - Customer Relations :**

1. Contractual nature of relationship -
  - a) Types of accounts
  - b) Services - Deposits, Discounting bills of exchange, Safe custody, Lockers, Foreign exchange, Demand drafts, Pay orders
2. Rights, duties and obligations of a banker
3. Instruments -
  - a) Cheques, definition, types, crossing, endorsement and types, Paying Banker - Obligations and protection, Collecting banker - duties and protection
  - b) Bank guarantees and Letters of credit
4. Interest, interest rates, usury
5. Death of depositors and effect, nominations
6. Remedies to the customer - Banking Ombudsman, Consumer Protection Act 1986

#### **Module 04 Lending by Banks :**

1. Parties in a contract of lending, their respective rights, duties and immunities;

Categories of customers : Individual, Company, Partnership firm, Trust, Joint Account holders, Minors, Joint Hindu Family, Illiterate persons, Unincorporated bodies, Consortium finance

2. Types of loans and advances and their features
3. Security for repayment of debt : Types of securities and their nature - guarantees, immovable property, stocks-shares-debentures, goods, life policies, book debts, Mortgage, charge, pledge, hypothecation, lien, Registration of mortgages and charges
4. Lending in priority sectors - agriculture, housing, education, MSMEs, export credit, weaker Sections, women
5. Lender's liability and the Fair Practice Code

#### **Module 05 Recovery of Loans and Procedure :**

1. Limitation period for enforcing payment and securities
2. Default and recovery of debts and enforcement of securities -
  - a) The Recovery of Debts due to Banks and Financial Institutions Act, 1993 - Chapters III, IV and V, and related definitions in Section 2
  - b) Procedure in aid of recovery of loans and debts and enforcement of securities under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002 - Chapter III, and related definitions in Section 2

#### **Part II : Insurance Law - Statutes :**

1. The Indian Contract Act, 1872 - Sections 17-19, 30, 31-35, 64.
2. The Insurance Act, 1938 - Sections 2(2), 2(6A), 2(6B), 2(6C), 2(7A), 2(7B), 2(8) 2(9), 2(10), 2(11), 2(13A), 2(13B), 2(16B), 2C, 3, 3A, 3B, 6, 10, 27, 27A-27E, 38-40, 42, 42A, 45, 64VB, 103.
3. The Insurance Regulatory and Development Authority of India Act, 1999 - Sections 3-5, 8, 18, 19.
4. The Marine Insurance Act, 1963 - Sections 3, 6-9, 16-17, 19-26, 33-37, 52-54, 67-68.
5. The Motor Vehicles Act, 1988 - Sections 2 (28), 2(30), 2(34), 140-143, 145-163B, 174, 177, 196.
6. The Transfer of Property Act, 1882 - Sections 130, 130A, 135, 135A.
7. Regulations made by the IRDA relating to Appointment of Insurance Agents, Protection of Policy Holders' Interests, Surrender and Paid-up Value, Investments, Health Insurance, Life Insurance, General Insurance, Reinsurance.

#### **Module 06 Nature of Insurance :**

1. What is insurance? Classes of insurance, Voluntary and compulsory insurance
2. Risks, Risk-handling, spreading, and transfer, Mathematical value, Insurable and other risks, Extent, commencement, duration and termination of risks - Period of risk, Time of loss
3. Perils, insurable perils, Hazard, moral hazard and adverse selection  
Re-insurance

#### **Module 07 Contract of Insurance :**

1. Contract of insurance, subject-matter of insurance; Contingent nature of the

insurance contract

2. Formation of insurance contract - proposal and acceptance, documents involved in formation - proposal, cover note, slips, policy, certificate of insurance, the process of formation of the insurance contract until issuing of policy, the free-look provisions in life and health insurance
3. Insurance agents and insurance brokers, and their role in contract formation
4. Proposal, its contents in general, life, health insurance
5. Premium, calculation, return and forfeiture of premium, Tariff
6. Nomination and Assignments

**Module 08 General Principles of Insurance :**

1. Indemnity - Meaning, application in different types of insurance, double insurance, subrogation, contribution
2. Insurable interest, wagering agreements
3. Utmost Good Faith - Non-disclosure and misrepresentation, Representations, warranties and conditions, Types of conditions in insurance, Effect of breach, Waiver of breach, Application to different classes of insurance, Limitations on avoidance of life insurance policies under Section 45 of the Insurance Act
4. Doctrine of proximate cause

**Module 09 Compulsory Insurance under the Motor Vehicles Act, 1988 :**

1. Scheme of compulsory insurance
2. Certificate of insurance, Transfer of insurance policy
3. Duty to give information
4. Requirements of policy and limits of liability
5. Right of an insurer to defend  
Duty to satisfy judgments

**Module 10 Development of Insurance and Insurance Sector :**

1. History of insurance in India, Nationalisation of life and general insurance, Opening up of the insurance sector, Foreign investment in insurance
2. Insurance Regulatory and Development Authority of India, its constitution, role, powers and functions
3. The Life Insurance Corporation of India, the General Insurance Corporation of India, the General and the Life Insurance Councils
4. Registration of insurers, Capital and voting structure; Investments by insurers
6. Functions and benefits of insurance

**Recommended Readings - Banking :**

1. Tannan's Banking Law and Practice in India, Vinod Kothari ed, 26<sup>th</sup> edn, 2017, Lexis-Nexis.
2. Banking and Insurance: Law and Practice, 2010, Taxmann.
3. P N Varshney, Banking Law and Practice, 2013, Sultan Chand & Sons.
4. Avtar Singh, Banking and Negotiable Instruments, 3<sup>rd</sup> edn, 2016, Eastern Book Company.
5. IIBF, Legal and Regulatory Aspects of Banking, 2015, Macmillan.
6. Bimal N Patel et al, Banking Law, 2014, Eastern Book Company.

7. R K Gupta, Banking Law and Practice in 3 Vols., 2012, Modern Law Publications.
8. Sukhvinder Mishra, Banking Law and Practice, 2014, Sultan Chand & Sons.
9. R K Bangia, Banking Law and Negotiable Instruments Act, 5<sup>th</sup> ed, 2015, Allahabad Law Agency.

#### **Recommended Readings - Insurance :**

1. Sachin Rastogi, Insurance Law and Principles, 2014, LexisNexis.
2. Gaurav Varshney, Insurance Laws, 2017, LexisNexis.
3. Birds' Modern Insurance Law, 9<sup>th</sup> ed, 2013, Sweet and Maxwell.
4. Avtar Singh, Law of Insurance, 3<sup>rd</sup> edn, 2017, Eastern Book Company.
5. McGee, The Modern Law of Insurance, 2011, Lexis-Nexis.
6. J V N Jaiswal's Law of Insurance, Sumeet Malik ed, 2<sup>nd</sup> edn, 2017, Eastern Book Company.
7. B C Mitra, Law Relating to Marine Insurance, 2012, Universal Law Publishing.
8. N P Tripathi, Insurance: Theory and Practice, 2005, Prentice Hall India.
9. Marshall Wilson, Insurance: Concepts and Coverage, 2012, Friesen Press.
10. MacGillivray on Insurance Law, Prof John Birds et al ed, 13<sup>th</sup> ed + Supplement, 2016, Sweet and Maxwell.
11. Insurance: Principles, Applications and Practices, 2009, Cyber Tech Publications.
12. John Lowry et al, Insurance Law: Doctrines and Principles, 3<sup>rd</sup> ed, 2011, Hart Publishing.
13. KSN Murthy and KVS Sharma, Modern Law of Insurance in India, 5<sup>th</sup> edn, 2014, LexisNexis.

#### **LO 0607 Penology and Victimology :**

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

#### **Module 01 Penology - Introduction :**

1. Definition, nature and scope of Penology
2. Crime Control Mechanism -
  - a) Police
  - b) Court
  - c) Public Prosecutor
  - d) Jail Administration
  - e) Open Prison

#### **Module 02 Punishment :**

1. Concept of Punishment
2. Theories of Punishment -
  - a) Deterrent Theory
  - b) Retributive Theory
  - c) Preventive Theory





d) Reformatory Theory

3. Forms of Punishment

4. Penal Policy in India

**Module 03 Police System in India :**

1. Origin of Police

2. Development of Police Organization

3. Police Force in India

4. Nature and Objectives of Indian Police System

5. Police organization under the State Government

6. Police organization under the Central Government

7. Principles of Policing

8. Legal functions of police

9. Law Relating to Police Administration

10. Police Reforms

11. Legislative Trends

12. Judicial Approaches

13. NHRC guideline on Police-Public Relations

**Module 04 Prison System in India :**

1. History of Prison System

2. Prison in British India

3. Role of Prison in Modern Penology

4. Types of Prisons and Prisoners

5. Problems of Prisons -

a) Over Crowding

b) Basic Amenities

c) Prison Discipline

d) Prisoner's Health

e) Criminality in Prison

f) Problems of Under-trials

6. Prison Reforms -

a) Commission on Prison Reforms

b) Jurisprudence of Prison Reforms

c) Legislative Trends

d) Judicial Trends

**Module 05 Open Prisons :**

1. Definition and Origin of Open Prison

2. The Philosophy underlying the Open Prison

3. Main Characteristics of Open Prisons

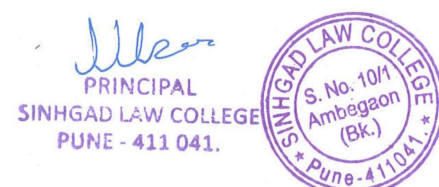
4. Advantages of Open Prison

5. Critical Appreciation of the working of Open Prison

**Module 06 Parole :**

1. Meaning and Definition of Parole

2. Concept of Parole



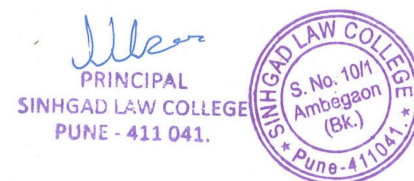
3. Distinction between Parole and Indeterminate Sentence
4. Distinction between Parole and Furlough
5. Comparison between Parole and Probation
6. Parole in India
7. Structural setup of Parole Boards and their Functions
8. Conditions of Parole
9. Essentials of an Ideal Parole System
10. Judicial Trend in India
11. Parole Violation

**Module 07 Victimology - Victim and Victimization :**

1. Victim – Meaning and Kinds
2. Impact of Victimization - Physical, Economic and Psychological
3. Double / Secondary victimization
4. Victimology - Definition, Nature and Scope
5. Theories of Victimology -
  - a) The Precipitation Theory
  - b) Life-style Theory
  - c) Deviant Place Theory
  - d) Routine Activity Theory

**Module 08 Legal Perspectives of Victim Assistance :**

1. Victim Assistance Program -
  - a) Evolution of Concept of Victim and Victimology
  - b) Victim's Rights - Approach at International and Municipal Jurisdiction.
  - c) Declaration of United Nations on Victims' Rights
  - d) Constitution of India and Rights of Victims
  - e) Statutory Provisions - Code of Criminal Procedure, Probation of Offenders Act
2. Access to Justice -
  - a) Compensation to victims of crime
  - b) Rights of victims during trial
  - c) Legal assistance to the victims
  - d) Role of victim at time of granting bail
  - e) Right of victim to appeal



**Recommended Readings:**

1. J.M.J. Sethna, *Society and the Criminal*, N.M. Tripathi Private Limited, (1989).
2. Shukla Girjesh, *Criminology*, LexisNexis, New Delhi, (2013).
3. N.V. Paranjpe, *Criminology and Penology with Victimology*, Central Law Publication, Allahabad, (1998).
4. J.P.S. Sirohi, *Criminology and Penology*, Allahbad Law Agency.
5. Ahmad Siddique, *Criminology and Penology*, Eastern Book Company.
6. Davis Lurigo Herman, *Victims of Crime*, Sage Publications.

7. Schuffer S., *Victimology, The Victim and his Criminal*, Raston Publishing Co. Reston, Virginia.
8. Karmen Andrew, *Crime Victim: An Introduction to Victimology*, Wadsworth Publishing Company.
9. Rajan, V.N., *Victimology in India : An Introductory Study*, New Delhi, Allied Publisher.

### **LO 0608 Land Acquisition Law :**

**Objectives of the Course :** The much criticized Land Acquisition Act, 1894 was repealed and replaced by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act 2013). The object of the Act is to provide a law, which will enable the State to acquire the land of citizens. However, the power of Government to acquire land is not absolute. The cardinal rule is that there should be compensation for acquisition of land. The power of the sovereign to take private property for public use and the consequent rights of the owner to compensation are well established in the Act of 2013. The syllabus is aimed to make aware the students (a) the historical foundation of land acquisition in India, (b) constitutional provisions relating to land acquisition in India, (c) the detailed outline and functioning of the Act, 2013, and (d) the major issues involved in Land Acquisition.

#### **Module 01 Historical Perspectives of Land Acquisition in India :**

1. Land Acquisition in colonial era
2. Salient features of the Land Acquisition Act, 1894
3. Limitations / Demerits of the Land Acquisition Act, 1894
4. Land Acquisition and Welfare State

#### **Module 02 Provisions under the Constitution of India :**

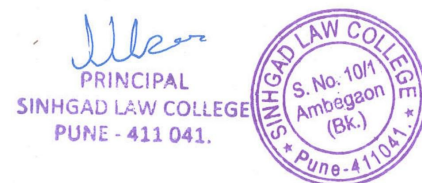
1. Right to property under the Constitution of India
2. Agrarian reforms and the First, Fourth and Seventeenth Amendment to the Constitution
3. Eminent Domain and Police Power
4. Concept of Public Purpose
5. Issues Regarding Compensation

#### **Module 03 Introduction of the RFCTLARR Act, 2013 :**

1. Object application and Reasons of the Act
2. Extent and Application of the Act
3. Interpretation clause under the Act

#### **Module 04 Determination of Social Impact and Public Purpose and Safeguard Food Security :**

1. Determination of Social Impact and Public Purpose :
  - a) Preliminary Investigation for Determination of Social Impact and Public Purpose
  - b) Appraisal of Social Impact Assessment Report by an Expert Group



- c) Examination of Proposal by a Committee Constituted by the Appropriate Government

2. Special provisions to safeguard Food Security

**Module 05 Notification, Acquisition, Rehabilitation, Resettlement and Procedure :**

1. Notification and Acquisition
2. Rehabilitation and Resettlement Award
3. Procedure and Manner of Rehabilitation and Resettlement

**Module 06 Authorities, Apportionment Payment of Compensation :**

1. National Monitoring Committee for Rehabilitation and Resettlement
2. Establishment of Land Acquisition, Rehabilitation and Resettlement Authority
3. Apportionment of Compensation
4. Payment of Compensation

**Module 07 Temporary Occupation, Offences and Miscellaneous Provisions :**

1. Temporary Occupation of Land
2. Offences and Penalties
3. Miscellaneous Provisions under the Act (Sections 91 to 114)

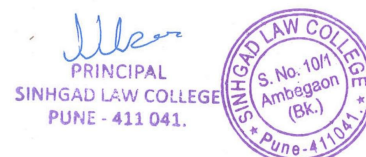
**Recommended Readings:**

1. Manoj Kumar Srivastava, *Agricultural Labour and the Law: Socio-Economic Problems and Legal Protection*: (Deep & Deep Publications, 1993).
2. Om Prakash Aggarwala, (2008), *Commentary on Land Acquisition Act*, Universal Law Publishing Co. P. Ltd, New Delhi.
3. L. M. Singhvi, *Land Reforms - Law and Poverty*, Pages 103-114, 116-121, 127-136.
4. Choudary, D R and Choudary, A N; *Land Laws in Maharashtra*, CTJ Publications.
5. Ramchandran, V G; *The law of Land Acquisition and Compensation*, Eastern Book Company.
6. Choudhari, *The Land Acquisition Act*, Orient Law Agency, Allahabad.
7. V.N. Shukla, *Constitution of India*, Eastern Book Agency, 2014.
8. N.K Acharya, *Commentary on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013*, Asia Law House, 2014.
9. M.L. Upadhyaya, *Law, Poverty and Development*, Taxmann Allied Publishers Pvt. Ltd, 2000.

**LO 0609 Intellectual Property Rights II :**

**Objectives of the Course :** This course is designed with an objective to acquaint the students with the laws for the protection of various intellectual properties and how the international instruments implemented in India. It also aims at sensitizing the students with current issues in the field of Intellectual Property at National Level.

**Module 01 The Copyright Act, 1957 :**



1. Definition of Copyright, Objectives of Copyright Protection, Nature of Copyright
2. Copyright and Socio-Economic Development
3. Copyright Law in India – History and Evolution
4. Works in which Copyright subsists – Subject matter of Copyright, Authorship and Ownership of Copyright
5. Authorities under the Copyright Act, 1957, Registration of Copyright, Term of Copyright, Provision for Appeals.
6. Rights Conferred by Copyright, Limitations and Exceptions to Copyright Protection
7. Assignment, Transmission, Licenses and Relinquishment of Copyright
8. Copyright Societies, International Copyright
9. Piracy and Infringement of Copyright, Test of Copyright Protection, Remedies against Infringement.
10. Related Rights - Rights of Performers and Broadcasting Organizations, Economic Rights and Moral Rights of Authors.

**Module 02 The Patent Act, 1970 :**

1. Historical Evolution of Patent System in India, Philosophy of Patent
2. Implementation of TRIPS agreement in India, Amendments to the Patent Act, 1970
3. Definitions, Patentability Criteria, Patentable Subject Matter, Non-Patentable Inventions
4. Procedure for obtaining a Patent, Opposition to the Patent Grant (Pre-grant and Post-grant opposition), Term of Patent
5. Convention Application, PCT International Application
6. Authorities under the Patent Act, 1970: Controller of Patents, IPAB, Patent Agent
7. Rights and Obligation of Patentee, Patent of Addition, Transfer of Patent Rights
8. Revocation and surrender of Patent
9. Compulsory Licenses, Governmental Use and Acquisition of inventions
10. Infringement of Patent and Remedies for Infringement

**Module 03 The Trade Marks Act, 1999 :**

1. Object and Functions of Trademark, Commercial and Non-Commercial Role of Trade Marks
2. Development of Trademark law in India
3. Definition of Mark, Trademark, under the Trade Mark Act, 1999, Essential Features and functions of Trademark, Kinds of Trademark, Registered Trade Mark and Unregistered Trade Mark
4. Conditions for Registration, Procedure of Registration, Grounds of Refusal for Registration
5. Protection of Trade Mark through International Registration under Madrid Protocol

6. Duration, Renewal, Removal and Restoration of Trademark
7. Rights and liabilities of Trademark Holder, Limitations on rights, Honest and concurrent use
8. Effect of Registration of Trade Mark, Infringement and Passing off Remedies, Deceptive Similarity
9. Change of Ownership, Assignment and Transmission, Licenses
10. Contemporary Developments - Effects of Information Technology, Protection of Trade Names and Domain Names

**Module 04 The Designs Act, 2000 :**

1. Development of Designs Law in India
2. Definitions, Controller of designs, Registration of designs - Essential requirements, Non-registrable designs, Procedure of registration, Term of copyright in designs
3. Cancellation of registration, Restoration of lapsed designs
4. Rights of design holders, Assignment and Transmission
5. Piracy (Infringement) of registered designs and Remedies for Infringement

**Module 05 The Geographical Indications of Goods (Registration and Protection) Act, 1999 :**

1. Historical background of law of Geographical Indications in India
2. Meaning and Definition, Functions and Characteristics of Geographical Indication
3. Distinction between Geographical Indications and Trade Mark
4. The Register and Conditions for Registration of Geographical Indication
5. Procedure for Registration, Duration of Protection, Rights conferred by Registration, Infringement of Geographical Indications and Remedies
6. Powers of the Registrar of Geographical Indications

**Module 06 Protection of other Types of Intellectual Property Rights in India :**

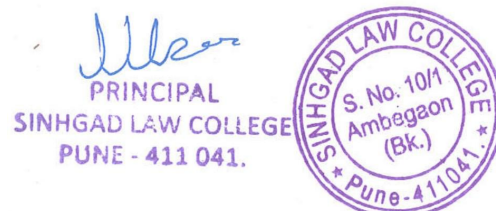
1. Protection of Plant Varieties and Farmer's Rights in India
2. Layout Designs/Topographies Integrated Circuits
3. Protection of Confidential Information and Trade Secrets
4. Protection of Traditional Knowledge
5. Protection of Bio-diversity
6. Semiconductor Integrated Circuits and Layout Designs
7. Protection against Unfair Competition

**Recommended Readings :**

1. Tamali Sen Gupta, *Intellectual Property Law in India*, Wolters Kluwer, Law & Business (2011).
2. Brainbridge, *Intellectual property*. New Delhi: Pearson Education (Singapore) Pvt. Ltd.
3. Choudhary D. N., *Evolution of Patent Laws*. New Delhi: Capital Law House.
4. Epstein M A, *Epstein on Intellectual property (Indian Reprint)*. New Delhi: Wolters Kluwer Law and Business.



5. Gopalkrishnan N S, & Agitha T G, *Principles of Intellectual Property*. Luckhnow: Estern Book Company.
6. Kankanala K C, *Genetic Patent Law and Strategy*. Noida, India: Manupatra Information Solutions Pvt. Ltd.
7. Reddy G B, *Intellectual Property Rights and the Law*, Gogia Law Agency, Hyderabad.
8. Rama Sarma, *Commentary on Intellectual Property Laws*, Vol.2. Nagpur: LexisNexis Butterworths Wadhawa.
9. Prabudh Ganguli, *Gearing up for Patents - The Indian Scinario*, Universal Law Publishing.
10. Parmeswaran Narayanan, *Intellectual Property Law*, Eastern Law House.
11. B L Wadehra, *Law Relating to Intellectual Property: Patents, Trademarks, Designs and Geological Indications*.
12. Robert Merges & John Duffy, *Patent Law and Policy: Cases and Materials*, 2017.
13. Feroz Ali Khader, *The Law of Patents - With a special focus on Pharmaceuticals in India*, LexisNexis Butterworths Wadhwa, Nagpur.
14. Lionel Bently & Brad Sherman, *Intellectual Property Law*, Oxford University Press.
15. Gregory Stobbs, *Software Patents Worldwide*, Wolters Kluwer.
16. Ahuja V K, *Law Relating to Intellectual Property Rights*, LexisNexis, New Delhi, 2017.



**PART XI**  
**Syllabus of Fourth Year B.A. LL.B., Fourth Year B.B.A. LL.B.**  
**and Second Year LL.B.**

**Fourth Year B.A. LL.B. - Semester VII**

**Fourth Year B.B.A. LL.B. - Semester VII**

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

**LC 0701 Constitutional Law II :**

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

**Module 01 Nature of Indian Federalism :**

1. Forms of Governments
2. Concept of Federalism
3. Essential characteristics of American Federalism
4. Essential characteristics of Indian Federalism
5. Indian Federalism distinguishes from American Federalism

**Module 02 Structure Powers and Functions Union and State Executive :**

1. Union Executive (Articles 52 to 78)
2. State Executive (Articles 152 to 167)

**Module 03 Structure, Powers and Functions of Union and State Legislature :**

1. Union Legislature (Articles 79 to 123)
2. State Legislature (Articles 168 to 213)

**Module 04 Structure, Powers and Functions of Supreme Court, High Court and Tribunals :**

1. Supreme Court (Articles 124 to 147)
2. High Court and Subordinate Courts (Articles 214 to 237)
3. Tribunals (Articles 323A and 323B)

**Module 05 Relations between Union and the States :**

1. Legislative Relations between Union and the States (Articles 245 to 255)
  2. Administrative Relations between Union and the States (Articles 256 to 263)
  3. Financial Relations between Union and the States (Articles 264 to 290A)
- An Overview of the Constitution (One Hundred First Amendment) Act, 2016

**Module 06 Constitutional Position of Jammu and Kashmir:**

1. Historical background of Article 370
2. Provisions of Article 370 of the Constitution
3. The Constitutional (Application to Jammu and Kashmir) Order, 1954

**Module 07 Other Constitutional Institutions / Authorities :**

1. Comptroller and Auditor-General of India (Articles 148 to 151)

2. Administration of Union territories (Articles 239 to 241)
3. Structure Powers and Functions of Panchayats (Articles 243 to 243O)
4. Structure Powers and Functions of Municipalities (Articles 243P to 243ZG)
5. Services and Public Service Commissions (Articles 308 to 323)
6. Elections and Election Commission (Articles 324 to 329)

**Module 08 Other Constitutional Provisions :**

1. Borrowing (Articles 292 to 293)
2. Property, Contracts, Rights, Liabilities, Obligations and Suits (Articles 294 to 300)
3. Freedom of Trade, Commerce and Intercourse (Articles 301 to 307)
4. Official Language (Articles 343 to 351)

**Module 09 Emergency Provisions - Grounds, Approval for Continuation and Effects (Articles 352 to 360) :**

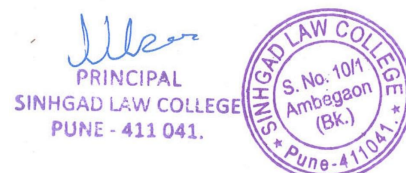
1. National Emergency
2. State Emergency
3. Financial Emergency

**Module 10 Commissions and Committees on Union-State Relations - Objectives and Recommendations :**

1. Administrative Reforms Commission (1966)
2. Rajmanner Committee (1969)
3. Sarkaria Commission (1983)
4. Punchhi Commission (2007)

**Recommended Readings:**

1. M. P. Jain, *Indian Constitutional Law*, LexisNexis (2015).
2. D.D. Basu, *Constitutional Law of India*, LexisNexis (2013).
3. Narendra Kumar, *Constitutional Law of India*, Allahabad Law Agency (2015).
4. H. M. Seervi, *Constitutional Law of India*, N.M. Tripathi.
5. Arvind Datar, *Commentary on Constitution of India* (3 Vols), LexisNexis (2010).
6. Sathya Narayan (Ed), *Selected Work of S.P. Sathe* (3 Vols), Oxford University Press (2015).
7. M.P. Singh, *V.N. Shukla's Constitution of India*, Eastern Book Company, (2013).
8. Sujit Chaudhry, Madhav Khosla and, Pratap Bhanu Mehta, *The Oxford Handbook of the Indian Constitution*, Oxford University Press.
9. Granville Austin, *Working of a Democratic Constitution - The Indian Experience*, Oxford University Press.
10. Granville Austin, *The Indian Constitution – Cornerstone of a Nation*, Oxford University Press.
11. A. G. Noorani, *Article 370: A Constitutional History of Jammu and Kashmir*, Oxford University Press.



## **LC 0702 Property Law and Easement :**

**Objectives of the Course :** The subject covers the study of the Transfer of Property Act, 1882 and the Easement Act, 1882. The subject is fundamental law that covers principles applicable to transfers of all kinds of properties. A sound grasp of this subject is the foundation necessary for a better understanding of all special laws that affect property. The course will enable the student to appreciate the fundamental principles, features, rights and liabilities of parties and the consequences of specific transactions affecting immovable property. The topic of actionable claims is very relevant in the modern business environment and financing models. The course also covers law relating to easements and licenses.

### **Module 01 Concepts, Meaning and types of Properties (Sections 1 to 4 of the T.P. Act, 1882) :**

1. Meaning of property
2. Kinds of property - Movable and immovable, tangible and intangible, existing and future, real and personal
3. Role of property rights in social and economic development
4. Doctrine of notice

### **Module 02 Transfer of Property by Act of Parties (Sections 5 to 9) :**

1. Meaning and Definition Transfer of Property, Properties which may be transferred
2. Essentials of a valid transfer of property
3. Operation and method of transfer property
4. Procedural perspective for transfer of property
5. Effect of non-payment of stamp duty and non-registration

### **Module 03 General Principles Relating to Transfer of Property (Sections 10 to 37) :**

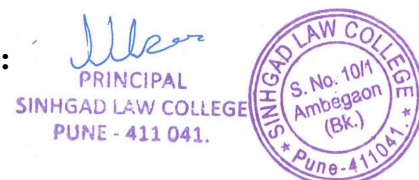
1. Conditions restraining alienation, enjoyment, defeating insolvency or assignability
2. Transfers to unborn persons
3. Rule against perpetuity and accumulation of income
4. Vested and contingent interests
5. Conditions precedent and subsequent, conditional transfers
6. Doctrine of Election and Apportionment

### **Module 04 General Principles Relating to Transfer of Immovable Property (Sections 38 to 53A) :**

1. Doctrine of holding out
2. Feeding the grant by estoppel
3. Doctrine of priority
4. Transfer lis pendens
5. Fraudulent transfer
6. Doctrine of part performance

### **Module 05 Sales and Exchanges (Sections 54 to 57 and 118 to 121) :**

1. Meaning and definition of Sale and Exchange



2. Distinction between sale and Exchange
3. Essentials of a valid sale, Parties to a sale, Formalities
4. Distinction between Sale and contract for sale
5. Registration of a contract for sale and effect of non-registration,
6. Rights and liabilities of a buyer and seller
7. Discharge for encumbrances on sale
8. Exchange, Rights and liabilities of parties to exchange

**Module 06 Mortgages (Sections 58 to 98) :**

1. Definition of mortgage - Types of mortgages, Mortgagor, Mortgagee, Mortgage money,
2. Essentials of a valid mortgage and Formalities
3. Distinction between charge, mortgage, pledge, hypothecation and other security interests over property
4. Rights and liabilities of a mortgagor and mortgage
5. Doctrine of substituted security
6. Charge of immovable property
7. Marshalling
8. Mortgagee's and charge-holder's rights and remedies under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002

**Module 07 Leases (Sections 105 to 117) :**

1. Definition of lease, Lessor, lessee, Kinds of leases, premium and rent
2. Essentials of a valid lease and Formalities
3. Rights and liabilities of the lessee and Lessor
4. Term and determination of lease
5. Forfeiture and relief against forfeiture
6. Leases for agricultural purposes
7. Distinction between lease under the Transfer of Property Act, 1982 and the Maharashtra Rent Control Act, 1999

**Module 08 Gift and Transfers of Actionable Claims (Sections 122 to 129 and 3, 130 to 137) :**

1. Definitions of Gift, Donor and Donee
2. Essentials of a valid gift, Revocation of gifts
3. Distinction between property and *donatio mortis causa* and gifts under Mohammedan law
4. Actionable claims :
  - a) Definition, Formalities, and their importance in commercial transactions
  - b) Requirement of notice to debtor, and effect of notice
  - c) Rights and liabilities of transferor and transferee

**Module 09 Law of Easements (Sections 1 to 51 of the Easement Act, 1882) :**

1. Definitions and Types of easements
2. Formalities for creating an easement

3. Creation and acquisition of Easements, Dominant and servient owners and Heritages, Grant, Custom, Necessity, Quasi-necessity, Prescription
4. Rights, duties and liabilities of dominant and servant owners
5. Remedies for disturbance of easements
6. Extinction of easements, Suspension and revival of easements

**Module 10 Law of Licenses (Sections 52 to 64 of the Easement Act, 1882) :**

1. Definition of License, Essentials of a license, kind and Formalities
2. Transfer of license, Transfer of grantor's interest
3. Death of licensor or licensee
4. Rights and liabilities of licensee, Revocable and Irrevocable license
5. Rights of licensee on revocation and eviction
6. Distinction between leases and licenses
7. Distinction between licenses under Easement Act, 1882 with that of the Maharashtra Rent Control Act, 1999

**Recommended Readings :**

1. V P Sarathi's *Law of Transfer of Property - Including Easements, Trusts and Wills*, Malika Taly (ed), Eastern Book Company, 2017.
2. Poonam Pradhan Saxena, *Property Law*, LexisNexis, 2017.
3. Avatar Singh, *Textbook on the Transfer of Property Act*, Universal Law Publishing, 2016.
4. Shriniwas Gupta, *A Text Book on Transfer of Property Law*, Thomson Reuters, 2016.
5. A P Singh and Ashish Srivastava, *Property Laws*, LexisNexis, 2015.
6. G P Tripathi, *The Transfer of Property Act*, 19th ed., Central Law Publications, 2016.
7. AP Singh and Ashish Kumar Srivastava, *Property Laws*, LexisNexis, 2015.
8. Sanjiva Row, *Transfer of Property Act* (in 2 volumes), Universal Law Publishing, 2016.
9. Shriniwas Gupta, *Law Relating to Transfer of Property*, Thomson Reuters, 2016.
10. Darashaw Vakil, *Commentaries on the Transfer of Property Act*, LexisNexis, 2017.
11. Mulla, *The Transfer of Property Act*, 12th ed, M R Hariharan (ed), LexisNexis, 2014.
12. H S Gour, *Commentary on Transfer of Property Act*, Delhi Law House, 2014.
13. B B Katiyar, *Law of Easements and Licences*, Universal Law Publishing, 2010.

**LC 0703 Public International Law :**

**Objective of the Course :** This course provides an insight into Public International Law and its significance in the economically globalised world. It enables the students to understand the interdependence of the countries and how they are constantly addressing the global issues through peaceful measures. In view of the vastness of the subject, only important chapters have been covered here. An Introductory perspective to International Law is aimed to provoke the inquisitiveness of the students. A grasp on the key features and subtle perspective of the law and its relevance will help the students in the preparation of various competitive examinations.



**Module 01 Nature and Development of International Law :**

1. Meaning and Definition of International Law
2. Theoretical Basis of International Law - Natural law Theory, Positive Law Theory, Grotius Theory and Consent theory
3. Historical perspective of International Law - Codification of International Law, Work of International Law Commission

**Module 02 Sources of International Law :**

1. Statute of the International Court of Justice, 1945 (Article 38) - International Treaties and Conventions, International Custom, General Principles of Law Recognized by Civilized Nations, Judicial Decisions of International and National Courts, and Juristic Opinion
2. Other Sources of International Law - Resolutions of General Assembly, Resolutions of Security Council

**Module 03 Relationship between International Law and Municipal Law :**

1. Theoretical Perspectives - Monistic Theory, Dualistic Theory, Transformation theory, Delegation Theory, and Specific Adoption theory
2. Practice of States - United Kingdom, United States of America and India

**Module 04 Subjects of International Law :**

1. Meaning and Definition of State
2. Kinds of Different States in International Law – Sovereign States, Semi-Sovereign States, Protectorate, Vassal, Trust Territories, Special type of States - Holy State and Neutralized States
3. Individuals as subjects and object of Public International Law
4. Role and Status of Multi National Companies

**Module 05 Recognition of States :**

1. Meaning and Significance of Recognition
2. Theories of Recognition - Constitutive Theory, Declarative Theory, Stimson Doctrine and Estrada Doctrine
3. Types of Recognition - De-facto, and De-jure
1. Recognition of Insurgency and Belligerency

**Module 06 State Territory and State Succession :**

1. Meaning and Definition of State Territory
2. Types of Acquiring and Loss of State Territory – Occupation, Prescription, Accretion, Cession, Dismemberment, Retrocession (The Case of Hong Kong)
3. Meaning and Concept of State Succession - Difference between State Succession and Succession of Governments
4. States Succession to Treaties – Membership of International Organizations Recent Developments, State succession to Public Property, Torts, Debts, and Archives
5. Theories of State Succession to Treaties - Theory of Universal Succession, Theory of Negativism, Contemporary Theories (Neo-Universalism and

Neo-Negativism), and Theory of Gestation (Nyerere Doctrine)

**Module 07 State Jurisdiction :**

1. Territorial Jurisdiction - Civil and Criminal jurisdiction, Universal Jurisdiction, Extra territorial Jurisdiction of State
2. State Jurisdiction and State Territory-Land Territory -National Waters-Territorial sea-Contiguous zone-Exclusive Economic Zone—Air and Outer Space – obligations of states under outer space Treaty 1966
3. Jurisdiction based on Nationality - Modes of Acquiring and Losing Nationality, Double Nationality, and Nationality of Married Women - Indian position
4. Meaning and Significance of Statelessness - Role of UNHCR
5. Meaning and Definition of Extradition - Types of offenders and Process of Extradition
6. Definition and Significance of Asylum - Territorial and Extra-Territorial Asylum

**Module 08 State Immunities and Privileges :**

1. State Immunity - Absolute theory and Restrictive Theory of Immunity, Views of the International Law Commission, and Waiver of Immunity
2. Significance and Functions of Diplomatic Agents and Classification of Diplomatic Agents
3. Immunities and Privileges of Diplomatic Agents - Inviolability of Diplomatic Agents
4. Inviolability of Premises - Immunity from local, Civil, Administrative and Criminal Jurisdiction, Immunity from Taxes and Custom Duties, Freedom of Movement, Travel, Communication and Worship

**Module 09 Law of State Responsibility :**

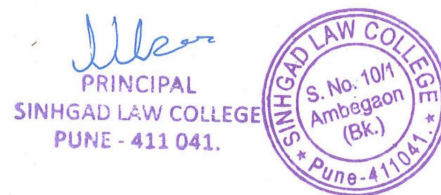
1. Nature and Basis of State Responsibility - Elements of State Responsibility, State Responsibility in different fields
2. Theories of State Responsibility - Fault or Subjective Theory, Risk or Objective theory, Eclectic Theories of Responsibility, Absolute Liability
3. Significance of Doctrine of Culpa
4. Defences precluding State Responsibility

**Module 10 Law of Treaties :**

1. Meaning and Definition of a Treaty, Types of Treaties
2. Parties to a treaty - Formation of a Treaty, Significance of Pact Sunt Servanda
3. Significance of Jus Cogens, Role of Rebus Sic Stantibus (Changed Circumstances) in Treaties
4. Procedure for Termination of Treaties

**Module 11 Settlement of Disputes :**

1. Legal and Political Disputes
2. Pacific Means
3. Extra-judicial Pacific Means- Negotiation- Good Offices- Mediation-



Conciliation- Inquiry- Arbitration

4. Coercive and Compulsive Measures - Retortion - Reprisals - Embargo - Pacific Blockade - Intervention.

## **Module 12 International Institutions :**

1. Historical Origin of International Institutions - League of Nations - An Overview, United Nations - Purposes and Principles
2. Structure, Powers and functions of (a) Security Council, (b) General Assembly, (c) Economic and Social Council, (d) Trusteeship Council, (e) Secretary General - Appointment, Powers and Functions
3. International Court of Justice - Historical Evolution and Composition, Types of Jurisdiction of the Court - Contentious and Advisory, Law Applied by the Court and Binding Nature of Judgment
4. Legal Status of International Organisations

### **Recommended Readings:**

1. Robert Jennings and Arthur Watts (eds.), *Oppenheim's International Law* (Vol. I – Peace) Oxford University (2008).
2. I. Brownlie, *Principles of Public International Law*, 7th ed., Oxford University (2008).
3. I.A. Shearer, *Starke's International Law*, 1st Indian ed., Butterworths (2007).
4. D.J. Harris, *Cases and Materials on International Law*, Sweet & Maxwell Ltd., 7th ed., (2010).
5. H.O. Agarwal, *International Law and Human Rights*, Central Law Publications, 21st ed., (2016).
6. Malcolm N. Shaw, *International Law*, Cambridge University Press, 7th ed., (2015).
7. J.G. Strake, *Introduction to International Law*, 10th Edition, Butterworth-Heinemann; (1989).
8. D.W. Bowetts, *Law of International Institutions* (6th edn), Sweet and Maxwell, (2011).
9. S.K. Verma, *An introduction to Public International Law*, Prentice Hall (1998).
10. Gurdip Singh, *International Law*, Eastern Book Company, (2015).
11. V.K. Ahuja, *Public International Law*, Lexis Nexus (2016).
12. S.K. Kapoor, *International Law and Human Rights*, Central Law Agency.
13. Shilpa Jain, *Introduction to International Law*, Eastern Book Company (2016).

## **LP 0704 Practical Training Paper I - Professional Ethics and Contempt of Court Law :**

**Objectives of the Course :** The professional ethics encompasses an ethical code governing the conduct of persons engaged in the practice of law as well as persons engaged in the legal sector. The objective of this course is to acquaint the students as to (a) legal profession in India during - ancient, medieval and modern period, (b) professional ethics or duties, (c) the provisions of the Advocate Act, 1961, and (d) the provisions of the Contempt of Courts Act, 1971. The purpose of the course shall also be to provide or to enhance the practical knowledge of the students and to acquaint them with the link between theory and practice.

**Scheme of Marking :**

Part A : University Written Examination : 80 Marks  
Part B : Written Submissions (10 Marks) & Viva voce Examination (10 Marks) : 20 Marks

**Part A : Syllabus for University Written Examination :****Module 01 History of Legal Profession in India :**

1. Legal profession in India in ancient and medieval period
2. Changes underwent in Legal profession during British rule
3. Development of Legal Profession in India after Independence
4. Impact of globalization on legal profession in India

**Module 02 Norms of Professional Ethics and Duties :**

1. Need and necessity of Professional ethics in the legal profession
2. Professional ethics and duties of advocates towards his clients, Court, public, his fellow advocates, self, society, duty in imparting training, duty to render legal aid, etc.
3. Restrictions on other Employments
4. Restrictions on advertising
5. Form of Dresses or Robes to be worn by Advocate
6. Rules as to Vakalatnama

**Module 03 Introduction and Authorities (the Advocates Act, 1961) :**

1. Objects of and definitions under the Act
2. Bar Council of State :
  - a) Establishment of Bar Councils for Each States and Union Territories
  - b) Composition of State Bar Council
  - c) System of Election
  - d) Term of office of Members of State Bar Council and Establishment of Special Committee
  - e) Disqualification of Member of Bar Council of State
  - f) Powers and Functions of Bar Council of State
3. Bar Council of India :
  - a) Composition of Bar Council of India
  - b) Term of office of Members of Bar Council of India
  - c) Disqualification of Member of Bar Council of India
  - d) Powers and Functions of Bar Council of India
  - e) Membership in International Bodies
4. Provisions Common to Bar Council of India and Bar Council of State :
  - a) Bar Council to be Body Corporate
  - b) Constitution of Committees of Bar Council
  - c) Transaction of Business, Staff and Audit of Accounts of Bar Council
  - d) Power of Bar Council to make Rules

**Module 04 Admission and Enrolment of Advocates (the Advocates Act, 1961) :**

1. Senior and other Advocates

2. Preparation of Roll of Advocates
3. Order of Seniority amongst the Advocates
4. Transfer of Name from one State Roll to another
5. Right of Pre-audience
6. Qualification for Admission of Person as Advocate on State Roll
7. Disqualification for Admission of Person as Advocate on State Roll
8. Disposal of Applications for Admission as Advocate
9. Power of State Bar Council to make rules

**Module 05 Enrolment and Right to Practice and Limitations of such Right (the Advocates Act, 1961) :**

1. Right of Advocates to Practice
2. Power of Court to Permit Appearances in Particular Cases
3. Advocates alone entitled to Practice
4. Power of High Court to make rules
5. Skills essential for a lawyer to have a good practice and profession – qualities to succeed in legal profession - honesty, courage, industry, wit, eloquence, judgment, fellowship, etc.
6. Decisions of Courts on Advocate's right to strike
7. Role of advocate in the administration of justice and duty towards legal reforms

**Module 06 Conduct of Advocates (the Advocates Act, 1961) :**

1. Complaint of Professional or other Misconduct
2. Punishments for Professional or other Misconduct
3. Disciplinary Powers of Bar Council of India and State Bar Council
4. Disposal of Disciplinary Proceedings
5. Review of Orders by Disciplinary Committee
6. Appeal to Bar Council of India
7. Appeal to Supreme Court
8. Stay of Order
9. Alteration in Roll of Advocates

**Module 07 Cases Prescribed for Study on Professional Ethics :**

1. Vishram Singh Raghubanshi v. State of UP, AIR 2011 SC 2275
2. Vijay Singh v. Murarilal, AIR 1979 SC 1719
3. SJ Chaudhary v. State of Delhi, AIR 1984 SC 618
4. Chandra Shekhar Soni v. Bar Council of Rajasthan, AIR 1983 SC 1012
5. Ex-Capt Harish Uppal v. Union Of India, AIR 2003 SC 739
6. John D'Souza v. Edward Ani, AIR 1994 SC 975
7. Himalayan Cooperative Group Housing Society v. Balwan Singh, AIR 2015 SC 2867
8. Brajendra Nath Bhargava v. Ramchandra Kasliwal, AIR 1999 SC 2866
9. A S Mohammed Rafi v. State of Tamil Nadu, AIR 2011 SC 308
10. D Saibaba v. Bar Council of India, AIR 2003 SC 2502

**Module 08 The Contempt of Courts Act, 1971 :**

1. Historical development of law of contempt of court in India
2. Freedom of speech, Law of defamation and contempt of Court - Constitutional perspectives
3. Meaning of contempt - Civil contempt and Criminal contempt
4. Defenses for contempt - Civil and Criminal contempt
5. Punishments for contempt
6. Procedure for initiating contempt proceeding
7. Contempt by Judges, Magistrate, Lawyers, Companies and others
8. Contempt of Supreme Court, High Court and Subordinate Court
9. Remedies, Apology, Appeal and Review
10. Comparison with Order 39 Rule 2A of Civil Procedure Code

**Module 09 Cases Prescribed for Study on Contempt of Court :**

1. In Re Arundhati Roy, AIR 2002 SC 1375
2. Pushpaben v. Narandas V Badiani, AIR 1979 SC 1536
3. LD Jaikwal v. State of UP, AIR 1984 SC 1734
4. Charan Lal Sahu v. Union of India, AIR 1988 SC 107
5. PN Duda v. V P Shiv Shankar, AIR 1988 SC 1202
6. Noorali Babul Thanewala v. KMM Shetty, AIR 1990 SC 464
7. Bal Kishan Giri v. State of UP, AIR 2014 SC (Supp) 469
8. High Court of Judicature of Bombay v. Manisha Koirala, 2003 CriLJ 1634 (Bom HC)
9. Dr. Subramanian Swamy v. Arun Shourie, AIR 2014 SC 3020
10. In Re S Mulgaokar, AIR 1978 SC 717

**Note :**

1. The college shall organise Interaction Session(s) of experts in the area of professional ethics, contempt of courts, etc. with the students.
2. The purpose of the interaction session(s) should be to provide or to enhance the practical knowledge of the students with respect to the course.
3. The concerned teacher is advised to orient the students, before organisation of interaction session, as to purpose of interaction, concerned legal provisions, etc.

**Part B : Contents of Written Submissions (Journal) :**

The Written Submissions (Journal) shall contain the following :

1. Essay on the topic from law relating to Legal Profession in India, assigned by concerned teacher.
2. Essay on the topic from Law relating to Contempt of Court, assigned by concerned teacher.
3. Report on an Interaction Session(s) of experts with the students.
4. Case Comments on 2 cases on Professional Ethics, assigned by concerned teacher.
5. Case Comments on 2 cases on Contempt of Court, assigned by concerned teacher.

**Note :**

1. A Report on interaction session shall consists of : (a) Purpose of the Interaction, (b) Observations / Information Collected by the student, (c) Relevant Provisions of Law, (d)



Comments on Linkage between Law and Practice. The concerned teacher may add in or modify the specified contents of report.

2. The case comment shall consists of : (a) Citation of the case, (b) Facts of the case, (c) Issues of facts and of laws, (d) Arguments advanced, (e) Decision of the Court, (f) Ratio of the case, and (g) Comments on the decision.

### **Recommended Readings :**

1. K.V. Krishnaswamy Iyer, *Professional Conduct and Advocacy*, Oxford University Press.
2. Dr. Kailash Rai, *Legal Ethics – Accountancy for Lawyers and Bench - Bar Relations* Central Law Publications, Allahabad, 2015.
3. B.R. Aggarwala, *Supreme Court Practice and Procedure*, Eastern Book Co.
4. P. Ramanath Iyer, *Advocate his Mind and Art*, Wadhwa Nagpur, 2003.
5. Dr. S.P.Gupta, *Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations*, Central Law Agency, Allahabad, 2004.
6. M.P. Jain, *Outline of Indian Legal History, Chapter : Development of Legal Profession*, LexisNexis, 2014.
7. M.R. Mallick, *The Advocates Act, 1961 with Professional Ethics, Advocacy, and Bar-Bench Relationship*. Kamal Law House, Calcutta, 2000.
8. Dr B Malik, *The Art of a Lawyer* The University Book Agency, Allahabad, 1999.
9. Raju Ramachandran : *Professional Ethics for Lawyers, Changing Profession, Changing Ethics*, LexisNexis, 2004.
10. Saadiya Suleman, *Professional Ethics & Advertising by Lawyers*, Universal Law Publishing, New Delhi, 2014.
11. M.K. Gandhi, *The Law and the Lawyers*, Navjeevan Publication, Ahemadabad.
12. Law Commission of India, Report No.274 on Review of the Contempt of Courts Act, 1971, April 2018.

### **Optional Subject 3 (Any one from the following) :**

#### **LO 0705 Comparative Constitutions :**

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

#### **Module 01 Scope and Significance of Comparative Study of Constitutional Law :**

1. Forms of Government - Parliamentary-Presidential-Monarchial
2. Types of Constitutions
3. Scope and significance of comparative study of Constitution in Constitution making

4. Significance of comparative study of Constitution in interpretation
5. Common law of England
6. American Constitution
7. The Common law heritage
8. Indian position

**Module 02 History of Constitution Making and its Development in India :**

1. Applicability of foreign precedents in interpretation of the Constitution of India
2. Fundamental Rights : Bill of Rights
3. Instances of application of foreign precedents
4. Instances of departures from foreign precedents
5. Forms of Government : Article 74 and 75

**Module 03 Federalism- Comparative Study :**

1. Principles of federalism
2. Legal features of federalism
3. Co-operative federalism
4. Transition from comparative federalism to co-operative federalism
5. Distribution of legislative and financial power in a federal system
6. Federalism - Indo-U.S. comparative perspectives
7. Separation of power : Checks and balance mechanism
8. Amending power in India, U.S. and Australia: comparative perspective

**Module 04 Judicial Review :**

1. Evolution and concept of judicial review
2. Meaning of judicial review
3. Characteristics of modern Constitutions and their impact on Judicial Review
4. Constitutional growth in India under judicial review and its impact

**Module 05 Justification and Limitation of Written Constitution :**

1. Incidents of written Constitution - a legal instrument
2. Justiciability of written Constitution
3. Written Constitutions which are not justiciable : France, U.S.S.R., China
4. Indian Constitution : Justiciability and non-justiciability

**Module 06 Interpretation of Constitution :**

1. Interpretation as a legal instrument
2. Limitations of liberal interpretation
3. Spirit of Constitution
4. Indian Constitution and instances of interpretation

**Module 07 Constitution as Higher Law :**

1. Higher law distinguished from 'Rule of Law'
2. Elements of Rule of Law
3. Parliamentary supremacy under the Indian Constitution
4. Distinction between Constitutional Law and Ordinary law

## **Module 08 Role of Judiciary and Doctrine of State Action :**

1. Court as guardian of the Constitution
2. Exceptions to judicial review
3. Special functions of judiciary in federation
4. Constitutional Law as a branch of public law

### **Recommended Readings :**

1. D.D. Basu, *Comparative Constitutional Law*, LexisNexis Butterwoths Wadhwa, Nagpur.
2. D.D. Basu, *Comparative Federalism*, Wadhwa and Company, Nagpur.
3. Dr. Chakradhar Jha, *Judicial Review of Legislative Acts*, LexisNexis Butterwoths Wadhwa, Nagpur.
4. M. V. Paylee, *Constitutions of The World*, Universal Law Publishing, Delhi, Vol.1&2.
5. M.P. Jain, *Indian Constitutional Law*, Wadhwa and Company, Nagpur.
6. H.R. Khanna, *Making of India's Constitution*, Eastern Book Co., Lucknow.

## **LO 0706 Investment and Securities Law :**

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

### **Module 01 Historical evolution of Investment and Securities Laws :**

1. Meaning and Definition of Investment and Securities
2. Historical origins of Investment and Securities law - International and National Perspective
3. History of Capital Markets in India
4. Need for securities legislation and investor protection

### **Module 02 Regulatory Framework to Govern Securities in India :**

1. Concept of Securities
2. Kinds of Securities - Ownership instruments, Shares, Stocks
3. Debt instruments - Debentures and Bonds
4. Offered Documents - Prospectus
5. Norms of disclosure under different laws - the Companies Act, 2013, the Securities Contracts (Regulation) Act, 1956 and the Securities Exchange Board of India Act, 1992 (only relevant provisions)

### **Module 03 Concept of Securities Market and Securities Market Intermediaries :**

1. Primary Market : Scheme of Primary Market, Advantages - Disadvantages to Companies and investors.

2. Provisions relating to IPO, FPO, Private placement, bonus issue, Qualified Institutional Placement under the SEBI (Issue of Capital and Disclosure Requirement) Regulations, 2018
3. Primary Market intermediaries - Merchant Banker, Managers to issue, Registrar and Share Transfer Agent, Bankers to the issue, Brokers, Syndicate Members
4. Secondary Market intermediaries - Registrar and Share Transfer Agent, Brokers / sub-brokers, Portfolio Managers, Investment Advisers, Research Analyst, Credit Rating Intermediaries, Clearing Corporations

**Module 04 Securities and Exchange Board of India and the Depositories Act, 1996 :**

1. Background and Introduction, Constitution of SEBI
2. SEBI - Power and Functions, Role of SEBI in securities market.
3. SEBI - Power to issue Informal Guidance
4. SEBI - Power to issue Regulations, Rules under Securities Market
5. Constitution of Securities Appellate Tribunal (SAT), SAT - Power and Functions
6. The Depositories Act, 1996 - Rights and Obligations of depositories, Depository Participants, Issuers and beneficial owners, Penalties. Dematerialisation and Rematerialisation of securities (Procedure, Advantages and Disadvantages)
7. Relevant provisions of the Companies Act, 2013

**Module 05 Stock Exchange and Investor Protection :**

1. The Securities Contracts (Regulation) Act, 1956 - Recognized stock exchanges, listing of securities, penalties and procedure
2. Procedure for a stock exchange to be a recognized Stock Exchange, Power of Government, procedure for de-recognition of a stock exchange
3. Concept of Demutualization of stock exchanges and its impact on the Indian economy and the Regional stock exchanges
4. Minimum public shareholding and its advantages to shareholders and stakeholders
5. Trading, Spot delivery contract, Badla Contract, Future contracts, Options,
6. Derivatives, Listing of Shares
7. Investors Protection mechanism under various statutes - Role and functions of SEBI Tribunal, the Companies Act, 2013 - Acceptance of deposits, Misstatement in prospectus, fraudulently inducing person to invest money, non-payment of dividend, Right to demand financial statement, Investor Education and Protection Fund, class action suits

**Module 06 Insider Trading and Takeover Code :**

**Insider Trading :**

1. Insider Trading : Meaning and Definition of Insider Trading. Insider, Connected person, deemed to be connected, trading, Unpublished price sensitive information, generally available information, Chinese wall, Compliance Officer, Trading Window, Pre-clearance, Code of Conduct

2. Penalty for Insider Trading
3. Position in UK and USA

**Takeover Code :**

1. Meaning and definition of control, voting rights, shares, acquirer, target company, Person acting in concert, Deemed to be connected person, acquisition of shares, open offer, public announcement, offer letter, offer price
2. Shareholding thresholds / Triggers under Takeover Code
3. Procedure of public announcement and open offer
4. Exemptions (general and specific exemptions)

**Module 07 SEBI (Listing Obligations and Disclosure Requirement Regulations) :**

1. Meaning and purpose of listing and delisting, advantages and disadvantages
2. Principles governing disclosures and obligations of listed entity
3. Listing Agreement
4. Compliance Officer
5. Grievance Redressal Mechanism
6. Corporate Governance Norms - directors, women directors, independent directors, audit committee, risk management committee, remuneration committee, stakeholder relationship committee, maximum number of directorships, related party transactions, obligations of independent directors
7. Disclosure of event or information under SEBI Regulations
8. Re-classification of promoters into non-promoters
9. Annual report

**Module 08 Foreign Investment Laws :**

1. The Foreign Exchange Management Act, 1999 -
  - a) Regulation and management of Foreign Exchange
  - b) Contravention and Penalties
  - c) Adjudication and Appeal
  - d) Directorate of enforcement
  - e) Inbound and outbound investment in India (Foreign Direct Investment and Overseas Direct Investment)
  - f) Setting up of Joint Ventures and Wholly owned subsidiaries in India and outside India
2. Regulation of Foreign Institutional Investors (FII) / Foreign Portfolio Investor (FPI) in India
3. Participatory Note

**Recommended Readings :**

1. Sanjeev Agarwal, *Guide to Indian Capital Market*, Bharat Law House, 2009.
2. Imaad A Moosa, *Foreign Direct Investment: Theory Evidence and Practice*, Palgrave MacMillan, 2010.
3. Niti Bhasin, *FDI In India*, New Century Publication, 2008.

4. V.A. Avdhani, *Investment and Securities Market in India*, Himalaya Publishing House, 2011.
5. Vishal Saraogi : *Capital Markets and Securities Laws Simplified*, Lawpoint Publication.
6. E. Gordon & K. Natarajan: *Capital Market in India*; Himalaya Publishing House.
7. V.L. Iyer : *SEBI Practice Manual*; Taxmann Allied Service (P) Ltd.

### **LO 0707 Criminal Minor Acts :**

**Objectives of the Course :** The Indian Penal Code, 1860 is not the only criminal law in India, though it is one of the major criminal law. Apart from Indian Penal Code there are many other criminal legislations. In a post-independence period many legislations were enacted by the Centre and State to control crime and criminal behavior. These special legislations redefined crime and the criminal procedure to be followed. These legislations are rampantly been used by police and courts in day to day life. The course is designed to acquaint the students with few important criminal laws, which are essential for all criminal law lawyers.

#### **Module 01 The Maharashtra Police Act, 1951 :**

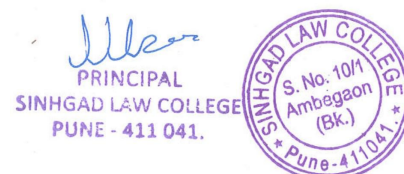
1. Historical background, Objects, Scope and Definitions under the Act
2. Superintendence, control and organization of the Police Force
3. Regulation, Control and Discipline of the Police Force
4. Police Regulations
5. Special measures for Maintenance of Public Order and Safety of State
6. Executive Powers and Duties of the Police
7. Offences and Punishments

#### **Module 02 The Prevention of Corruption Act, 1988 :**

1. Legislative History, Object and Scope of the Act, Definitions of Public Servant and Public Duty
2. Appointment of Special Judges
3. Offences and Punishments
4. Investigation into cases
5. Sanction for Prosecution Special Procedure : Change in Rules of Evidence and Criminal Procedure (Sections 20-24)

#### **Module 03 The Maharashtra Control of Organized Crime Act, 1999 :**

1. Legislative History, Object and Scope of the Act
2. Organized Crime : Definition and Scope, Punishments
3. Courts and Public Prosecutor (Sections 6-12)
4. Interception of Wire, Electronic or Oral Communication (Sections 13-16)
5. Special Procedure : Change in Rules of Evidence and Criminal Procedure (Sections 17- 23)





**Module 04 The Narcotic Drugs and Psychotropic Substances Act, 1985 :**

1. Legislative History, Object and Definitions
2. Authorities and Officers
3. Prohibition, Control and Regulation of Narcotic Drugs and Psychotropic Substances
4. Offences and Punishments
5. Procedure under Act

**Module 05 The Juvenile Justice (Care and Protection of Children) Act, 2015 :**

1. Object, Application and definitions under the Act
2. General Principles of Care and Protection of Children
3. Juvenile Justice Board
4. Procedure in Relation to Children in Conflict with Law
5. Child Welfare Committee
6. Procedure in Relation to Children in Need of Care and Protection
7. Rehabilitation and Social Re-integration
8. Adoption
9. Other Offences Against Children

**Module 06 Introduction to Cyber Crimes - Relevant provisions under the Information Technology Act, 2000 :**

1. Object, Application and Relevant Definitions under the Act
2. Salient Features of the Act
3. Offences, Punishment and Procedure of Investigation and Trial (Chapter XI - Sections 65 to 78)
4. Exemption from Liability of Intermediary in Certain Cases (Section 79)

**Recommended Readings:**

1. Sunil Dighe, *The Maharashtra Police Act 1951*, Snow White Publication, 2016.
2. D.R. Chaudhary & A.N. Choudhary, *The Maharashtra Control of Organized Crime Act 1999*, CTJ Publications.
3. A.S. Ramachandra Rao, *Commentary on the Prevention of Corruption Act*, Universal Publication Co., New Delhi.
4. R.P Kataria, *Law Relating to Narcotic Drugs and Psychotropic Substances in India*, Oriental Publication.
5. Taxmann on *Juvenile Justice (Care and Protection of Children) Act, 2015*.
6. Dr. R.K. Chaubey, '*An Introduction to Cyber Crime and Cyber Law*', Kamal Law House.
7. Dr. J.P. Mishra, *An Introduction to Cyber Laws*, Central Law Publications, 1st edn. 2012.
8. Rohatgi and Karkare, '*Guide to Cyber Law & Crimes*', 3rd edn. Whytes & Co. 2018.

**LO 0708 Cooperative Law :**

**Objectives of the Course :** This course enables a student a study of the form of organisation set up for mutual benefit. The first part of the course is about principles of cooperation, its history, growth and development and the characteristics of a cooperative society. The other

part of the course is a detailed study of the Maharashtra Co-operative Societies Act 1960 (the MCS Act, 1960) which will enable a student to know about the process of formation, management and control of cooperative societies, their relations with third parties and its members, and settlement of disputes between the society and its members. This study will equip a student to understand this special law, and to specialize in this branch of law.

**Module 01 Theory and Principles of Co-operation :**

1. Capitalist, socialist and co-operative forms of organisation
2. Definition of co-operation
3. Fundamental principles of co-operation
4. Importance, advantages and limitations of co-operation
5. Advantages of co-operative organization in the society and the economy
6. Social, economic and moral benefits of co-operation

**Module 02 History, Growth and Development of Co-operation :**

1. History, growth and development of co-operative movement in India
2. Growth and development through Five-Year Plans
3. Role of the State in development of co-operation, State aid to societies
4. Role of National Co-operative Development Corporation, NABARD
5. Co-operative legislations, particularly the State cooperative laws and Multi State Cooperative law, with special reference to Maharashtra
6. Constitutional Provisions – Freedom to form Co-operative Societies and Restrictions (Article 19) and Provisions relating to Co-operative Societies (Articles 243ZH to 243 ZT)

**Module 03 Nature of Co-operative Societies:**

1. Characteristics of a co-operative society
2. Comparison with other forms of organization, viz., company, trust and partnership firms
3. Role and functions of different kinds of co-operative societies: Credit, finance, banking; Producers, farmers, dairy; Consumers; Housing; Marketing
4. Salient features of the Multi-State Cooperative Societies Act, 2002

**Module 04 Preliminary and Registration of Societies :**

1. Objects and Definitions under the MCS Act, 1960
2. Societies that can be registered, limited liability or unlimited liability, Classification of societies, Conditions of registration, Name of society, Procedure for registration
3. Bye-laws, important features of Model Bye-laws
4. Cancellation of registration, De-registration
5. Amalgamation, Transfer, Division or Conversion Societies

**Module 05 Members of Society :**

1. Who can become a member, types of members, open membership
2. Procedure for admission, continuation and cessation of membership, Removal and expulsion of a member

3. Rights, privileges, duties, disabilities and liabilities of members, voting power of a member, expulsion of members

**Module 06 Incorporation, Duties and Privileges of Society :**

1. Effect of incorporation
2. Register of members, and its inspection and copies
3. Rights, privileges and immunities of a Society
4. Duties, disabilities, liabilities of, and restrictions on a Society

**Module 07 Elections and Management of a Society :**

1. Final authority of General Body
2. Election of the Managing Committee, Procedure, Supervision over elections, Elections to specified and notified societies, No-confidence against officers of societies
3. Managing Committee, Constitution, Who can be its member, Reservation of seats, its powers and functions, Liability of members of the managing committee
4. Appointment and nomination of members of committee, Disqualification of membership of the committee
5. Meetings of General Body and Managing Committee, Annual general meeting and special general meeting, Conduct of business at such meetings
6. Registrar's powers of supervision, inquiry, investigation and administration

**Module 08 Dispute Settlement and Liquidation :**

1. Types of disputes, and forums for redressal, Cooperative Court, Registrar
2. Exclusive jurisdiction of the Cooperative Court, Jurisdiction, Limitation period
3. Procedure for settlement of disputes and Powers of the Co-operative Court, its decision, Appeals against decisions,
4. Contempt of Co-operative Court and Cooperative Appellate Court
5. Constitution and powers of the Maharashtra State Co-operative Appellate Court
6. Appeal, Review and Revision
7. Disputes for recovery of money, Recovery certificate and its effect,
8. Liquidation of Cooperative Societies, Appointment of and Powers of Liquidator, Procedure for liquidation and winding up.
9. Offences and Penalties, Cognizance of offences

**Module 09 Finance, Accounts and Audit :**

1. State aid to societies, Role of apex societies.
2. Funds and their utilization, Restrictions on utilization of funds, Reserve Fund, Restriction on dividends, Investment of funds
3. Maintenance of account books and registers
4. Audit of cooperative societies, need for audit
5. Rectification of defects in accounts
6. Registrar's powers of inspection and supervision

### Recommended Readings:

1. B B Goel, *Cooperative Legislation – Trends and Dimensions*, Deep and Deep Publications.
2. Rish Pal Nainta, *Laws Relating to Cooperative Societies – A Commentary*, 2004.
3. Sunil Dighe: *Maharashtra Co-Operative Societies Act, 1960 and Rules, 1961*, Snow White.
4. S Desai, *Commentary on Co-operative Housing Societies*, Snow White Publications, 2009.
5. V V Ghanekar, *Co-Operative Movement in India*, Institute of Rural Development & Education, 2004.
6. A K Gupte and S D Dighe, *Maharashtra Co-operative Societies Act 1960 with Rules 1961*. Hind Law House, 2008.
7. M C Jain and H M Bhatt, *Maharashtra Co-Operative Societies Act, 1960*, Law Times.
8. A E Karmali, *Maharashtra Co-operative Societies Act, 1960 and Rules, 1961*, Snow White Publications, 1997.
9. H A Mehta, *Guide to Co-Operative Housing Societies*, 7th ed Reprint, Snow White Publications, 2012.
10. R K Pillai, *Maharashtra Co-Operative Societies Act, 1960*, Current Publications, 2014.
11. A M Shah, *Maharashtra Co-Operative Societies Act, 1960*, Snow White Publications, 2004.
12. *Guide to Co-Operative Housing Societies*, Snow White Publications, 2017.

### LO 0709 Private International Law :

**Objectives of the Course :** Private International Law, also known as conflict of laws, is a national law, consisting of rules that enable finding that law of that country which will govern disputes among private parties that involve a foreign element.

This course is important for every student interested in developing civil and commercial practice relating to cross border issues involving contracts, property, succession, marriage, divorce, and adoption. Study of this law will also give an international and comparative perspective to the study of different laws required in practice of civil law.

#### Module 01 Introduction :

1. Meaning and definition of Private International Law
2. Historical development of Private International Law and Indian Private International Law
3. Nature, scope, theories and sources of Private International Law
4. Relationship between Public International Law and Private International Law

#### Module 02 Characterization :

1. Meaning, and nature of problem requiring characterization
2. Concept and theories of characterization - based on *lex fori*, *lex causae*;  
Two-fold characterization (primary and secondary), Comparative Law
3. Process and stages of characterization -
  - a) Characterization of factual situation
  - b) Characterization of connecting factor

- c) Characterization of proper law
- 4. Doctrine of *renvoi* : Meaning, process and theories of *renvoi*
  - a) The mutual disclaimer theory
  - b) The theory of *renvoi* proper
  - c) The foreign court theory

**Module 03 Domicile as a Connecting Factor :**

- 1. Meaning and definitions
- 2. Acquisition of domicile -
  - a) Domicile of independent persons : Domicile of origin; Domicile of choice: residence and intention, abandonment of domicile of choice, comparison between domicile of origin and choice; Domicile of refugees, fugitives
  - b) Domicile of dependents : married women, minor children, lunatics
  - c) Domicile of legal persons

**Module 04 Law of Property :**

- 1. Characterization - movable and immovable property
- 2. Transfer of immovable property, concept of *lex situs*, capacity and formal validity of transfer, the Mozambique rule and exceptions
- 3. Transfer of tangible and intangible movable property, meaning, Theories - *lex domicile*, *lex actus*, *lex situs* and proper law; Issues in transfer of tangible movables, Assignment of intangibles - debts and documents, voluntary and involuntary assignment

**Module 05 Law of Contractual Obligations :**

- 1. Proper law of contract - meaning and nature, freedom of choice, implied choice of law, Real and substantial connection theories
- 2. Validity and formation of contract - creation of contract, formal and material validity, capacity, contracts contrary to public policy and procedural law
- 3. Interpretation of contract
- 4. Discharge of contract - performance and impossibility of performance, *lex loci contractus* and *lex loci solutionis*

**Module 06 Law of Non-Contractual Obligations :**

- 1. Tortious act, and *lex loci delicti*
- 2. Theories - *lex fori*, *lex loci commissi* and proper law or social environment
- 3. Jurisdictional issues - cause of action and *locus delicti*, Choice of law - the English approach
- 4. Defences

**Module 07 Marriage and Dissolution of Marriage :**

- 1. Marriage - the nature of marriage and polygamous marriages, Characterization of marriage, Validity of marriage - material and formal validity; English and Indian law
- 2. Dissolution of marriage, grounds for divorce, jurisdiction - residence, choice of law, recognition of foreign divorce in India

## **Module 08 Legitimacy, Legitimation and Adoption :**

1. Legitimacy and legitimation - meaning, English law and Indian law, Choice of law
2. Adoption - position in Indian and English law, Hague Conference on Private International Law

## **Module 09 Foreign Judgments :**

1. Recognition and enforcement of foreign judgments - Theories - comity, obligation, judicial reason, harmony, Indian Law
2. Recognition of foreign judgments - Conclusive and final judgment, Defences against enforcement of foreign judgments, Rule of *res judicata*, Reciprocity
3. Execution of foreign judgments by Indian courts

## **Recommended Readings :**

1. Dicey, Morris & Collins, *Conflict of Laws*, Sweet and Max well 15th ed., 2016.
2. James Fawcett and Janeen M Carruthers, *Cheshire and North's Private International Law* Oxford University Press, 14th ed., 2008.
3. Setalvad, Atul M., *Conflict of Laws*, Lexis Nexis, 2014.
4. Paras Diwan, *Private International Law : Indian and English*; Deep & Deep, 2008.
5. K.B. Agraawal & Vandana Singh, *Private International Law in India*, Wolters Kulwer International, 2010.
6. Universal Law Series, *Private International Law*, Universal Law Publishing, 2016.
7. V. C. Govindraj, *The Conflict of Laws in India- Inter-Territorial and Inter-Personal Conflict* Oxford University Press, 2011.

## **Conventions and Indian Statutes to be Referred :**

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



<b>Fourth Year B.A. LL.B.</b>	<b>- Semester VIII</b>
<b>Fourth Year B.B.A. LL.B.</b>	<b>- Semester VIII</b>
<b>Second Year LL.B.</b>	<b>- Semester IV</b>

### **LC 0801 Labour and Industrial Law :**

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

#### **Module 01 Constitutional Provisions on Labour Legislations :**

Labour legislations and relevant Constitutional provisions - Fundamental Rights, Directive Principles of State Policy and Distribution of legislative powers

#### **Module 02 Settlement of Industrial Disputes :**

The Industrial Disputes Act, 1947 : Objectives, Basic Definitions, Industry and Industrial Disputes, Settlement of Industrial Disputes - Authorities and Procedures, Strikes, Lock-outs, Lay off, Retrenchment and Recovery of Dues

#### **Module 03 Unfair Labour Practices and Model Standing Orders :**

1. Unfair Labour Practices Under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act 1971
2. The Industrial Employment (Standing Orders) Act, 1946 :
  - a) Model Standing Orders - Misconducts
  - b) Disciplinary Proceedings in Industries / Domestic Inquiry - Preliminary Enquiry, Charge-sheet, Procedure of Domestic Inquiry, Enquiry report and Punishment

#### **Module 04 The Factories Act, 1948 :**

Objectives, Basic Definitions, Health, Safety and Welfare Measures, Working Hours of Adults and Employment of Young Persons and Women, Leaves

#### **Module 05 The Employees' Compensation Act, 1923 :**

Objects and Reasons, Definitions, Employer's Liability for Compensation, Amount of Compensation, Doctrine of Notional Extension and Doctrine of Added Peril

#### **Module 06 The Contract Labour (Regulation and Abolition) Act, 1970 :**

Objects and Reasons, Registration of establishments, Licensing of Contractors,

Welfare and Health of Contract Labour, Penalties and Procedures

**Module 07 Laws Relating to Wages :**

1. The Minimum Wages Act, 1948 - Objects, Definition of Wages, Fixation and Revision of Minimum Wages, Wage Theories
2. The Payment of Wages Act, 1936 - Objects, Definition of Wages, Payment of wages, Deductions from Wages, Authorities

**Recommended Readings :**

1. Avtar Singh and Harpreet Kaur, *Introduction to Labour and Industrial Law*, LexisNexis.
2. G.M. Kothari, *How to Conduct and Defend Disciplinary Inquiry and Cases*, Eastern Book Company.
3. H.L. Kumar, *Law Relating to Disciplinary Proceedings in Industries*, Universal Publishing Co Pvt. Ltd.
4. P.L. Malik, *Handbook of Labour and Industrial Law*, Eastern Book Company.
5. S.D. Puri and Sandeep Puri, *Treatise on the Contract Labour (Regulation and Abolition) Act, 1970*, Snow White Publications.
6. S.K. Puri, *Labour and Industrial Law*, Allahabad Law Agency.
7. S.N. Mishra, *Labour and Industrial Laws*, Central Law Publications.
8. S.P. Jain, *Industrial and Labour Laws*, Dhanpat Rai & amp: Co.
9. Taxmann's *Labour Law*.
10. V.G. Goswami, *Labour and Industrial Laws*, Central Law Agency.

**LC 0802 Jurisprudence :**

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

**Module 01 Introduction to Jurisprudence :**

1. Jurisprudence – Meaning, Nature, and Utility
2. Meaning, Characteristics, Purposes and Classification of Law
3. Relationship between Law and Morality

**Module 02 Sources of Law :**

1. Legislation – Meaning, nature, kinds, merits and demerits, relation with other sources
2. Precedent - Meaning, nature, theories of Precedent, Doctrine of Stare Decisis, article 141 of the Constitution of India, kinds, ratio decidendi and obiter dicta, doctrine of prospective overruling, significance and

circumstances destroying binding force, relation with other sources

3. Custom - Meaning, nature, essential conditions, kinds, concept of Volkgeist
4. Juristic Writings - Meaning, nature and significance

**Module 03 Natural Law Theories :**

1. Classical Natural Law theory: Plato and Aristotle, St. Augustine, St. Thomas Aquinas
2. Natural law and Social Contract Theory : Hugo Grotius and International Law, Hobbes, Locke, Rousseau
3. Revival of Natural Law : Lon Fuller and the Morality of Law, H.L.A. Hart on Natural Law, John Finnis and the Restatement of Natural Law

**Module 04 Legal Positivism :**

1. Bentham and John Austin's theory of positivism
2. Hart's concept of law
3. Kelsen's Theory of law

**Module 05 Sociological, Realist and Historical Schools of Law :**

1. Sociological school of law - Roscoe Pound
2. Realist school of law -
  - a) American Realism: W Holmes, Karl Llewellyn, Jerome Frank
  - b) Scandinavian Realism: Axel Hagerstrom, Alf Ross, Karl Olivecrona
3. Historical school of jurisprudence - Savigny and Maine. - Comparison of Historical and Analytical School of Law

**Module 06 Critical Legal Studies :**

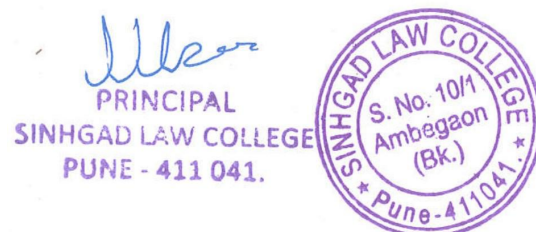
1. Critical Feminist Jurisprudence -
  - a) Feminist Legal Theory
  - b) Origins of Feminism
  - c) Legal Feminisms - Liberal Feminism, Radical Feminism, Postmodern Feminism
2. Critical Race Theory -
  - a) Critical Race Theory's critique of Liberalism
  - b) Critical Race Theory's racial critique of Civil Rights Scholarship
  - c) Critical Race Theory as Reconstruction Jurisprudence

**Module 07 Rights and Duties :**

1. Meaning of Wrong, Duty and Right
2. Characteristics of Legal Rights
3. Kinds of Legal Rights
4. Theories of Legal Rights
5. Hohfeldian Classification of Legal Rights

**Module 08 Concept of Property and Obligations :**

1. Meaning of Property
2. Kinds of Properties
3. Theories of Property
4. Modes of acquisition Property
5. Definition of Obligation



6. Solitary Obligations
7. Sources of Obligations

**Module 09 Concepts of Ownership and Possession :**

1. Meaning of Ownership
2. Characteristic of Ownership
3. Subject-matter of Ownership
4. Kinds of Ownership
5. Modes of acquiring Ownership
6. Meaning of Possession
7. Kinds of Possession
8. Modes of acquiring Possession
9. Possessory Remedies
10. Comparison between Ownership and Possession

**Module 10 Concept of Person :**

1. Nature of Personality - Natural and Legal
2. Legal Status of Lower Animals, Dead persons, Unborn Persons
3. Kinds of Legal Persons
4. Uses and Purposes of Incorporation
5. Theories of Legal Personality

**Module 11 Concept of Title :**

1. Definition and Nature of Title
2. Classification of Titles
3. Importance of Agreements
4. Kinds of Agreements
5. Validity of Agreements

**Module 12 Concept of Liability :**

1. Definition and Nature of Liability
2. Kinds of Liability
3. General Conditions of Liability
4. Measure of Penal Liability
5. Measure of Civil Liability
6. Theory of Strict and Absolute Liability
7. Vicarious Liability in Civil and Criminal Law
8. Liability of Corporations



**Recommended Readings :**

1. Bodenheimer Jurisprudence – *The Philosophy and Methods of Law*, Universal Law Publishing, 1996.
2. Fitzgerald, (ed.) *Salmond on Jurisprudence*, Sweet & Maxwell, 1999.
3. W. Friedman, *Legal Theory*, Universal Law Publishing, New Delhi, 1999.
4. H.L.A. Hart, *The Concept of Law*, Oxford University Press, ELBS, 1970.
5. Hilaire McCoubrey and Nigel D. White, *Textbook on Jurisprudence*, Oxford University Press, 1999.

6. M.D.A. Freeman (ed.), *Lloyd's Introduction to Jurisprudence*, Sweet and Maxwell, 1994.
7. Mark Kelman, *A Guide to Critical Legal Studies*, Universal Law Publishing Co., 2010.
8. N.Y. Jayakumar, *Lectures in Jurisprudence*, 2nd Ed., LexisNexis.
9. P.S. Atchthew Pillai, *Jurisprudence and Legal Theory*, Eastern Book Company.
10. Paton G. W. *Jurisprudence*, Oxford University Press, ELBS, 1972.
11. Raymond Wacks, *Understanding Jurisprudence*, Oxford University Press, 2012.
12. Roscoe Pound, *Introduction to the Philosophy of Law*, 1998 Re-print, Universal Publication, Delhi.
13. Suri Ratnapala, *Jurisprudence*, Cambridge University Press, 2009.
14. V. D. Mahajan, *Jurisprudence and Legal Theory*, 1996 Re-print, Eastern Books, Luknow.
15. Vijay Ghormade, *Lectures on Jurisprudence & Legal Theory*, Hind Law House, Pune.

### **LC 0803 Law of Evidence :**

**Objectives of the Course :** The Indian Evidence Act, 1872 is the important source of Law of Evidence. The objectives of the course are to equip the students with knowledge of : (a) the fundamental principles of evidence law, (b) the strict application of it in judicial proceedings, (c) the role of evidence law in civil and criminal proceedings, (d) the connection of the course with substantive and other procedural laws, and (e) the relevance of the course in non-litigation practice. The student will also be exposed to the concerned provisions of the Information Technology Act, 2000.

#### **Module 01 Introduction of the Act (Sections 1-5) :**

1. Importance of Law of Evidence
2. Role in Civil and Criminal Proceedings
3. Application of the Act
4. Interpretation clause under the Act
5. Presumptions : May presume, shall presume and conclusive proof
6. Relevant Definitions under the Information Technology Act, 2000
7. Evidence of Facts in issue and Relevant Facts only
8. Relevancy and Admissibility

#### **Module 02 Relevancy of Facts I :**

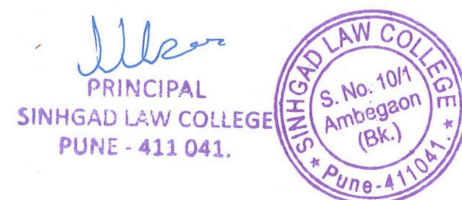
1. What Facts are Relevant (Sections 6-16)
2. Relevancy of Admissions (Sections 17-23 and 31)
3. Relevancy of Confessions (Sections 24-30)

#### **Module 03 Relevancy of Facts II :**

1. Statement by Persons who Cannot be found (Sections 32-33)
2. Statements made under Special Circumstances (Sections 34-39)
3. Judgments (Sections 40-44)

#### **Module 04 Relevancy of Facts III :**

1. Relevancy of Opinions (Sections 45-51)
2. Relevancy of Character (Sections 52-55)
3. Facts which need not be Proved (Sections 56-58)



**Module 05 Oral and Documentary Evidence I :**

1. Oral Evidence (Sections 59-60)
2. Documentary Evidence (Sections 61-78)

**Module 06 Oral and Documentary Evidence II :**

1. Presumptions as to Documents and Electronic Records (Sections 79-90A)
2. Exclusion of Oral by Documentary Evidence (Sections 91-100)

**Module 07 Burden of Proof :**

1. Burden of Proof (Sections 101-111)
2. Presumptions (Sections 111A-114A )
3. Doctrine of Estoppel (Sections 115-117)

**Module 08 Witnesses and Examinations of Witnesses :**

1. Witnesses (Sections 118-134)
2. Examinations of Witnesses (Sections 135-166)
3. Improper Admission or Rejection of Evidence (Sections 167)

**Recommended Reading :**

1. V. P. Sarathi's *Law of Evidence*, 7th ed, Abhinandan Malik (ed), Eastern Book Company, 2017.
2. M. Monir, *Textbook on the Law of Evidence*, 10th ed (Reprint), Universal Law House, 2016.
3. Ryan's *Essential Evidence Outlines – Practitioner and Student Handbook*, 2005.
4. Avtar Singh, *Principles of the Law of Evidence*, 22nd ed, Central Law Publications, 2016.
5. Ratanlal and Dhirajlal, *The Law of Evidence*, 25th ed, B M Prasad and Monish Mohan (ed), LexisNexis, 2016.
6. Ram Jethmalani and D. S. Chopra, *Law of Evidence : Concise Commentary*, Thomson Reuters, 2015.
7. C. D. Field's *Commentary on Law of Evidence*, 13th ed, Delhi Law House, 2017.
8. M. Monir's *Law of Evidence*, 17th ed, Universal Law Publishing, 2016.
9. V. Nageshwar Rao, *The Indian Evidence Act*, 2nd ed, LexisNexis, 2015.
10. Woodroffe and Amir Ali's *Law of Evidence*, 20th ed, B M Prasad and Manish Mohan (ed), LexisNexis, 2017.
11. Sarkar's *Law of Evidence*, 19th ed, Sudipto Sarkar and H R Jhingta (eds), LexisNexis, 2016.
12. Y. H. Rao and Y R Rao, *Expert Evidence - Medical and Non-Medical*, 4th ed (Reprint 2011) LexisNexis, 2010.
13. Ram Jethmalani and D. S .Chopra, *The Law of Evidence : Commentary on Evidence Act*, 1872, 2nd ed, Thomson Reuters, 2016.
14. Peter Murphy and Richard Glover, *Murphy on Evidence*, Oxford University Press, 12th ed, 2011.
15. Nayan Joshi, *Electronic Evidence*, Kamal Publishers, 2012.
16. K. D. Gaur, *Textbook on the Indian Evidence Act*, Universal Law House, 2017.
17. N. V. Paranjpe, *Evidence in Criminal Trials*, Thomson Reuters, 2017.
18. Batuklal, *Law of Evidence*, Central Law Agency, Allahabad.



19. Stephen Mason, Electronic Evidence, 4th ed, 2017 free for download at <http://humanitiesdigitallibrary.org/index.php/hdl/catalog/book/electronicvidence>.
20. Stephen Mason, Electronic Signatures in Law, 4th ed, 2016, free for download at <http://humanities-digital-library.org/index.php/hdl/catalog/book/electronic signatures>.

### **LP 0804 Practical Training Paper II - Alternative Dispute Resolution System :**

**Objectives of the Course :** The objective of this course is to acquaint the students with various modes of Alternate Dispute Resolution System (ADR). The ADR mechanism is less bound by procedural formalities and speedy in giving results. For this reason ADR is appreciated by many countries around the world. The course is designed to give the students insightful knowledge about this emerging area. The goal of the course is to help the students to understand practically the various methods of resolving disputes under ADR system, so that they can help their clients and society to select and employ the most effective, just and humane methods. The inability to resolve disputes in a timely manner eviscerates public and private rights obligations. To overcome this drastic situation ADR is highly recommended and accepted. The course covers study of the Arbitration and Conciliation Act, 1996, the Legal Services Authority Act, 1987 and few international perspectives and enforcement of foreign awards.

#### **Scheme of Marking :**

- Part A : University Written Examination : 80 Marks
- Part B : Written Submissions (10 Marks) & Viva voce Examination (10 Marks) : 20 Marks

#### **Part A : Syllabus for University Written Examination : 80 Marks**

##### **Module 01 Alternate Dispute Resolution Mechanisms :**

1. Alternate Dispute Resolution Mechanisms : Meaning, Definitions, Concept and History
2. Structure Powers and Functions of the Authorities under the Legal Services Authority Act, 1987
3. Legislative and judicial sanction for ADR
4. Forms of ADR : Negotiation, Mediation, Conciliation, Arbitration, Lok Adalat

##### **Module 02 Negotiation and Mediation :**

1. Meaning, features, theories, types of negotiation
2. Appointment, role and qualities of the negotiator, Process of negotiation
3. International negotiation
4. Meaning, features, theories and role of Mediation
5. Appointment and role of mediator
6. Good offices

##### **Module 03 Conciliation :**

1. Meaning, features and modes of Conciliation

2. Conciliation under the Arbitration and Conciliation Act, 1996
3. Appointment and role of conciliator
4. Techniques of conciliation and Termination of conciliation proceedings
5. Contractual provisions about conciliation

**Module 04 Arbitration :**

1. Meaning, features, theories and types of arbitration
2. Historical perspectives of arbitration as a dispute settlement mechanism, and law of arbitration
3. Types of Arbitration - Domestic and International arbitration, Institutional arbitration
4. Advantages and disadvantages of arbitration
5. Difference between Negotiation-Mediation-Conciliation-Arbitration

**Module 05 Arbitration Agreement :**

1. The arbitration agreement, formation, its essentials
2. Validity of arbitration agreement
3. Rule of severability, Effect of death, insolvency, etc. on agreement
4. Parties to arbitration agreement, Agreement as binding on third parties
5. Power of Court to refer parties to arbitration
6. Jurisdiction of Courts

**Module 06 Structure, Powers and Functions of Arbitral Tribunal :**

1. Constitution of Arbitral Tribunal - qualifications to act as arbitrator
2. Disclosures by arbitrator, Disqualification of arbitrators
3. Grounds to challenge appointment and procedure of Arbitrators
4. Powers of Courts to appoint Arbitrators
5. Jurisdiction of arbitral tribunal - Power to rule on its own jurisdiction
6. Interim measures ordered by arbitral tribunal
7. Interim measures by Court

**Module 07 Arbitration Proceedings and Award :**

1. Conduct of arbitral proceedings, procedure, rules of procedure
2. Language, impartiality of arbitrator, equal treatment of parties
3. Procedure before arbitral tribunal, claim, defence, hearing, evidence, experts, confidentiality, application of the Law of Evidence and Limitation
4. Court's assistance in taking evidence, fast track procedure
5. Arbitral award - Types of award - Form and Content - Finality of award - Interpretation of award
6. Correction in award - Stamp duty - Registration - Additional award Costs - Termination of proceedings
7. Time limits for award, extension of time
8. Recourse against award, Grounds of setting aside award, Court's role, Enforcement of award

**Module 08 International Perspectives and Enforcement of Foreign Awards - International Perspectives :**

1. UNCITRAL Model Law on International Commercial Arbitration

2. The Geneva Protocol on Arbitration Clauses, 1923
3. The Geneva Convention on the Execution of Foreign Arbitral Awards 1927
4. The New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958
5. Foreign awards – meaning and definition (New York Convention Awards and Geneva Convention Awards)
6. Referring parties to arbitration
7. Binding nature of foreign awards,
8. Enforcement of foreign award, Proof of award, Conditions for enforcement
9. Jurisdictional issues

**Note :**

1. The college shall organise interaction session(s) of experts in the Alternate Dispute Resolution System with the students.
2. The college shall also organise a visit of students to State Legal Services Authority / District Legal Services Authority / Taluka Legal Services Committee / Local Legal Aid Centre to observe actual working of the Authority. Alternatively, the college may organise an interaction session(s) of experts in the concerned area with the students.
3. The purpose of the visit / interaction session should be to provide or to enhance the practical knowledge of the students with respect to the course.
4. The concerned teacher is advised to orient the students, before organisation of visit / interaction session, as to purpose of visit / interaction, concerned legal provisions, etc.

**Part B : Contents of Written Submissions (Journal) :**

The Written Submissions (Journal) shall contain the following :

1. Draft of a domestic arbitration agreement after a commercial dispute has arisen between parties.
2. Draft of an application to the Court for setting aside an arbitration award.
3. Draft of an application to the appropriate court to appoint an arbitrator when parties have failed in their attempts to appoint one according to the arbitration agreement.
4. Report on interaction session(s) on Alternate Dispute Resolution System.
5. Report on visit to State Legal Services Authority / District Legal Services Authority / Taluk Legal Services Committee / Local Legal Aid Centre or on Interaction Session(s).

**Note :**

1. A concerned teacher may change topics for writing of drafts by considering the objectives of the course.
2. A Report on visit / interaction session shall consists : (a) Purpose of the Visit / Interaction, (b) Observations / Information Collected by the student, (c) Relevant Provisions of Law, (d) Comments on Linkage between Law and Practice. A concerned teacher may add in or modify the specified contents of report.

  
 PRINCIPAL  
 SINGHAD LAW COLLEGE  
 PUNE - 411 041.



### Recommended Readings :

1. Justice R.P. Sethi, *Commentary on Arbitration and Conciliation Act as Amended in 2016*, 2<sup>nd</sup> Edition, Wytes and Co., 2016.
2. Madhusudan Saharay, *Textbook on Arbitration & Conciliation with Alternative Dispute Resolution*, 4th ed, Universal Law Publishing, 2017.
3. N V Paranjpe, *Law Relating to Arbitration and Conciliation in India*, 7th ed, Central Law Agency, 2016.
4. Avtar Singh, *Law of Arbitration and Conciliation*, 10th ed., Lucknow, 2013.
5. Mallika Taly, *Introduction to Arbitration*, Eastern Book Company, 2015.
6. Vishnu Warriar, *Arbitration, Conciliation and Mediation*, LexisNexis, 2015.
7. K V Satyanarayana, *Law of Arbitration and Conciliation in India*, Asia Law House, 2017.
8. Anirban Chakraborty, *Law and Practice of Alternative Dispute Resolution in India – a Detailed Analysis*, LexisNexis, 2016.
9. Ashwini Kumar Bansal, *Arbitration and ADR*, 5th ed, Universal Law Publication, 2016.
10. Shriram Panchu, *Mediation Practice and Law - The Path to Successful Dispute Resolution*, 2nd ed, LexisNexis, 2015.
11. Anuroom Omkar and Kritika Krishnamurthy, *The Art of Negotiation and Mediation*, LexisNexis, 2015.
12. P C Rao and William Sheffield, ed, *Alternative Disputes Resolution- What it is and How it Works?* Universal Law Publishing, New Delhi, 2015.
13. S B Malik, *Commentary on the Arbitration and Conciliation Act*, 6th ed, Universal Law Publishing, 2013.
14. N D Basu, *Law of Arbitration and Conciliation*, 13th ed, Orient, 2016.
15. U Pattabhi Ramian, *Arbitration & ADR Including Conciliation, Mediation & Negotiation*, Asia Law House, 2011.
16. R S Bachawat, *The Law of Arbitration and Conciliation*, 5th ed, LexisNexis, 2013.
17. P C Markanda, *Law Relating to Arbitration and Conciliation*, 9th edn, LexisNexis, 2016.
18. O P Malhotra, *The Law and Practice of Arbitration and Conciliation*, 2nd edn, LexisNexis Butterworths, 2006.
19. N D Basu, *Law of Arbitration and Conciliation*, P K Majumdar (ed), Orient, 2016.
20. G K Kwatra, *The Arbitration and Conciliation Law of India*, Universal Law Publishing, New Delhi, 2008.

### Optional Subject 4 (Any one from the following) :

#### LO 0805 Human Rights Law and Practice :

**Objectives of the Course :** The National Legal Systems recognized the rights of individuals from ancient periods and extended protection through various legal regulations. However, they could not provide an effective remedy for breaches outside the state and state violations. This scenario and other developments in the beginning of 20th century led the nation-states to bring the aspects of individual's rights under the purview of international law and appropriately titled them as Human Rights with the adoption of Charter of UN in 1945. In pursuance of the

directions of the preamble and other provisions of Charter, a plethora of international instruments have been agreed upon by the States Parties to Protect and promote the Human Rights of Individuals both at international and domestic levels. In view of the gaining significance of International Law of Human Rights, this course presents subtly an overview of the International and Domestic perspectives of Human Rights along with the redressal mechanism.

**Module 01 Introduction :**

1. Historical origins of Human Rights in International and National Scenario - Nature and an overview
2. Basic Components of Human rights – Value, Dignity, Equality, Justice, Morals and Ethics and Significance
3. Perspectives on Rights and Duties – Relationship between Rights and Duties
4. Provisions under the Charter of UN – Preamble, Articles 1(3), 13(1)(b), 55 and 56
5. International Bill of Human Rights (UDHR, ICCPR, ICESCR) - Nature and significance
6. Introduction to generation of Human Rights

**Module 02 First Generation Human Rights :**

The Civil and Political Rights – ICCPR, Part III of the Constitution of India and Landmark Cases :

1. Civil Rights: Freedom of Opinion - Freedom of Expression and Press, Right to Personal Security in relation to justice and police, Equality before Law, Right to Life and Liberty, Right to Privacy, Right to Religion
2. Political Rights: Equal access to Public, Participation in Governance, Right to Vote and Good Governance

**Module 03 Second Generation Human Rights :**

The Economic, Social and Cultural Rights : ICESCR, Part IV of the Constitution of India and Landmark Cases :

1. Economic and Social Rights: Labour Rights, Right to Property, Right to Education, Freedom of Association, Right to Social Security (Pension, Medical Services - Right to insurance for sickness, old age – Unemployment allowance etc.)
2. Cultural Rights: Right to develop Languages, Right to follow Customs, Folkways, Literature, and Traditions, Right to enjoy Scientific and Technological benefits

**Module 04 Third and Fourth Generation Human Rights :**

1. Group Rights (Third Generation Rights) : Right to Development, Right to Self-determination, Right to Peace and Happiness, Right to Safe and Decent Environment, Right to Human Assistance, Right to Adequate Food, Right to water - Landmark Cases
2. Right to Genetic Engineering (Fourth Generation Rights) : Right to Protect

Human Genome against unethical and unfair exploitation of genetic information (The UNESCO Declaration on Human Genome from 1997), Right to Genetic Identity, Right to impose restrictions on medical (Scientific and Technology) interference, Right to Die in Peace and Dignity, Right to Life of the Unborn (with reference to abortion and infanticide). Relationship of Science & Technology and Human Rights

3. Upcoming Human Rights –right to science, right to participate in science, right to benefit from science, right to benefit from a person's own contribution or invention, etc.
4. The Conflict Between Generations of Rights

**Module 05 Human Rights of Vulnerable and Disadvantaged Groups :**

1. Meaning and Definition of Vulnerable and Disadvantaged Groups
2. Social and Economic Status of Women and Children
3. Status of Socially and Economically Disadvantaged groups - Rights of Indigenous People (Scheduled Tribes), Scheduled Caste, Minorities, Aged and Disabled
4. Vulnerable Groups - Sex Workers, Domestic Workers, Stateless Persons, Migrant Workers, HIV/AIDS patients, LGBTQ and Prisoners

**Module 06 Enforcement Mechanism of International Human Rights - Constitution, Powers and Functions :**

1. The Human Rights Committee under ICCPR
2. The Committee on Economic, Social and Cultural Rights under ICESCR
3. The Committee on Elimination of Discrimination Against Women under CEDAW
4. The Committee on the Rights of the Child under CRC
5. Role of Human Rights Council and Office of the High Commissioner for Human Rights

**Module 07 Human Rights Enforcement in India :**

1. The Protection of Human Rights Act, 1993 – Object, Nature, Scheme, Definitions, Landmark cases
2. Constitution, Powers and Functions of -
  - a) National Human Rights Commission
  - b) National Commission for Women
  - c) National Commission for Protection of Child Rights
  - d) National Commissions for Scheduled Castes, Scheduled Tribes, Minorities and other disadvantaged groups
3. Role of Judiciary in Enforcement of Human Rights
4. Human Rights Courts and their importance

**Module 08 Significance of Human Rights Education :**

1. Meaning and Definition of Human Rights Education
2. Role of UN in the Promotion of Human Rights Education
3. Role of Government of India in the Promotion of Human Rights Education – UGC and Universities



**Recommended Reading:**

1. V. K. Ahuja, *Public International Law*, LexisNexis, Noida, 2016.
2. Gurdip Singh, *International Law*, Eastern book company, Lucknow, 2016.
3. Editors, Eibe Riedgal, Gilles Giacca, Christophe Golay, *Economic social and Cultural Rights in International Law*, Oxford University Press, 2014
4. Walter Kailin and JorgKunzli, *The Law of International Human Rights Protection*, Oxford University Press, New York, 2010.
5. Peter N. Strarms, *Human Rights in World History*, Routledge, New York, 2010.
6. De Schutter, *International Human Rights Law*, Cases, Materials Commentary, Cambridge University Press, New Delhi, 2010.
7. V.R. Krishna Iyer, *The Dialectics and Dynamics of Human Rights in India - Yesterday, Today and Tomorrow*, Eastern Law House, New Delhi.
8. Manoj Kumar Sinha, *Implementation of Basic Human Rights*, LexisNexis.
9. Editors, Ian Brownlie and Guy S. Goodwin-Gill, *Basic Documents on Human Rights*, Oxford University Press.

**LO 0806 Competition Law :**

**Objectives of the Course :** There is aggressive competition in today's market. New start-ups and entrepreneurs are emerging almost every day. With opening of Indian markets in almost all sectors, the study of Competition law becomes inevitable. It is a rapidly growing area of law, which reflects the free market economy and increasing world globalization. The course aims to give an overview on the basics of Competition Law in India through a comparison of the main jurisdictions (especially USA, UK and EU) and thus provide a solid background for further studies on this subject. The course will examine and compare the application of competition law to business agreements, the exercise of dominant position, the combinations between the firms and sellers and the enforcement mechanisms.

**Module 01 Introduction :**

1. Basic Concepts : Customer and Consumer, Market, Types of Market – Perfect Market, Monopoly, Oligopoly and Monopsony
2. Rationale behind Competition Law
3. Constitutional aspect of Competition Law with respect to Human Rights and Social Justice (Article 39 (b) and (c) of the Constitution of India)
4. Relation between Competition Policy and Competition Law
5. Objectives of Competition Law
6. Economic analysis of Competition Law

**Module 02 Historical Development of Competition Law :**

1. History and Development of Competition Law / Antitrust Law
2. Development of Competition Laws in USA, UK and EU
3. Sachar Committee Report, Raghavan Committee Report
4. Salient Features of the MRTP Act, 1969

5. The Competition Act, 2002 vis a vis the MRTP Act, 1969
6. The Competition Act, 2002 – Objectives and Salient Features
7. Important Definitions under the Competition Act, 2002
8. Brief overview of Competition Law in USA, UK and EU

**Module 03 Anti-Competitive Agreements :**

1. Anti- Competitive Agreements : Meaning and Scope
2. Types of Anti-competitive agreements - Horizontal and Vertical agreement
3. Per se Illegal Practices and Rule of Reason
4. Exemption from anti-competitive agreements
5. Prohibition of anti-competitive agreement / cartel / bid rigging
6. Practices, decisions and agreements resulting into cartels
7. Pro-competitive and anti-competitive effects of joint ventures
8. Pro-competitive and anti-competitive effects of vertical agreements
9. Prevention of anti-competitive agreements in USA, UK and EU

**Module 04 Regulation of Abuse of Dominant Position :**

1. Economics of abuse of dominance
2. Types of Abuse by a Dominant Player : Exploitative Abuses : Vertical restraints and Excessive pricing: Exclusionary Abuses - Price discrimination, discounts and predation Enterprise
3. Relevant Market
4. Dominance in Relevant Market
5. Relevance of sector specific competitive dynamics on dominant position
6. Predatory Pricing
7. Defenses against abuse of dominance
8. The remedies in case of abuse of dominance
9. Prevention of Abuse of Dominant Position in UK and USA

**Module 05 Regulation of Combinations :**

1. Combinations : Merger, Acquisition, Amalgamation and Takeover
2. Jurisprudence of Horizontal, Vertical and Conglomerate Mergers
3. Private Equity Investments
4. Notification of combinations
5. Jurisdictional test : Turn over, Asset, Domestic nexus, Exemptions
6. Regulations and Penalties
7. Position in USA, UK and EU

**Module 06 Enforcement Mechanisms :**

1. Establishment and Constitution of Competition Commission of India, Powers and Functions
2. Jurisdiction of the CCI
3. Director General of Investigation (DGI) - Penalties and Enforcement
4. Competition Appellate Tribunal
5. Adjudication and appeals
6. Competition Advocacy in India and International Perspective

## **Module 07    Interface of Competition Law with other Laws :**

1. Intellectual Property Rights and Competition Law
2. International Trade and Competition Law
3. Consumer Law and Competition Law

### **Recommended Readings :**

1. Richard Whish and David Bailey, *Competition Law*, Oxford University Press, 9th ed, 2018.
2. Avtar Singh, *Competition Law*, Eastern Book Company, 1st ed, 2012.
3. Vinod Dhall, *Competition Law Today*, Oxford University Press. 2nd ed, 2019.
4. Abir Roy, *Competition Law in India: A Practical Guide*, Kluwer Law International B. V., 2016.
5. Srinivasan Parthasarathy, *Competition Law in India*, Kluwer Law International B.V., 2017.
6. T. Ramappa, *Competition Law in India: Policy, Issues, and Developments*, Oxford University Press, 2014.
7. Alison Jones, Brenda Sufrin, *EU Competition Law: Text, Cases, and Materials*, Oxford University Press, 6th ed, 2016.
8. Barry Rodger, Angus MacCulloch, *Competition Law and Policy in the EU and UK*, Routledge, 5th ed, 2104.
9. Kirsty Middleton, Barry Rodger, Angus MacCulloch, *Cases and Materials on UK and EC Competition Law*, Oxford University Press, 2nd ed, 2009.
10. Maher M. Dabbah, *International and Comparative Competition Law*, Cambridge University Press, 2010.
11. Cedric Ryngert, *Jurisdiction Over Cross – Border Mergers : A US –EU perspective. Competition Law – Emerging Trends*, 94-124, P. Satyanarayana Prasad ed., The ICAFI University Press, Amicus Books, 1<sup>ST</sup> ed. 2007.

## **LO 0807 Vulnerable and Disadvantaged Groups and Criminal Law :**

**Objectives of the Course :** In India there are multiple socio-economic disadvantages that members of particular groups experience. The task of identifying the vulnerable groups is not an easy one. Besides there are multiple and complex factors of vulnerability with different layers and more often than once it cannot be analyzed in isolation. In this course the vulnerable groups that face discrimination include- Women, Scheduled Castes (SC), Scheduled Tribes (ST) and Children. Since the British era, criminal law was used to eradicate social evils. The fear of punishment was a tool of social change. In post-Independence period the modern State has used criminal law to bring social change. This Course will help students to understand the role of Criminal Law in protecting the vulnerable and disadvantaged groups in India.

## **Module 01    Introduction to Vulnerable and Disadvantage Groups :**

1. Meaning of Vulnerable and Disadvantaged groups
2. Structural discrimination and vulnerable groups
3. Role of law to overcome discrimination

4. Criminal law as a tool of social change

**Module 02 The Protection of Civil Rights Act, 1955 :**

1. Social menace of Untouchability
2. Legislative history, objectives, definitions and scope of the Act
3. Practices of Untouchability and Punishments
4. Presumption of courts in some cases
5. Power of court to impose collective fine
6. Non application of Probation of offenders Act

**Module 03 The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 :**

1. Legislative history, objectives, definitions and scope of the Act
2. Defining Atrocity against Scheduled Caste and Scheduled Tribes
3. Offences of Atrocities and punishments
4. Externment procedure
5. Collective Fine
6. Special Courts and Special Prosecutor
7. Presumption by courts in certain cases
8. Precautionary and Preventive measures under the Rules of 1995
9. Non application Anticipatory Bail and Probation of Offenders Act
10. Investigation and supervision
11. Personnel under the Act and their duties

**Module 04 The Dowry Prohibition Act, 1961 :**

1. Dowry a social menace
2. Legislative history, objectives, definitions and scope of the Act
3. Definition of Dowry
4. Penalty for giving and taking dowry
5. Dowry for benefit of wife or her heirs
6. Change in procedural law and Evidence Law
7. Dowry Prohibition officers

**Module 05 The Protection of Children from Sexual Offences (POCSO) Act, 2012 :**

1. Legislative history, Objective, definitions and Scope of the Act
2. Sexual offences against children
3. Using child for pornographic purpose
4. Abetment of an attempt to commit an offence
5. Procedure for reporting of cases
6. Procedure for recording statement of the child
7. Special courts: Procedure and powers of special courts and recording of evidence
8. Punishments under the Act

**Module 06 The Immoral Traffic (Prevention) Act, 1956 :**

1. Legislative history, Object, definitions and reasons of the Act
2. Social Landscape of Prostitution
3. Prostitute – Vaguely defined under the Act

4. Protection of Morals and Places of Residence
5. Ponce or Poncing under the Act
6. Corrective Institutions and Protective Homes
7. Personnel under the Act

**Module 07 The Pre-Conception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 :**

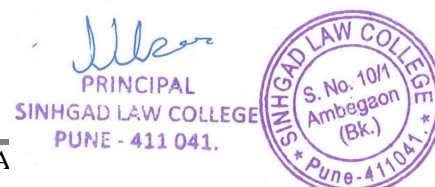
1. Legislative History, Object and Reasons, and Definitions under the Act
2. Regulation of Genetic Counselling Centres, Genetic Laboratories and Genetic Clinics
3. Regulation of pre-natal diagnostic techniques
4. Written consent of pregnant woman and prohibition of communicating the sex of foetus
5. Prohibition of Determination
6. Constitution, Tenure, Meetings, Vacancies, Authentication of orders, Disqualifications, and Functions of Central Supervisory Board
7. Appropriate Authority and Advisory Committee
8. Registration of Genetic Counselling Centres, Genetic Laboratories and Genetic Clinics
9. Offences and Penalties
10. Maintenance of records and Power to search and seize records

**Recommended Reading :**

1. P.S. Narayana, *Commentary on the Protection of Children from Sexual Offences Act, 2002 and Rules*, Universal Law Publishing, New Delhi.
2. B. R. Beotra's *the Immoral Traffic (Prevention) Act, 1956 (With State Rules)*, The Law Book Company (p) Ltd, Allahabad.
3. Laita Dhar Parihar, *Women & Law from Impoverishment to Empowerment- A Critique*, Eastern Book Company, Lucknow.
4. B.P. Beri, *Commentaries on the Dowry Prohibition Act, 1961*, Eastern Book Company.
5. *The Dowry Prohibition Act, 1961*, by SCC Editorial, Eastern Book Company.
6. Smita Narula, *Broken People : Caste violence against India's Untouchables*, Human Rights Watch.
7. K.B Saxena, *Report on Prevention of Atrocities against Scheduled Castes*, National Human Rights Commission, 2002.

**LO 0808 Civil Minor Acts :**

**Objectives of the Course :** This Course covers subjects that a civil practitioner needs to address very often. The aim of the course is to introduce the students the knowledge law with respect to Interest, Civil Courts, Suits Valuation, Court Fees, Registration of documents, Stamp duties and Negotiable Instruments.



**Module 01 The Interest Act, 1978 :**

1. Object, application and definitions under the Act
2. Power of court to allow interest
3. Effect of provisions relating to interest in other statutes
4. Section 34 of the Civil Procedure Code
5. Powers of an arbitrator to award interest

**Module 02 The Maharashtra Civil Courts Act, 1869 :**

1. Object, application and definitions under the Act
2. District Courts, Joint District Judges and Additional District Judges
3. Civil Judges - Appointment, Jurisdiction, Classes of Civil Judges, Transfer of Suits and Appeals
4. Temporary Vacancies

**Module 03 The Suits Valuation Act, 1887 :**

1. Object, application and definitions under the Act
2. Valuation for Suits relating to Land
3. Valuation in other Suits
4. Objections in Appeals to over valuation or under valuation

**Module 04 The Maharashtra Court Fees Act, 1959 :**

1. Object, application and definitions under the Act
2. Rule Regarding to the Valuation of Suits
3. Court fees, Nature of levy
4. Documents chargeable to court-fees, Plaint and counter-claims
5. Exempted documents, Mandatory nature of payment
6. Computation of court fees, Fixed fees and ad-valorem fees, Modes of collecting court fees, Cancellation of stamp
7. Decision of questions as to valuation
8. Refund of court fees
9. Multifarious suits

**Module 05 The Registration Act, 1908 :**

1. Object, application and definitions under the Act
2. Establishment of Authorities, their Powers and Duties, Register - Books
3. Registrable Documents - compulsory, optional, contents of documents
4. Time of Presentation and place for Registration
5. Procedure of Registration
6. Registration and Deposit of wills
7. Inspection and copies of Books and Indexes Registration
8. Effect of Registration and Non-registration
9. Refusal to Register, Grounds for refusal

**Module 06 The Maharashtra Stamp Act, 1958 :**

1. Object, application and definitions under the Act
2. Authorities under the Act and their powers and functions
3. Liability of Instruments to Duty
4. Stamps and mode of using them



5. Valuations for Duty
6. Duty by whom Payable
7. Adjudication as to Stamps
8. Instruments not duly Stamped
9. Offence, Penalties and Procedure

**Module 07 The Negotiable Instruments Act, 1881 :**

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

**Recommended Readings :**

1. Mulla, *The Registration Act*, 13th ed, K Kannan (ed), LexisNexis, 2016.
2. Malik's *Commentary on The Registration Act 1908 with State Amendments*, 4th ed, Delhi Law House, 2016.
3. Sanjiva Row, *Registration Act*, 15th ed, Law Publishers, 2015.
4. K Krishnamurthy's *The Indian Stamp Act*, 12th ed, M R Hariharan Nair and Boris Paul (ed), LexisNexis, 2017.
5. Sunil Dighe, *The Maharashtra Stamp Act*, Snow White Publications, 2017.
6. Mahendra Jain and H M Bhatt, *The Maharashtra Stamp Act 1958*, Law Times, 2017.
7. A N Khanna, *Law of Court Fees and Suits Valuation*, 8th ed, Universal Law Publishing, 2011.
8. MLJ *Manual on the Court Fees Act 1870*, LexisNexis, 2017.

9. *Khergamvala on the Negotiable Instruments Act as amended by Negotiable Instruments (Amendment) Act 2015*, S Abdul Khader Kunju ed., 22<sup>nd</sup> ed, LexisNexis, 2017.
10. D S Chopra, *A Commentary on Sale of Goods, Partnership and Negotiable Instruments*, Thomson Reuters, 2016.

## **LO 0809 International Economic Law :**

**Objectives of the Course :** With the Changing dimensions of Globalisation and the increasing dependence on economic relations by the nation states, the significance of international law has grown considerably in the contemporary era. The relations of nation-states are mostly depending on economic cooperation than on political perspectives as compared to yester years. In order to have a broad outlook of the nation-state relations in the field of economic era, this course equips the student to get an overview of economic legal scenario of states.

### **Module 01 Introduction :**

1. Definition and Nature of International Economic Law
2. Sources of International Economic Law
3. Relationship between national and international economic laws

### **Module 02 Developments in the context of De-colonization :**

1. Origin and Development of International Economic Law - Bretton Woods Conference
2. Concern of Developing States: New International Economic Order (NIEO)
3. Significance of Resolution on Permanent sovereignty Over Natural Resources
4. The Charter of Economic Rights and Duties Law
5. Sustainable Development under United Nations

### **Module 03 International and Regional Financial Institutions :**

1. IBRD Structure Powers and Functions - Significance of IRO
2. Structure Powers and functions of IMF
3. Structure Powers and Functions of World Bank
4. Structure powers and Functions of Asian Development Bank
5. Structure Powers and Functions of G-20
6. Structure Powers and functions of BRICS

### **Module 04 International Trade Law :**

#### **1. GATT :**

- a) Historical origin
- b) Organs
- c) Uruguay round and its impact on International Economic Law
- d) Significance of most Favoured Nations Clause and National Treatment
- e) Objective Principles of GATT 1994 –Reduction of Tariff and Non-Tariff Barriers to Trade.
- f) General Exceptions to Article XX and XXI of GATT 1994
- g) Safe Guard Measures under XIX of GATT 1994

## **2. WTO and International Economic Law :**

- a) Historical origins of WTO
- b) Structure Powers and Functions
- c) Role and Responsibility of Secretariat
- d) Dispute Settlement System under WTO
- e) Impact of WTO Law on Domestic Law

## **Module 05 International Investment Law :**

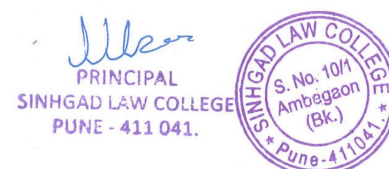
1. Foreign Investment: Meaning and Types
2. BITs
3. Dispute Settlement Regime (ICSID)
4. Indian Perspective

## **Module 06 International Business Law :**

1. International Sale and Carriage of Goods
2. Rome Convention
3. CISG (UN Convention on Contracts for International Sale of Goods)

## **Recommended Readings :**

1. Asif H. Qureshi, *International Economic Law* (London: Sweet & Maxwell, 1998).
2. John Jackson, William Davey and Alan Sykes, *International Economic Relations* (West Academic Publishing, 1995).
3. Matthias Herdegen, *Principles of International Economic Law* (Oxford University, 2016).
4. Hazel Fox (ed.), *International Economic Law and Developing States: Some Aspects* (British Institute of International, 1992).
5. I.Seidi, Hohenveldern, *International Economic Law* (Kluwer Law International, 1992).
6. Bhandari and Sykes, *Economic Dimensions in International Economic Law* (Cambridge University Press, 1999).
7. Van Meerhaeghe, *International Economic Institutions* (Springer, 1998).
8. O'Connell, *International Law*, Vol. I & II, Oxford University Press.
9. Harves D.D., *Cases and Materials on International Law*, (Sweet & Maxwell; 1991).
10. Schwazenberger, *Foreign Investment and International law*, Article published by Modern Law Review, November, 1969.



**PART XII**  
**Syllabus of Fifth Year B.A. LL.B., Fifth Year B.B.A. LL.B.**  
**and Third Year LL.B.**

**Fifth Year B.A. LL.B. - Semester IX**

**Fifth Year B.B.A. LL.B. - Semester IX**

**Third Year LL.B. - Semester V**

**LC 0901 Civil Procedure Code :**

**Objectives of the Course :** The Civil Procedure Code, 1906 is subject of daily use by the Civil Courts and lawyers. Students cannot afford to have scant knowledge of civil procedure when he goes out to practice as a lawyer. It is necessary to have good grounding in the subject before one enters the profession. The substantive law determines the rights of persons affected by action. The main objective of this course is to give to a student a thorough knowledge of procedural law especially related to working of civil courts and other adjudicating authorities.

**Module 01 Preliminary, Institution of Suits, Bar to Jurisdiction, Maintainability:**

1. Objects, purposes and History of the Code of Civil Procedure
2. Definitions : decree, decree-holder, district, judge, judgment, judgment-debtor, legal representative, mesne profits, order
3. Subordination of courts
4. Jurisdiction, types of jurisdiction, issue of jurisdiction as preliminary issue, objections to jurisdiction, Bar to jurisdiction
5. Place of suing, Institution of suits
6. Res judicata and Res subjudice
7. Parties to a suit, Joinder, misjoinder and non-joinder of parties
8. Recognised agents and pleaders, Effect of death, marriage and insolvency of parties
9. Frame of suit, whole claim, Joinder and misjoinder of causes of action and claims, Bar of suit on same cause of action

**Module 02 Summons and Pleadings :**

1. Issue of summons and documents, Purpose of issuing summons, Service of summons, persons who can serve summons, mode of service, on whom can it be served, substituted service, service on defendant outside jurisdiction of the court, Effect of not taking steps to serve summons, effect of non appearance of defendant after being served, exemption from appearance
2. Pleadings, purpose, forms, particulars in pleadings, mandatory particulars, Verification, amendment of pleadings
3. Complaint, particulars, contents, relief, grounds of relief, admitting complaint
4. Return of complaint, Rejection of complaint, Effect of return and rejection of complaint, Accompaniments to complaint: Documents, Address

5. Written statement, admission and denials, Counter claim, Set off, Grounds of defence
6. Registered addresses of parties, Appearance of parties and consequence of non-appearance, setting aside ex-parte decrees

**Module 03 Preliminary Procedures, Issues, Hearing and Judgment and Orders :**

1. Examination of parties by court, Discovery and inspection
2. Admissions and effect, Production, impounding and return of documents
3. Framing of issues, effect if parties not at issue
4. List of witnesses, Summons to witness, Expenses of witness, Witness to give evidence and production of documents
5. Hearing of suit, Right to begin, Order of appearance of witnesses,
6. Manner of taking evidence, Language, Recording questions and answers and objections, Demeanour of witness, recording evidence on commission, Affidavits and personal attendance, Adjournments
7. Withdrawal and adjustment of suits, Payment into court
8. Judgment, Its contents, Decision on each issue
9. Interest and Costs, Compensatory costs, Costs for causing delay
10. Inherent powers of a court, Open court and *in camera* proceedings

**Module 04 Interlocutory, Incidental and Supplemental Proceedings :**

1. Commissions
2. Settlement of disputes outside Court
3. Arrest and attachment before judgment, Security for costs
4. Interim injunction
5. Interlocutory orders
6. Receivers
7. Caveat

**Module 05 Decrees and Execution of Decrees :**

1. Decree, Meaning, Purpose, Court which passed the decree, Decrees granting particular reliefs
2. Execution of decrees, court by which decree will be executed, Transfer of decree, Persons by whom and against whom decree can be executed, Transferees, Legal representatives
3. Payment under decree, Procedure of executing a decree, Issue of process, Stay of execution
4. Property that can or cannot be attached
5. Modes of execution of different kinds of decrees, Attachment and Garnishee order, Sale, Arrest and detention
6. Questions to be determined by executing court, Resistance or obstruction to execution

**Module 06 Special Suits :**

1. Summary Suits
2. Suits by or against government and public officers
3. Suits by aliens and foreign states

4. Suits by or against corporations, partnership firms, persons carrying on business in names other than their own.
5. Suits by or against minors, lunatics
6. Suits by indigent persons
7. Interpleader suits

**Module 07 Appeals, Revision and Review, Recognition of Judgments :**

1. Appeals from original and from appellate decrees, Appeals to Supreme Court
2. Appeals from orders
3. Powers of Appellate Courts, Procedure in appeals, Filing appeal, Stay of proceedings or execution, Hearing, Judgment and decree in appeal
4. Reference, review and revision
5. Recognition of foreign judgments

**Module 08 The Limitation Act 1963 :**

1. Objects, Purposes and Definitions under the Act
2. Bar of limitation, Prescribed period and the Schedule, Continuous running of time, Special period of limitation for the government, Application to arbitration proceedings
3. Extension of period : court closed, for sufficient cause, legal disability, no bar in suits against trustees
4. Computation of period of limitation, Exclusion of time, Effect of death, defendant being out of India, fraud and mistake
5. Effect of acknowledgment in writing and payment on account of debt
6. Adverse possession - acquisition of ownership by possession

**Recommended Readings :**

1. Mulla, *Code of Civil Procedure*, Universal Law Publishing, Delhi.
2. C.K. Thakker, *Code of Civil Procedure*, Universal Law Publishing, Delhi.
3. Majumdar P.K. and Kataria R.P. *Commentary on the Code of Civil Procedure, 1908*, Universal Law Publishing, Delhi.
4. Shah A.N. *The Code of Civil Procedure*, Universal Law Publishing, Delhi.
5. Sarkar's *Law of Civil Procedure*, Universal Law Publishing, Delhi.
6. Sukumar Ray, *Textbook on the Code of Civil Procedure*, Universal Law Book Co.
7. Avtar Singh, *Code of Civil Procedure*, Central Law Publication, Allahabad.
8. Jain M P, *The Code of Civil Procedure*, Wadhwa, Nagpur.
9. Mathur D. N., *The Code of Civil Procedure*, Central Law Publication, Allahabad.
10. Shailendra Malik, *Code Of Civil Procedure*, 27 th Edition, 2011, Allahabad Law Agency.
11. Sarkars *Commentary on The Civil Procedure Code*, Dwivedi, Allahabad Law Agency.
12. Taxmann's, *The Code of Civil Procedure 1908*.
13. Medha Kolhatkar, *M.P. Jain's Civil Procedure Code*, 5<sup>th</sup> Edition, LexisNexis.
14. K. Takwani: *Civil Procedure*, 4th Edition, Eastern Book Co., Lucknow, 2007.
15. Mulla, *Code of Civil Procedure : Tripathi (Abridged Edition)*, and (Student Edition).
16. Sanjiva Row : *Code of Civil Procedure*, 3 rd Edn, (in 4 Vols), Law Book Co., Allahabad.



17. U N Mitra, *Tagore Law Lectures - Law of Limitation and Prescription*, LexisNexis, 14th ed, 2016.
18. T R Desai, *Commentary on the Limitation Act*, 11th ed, Universal Law House, 2016.
19. Shriniwas Gupta, *The Limitation Act*, 3rd ed, Universal Law House, 2016.
20. B B Mitra's *Limitation Act*, 23rd ed, M R Mallick (ed), Eastern Law House, 2014.
21. S. R. Myneni, *Law of Limitation*, Asia Law House, Hyderabad 90 LL.B. Semeste.
22. P.K. Mukharjee, *Limitation Act*, Allahabad Law Agency.
23. Medha Kolhatkar, *Commentary on Limitation Act by T.R. Desai*, LexisNexis.
24. Sanjiva Row: *Limitation Act*, 7th Edn. (2 Vols), Law Book Co., Allahabad, 1973.
25. M.R. Mallik (ed), *B.B. Mitra on Limitation Act* (1998) Eastern, Lucknow.
26. *AIR Commentaries on Limitation Act*, W.W. Chitaley, AIR Ltd., Nagpur.

## **LC 0902 Interpretation of Statutes :**

**Objectives of the Course :** This course aims to acquaint the students with basic principles of interpretation of statute. It focuses on general and specific rules of interpretation of statutes. It also prescribes the guidelines on interpretation of remedial, penal and taxing statutes. It provides for internal and external aids for interpretation of statutes. It also contains the rules regulating commencement, operation and repeal of statutes. It prescribes the principles for interpretation of Constitutional document.

### **Module 01 Introduction :**

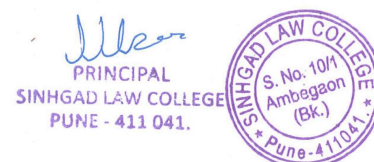
1. Meaning of Interpretation
2. Difference Between Construction and Interpretation
3. Object of Interpretation
4. Classification of Statutes
5. Consolidating and codifying statutes
6. The General Clauses Act, 1897 : An overview of important definitions and provisions

### **Module 02 General Principles of Interpretation :**

1. Literal Rule
2. Golden Rule
3. Mischief Rule
4. Statute must be read as a whole in its context
5. Statute to be construed to make it effective and workable
6. Omissions not to be inferred
7. Every word in a statute to be given a meaning

### **Module 03 Subsidiary Rules of Interpretation :**

1. Same word same meaning
2. Use of different words
3. Rule of last antecedent
4. Non-obstante clause
5. Legal fiction



6. Mandatory and directory provisions
7. Conjunctive and disjunctive words 'or' and 'and'
8. Construction of general words - *Noscitur a Sociis*
9. Rule of *ejusdem generis*
10. Words of rank
11. *Reddendo Singula Singulis*

**Module 04 Internal Aids to Construction :**

1. Preamble
2. Definition
3. Sections
4. Heading
5. Marginal notes
6. Punctuation marks
7. Illustrations
8. Proviso
9. Explanation
10. Schedule

**Module 05 External Aids to Construction :**

1. Parliamentary history
2. Debates and Proceedings of the Legislature
3. Historical facts and surrounding circumstances
4. Social economic and political developments
5. Reference to other statutes
6. *Contemporanea exposition*
7. Other external aids - codifying and consolidating statutes
8. International Conventions
9. Committee Reports

**Module 06 Interpretation of Statutes affecting Jurisdiction of Courts :**

1. General principles
2. The extent of exclusion
3. Exclusion of jurisdiction of superior Courts

**Module 07 Construction of Penal and Taxing Statutes :**

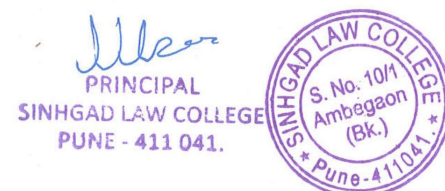
1. Rule of strict construction of taxing statutes
2. General principles of strict construction
3. Limits of rule of strict construction
4. *Mens rea* in statutory offences and Indian Penal Code
5. Vicarious liability in statutory offences

**Module 08 Construction of Remedial Statutes :**

1. Distinction between remedial and penal statutes
2. Liberal construction of remedial statutes

**Module 09 Commencement and Operation of Statutes :**

1. Commencement of statute
2. Retrospective operation of statute



**Module 10 Expiry and Repeal of Statutes :**

1. Perpetual and temporary statutes
2. Effect of expiry of temporary statutes
3. Express or implied repeal
4. Consequences of repeal

**Module 11 Modes of Interpretation of Constitution**

1. Introduction : Meaning and Nature of Constitution
2. Different types of Constitutions
3. Modes of Interpretation of Constitution :
  - a) Textualist Interpretation
  - b) Originalist Interpretation
  - c) Judicial Precedent based interpretation
  - d) Pragmatist interpretation
  - e) Moral Reasoning based interpretation
  - f) National Ethos based interpretation
  - g) Structuralist interpretation
  - h) Historical Interpretation

**Recommended Readings :**

1. G.P. Singh, *Interpretation of Statutes* (LexisNexis, Butterworth Wadhwa).
2. Bindra N.S., *Interpretation of Statutes* (LexisNexis, Butterworth Wadhwa).
3. Vepa Sarathi, *Interpretation of Statutes* (Eastern Book Company).
4. Maxwell, *Interpretation of Statutes* (Sweet and Maxwell).
5. Rupert Cross, *Statutory Interpretation* (Butterworth).
6. Avtar Singh, *Introduction to Interpretation of Statutes* (LexisNexis, Butterworth Wadhwa).
7. Battacharya T., *Interpretation of Statutes* (Central Law Agency).
8. R.D. Shrivastava, *Textbook of Interpretation of Statutes* (Central Law Publication)
9. Swarup, *Legislation and interpretation* (University Book Agency).
10. M.P. Tondon, *Interpretation of Statutes* (Allahabad Law Agency).
11. Chatterjee on *Interpretation of Statutes*, (Calcutta, De, B.C.)
12. Brandon J. Murrill, *Modes of Constitutional Interpretation*, Congressional Research Service, March 2018, Accessible at <https://fas.org/sfp/crs/misc/R45129.pdf>

**LC 0903 Environmental Law :**

**Objectives of the Course :** The environmental pollution and degradation of biodiversity has become one of the biggest hazards not only to human existence but also to the existence of all the gifts that nature has bestowed on mankind. Unless immediate and urgent steps are taken to control environmental pollution, a bleak and terrible future awaits the humanity. This fact has accelerated the emergence of different legal and governmental measures at national and international level for prevention of environmental pollution. This course aims to create awareness among the students about the legislative measures for protection of environment and spirit of Indian Constitution for protection of environment. It also provides the

opportunities to the students to understand the activist role played by Indian Judiciary in protection of environment and evolution of different principles such as polluter pay principle, precautionary principle, inter-generational equity and sustainable development. At the end of this course the students would be familiar with the overall environmental legal regime of the country as well as its international obligations. This course would equip the students with basic knowledge and skills to understand Environmental Law issues.

**Module 01 Introduction :**

1. Historical origin of Environment Law, International and Indian Jurisprudence
2. Components of Environment, Ecology, Ecosphere and Biosphere
3. Protection of Environment in Ancient India and during British period
4. Meaning and definition of Environment, Environmental Pollution, Its kinds (Natural and artificial – Air, Water, Noise, Soil), causes and effects.
5. Nature of Environmental Law - Public law or private law
6. Common law aspects of environmental law - Nuisance, Trespass, Negligence, Absolute and Strict liability.
7. Criminal Liability and Environment Protection - Offences affecting public health and safety under Indian Penal Code, 1860 and Section 133 of Cr. P.C.

**Module 02 Environment Protection under the Constitution of India :**

1. Fundamental Rights, Directive Principles of State Policies, Fundamental Duties, Implementation of International obligations
2. Distribution of Legislative Powers
3. Remedies - Writ Jurisdiction of High Court and Supreme Court
4. Public Interest Litigation and Environment Protection - Role of Indian Judiciary

**Module 03 Principles of International Environmental Law - Relevance in India :**

1. Stockholm Conference, 1972, Rio Summit or Earth Summit-I, 1992 - Impact in India
2. UNEP, Convention on Climate Change, Convention on Biological Diversity, Earth Summit - II, 1997 - Impact in India
3. World Summit on Sustainable Development, 2002, UNFCCC, 2015 - Position in India
4. Responsibility of States in Protection of Environment - Transboundary pollution and state's responsibility - Trail Smelter Arbitration
5. Significance and Protection of Ozone Layer - Global Warming - Acid Rain- Oil Spills - Gas Leak - Marine Pollution
6. Sustainable Development, Inter-generational Equity, Precautionary Principle, Polluter Pays Principle, Public Trust Doctrine - Position in India

**Module 04 Resource Management I - Legislative and Judicial Perspective :**

1. The Water Act, 1974, the Air Act, 1981, the Environment (Protection) Act 1986 - Definitions, Measures taken for protection and conservation of natural resources, Authorities, offences and penalties and important judicial decisions

under these legislations

2. Protection of Forests: The Forest Act, 1927 - Definitions, Types of Forests, Acts prohibited in these forests, transit of forest produce, powers of forest officers, offences and penalties, important judicial decisions
3. The Forest (Conservation) Act, 1980 - De-reservation of forest land for non-forest purpose, Advisory Committee, Penalties
4. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 – Forest rights, recognition, restoration and vesting of forest rights and related matters, authorities and procedure for vesting of forest rights, offences and penalties, important judicial decisions
5. The National Forest Policies of 1952 and 1988
6. The Wildlife Protection Act, 1972 - Important Definitions, Authorities under the Act, Wildlife Advisory Board, Hunting, Protection of Specified plants, Sanctuaries and National Parks, Central Zoo Authority and Recognition of Zoos, Trade or commerce in wild animals, animal articles and trophies, Forfeiture of Property Derived from Illegal Hunting and Trade, Offences and Penalties, important judicial decisions

#### **Module 05 Resource Management II - Legislative and Judicial Perspective :**

1. The Biological Diversity Act, 2002 - Important Definitions, Regulation of access to biological diversity, national biodiversity authority, state biodiversity board, biodiversity management committees, equitable benefit sharing, judicial decisions
2. The Public Liability Insurance Act, 1991 - Important definitions, Liability to give relief in certain cases on principles of no fault, Duty of owner to take out insurance policies, relief and establishment of Environmental Relief Fund, offences and penalties
3. The National Green Tribunal Act, 2010 - Establishment, jurisdiction, powers and proceedings of the tribunal, penalty, Role of NGT in Environment Protection
4. Environment Protection Rules -
  - a) The Noise Pollution (regulation and Control) Rules, 2000
  - b) Guidelines for Eco-Sensitive Zones around Protected Areas
  - c) CRZ Notification
  - d) Hazardous Wastes (Management and Handling) Rules
  - e) Manufacture, Storage and Import of Hazardous Chemical Rules
  - f) Municipal Solid Wastes (Management and Handling) Rules

#### **Module 06 Environment and Development :**

1. Environmental issues involved in the development projects like Silent Valley Project, Narmada Valley Project and Koondankulam Nuclear Power Plant
2. Human Rights Perspective - Displacement and Rehabilitation, Genetically
3. Modified Crops, Farmers and breeders rights
4. Environment and Protection of Cultural Rights
5. Environment Impact Assessment (EIA) - Meaning, Evolution and history,

- Process, Constraints, EIA Notification of 1994 and 2006
6. E-waste management

**Recommended Readings :**

1. Ritwick Dutta and Sanjeet Purohit, *Commentary on the National Green Tribunal Act, 2010*, Universal Law Publications.
2. P.S. Jaswal, *Environmental Law*, Allahabad Law Agency.
3. Majumdar, Nandy, Mukherjee, *Environment and Wildlife Laws in India*, LexisNexis.
4. Maheshwara Swamy, *Textbook on Environmental Law*, Asia Law House, Hyderabad.
5. S. Shantakumar, *Introduction to Environmental Law*, Wadhwa & Company, Nagpur.
6. S.C. Shastri, *Environmental Law*, Eastern Book Company, Lucknow, 2005.
7. H. N. Tiwari, *Environmental Law*, Allahabad Law Agency.
8. Shyam Divan and Armin Rosencranz, *Environmental Law and Policy in India*, Oxford University Press, New Delhi.
9. P Leelakrishnan, *Environmental Law in India*, LexisNexis, New Delhi.
10. P Leelakrishnan, *Environmental Law Case Book*, LexisNexis, New Delhi.
11. Philippe Sands, *Principles of International Environmental Law*, Cambridge University Press, New York.
12. P. Ishwara Bhat, *Natural Resources Law: Concepts and Approaches*, Eastern Book.
13. P B Sahasranaman, *Handbook of Environmental Law*, Oxford University Press.

**LP 0904 Practical Training Paper III - Drafting, Pleading and Conveyance :**

**Objectives of the Course :** This course relates to essential skills required by an Advocate - the skill of drafting, conveyances and pleadings. An advocate can develop this skill by practicing purposive writing, articulation, legal research, qualities of language, its clarity and precision. The object of the course is to develop these advocacy skills amongst the students. This course will also acquaint the students the knowledge of substantive and procedural law in the context of pleadings and conveyance. This course aims to acquaint the students with basic principles as to the skill of drafting of various types of Applications, Petitions, Notices, Plaints, Written Statements, etc. The goal of the course is to help the students to understand application of substantive and procedural laws in drafting, pleading and conveyance.

**Scheme of Marking :**

- Part A : University Written Examination : 80 Marks
- Part B : Written Submissions (10 Marks) & Viva voce Examination (10 Marks) : 20 Marks

**Part A : Syllabus for University Written Examination :**

**Module 01 General Principles relating to Conveyance :**

1. Object of Conveyance, essentials of drafting
2. The drafting process - Know the laws, Know the transaction, Scheme of the draft



3. Ascertain facts, Language, Style, Form, Need for precision and clarity, Use of precedents
4. Contents of a draft conveyance - Commencement, Parties, Recitals, Parcels
5. Operative part, Arrangement of obligations, Signatures, Attestation
6. Formalities - Writing, Attestation, Notarisation, Registration
7. Investigation of title, Chain of title, Public notices and their purpose, search and title report

**Module 02 Transfers / Conveyances :**

1. Agreement to sell immovable property
2. Sale deed of immovable property
3. Lease deed of immovable property
4. Simple mortgage of immovable property
5. Gift of immovable property
6. Sale of raw materials by its supplier to a manufacturing company

**Module 03 Drafts of Contracts :**

1. Partition deed between members of a joint Hindu family
2. General power of attorney
3. Partnership deed
4. Agreement to transfer shares of a private limited company
5. Indemnity bond
6. Leave and licence agreement

**Module 04 Notices and other Documents :**

1. Will
2. Affidavit
3. Acknowledgment in writing under Section 18 of the Limitation Act 1963
4. Public notice inviting objections to a transaction of immovable property
5. Notices -
  - a) For dissolution of a partnership at will
  - b) Under Section 106 of the Transfer of Property Act 1882
  - c) Under Section 138 of the Negotiable Instruments Act, 1882
  - d) Reply to notice under Section 138 of the Negotiable Instruments Act, 1882
  - e) Notice under Section 80 of the Civil Procedure Code

**Module 05 General Principles relating to Pleadings :**

1. Meaning and purpose of pleadings, Importance of pleadings in the administration of justice
2. Rules of pleadings, Types of pleadings, Orders VI to VIII of Civil Procedure Code 1908, Relationship between pleadings and evidence
3. The pleading process - Know relevant substantive laws, Identify provisions applicable, Understand essential elements of provisions, Know presumptions, Ascertain facts, Select facts, Language, Style, Form, Need for precision and clarity, Use of precedents
4. Jurisdiction, Limitation, Valuation, Court fees calculation

5. Prayers, Verification

**Module 06** **Plaints, Applications and Petitions in Civil Proceedings :**

1. Suit for recovery of price of goods sold
2. Suit for declaration of share and partition of property of a joint Hindu family
3. Suit for specific performance
4. Application for probate
5. Petition for divorce by mutual consent
6. Petition for divorce alleging grounds of divorce
7. Caveat application

**Module 07** **Written Statements and Reply in Civil Proceedings :**

1. Written statement in a suit for recovery of price of goods sold
2. Written statement in a suit for declaration of share and partition of property of a joint Hindu family
3. Written statement in a suit for specific performance
4. Reply to an application for probate contesting the will
5. Reply to an application for succession certificate giving consent to grant of succession certificate
6. Reply contesting a petition for divorce
7. Reply to a petition for restitution of conjugal rights

**Module 08** **Pleadings in Criminal Proceedings :**

1. Application for bail
2. Application for anticipatory bail
3. Criminal complaint alleging defamation, or affray and simple hurt
4. Application to court for recovery of motor vehicle seized by police
5. Application for compounding an offence of defamation or an offence under Section 498A of the Indian Penal Code
6. Application by a wife for maintenance for herself and her children

**Module 09** **Appeals, Petitions and other Proceedings :**

1. Consumer complaint alleging defect in goods or deficiency in services
2. Reply to consumer complaint about defect in goods or deficiency in services
3. Writ petition under Article 14 or Article 19 or Article 21 of the Constitution of India
4. Appeal from a judgment and decree dismissing a suit for specific performance
5. Appeal from a judgment refusing to grant divorce

**Note :**

1. The college shall organise a visit to the office of Registrar / Sub-Registrar under the Registration Act, 1908. Alternatively, the college may organise interaction session(s) of experts in the concerned area with the students.
2. The purpose of the visit / interaction session should be to provide or to enhance the practical knowledge of the students with respect to the course.

3. The concerned teacher is advised to orient the students, before organisation of visit / interaction session, as to purpose of visit / interaction, concerned legal provisions, etc.

### **Part B : Contents of Written Submissions (Journal) :**

The Written Submissions (Journal) shall contain the writing of :

1. Seven Drafts - Those seven drafts must be on the topics given in Module Nos. 02, 03, 04, 06, 07, 08 and 09. The concerned teacher may have discretion to assign topics for those seven drafts.
2. Report on visit to office of Registrar / Sub-Registrar or on interaction session. A Report on visit / interaction session shall consists of : (a) Purpose of the Visit / Interaction, (b) Observations / Information Collected by the student, (c) Relevant Provisions of Law, (d) Comments on Linkage between Law and Practice. A concerned teacher may add in or modify the specified contents of report.

### **Recommended Readings :**

1. Medha Kolhatkar, *Drafting, Pleading and Conveyancing*, LexisNexis, 2015.
2. S P Aggarwal, *Pleadings, an Essential Guide*, 2nd ed, LexisNexis, 2013.
3. S P Aggarwal, *Drafting and Conveyancing*, LexisNexis 2015.
4. Nayan Joshi, *Legal Writing and Drafting*, Kamal Publications, 2017.
5. K M Sharma and S P Mago, *Criminal Courts, Pleadings and Practice*, 3rd ed, Kamal Publishers, 2014.
6. A B Kafaltiya, *Textbook on Pleadings, Drafting and Conveyancing*, Universal Law Publishing, 2015.
7. DeSouza's *Forms and Precedents of Conveyancing*, C R Datta and M N Das (eds), Eastern Law House, 2017.
8. G M Divekar's *Practical Guide to Deeds and Documents*, S K Katariya and Gaurav Sethi (eds), Hind Law House, 2014.
9. A S R Rao, *Modern Commercial Draftsman*, Eastern Book Company, 1989.
10. A B Majumder, *Law relating to Notices*, Eastern Law House, 1993.
11. S K Mitra, *Law of Notices*, Orient Publishing Company, 2004.
12. Mogha's *Indian Conveyance*, 14th ed, G C Mogha (ed), Eastern Law House, 2009.
13. Mogha's *Law of Pleadings in India*, 18th ed, P C Mogha et al (ed), Eastern Law House, 2013.
14. P S Narayana, *Criminal Pleadings and Practice*, 9th ed, Asia Law House, 2013.
15. R.K. Sahni & B.L. Bansal, *Criminal Pleadings & Art of Better Drafting*, Capital Law House, 2015.
16. Rahul Mhaskar, *Guide to Practical Criminal Drafting*, Current Publications, 2015.
17. Rodney Ryder, *Drafting Corporate & Commercial Agreements*, 2nd ed, Universal Law, Publishing, 2011.
18. Tina Stark, *Drafting Contracts - How & Why Lawyers Do What They Do*, Indian Reprint, Wolters Kluwer, 2007.
19. N S Bindra's *Pleadings and Practice*, 12th ed, H K Saharay (ed) Universal Law Publishing, 2017.

20. P K Majumdar, *Law of Pleadings, Conveyancing & Advocacy*, 5th ed, Orient Publishing Company, 2013.
21. P S Narayana, *Civil Pleadings and Practice*, 11th ed, Asia Law House, 2017.
22. P S Narayana, *Pleadings and Practice (Civil and Criminal)*, 11th ed, Asia law House, 2017.
23. Hargopal's *Legal Draftsman - A Comprehensive Guide to Deeds and Documents*, 13th ed, Universal Law Publishing, 2013.
24. Kamya Chawla Gill, *Drafting Pleading and Conveyancing*, 2nd ed, Universal Law Publishing, 2016.
25. Murli Manohar's *Art of Conveyancing and Pleading*, 2nd ed, R Prakash (ed), Eastern Book Company, 2004.
26. P Butt and R Castle, *Modern Legal Drafting*, (Guide to using clearer Language), Cambridge University Press, 2011.
27. S C Ghosh's *Principles and Forms of Pleadings*, 5th ed, Eastern Law House, 2011.

### **Optional Subject 5 (Any one from the following) :**

#### **LO 0905 Law on Education :**

**Objectives of the Course :** This course aims to acquaint the students with constitutional provisions guaranteeing the right to education and other statutory provisions. It also acquaints the students with the mechanism of regulation of education by Government. It provides the students with the judicial and legislative developments in the field of right to education. It introduces the students with the changing scenario in the field of higher education.

#### **Module 01 Constitutional Provisions – Introduction :**

1. Right to Education - Constitutional and Judicial Perspectives
2. Free and Compulsory Education for children
3. Equality of Opportunity in Admission in Educational Institutions
4. Right to Establish and Administer Educational Institutions of Minorities
5. The National Commission for Minority Educational Institutions Act, 2004 : an Overview
6. Educational Institutions and Article 12
7. Competency to make Law on Education – Concerned Entries in VII Schedule

#### **Module 02 The Right to Free and Compulsory Education Act, 2009 :**

1. Object, Application and Definitions under the Act
2. Nature of Right to free and compulsory education
3. Duties of Appropriate Govt., Local Authority and Parents
4. School Management Committees
5. Academic Responsibilities of Teacher
6. School Norms and Facilities
7. Completion of Curriculum and Learning Outcome

**Module 03 The Maharashtra Educational Institutions (Prohibition of Capitation Fee) Act, 1987 :**

1. Object, Application and Definitions under the Act
2. Prohibition of Demand or Collection of Capitation Fee
3. Regulation of Fees
4. Offences and Penalties
5. Offences by Companies
6. Procedure of Trial of Offences
7. Compensation for Accusation without Reasonable Cause

**Module 04 The University Grants Commission Act, 1956 :**

1. Object, Application and Definitions under the Act
2. Establishment of the Commission
3. Powers and Functions of the Commission
4. Right to confer degrees
5. Delegated legislation under the Act - Examples with an Overview

**Module 05 The Maharashtra Public Universities Act, 2016 :**

1. Kinds of University : Central universities, or Union universities, State Universities, Private Universities, Deemed University
2. Object, Application and basic Definitions under the Act
3. Salient Features of the Act - an Overview of Officers and Authorities of the University
4. Objects of the University (Section 4)
5. Board of Students' Development and its Powers and Duties (Sections 55-56)
6. Grievances of Teachers and Employees (Sections 79-85)
7. Delegated legislation under the Act - Examples with an Overview

**Module 06 Government Control over Universities and Educational Institutions :**

1. Governor - Chancellor of Universities
2. Appointment of Vice-Chancellor
3. Control of State Government on Universities
4. Rule making Power of Government under the Maharashtra Public Universities Act, 2016
5. Authorities of Government of Maharashtra in Higher Education - Powers and Role - an Overview
6. Funding to Education, Concessions, Scholarship, Freeship, etc.

**Module 07 Prohibition of Ragging :**

1. The Maharashtra Prohibition of Ragging Act, 1999 :
  - a) Object, Application and Definitions under the Act
  - b) Offences, Abetment of Offences and Punishments
  - c) Dismissal, Suspension of Student
  - d) Procedure of Trial of Offences
2. The UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009 :
  - a) Object, Application and Definitions

- b) Salient Features of the Regulations
- c) Measures of Prevention of Ragging at Institutional Level

#### **Module 08 Prevention of Malpractices at Examination :**

The Maharashtra Prevention of Malpractices at Examination Act, 1982 :

1. Object, Application and Definitions under the Act
2. Offences, Abetment of Offences and Punishments
3. Procedure of Trial of Offences
4. Procedure of Investigation and taking Disciplinary Action (Section 48 of the Maharashtra Public Universities Act, 2016)
5. University Ordinances relating to unfair means or lapses (Malpractices at Examination)

#### **Recommended Readings :**

1. R.D. Agarwal, *Law of Education and Educational Institutions in India* (Law Book).
2. B.M. Sankudhar, *Encyclopedia of Education System in India* (Deep and Deep Publication).
3. P.L. Mehta, R. Poonga, *Free and Compulsory Education* (Deep and Deep Publication).
4. S.P. Sathe, *Fundamental Rights and Directive Principles of State Policy - Constitutional Developments Since Independence* (Indian Law Institute, 1974).
5. G.S. Sharma (ed.), *Educational Planning : Its Legal and Constitutional Implications in India*, (1967).
6. Sita Ram Sharma (ed.), *U.G.C. Schemes - A Mannual for Universities, Colleges and Research Institutions* (Mangal Deep Publications, Jaipur, 2003).
7. N. Sudaarshan (ed.), *Right to Education Emerging Scenario* (The ICFAI University Press, Hyderabad, 2007).
8. Sumeet Malik, *Supreme Court Educational Institutions Cases* (Eastern Book Company, Lucknow, 2008).

#### **LO 0906 Principles of Taxation Law :**

**Objectives of the Course :** This course aims to acquaint the students with basic principles of taxation. It highlights the important principles of computation of income. It provides important tenets of calculation of income of natural and legal person. It also prescribes for powers and functions of various authorities under Income Tax Act. It provides the important features of the Central Goods and Services Tax Act and Integrated Goods and Services Tax Act.

#### **Module 01 Introduction and Basic Aspects of the Income Tax Act, 1961 :**

1. Importance and Significance of Taxation
2. Constitutional Provisions Relating to Taxation (Articles 265-289)
3. Types of Tax Laws – Direct and Indirect Taxes
4. Scope and Objectives of the Act
5. Some of the Basic Definitions -  
Agricultural Income, Advance Tax, Asset, Capital Asset, Divided-Income,



Person, Previous Year, Assessment Year, Revenue Receipts, Revenue Expenditure

6. Residential Status of Persons

**Module 02 Heads of Income and Computation of Income :**

1. Income from Salaries
2. Deductions from Salary and Computation of Salaries
3. Income from House Property: Self Occupied, Let Out
4. Exemption of property income from tax
5. Computation of Self Occupied Property
6. Capital Gains
7. Profits and gains of Business or Profession
8. Income from other Sources Clubbing of Income
9. Set off and carry forward of losses
10. Deductions from gross total income
11. Rebates and Reliefs
12. Advance tax
13. TDS
14. Tax rates

**Module 03 Taxation of Natural and Legal persons - an Overview :**

Individuals, Hindu Undivided Family, Companies and Firms, Association of Persons, Trust and Cooperative Societies, Charitable and Religious Institutions

**Module 04 Assessment and Appeal Procedures :**

1. Return of Income
2. Types of assessment
3. Appellate procedures
4. Authorities under the Income Tax Act:
  - a) Director General of Income Tax
  - b) Director of Income Tax-Additional Directors
  - c) Joint Director
  - d) Deputy Directors
  - e) Assistant Directors
  - f) Income Tax Officers
  - g) Tax Recovery Officers
  - h) Inspectors of Income Tax

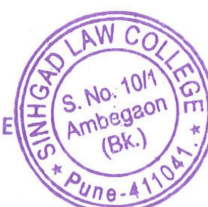
**Module 05 Powers and Functions of Various Authorities :**

1. Concepts of Tax Avoidance, Tax Evasion and Tax Planning - Meaning and Distinction
2. Inspections Search Seizure
3. Penalties for Tax Evasion and Tax Avoidance

**Module 06 The Central Goods and Services Tax Act, 2017 - I :**

1. Scope and object of CGST
2. Important Definitions
  - a) Aggregate Turnover

  
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- b) Business
  - c) Capital Goods
  - d) Casual Taxable Person
  - e) Composite Supply
  - f) Continuous Supply of goods and services
  - g) Input Tax
  - h) Output Tax
  - i) Outward Supply
  - j) Persons under GST
  - k) Place of Business
  - l) E- Contract
  - m) E- Filing
3. Levy and Collection of tax
  4. Tax liability on composite and mixed supplies
  5. Composition Levy

**Module 07 The Central Goods and Services Tax Act, 2017 - II :**

1. Time and value of supply
2. Input tax credit
3. Procedural Compliances
4. Registration
5. Accounts and records
6. Returns
7. Payment of tax
8. Refunds
9. Assessment
10. Audit
11. Offences and Penalties for certain offences under Section 122

**Module 08 The Integrated Goods and Service Tax Act, 2017 :**

1. Scope and Object of IGST
2. Important Definitions
3. Nature of Supply
4. Place of Supply
5. Zero rated Supply
6. Apportionment of Tax and Settlement of Funds
7. Powers and Functions of GST Council

**Recommended Readings:**

1. Kanga & Nani Palkhivala : *The Law and Practice of Income Tax*, 2014 Lexis Nexus.
2. Chaturvedi and Pithisaria : *Companion to Chaturvedi & Pithisaria's Income Tax Law - Wealth Tax Act, 1957*, 2016 Eastern Book Company.
3. Dr. Girish Ahuja and Dr. Ravi Gupta : *Concise Commentary on Income Tax including Wealth Tax with Tax Planning / Problems & Solutions*, 2014, Eastern Book Company.

4. Dr. Girish Ahuja and Dr. Ravi Gupta : *A Compendium of Issues on Income Tax & Wealth Tax* (in 2 Vols.), 2010 Eastern Book Company.
5. CA Atul Kumar Gupta : *Goods and Services Tax – Law, Practice and Procedures*, LexisNexis 2017.
6. Dr Girish Ahuja & Dr Ravi Gupta : *Systematic Approach to Income Tax*, 37th Paperback - 2016, Walters Kluwer.
7. Taxmann : *Latest Edition on Income Tax*.
8. V.S. Datey : *GST Ready Reckoner*, Taxmann 2017.

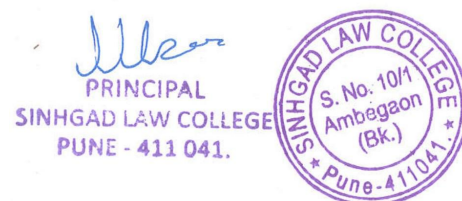
### **LO 0907 Law of Forensic Science :**

**Objectives of the Course :** Forensic science plays a very important role in criminal law justice system. It helps in determination of the guilt of a suspected criminal, and ascertains various facts in a case by scientifically testing various types of evidences collected during criminal investigation. A Prosecutor or a Judge is an expert in the field of law but may lack in-depth scientific knowledge, which may be necessary in different cases to ascertain the facts and circumstances of the case in order to prove the case “beyond reasonable doubts” and to attribute criminal liability to the accused person. Therefore, expert opinion of scientists and doctors are invited by the courts whenever evidences are scientifically examined.

The aim of this course is to explain the concept of forensic science and its role in criminal law. This course will give an overview as to what kind of evidences are collected and scientifically tested in various crimes, how the result of these tests and expert opinion are useful in investigations and trials and its evidentiary value.

### **Module 01 Constitutional Rights and Law of Forensic Science :**

1. Right to Privacy and Right against Self Incrimination - with leading cases
2. Meaning of Forensic Science
3. Development of forensic science
4. Scope of forensic science
5. Importance of forensic science in Criminal Law
  - a) Role of forensic science in understanding criminal psychology
  - b) Role of forensic science in criminal investigation
  - c) Role of forensic science in court of law
  - d) Role of forensic science with respect to questioned documents
  - e) Digital evidences and forensic science
  - f) Role of forensic science in cyber crimes
6. Forensic Experts and Relevancy of their opinion:
  - a) Crime scene investigator
  - b) Firearms Examiner
  - c) Document Examiner
  - d) Forensic Anthropologist
  - e) Computer Forensics Expert
  - f) Psychiatrist and behavioural scientist, etc.

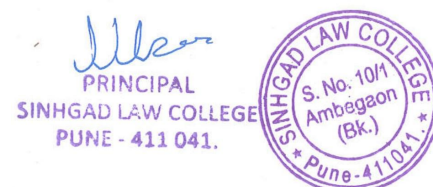


## **Module 02 Criminal Psychology and Forensic Science :**

1. Brain Fingerprinting :
  - a) Meaning of brain mapping
  - b) Underlying principle behind brain mapping
  - c) Importance of brain mapping
  - d) Lie detection technique
  - e) Use of Brain fingerprinting in criminal investigation
  - f) Brain fingerprinting in India-Guidelines by Supreme Court and NHRC
  - g) Evidentiary Value in the court of law
2. Narcoanalysis :
  - a) Meaning of Narcoanalysis
  - b) Scientific Theory behind narcoanalysis
  - c) Precautions before conducting the tests
  - d) Presence of Experts
  - e) Narcoanalysis in India-Guidelines of Supreme Court, NHRC
  - f) Rights of the accused person
  - g) Importance of Narcoanalysis in criminal investigation
  - h) Evidentiary value in Court of Law
3. Polygraph Test :
  - a) Meaning of polygraph test
  - b) Theory behind polygraph test
  - c) Application and utility
  - d) Legal and Constitutional Status in India
  - e) Evidentiary Value
  - f) Judicial Precedents related to polygraph test
4. Handwriting Analysis:
  - a) Meaning of handwriting analysis
  - b) Underlying principles for handwriting analysis
  - c) Uses of Handwriting Analysis in understanding the character and personality traits of a criminal and ascertaining certain facts during investigation and as an alternative method for lie detection.
  - d) Evidentiary value of handwriting analysis
  - e) Judicial approach
  - f) Role of handwriting expert and evidentiary value of expert opinion on handwriting

## **Module 03 Role of Forensic Science in Investigation of Crime :**

1. Introduction :
  - a) Types of Crimes
  - b) Importance of forensics in various types of crimes
2. Legal Procedure after Commission of a Crime :
  - a) Inquest-by Police and Magistrate
  - b) Courts of Law
  - c) Summons



- d) Record of evidence
- e) Medical evidences - certificates, reports, dying declaration, etc.
- f) Witnesses - common, experts, conduct and duties of doctors
- g) Preservation of medico - legal evidence at the crime scene
- 3. Autopsy :
  - a) Objectives of Autopsy
  - b) Requirements
  - c) Protocol
  - d) Exhumation
  - e) Identification
  - f) Time of death
  - g) Sudden unexpected deaths
  - h) Instantaneous psychological deaths
  - i) Autopsy in traffic accidents
  - j) Age estimation
  - k) Starvation deaths
  - l) Burns
  - m) Asphyxial deaths
  - n) Rape
  - o) Abortion
  - p) Poison
- 4. DNA Finger Printing :
  - a) Meaning of DNA fingerprinting
  - b) Principles
  - c) Status of DNA fingerprinting in India
  - d) Powers of Investigating agency
  - e) Role in crime investigation
  - f) Judicial Approach
  - g) Evidentiary Value
- 5. Fingerprint Forensics :
  - a) Meaning of fingerprint forensics
  - b) Importance and role in criminal investigation
  - c) Techniques for collection
  - d) Law relating to fingerprints
  - e) Power of investigating officers
  - f) Power of Courts
  - g) Provisions under Criminal Procedure Code, and Indian Evidence Act - Section 45
  - h) Judicial Approach
  - i) Evidentiary Value
- 6. Forensic Detection Dogs :
  - a) Concept of sniffer dogs
  - b) Role of such dogs



- c) Evidentiary value

**Module 04 Law Relating to Ballistics :**

1. Meaning and Scope
2. Firearms :
  - a) Definition of arms under the Arms Act, 1959;
  - b) Prohibited Arms under the Arms Act, 1959;
  - c) Definition of firearms;
  - d) Types of firearms;
  - e) Evidence collection
  - f) Evidentiary value of firearm examination
3. Ballistics Expert :
  - a) Role of a ballistics expert
  - b) Opinion
  - c) Reliability and admissibility of such opinion

**Module 05 Questioned Documents and Forensic Science :**

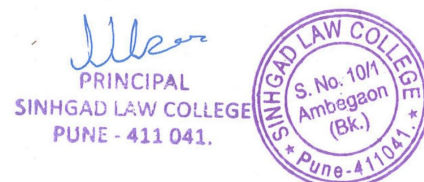
1. Meaning of questioned documents - (offences related to documents)
2. Sources of questioned documents
3. Proof of signature
4. Handwriting analysis with respect to the documents
5. Report of an expert
6. Evidentiary Value
7. Typewritten Documents

**Module 06 Modern Techniques for Collection of Evidences and Role of Forensic Science :**

1. Digital and Video Recordings
2. CCTV Cameras
3. Mobile Phone forensics
4. Voice Analysis
5. Evidentiary value of each of the above

**Module 07 Cyber Forensics :**

1. Meaning of cyber forensics
2. Role of cyber forensics
3. Importance of cyber forensics
4. Relevant Provisions under -
  - a) The Information Technology Act, 2000
  - b) The Indian Evidence Act, 1872
5. Cyber Crimes :
  - a) Pornography
  - b) Cyber Stalking
6. Crime Investigation
7. Digital Evidence Collection
8. Evidentiary Value of such Evidence
9. Judicial Approach - Landmark Cases





### **Recommended Readings :**

1. Martin D'Souza and R.P Kataria, *Forensic Science in Criminal Trial and Investigation*, Orient Publishing Co.
2. Kevin J. Strom and Mathew J. Hiccmann, *Forensic Science and the Administration of Justice - Critical Issues and Directions*, SAGE Publications, (Chapters: 1, 7, 8, 9, 11 and 13).
3. *Modi's Medical Jurisprudence and Toxicology*, 23<sup>rd</sup> Ed. Publisher - LexisNexis Butterworths Wadhwa.
4. C.K Parikh, *Parikh's Textbook of Medical Jurisprudence, Forensic Medicine and Toxicology*, CBS Publishers and Distributors.
5. B.R Sharma, *Forensic Science in Criminal Investigation and Trials*, Universal Law Publication,
6. Dr R. Krishnamurti, *Forensic Science in Crime Investigation*.
7. B.S Nabar, *Forensic Science in Crime Investigation*, Asia Law House.
8. Medico-Legal Manuals.

### **LO 0908 Land Laws I :**

**Objectives of the Course :** Land rights refer to the inalienable ability of individual to freely obtain, use, and possess land at their discretion, as long as their activities on the land do not impede on other individuals' rights. The purpose of the course, divided in two semesters, is to acquaint the students about laws that govern the use and dealing with land and buildings, and regulation and control of activities concerning land.

This course deals with laws that mainly affect urban properties, their development and dealings. With a sound background of law of transfer of property, this course equips the student with all other laws that affect use and dealings of land, and activities that enable its best use. Although much of course content involves laws in force in the State of Maharashtra, the principles governing these laws are common across laws on the subjects in other states.

#### **Module 01 The Maharashtra Ownership Flats Act, 1963 :**

1. Objects and Application of the Act
2. Definitions : flat, construct a block or building of flats or apartments, and promoter
3. Duties, liabilities, responsibilities and disabilities of a promoter
4. Alterations, additions and defects to structure and building
5. Flat purchase agreement, and its registration
6. Rights, liabilities of a flat-taker
7. Essential supplies and services
8. Offences by promoters and by companies

#### **Module 02 The Maharashtra Apartment Ownership Act, 1970 :**

1. Objects and Application of the Act
2. Definitions of - apartment, apartment owner, building, common areas

and facilities, common expenses, common profits, declaration, limited common areas and facilities, and property

3. Apartment as transferable property, its ownership, separate assessment
4. Declaration, its contents, formalities, registration; Amendment to Declaration
5. Common areas and facilities, encumbrances against apartments
6. Contribution to common expenses, charge
7. Rights, duties, liabilities and disabilities of an apartment owner, tenants and users
8. Bye-laws, Management of Apartments Condominium
9. Disposition of property, destruction or damage
10. Distinction between ownership of apartment, ownership of share in joint property, and holding of flat in a cooperative housing society

**Module 03 The Real Estate (Regulation and Development) Act, 2016, and the Maharashtra Real Estate Rules, 2017 - Introduction, Registration of Projects and Real Estate Agents :**

1. Objects and Application of the Act, Enactment scheme (Central and State) : Act, Rules and Regulations, Housing Policies of Governments
2. Meaning of the terms - advertisement, allottee, apartment, building, carpet area, commencement certificate, common areas, competent authority, completion certificate, development, development works, estimated cost of real estate project, garage, interest, occupancy certificate, promoter, prospectus, real estate agent, real estate project, sanctioned plan
3. Registration of real estate project, procedure, consequences of non registration
4. Registration of real estate agents, procedure and consequences of non registration
5. Functions, duties and liabilities of real estate agents

**Module 04 The Real Estate (Regulation and Development) Act, 2016, and the Maharashtra Real Estate Rules, 2017 - Relationship Between Parties :**

1. Functions, duties, obligations and liabilities of a promoter - from advertisement to completion of project
2. Publication on web-site, effect
3. Transfer of title, Agreement for sale
4. Rights, duties and liabilities of allottees

**Module 05 The Real Estate (Regulation and Development) Act, 2016 - Authorities, Tribunal, and Remedies :**

1. Real Estate Regulatory Authority: Establishment, Incorporation, Composition
2. Qualification of Chairpersons and members, Meetings, Powers and functions
3. Filing of complaints, Enforcement of orders, Appearance in person and legal representation (Sections 20-23, 29, 31, 32, 34-38, 40, 56)
4. Effect of the Act (Sections 88-89), Bar of jurisdiction (Section 79)
5. Appeals

6. Real Estate Appellate Tribunal, Establishment, Composition
7. Application to Tribunal, Powers, Execution of orders (Sections 43- 45, 53-54)
8. High Court (Section 58)
9. Offences and Penalties by promoter, allottee and real estate agents (Sections 59-68)
10. Power to adjudicate compensation (Sections 71-72)

**Module 06 The Maharashtra Regional and Town Planning Act, 1966 :**

1. Object, Application, and General Scheme of the Act
2. Development Plan, its contents and implementation (Sections 21, 22 and 42)
3. Control of Development and use of Land included in Development Plans (Sections 43-58)

**Module 07 The Maharashtra Rent Control Act, 1999 - Forfeiture and Recovery of Possession :**

1. Rent Control in urban areas, Object and Historical background of the Act
2. Application of the Act and Exemptions
3. Definitions : Landlord, legal representative, licensee, paying guest, premises, tenant
4. Relief against forfeiture
5. Recovery of possession by landlord (Sections 16, 18-22)
6. Landlord's rights, duties and liabilities : enter for inspection, essential supplies, conversion of use, receipt for rent, registration of agreements, lawful charges
7. Jurisdiction of courts, Appeals

**Module 08 The Maharashtra Rent Control Act, 1999 - Standard Rent, Repairs, Sub-Tenancies :**

1. Definition: standard rent, permitted increase
2. Standard rent: its concept, components, increase in rent, liability to pay standard rent, Application for fixing standard rent, Court's power to fix standard rent
3. Landlord's duty to repair, Recovery or possession for repairs (Sections 16(1)(h), 17)
4. Prohibition on sub-letting, assignment or transfer; Sub-tenants to become tenants

**Module 09 The Maharashtra Rent Control Act, 1999 - Special Cases and Licenses :**

1. Special provisions for recover of possession by licensors, effect of non registration of agreement
2. Special provisions for recover of possession by members of armed forces
3. Competent Authority, its powers and functions, bar of jurisdiction, no appeal, summary disposal of applications, special procedures, enforcement of orders

**Recommended Readings:**

1. J V N Jaiswal, *Housing Law in India*, Eastern Book Company, 2007.

2. Abhay M Shah, *The Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management & Transfer) Act, 1963*, Current, 2010.
3. M C Jain and H M Bhatt, *Law Relating to Ownership of Flats and Apartments in the State of Maharashtra*, Noble Law House, 2014.
4. Sunil Dighe, *Maharashtra Housing (Regulation and Development) Act, 2012 and the Maharashtra Ownership of Flats Act, 1963*, Snow White Publications, 2016.
5. G M Divekar, *Law of Ownership Flats*, 2000.
6. K Goyal, *Guide to Real Estate (Regulation and Development) Act, 2016*, 2nd ed, Commercial Law Publishers, 2017.
7. A K Gupte, *Real Estate (Regulation and Development) Act, 2016*, Hind Law House, 2016.
8. A B Puranik, D R Choudhari, and A N Choudhari, *Maharashtra Regional and Town Planning Act, 1966*, CTJ Publications, 2017.
9. S Desai, *Maharashtra Regional and Town Planning Act, 1966*, Snow white, 2017.
10. S Dighe, *Maharashtra Rent Control Act, 1999*, Snow white, 2016.
11. A S Chandurkar, *Maharashtra Rent Control Act, 1999*, Shanti Law House, 2015.
12. J H Dalal, *Maharashtra Rent Control Act 1999*, Hind Law Publication, 2013.

#### **LO 0909 International Law on Air, Space and Sea :**

**Objectives of the Course :** International Law of Air, Space and Sea are the part of the jurisdictional perspective of a State. The aim of the course is to subtly introduce to the students, the significance of Air, Space and Law of the Sea as the basic components of International Law with a background of Indian perspective. Law of Air, Space and Sea constitutes as an important resource zones for the sustainability of nation states the course introduces the basic percept's of these areas with current developments.

#### **Module 01 Introduction to Air and Space Law :**

1. Development of Air Law
2. Definition, Nature, Scope and Sources of Air Law
3. Freedom of Air and Sovereignty over Air Space

#### **Module 02 Conventions relating to Aerial Navigation :**

1. The Paris Convention, 1910
2. The Paris Convention, 1919
3. The Havana Convention, 1928
4. The Warsaw Convention, 1929
5. The Chicago Convention, 1944

#### **Module 03 International Civil Aviation Organization(ICAO) :**

1. Organizational Structure
2. Legislative-Administrative and Judicial Functions
3. Dispute Settlement Mechanism of ICAO

#### **Module 04 Domestic Air Law :**

1. The Aircraft Act, 1934 and Related Amendments
2. The Aircraft Rules, 1937 (with updates)

**Module 05 Introduction to Space Law :**

1. Nature, Definition and Scope of Space Law
2. Development of the Space Law
3. Fundamental Principles of Space Law

**Module 06 Space Treaties :**

1. The Space Treaty, 1967
2. The Rescue Agreement, 1968
3. The Liability Convention, 1975
4. The Registration Convention, 1975
5. The Moon Treaty, 1979
6. The Partial Test Ban Treaty, 1963

**Module 07 International and Inter-Governmental Organizations :**

1. Bilateral Agreement in Space Activity
2. Organization of Space Activities
3. Department of Space (DOS)
4. Indian Space Research Organisation (ISRO)

**Module 08 Emerging Issues of Space Settlements and Property Rights :**

1. Question of State Sovereignty and Claim of Property Rights
2. Human Habitation on the Moon and Other Celestial Bodies
3. Protection of the Space Environment
4. Demilitarization of the Outer Space
5. International Space Station
6. Inventions in Outer Space

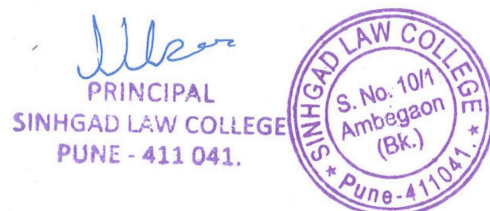
**Module 08 Law of Sea :**

1. Historical background of Law of Sea
2. UN Conferences on the Law of the Sea
3. Territorial Sea
4. Passage through International Straits
5. Contiguous Zone
6. Continental Shelf
7. Exclusive Economic Zone
8. High Seas
9. Seabed Mining

**Recommended Readings :**

1. Ranbir Singh et.al (eds) : *Current Developments in Air and Space Law* (NLU Delhi, 2012)  
online edition available at  
<http://nludelhi.ac.in/download/publication/2015/Current%20Developments%20in%20Air%20and%20Space%20Law.pdf>
2. Shawcross and Beaumont, *Air Law*, Vol 1. Butterworths (1977).
3. Bin Cheng, *Studies in International Space Law*, Clarendon Press, Oxford, (1997).
4. B. Sandeep Bhat (Ed), *Space Law: The Emerging Trends*, Eastern Law House, (2018).
5. Thomas Gangale, *The Development of Outer Space*, ABC-CLIO, Inc, California (2009)

6. Mark J. Sundahal & V. Gopalakrishnan (eds.), *New Perspectives on Space Law*, Paris: International Institute of Space Law (2011).
7. Diederiks - Verschoor, I., *An Introduction to Air Law*, 9th ed., The Hague: Kluwer (2012).
8. Mani V.S. et al. (eds.), *Recent Trends in International Space and Policy*, New Delhi: Lancer Books (1997).
9. G. S. Sachdeva, *Outer Space : Law, Policy and Governance*, Delhi: KW Publisher (2013).
10. Ruwantissa Abeyratne, *Convention on International Civil Aviation: A Commentary*, Heidelberg: Springer (2014).
11. Francis Lyall & Paul B Larsen, *Space Law : A Treatise*, London: Ashgate (2009).
12. Gurdip Singh, *International Law*, 3<sup>rd</sup> ed., Eastern Book Company, (2015).
13. R. R. Churchill, A. V. Lowe, *The Law of the Sea*, 3rd ed., Manchester University Press: Manchester, (1999).
14. D. Freestone, R. Barnes, D. Ong (eds.), *The Law of the Sea: Progress and Prospects*, Oxford University Press: Oxford, (2006).





**Fifth Year B.A. LL.B. - Semester X**  
**Fifth Year B.B.A. LL.B. - Semester X**  
**Third Year LL.B. - Semester VI**

**LC 1001 Criminal Procedure Code :**

**Objectives of the Course :** The procedural law providing for a fair procedure is significant for a just society. The Criminal Procedure has to be just, fair and reasonable to the accused as well as to the victims. At the same time it confronts a crises of intrusion into individual rights in order to protect the common weal. The criminal process involves increasing expenditure of government resources. Criminal procedure, thus, makes a balance of conflicting interests. Thus, a duty is imposed on all those who are connected with the working of the criminal process to abide by the law and to exercise discretion conferred on them in the best manner. The main object of the course is to familiarize students with the working of the criminal justice delivery system and also to make them understand the significant riddles of the procedure. The course is aimed at driving home the students how the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The Course will acquaint the students with organisation of the functionaries under the Code of Criminal Procedure, 1973, their powers and functions. The teacher, in addition, shall endeavor to familiarize the students with the case papers like, FIR, Police statement, charge sheet, etc.

**Module 01 Introduction - Criminal Procedure Code :**

1. Objects, Application and Definitions under the Code
2. The rationale of criminal procedure: the importance of fair trial
3. Constitutional perspectives - Article 14, 20 and 21
4. Organisation of police, prosecutor, defense counsel and prison authorities and their duties, functions and powers

**Module 02 Some Basic Concepts of Code of Criminal Procedure :**

1. Distinction between -
  - a) Cognizable and non-cognizable offence
  - b) Warrant and summons
  - c) Bailable and Non-bailable
  - d) Compoundable and Non-compoundable
2. Arrest with and without warrant -
  - a) The absconder status
  - b) Rights of the accused person

**Module 03 Provision for Investigation :**

1. Arrest, Search and Seizure
2. Processes to Compel Appearance
3. Information to Police
4. Power to Investigate

**Module 04 Process to Compel Appearance and Production of things :**



1. Summons for Appearance
2. Warrant of arrest
3. Proclamation and attachment
4. Other rules regarding processes
5. Summons procedure
6. Search Warrants
7. General provisions as to search and seizure
8. Miscellaneous

**Module 05 Proceedings before Magistrate :**

1. Conditions requisite for initiation of proceedings
2. Complaints to Magistrates
3. Commencement of proceedings before Magistrates
4. Provisions as to enquiry and Trial
5. Security Proceedings

**Module 06 Charge :**

1. Framing of charge
2. Form and content of charge
3. Separate charges for distinct offence
4. Discharge - pre-charge evidence
5. Final Report

**Module 07 Trials and Execution Proceedings :**

1. Conception of fair trial
2. Trial before a court of session
3. Trial of warrant cases by magistrates
4. Trial of summons cases by Magistrates
5. Summary Trials
6. Provision as to Bail
7. Submission of death sentences for confirmation
8. Execution, suspension, remission and commutation of sentences

**Module 8 Judgment :**

1. Form and content
2. Post-conviction orders in lieu of punishment - emerging penal policy
3. Compensation and cost
4. Modes of providing judgment
5. Certified copy of judgment

**Module 9 Appeal, Review, Revision :**

1. No appeal in certain cases
2. The rational of appeal, review and revision
3. The multiple range of appellate remedies -
  - a) Supreme Court of India
  - b) High Court
  - c) Sessions Court
  - d) Special right to appeal



- e) Governmental appeal against sentencing
- 4. Judicial power in disposal of appeals
- 5. Legal aid in appeals
- 6. Revisional Jurisdiction
- 7. Transfer of cases

**Module 10 Miscellaneous Provisions :**

- 1. Maintenance of wives, children and parents
- 2. Transfer of criminal cases
- 3. Irregular proceedings
- 4. Limitations of taking cognizance
- 5. Compounding of Offences and Plea-bargaining
- 6. Security for peace and good behaviour
- 7. Maintenance of Public order and tranquility

**Module 11 The Probation of Offenders Act, 1958 :**

- 1. Object, Application and definitions under the Act
- 2. Power of court to release certain offenders after admonition
- 3. Power of court to release certain offenders on probation of good conduct
- 4. Power of court to require released offenders to pay compensation and costs
- 5. Restrictions on imprisonment of offenders under twenty-one years of age
- 6. Variation of conditions of probation and procedure in case of offender failing to observe conditions of bond
- 7. Courts competent to make order under the Act, appeal and revision and powers of courts in appeal and revision
- 8. Removal of disqualification attaching to conviction
- 9. Probation officers – appointment, duties and report

**Recommended Books :**

- 1. Chandrasekharan Pillai, (Ed.), *Kelkar's Outline of Criminal Procedure*, Eastern Book Company, Lucknow.
- 2. Ratanlal and Dirajlal, *Code of Criminal Procedure*, LexisNexis.
- 3. Woodroffe, *Commentaries on Criminal Procedure Code*, Universal Law Publishing, Delhi.
- 4. Chandrasekharan Pillai ed., *Kelkar's Lectures on Criminal Procedure*, Eastern Book Company, Lucknow.
- 5. D. D. Basu, *Criminal Procedure Code 1973*, Vol I & II, LexisNexis (2017).
- 6. *Sarkar on Criminal Procedure Code*, Vol I & II, LexisNexis.
- 7. N.K. Chakrabarti, *Probation System in the Administration of Criminal Justice*, Deep & Deep Publications (1995).

**LC 1002 Administrative Law :**

**Objectives of the Course :** It is expected that the Administrative Law should be specifically deals with delivering two fundamental aspects of good governance - (a) firstly rule based administration that ensure transparency in discretion based administration to avoid arbitrariness

and (b) secondly delivery of administrative justice in furtherance of a welfare functions of the State where in litigative justice may not be accountable, efficient and effective.

With the emergence of a State as a welfare institution its administration and administrative law have become all-pervading factor across the world, The aim of this course is to study the structure, governance, organization, powers and function of public authorities in India. The expansion of the powers of the necessities to undertake a scrutiny of its various functions - Legislative, executive as well as judicial. The Administrative law in India is essentially a judge made law and therefore students are expected to be familiar and acquainted with the development of the subject with leading cases. The students will also be able to understand (a) concepts and principles governing administrative law, (b) appreciate role, powers and functions of administrative organs, and (c) appreciate recent development of administrative law.

**Module 01 Evolution, Nature and Scope of Administrative Law :**

1. Nature, Scope and Development of Administrative Law,
2. Rule of law and Administrative Law,
3. Separation of powers and Administrative Law
4. Relationship between Constitutional law and Administrative Law,
5. Classification of functions of Administration

**Module 02 Delegated Legislation :**

1. Reasons for Growth of Delegated Legislation
2. Constitutional validity of Delegated Legislation
3. Forms or types of delegated legislation
4. Restraints on Delegation of Legislative powers - Comparative position – UK, USA and India
5. Doctrine of Excessive Delegation
6. Powers of exclusion and inclusion and power to modify statute
7. Safeguards and Controls on delegated legislation – Legislative, Judicial and Other Controls
8. Sub-Delegation of Legislative Power

**Module 03 Administrative Adjudication :**

1. Need of adjudicatory powers of administration
2. Administrative Tribunals – Constitution, powers, procedures
3. Principles of Natural Justice - Rule against bias, Audi Alteram Partem, Essentials of hearing process, Cross examination, Legal representation - right to counsel, Pre and post - decisional hearing, Reasoned decisions
4. Exceptions to Principles of Natural Justice, Effect of failure - Rules of evidence – no evidence, some evidence and substantial evidence, Institutional Decisions

**Module 04 Administrative Discretion and Judicial Control :**

1. Need for conferring discretion on administrative authorities
2. Rule of law and administrative discretion, Constitutional imperatives and exercise of discretion

3. Grounds of judicial review - Abuse of discretion, and Failure to exercise discretion,
4. Doctrine of legitimate expectations, Doctrine of Proportionality, Public Accountability

**Module 05 Liability for Wrongs of Government (Tortious and Contractual) :**

1. Tortious liability of government, Sovereign and Non-Sovereign Functions, act of state
2. Contractual liability of government
3. Statutory Immunity - Act of State - Liabilities Government privilege in legal proceedings – state secrets, public interest, Estoppel and waiver
4. Remedies in the form of Judicial Review and Statutory remedies, Suits for Compensation

**Module 06 Corporations and Public Undertakings:**

1. State monopoly vis-a-vis arbitrary action, Liability of public and private corporations – departmental undertakings
2. Legislative and Governmental Control over Corporations and public undertakings
3. Legal remedies, Accountability - Committee on Public Undertakings, Estimates Committee
4. Trend of disinvestment and its Consequences

**Module 07 Informal Methods of Settlement of Disputes and Grievance Redressal Procedures :**

1. Conciliation and mediation through social action groups, Use of media, lobbying and Public participation
2. The Commissions of Inquiry Act, 1952 - Public Enquiries and Commissions of Inquiry, Appointment of Commission, Matters of Inquiry, Powers of Commission, Procedure before Commission
3. Significance of the Lokpal and Lokayuktas Act, 2013, Central Vigilance Commission

**Module 08 The Right to Information Act, 2005 :**

1. Transparency and right to information – Constitutional imperative
2. Object, application definitions and Salient features of the Act
3. Right to Information and obligations of Public Authorities, Central Information Commission, State Information Commission, Powers and functions of the Information Commissions, appeal and penalties
4. Hurdles in the implementation of the Act

**Recommended Readings:**

1. C. K. Allen, *Law and Orders* (Universal Law Publishing, 1985).
2. D.D. Basu, *Comparative Administrative Law* (1998).
3. Franks, *Report of the Committee on Administrative Tribunals and Inquiries* (HMSO, 1959).
4. Peter Cane, *An Introduction of Administrative Law* (Oxford 1996).
5. Wade, *Administrative Law*, 7th Edn, Indian Print, (Universal Law Publishing, 1997).

6. J. C. Garner, *Administrative Law*, ed. B.L. Jones, (Butterworth, 1998).
7. S. P. Sathe, *Administrative Law*, (Butterworth, 1998).
8. C. K. Takwani, *Lectures on Administrative Law*, (Eastern Law Book, Luuknow).
9. M.A. Fazal, *Judicial Control of Administrative Action in India, Pakistan and Bangladesh* (Butterworth, 2000).
10. Jain and Jain, *Principles of Administrative Law*, (Universal Law Publishing, 1997).
11. M. P. Jain, *Cases and Materials on Indian Administrative Law*, Vol. I and II, (Universal Law Publishing, 1996).
12. De Smith, *Judicial Review of Administrative Action*, (Sweet and Maxwell, 1995).

### **LC 1003 Company Law :**

**Objectives of the Course :** Company legislation in India owes its origin to the English company law. Modern business ventures require knowledge of company law. There have been considerable changes in company law over last few years. These Changes have put more responsibility on the shoulder of Directors. A company has to comply with lot of procedures as covered under the Companies Act, 2013, Listing agreement, the Securities and Exchange Board of India Act, 1992 and regulations. Moreover, corporate Governance is now actively being implemented in various corporate houses. Law students are expected to study these changes thoroughly and minutely. The Company Act, 2013 seems to strengthen the Corporate Governance. This course provides study of company law in detail which is essential for budding lawyers.

#### **Module 01 Concept, Nature and Meaning of Company :**

1. Historical origin of company law in India and important definitions under the Company Act, 2013
2. Characteristics of company – Company a Legal Person, Separate Legal Entity, Perpetual Succession, Common Seal, Limited liability
3. Doctrine of Corporate Veil
4. Difference between company and others forms of business organizations

#### **Module 02 Registration and Incorporation of Company :**

1. Types of Company - One Person Company, Company Limited by Shares, Unlimited Company, Private and Public Company, Foreign Company
2. Formation of Company
3. Certificate of Incorporation
4. Pre-incorporation contracts
5. Commencement of Business
6. Memorandum of Association (MOA), Alteration of MOA and Doctrine of Ultra vires
7. Articles of Association, Doctrine of constructive notice and Indoor Management

#### **Module 03 Promoters, Securities (Shares), Debentures :**

1. Promoters - Fiduciary relationship, Duties and liabilities



2. Prospectus and Kinds of Prospectus
3. Shares - Meaning and Nature
4. Kinds of Shares
5. Securities (Shares) - Allotment of securities and Share Holdings
6. Issue of shares
7. Certificate of shares
8. Shareholders and voting rights
9. Transfer of shares
10. Shareholders and Members
11. Share Capital and kinds of share capital
12. Publication of Authorized, Subscribed and paid up capital
13. Buy back of shares
14. Dividends
15. Debentures - Meaning, Kinds and Characteristics

**Module 04 Appointment, Role and Qualification of Director and Meetings of Boards :**

1. Role, Appointment and Types of Directors
2. Board of Directors
3. Independent Directors
4. Legal Position of Directors
5. Appointment of directors and Managerial Staff
6. Powers and Duties of Directors
7. Civil and Criminal Liability of Directors
8. Inspection, Inquiry and Disqualification
9. Removal of Director
10. Types of Meetings

**Module 05 Compromise, Reconstruction, Amalgamation and Mergers :**

1. Compromise, Arrangements and Amalgamations
2. Sanction, Duties and Powers of Tribunal
3. Power to Compromise or make arrangements with creditors and members
4. Reconstruction and Amalgamation of Company
5. Modes of reconstruction
6. Declaration and Payments of dividends in above cases
7. Fast track Mergers
8. Amalgamation of companies by Central Government in public interest

**Module 06 Accounts of Company :**

1. Books of accounts, etc, to be kept by the Company
2. System of maintenance of accounts in Company
3. Audit and Auditors
4. Protection of Minority Share Holders
5. Prevention of Oppression and Mismanagement
6. Removal of names of companies from register of companies
7. Revival and Rehabilitation

**Module 07 Winding up Process :**

1. Meaning of Winding up
2. Procedures for winding up
3. Winding up process by Tribunal
4. Consequences of winding order
5. Company liquidator and their appointments
6. Report of the liquidator
7. Custody of company's property
8. Company Dissolution
9. Voluntary Winding up
10. Declaration of Insolvency
11. Procedure for voluntary Winding up
12. Appointment of Liquidators

**Module 08 Constitution of National Company Law Tribunal, Appellate Tribunal and Special Court :**

1. Constitution of National Company law Tribunal
2. Appellate Tribunal
3. Selection of members, terms of office, salary
4. Removal of members
5. Order of Tribunal
6. Powers of Tribunal
7. Appeal from orders of Tribunals
8. Establishment of special courts
9. Offences trial by special courts
10. Mediation and Conciliation Panel
11. Corporate Social Responsibility

**Recommended Readings :**

1. A. Ramaiya, *Guide to the Companies Act*, LexisNexis, Butterworths Wadhawa, Nagpur.
2. C.R. Datta, *Datta on the Company Law*, LexisNexis, Butterworths Wadhawa, Nagpur.
3. Avtar Singh, *Company Law*, Eastern Book Company, 2013.
4. Agrawal S., *Corporate Governance & Concept & Dimensions*.
5. Singh R. K., *Amalgamation & Merger of Companies & the WTO: An Indian Perspective*, Eastern Law House 2013.
6. Kapoor G.K. and Dhamija Sanjay, *Taxmann's Company Law & Practice*, Taxmann, 2017.
7. Chopra D.S. & Arora Nishant, *Company Law: Piercing the Corporate Veil*, Eastern Law House, 2013.

**LP 1004 Practical Training Paper IV - Moot Court Exercise and Internship :**

**Objectives of the Course :** This course consists the activities / exercises of (a) Moot court exercises, (b) Observance of trials, and (c) Pre-trial preparations. The objectives of the course is to acquaint the students about – (a) court working and its procedure, (b) application substantive and procedural law to given facts, (c) court manners and discipline, (d)

conversance with interview techniques and pre-trial preparations, (e) developing skills of arguments and presentation, and (f) learning skills of analysis and arrangement of facts.

**Scheme of Marking :**

Part A : Moot Court Exercises (40 Marks), Observance of Trials (20 Marks) : 80 Marks  
and Pre-trial Preparations (20 Marks) Activities

Part B : Written Submissions (10 Marks) and Viva Voce Examination : 20 Marks  
(10 Marks)

**Part A : Activities / Exercises :**

**Activities Moot Court Presentations :**

- 01 to 04**
1. A student shall prepare and present on Four Moot Courts on problems assigned by the concerned teacher.
  2. Guidelines and Steps to Conduct Moot Courts by a Teacher -
    - a) Framing / selection of moot court problem
    - b) Identifying the legal provisions applicable
    - c) Formation of moot court teams
    - d) Guidance to the students on - kinds of Courts and its jurisdiction (an overview), Court procedures (an overview), Court manners and discipline, rules of written submissions / memorials, rules of argument, modes of citation, use of library and E-recourses, etc.

Note : The concerned teacher shall reserve few lectures to guide the students on above matters or any other relevant matters at his /her discretion.

3. Guidelines and Rules of Oral Presentation by a Student -
  - a) Knowledge of facts
  - b) Logic and reasoning
  - c) Organization and clarity
  - d) Persuasiveness
  - e) Deference to the Court
  - f) Proper and articulate analysis of the issues arising out of facts
  - g) Understanding of the laws governing the case and other laws directly applicable to the issues involved in the case
  - h) Ability to explain clearly the legal principles
  - i) Knowledge and use of legal resources
  - j) Originality in analysis, presentation and written submissions
  - k) Ingenuity - ability to argue by analogy on the basis of relevant aspects of law

Note : The concerned teacher may prescribe few other guidelines for the students at his / her discretion.

**Activities Internship - Observance of Trials :**

- 05 & 06**
1. A student shall attend, observe and take notes on the Court proceedings in Two Cases - one civil and one criminal.

2. Guidelines for Observance of Trials :

- a) To begin internship and observance of trials at the beginning of the academic year
- b) Brief date-wise report of the proceeding
- c) Summary of the following stages at the end of observation -
  - Case of the plaintiff or prosecution
  - Case of the defendant or accused
  - Issues or matters in controversy, or charges
  - Provisions of substantive law involved
  - Provisions of procedural law involved
  - Brief summary of examination of witnesses
  - Brief statement of important documents filed
  - Summary of arguments of parties, if any
  - Summary of Judgment or order passed, if any

Note : The concerned teacher may prescribe few other guidelines for the students at his / her discretion.

**Activities**

**07 & 08**

**Internship - Pre-trial Preparations :**

1. A student shall observe the interviewing sessions of client at the office of advocate or at the legal aid office in Two Cases - one civil and one criminal.
2. Guidelines for Pre-trial Preparations -
  - a) To begin internship and pre-trial preparations at the beginning of the academic year
  - b) Observation of interviewing sessions of client in the office of advocate or the legal aid office
  - c) Observation of Advice given to the client by the advocate or authority of legal aid office
  - d) Maintaining confidentiality of the parties

Note : The concerned teacher may prescribe few other guidelines for the students at his / her discretion.

**Note :**

1. The activities under this course shall be conducted throughout the academic year though the course is shown in last semester in a course component.
2. The concerned teacher shall advice, guide and encourage the students to begin internship at advocate's office for the purpose of pre-trial preparations and observation of trials at the beginning of the academic year.
3. The student shall complete the above-mentioned eight activities as per guidelines given and each activity shall be assessed for 10 marks.

**Part B : Contents of Written Submissions (Journal) :**

The Written Submissions (Journal) shall contain the following three parts :

1. Moot Court Exercises (Four) :

Written submissions (Memorial) on Moot Court shall consist :

- a) Table of contents
  - b) Index of authorities
  - c) Statement of jurisdiction
  - d) Statement of facts
  - e) Statement of issues
  - f) Summary of arguments
  - g) Arguments advanced
  - h) Prayer clause
2. Observance of Trials (Two) :
- Written submissions on Observance of Trials shall consist :
- a) Brief date-wise report of the proceeding on -
    - Case of the plaintiff or prosecution
    - Case of the defendant or accused
    - Issues or matters in controversy, or charges
    - Provisions of substantive law involved
    - Provisions of procedural law involved
    - Brief summary of examination of witnesses
    - Brief statement of important documents filed
    - Summary of arguments of parties, if any
    - Summary of Judgment or order passed, if any
  - b) Attaching certificate of supervising Advocate to the Written Submissions
3. Pre-trial Preparations (Two) :
- Written submissions on Pre-trial Preparations shall consist :
- a) Date and time of interviewing session of client
  - b) Name and address of party (student shall respect the confidentiality of the clients and shall change the name, address or other facts that might identify clients)
  - c) Note on interviewing session of client
  - d) Note on advice given to the client by the advocate
  - e) Attaching certificate of supervising Advocate or supervising authority to the Written Submissions

**Note :** The concerned teacher may prescribe few other guidelines, with respect to written submissions on above-mentioned activities, at his / her discretion.

### **Recommended Readings :**

1. Nomita Aggarwal, *A Beginner's Path to Moot Court*, Universal Law Publishing, 2014.
2. Abhinandan Malik, *Moot Courts and Mooting*, Eastern Book Company, 2017.
3. Kailash Rai, *Moot Court (Pre-Trial Preparation and Participation in Trial Proceedings)*, 5th ed, Cantral Law Agency, 2015.
4. K L Bhatia, *Moot Court and Mock Trial - Art to and Art of Advocacy: Essentials of Court Craft*, Universal Law Publishing, 2013.
5. K Evans, *Language of Advocacy*, 1st Indian Reprint, Universal Law Publishing, 2000.
6. J Hill, *Practical Guide to Mooting*, 1st Indian Reprint, Palgrave Macmillan, 2009.

7. J Snape and G Watt, *How to Moot - a Student Guide to Mooting*, Oxford University Press, 2005.
8. B Malik, *Art of a Lawyer - Cross Examination, Advocacy, Courtmanship*, Universal Law Publishing, 2014.
9. D Pope and D Hill, *Mooting and Advocacy Skills*, 1st South Asian edn, Sweet & Maxwells, 2014.

### **Optional Subject 6 (Any one from the following) :**

#### **LO 1005 Election Law :**

**Objectives of the Course :** This course aims to acquaint the students with the vital elements of democracy. It prescribes the students with the constitutional and legislative aspects of representation. The elections are conducted according to the constitutional provisions, supplemented by laws made by Parliament. Those major laws are : (a) the Representation of the People Act, 1950, which mainly deals with the preparation and revision of electoral rolls, (b) the Representation of the People Act, 1951 which deals, in detail, with all aspects of conduct of elections and post election disputes, (c) the Delimitation Act, 2002, which deals with the readjustment of the allocation of seats in the House of the People and the division of each State and each Union territory into territorial constituencies for elections to the House of the People and Legislative Assemblies of the States and Union territories, (d) the Presidential and Vice-Presidential Elections Act, 1952. The Course provides the students with the process of conduct of election and related aspects. It also provides the students with judicial perspectives on electoral reforms. It acquaints the students with redressal mechanism for election disputes.

#### **Module 01 Jurisprudential Aspects of Representation :**

1. Concept of representation and participation of people
2. Election and viability of democratic system
3. Historical perspectives of election in India under -
  - a) The Government of India Act, 1861
  - b) The Government of India Act, 1892
  - c) The Government of India Act, 1902
  - d) The Government of India Act, 1935
4. Election and its statutory significance under the Representation of People Act, 1951
5. Modes of election -
  - a) Single non transferable vote
  - b) Proportional representation

#### **Module 02 Conduct of Elections and Administrative Machinery :**

1. Establishment of Election Commission - a Constitutional Body
2. Powers and functions of Election Commission



3. Importance of Independence of Election Commission
4. Election Commission and Power of High Court under Article 226
5. Preparatory process for conduct of election
6. Conduct of elections under the Conduct of Election Rules, 1961

**Module 03 Election of President, Vice President and other Legislative Bodies :**

1. Election of President - Constitutional Provisions
2. Election of Vice President - Constitutional Provisions
3. Election to the House of People and the Council of States
4. Election to the Legislative Assembly and Legislative Council of State
5. Election to Local Authorities

**Module 04 Election Disputes :**

1. Election petition
2. Jurisdiction of High Court in election petitions
3. Qualification for setting aside elections
4. Disqualifications for setting aside elections
5. Statutory procedure : implications of non-compliance

**Module 05 Electoral Reform and Judicial Activism :**

1. Scope and ambit of Article 329 : *Mohinder Singh Gill v. Chief Election Commissioner, New Delhi*, AIR 1978 SC 851
2. Bar on jurisdiction of High Court : *Lakshmi Charan Sen v. A.K. M. Hassan Uzzaman*, AIR 1985 SC 1233
3. Corrupt electoral practice : *Indira Nehru Gandhi v. Raj Narain*, AIR 1975 SC 2299
4. Anti-defection Law : *Kihota Hollohon v. Zachilhu*, AIR 1993 SC 412
5. Office of profit and disqualification : *In Re Smt. Jaya Bachchan* (2006)
6. Transparency in election process : *People's Union for Civil Liberties v. Union of India*, (2003) 4 SCC 399
7. Disqualification of representative after conviction : *Lily Thomas v. Union of India*, (2013) 7 SCC 653

**Module 06 Constituencies and Delimitation :**

1. Delimitation – meaning
2. Bar to interfere by Court
3. Delimitation of Constituencies for House of People and State Assembly
4. Delimitation of Assembly Constituencies in Jammu and Kashmir

**Module 07 Electors and Electoral Rolls :**

1. Preparation and revision of electoral rolls
2. Electoral rolls for House of People and Assembly
3. Language, form and manner of preparation of electoral rolls
4. Claims and objections of electoral rolls

**Module 08 Nominations, Scrutiny and Withdrawal of Candidature :**

1. Nomination : form, proposer
2. Procedure for setting up by Political Parties
3. Disclosure of information by candidates and right to information : criminal

antecedents, assets, liabilities, educational qualifications

4. Scrutiny of nomination : date, time, place
5. Withdrawal of candidature : period for withdrawal, notice, authorized persons

#### **Module 09 Political Parties and Election Symbols :**

1. Evolution of symbol system
2. Registration of political parties
3. Recognition of political parties
4. Promulgation of Election Symbols (Reservation and Allotment ) Order, 1968
5. Splits and mergers of political parties and allotment of symbols
6. Disputes relating to allotment of symbols and role of Election Commission

#### **Module 10 Campaign, Poll and Result :**

1. Model code of conduct : evolution, application, violation
2. Use of media, loudspeaker vehicles
3. Opinion polls and exit polls
4. Poll : law and order, voting systems, voting procedure, adjournment, fresh Poll
5. Right to vote : in person, by post, preference votes, assistance to blind, illiterate or infirm
6. Declaration of result : uncontested returns, contested returns, publication of result, notification

#### **Recommended Readings :**

1. S.K. Mendiratta, *All You Want to Know About Indian Elections* (LexisNexis, 2009).
2. Herman Finer, *Theory and Practice of Modern Government*, (Greenwood, 1970).
3. Rajni Kothari, *Rethinking Democracy* (Orient Longman, 2005).
4. Manoranjan Mohanty, *Theorizing India's Democracy, in Indian Democracy: Meanings and Practices*, Rajendra Vohra, ed. et al., (Sage, 2004).
5. Rajendra Vora, Suhas Palshikar, *Indian Democracy Meaning and Practices* (Sage Publication, 2005).
6. V.S. Rama Devi & S.K. Mendiratta, *How India Votes - Election Laws Practice and Procedure* (LexisNexis, 2017).
7. Dobia & Dobia, *Law of Elections and Petitions* (Two vols) (LexisNexis, 2016).
8. B.S. Chowdhury, *Law of Elections in Indian Republic* (1967).
9. G.S. L. Srivastava, *Elections and Election Petitions* (1969).
10. I. Narain, *Election Studies in India : An Evaluation* (1978).
11. M. Krishnaan Nair, *The Law of Elections in India* (1981).
12. P.M. Bakshi (ed.), *Chawla's Elections : Law and Practice* (1985).
13. MW Fisher, JV Bondurant, John V, *Indian Experiences with Democratic Elections* (1956).
14. B. Holden, *Nature of Democracy* (1974).
15. Lakeman, Enid, *How Democracies Vote : a Study of Electoral Systems* (1974).
16. Z.M. Quraishi, *Struggle for Rashtrapatibhawan : a Study of Presidential Elections* (1973).
17. R. Kothari, *Party System and Election Studies* (1967).
18. S.C. Kashyap, *Election and Electoral Reforms in India* (1971).

## **LO 1006 Bankruptcy and Insolvency Law :**

**Objectives of the Course :** The Insolvency and Bankruptcy Code, 2016 consolidated and amended the law relating to reorganization and insolvency resolution of corporations, partnership firms, and individuals. The Course will give the student an overview of the new law that not only opens opportunities for specialized practice in this area, but also in the course of transacting, and due diligence investigation. The student will apprise of the Insolvency resolution process, the distinction between Insolvency and Bankruptcy, the function of regulation in this area, the functioning of various authorities.

### **Module 01 Introduction :**

1. Historical perspectives of insolvency and bankruptcy laws
2. Need, objects and application of the Code
3. Definitions of the terms: claim, charge, corporate person, corporate debtor, core services, creditor, debt, default, financial information, financial institution, financial product, financial service, financial sector regulator, insolvency professional, person, property, security interest
4. Concepts of - insolvency and bankruptcy, debtors and creditors

### **Module 02 Insolvency Resolution and Liquidation Process for Corporate Persons :**

1. Corporate insolvency resolution process
2. Liquidation process
3. Fast track insolvency resolution process

### **Module 03 Insolvency Resolution and Bankruptcy for Individuals and Partnership Firms :**

1. Insolvency resolution process
2. Bankruptcy order for individuals and partnership firms
3. Administration and distribution of the estate of the bankrupt

### **Module 04 Authorities under the Code :**

1. Insolvency and Bankruptcy Board of India
2. Powers and functions of the Board
3. Insolvency professional agencies
4. Information utilities
5. Inspection and investigation

### **Module 05 Adjudicating Authorities under the Code :**

1. Adjudicating Authorities for Corporate Persons
2. Adjudicating Authorities for Individuals and Partnership Firms
3. Appeals

### **Module 06 Insolvency and Bankruptcy Code vis-à-vis Other Legislations :**

1. The Companies Act, 2013
2. The Sick Industrial Companies (Special Provisions) Repeal Act, 2003
3. The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002
4. The Recovery of Debts Due to Banks and Financial Institutions Act, 1993

5. The Presidency Towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920

**Module 07 Offences and Penalties for Contravention of the Provisions :**

1. By the debtor
2. By the creditor
3. By the bankrupt

**Module 08 Cross Border Insolvency :**

1. UNCITRAL Model Law on Cross Border Insolvency
2. World Bank Principles for Effective Insolvency and Creditor Rights
3. Asian Development Bank Principles of Corporate Rescue and Rehabilitation

**Recommended Readings :**

1. UNCITRAL *Legislative Guide to Insolvency Law*.
2. Mulla, *The Law of Insolvency in India*, 6th ed., LexisNexis, 2017.
3. Sumant Batra, *Corporate Insolvency – Law and Practice*, Eastern Book Company, 2017.
4. *Guide to Insolvency and Bankruptcy Code*, Taxmann, 2016.
5. *The Report of the Bankruptcy Law Reforms Committee*, Nov 2015, available at [www.ibbi.gov.in/Reports.html](http://www.ibbi.gov.in/Reports.html).
6. *The Report of the Joint Committee on the Insolvency and Bankruptcy Code*, 2015, Lok Sabha, 2017, available at [www.ibbi.gov.in/Reports.html](http://www.ibbi.gov.in/Reports.html).

**LO 1007 Comparative Criminal Justice System :**

**Objectives of the Course :** Comparative research earlier was a luxury. It served to broaden one's horizons. Today, comparative research is a necessity. In the criminal justice system the only way to effectively prevent and combat crime on the world stage is via the harmonisation and the coordination of national and international efforts. That requires up-to-date and intimate knowledge of criminal justice arrangements abroad. This necessitates the appreciation of meaningful and valuable differences, stemming from culture, history and social discourse, which help shape criminal justice arrangements in places quite different from our own. The academic endeavour of comparative criminal justice requires detailed understanding of not just criminal justice process but also the actors involved in it and the society that forms the backdrop to these process.

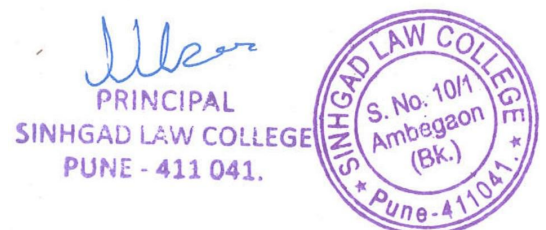
**Module 01 Introduction :**

1. Meaning and Significance of Comparative Criminal Justice
2. A comparative perspective on criminal justice and its main components.
3. An overview of an impact of international criminal justice on comparative criminal justice
4. Impact of Comparative Criminal Justice on Indian Criminal Law

**Module 02 Comparative Policing :**

1. Police and policing
2. Policing and crime control:
  - a) Community policing

- b) Zero tolerance policing
  - c) Policing corruption
- 3. Rise of private policing
- Module 03    Transnational and Global Policing :**
  - 1. Transnational policing
  - 2. International policing institutions:
    - a) Interpol
    - b) Europol
    - c) UNPOL (United Nations Police)
    - d) UN Office on drugs and crime (UNODC)
- Module 04    Prosecution and Pre-trial Justice :**
  - 1. UN Guidelines on role of prosecutors
  - 2. Prosecution :
    - a) England (Crown prosecution services)
    - b) Netherlands
    - c) America (Grand Juris)
    - d) India
  - 3. Pre-trial justice the role of magistrate
  - 4. Pre-trial custody in law and practice
- Module 05    System of Trial :**
  - 1. Inquisitorial trials in France
  - 2. Adversarial trials in England and India
  - 3. Trial in Islamic Legal Tradition
- Module 06    Jury System :**
  - 1. The English jury
  - 2. The American jury
  - 3. Jury system in India
  - 4. Juris in inquisitorial system
- Module 07    Sentencing :**
  - 1. Death penalty and Human Rights
  - 2. Death Penalty in USA and UK
  - 3. Death Penalty in India
  - 4. Suspended Sentence System
  - 5. Plea Bargaining System
- Module 08    Models of Criminal Justice Process :**
  - 1. Crime Control Model :
    - a) Rights of Victim
    - b) Rights of Accused Person
    - c) Power of investigation agencies
    - d) Role of Courts
  - 2. Due Process Model :
    - a) Rights of Victim
    - b) Rights of Accused Person



- c) Power of investigation agencies
- d) Role of Courts

### Recommended Readings :

1. Nelken D (2010) *Comparative Criminal Justice Making Sense of Difference*, London Sage.
2. Nelken D (ed) (2011) *Comparative Criminal Justice and Globalisation*, Farnham Ashgate.
3. Crawford A (ed) (2011) *International and Comparative Criminal Justice and Urban Governance Cambridge*, Cambridge University Press.
4. Haberfeld M.R. & Cerrah I (ed) (2008) *Comparative Policing : the Struggle for Democratization*, London, Sage.
5. Jones J & Newturn I (ed) (2006) *Plural Policing a Comparative example London*, Routledge.
6. Andreas P and Nadelmann E (2006) *Policing the Globe: Criminalization and Crime Control in International Relations*, New York, Oxford University Press.
7. Bowling B, Sheptyck J (2012) *Global Policing*, London: Sage.
8. Choe D.H. (2013) *Discretion at Pretrial Stage - A Comparative Study*, European Journal of Criminal Policy and Research, 20.
9. Schonteich M. (2008) *The Scale and Consequences of Pretrial Detention Around the World in : Open Society Foundations* (Ed) Justice Initiatives London.
10. Terrill R.J. (2012) *World Criminal Justice Systems: A Comparative Survey*, Oxford Newness.
11. Vogler R (2005) *A World View on Criminal Justice* Aldershot, Ashgate.
12. Van Koppen P.J. and Penrod S.D. (eds) (2003) *Adversarial Versus Inquisitorial Justice*, New York, Kluwer.
13. Hans V (2008) *Jury System around the World*, Annual Review of Law and Social Science.
14. Vidmar N (ed) (2001) *World Jury System*, Oxford University Press.
15. Garland D (2001) *The Culture of Control, Crime and Order in Contemporary Society*, University of Chicago.
16. Pratt J Brown, D Brown, S Hallsworth, and W Morrison, (eds) (2013) *The New Punitiveness*, London, Routledge.
17. Zimring F (2003) *The Contradictions of American Capital Punishment*, Oxford University.
18. Francis Pakes, (2015), *Comparative Criminal Justice*, Routledge, London.
19. Mark Findlay, (2013) *International and Comparative Criminal Justice*, Routledge.

### LO 1008 Land Laws II :

**Objectives of the Course :** This course deals with laws dealing with agricultural and other lands, their use, holding, management and dealings. With a sound background of law of transfer of property, this course will equip the student with all other laws that affect use and dealings of land, and activities that enable its best use. Agricultural land is subject to such control and regulation as would enable its most effective and efficient use. Although much of course content involves laws in force in the State of Maharashtra, the principles governing these laws are common across laws on the subjects in other states.



**Module 01 The Maharashtra Land Revenue Code, 1966 - Introduction :**

1. Historical background of land revenue system
2. Object, application and definitions under the Code
3. Lands : Vesting, Extinction of rights, assignment for special purposes, pasturage, right to trees, trees and forests, recovery of value of natural products and trees etc, regulating cutting and supply of wood.
4. Grant of lands
5. Use of land
6. Encroachment on land
7. Relinquishment and Surrender of land

**Module 02 The Maharashtra Land Revenue Code, 1966 - Land Revenue :**

1. Land Revenue : Liability and assessment (Sections 64-78)
2. Assessment and settlement of land revenue of agricultural lands (Sections 90-107)
3. Assessment and settlement of land revenue of lands used for nonagricultural purposes (Sections 108-120)
4. Revenue Surveys: Procedure for survey, Survey numbers, Partitions, subdivisions, (Sections 79-88)
5. Boundary and boundary marks (Sections 132-146)

**Module 03 The Maharashtra Land Revenue Code, 1966 - Land Records :**

1. Record of rights (Sections 147-159)
2. Rights in unoccupied lands (Sections 160-167)
3. Realisation of land revenue and other revenue demands: Liability, priority of claim, time for payment, recovery, enforcement (Sections 168-184)

**Module 04 The Maharashtra Land Revenue Code, 1966 - Procedure before Revenue Officers, Appeals and Tribunal :**

1. Revenue Officers, their powers and duties
2. Procedure of Revenue Officers
3. Appeals, Revision and Review
4. Maharashtra Revenue Tribunal

**Module 05 The Maharashtra Tenancy and Agricultural Lands Act, 1948 - Holding and Use of land, Tenancies and Parties :**

1. Historical background, object and application of the Act
2. Concepts - Deemed tenants, Protected tenants, Ceiling area, Economic Holding, Irrigated land, Maximum and minimum rent, Certificated Landlord
3. Rights, liabilities, duties and disabilities of landlord
4. Rights, liabilities, duties and disabilities of tenant
5. Restriction on holding of lands, restrictions on transfer of lands
6. Management of estates

**Module 06 The Maharashtra Tenancy and Agricultural Lands Act, 1948 - Personal Cultivation, Termination of Tenancies and Enforcement :**

1. Termination of tenancies by parties -
  - a) Personal cultivation, non-agricultural use, by certificated landlord, on

default, Surrender

b) Relief against termination

2. Termination of tenancy by operation of law, Tiller's day
3. Purchase of land by tenants, procedure for purchase
4. Right of tenant to exchange land
5. Collector, Mamlatdar and Tribunal - powers and functions
6. Jurisdiction and bar of jurisdiction, Appeals and Revision

**Module 07 The Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, 1947 :**

1. Historical background, object, application and definitions under the Act
2. Determination of local and standard areas, entry in record of rights
3. Restrictions and prohibitions on transfer and partition of fragments including court sales, exceptions, penalty, transfer of fragment to Government and compensation
4. Consolidation, procedure, Reservation of land for public purpose,
5. Scheme - its preparation and enforcement, and compensation and apportionment, Certificate of transfer, Rights in holdings, Transfer of encumbrances
6. Consolidation Officer, Settlement Commissioner, their powers and functions
7. Bar of jurisdiction

**Module 08 The Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 :**

1. Historical background, object, application and definitions under the Act
2. Ceiling on holding of land, Exempted land, Prohibition on holding land beyond ceiling limits
3. Restrictions on transfers and acquisitions, and consequences of contravention
4. Surplus land, Submitting returns, Selection of land, Procedure of determining surplus land, Declaration of surplus land, Compensation
5. Distribution of surplus land
6. Collector and Maharashtra Revenue Tribunal, Powers and functions,
7. Appeals

**Module 09 The Mamlatdars' Courts Act, 1906 :**

1. Historical background, object, application and definitions under the Act
2. Mamlatdar and Joint Mamlatdars, their appointment and powers
3. Cause of action and limitation
4. Procedure from filing of plaint till enforcement of orders
5. Injunction and its disobedience
6. Collector and his powers and functions

**Recommended Readings :**

1. S Dighe, *Land Laws in Maharashtra*, Snow White, 2016.
2. A K Gupte, G Sethi, *Land Laws in Maharashtra*, Hind Law House, 2016.
3. A K Gupte, G Sethi, *Maharashtra Land Revenue Code, 1966*, Hind Law House, 2017.
4. S Dighe, *Maharashtra Land Revenue Code, 1966*, Snow White, 2016.

5. S Dighe, *Maharashtra Tenancy and Agricultural Lands Act with Rules, 1956*, Snow White, 2017.
6. K S Gupte and A K Gupte, *Maharashtra Tenancy and Agricultural Lands Act, 1948*, Hind Law House, 2015.
7. D M Parulekar, *The Bombay Tenancy and Agricultural Lands Act, 1948*, Chaudhari Publishers, 2008.
8. R M Tagare, *Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947*, Mukund Prakashan, 1991.
9. A R B Kher, *Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947*, Nasik Law House, 1999.
10. D R Chaudhari and A N Chaudhari, *Bombay Mamlatdars' Courts Act, 1906*, CTJ Publications, 2012.

### **LO 1009 Humanitarian and Refugee Law :**

**Objectives of the Course :** The objective of this course is to familiarize the student with the expanding horizons of a branch of international law. The law of war is today popularly referred to as International Humanitarian Law (IHL). A number of issues arise out of humanitarian consideration, which fixes responsibilities on the nation-states to discharge their traditional responsibility under International Law. In view of the expanding tenants of international law of human rights, war and the various issues and crimes of individuals have to be dealt in without violating the international norms. In this course, the student is presented an overview of various aspects and institutional mechanism that has been developed over the years by states parties.

The second part on Refugee Law is also critically important and again brings forth the responsibility on nation-states to discharge their obligations in the prevention of Statelessness and the resultant consequences that arise out of loss of nationality. In view of the compelling jurisprudence of Human Rights Law, the states have an onerous duty to extend protection to people who lose their nationality for no fault of us. In this area again the aspects of Human Rights highlights that Individuals being a subject and object of international law, the responsibility of the States to protect the rights that are guaranteed under various international legal instruments.

#### **Module 01 Introduction to International Humanitarian Law (IHL) :**

1. History and Development of IHL
2. Application of IHL - Martens Clause
3. Definition of Armed Conflict - International Armed Conflict and Non-international Armed Conflict - Common Articles 2-3
4. International Law and Humanitarian Law
5. IHL and Human Rights

#### **Module 02 Protected Persons and Conduct of Hostilities :**

1. Wounded, The Sick, The Shipwrecked

2. Prisoners of War
3. Medical, Religious and Relief Personnel
4. Protection of Civilians
5. Protection of Women and Protection of Children
6. Protection of Cultural Property
7. Means of Warfare
8. Methods of Warfare

**Module 03 Implementation of IHL and Institutional Mechanisms :**

1. Basic issues involved in Implementation of IHL
2. Implementation of Law at National Level
3. Grave Breaches of Geneva Conventions and Additional Protocols
4. Role of ICRC
5. War Crimes Tribunals - an Overview
6. International Criminal Court - Jurisdiction, Powers and Functions
7. Conventions and Protocols to be covered in this area :
  - a) The First Geneva Convention Protects Wounded and Sick Soldiers on Land During War, 1949
  - b) The Second Geneva Convention Protects Wounded, Sick and Shipwrecked Military Personnel at Sea During War, 1949
  - c) The Third Geneva Convention Applies to Prisoners of War
  - d) The Fourth Geneva Convention Affords Protection to Civilians, Including in Occupied Territory
  - e) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977
  - f) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977
  - g) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to Adoption of an Additional Distinctive Emblem, (Protocol III), 8 December, 2005
8. Judicial Decisions :
  - a) International Military Tribunal at Nuremberg
  - b) International Military Tribunal for the Far East (Tokyo)
  - c) International Criminal Tribunal for the Former Yugoslavia (ICTY)
  - d) International Criminal Tribunal for Rwanda (ICTR)
  - e) Special Court for Sierra Leone

**Module 04 Contemporary Challenges :**

1. Respect for IHL
2. IHL and Terrorism
3. Private Military Contractors
4. New Methods of Warfare – Drones, Cyber Warfare, Autonomous Weapon Systems

**Module 05 Introduction to International Refugee Law :**

1. Historical Background of Refugee Law
2. Meaning and Definition of Refugee under various International Documents
3. Difference between Refugees and Internally Displaced Persons
4. Human Rights and Refugees – an overview

**Module 06 International Framework for Refugee Protection :**

1. Asylum
2. Protection
3. Non-refoulement
4. Non-discrimination
5. Family Unity
6. Durable Solutions
7. International Cooperation, Burden Sharing, Extradition of Refugee, voluntary, Repatriation, Naturalization
8. Role of UNHCR in the Protection and Promotion of Refugee Rights - an Overview

**Module 07 Refugees in Indian Context :**

1. Legal and Constitutional Provisions
2. Reasons for non Signatory to Refugee Convention,
3. Role of Indian Government in Protecting Refugees
4. Role of NHRC and Judiciary

**Recommended Readings :**

1. Kavin M. Cahill, *Basics of International Humanitarian Missions* (2003).
2. V. K. Ahuja, *Public International Law*, LexisNexis (2016).
3. ICRC, *International Humanitarian Law : A Comprehensive Introduction* (2016) : Available at : <https://www.icrc.org/en/publication/4231-international-humanitarian-law-comprehensive-introduction>.
4. ICRC, *International Humanitarian Law : Answers to your questions*, (2015) Available at: <https://shop.icrc.org/droit-international-humanitaire-reponses-a-vos-questions-2616.html>
5. ICRC, *Summary of the Geneva Conventions of 12 August 1949 and their Additional Protocols* (Second Edition, 2012).
6. M.K. Balachandran and Rose Varghese, eds., *Introduction to International Humanitarian Law* (1997).
7. Fleck, Dieter, ed., *The Handbook of Humanitarian Law in Armed Conflicts* (1998).
8. Frits Kalshoven, Liesbeth Zegveld, *Constraints on the Waging of War : An Introduction to International Humanitarian Law* (2001).
9. Durham, Helen, McCormack, Timothy L. H., eds., *The Changing Face of Conflict and the Efficacy of International Humanitarian Law* (1999).
10. Lindsay Moir, *The Historical Development of the Application of Humanitarian Law in Non- International Armed Conflicts to 1949*, Vol. 47 *International and Comparative Law Quarterly*, 337-61 (1998).

11. R. K. Dixit, R. K. P. Shankardass, C. Jayaraj, and Manoj K. Sinha, *International Criminal Law: Issues and Challenges* (2009), Indian Society of International Law.
12. B.S. Chimni, ed., *International Refugee Law : A Reader* (2000), Sage Publications.
13. Carlier, Jean Yves, et. al., *Who is a Refugee? A Comparative Case Law Study* (1997).
14. Goodwin, Gill, Guy S., McAdam, Jane, *The Refugee in International Law* (3rd edn,) 2014, Oxford.
15. James C. Hathaway, *The Rights of Refugees Status under International Law* (2014) Cambridge.
16. Arjun Nair, *National Refugee Law for India : Benefits and Roadblocks* (2007).
17. South Asia Human Rights Documentation Centre (SAHRDC), *Human Rights and Humanitarian Law: Developments in Indian and International Law* (2008).
18. UNHCR and IPU, *Refugee Protection : A Guide to International Refugee Law* (2001).
19. Ragini Trakroo, et. al., *Refugee and the Law* (2005).
20. Bimal N. Patel : *The State Practice of India and International Law* (2016).

#### **Note for Syllabus of all Subjects :**

1. The students are advised to refer latest editions of the books / readings recommended. The list of recommended readings is given for the general information and understanding of the students. However, students are advised to refer any other standard book or other material available. In case student finds no recommended readings for any topic of the syllabus, the students may refer any standard book or other material available. The students are also advised to refer E-Resources.
2. The students shall also refer and study the latest amendments in the concerned law. Such amendment in law shall become a part of a syllabus of concerned subject and shall be operative with effect from the academic year immediately next to the academic year in which amendment in the concerned law becomes operative.

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## **C.C.F.M.J**

Diploma in Certificate course in Forensic and Medical Jurisprudence

### **Eligibility:**

Graduate of any faculty of any University

Whose degree is recognized to be equivalent to the corresponding degrees of Pune University

### **Duration:**

One Academic Year- Duration of this course.

### **Standard of Passing:**

The candidate must obtain a minimum of 40% in each paper.

### **Course Description:**

Diploma in Certificate course in Forensic and Medical Jurisprudence Laws shall consist of Compulsory papers of

Syllabus for Certificate course in Forensic and Medical Jurisprudence.

**Paper I: Forensic Science and Criminal Investigation**

**Paper II: Forensic Medicine and Toxicology**

**Paper III: Medical Negligence and Liability**

**Paper IV: Practical Training and viva-voce**

#### **Paper I:- Forensic Science and Criminal Investigation Procedure**


Introduction-Concept of forensic science nature scope and importance

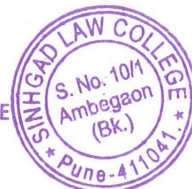
- Origin and development of Forensic Medicine in India
- Role of Forensic sciences in criminal and civil cases
- The Establishment of Identity of Individuals
- The Establishment of the Identity of Physical objects by shape and size
- Questioned documents and the Identification of Hand writing
- The Identification of Fire-Arms
- Chemical Analysis
- Post-mortem Examination/Autopsy and Exhumation
- Medico-Legal Aspects of Death
- Medical Evidence and Medical witness-use and value
- Conflict-between the opinion of Two
- Elements of Criminal Procedure and Proof in Criminal Trials

(A) Relevant provisions of the Code of Criminal Procedure, 1973 cognisable and non-cognisable offences, Bailable and Non-Bailable offences. Constitution and Jurisdiction of courts," Investigation Procedure, Framing of charge, Trial Procedure etc.

(B)

- Relevant-Provisions of Indian Evidence Act, 1872
- Relevancy-5-11, 14-15

  
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- Confession-sections 24-30
- Expert opinion- 45,46,51
- Character-52-55
- Burden of Proof-101-106
- Presumption-114.
- Accomplice-133
- Examination in chief and cross T Examination-141-143, 137, 131, 145, 153

(C) Computer Crimes

(D) Case Histroy

## **Paper II-Forensic Medicine and Toxicology**

(A)

- Injuries Hurt
- Definition section 319, 320 Grievous hurt
- Classification
- Injuries from Burn Scales Lightning and Electricity
- Injuries by Mechanical violence (Fire arm) Ammunition
- Regional injuries-wounds (Head, Neck, Chest, Abdomen, Limbs)
- Explosive and Blast Injuries
- Medico-Legal Aspect of Injuries

(B)

- Sexual Offences
- Rape-Unnatural offences
- Examination of the victim
- Examination of the accused
- Incest
- Medico-legal Aspect of Sexual offences

(C)

- Importance of Sterility and Artificial Insemination
- Virginity, Pregnancy
- Legitimacy and Legal aspect of marriage
- annulment
- Infanticide
- Abortion and Medical Termination of - Pregnancy
- Medico Legal Aspects of Sterilization
- Forensic, Psychiatry, Insanity and its Medico-legal Aspects

(D)

- Toxicology (Introduction and Law Relating to Poisons.)
- Classification of Poisons
- Poisons and their Medico-Legal Aspects
- Intoxication
- definition, section 85 and 86 of The Indian Penal Code regarding alcoholic intoxication-Alcohol, Bhang, opium, ganja, brown sugar
- Toxicological Evidence

(E) Chemical Examination

## **Paper III: Medical Negligence & Liability**

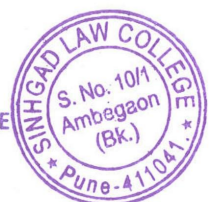


- Liability arising out of Medical Negligence, Torts Accidents, Sale and Service etc.
- Liability-Civil and Criminal Law
- Negligence under Law of Tort
- The Consumer Protection Act, 1986 (Relevant Provisions)
- Standard of duty of care
- Nature of Professional Duty, Right
- Art 21 of Indian Constitution Right to privacy
- Right in case of HIV, Marriage etc
- Law relating to Medical Men
- Hospital Management
- Case History Its importance in criminal trials

**Paper IV: Practical Training and Vica-voce**

- |                        |          |
|------------------------|----------|
| 1) Maintain of journal | 80 Marks |
| 2) Viva-Voce           | 20 Marks |

  
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## D.L.L.& L.W.

### Diploma in Labour Laws and Labour Welfare

#### Eligibility:

Graduate of any faculty of any University

Whose degree is recognized to be equivalent to the corresponding degrees of Pune University

#### Duration:

One Academic Year- Duration of this course.

#### Standard of Passing:

The candidate must obtain a minimum of 40% in each paper.

#### Course of Study:

The compulsory papers for the Diploma in Labour Laws and Labour Welfare are as follows.

##### **1. Laws relating to Labour Management Relations:**

##### **2. Social Security Legislations:**

##### **3. Principles of Wage Fixation and Law of Wages:**

##### **4. Legislations Affecting conditions of work:**

##### **5. Practical Training**

##### **1. Laws relating to Labour Management Relations:**

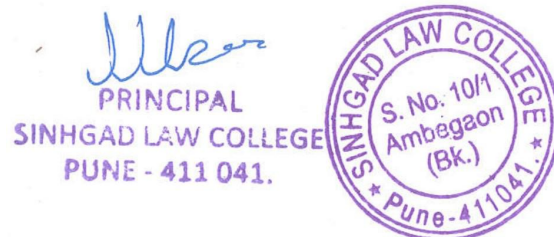
1. The Trade Union Act, 1926,
2. The Industrial Employment (Standing) Orders Act, 1946,
3. The Bombay Industrial Relations Act, 1946,
4. The Industrial Disputes Act, 1947
5. The Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.

##### **2. Social Security Legislations:**

1. The Workmen's Compensation Act, 1923,
2. The Employees State Insurance Act, 1948,
3. The Employees Provident Funds and Miscellaneous Provisions Act, 1952,
4. The Bombay Labour Welfare Fund Act, 1953,
5. The Maternity Benefit Act, 1961
6. The Payment of Gratuity Act, 1972.

##### **3. Principles of Wage Fixation and Law of Wages:**

1. The Payment of Wages Act, 1936,
2. The minimum Wages Act, 1948,
3. The payment of Bonus Act, 1965
4. The Equal Remuneration Act, 1976.



#### 4. Legislations Affecting conditions of work:

1. The Factories Act, 1948,
2. The Bombay Shops and Establishment Act, 1948,
3. Mines Act, 1952,
4. Motor Transport Workers Act, 1961,
5. The Contract Labour Act, 1970 ,
6. Child Labour (Prohibition and Regulation) Act, 1986
7. The working Journalists and other News Paper Employees (conditions of Service) and Miscellaneous Provisions Act, 1955
8. Building and other Construction workers (Regulation of Employment and Conditions of Services) Act, 1986
9. Bonded Labour System (Abolition) Act, 1776.

#### 5. Practical Training :

##### Field Work and Viva-Voce:

It shall consist of the following:-

- |   |          |
|---|----------|
| a) Maintaining a Journal                  | 25 Marks |
| b) Study Tour Reports ( Field Work Visit) | 50 Marks |
| c) Viva-Voce                              | 25 Marks |



## D.T.L.

### **Diploma in Taxation and Laws**

#### **Eligibility:**

Graduate of any faculty of any University

Whose degree is recognized to be equivalent to the corresponding degrees of Pune University

#### **Duration:**

One Academic Year- Duration of this course.

#### **Standard of Passing:**

The candidate must obtain a minimum of 40% in each paper.

#### **Course Description:**

Diploma in Taxation Laws shall consist of Compulsory papers of

1. General Laws affecting Taxation,
2. Income Tax 1961
3. The Integrated Goods And Services Tax Act, 2017 (G.S.T)
4. The Customs Act, 1962
5. Book Keeping and Accountancy.

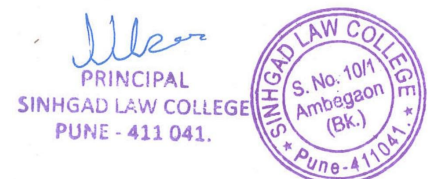
#### **1. General Laws affecting Taxation:**

An overview of Taxation laws from the other fields of law such as

- Constitution,
- Hindu Law,
- Indian Partnership Act,
- Transfer of Property Act,
- Evidence Act,
- Civil Procedure Code,
- Indian Trust Act,
- Indian Succession Act. It is a mix of the freedom of trade and commerce.

#### **2. Income Tax Act 1961:**

- Definitions
- Basis of charge
- Incomes which do not form part of total income
- Computation of total income
- Income of other persons, included in assessee's total income
- Aggregation of income and set off or carry forward of loss
- Deductions to be made in computing total income
- Special provisions relating to certain incomes of non-residents
- Income Tax Authorities
- Procedure For Assessment





### **3. Integrated Goods and Services Tax Act 2017 (G S T):**

- Preliminary
- Administration
- Levy and collection of tax
- Determination of nature of supply
- Place of supply of goods or services or both
- Refund of integrated tax to international tourist
- Zero rated supply
- Apportionment of tax and settlement of funds

### **4. The Customs Act 1962:**

- Preliminary
- Officers of customs
- Appointment of customs ports, airports, etc
- Prohibitions on importation and exportation of goods
- Detection of illegally imported goods and prevention of the disposal thereof
- Prevention or detection of illegal export of goods
- Power to exempt from the provisions of chapters iva and ivb
- Levy of, and exemption from, customs duties
- Indicating amount of duty in the price of goods, etc., for purpose of refund
- Advance rulings
- Provisions relating to conveyances carrying imported or exported goods
- Clearance of imported goods and export goods
- Goods in transit
- Warehousing
- Drawback
- Special provisions regarding baggage, goods imported or exported by post, courier and stores
- Provisions relating to coastal goods and vessels carrying coastal goods
- Searches, seizure and arrest
- Confiscation of goods and conveyances and imposition of penalties
- Appeals
- Offences and prosecutions

### **5. Book Keeping & Accountancy**

- Fundamental of Double-Entry Book-Keeping:
  - Meaning of Book-Keeping, definition & objectives, Double entry principles, important terms of the Double Entry System.
  - The journal & the ledger including subsidiary books of accounts.
  - Trial balance & final accounts i.e. Trading, Profit and Loss account & Balance Sheet.
  - Rectification of Errors.
- Recording of Banking Transactions- Types of Cash Books- Cash columns, cash & Bank column & cash, bank, discount columns, preparation of Bank Reconciliation Statement.
- Single entry system of Accounts and preparation of Accounts from incomplete records.
- Partnership Accounts including Dissolution of Partnership.
- Companies Accounts:

  
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- Share Capital of a Company
- Procedure of raising share capital, entries regarding application, allotment, calls, forfeiture of shares, re-issue of forfeiture of shares, issue of shares at premium and at a discount.
- Accounts of Non-Trading Organization:
  - Preparation of an Income and Expenditure Account from Receipt and Payment Accounts—
    - [I] Clubs
    - [II] Professionals (i.e. Lawyers and Doctors) only.

  
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