

**FACULTY OF LAW**

**DEHRADUN**

**LL.B. THREE YEARS**

**CURRICULUM BOOK**

**ACADEMIC YEAR 2016-17**

**THREE YEAR LAW PROGRAM STRUCTURE**

|  |  |  |  |  |  |  |
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| **First Year** | **Semester I** | | | **Semester II** | | |
| **Course Code** | **Course Title** | **Units** | **Course Code** | **Course Title** | **Units** |
| LIII-111 | General Contract | 3 | LIII-112 | Special Contract | 3 |
| LIII-121 | Family Law –I | 3 | LIII-122 | Family Law- II | 3 |
| LIII-131 | Law of Torts and Consumer Protection Laws | 3 | LIII-132 | Law of Crimes- II (Cr. P.C) | 3 |
| LIII-141 | Law of Crimes- I (I.P.C) | 3 | LIII-142 | Insurance Law | 3 |
| LIII-151 | Law relating to Right to Information | 3 | LCIII-152 | Professional Ethics and Professional Accounting system | 2 |
|  |  |  | **15** |  |  | **14** |
| Summer LI-III-162 Legal Internship(4 Weeks) 5 | | | | | | |
|  | **Semester VI** | | | **Semester VI** | | |
|  | **Course Code** | **Course Title** | **Units** | **Course Code** | **Course Title** | **Units** |
| **SECOND YEAR**  **Second Year** | LIII-211 | Constitutional Law- I | 3 | LIII-212 | Constitutional Law-II | 3 |
| LIII-221 | Administrative Law | 3 | LIII-222 | Environmental Law | 3 |
| LIII-231 | Property Laws | 3 | LIII-232 | Jurisprudence | 3 |
| LIII-241 | Human Rights Law and Practice | 3 | LIII-242 | Intellectual Property Law | 3 |
| LCIII-251 | Moot Court | 2 | LCIII-252 | Drafting Pleading and Conveyancing | 2 |
|  |  |  | **14** |  |  | **14** |
| Summer LI-III-262 Legal Internship(4 Weeks) 5 | | | | | | |
|  | **Semester V** | | | **Semester VI** | | |
|  | **Course Code** | **Course Title** | **Units** | **Course Code** | **Course Title** | **Units** |
| **THIRD YEAR**  **Third Year** | LIII-311 | Public International Law | 3 | LIII-312 | Company Law | 3 |
| LIII-321 | Principles of Taxation | 3 | LIII-322 | Law of Evidence | 3 |
| LIII-331 | Civil Procedure Code and Limitation Act | 3 | LIII-332 | Labour Laws | 3 |
| LIII-341 | Land Laws | 3 | LIII-342 | Interpretation of Statutes | 3 |
| LCIII-351 | Alternate Dispute Resolution System | 2 | LIII-352 | Trust, Equity and Fiduciary Relationships | 3 |
|  |  |  | **14** |  |  | **15** |
| Summer LI-III-362 Legal Internship(4Weeks) 5 | | | | | | |

Prepared By Verified By

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| **Semester I** | | | | | |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-111 | General Contract | 4 | 0 | 0 | 3 |
| LIII-121 | Family Law –I | 4 | 0 | 0 | 3 |
| LIII-131 | Law of Torts and Consumer Protection Laws | 4 | 0 | 0 | 3 |
| LIII-141 | Law of Crimes- I (I.P.C) | 4 | 0 | 0 | 3 |
| LIII-151 | Law relating to Right to Information | 4 | 0 | 0 | 3 |
| **Total** | | **20** | **0** | **0** | **15** |

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| **Course:** General Contract | **Semester: I** |
| **Course Code: LIII- 111 LTP 400** | **Credits: 3** |

**Objective:** The subject deals with general principles related to Contract Act, 1872 which is provided under Section 1, 75 of The Indian Contract Act, 1872.It helps the student to understand the rules which are required for the creation of such contracts. The course involves both individual and group work, with an emphasis on application to provide a strong understanding of the fundamental concepts related to contracts.

**Syllabus**

**Introduction: 2**

General Introduction, History and Nature of Contractual Obligations.

**Formation of an Agreement: 5**

Intention to create legal relationship, offer and invitation to treat, kinds of offer, Communication, acceptance and revocation of offer and acceptance, modes of revocation of

offer, Indian Contract Act, 1872.

**Making of an Agreement, Special Situations: 5**

Proposal or offer, legal rules for a valid offer, tenders, Acceptance, legal rules for a valid acceptance, communication of offer and acceptance, communication when complete, completion of contract by post, completion of contract by telephone or telex, revocation of offer and acceptance, revocation of offer, revocation of acceptance.

**Consideration: 5**

Meaning, basis and the nature of consideration, Doctrine of Privity of Contract and of consideration, its exceptions, Exceptions of consideration , Indian Contract Act, 1872.

**Capacity to Contract: 4**

Legal disability to enter into contract , Minors, persons of unsound mind , person under legal disability, lunatics, idiots, Restitution in cases of minor’s agreement, Liability for necessaries supplied to the minor , Indian Contract Act, 1872, Specific Relief Act, 1963, Indian Majority Act, 1875.

**Free Consent: 5**

Free consent, Definition , Coercion, Undue influence, Fraud, Misrepresentation and Mistake, Effect on contracts influenced by any factor vitiating free consent , Indian Contract Act, 1872.

**Limitations on Freedom of Contract: 4**

Circumstances in which agreements become void or voidable, Distinction between void and voidable agreements, Unlawful Agreements, Public policy, Agreements with unlawful consideration in part and objects, Agreements without consideration, Agreements in restraint of marriage, Agreements in restraint of trade, Agreements in restraint of legal proceedings, uncertain agreements & Wagering agreements ,Indian Contract Act, 1872.

**Discharge of a Contract: 4**

Modes**,** Discharge by performance, Frustration, Supervening impossibility of performance, Grounds of Frustration and its effect, Discharge by Agreement and Novation , Indian Contract Act, 1872.

**Quasi-Contracts: 2**

Obligations resembling those created by Contract (Quasi-Contracts), Concept and classification , Indian Contract Act, 1872.

**Remedies for Breach of Contract: 5**

Damages, Types of Damages, Basis of Assessment of Damages, Remoteness of Damages and Measures of Damages, Mitigation of Damages, Penalty & Liquidated Damages, Indian Contract Act, 1872.

**Specific Relief Act, 1963: 3**

Specific Relief, Recovery of Possession of Movable Property, Specific Performance of Contracts, Contracts which cannot be specifically enforced, Arbitration, Lack of Free Consent, Family settlement, Persons for or against whom Contracts may be specifically enforced, Declaratory Decrees, Injunction.

**Suggested Readings:**

1. Avtar Singh, Law of Contract and Specific Relief (10th ed., 2008)
2. R.K. Bangia, Law of Contract, Allahabad law Agency (2nd Ed, 2003)
3. J. Beatson, Anson’s Law of Contract (28th ed., 2002)
4. H.K. Saharay, Dutt on Contract , The Indian Contract Act, 1872.

**Recommended Book:**

M.P.Furmston, Cheshire, Fifoot and Furmston’s *Law of Contract* (15th ed., 2007)

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| **Course:** Family Law-1 | **Semester: I** |
| **Course Code: LIII- 121 LTP 400** | **Credits: 3** |

**Objective:** The subject deals with various facets of Hindu Law. The Syllabus of family Law-I consists of 4 major Acts namely: - a) Hindu Marriage Act, 1955 b) The Hindu Adoption and Maintenance Act c) Hindu Minority and Guardianship Act and d) Hindu Succession Act. It helps the student to understand the rules which are required for the validity of a Hindu Marriage, Adoption under Hindu Law. The course involves both individual and group work, with an emphasis on application to provide a strong understanding of the fundamental concepts related to Hindu Law

**Syllabus**

**Evolution of Family and Family Law: 3**

Matriarchal and Patriarchal Family, Joint Family and Nuclear Family, Hindu Joint Family and duties of Karta and liabilities towards society.

**Sources of Hindu Law: 4**

Ancient sources, Smriti & Sruthi & Modern Sources, Custom, Precedent, Legislations, Meaning of Hindu, Codification of Hindu Law.

**Institution of Marriage a Sacrament or a Contract: 5**

Kinds of Marriage, Prohibited Marriage among Hindus, Essential ceremonies of marriage & Registration of Marriage

**Matrimonial causes & Remedies: 3**

Restitution of Conjugal Rights , Legal Implications, Judicial Separation, Nullity of Marriage.

**Dissolution of Marriage: 5**

Theories of Dissolution of Marriage, Fault Grounds of Divorce under Hindu Marriage Act, 1955 , Irretrievable breakdown of marriage, Grounds of Divorce under Special Marriage Act, 1954.

**Evolution of Family Courts: 3**

Salient Features Family Courts Act, 1984, Jurisdiction & Procedure in Family Courts, Exclusion of Lawyers & Application of ADR Methods in Family Courts.

**Hindu Joint Family: Impact of Modernization on Hindu Joint Family : 4**

Mitakshara and Dayabhaga Schools and Succession, Coparcenary, Ancestral, and Self,acquired Property, Partition and Alienation of Hindu Joint Family Property, Property of a Woman under the Hindu Law.

**Intestate Succession among Hindus: Intestate Succession of Property : 4**

Succession to Property of a Hindu Male, Succession to Property of a Hindu Female, General and Special Provisions relating to Succession and Testamentary Succession.

**Adoption among Hindus: 4**

Rationale of Adoption under Ancient and Modern Hindu Law , Foreign Adoption.

**Maintenance among Hindus: 4**

Maintenance under Ancient and Modern Hindu Law. Right to Maintenance (under Cr. P. C & Hindu Codified Law) Custody of Children, Post Divorce Settlements.

**Guardianship among Hindus: 5**

Natural Guardian, Rights and Liabilities of a Guardian, Interest of the Minor, **The Protection of Women from Domestic Violence ,** The Protection of Women from Domestic Violence Act 2005, Domestic Violence, Powers and duties of protection officers, Service providers, procedure for obtaining relief , **Effects of Religious Conversions among Hindus** On Marriage, and in Succession **, Foreign Marriage** Foreign Marriage Act, 1969, NRI Marriages, Issues of Conflict of Laws , Enforcement of Foreign Decrees in India Enforcement of Indian Decrees in Foreign Countries , Disturbing Trends in NRI Marriages.

**Suggested Readings:**

1. Dr. Poonam Pradhan Sexena, Family Law Lectures Family Law,II, LexisNexis, (Third Edn.)
2. Prof. Kusum, Family Law Lectures Family Law,I,LexisNexis, (4th Edn , 2015)
3. Paras Diwan , Law of Marriage and Divorce, Universal Law Publication,(7th Edn)
4. Paras Diwan : Modern Hindu Law, 13th Edition 2000, Allahabad,Agency, Delhi.
5. Paras Diwan : Family Law, 1994 Edition, Allahabad Agency, Delhi.
6. Mayne: Hindu Law , Customs and Usages, Bharat Law House, NewDelhi.
7. Sharaf: Law of Marriage and Divorce, 1999.

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| **Course:** Law of Torts and Consumer Protection Laws | **Semester: I** |
| **Course Code: LIII-131 LTP 400** | **Credits: 3** |

**Objective:** To impart basic knowledge about law of torts, and current developments by the British and Indian courts, along with laws relating to Consumer Protection

**Syllabus**

Introduction: 3

Tort, Nature and Definition of Torts, Tort and Crime, Tort and Contracts, Tort and Breach of Trust, Elements of Tort, Mental Element in Tort, Malice in Law and Malice in Tort, Malfeasance, Misfeasance and Malfeasance , Foreign Torts.

General Defences: 5

Concept of General Defenses, Act of State, Judicial Acts, Executive Acts, Administrative Acts , Necessity , Statutory Authority , Inevitable Accident , Act of God , Exercise of Common Rights , *Volenti non fit injuria*, Private Defence, Plaintiff a Wrong Doer , Mistake.

Capacity: 3

Concept of Capacity and Wrong Doing, Minor, Lunatics, Insolvent, Husband and Wife, Convict ,Legal Personalities, Corporation, Highway Authorities, Foreign Soverign, Alien Enemy, Ambassadors, Trade Union, State and its Officers, Independent and Joint Tort Feasors, Easement Rights.

Vicarious Liability: 2

Concept, Liability by Ratification, Liability by Relationship, Master and Servant, Principal and Agent, Company and Directors, Firm and Partners, Independent Contractor, Guardian and Ward , Vicarious Liabilities of the State, Concept in India and England.

**Death in Relation to Torts: 3**

*Actio Personalis Moritur Cum Persona,* Exceptions to the Maxim, Principles in Awarding Damages.

Discharge of Torts: 3

Different Types of Discharge, Discharge by Waiver, Accord and Satisfaction, Release, Acquiescence, Judgment Recovered, Limitation.

Remedies: 3

Concept and Nature of Remedies, Judicial Remedies, Pecuniary Costs and Damage , Damages, Claim and Compensation, Proximity of Damages, Kinds of Damages, Injunctions, Restitution of Property, Extra,Judicial Remedies.

Torts Against Person: 3

Introduction, Assault and Battery, False Imprisonment, Damages.

Defamation: 3

Nature and Meaning, Essentials of Defamation, Slander and Defamation, Defences, Privileges, Remedies.

Malicious Prosecution: 3

Meaning and Nature of Malicious Prosecution, Action Based Upon a Prior Civil Proceedin , Action Based Upon a Prior Criminal Proceedin , Maintenance and Champert , Damages for Malicious Prosecution.

Torts against Property: 2

Trespass to Land, Doctrine of Trespass *ab initio ,* Trespass to Personal Property , Conversion of Chattels, Trover, Slander of Title, Slander of Goods.

Negligence: 4

Meaning, Essentials of Negligence, Breach of Duty, Professional Negligence, Directors Negligence, Medical Negligence, Solicitors/Lawyers Negligence, Contributory Negligence, Remedies.

Nuisance: 2

Meaning and Nature of Tort of Nuisance, Public Nuisance, Private Nuisance, Defences to Nuisance.

Liability: 2

Liability for Dangerous Premises, Liability for Dangerous Chatters, Rules of Strict and Absolute Liability, Liability for Fraud and Negligent Misstatements.

Consumer Protection Act 1986: 3

Definition, Defective and Deficiency in Service, Procedure of Consumer Case Filing , Consumer Protection Councils, Consumer Dispute Redressal Agencies, Other Provisions.

**Suggested Readings:**

1. Ramaswamy Iyer: The Law of Torts, VII edition (Bombay, 1995).
2. Achutan Pillai: Law of Tort, VIII edition, Eastern Book Company, Luncknow, 1987.
3. Durga Das Basu: The Law of Torts, 10th edition, Prentice Hall of India, New Delhi, 1998.
4. Ratan Lal & Dhirajlal: The Law of Torts, 22nd edition, Wadhwa & Company Nagpur, 1992.
5. R.K.Bangia: Law of Torts, 14th edition, Allahabad Law Agency, Allahabad, 1999.
6. J.N.Pandey: Law of Torts, 1st edition Central Law Publications, Allahabad, 1999.
7. P. Leelakrishnan (edited), Consumer Protection and Legal Control (Lucknow, EasternBook Company.
8. Avtar Singh, Law of Consumer Protection: Principles and Practice (Lucknow, Eastern Book Company, 1997).
9. R. M. Vats, Consumer and the Law (Delhi, Universal Book Traders, 1994).
10. D. N. Saraf, Law of Consumer Protection in India (Bombay, Tripathi, 1995).
11. Indian Law Institute, A Treatise on Consumer Protection laws (2004).
12. G.B.Reddy, Law of Consumer Protection in India, (Gogia Law Agency, Hyderabad, 1999).

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| **Course:** Law of Crimes -I (Indian Penal Code) | **Semester: I** |
| **Course Code: LIII- 141 LTP 400** | **Credits: 3** |

**Objective:** The objective of this Act is to provide a general Penal Code for India. Though this Code consolidates the whole of the law on the subject and is exhaustive on the matters in respect of which it declares the law, many more penal statutes governing various offences have been created in addition to this code.

**Syllabus**

**Introduction to the Law of Crimes:** **4**

Meaning of Wrong and Crime, Religious and Legal Notions of Wrong and Crime, Morality and Criminal Law, Civil Wrongs and Criminal Wrongs, Remedies for Civil and Criminal Wrongs. Concept of Crime: Definition of Crime, Essential Elements of Crime, Stages in Commission of Crime, Concept of Punishment.

**General Principles:** **4**

Legislative Background, Jurisdiction, General Explanations, Punishments, General Exceptions.

Abetment, Criminal Conspiracy and Offences against State: 2

Inchoate Crimes, Issues of Abetment, Meaning and Punishment for Criminal Conspiracy, Classification of Offences against the State, Waging War and Sedition.

Offences Affecting the Human Body: 4

Offences Affecting Life, Offences Affecting the Body, Wrongful Restraint and Wrongful Confinement, Criminal Force and Assault, Kidnapping and Abduction, Sexual Offences.

Offences Against Property: 3

Property and Possession, Offences Related to Deprivation of Property, Offences of Damaging Property, Offence of Violation of Right to Property.

Offences Against Marriage: 2

The Fraudulent Representation of Lawful Marriage , Bigamy , Adultery , Cruelty by Husband or his Relatives.

Offences Affecting Public Tranquility: 2

Unlawful Assembly , Rioting , Promoting Enmity between Classes , Affray.

Offences Affecting Trust: 3

Meaning and Nature of Criminal Breach of Trust , Criminal Breach of Trust by an Agent and a Partner.

Offences Affecting Reputation: 2

Defamation , Definition and Explanations , Exceptions to Defamation , Punishments for Defamation.

Offences Against Public Justice: 4

Giving False Evidence , Disappearance of Evidence , Harbouring , Offences by Public Servants.

Offences Relating to Public Servants: 4

Offences Relating to Public Servants , Classification of Offences relating to Public Servants , Offences Relating to Elections , Contempt of Lawful Authority of Public Servants , Obstructing or Disobeying a Public Servant , Threat of Injury.

Offences Relating to Documents and to Property Marks: 4

Offences Related to Forgery , Offences Related to Counterfeit Seals, Devices , Offences Related to Property Marks.

Offences Affecting the Public Health, Convenience, Decency, and Morals: 2

Public Nuisance , Adulteration of Food and Drugs , Offences Against Public Safety and Convenience , Offences Affecting Public Morals and Decency.

Emerging Criminal Jurisprudence: 2

Compensatory Jurisprudence , State Liability , The Concept of Human Rights and Law of Crimes in India , Extension of Protection to Foreigners , Prison Reforms and Prisoners’ Rights.

Inter Disciplinary Horizons: 2

Forensic Medicine and Forensic Science , Media Laws , Cyber Crimes.

**Suggested Readings:**

1. Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa & Co., 2000
2. Achutan Pillai: Criminal Law, Butterworth Co., 2000.
3. Gour K.D.: Criminal Law , Cases and Materials, Butterworth Co., 1999.
4. Kenny's: Outlines of Criminal Law, (1998 Edition).
5. O.P.Srivastava: General Principles of Criminal Law

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| **Course:** Law Relating to Right to Information | **Semester: I** |
| **Course Code: LIII- 151 LTP 400** | **Credits: 3** |

**Objective:** The subject deals with law relating to right to information which is one of the fundamental right implied under article 19(1)(a) of the constitution and it emphasis on application to provide a strong understanding of the fundamental concepts related to RTI.

**Syllabus**

**Transparency and Information: 4**

Historical Evolution of Right to Information***,*** Need for Information***,*** The Need of Strengthening the process of transparency***,*** Administrative Efficiency and Right to Information***,*** Public Accountability and Right to Information***,*** RTI and its relationship with Good Governance***,*** International Perspective of Right to Information, UDHR, ICCPR, ICESCR etc***,*** Position in other countries

**Indian Constitution and Right to Information: 4**

Freedom of Speech and Expression and Right to Know/ Information under Article 19(1)(a) of the Constitution***,*** Right to Information and right to life and personal liberty (Article 21)***,***From Right to Privacy to Right to Information***,*** RTI and Rights of Arrested Person (Article 22)***,***From Right to Vote , Right to Know the Antecedents of Election Candidates***,*** From Right to Environment, Right to Know Environmental Information

**Legislating the Right to Information: 6**

History*,* Attempts to Breach the Officials Secrets Act*,* The Press Council, NIRD draft*,* The Freedom of Information Bill, 2000***,***State Laws and Administrative Instructions: The Goa Right to Information Act***,*** Tamil Nadu Right to Information Act***,*** The Madhya Pradesh Right to Information Act, 2000***,***The Rajasthan Right to Information Act, 2000***,***The Karnataka Right to Information Act, 2000***,***Delhi Government Orders on Right to Information***,*** RTI and other Laws: The Indian Evidence Act, 1872 (Section 76)***,***The Consumer Protection Act 1986 (Section 6)***,***The Public Records Act, 1993***,***The Representation of Peoples Act, 1950

**Salient Features of the Right to Information Act 2005: 3**

Scope and applicability***,*** Interpretation Clause***,*** Information***,*** Right to Information***,*** Appropriate Government***,*** Competent Authority***,*** Public Authority etc***,*** Citizens Right to Information (Section 3) and practical regime of RTI***,*** Enforceability of RTI, Mechanism under the Act

**Public Authority under RTI Act*:*  3**

Definition of Public Authority***,*** Comparison with definition of ‘State’ under Article 12 of the Constitution of India***,*** Suo Motu Disclosure by Public Authorities***,*** Obligations of Public Authority (Section 4)***,***Judicial interpretation of Public Authority ***,***Status of NGO’s, Political Parties, Private Persons etc

**Nature of RTI, Exemptions and Limitations: 4**

Nature of RTI, Whether absolute***,*** Exemptions under Section 8 of the RTI, Act***,*** Public Interest v. Protected Interest***,*** Copyright exemption***,*** Severability***,*** Third Party Information***,*** Impact of Exemptions, Exceptions and Limitations on the RTI

**Implementing RTI Act: 4**

Procedure to Obtain Information*,* Application for Information (Section 6)*,*Information Fee and Cost of Information***,*** Role of APIOs and PIO***,*** Time Schedule for disposal for Application ***,***Disposal of Third Party Information and procedure***,*** RTI and Human Rights

**Composition, Powers and Functions of the Information Commissions: 4**

Constitution of Information Commissions: Central Information and State Information Commission***,*** Qualification of Information Commissioners and Chief Information Commissioner***,*** Powers and Functions of the Information Commissions***,*** Working of the Information Commissions: Analysis***,*** Activism from the Information Commission: Theory and Effect

**Ecological Perspective of Right to Information: 4**

RTI and Environmental Protection***,*** Position under the Environmental Laws ***,***Environmental Impact Assessment, Environmental Public Hearing***,*** Indian Ecological Perspective of Right to Know***,*** Right to Information Act and Environment, Case Study

**Right to Information and Implementation Issues: 4**

Information Audit***,*** Spreading RTI Awareness***,*** Misuse of RTI***,*** Role of RTI Activists/NGO’s***,*** Balancing Private Information and Public Interest***,*** Achieving objects of RTI, The Way Forward.

**Suggested Readings:**

1. KM Shrivastava, The Right to Information: A Global Perspective (2013)
2. Sairam Bhat, Right to Information (2012)
3. Rajvir S Dhaka, Right to Information and Good Governance (2010)
4. J N Barowalia, Commentary on the Right to Information Act (2010)

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| **Semester II** | | | | | |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-112 | Special Contract | 4 | 0 | 0 | 3 |
| LIII-122 | Family Law- II | 4 | 0 | 0 | 3 |
| LIII-132 | Law of Crimes- II (Cr. P.C) | 4 | 0 | 0 | 3 |
| LIII-142 | Insurance Law | 4 | 0 | 0 | 3 |
| LCIII-152 | Professional Ethics and Professional Accounting system | 2 | 0 | 1 | 2 |
| **Total** | | **18** | **0** | **1** | **14** |

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| **Course:** Special Contract | **Semester: II** |
| **Course Code: LIII-112** **LTP 400** | **Credits: 3** |

**Objective:** The subject deals with special branch of Contracts viz. Partnership Act, 1932 , Sale of Goods Act, 1930 Bailment , pledge, Indemnity, Guarantee and Negotiable Instrument Act, 1881 etc.. It helps the student to understand the rules which are required for the creation of such contracts. The course involves both individual and group work, with an emphasis on application to provide a strong understanding of the fundamental concepts related to contracts.

**Syllabus**

**Introduction 2**

General Introduction, History and Nature of Contractual Obligations with special reference to Partnership i.e. Preliminary (Section 1 to 4)

**The nature of partnership 4**

Definition of partnership, essentials of partnership, mode of determining the existence of partnership, partnership and co-ownership, partnership and Joint Hindu Family, partnership and company, concept of illegal association, Partnership at will, particular partnership

**Partnership property 3**

Property originally brought in, property subsequently acquired, partners property in firms use, goodwill as partnership property, nature of partners interest in property.

**Relations of partners to one another and to third parties 6**

Determination of rights and duties of partner by contract between them, duties of a partner, rights of partners, implied authority of a partner, statutory restrictions on implied authority, extension and restriction of partner’s implied authority, authority in emergency, doctrine of holding out, status of a minor in a partnership firm

**Incoming and outgoing partners 1**

Admission of a partner, outgoing partner, retirement of a partner, expulsion of a partner

**Dissolution of firms 3**

Modes of dissolution: dissolution by agreement, compulsory dissolution, contingent dissolution, dissolution by notice, dissolution by retirement, dissolution by the court, consequences of dissolution, liability for acts done after dissolution.

**Sale of Goods Act, 1930 8**

Legislative competence, Concept of goods, are incorporeal rights ‘goods’?, what are not goods under the Act, types of goods, contract of sale and agreement to sell, conditions and warranties: Distinction, consequences of the breach of a condition or a warranty, when breach of condition to be treated as warranty, implied conditions, implied warranties, rule of caveat emptor, Caveat emptor replaced by caveat venditor.

**Effects of contract: Transfer of title by Non owners 4**

Exceptions to section 27, sale with consent or authority of owner, sale under implied authority, sale by mercantile agent, sale by one of the joint owners, seller in possession after sale, buyer in possession, sale by an unpaid seller, sale by pawnee.

**Rights of unpaid seller against the goods 2**

Meaning of unpaid seller, rights of an unpaid seller, unpaid seller’s lien, distinction between pledge and lien, how stoppage in transit is effected, right of stoppage in transit, duration of transit, lien and stoppage in transit distinguished, Right to re,sale.

**Provisions relating to Special Contract under Indian Contract Act, 1872 5**

Contract of Bailment, pledge, Indemnity and Guarantee, Contract of Agency

**Negotiable Instrument Act, 1881 6**

Concept of Promissory note, Cheque and bill of exchange, Concept of Holder and Holder in due course read with leading case laws, Crossing of Cheques and its type, Endorsement of Cheque and its types, Bouncing of Cheques Read with Leading cases on the issue.

**Suggested Readings:**

1. Avtar Singh, ***Law of Contract and Specific Relief*** (10th ed., 2008)
2. R.K. Bangia, Law of Contract, Allahabad law Agency (2nd Ed, 2003)
3. Avtar Singh, Law of Partnership(Principles, practice and taxation), Eastern Book Company, Lucknow, (4th edn, 2012)
4. Avtar Singh, Sales of Goods Act, Eastern Book Company,(7th Edn.,2011)
5. Avtar Singh,Banking and Negotiable Instruents, Eastern Book Company,(3rd Edn., 2016)

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| **Course:** Family Law-II | **Semester: II** |
| **Course Code:** **LIII-122** **LTP 400** | **Credits: 3** |

**Objective:** To impart basic knowledge about laws relating to marriage, divorce and succession under Muslim law.

**Syllabus**

**Origin and Development of Mohammedan personal Law: 4**

Sources of Mohammedan Law , Schools of Mohammedan Law , Mohammedan Law in India

**Operation of Mohammedan Law: 5**

Application of Mohammedan Law , Matters to which Mohammedan Law Applies , Persons to whom Mohammedan Law Applies , Conversions and its Effects.

**Marriage among Mohammedan: 3**

Nature of Marriage, Types of Marriages , Valid Marriage , Irregular Marriage , Void Marriage , Muta Marriage

**Divorce among Mohammedan: 4**

Modes of Divorce , Legal Consequences of Divorce , The Dissolution of Muslim Marriage Act, 1939 , Dower as Special Feature

**Maintenance among Mohammedan: 5**

Principles of Maintenance , Persons Entitled to Maintenance , Rights of Divorced Woman. Maintenance of wife under Maintenance Under the Muslim Women (Protection of Rights on Divorce) Act, 1986,Maintenance of wife Under Section 125 of the Criminal Procedure Code, 1973

**Parentage among Mohammedan: 3**

Paternity , Maternity , Legitimacy of children **Guardianship among Mohammedan:** Kinds of Guardianship, Removal of Guardian , Differences between Shia and Sunni Law.

**Gift (HIBA) among Mohammedan:** **4**

Definition, Essential Components of valid gift and its revocation **Law relating to Wills among Mohammedan:** Characteristics of Will , Abatement of Legacies Administration of Estate.

**Law relating to Wakfs among Mohammedan: 4**

Creation and Management, Statutory Regulation of Wakfs in India, Essentials and Kinds of Wakfs.

**Succession among Mohammedan: 4**

Objectives of Mohammedan Law , General Rules of Inheritance , Sunni Law of Inheritance , Shia Law of Inheritance , Doctrines of Fractional Shares , Major Differences between Sunni and Shia Laws.

**Christian and Parsi Personal Law: 4**

Marriage among Christians under Christian Marriage Act, 1872 , Divorce among Christians under Indian Divorce Act of 1869 , Succession under Indian Succession Act, 1925 (Law related to Wills only). **Parsi Personal Law:** Concept of Marriage among Parsis, Matrimonial remedies under The Parsi Marriage and Divorce Act, 1936, Succession among Parsis under Indian Succession Act, 1925

**Special Marriage Act, 1954 and Uniform Civil Code: 4**

**Special Marriage Act, 1954:** Essential Conditions of marriage under Special Marriage Act, 1954, Matrimonial Remedies under Special Marriage Act, 1954 **Uniform Civil Code:** Uniform Civil Code**,** Scope, Constitutional Mandate and Judicial Perspectives.

**Suggested Readings:**

1. Aqil Ahmad Mohammedan Law Revised by Prof. I. A. Khan 24th Edition 2012, Central Law Agency, Allahabad.
2. Hidayatullah, M., and Arshad Hidayatullah. Mulla’s Principles of Mohamedan Law,19th edn. New Delhi: LexisNexis Butterworths, 2006.
3. Asaf A. A Fyzee, Outlines of Mohammandan Law, Oxford University Press New Delhi
4. Kusum, Family Lectures (Lexis Nexis , New Delhi, 2008)
5. Kusum, Cases and Materials on Family Law (Universal Law Publishing Co (P) Ltd, New Delhi, 2013)
6. Syed Khalid Rashid, Muslim law (Eastern Book Co, Lucknow,2009)
7. Prof. G.C.V. Subba Rao, Family Law in India (S. Gogia& Co., Hyderabad, 2006)
8. H.K. Saharay , Family Law In India (Eastern Law House, New Delhi, 2011)
9. Chmpappilly, Sebastian (Dr). Marriage, Adoption and Guardianship and Canon Law on Marriage, Cochin: Southern Law Publishers
10. Asghar Ali Engineer, the Rights of women in Islam, Sterling Publisher Pvt Ltd. New Delhi, 1996.
11. Asaf A. A Fyzee, Cases in the Muhammandan Law of India, Pakistan and Bangladesh, edited by Tahir Mahmood, 2nd ed. Oxford University press, 2005.
12. Dr. Sebastian Champappilly, Christian law on Marriage, Adoption & Guardianship and Canon Law of marriage, Southern law publishers, Cochin 2003.
13. Dr. Sebastian Champappilly, Christian law on Divorce, Southern law publishers, Cochin 2003.
14. Sen & Sengupta, Indian Succession Act, 1925, Kamal Law house, Kolkata, 2007.

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| **Course:** Law of Crimes-II ( Criminal Procedure Code) | **Semester: II** |
| **Course Code: LIII-132 LTP 400** | **Credits: 3** |

**Objective:** The law of criminal procedure is meant to be complementary to substantive criminal law and has been design to ensure the process of administration of criminal justice.

**Syllabus**

Introduction: 2

Object and Importance of Criminal Procedure, the importance of fair trial, territorial divisions, Hierarchy of Criminal Courts, classification of offences, importance of fair trial, Constitutional Perspectives

Functionaries under the Criminal Procedure Code 1973: 3

The organization of Police, Prosecutor and Defense Counsel, prison authorities and their duties, functions and powers.

Pre-trial process: 4

Arrest , Meaning and purpose, Steps to ensure accused’s presence at trial: warrant and summons. Arrest with and without Warrant, after arrest procedure, Rights of arrested persons under Criminal Procedure Code , Ss. 41,41D, 46,47 , Persons arrested to be informed of grounds of arrest and of right to bail (S.50).Obligation of person making arrest to inform about the arrest etc., to a nominated person (.50A).Persons arrested not to be detained more than 24 hours( S.57) Right of the accused to be defended by a Lawyer of his choice (S.303),Legal Aid to accused at State expense in certain cases (S.304), Trial to be held in open court( S.327) and Article 22 (2) of the Constitution of India,, the absconder status (Section 82,83,84 and 85)

Police Investigation: 3

Search and Seizure (Sections 154,176 with focus on 154, 160, 161, 162, 164, 165,166, 167, 173, 176 Cr PC), essentials of F.I.R and its evidentiary value, police officer’s powers to investigate cognizable cases, procedure for investigation, police officer’s powers to require attendance of witnesses, examination of witnesses by the police, recording of confessions and statements and report of police officer on completion of investigation, Inquiry, Search with and without warrant — Police search during investigation — General Principles of Search — Seizure — Constitutional aspects of validity of Search and Seizure proceedings.

Local Jurisdiction of the courts and police (177,183): 2

Power of the State to order cases to be tried in different sessions divisions (185),Power to enquire into or try offences committed outside India(187) , consequences of failure to follow the rules.

Cognizance of Offence and Commencement of judicial Proceedings (190,199,200,201,210): 2

Meaning, pre cognizance stage (scrutiny of the complaint), limitations, Dismissal of complaints (Section 203, 204), Issue of process.

Charge: 3

Farming of charge, Form and content of charge (Section 211, 212, 216) , Separate charges for distinct offence (Section 218, 219, 220, 221,223) , Discharge,pre,charge evidence.

**Basic Features of Fair Trial: 4**

S.273 , Evidence to be taken in presence of accused (Section 221,224) , Presumption of innocence, Venue of trial, Right of the accused to know the accusation (Section 221,224), Principle of Autrifois acquit Autrifois Convict(300), Power to examine the accused (S.313) , No influence to be used to induce disclosure( S.316), Provision for inquiries and trial being held in the absence of accused in certain cases(S.317), Withdrawal from prosecution (S.321) ,Right to speedy trial.

Trial , Trial before a Court of Session: Trial of Warrant cases , Trial of Summons cases , Summary Trial.

Victim Protection and Participation (Ss. 2(wa), 265A,L, 357, 357A, 372 Cr PC): 3

Victim Protection and Compensation, Rights of Victims, Plea Bargaining , 154th Report of the Law Commission of India, pp. 51,54 1996).

Law Relating to Bail: (Sections 436,439 Cr PC): 2

Principles governing grant of bail in bailable and non,bailable offences *,* The concept of anticipatory bail, Appellate bail powers ((389(1), 395(1), 437(5) cancellation of bail, General Principles concerning Bail Bond.

Judgment: 4

Form and content, Post conviction orders (Section 360, 361, 31) , Compensation and Costs (Section 357,358) , Pronouncement of Judgment.

Appeal, Review, Revision: 5

No appeal in certain cases (Section 372,375,376), The rationale of appeals, review revision, The multiple range of appellate remedies: Supreme Court of India (Section 374, 379, Articles 31, 132,134,136), High Court ( Section 374), Sessions Court (Section 374), Special right to appeal (Section 380) ,Governmental appeal against sentencing (Section 377, 378), Judicial power in disposal of appeals (Section 368), Legal aid in appeals, Revisional jurisdiction (Sections 397,405), Transfer of cases(Section 406,407).

**Execution of Sentence: 2**

Suspension, Remission and Commutation of Sentences.

Maintenance: 1

Wife, Children and Parents.

Juvenile Justice System: 2

Juvenile Justice (Care and Protection of Children) Act of 2000 ,, Procedure under Juvenile Justice Act, Treatment and Rehabilitation of Juveniles, Protection of Juvenile Offenders, Legislative and Judicial Role.

Procedure under Probation of Offenders Act, 1958: 2

Salient features of the Act. Probation and Parole: Authority granting Parole, Supervision, Conditional release, suspension of sentence.

**Suggested Readings:**

1. Kelkar R.V.: Criminal Procedure, 3rd Edn. Eastern Book Co., Lucknow, 1993.
2. Ratanlal and Dhirajlal: The Code of Criminal Procedure, 15th Edn. Wadhwa & Co.,.
3. Padala Rama Reddi: The Code of Criminal Procedure, 1973, Asia Law House, Hyderabad.
4. Prof. S.N. Misra: The Code of Criminal Procedure, Central Law Agency.
5. M.P. Tandon: Criminal Procedure Code, Allahabad Law Agency.
6. Shoorvir Tyage: The Code of Criminal Procedure, Allahabad Law Agency.

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| **Course Code:** Insurance Law | **Semester:  II** |
| **Course Code: LIII-142** **LTP 400** | **Credits  :  3** |

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

**Syllabus**

**Introduction: 6**

Nature- Definition- History of Insurance- History and development of Insurance in India- Insurance Act, 1938- (main sections) Insurance Regulatory Authority Act, 1999: Its role and functions.

**Contract of Insurance:** 9

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

**Life Insurance: 12**

Nature and scope of Life Insurance- Kinds of Life Insurance. The policy and formation of a life insurance contract- Event insured against Life Insurance contract- Circumstance affecting the risk- Amount recoverable under the Life Policy- Persons entitles to payment- Settlement of claim and payment of money- Life Insurance Act, 1956- Insurance against third party rights- General Insurance Act, 1972- The Motor Vehicles Act, 1988 – Sec. (140-176), Nature and scope- Absolute or no fault liabilities, Third party or compulsory insurance of motors vehicles- Claims Tribunal Public Liability Insurance –Legal aspects of Motor Insurance –Claims – Own Damages Claims – Third Party Liability Claims.

**Fire Insurance: 8**

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

**Marine Insurance:** 10

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

**Suggested Readings:**

1. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India.

2. M. H. Srinivasan - Principles of Insurance Law.

3. E. R.Hardy Ivamy - General Principles of Insurance Law, relevant Chapters. Insurance Act, 1938.

4.The Marine Insurance Act, 1963.

5.General Insurance (Business) (Nationalization) Act, 1972.

6.The Life Insurance Corporation Act, 1956. Motor Vehicle Act, 1988.

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| **Course:** Professional Ethics and Professional Accounting system | **Semester: II** |
| **Course Code: LCIII-152** **LTP 201** | **Credits: 2** |

**Objective:** To impart knowledge about Importance of Professional Ethics in India, its limitations and possibility of reforms.

**Syllabus**

Introduction to Legal Profession: 4

Law and Legal Profession , Development of Legal Profession in India , Right to practice , Right or privilege , Constitutional guarantee under Article 19(g) and its scope , Legal profession in US, UK and Australia.

Professional Conduct: 5

General Rules of Professional Conduct, Persons entitled for Legal Practice ,Privileges of Lawyer.

Advocate and Advocacy: 7

Regulation Governing Enrolment and Practice,Salient Features of Advocates Act 1961 ,Practice of Law,Business, Solicitors firm,Industry, Elements of Advocacy, Ethics, Seven lamps of Advocacy, Duty to the court, profession, client, opponent, self, public and state , Pleadings and cross examination ,All India Bar Examination ,Recognition as Senior Advocates , Enrolment of Advocates to Supreme Court of India.

Bar Associations and Bar Council: 6

State Bar council ,establishment, elections, powers and functions , Bar Council of India , Autonomy, Elections, Powers and functions , Transfer of name from one state to another state ,Procedure and effect , Disciplinary Proceedings ,Removal of names and Remedies , Bar Council Code of Ethics.

Contempt of Court: 7

Meaning and categories of Contempt , Criminal and Civil , Origin, development, object and constitutional validity of contempt law , Contempt by State and Corporate bodies , Defences and Punishment for contempt of court , Selected major judgments of the Supreme Court.

Professional Ethics: 5

Ethics and Professional Ethics ,Code of Conduct , Professional negligence of lawyers , Professional misconduct ,Punishment and Remedies.

Advocates Welfare and Opinions of Bar Council of India: 5

Objectives and Salient features of Advocates Welfare Act 2001 , Various Welfare activities for advocate , Opinions of Disciplinary Committee, Disciplinary Committee Appeals and BCI Transfer Cases.

Accountancy for Lawyers: 5

Nature and functions of accounting , Importance branches of accounting , Accounting and law , Use of knowledge of accountancy in legal disputes , Accountancy in lawyers’ office , Extracts of Bar Council of India Rules.

**Suggested Readings:**

1. Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench,Bar Relation, Asia Law House, Hyderabad.
2. Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench,Bar Relation, Asia Law House, Hyderabad.
3. Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench,Bar Relation, Allahabad Law Agency.
4. Siroh: Professional Ethics, Central Law Publications, Allahabad.
5. Ramachandra Jha: Selected Judgements on Professional Ethics published by Bar Council of India Trust, 2002.
6. Dr. G.B. Reddy: Practical Advocacy of Law, 2nd Ed. 2005. Gogia Law Agency. Hyderabad

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| **Semester III** | | | | | |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-211 | Constitutional Law- I | 4 | 0 | 0 | 3 |
| LIII-221 | Administrative Law | 4 | 0 | 0 | 3 |
| LIII-231 | Property Laws | 4 | 0 | 0 | 3 |
| LIII-241 | Human Rights Law and Practice | 4 | 0 | 0 | 3 |
| LCIII-251 | Moot Court | 2 | 0 | 1 | 2 |
| **Total** | | **18** | **0** | **1** | **14** |

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| **Course: Constitutional Law-1** | **Semester-III** |
| **Course Code: LIII-211** **LTP 400** | **Credits: 3** |

**Objective:** This course focuses on fundamental rights and directive principles of state policy. It introduces the students to the abstract and concrete meanings of the constitution, kinds of constitution and concepts of constitutionalism.

**Syllabus**

**Introduction to the Constitutional Law of India: 4**

Historical Background to the Constitution of India , The Making of the Constitution , The Philosophy of the Constitution , Salient Features of the Indian Constitution , Judicial Activism

Different Types of Modern Constitutions , Nature of the Constitution of India , Union of States and Territory of India , 35th and 36th Amendments to the Constitution of India

**Citizenship (Articles 5,11):** **5**

Meaning of Citizenship , Citizenship at the Commencement of the Constitution of India , Citizenship Act, 1955.

**Fundamental Rights and the State (Articles 12,13):** **4**

Origin, Development and Need of Fundamental Rights , Fundamental Rights and the State , Laws Inconsistent with or in Derogation of the Fundamental Rights (Article 13).

**Right to Equality (Articles 14,18):** **3**

Equality Before Law , Prohibition of Discrimination (Article 15) , Equality of Opportunity in Public Employment (Article 16) , Abolition of Untouchability (Article 17) , Abolition of Titles (Article 18)

**Right to Freedom (Article 19):** **5**

Rights available to Citizens under the Constitution of India , Judicial Interpretation under Article 19.

**Protection of Life and Personal Liberty (Articles 20, 2, 21 A and 22):** **5**

Protection in respect of conviction for offences (Article 20) , Protection of Life and Personal Liberty (Article 21) , 21A. Right to education (Article 21A), Protection against Arrest and Detention (Article 22).

**Right Against Exploitation (Articles 23,24):** **2**

Prohibition of Traffic in Human Beings and Forced Labour , Prohibition of Employment of Children in Factories etc.

**Freedom of Religion, Cultural and Educational Rights (Articles 25,30):** **2**

Right to Freedom of Religion , Cultural and Educational Rights.

**Right to Constitutional Remedies:** **2**

Article 32 , Article 226 , Public Interest Litigation (PIL)

**Directive Principles of State Policy:** **4**

Directive Principles , Classification of Directive Principles , Fundamental Rights and Directive Principles of State Policy , Uniform Civil Code (Article 44) of the Constitution of India.

Free Legal Services and Free Legal Aid (Article 39 A) , Organizations of Village Panchayats (Article 40). Protection and Improvement of Environment , Safeguarding Forests and Wildlife (Article 51A)

**Fundamental Duties:** 4

Importance, Enforcement and their Interpretation.

**Suggested Readings:**

1. M.P.Jain, Indian Constitutional Law, Wadhwa & Co, Nagpur
2. V.N.Shukla, Constitution of India, Eastern Book Compamy, Lucknow
3. Granville Austin, Indian Constitution,Cornerstone of a Nation, OUP, New Delhi
4. H.M.Seervai, Constitutional Law of India (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, Indian Constitutional Law, S.Gogia & Co., Hyderabad
6. B.Shiva Rao: Framing of India’s Constitution (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, Constitutional Law of India, Central Law Agency, Allahabad

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| **Course:** Administrative Law | **Semester: III** |
| **Course Code: LIII-221** **LTP 400** | **Credits: 3** |

**Objective:** Objective is to lay emphasis on understanding the structure and modus operandi of administration along with the role of agencies playing in our modern constitutional form of government and their limits, and the ways in which courts do and do not constrain agencies through judicial review.

Syllabus

**Introduction: 6**

Administrative Law: Meaning, Definitions, Nature and Scope, historical growth and development of administrative law: England, US, France, India, reasons for growth of administrative law relationship between Constitutional law and Administrative law.

**Basic Constitutional Principles:** 7

Rule of Law – Interpretation of Dicey’s Principles of Rule of law, Rule of law in Indian constitution, Modern Concept of Rule of law, Theory of Separation of Powers, Separation of power in practice in US, England in India, Separation of power in Indian Constitution.

**Administrative Action: 6**

Needs for classification of administrative actions, legislative, executive and judicial functions: general distinctions, distinctions between administrative and quasi-judicial functions.

**Delegated Legislation: 6**

Delegated Legislation: Meaning and definition, reasons of Growth of delegated legislation, Classification of delegated legislation: Valid, Excessive, Conditional and Sub-delegation, Control over the delegated legislation: judicial and legislative.

**Administrative Adjudication: 7**

Natural Justice: meaning and scope, Principles of natural justice: Rule against Bias, The Right to Fair Hearing Right of Counsel and Friends, Reasoned decisions, Breach of natural justice and its effects.

**Judicial Control of Administrative action and discretion: 6**

Meaning of administrative discretion and judicial review, Failure to exercise discretion, excess or abuse of discretion, judicial remedy to the individual aggrieved by the action of administrative authority: Writs and others types of remedy.

**New Growth in Administrative law: 6**

Administrative Tribunal, Ombudsman, Commission of Inquiries, Public Corporation.

**Suggested Readings:**

1. C.K.Takwani: Lectures on Administrative Law, 5th Edn, 2012, Eastern Book Company

2. I.P.Massey: Administrative Law, Eastern Book Company, 5th Edn. 2001.

3. Griffith and Street: Principles of Administrative Law.

4. H.W.R.Wade: Administrative Law, Oxford Publications, 8th Edn. 2000, London.

5. De Smith: Judicial Review of Administrative Action, Sweet and Maxwell, 1998.

6. S.P. Sathe: Administrative Law, Butterworth’s, 6th Edn. 1998.

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| **Course: Property Laws** | **Semester-III** |
| **Course Code: LIII 231 LTP 400** | **Credits: 3** |

**Objective:** This paper will make the student aware about all the aspects related to movable and immovable properties and the provisions related to there transfer.

**Syllabus**

Introduction to the Transfer of Property Act, 1882: 4

Object and Scope of the Act, Fundamental Concepts, Classification of Property, Interpretation Clauses.

Transfer of Property: 4

Non-transferable Property , Persons Competent to Transfer, Operation of Transfer, Condition Restraining Alienation.

**Transfers in Futuro: 2**

Transfer for Benefit of Unborn Person, Rule against Perpetuity, Vested Interest, Contingent Interest, Conditional Transfer.

**Doctrine of Election and Apportionment: 3**

Doctrine of Election, Apportionment.

**Transfers in Special Circumstances: 3**

Limited Power of Transfer, Right of Persons Entitled to Maintenance, Restrictive Covenants, Transfer by Ostensible Owner , Doctrine of *LisPendens,* Doctrine of Part Performance.

**Sale of Immovable Property: 3**

Meaning and Definition of Sale, Essential Elements and Mode of Effecting Sale, Rights and Liabilities of Seller, Rights and Liabilities of Buyer.

**Mortgages of Immovable Property: 4**

Meaning and Definition of Mortgage, Kinds of Mortgages. Rights and Liabilities of Mortgagor: Rights of Mortgagor, Liabilities of Mortgagor. Rights and Liabilities of Mortgagee**:** Right to Foreclose or Sale, Right to Sue for Mortgage Money, Right to Sale Without Intervention of Court, Right to Accession of Mortgaged Property, Right of Possession, Right of a Mortgage Against Other Mortgagees, Liabilities of Mortgagee in Possession.

**Priority: 2**

Postponement of Prior Mortgagee, Mortgage to Secure Uncertain Amount.

**Marshalling and Contribution: 2**

Doctrine of Marshalling, Doctrine of Contribution.

**Charge and Mortgage: 6**

Definition and Salient Features, Creation of Charge, Kinds of Charge, Distinction between Charge and Mortgage, Remedies of Charge Holder.

**Leases of Immovable Property: 4**

Essential Features of Lease, Lease Proceeding, Kinds of Leases, Distinction between License and Lease, Difference between Lease and Easement , Rights and Liabilities of Lessor and Lessee, Termination of Lease.

**Exchanges: 3**

Meaning and Essentials of Exchange, Mode of Transfer, Rights and Liabilities of Parties, Exchange of Money.

**Gifts and Actionable Claims: 2**

Meaning and Definition of Gift, Essentials of Gift, Types of Gift, Universal Donee, Gift Under Mohammedan Law, Gift and Other Deeds, Registration and Revocation of Gift, Actionable Claims.

**Easements: 4**

Meaning and Definition of Easement, Elements of an Easement, Classification of Easements, Natural Rights and Customary Rights, Licenses, Imposition, Acquisition and Transfer of Easement, Incidents of Easement, Extinction, Suspension, Revival of Easements, Termination of Easement.

**Suggested Readings:**

1. Mulla : Transfer of Property, Butterworths Publications.
2. Subba Rao GCV: Commentaries on the Transfer of Property Act.
3. Krishna Menon: Law of Property.
4. Upadhya's Common Matrix of Transfer of Property.

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| **Course:** Human Rights Law and Practice | **Semester: III** |
| **Course Code: LIII 241 LTP 300** | **Credits: 2** |

**Objective:** The aim of this course is to producing the Law Graduate who are capable to applying the knowledge of human rights in every sphere of life and every respective field of Law.

**Syllabus**

**Introduction: 5**

Theoretical and Historical development of the concept of Human Rights, Classification of Human rights, Distinction between Human rights and Fundamental rights.

**International Initiatives of Human rights: 6**

The UNO & Human Rights, UN Charter, UDHR, 1948, ICCPR, 1966, ICSECR, 1966, CRC, 1988 & CEDAW etc.

**Regional Conventions on Human Rights: 4**

European Convention on Human Rights ,The American Convention on Human Rights, The African Charter on Human Rights etc.

**Human Rights and India: 4**

Constitutional Perspectives , Part,III of the Constitution (F.Rts),Part IV of the Constitution (DPSP),Human Duties (F.Duties),Protection of Human Rights Act 1993 & other laws,Human rights and vulnerable groups, Human Rights of women, aged persons, children, minorities, displaced persons, victims of extremism and terrorism etc.

**International Humanitarian Law: 4**

Definition, origin & development, protection of defenseless in war, limitations and methods & use of force during armed conflicts.

**Human Rights of Refugees: 4**

Refugees, meaning, causes and kinds, International conventions on refugees, position of India, Protection of Refugee Rights in India, Case study of Kashmir refugees etc, judicial response.

**Human Rights and crime: 4**

Rights of victims of crime, victimological perspectives, human rights of juveniles & protection, violation of human rights during communal rights, rights of the convicted and accused persons.

**Human Rights and Protection Issues: 4**

Constitutional remedies under Art.32 & 226,Mechanism under the Protection of Human Rights Act, State and National HRCs, Human Rights Courts, Role of Legal Services Authorities, NGOs and State agencies in protection of Human Rights.

**Human Rights and Contemporary Issues: 4**

Cultural relativism, religious fundamentalism and its impact on human rights, self-determination, increasing role of NGOs & press, role of International Criminal Court, etc.

**Suggested Readings:**

1. Anand, a. S. Justice for women (third edition 2008).
2. Addicott, f jeffrey, (el ed), globalization, international law and human rights (2012)
3. Baxi, upender, human rights in a posthuman world: critical essays (2010)
4. Bhat, p. Ishwara fundamental rights: a study of their interrelationship (2004).
5. Chakrabarti, nirmal kanti dr. (ed), law and child (2011)
6. Chowdhury, rahman azizur, (el ed) issues in human rights (2010)
7. Clapham, andrew human right: a very short introduction (new york: oxford university press, 2007)
8. Ishay, micheline r. The history of human rights: from ancient times to the globalization era (new delhi: orient longman, 2004).
9. Iyer, v. R.krishna the dialectics and dynamics of human rights in india: yesterday, today and tomorrow (2000)
10. Jois, m. Rama legal and constitutional history of india: ancient legal, judicial and constitutional system, (delhi: universal law publishing co. Pvt. Ltd. Reprint 2004).
11. Jois, m.rama seeds of modern public law in ancient indian jurisprudence and human rights,bharatiya values ( lucknow: eastern book company, second edition,2000).
12. Koening, mattnias and paul de guchteneire (ed) democracy and human rights in multicultural societies (2007)
13. Lohoti, Justice R.C. preamble: the spirit and backbone of the constitution of india (lucknow: eastern book company, first edition, 2004)
14. N S Sreenivasulu Dr. Human rights: many sides to a coin (2004)
15. Naikar, N Lohit, The Law Relating To Human Rights (2004)

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| **Course:** Moot Court | **Semester: III** |
| **Course Code: LCIII-251 LTP 201** | **Credits: 2** |

**Objective:** The main object of this paper is to teach, the techniques of court proceedings, Preparation of case files and memorials, Make them aware with the practice of the court and advocacy through the Moot Court Trials, to know the basic research techniques, etc. basic principles of Law Office Management and to make them aware of the rights, duties and liabilities of the Advocates

**Syllabus**

**Introduction**: **3**

Meaning and Importance, Difference between Moot Court and Court, History of Moot Court, In England, U.S.A and India, Importance or advantages or educational value of Moot Courts.

**Manner of organizing or conducting the Moot Court: 4**

Imaginary legal case, Decided Case and moot Court on specific legal subject, Factors for Success, Preparation of case, judicial system in India and pleading.

**Writing a Moot Court Speech(Written Memorial): 4**

First Draft, Written submissions, jurisdiction, Statement of facts, Issues of law, Citations, Conclusion, Bibliography.

**Duties of Advocates and Judges: 3**

Duties of Judges, Duties of Advocates, Duty to the Court, Duties to the Clients, Duty to opponent, Duty to Colleagues, duty in imparting training, seven lamps of advocacy.

**Hierarchy of Courts in India: 3**

Hierarchy of Criminal Courts, Hierarchy of Civil Courts

**Jurisdiction and powers of Supreme Court: 2**

Original Jurisdiction, Appellate Jurisdiction, Advisory Jurisdiction, Judicial Review

**Interviewing Technique, Pretrial Preparations and Participation in Trial Proceedings**, **Civil matters**: **4**

Procedure before hearing, pretrial preparation, essentials of a suit, Stages of a suit, place of suing, parties to suit, pleading.

**Pretrial Preparations and Participation in Trial Proceedings, Criminal matters**: **3**

Complaint, Police Report, Bailable, non-bailable offence, investigation, inquiry, trial, summon case, warrant case, Appeal, Reference and revision.

**Procedure in Contempt Cases: 3**

Contempt of Court, meaning and Categories, procedure in Contempt cases

**Drafting of writ Petition: 3**

Writs, Habeas Corpus, Mandamus, Certiorari, Prohibition, Quo-warranto**,** Writ Jurisdiction Of Supreme Courts, Article 32**,**Writ Jurisdiction of High Courts, Article 226.

**Art of Cross examination and Argument: 2**

Introduction, Examination in chief, Cross examination, Reexamination.

**Consumer Disputes Redressal agencies and central Administrative Tribunal**: **3**

District forum, state commission, National Commission .

**Central administrative Tribunal**: **2**

Jurisdiction, powers and authority.

Suggested Readings:

1. Dr. Kailash Rai: Moot Court Pre,Trial Preparation and Participation in Trial Proceedings, Central Law Publication.
2. Amita Danda: Moot Court for Interactive Legal Education, Gogia Law Agency, Hyderabad.
3. Blackstone's: Books of Moots, Oxford University Press.
4. Mishra: Moot Court Pre,Trial Preparation and Participation in Trial Proceedings, Central Law, Allahabad.

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| **Semester IV** | | | | | |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-212 | Constitutional Law-II | 4 | 0 | 0 | 3 |
| LIII-222 | Environmental Law | 4 | 0 | 0 | 3 |
| LIII-232 | Jurisprudence | 4 | 0 | 0 | 3 |
| LIII-242 | Intellectual Property Law | 4 | 0 | 0 | 3 |
| LCIII-252 | Drafting Pleading and Conveyancing | 2 | 0 | 1 | 2 |
| **Total** | | **18** | **0** | **1** | **14** |

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| **Course:** Constitutional Law-II | **Semester: IV** |
| **Course Code: LIII-212**  **LTP 400** | **Credits: 3** |

**Objective:** The constitution, a living document, is said to be always in the making. The judicial process of the constitutional interpretation involves a techqiniue of adapting the law to meet changing social needs. The objective of this paper is to develop the basic understanding of constitutional law.

**Syllabus**

**Union Executive:** **6**

President, Vice , President , Election, removal, Powers, Extent of Executive power of the Union, Union Council of Ministers, Attorney General for India.

**Union Legislature: 5**

Parliament , Composition, Officers of Parliament, Conduct of Business, Qualifications and Disqualifications of Members, Powers, Privileges and Immunities, Legislative Procedure , Anti,Defection Law.

**Union Judiciary: 6**

Supreme Court , Appointment and Removal of Judges, Powers and Jurisdiction , Original, Appellate , in respect of Constitutional matters, Civil, Criminal and Special Leave to Appeal, Comptroller and Auditor General of India

**State Executive:** 6

Governor , Appointment, Powers, Council of Ministers, Conduct of Government Business, Advocate General for the State.

**State Legislature: 6**

Composition, Officers of State Legislature, Conduct of Business, Qualifications and Disqualifications of Members, Powers, Privileges and Immunities, Legislative Procedure.

**State Judiciary:** **5**

High Courts , Appointment Removal and Transfer of Judges, Powers and Jurisdiction , Subordinate Judiciary , Independence of judiciary , Judicial Accountability

**Centre State Relations: 6**

Legislative, Administrative and Financial Relations , Cooperation and Coordination between the Centre and States , Judicial Interpretation of Centre, State Relations , Doctrines evolved by Judiciary

Liability of State in Torts and Contracts , Freedom of Interstate Trade, Commerce and Inter course.

Services under the Union and the States , Doctrine of pleasure, All India Services , Public Service Commissions.

**Emergency**: **4**

Need of Emergency Powers , Different kinds of Emergency , National, State and Financial emergency , Impact of Emergency on Federalism and Fundamental Rights , Amendment of Indian Constitution and Basic Structure Theory

**Suggested Readings:**

1. M.P.Jain, Indian Constitutional Law, Wadhwa & Co, Nagpur
2. V.N.Shukla, Constitution of India, Eastern Book Company, Lucknow
3. Granville Austin, Indian Constitution,Cornerstone of a Nation, OUP, New Delhi
4. H.M.Seervai, Constitutional Law of India (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, Indian Constitutional Law, S.Gogia & Co., Hyderabad
6. B.Shiva Rao, Framing of India’s Constitution (in 5 Volumes), Indian Institute of
7. Public Administration, New Delhi
8. J.N.Pandey, Constitutional Law of India, Central Law Agency, Allahabad
9. B.Shiva Rao.Framing of India’s Constitution (in 5 Volumes), Indian Institute of Public
10. Administration, New Delhi
11. J.N.Pandey, Constitutional Law of India, Central Law Agency, Allahabad

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| **Course:** Environmental Law | **Semester: IV** |
| **Course Code: LIII-222** **LTP 400** | **Credits: 3** |

**Objective:** Environmental law is a complex group of laws and regulations which operate to regulate the interaction of human life to the natural environment. Environmental laws consist of treaties, conventions, statutes and regulations. Often environmental law falls under common law. The purpose of environmental law is to protect and preserve the environment. There are two main subjects of environmental laws, control of pollution, and the conservation and management of land.

**Syllabus**

**Introduction to Environmental Law: 5**

Conceptual evolution of Environmental Law, Sources, Causes, Kinds and Effects of Pollution, Religious and cultural practices in India in protecting environment, Constitutional Provisions for Environmental Protection, Common law remedies

Remedies in Tort , civil and criminal laws

**International Initiatives and Environmental Protection: 6**

Environment and Development, UNCHE (Stockholm), 1972 , UNCED (Rio), 1992, Sustainable development and its principles, Convention on climate change COP1,15, Convention on climate change, Convention on Biodiversity/Earth summit1992, Kyoto protocol 1997

**Policies and Role of Judiciary: 5**

(Ministry of Environment and Forest website & Ch 3& 5 Environment Policy 2006, National water Polic, Forest Policy, 5 year Plans 12th Plan and Environment, Judicial Activism/ PIL/SAL on Environment.

**Water Pollution ,Protection And Prevention Law: 4**

Water (Prevention and control of Pollution) Act, 1974, Definitions, Central and State Pollution Control Board, Experts and Laboratory examination

**Air Pollution: Protection And Prevention Law: 4**

The Air (Prevention & Control of Pollution) Act, 1981, Definitions , Central and State Pollution Control Board, Experts and Laboratory examination

**Environment, Conservation and Protection: 4**

Environment (Protection) Act, 1986, Environmental Impact Assessment, Public Hearing and Role of NGOs , The National Environment Tribunal Act, 1955,The National Environment Appellate Authority Act, 1997, Green Tribunal Act 2010

**Forests And Wild Life,Protection and Conservation: 5**

The Forest (Conservation) Act, 1980,The Wild Life (Protection) Act, 1972, The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ,The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act,

**Biodiversity Protection law: 3**

Biodiversity Act 2002

**Noise Pollution,Prevention Law: 4**

Noise Pollution (Regulation and Control) Rules, 2000.

**Hazardous Waste Management: 4**

Hazardous Waste (Management and Handling) Rules, 1989, The Municipal Solid wastes (Management and Handling) Rules, 2000

**Suggested Readings:**

1. Paras Diwan: Studies on Environmental Cases.
2. S.N. Jain (ed.): Pollution Control and the Law.
3. Armin Rosencranzand Shyam Divan: Environmental Law and Policy in India.
4. A.Agarwal (ed.): Legal Control of Environmental Pollution
5. Chetan Singh Mehta: Environmental Protection and Law
6. V.K. Krishna Iyer: Environment Pollution and Law
7. Shah : Environmental Law
8. Paras Diwan : Environmental Law and Policy in India,1991
9. Dr. N. Maheshwara Swamy, Environmental Law, Asia Law House, Hyderabad.

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| **Course:** Jurisprudence | **Semester: IV** |
| **Course Code: LIII-232 LTP 400** | **Credits: 3** |

**Objective:** To impart basic knowledge about science and philosophy of law, various schools and theories of jurisprudence and their contemporary significance.

**Syllabus**

**Introduction:** **4**

Meaning and scope of term “Jurisprudence”, Theories of jurisprudence Relationship of Jurisprudence with other social sciences.

**Law:** **5**

Nature, Scope, Theories and definition of “Law”, Sources of Law, Purpose and Functions of Law.

**Schools of Jurisprudence:** **9**

Natural School of Law, Positive School of Law, Historical School of Law, Sociological School of Law, Utilitarian School of Law, Marxist Theory of Law.

**Justice:** **8**

Meaning & kinds, Justice and Law, approaches of different schools, Administration of Justice, Civil & Criminal, Theories of punishment, Indian Position, Role of State in Administrative Justice, Principles of Natural Justice, Judicial Activism.

**Ancient Indian Legal System:** **3**

Evolution and Concept of Law, Rule of Law, Role of King in administration of justice.

**Legal Persons:** **5**

Concept of Person , Natural and Legal Persons, Nature of Personality , Status of the unborn, minor, lunatic drunken and dead person , Corporate personality , Dimensions of the modern legal personality, legal personality of non-human beings.

**Legal Rights:** **2**

The Concept, Rights, Kinds, Right duty correlation.

**Possession:** **3**

The Concept, Kinds of Possession, Acquisition of Possession, Modes of Acquisition of Property.

**Ownership:** **3**

The Concept , Kinds of Ownership , Difference between possession & ownership

**Interpretation of Statutes:** **2**

Rules of Interpretation of a Statutes, Basic Guidelines on Interpretation, Divergent Opinions on Interpretation and Construction of Statutes, Rules of Construction, Procedural and Substantive Law.

**Suggested Readings:**

1. Salmond: Jurisprudence, Universal Publishers 12th Edn. 1966.
2. Paton : Jurisprudence
3. Allen : Law in the Making, Universal Publishers 7th Edn. 2001.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow, 5th Edn. 1977.
5. Dias: Jurisprudence, Aditya Books, 5th Edn. 1985.
6. Rama Jois, Legal and Constitutional History of India, Universal Law Publications, Delhi.
7. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, 4th Edition, 1976.
8. Maxwell: Interpretation of Statutes, Butterworths Publications, 1976, 12th Edition.
9. Crawford: Interpretation of Statutes, Universal Publishers.
10. Chatterjee: Interpretation of Statutes.
11. G.P. Singh: Principles of Statutory Interpretation, Wadhwa and Company, 8th
    1. Ed., 2001.
12. Cross, Statutory Interpretation

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| **Course:** Intellectual Property Law | **Semester: IV** |
| **Course Code: LIII-242** **LTP 400** | **Credits: 3** |

**Objective:** The main objective of the paper is to introduce to the students the concepts of IPR and their relationship with other subjects especially, economic law, and other technological aspects.

**Syllabus**

**Introduction: 4**

Intellectual Property **International Conventions** on IPR: WIPO Convention, Treaties on Copyright, Treaties on Industrial Property

**Copyright: 6**

Subject Matter of Copyright, Ownership of Copyright, Economic Rights of Copyright Owners, Author’s Moral Rights, Term Copyright, Assignment of Copyright, Copyright Societies, Performers Rights, Broadcast Reproduction Rights and Public Interest, International Copyright, Copyright Office and Copyright Board, Infringement of Copyright, Permitted Acts in Relation to Copyright, Remedies for Infringement of Copyright, Offences

**Trademarks: 7**

Introduction,Functions, Objectives, Historical Background,Meaning and Definition, Certificate, Collective Marks, Goods and Services, Well ,Known Trademarks,TM and Property Marks, Domain Names, Applicability of Trademark law to Domain Name, Distinction between TM and Domain Name , Registrar of TM and Trademarks Registry, Appointment of Registrar Registration Related Concepts,Conditions of Registration of TM (Various TM) , Procedure for Registration,Effects of Registration,Infringement and Passing,off ,Assignment and Transmission, Use of Trademarks and registered Users,Rectification and Correction of Register ,Collective Marks and Certification Trademarks,Appellate Board,Offences, Penalties and Procedure, Remedies for infringement of TM and Passing,off,Miscellaneous

**Geographical Indications**: **4**

Introduction, Definition, Rationale,Historical Development, Distinction between TM and GI,GI Registry, Register of GI, Registrar of GI,Indexes,Prohibitions, Registration of Homonymous GI, Registration Process,Effect, Appeals, Rectifications and Corrections, Registrar, Powers of Registrar, Infringement , Passing, Off ( Procedure and Reliefs) , Offences, Penalties and Procedures, Miscellaneous

**Patents**: **6**

Patents, Rationale, Historical Development,Meaning, Product and process patent, Application of Patents, Publications and Examinations of Applications, Representation and Opposition,Anticipation,Secrecy of Inventions, Grant of Patents and Rights of Patentee ,Amazements o0f Applications and Specifications,Restoration of Lapsed Patents ,Surrender and Revocation of Patents, Register of Patents, Working of Patents, Compulsory Licenses and Revocation, Use of Invention for Government Purpose, Infringement and Remedies, Miscellaneous.

**Designs: 4**

Introduction, Rationale, Protection, Historical Background ,Meaning, Article, Proprietor of a New or Original Design, Registration of Designs, Copyright in Design, Duration, Piracy of the Registered Design and Remedies, Passing Off, Defences in suit of infringement, Tests to be applied for Infringement

**Plant Varieties and Farmers’ Rights: Introduction: 5**

Objectives, Plant varieties, Advantages of Plant Varieties Protection System, Farmers’ Rights and Public Interest, National Gene Fund and Benefit Sharing, Plant Varieties Authority and Registry, Registration of Plant Varieties, Effect of Registration and Benefit Sharing, Surrender, Revocation of Certificate and Rectification of Register, Farmer Rights, Compulsory License, Plant Varieties Protection Appellate Tribunal, Infringement, Offences and Penalties, Miscellaneous.

**Semiconductor Integrated Circuits Layout,Design:** **2**

Overview of the Act

**Confidential Information:** **2**

Introduction, Jurisdictional Bases of the Law of Confidence, Trade Secrets, Actions for the Breach of Contract, Conditions

**Licensing Contract**: **2**

Advantages for Licensor, Licensee, Licensing from nation.

**IPR:** **2**

Licensing, Difference from Assignment, Licensing.

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**Suggested Readings:**

1. P. Narayanan: Patent Law, Eastern Law House, 1995.
2. David Brain Bridge, Intellectual Property, Pearson International
3. N.S.Gopalakrishnan and T.G.Agitha ,Principles of Intellectual Property, Eastern Book Company
4. W.Cornish, D Llewelyn and T. Aplin,Intellectual Property :Patents, copyright Trademarks and allied rights: Sweet and Maxwell
5. Richard Stim, Intellectual Property: Patents, Trademarks and Copyright: West Thomson Learning
6. Dr. Raghbir Singh, Law relating to Intellectual Property: Universal Law publications
7. Dr. Vikas Vashishth, Law and Practice of Intellectual Property in India: Bharat Law House
8. Roy Chowdhary, S.K. & Other: Law of Trademark, Copyrights, Patents andDesigns, Kamal Law House, 1999.
9. Dr. G.B. Reddy, Intellectual Property Rights and the Law 5th Ed. 2005 Gogia Law Agency.
10. John Holyoak and Paul Torremans: Intellectual Property Law.
11. B.L. Wadhera: Intellectual Property Law, Universal Publishers, 2nd Ed. 2000.
12. W.R. Cornish: Intellectual Property Law, Universal Publishers, 3rd Ed. 2001.

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| **Course:** Drafting Pleading and Conveyancing | **Semester: IV** |
| **Course Code: LCIII-252** **LTP 201** | **Credits: 2** |

**Objective:** The Paper ‘Drafting, Conveyance and Pleadings’ has been included in the syllabus with a view to equip the students with legal drafting abilities, legal frame work pertaining to the appearances before various tribunals/quasi judicial bodies and the basic understanding of the principles of pleadings.

**Syllabus**

**Drafting:** **12**

General Principles of Drafting and Relevant Substantive Rules.

**Pleadings: 20**

**Civil:**

Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.

**Criminal:**

Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

**Conveyance:** **12**

Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed.

Drafting of Writ Petition and PIL Petition.

Suggested Readings:

1. R.N. Chaturvedi : Pleadings and Conveyancing, Central Law Publications.
2. De Souza : Conveyancing, Eastern Law House.
3. Tiwari : Drafting, Pleading and Conveyancing, Central Law Agency.
4. Mogha: Indian Conveyancer, Eastern Law House.
5. Mogha: Law of Pleadings in India, Eastern Law House.
6. Shiv Gopal: Conveyancing, Precedents and Forms, Eastern Book Company
7. Narayana P.S.: Civil Pleadings and Practice, Asia Law House.
8. Narayana P.S.: Criminal Pleadings and Practice, Asia Law House.
9. Noshirvan H.Jhabvala: Drafting, Pleadings, Conveyancing & Professional Ethics. Jamhadar & Companes.
10. R.D.Srivastava: The Law of Pleadings, drafting and Conveyancing, Central Law Agency.

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| **Semester- V** | | | | | |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-311 | Public International Law | 4 | 0 | 0 | 3 |
| LIII-321 | Principles of Taxation | 4 | 0 | 0 | 3 |
| LIII-331 | Civil Procedure Code and Limitation Act | 4 | 0 | 0 | 3 |
| LIII-341 | Land Laws | 4 | 0 | 0 | 3 |
| LCIII-351 | Alternate Dispute Resolution System | 3 | 0 | 0 | 2 |
| **Total** | | **19** | **0** | **0** | **14** |

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| **Course:** Public International Law | **Semester: V** |
| **Course Code: LIII-311** **LTP 400** | **Credits: 3** |

**Objective:** To impart basic knowledge and understanding about the principles of public international Law and the emerging issues relating to States, Individuals and Non State Entities and their relation with each other.

**Syllabus**

**Introduction: 5**

Structure of the International Community Historical Development and Specificities of Public International Law, Definition, Nature, Legality of International Law, Theories as to basis of International Law, Relation of International Law to Domestic, Practice of States , UK USA and India, Sources of International Law , Codification.

**Subjects of International Law: 3**

The Concept of Subject of Law and of Legal Personality, Various Theories like Realistic Theory, Fictional Theory, Functional Theory**,** State as Subject , Definition and Conditions for Statehood, rights and duties of states, Territory, Modes of acquisition and loss of state territory, Sovereignty

**Recognition: 4**

*De Facto* and *De Jure*, Theories of Recognition, Recognition of Belligerency and Recognition of Insurgency, Collective Recognition, State Responsibility, Original and Vicarious Responsibility, State Responsibility for various Acts, Individual Acts, Mob Violence, Insurgency and for International delinquencies, The Invocation of Responsibility and Diplomatic Protection, State Succession, Theories of State Succession, Rights and Duties arising out of State Succession.

**Individual as a subject of International Law: 4**

The Basic modification, post charter in the position: Nationality, extradition, Asylum, Territorial and Extra, territorial, UNO & Human Rights, UDHR, Covenant on Civil Political Rights,1966, Covenant on Economic Social and Cultural Rights, 1966.

**Law of Treaties: 3**

Concept of Treaty, Kinds of Treaties, Binding Force of Treaties**,** *Pacta Sunt Servanda***,** *Jus Cogens***,** *Rebus Suc Stantibus***,** Parties of a Treaty**,** Formation of a Treaty**,** Reservation, Invalidity and Termination of Treaties.

**Diplomatic Relations: 5**

Meaning of Diplomacy, Law on Diplomatic Relations**,** Classification of Diplomatic Agents**,** Functions, Privileges and Immunities of Diplomatic Agents, and Duties.

**Law of the Sea: 4**

Historical Background, Maritime Belt, Territorial Sea, The Contiguous Zone, Exclusive Economic Zone, Continental shelf, The High Seas, International Sea Bed Area, Common Heritage of Mankind , Law of the Sea Conventions (United Nations Convention on the Law of the Seas).

**Air Space and International Law: 4**

Aircraft Hijacking, Important Conventions relating to Airspace , Paris, Havana, Warsaw and Chicago Conventions , Five Freedoms of Air , Legal Regime of Outer space , Important Conventions such as Outer space Treaty.

**Settlement of International Dispute: 4**

Legal and Political Disputes**,** Pacific Means of Settlement, Arbitration , Negotiation, Mediation, Good Offices**,** Conciliation, Settlement under UNO, Compulsive Means, Retortion, Reprisals, Embargo, Pacific Blockade, Intervention.

**International Institutions: 4**

Legal Personality**,** League of Nations**,** United Nations , Origin and Purposes**,** Agencies of United Nations**,** Specialized Agencies of United Nations, ILO, WHO, UNESCO,

**Emerging Areas under International Law: 4**

The Fundamental Principles of International Law**,** The Principles proclaimed in the UN General Assembly Resolution 2625 (XXV) of 1970**,**‘The Responsibility to Protect’: a new principle of international law , Customary International Law

**Suggested Readings:**

1. Shaw Malcolm Nathan, International Law, Cambridge University Press, 2003
2. S K Kapoor, International Law and Human Rights, Central Law Agency, Allahabad, (14thEdn.-2002)

3. Ian Brownlie,Principles of Public International Law, Oxford University Press, 2008

4. Joseph Gabriel Starke,Ivan Anthony Shearer, Starke's International Law , Butterworths, 1994

5. Lassa Oppenheim,Robert Jennings and Arthur Watts, Oppenheim's International Law, Oxford University Press, USA, 2008

6. 7. H.O. Agarwal, International Law & Human Rights, Central Law Publications, 2000

7. Ian Brownlie, Basic Documents in International Law, Oxford University Press, 2008

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| **Course:** Principles of Taxation | **Semester: V** |
| **Course Code: LIII-321** **LTP 400** | **Credits: 3** |

**Objective:** The objective of the subject is enable the student to understand the basic principles and fundamentals underlying the direct taxation law prevailing in India. To help the student as to how a statutory provision has been interpreted by various courts in India.

**Syllabus**

**History of Tax Law in India: 5**

Canons of taxation , Constitutional provisions relating to Taxation, Nature and Scope of Tax ,Constitutional basis of power of taxation — Article 265 of Constitution of India , Different direct tax laws and their inter, relationship, importance of Income Tax Act and Annual Finance Act , Harmonization of tax regime.

**Basic concept of Income Tax: 5**

**(a) Income Tax Act, 1961:** Outlines of Income Tax Law ,, Definition of Person, Assessee, Previous year, Assessment years, Financial year, Income, Gross Taxable Income, Taxable Income, Agricultural Income, Tax Evasion and Tax Avoidance under Income Tax Act

**(b) International Taxation:** Basic Concepts of International Taxation , Residency Issues (NRIs and MNCs) , Source of Income , Tax Heavens , Withholding Tax , Unilateral Relief , Tax Avoidance Agreements , Controlled Foreign Corporation , Advance Rulings and Tax Planning , Authority for Advance Rulings

**(c) Finance Act** , Salient features and its implication on Tax Laws in India.

**Residential Status: 4**

Residential status of an individual, Hindu Undivided Family, Firm, Association of Persons, Company , Residential status and incidence of tax , Connotation of receipt of income and accrual of income.

**Income from Salary: 4**

Income from Salary , Different forms of salary and allowances , Permissible deductions from salary income , Treatment of Provident Fund and approved Superannuation fund , Deduction under Section 80C , Rebates to Pensioners and Senior Citizens.

**Income from House, Agricultural Property and Capital Gains: 5**

**(a)** **Income from House Property and Agricultural Property** , Basis of charge , Income from property exempt from tax , Basis of computing income from a let out house property , Computation of taxable income from self,occupied property , Special provisions when unrealized rent is realized subsequently

**(b) Income from Capital Gains and Other Sources ,** Capital Gains and its computation , Capital Gains when exempt from tax , Short term and Long Term Capital Gains , Income from other sources: Winnings from lotteries, crossword puzzles, horse races and card games etc. , Deductions permission from income from other sources.

**Income from Profits and Gains of Business or Profession: 4**

Basic principles for arriving of business income , Method of accounting , Relevancy for computing business income , Scheme of business deductions/allowances , Taxable undisclosed income/investments , Permissible methods of valuation of closing stock.

**Corporate Taxation: 5**

Incomes not included in total income , **(a) Corporate taxation and exemptions:** Special provision in respect of newly established industrial undertaking in free trade zones , Special provision in respect of newly established hundred percent export oriented undertaking , **(b)**

**Trusts:** Income from property held for charitable or religious purpose , Income of trusts or institutions from contributions , Conditions as to registration of trusts, etc. , Section 11 not to apply in certain cases , Special provisions relating to: (c) Hindu Undivided Family , (d) LLPs , (e) Firms , (f) Association of Persons , (g) Co,operative Societies , (h) Political Parties.

**Clubbing of Income and Set Off: 5**

Set Off or Carry Forward of Losses , Various Deductions to be made in Computing Total Income , Rebates and Relief's, Applicable Rates of Taxes and Tax Liability , Taxation of Individuals including Non,Residents, Hindu Undivided Family, Firms, LLP, Association of Persons, Cooperative Societies, Trusts, Charitable and Religious Institution , Classification and Tax Incidence on Companies , Computation of Taxable Income and Assessment of Tax Liability, Dividend Distribution Tax, Minimum Alternate Tax and Other Special Provisions Relating to Companies ,Tax Deduction at Source , Tax Collection at Source , Provisions of Advance Payment of Tax.

**Wealth Tax and Estate Duty Acts: 4**

**(a) Wealth Tax Act, 1957** , Background, Concept , Charge of Wealth Tax , Persons liable to Wealth Tax — Persons exempted from Wealth Tax — Assessment — Deemed Assessment — Debts — Assessment year ,, Previous Year ,, Valuation Date ,, Rate of Wealth Tax — Wealth Tax Procedure — Filing of Returns — Statement of net wealth, Computation of Wealth Tax, Valuation rules for immovable property, Business Assets, Jewelry, **(b) Estate Duty Act, 1953 ,** Concept and Definitions , Calculation of estate duty on property after death.

**Law and Procedure: 3**

Assessment Procedure and Types of Assessment **,** Filing Returns , PAN , Signatures, E,Filing, Assessment, Reassessment and Settlement of Cases, Special Procedure for Assessment of Search Cases, E,Commerce Transactions , Recovery and Refunds , Appeals and Revisions , Rectification of Mistake , Penalties Imposable, Offences and Prosecution , Grievances , Authorities: Their functions, Duties and Powers.

**Suggested Readings:**

1. Dr. Vinod K.Singhania: Student Guide to Income Tax, Taxman, Allied Service Pvt. Limited.
2. Dr. Vinod K.Singhania: Direct Taxes Law & Practice, Taxman Allied Service Pvt. Limited.
3. Myneni S.R.: Law of Taxation, Allahabad Law Series.
4. Kailash Rai: Taxation Laws, Allahabad Law Agency.
5. Dr. Gurish Ahuja: Systematic Approach to Income Tax, Bharat Law House Pvt

Limited.

6. V.S. Datey : Law and Practice Central Sales Tax Act, 2003, Taxman Publications.

7. Nani Palkivala: Income Tax, Butterworths Publications.

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| **Course:** Civil Procedure Code and Limitation Act | **Semester: V** |
| **Course Code: LIII-331 LTP 400** | **Credits: 3** |

**Objective:** The courts are not free to decide the matters without following any procedure or with arbitrariness. The certain norms are fixed to be followed in the form of CPC. This subject provides complete knowledge of procedure to be followed in courts to secure ends of justice.

**Syllabus**

**Introduction Definition: 6**

Decree, Judgment, Order, Foreign Court, Foreign Judgment, Mens Profits, Affidavit, Suit of a civil nature, Plaint, Written Statement, Legal Representative, Important Concepts: Res-sub-judice, Resjudicata, Restrictions, Caveat, Inherent Power, Courts.

**Initial Steps in a Suit Jurisdiction and place of suing Institution of suit Pleading: 6**

Meaning, Object, General Rules, Amendment of Pleading Plaint and Written statement Parties to a suit Discovery, Inspection and Production of documents Appearance and non-appearance of parties First Hearing.

Interim Orders Commission Arrest before judgment Attachment before judgement Temporary Injunctions Interlocutory Order Receiver Security of costs.

**Suit in Particular case: 6**

Suits by or against Government Suits by indigent person Inter-pleader Suit Summary Procedure Suits relating to Pubic Nuisance.

**Judgement and Decree : 6**

Judgment, Definition, Essentials, Pronouncement, Contents and Alteration, Decree, Definition, Essentials, Types, Drawing up of a Decree, Contents and Decree in particular cases Interest, Costs.

**Execution: 6**

Execution Court by which decree may be executed Payment under decree Application for execution Mode of execution Questions to be determined by executing court.

**Appeals: 6**

Appeals from original decree Appeals from appellate decree General provisions relating to appeals Appeals to Supreme Court Appeals by indigent person Reference to High Court Review and Revision Execution.

**Law of Limitation and Registration: 6**

Meaning, nature and scope of law of limitation Bar of Limitation and its efficacy Sufficient Cause, its meaning and applicability Legal Disability: Meaning, Scope and Effect Continuous running of time, General principle, meaning, scope and it exceptions Law relating to Registration of documents.

**Suggested Reading:**

1. Mulla, Code of Civil Procedure, Universal, Delhi

2. C.K.Thakkar, Code of Civil Procedure, 2000 Universal Delhi

3. M.P.Tandon, Code of Civil Procedure

4. Anil Nandwani, Code of Civil Procedure

5. C.K.Takwani, Code of Civil Prodecure

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| **Course:** Land Laws | **Semester: V** |
| **Course Code: LIII-341** **LTP400** | **Credits: 3** |

**Objective:** The scope of the subject is to sensitize students to various problems relating to land law. To understand how the various Pre-independence Land Reforms and Post-independence Land Reforms Land Reforms ensures the protection and welfare of general mass and peasants of India. The course deals with Land Reforms including Zamindari Abolition and Land Reform laws.

**Syllabus**

Introduction: 6

Concept of Land in U.K and India comparison, Classification of lands, Ownership of Land,Absolute and limited ownership, Doctrines: Doctrine of Eminent Domain, Doctrine of Escheat, Doctrine of Bona Vacantia.

Law Reforms Pre - Post Independence: 5

*Pre-Independence Reforms,* Intermediaries, Zamindari Settlement, Ryotwari Settlement, Mahalwari System, Absentee Landlordism.

*Post-Independence Reforms:* 5

Constitutional Provisions, Abolition of Zamindaries, Jagirs and Inams.,U.P. zamindari and land reforms.

**Laws Relating to Tenancy Reforms:** 4

Meaning of tenant – Classification of tenure holder – conferment of ownership on tenants/ryots – Laws relating to tenancy reforms.

**Revenue Authorities:** 4

Importance Land Records, Preparation and maintenance of Records of Rights (ROR), Issue of Pattas and Title Deeds etc., Tribal Right to Land –The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.

**Law Relating to Land Acquisitioning India:** 4

History of Land acquisition in India, Notable changes in New Land Acquisition Act 2013 as compared to Land Acquisition Act 1894, The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, Special Economic Zones.

**Law Relating to Land Requisition and Acquisition:** 4

The Requisition and Acquisition of Immovable Property Act 1952.

**Law relating to Ceiling on Land Holdings:** 4

**Suggested Readings:**

1. Land Laws, The ICFAI University Press , U.P. Land Laws-R.R.Maurya.
2. Law of Land Acquisition and Compensation-Sanjiva Row’s, Jurisprudence-B.N. Mani Tripathi.

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| **Course:** Alternate Dispute Resolution System | **Semester: V** |
| **Course Code: LCIII-351** **LTP 201** | **Credits: 2** |

**Objective:** To impart knowledge about Importance of Alternative Dispute Resolution laws in India and abroad, its limitations and possibility of reforms going forward.

**Syllabus**

**Introduction to Alternative Dispute Resolution (ADR):** **4**

Docket Explosion, Access to Justice, Constitutional Goal, Dispute Resolution, ADR, Meaning and scope, Judicial Settlement and ADR , Emerging Trends in Dispute resolution.

**ADR Mechanisms:** **3**

Arbitration, Mediation, Conciliation, Negotiation, Other Hybrid forms.

**Application of ADR to different Dispute Situations:** **5**

ADR in Motor Accidents, ADR in Family disputes , ADR in Labour Disputes and others.

**International Commercial Arbitration (ICA): 4**

Meaning of ‘International’ ‘Commercial’ Arbitration, UNCITRAL Model Law.

**Arbitration and Conciliation Act of 1996 in India:** **2**

Aims and Objectives.

**Arbitration Agreement: 2**

Arbitral Disputes , Laws Applicable to Arbitration.

**Appointment of Arbitrators and Composition of Arbitral Tribunal:** **2**

Procedure for Appointment of Arbitrators , Powers and Duties of Arbitrators , Challenges for Arbitrators.

**Arbitral Procedure:** **3**

Jurisdictional Issues , Conduct of Arbitral Proceedings , Interim Measures of Protection , Making of Awards.

**Arbitral Awards:** **3**

Form and contents of arbitral award , Kinds of awards , Correction, Interpretation and Amendments to Awards , Setting aside of an Arbitral Award , Enforcement of Arbitral Awards.

**Enforcement of Foreign Awards:** **3**

Meaning and Definition of Foreign Awards under (India) 1996 Act , Enforcement of Foreign Awards under 1996 Act , Geneva Protocol and Geneva Convention Awards , Non,Convention Awards , Issues of Public Policy.

**Conciliation under the Act:** **2**

Meaning and Scope of Conciliation , Appointment of Conciliators , Conduct of Conciliation Proceedings , Settlement Agreements.

Suggested Readings:

1. The Arbitration and Conciliation Act by O.P. Tiwari (2nd Edition): Allahabad Law Agency.
2. An introduction to ADR Mechanism by KSR Murthy Gogia Law Agency,Hyderabad
3. Alternate Dispute Resolution by S.D. Singh: 2001 Edition. Universal Book Traders,New Delhi.
4. An Introduction to Alternative Dispute Resolution by Dr. Anupam Kurlwal (Central Law Publications)
5. The Law and Practice of Arbitration and Conciliation by O. P. Malhotra (Lexis Nexis Butterworth)
6. Alternate Dispute Resolution by P.C. Rao (ed) Universal Book Traders, New Delhi.
7. Arbitration, Conciliation and ADR, by S.C. Tripathi Central Law Agency, Allahabad.
8. Arbitration and Conciliation by Avatar Singh, Eastern Law Book House, Lucknow.
9. Avtar Singh :Arbitration and Conciliation and ADR.
10. PC Rao: Alternative Dispute Resolution.
11. SC Tripathi: Arbitration and Conciliation including ADR.
12. 176th law commission Report.
13. 246th La commission Report.

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| **Semester-VI** | | | | | |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-312 | Company Law | 4 | 0 | 0 | 3 |
| LIII-322 | Law of Evidence | 4 | 0 | 0 | 3 |
| LIII-332 | Labour Laws | 4 | 0 | 0 | 3 |
| LIII-342 | Interpretation of Statutes | 4 | 0 | 0 | 3 |
| LIII-352 | Trust, Equity and Fiduciary Relationships | 4 | 0 | 0 | 3 |
| **Total** | | **20** | **0** | **0** | **15** |

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| **Course:** Company Law | **Semester: VI** |
| **Course Code: LIII-312** **LTP 400** | **Credits: 3** |

**Objective:** Object of the course is to enable the student to understand the basics of company law. The area of study examines issues such as how a company may be formed, operated, and dissolved, the degree to which limited liability protects investors, the extent to which a business can be held liable for the acts of an agent of the business, the relative advantages and disadvantages of different types of business organizations etc. Major changes that have been introduced by Companies Act 2013. Legal implications of the various changes. To examine the new concepts introduced along with the judicial pronouncements.

Syllabus

Introduction and Meaning: 3

Meaning of Company, Various theories of Corporate Personality, Essential Characteristics of a company.

Forms of Corporate and Non-corporate Entities: 6

Corporations, Partnerships and other associations of persons, State Corporations, Government companies, Public Sector, Small Scale Industries, Co-operative Societies, Corporate and Joint Sectors, Foreign Collaboration, Role, Functions and Accountability, Companies, Civil and Criminal Liability.

Formalities of a Company: 6

Law relating to Companies: Objectives of the Companies Act 2013 , Need of company for development, Promoters, Role of Promoters, Rights and Liabilities, Pre-incorporation contracts , Formation of a Company, Registration and Incorporation.

Types of Companies: 4

Public Company, Private Company and One Person Company, Memorandum of Association: Doctrine of Ultra Vires , Articles of Association: Binding force, Alteration, Relations with Memorandum of Association, Doctrine of Constructive Notice and Indoor Management, Exceptions: Lifting of Corporate Veil.

Prospectus: 3

Issue, contents, liability for misstatements, Statement in lieu of Prospectus, Allotment of Securities.

Share Capital and Debentures: 5

Shares, General principles of Allotment, Statutory Restrictions , Share certificate, Transfer of share, Restrictions on transfer, Procedure for transfer, refusal of transfer, Role of Public Financial Institutions, Relationship between Transferor and Transferee , Issue of shares at Premium and Discount , Shareholder.

Shareholders: 4

Modes of becoming a shareholder, calls on shares, forfeiture and surrender of shares, lien on shares, rights and liabilities of shareholder , Difference between Shareholder and Member: Register of members , Share Capital: kinds, alteration and reduction of share capital, further issue of capital, Conversion of loans and debentures into capital, duties of court to protect the interests of creditors and shareholders.

Directors: 4

Director: appointment, qualifications, vacation of office, removal, resignation , Powers and duties of directors, Meeting, registers, loans , Remunerations of directors, additional, nominee, and alternate director, Role of independent directors, compensation for loss of office, managing directors and other managerial personnel , Directors Identification Number (DIN): Nomination and Remuneration Committee and Stakeholders Relationship Committee.

Meetings: 2

Meetings, kinds: Statutory Meeting, Annual General Meeting, Extraordinary General Meeting, Notice, Procedure, Quorum: Voting rights, Resolution: Minutes: Inspection and Maintenance of meetings books.

Dividends, Accounts and Audit: 4

Dividend: Types of Dividend, Interim and Final: Investor Education and Protection Fund ,Accounts: Constitution of National Financial Reporting Authority: Corporate Social Responsibility, Audit: Appointment, Removal and Resignation of Auditors: Powers and Duties of Auditors, Audit Standards: Audited Financial Statements: Powers of Registrar and Rights of Member: Audit Committee.

Corporate Social Responsibility: 3

The need and importance, Provisions related to CSR under the Companies Act 2013.

**Suggested Readings:**

1. J.M. Thomson: Palmer’s Company Law
2. Gower: Principles of Modern Company Law
3. Avatar Singh: Principles of Company Law
4. J.C. Verma : Corporate Mergers, Amalgamations
5. A.M. Chakraborthi: Company Notices, Meetings and Resolutions
6. L.V.V.Iyer : Guide to Company Directors
7. S.M. Shah : Lectures on Company Law
8. Dr. N.V. Paranjape: Company Law 4th edition Central Law Agency, 2007
9. Dr. S.C. Tripathi : Modern Company Law, Second edition , 2006

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| **Course:** Law of Evidence | **Semester: VI** |
| **Course Code: LIII-322** **LTP 400** | **Credits: 3** |

**Objective:** To impart knowledge among the students regarding the principles of Indian evidence.

**Syllabus**

**Introduction to Law of Evidence: 2**

Purpose of the Law of Evidence , History of the Law of Evidence , The British Principles of Evidence , Salient Features of the Indian Evidence Act, 1872 , Kinds of Evidence.

**Theory of Relevancy: 4**

Presumptions, Facts in Issue , Relevant Facts , Relevant Facts , Admissibility and Relevancy.

**Facts, Relevancy: 4**

Doctrine of Res Gestae , Proof of Conspiracy , Problems of Relevancy of Facts not Otherwise Relevant , Proof of Custom , Facts Concerning State of Mind and Body.

**Admissions and Confessions: 4**

General Principles Concerning Admissions , Involuntary Confessions made by “Inducement, Threat or Promise , Confession made to Police Officer , ‘Custodial’ Confessions , Statements Leading to Discovery of Facts, Confession by Co-accused.

**Statements by Persons who cannot be called as Witnesses: 4**

Persons who cannot be called as Witnesses , Dying Declaration, Other Statements , Statements made in Judicial Proceedings, Statements made under Special Circumstances.

**Relevancy of Judgments: 4**

Relevance of Previous Judgments , Judgments as Conclusive Proof, Judgments When Irrelevant , Fraud or Collusion in Obtaining Judgment.

**Relevancy of Opinion and Character: 4**

Expert Evidence , Opinion in Other Cases when Relevant , Relevance of Character.

**Oral and Documentary Evidence: 4**

Oral Evidence, Documentary Evidence , Public and Private Documents,, Exclusion of Oral Evidence by Documentary Evidence , Rules for Interpretation or Construction of Documents.

**Presumptions: 4**

Presumption as to Documents , Presumption as to Public Documents , Presumption as to Ancient Documents.

**Burden of Proof and Onus of Proof: 3**

Facts which need not be proved , Principles of Burden of Proof , Standard of Proof in Civil and Criminal Proceedings, Presumptions.

**Estoppel: 3**

Doctrine of Estoppel , Classification of Estoppel , Estoppel, Res Judicata and Waiver.

**Competency and Compellability of Witnesses: 2**

Competency of Witnesses , Compellability of Witnesses (Privileged Communications) , Accomplice Evidence.

**Examination of Witnesses: 2**

Kinds of Examination of Witnesses, Cross,examination of Witnesses , Contradictory and Corroborative Evidence , Powers of Judges regarding Witnesses , Improper Admission and Rejection of Evidence.

**Suggested Readings:**

1. Batuk Lal: The Law of Evidence, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir: Principles and Digest of the Law of Evidence, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. Vepa P. Saradhi: Law of Evidence 4th Edn. Eastern Book Co., Lucknow, 1989.
4. Avtar Singh: Principles of the Law of Evidence, 11th Edn. Central Law Publications.
5. V. Krishnama Chary: The Law of Evidence, 4th Edn. S.Gogia & Company.

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| **Course:** Labour Laws | **Semester: VI** |
| **Course Code: LIII-332** **LTP 400** | **Credits: 3** |

**Objective:** The scope of the subject is make the student well versed with the labour legislations. The labour legislations ensure proper work conditions for labour in various workplaces, minimum wages, and proper working hours.

**Syllabus**

**Industrial Jurisprudence and principles of labour legislation: 4**

Historical Perspective on Labour, slave labour, guild system, division on class basis. Labour conflicts, unorganized labour, surplus labour, and division of labour. Laissez faire to Welfare State, Transition from exploitation to protection and from contract to status. Labour Policy in India, International Labour Standards and their implementation.

**Industrial Employment (Standing Orders) Act, 1946: 4**

Scope and object of the Act, Model standing orders, and matters to be incorporated in standing orders (schedule to the Act). Submission of draft standing order, certification and modification of standing orders. Interpretation of standing orders and power of appropriate Government to make rules. Concept of misconduct, disciplinary action and punishment for misconduct.

**Discipline in industry: 4**

Meaning of discipline and causes of indiscipline in industry. Doctrine of hire and fire. Restraints on managerial prerogatives, Fairness in disciplinary process, right to know the charge sheet and right of hearing. Domestic enquiry , notice, evidence, cross,examination, representation, unbiased inquiry officer and reasoned decision. Prenatal (permission) and Postnatal (approval) control during pendency of proceedings (Sec.33 of ID Act).

**Trade Unionism: 4**

Colonial labour law and policy, Labour Movement as a counter measure to exploitation. History of trade union movement in India. Right to trade union as part of human right to freedom of association. Role of trade unions in the changing economic scenario.Registration of Trade Unions , Obligations of Trade Union , Recognition of Trade Union.

**Collective bargaining: 4**

Concept of collective bargaining , essential characteristics , merits and demerits conditions for the success for collective bargaining, Bargaining process: Negotiation , Pressurization techniques: Strike and lockout, go,slow, work to rule, gherao, Structure of bargaining: plant, industry and national levels, Recognition of trade union for collective bargaining.

**Law relating to Industrial disputes: 6**

Conceptual conundrum: industry, industrial dispute, workmen, (Sec.2J,K&S), Dispute settlement machinery: Conciliation officers, Board of Conciliation, labour court, Industrial Tribunal and National Tribunal , duties and powers, (Sec3,10), Reference for adjudication and Voluntary Arbitration (Sec.10 & 10A), Award and its binding nature and judicial review of awards. (Secs.18 & 11,A), Statutory limitations on strikes and lock,outs, unfair labour practices , prohibition and penalties. (Sec.22,31&25,T, 25U), General and special provisions relating to lay,off, retrenchment & closure (Sections 25A,25S & 25K,25R), Recommendations of Second Labour Commission on industrial disputes.

**Law relating to wages and bonus: 4**

Theories of wages: marginal productivity, subsistence, wage fund, supply and demand, residual claimant, standard of living. Concepts of wages (minimum wage, fair wage, living wage, need,based minimum wage), Constitutional provisions, components of wages

**Minimum Wages Act, 1948: 4**

Objectives and constitutional validity of the Act, procedure for fixation and revision of minimum rates of wages , exemptions and exceptions.

**Payment of Wages Act, 1936:** 2

Regulation of payment of wages, Authorized Deductions.

**Payment of Bonus Act: 4**

Bonus , Its historical background, present position and exemptions , Payment of Bonus (Amendment) Act, 2007.

The Factories Act, 1948: 6

Definitions, rights and obligations of workers, Occupier’s General Duties, Manufacturer’s Duties, Factories Inspector and his Powers, approval, Licensing and registration of factories, Health, safety, welfare provisions, Restrictions on Employment of Women and Young Children.

**The Mines act, 1952: 2**

Definitions, Management of mines, duties and responsibilities of owners, agents, and managers, Health, safety, medical and accident provisions, working hours and conditions of employment, Exemptions of the owner, agent or manager

**The Plantations Labor Act, 1951: 2**

Scope and Coverage of the Act, Registration of Plantations, Powers and functions of inspectors, Health and Welfare Provisions, Working Conditions, Procedure for Receipt of Compensation.

**The Motor Transport Workers Act, 1961: 1**

Definitions, Registration of Motor Transport Undertakings, Powers of the Inspectors, Welfare and Health Provisions.

**The Shops and Establishments Act, 1953: 1**

Definitions, registration, health and safety conditions, Inspecting officers duties.

**The Sales Promotion Employees (Conditions of Service) Act, 1976: 2**

Definition, provision for leave, Obligations of Employer, Appointment and Powers of Inspectors.

**Employees’ State Insurance Act, 1948**: 2

Scope and Coverage, Definitions Contribution, Benefits under the Act, General rules concerning benefits, Dispute and claim settlement under the Act.

**Employees’ Provident Funds and Miscellaneous Provisions Act, 1952: 4**

Applicability, Employees’ Provident Fund Scheme, 1952, Family Pension Scheme, 1971, Employees Pension Scheme Authorities under the Act.

**Payment of Gratuity Act, 1972: 2**

Meaning of employee, employer, continuous service, etc. Conditions for payment and forfeiture of gratuity. Computation of gratuity, Authorities under the Act and their powers and functions.

**Workmen’s compensation Act, 1923: 2**

Definitions, aims & object, Liability of employer, notional extension & defences, Determination of amount of compensation, compensation when due,penalty for default, contracting out , Appointment & powers of commissioner.

**Maternity Benefit Act, 1961: 2**

Nature and scope of the Act, Restrictions on employment of women, Right to maternity benefit and its calculation, Entitlement and forfeiture of maternity benefit, Other benefits and Inspectors under the Act , their powers, functions and duties.

**The Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979: 2**

Registration of Establishments, Licensing of Contractors, Duties and Obligations of the Contractors, Displacement Allowance, Liability of Principal Employer, Referral of Disputes.

**The Apprentices Act, 1961: 4**

Definitions, Obligations of Employers, Period for Practical Training, Working Hours, Leave and Holidays for the Apprentices, Employers Liability for Accident Compensation, Compensation for Termination of Apprenticeship, Obligations of Apprentices, Rights of Employers and Apprentices.

**The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959: 2**

Definitions, Employment exchanges , Establishments , Establishment in private sector, Obligations of Employers.

**Bonded Labor System (Abolition) Act, 1976: 2**

Abolition of Bonded Labor System, Extinguishing of Liability, Property to be freed from Mortgage, Duty of District Magistrate, Vigilance Committee.

**Child Labor (Prohibition and Regulation) Act, 1986: 5**

Constitutional framework, National Policy on Child Labor in India 1987, The Second National Commission on Labor (2002), International Labor Organization, Prohibition of Employment of Children in certain Occupations and Processes, Hours and Period of Work.

**Suggested Readings:**

1. Srivastava: Law of Trade Unions, Eastern Book Company, Lucknow
2. R.F. Rustomji : Law of Industrial Dispute : Asia Publishing House, Mumbai
3. S.N. Misra : Labour and Industrial Law
4. J.N. Malik : Trade Union Law
5. Khan& Khan: Labour Law, Asia Law House, Hyderabad
6. S.N.Misra, Labour and Industrial Laws, Central law publication,22nd edition. 2006.
7. N.G. Goswami, Labour and Industrial Laws, Central Law Agency.
8. Khan & Kahan, Labour Law,Asia Law house, Hyderabad
9. K.D. Srivastava, Payment of Bonus Act, Eastern Book Company
10. K.D. Srivastava, Industrial Employment (Standing Orders) Act 1947
11. S.C.Srivastava, Treatise on Social Security
12. Jidwitesukumar Singh, Labour Economics, Deep& Deep, New Delhi
13. V.J.Rao, Factories Law
14. Anil Kumar, Social Security and Labour Welfare, Deep & Deep Publications, 2003
15. K M Pillai, Labour and Industrial Law, 10th Edn, 2005, Allahabad Law Agency, Allahabad.

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| |  |  | | --- | --- | | **Course Code:** Interpretation of Statutes | **Semester:  VI** | | **Course Code: LIII-342 LTP 400** | **Credits  :  3** |   **Objective:** Aim of the Course: Enacted laws, i.e. Acts and Rules are drafted by legal experts. Language used will leave little or no room for interpretation or construction. But the experience of all those who have to bear and share the task of application of the law has been different. Courts and lawyers are busy in unfolding the meaning of ambiguous words and phrases and resolving inconsistencies. The statute is to be construed according to the intent of them that make it. To ascertain the true meaning, intent of the maker, numerous rules of interpretation were formulated by courts and jurists. The objective of this course is to make the student familiar with various rules of interpretation.  **Syllabus**  **Introduction to Interpretation of statutes:** **4**  Meaning of Statute/Components of a statute, Judicial importance, Importance to advocates, Legal experts, Utility & methods of interpretation, ***Bengal Immunity co. VS State of Bihar***  **Basic Principles of Interpretation: 4**  Literal rule, Mischief rule, Golden rule, Harmonious construction, Beneficial construction ***R.M.D Chamarbaughwala Vs UOI.***  **General rules: 3**  Ex visceribus actus statute must be read as a whole in its context, Statutes in pari material, ***Lilavati Bai vs. State of Bombay AIR 1957 SC 521***  **Maxims of interpretation: 6**  Ut res magis valeat quam pereat, Noscittur sociis, Ejusdem generis, Expression unius est exclusion alterius, Contemporanea exposition est fortissimo in lege, A verbis legis non est recendendum, Absolute sentential expositore non indigent, Abundans cautela non nocet, Reddendo singular singulis or “referring each to each”, Generalia specialibus non derogant (“the general does not detract from the specific”), Leges posteriors priores contrarias abrogant (subsequent laws repeal those before enacted to the contrary, aka “Last in Time”) etc ***Hamdard Dawakhana vs UOI AIR 19676 SC 116.***  **Guiding rules: 6**  Internal aids to construction, External aids to construction, ***Keshava Nand Bharthi vs state of kerala.***  **Presumptions regarding jurisdiction: 3**  Presumption Against ouster of established, creation of new jurisdiction and enlargement of existing jurisdiction courts, Presumption Against violation of International law, Presumption Against extra territorial operation of statute , Presumption Whether statues affect the state.  **Enactments: 4** Mandatory and directory, Conjuctive and disjunctive.  **Operation of statutes: 4**  Amending, consolidating and codifying, Commencement, repeal, legislation, retrospective  **Construction of taxing statutes of penal laws: 6**  Strict interpretation rule, ***New Piece good bazaar company vs CIT, Bombay A.I.R 1950 SC 165***   * NILLA POENA SINE LEGE * NLILLUM CRIMEN SINE LEGE   Retroactivity of criminal law, Narrow construction of criminal law, rule against judicial creation of offences and vagueness of criminal statutes.  *Mens Rea And Actus Reus:* Meaning origin & development Means rea & Intention, Motive knowledge, intention recklessness and Negligence, Mens rea and Criminal liability Principles of mala in se, mala prohibita  Case Law:  *Barendra Kumar Ghosh v. Emperor, (1924) 52 IA 40, Cal. (PC),*  *Mathew v. State of Travancore,*  *Vijayanti v. State of Maharastra (2005)13 SCC*  **Interpretation of constitution: 4**  Principle of implied power, Principle of Incident and ancillary powers, Principle of Implied prohibition | |  | | --- | |  | |
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**Suggested Readings:**

1. Sarathi ‘s, Vepa .P, Interpretation of statutes, 5th edition ,Eastern Book Co., 2010, 836 pp.

2. Bhattacharya , Prof. T., Interpretation of statutes,9th Ed. 2014, University Book House, 226 pp.

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| **Course Code:** Trust, Equity and Fiduciary Relationships | **Semester:  VI** |
| **Course Code: LIII-352** **LTP 400** | **Credits  :  3** |

**Objective:** This course is designed to acquaint students with general principal of Equity, Trust and Fiduciary Relations and remedies available under Equity.

**Syllabus**

**Introduction: 11**

History, nature and principal of Equity, Emergence of law of trust from Equity, The making of Indian Law of Trust and provisions of law of Trust, Religious Trusts.

**Principles of Equity and Equitable Remedies, Equitable Relief: 11**

Equitable Relief in different branches of law with special reference to property law, Equity, Nature of Equity, History of Courts of Equity, Relations of law of Equity, The maximum of Equity, Different Equitable remendies.

**Trust & Fiduciary Relations : 11**

Essentials of Trust, Fiduciary Relationship, Concept, kinds vis‐à‐vis Trusteeship, Trust and contract Power, condition, charge and personal obligations, distinguished Classification of Trust and its importance, Private Trusts, Public Trusts, Appointments, Retirement and removal of Trustee, Right, Power Discretion and contract of Trustees.

**Duties of trustee in relation to : 11**

Trust property and  Beneficiary, The Administration of Trust, Liability for Breach of Trust, Rights and Remedies of the Beneficiary, Constructive Trusts.

**Suggested Readings:**

1. Ahmad Aquil, Equity, Trusts and Specific Relief.
2. Desai S.T., Equity, Trusts and Specific Relief.
3. Hansbury & Mousley, Modern Equity.
4. Jhabwala N.H, Elements of Equity, Trusts and Specific Relief.
5. Rao GCV Subha, Equity, Trust and Fiduciary Relation.
6. Singh G.P., Principles of Equity.
7. Snell, Principles of Equity.
8. Tondon M.P., Principles of Equity and Trusts