

**ICFAI LAW SCHOOL**

**DEHRADUN**

**LL.B. THREE YEARS**

 **CURRICULUM BOOK**

**ACADEMIC YEAR 2017-18**

|  |  |
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| **Semester I** | **Semester II** |
| **Course Code** | **Course Title** | **Units** | **Course Code** | **Course Title** | **Units** |
| LIII-111 | Principles of General Contracts | 3 | LIII-112 | Special Contracts | 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 | Jurisprudence | 3 |
| LIII-141 | Indian Penal Code | 3 | LIII-142 | Criminal Procedure Code | 3 |
| LCIII-151 | Moot Court | 2 | LIII-152 | Labour Laws  | 3 |
| LEIII |  Elective-I | 3 | LEIII | Elective-II | 3 |
|  |  | **17** |  |  | **18** |
| Summer LI-III-162 Legal Internship(4Weeks)  | **2** |
|  | **Semester III** |  |  | **Semester IV** |  |
| **Course Code** | **Course Title** | **Units** | **Course Code** | **Course Title** | **Units** |
| LIII-211 | Constitutional Law- I | 3 | LIII-212 | Constitutional Law-II | 3 |
| LIII-221 | Law of Evidence  | 3 | LIII-222 | Land Laws | 3 |
| LIII-231 | Civil Procedure Code  | 3 | LIII-232 | Company Law | 3 |
| LIII-241 | International Law and Human Rights | 3 | LIII-242 | Intellectual Property Laws | 3 |
| LIII-251 | Property and Easement Law  | 3 | LCIII-252 | Drafting Pleading and Conveyancing  | 2 |
| LEIII | Elective-III | 3 | LEIII | Elective-IV | 3 |
|  |  | **18** |  |  | **17** |
| Summer LI-III-262 Legal Internship(4Weeks)  | **2** |
|  | **Semester V** |  |  | **Semester VI** |  |
| **Course Code** | **Course Title** | **Units** | **Course Code** | **Course Title** | **Units** |
| LIII-311 | Cyber Law | 3 | LIII-312 | Environmental Law | 3 |
| LIII-321 | Principles of Taxation Law | 3 | LIII-322 | Administrative Law | 3 |
| LIII-331 | Human Rights and Humanitarian Law | 3 | LIII-332 | Banking & Insurance Law | 3 |
| LIII-341 | Law of Medicine and Health | 3 | LIII-342 | Interpretation of Statutes  | 3 |
| LCIII- 351 | Alternative Dispute Resolution | 2 | LCIII-352 | Professional Ethics and Professional Accounting system | 2 |
| LEIII | Elective-V | 3 | LEIII | Elective-VI | 3 |
|  |  | **17** |  |  | **17** |
| Summer LI-III-362 Legal Internship(4Weeks)  | **2** |

**ELECTIVE COURSES**

**Elective - I**

* LEIII 411 Citizenship & Emigration Law
* LEIII 412 Election Laws

**Elective - II**

* LEIII 421 Private International Law
* LEIII 422 International Business Dispute Resolution Mechanisms.

**Elective-III**

* LEIII 431 Competition Law
* LEIII 432 Law of Infrastructure Development and Rural Estate

**Elective-IV**

* LEIII 441 Criminology and Penology
* LEIII 442 Comparative Criminal Law

**Elective-V**

* LEIII 451 Media Law
* LEIII 452 Trust, Equity and Fiduciary Relationship

**Elective-VI**

* LEIII 461 International Commercial Arbitration
* LEIII 462 Gender Justice and Feminist Jurisprudence

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| **Semester I** |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-111 | Principles of General Contracts | 3 | 0 | 0 | 3 |
| LIII-121 | Family Law - I | 3 | 0 | 0 | 3 |
| LIII-131 | Law of Torts and Consumer Protection Laws | 3 | 0 | 0 | 3 |
| LIII-141 | Indian Penal Code | 3 | 0 | 0 | 3 |
| LCIII-151 | Moot Court | 2 | 0 | 1 | 2 |
| LEIII- |  Elective-I | 3 | 0 | 0 | 3 |
| **Total** | **17** | **0** | **1** | **17** |

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| **Course:** Principles of General Contracts | **Semester: I** |
| **Course Code: LIII- 111 LTP 300** | **Credits: 3** |

**Objective:** The objective of this paper is to make students familiar with various principles of

Contract formation enunciated in the Indian Contract Act, 1872.

 **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

Offe; 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, Exceptions to 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. Singh Avtar, *Law of Contract and Specific Relief, Eastern Book Company.*

2. Bangia R.K, *Law of Contract*, Allahabad law Agency.

3. Beatson J, *Anson’s Law of Contract.*

4. Dutt H.K. Saharay, *on Contract , The Indian Contract Act, 1872*.

5.Furmston M.P., *Cheshire, Fifoot and Furmston’s* *Law of Contract,* Oxford Publishers, 17th Edition, 2017

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| **Course:** Family Law-I | **Semester: I** |
| **Course Code: LIII- 121 LTP 300** | **Credits: 3** |

**Objective: T**o apprise the students with the laws relating to marriage, dissolution, matrimonial remedies, adoption, contemporary trends in family institutions in India, in particular the Hindus.

**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. Sexena Poonam Pradhan Dr. *Family Law Lectures Family Law* II, LexisNexis, (Third

 Edn.).

2. Prof. Kusum, *Family Law Lectures Family Law* I, Lexis Nexis, (4th Edn , 2015).

3. Diwan Paras, *Law of Marriage and Divorce,* Universal Law Publication, (7th Edn).

4. Diwan Paras, *Modern Hindu Law,* Allahabad Agency, Delhi

5. Diwan Paras, *Family Law,* Allahabad Agency, Delhi

6. Mayne, *Hindu Law, Customs and Usages,* Bharat Law House, Delhi.

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| **Course:** Law of Torts and Consumer Protection Laws  | **Semester: I** |
| **Course Code: LIII-131 LTP 300** | **Credits: 3** |

**Objective:** To make students understand the nature of tort and conditions of liability with established cases along with the Consumer Protection Act, 1986.

**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 Sovereign, 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 Proceedings, Action Based Upon a Prior Criminal Proceedings, 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. Iyer Ramaswamy, *The Law of Torts*, VII edition (Bombay, 1995).

2. Pillai Achuta, *Law of Tort*, VIII edition, Eastern Book Company, Luncknow,

 1987.

3. Basu Durga Das, *The Law of Torts*, 10th edition, Prentice Hall of India, New

 Delhi, 1998.

4. Lal Ratan & lal Dhiraj, *The Law of Torts*, 22nd edition, Wadhwa & Company Nagpur,

 1992.

5. Bangia R.K., *Law of Torts*, 14th edition, Allahabad Law Agency, Allahabad,

 1999.

6. Pandey J.N., *Law of Torts*, 1st edition Central Law Publications, Allahabad,

 1999.

7. Leelakrishnan P. (edited), *Consumer Protection and Legal Control,* EasternBook Company,

 Lucknow.

8. Singh Avtar, *Law of Consumer Protection: Principles and Practice,* Eastern Book Company,

 Lucknow, 1997.

9. Vats R. M., *Consumer and the Law,* Universal Book Traders, Delhi, 1994.

10. Saraf D. N., *Law of Consumer Protection in India,* Tripathi, Bombay, 1995.

11. Indian Law Institute, *A Treatise on Consumer Protection laws* 2004.

12. Reddy G.B., *Law of Consumer Protection in India*, Gogia Law Agency, Hyderabad,

 1999.

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| **Course:** Indian Penal Code | **Semester: I** |
| **Course Code: LIII- 141 LTP 300** | **Credits: 3** |

**Objective:** To learn the basic principles of criminal law determining criminal liability and punishment.

**Syllabus**

**Introduction to Substantive Criminal Law: 4**

Extent and operation of the Indian Penal Code, Nature and Definition of Crime, Constituents Elements of Crime: *Actus Reus* and *Mens rea.*

**General Explanations:** Important Definitions (Sections 6-52-A) **4**

**General Exceptions (Sections 76-106): 8**

Definitions, Mistake, Judicial and Executive acts, Accident, Necessity, Infancy, Insanity, Intoxication, Consent, Good Faith, Private Defense against Body and Property.

**Inchoate Forms of Crime: 5**

Joint and Constructive Liability, Criminal Conspiracy Sections 120-A to 120-B), Attempt, Abetment(Sections-107 to 120).

**Offences affecting the Human Body of offences affecting Life (Sections 299 to 377): 10**

Culpable Homicide, Murder, Suicide, Dowry Death, Punishment, Hurt, Grievous hurt, wrongful restraint and wrongful confinement, Criminal Force and assault, Kidnapping, Abduction, Slavery and forced labour, Sexual offences, unnatural offences.

**Offence**s **against Property( Sections 378 to 462): 8**

Theft, Extortion, Robbery and dacoity, Criminal misappropriation and property, Criminal Breach of Trust, Receving of stolen Property, Cheating, Fradulant deeds and disposition of property, mischief, Criminal Trespass.

**Offences Relating to Marriage(Sections 493 to 498-A): 3**

Obscene acts and songs, Outraging the modesty of women, Rape, Cruelty by husband or relatives of husband and Offences relating to marriage.

Defamation (Sections 499-502),Criminal Intimidation(Sec.503 & 506), Attempt to Commit Offences(Section 511). 2

**Suggested Readings:**

1. Lal Ratan and Lal Dhiraj. *Indian Penal Code*. Wadhwa & Co

2. Pillai Achutan. *Criminal Law*. Butterworth Co.

3. Gour K.D.. *Criminal Law Cases and Materials.* Butterworth Co.

4. Kenny's, *Outlines of Criminal Law.*

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| **Course:** Moot Court  | **Semester: I** |
| **Course Code: LCIII-151 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.

**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: 2**

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: 1**

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, Re-examination.

**Consumer Disputes Redressal agencies and central Administrative Tribunal**: **2**

District forum, state commission, National Commission .

**Central administrative Tribunal**:  **1**

 Jurisdiction, Powers and Authority.

Suggested Readings:

1. Rai Kailash Dr. *Moot Court Pre-Trial Preparation and Participation in Trial*

 *Proceedings*, Central Law Publication.

2. Danda Amita, *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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| **Course Code:** Elective-ICitizenship & Emigration Law  | **Semester:  I** |
| **Course Code: LEIII-411 LTP 300** | **Credits  :  3** |

**Objective:** To familiarize the student with the concept of Citizenship and Nationality and to acquaint them with the Emigration law.

**Syllabus**

**Introduction: 8**

Nature and scope of citizenship and its associated concepts, Nationality, Domicile, Multiple Citizenship, Common Wealth Citizenship, Corporate Citizenship, Dual Citizenship, Overseas Citizenship to the People of Indian Origin and Non-resident Indians.

**Historical Evolution of Citizenship: 6**

Ancient Citizenship, Constitutional Debates on Citizenship and Citizenship at the Commencement of Constitution of India, Modern Citizenship and Citizenship in the Age of Globalization.

**Theories of Citizenship: 10**

Civic Republican, Liberal, Communitarian, Sociological and Multicultural theories of Citizenship.

**Citizenship after the commencement of the Constitution: 10**

Constitutional Provisions of Citizenship, Citizenship Act 1955, Citizenship Rules 1956, Citizenship under International Law, Rights and Duties of Citizens and Non-Citizens under the Constitution and other enactments.

**Emigration: 10**

Meaning and Nature of Emigration and its associated concepts, Migration, Citizenship, Allegiance, Emigration, Visas and Passports, Emigration issues, Statelessness, Refugees, Asylum, Extradition, Deportation, determination of status of illegal migrants, double taxation, Rights and Obligations of the sending and receiving states, Discriminative Practices vis-à-vis Emigrants, Protection of Emigrants by International law and impact of Citizenship Policies on Emigration.

**Suggested Readings:**

1. Sinha A.N., *Law of Citizenship and Aliens in India*, Asia Publishing House, New Delhi.

2. Meher K. Master, *Citizenship of India*, Eastern Law House, Calcutta, 1970

3. E.S.Venkataramaiah, *Citizenship , Rights and Duties*, Texcom, delhi, 1988.

4. Yadav Surya narian and Indu Baghel, *Citizenship in the Age of Globalisation*, Jnana

 Prakashan, New Delhi, 2008.

5. Singh Gurubax, *Law of Foreigners, Citizenship and Passports in India*, Universal Law

 publishers, New Delhi.

6. Kashyap C Subhash, *Citizenship and the Constitution: Citizenship Values under the*

 *Constitution,* Publications Division, Ministry of Information and Broadcasting, Government

 of India, New Delhi, 2002.

7. Ray B.N., *Citizenship in a Globalizing World,* New Delhi, Kaveri Books.

8. S.I. Jafri & K.N. Nath, *Seth’s Law of Citizenship, Foreigners and Passports in India*, Law

 Publishers (India) Pvt. Ltd.

9. Chimni,B.S., *International Refugee Law, A Reader*, Sage Publications, New Delhi,

 2000.

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| **Course:** Elective-IElection Laws  | **Semester: I** |
| **Course Code: LEIII-412** **LTP 300** | **Credits: 3** |

**Objective:** This paper is intended to acquaint the students regarding the significance of free and fair elections and various intricacies of the Election Laws, including electoral corrupt practices, which will facilitate them to choose responsive representatives for good governance.

**Syllabus**

**Meaning and Concept of Election and Election Dispute:** 11

Challenge to Election, Whom and How to Made, Forum for filing Election Petition, Parties to Election Petition, Contents of Election Petition, Grounds of Challenge to Election, Trial of Election Petition, Recriminatory Petition, Withdrawal, Abetment and Appeal, Election to President and Vice President, Composition and Powers of Election Commission (Part XV-Article 324-329 of the Constitution of India).

**Qualification and Disqualification of Candidates:**  11

Meaning and Distinction Between Qualification and Disqualification, Qualifications and Disqualifications Provisions under Indian Constitution and the Representation of People’s Act, 1951, Office of Profit, Government Contract, Disqualifications on Convictions under the Representation of People’s Act, 1951, Anti-Defection Law.

**Nomination (Sections 30-39, Section 100(1)(c), Section 100(1)(d) of the Representation of People’s Act, 1951:** 11

Meaning of Valid Nomination, Procedure for Filing of Nomination Security Deposits etc., Grounds of Rejection of and Withdrawal of Nominations, Voter’s Right to Know Antecedent of the Candidates, Recognition of Political Parties and Election Symbols.

**Corrupt Practices:** 11

Meaning and Distinction between Corrupt Practices and Electoral Offences, Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc. Needs of Educational Qualification for Candidates, Criminalization of Politics, Election Expenses, Model Code of Conduct, Use of Government/Private Electronic Media and Social Media by Political Parties, Opinion and Exit Polls, Defacement of Public and Private Properties and current issues.

**Suggested Readings:**

1. Devi Rama V.S. & S.K. Mehendiratta, *Election Law, Practice and Procedure*, Butterworths Publishers, 2013.

2. Jain P.C. & Jain Kiran, *Election Law and Practice*, Chawla Publishers, 2012.

3. Bakshi P.M., *The Constitution of India*¸ Universal Publishing Company Ltd., 2014.

4. The Representation of Peoples’ Act, 1950 (Bare Act), Universal Publishing Company Ltd., 2014

5. The Representation of Peoples’ Act, 1951(Bare Act), Universal Publishing Company Ltd., 2014

6. The Presidential and Vice-Presidential (Election) Act, 1952(Bare Act), Universal Publishing Company Ltd., 2014

7. The Registration of Elector Rules, 1960(Bare Act), Universal Publishing Company Ltd., 2014

8. The Conduct of Election Rules, 1961(Bare Act), Universal Publishing Company Ltd., 2014

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| **Semester II** |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-112 | Special Contract | 3 | 0 | 0 | 3 |
| LIII-122 | Family Law- II | 3 | 0 | 0 | 3 |
| LIII-132 | Criminal Procedure Code | 3 | 0 | 0 | 3 |
| LIII-142 | Jurisprudence | 3 | 0 | 0 | 3 |
| LIII-152 | Labour Laws  | 3 | 0 | 0 | 3 |
| LEIII- | Elective-II | 3 | 0 | 0 | 3 |
| **Total** | **18** | **0** | **1** | **18** |

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| **Course:** Special Contracts  | **Semester: II** |
| **Course Code: LIII-112** **LTP 300** | **Credits: 3** |

**Objective:** To impart comprehensive information on Indemnity, Guarantee, Agency, Partnerships, Sale of Goods Act and Negotiable Instrument.

**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. Singh Avtar, *Law of Contract and Specific Relief,* Eastern Book Company, Lucknow.

 2. Bangia R.K. *Law of Contract*, Allahabad law Agency.

3. Singh Avtar , *Law of Partnership(Principles, practice and taxation)*, Eastern Book Company,

 Lucknow.

4. Singh Avtar, *Sales of Goods Act,* Eastern Book Company, Lucknow.

5. Singh Avtar, *Banking and Negotiable Instruments,* Eastern Book Company, Lucknow.

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| **Course:** Family Law-II | **Semester: II** |
| **Course Code:** **LIII-122** **LTP 300** | **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, The Shariat Act, 1937.

**Operation of Mohammedan Law:** 2

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

**Marriage among Mohammedan:** 4

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

**Dower (Mahr)**  3

Definition & Concept of Dower, Kinds of Dower, Nature of Right to Dower, Rights of Wife in case of Unpaid Mahr, Enforcement of Right to Dower.

**Divorce among Mohammedan:** 4

Modes of Divorce, Legal Consequences of Divorce, The Dissolution of Muslim Marriage Act, 1939.

**Maintenance among Mohammedan:** 4

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.

**Gratuitous Transfer among Mohammedan:** 4

**Gift (Hiba):** Definition, Essentials, Kinds and Formalities for valid Hiba, Revocation of Hiba. **Will:** Definition, Essentials and Kinds of a valid Will, Abatement of Legacies, and Revocation of Wills.

**Law relating to Wakfs among Mohammedan:** 3

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

**Pre-emption** 1

Definition, Nature & Essential Elements of Pre-emption.

**Succession among Mohammedan:** 5

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:** 3

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. Sinha R. K. *Muslim Law*, Central Law Agency Publication.

2. Mulla, *Muslim Law*, Lexis Nexis Publication.

3. Aqil Ahmad, *Mohammedan Law* Revised by Prof. I. A. Khan 24th Edition 2012, Central

 Law Agency, Allahabad.

4. Hidayatullah, M., and Arshad Hidayatullah, *Mulla’s Principles of Mohamedan Law*,19th

edn. New Delhi: LexisNexis Butterworths, 2006.

5. Asaf A. A Fyzee, *Outlines of Mohammandan Law*, Oxford University Press New Delhi

6. Kusum, *Family Lectures*, Lexis Nexis , New Delhi, 2008

7. Kusum, *Cases and Materials on Family Law*, Universal Law Publishing Co (P) Ltd, New

 Delhi, 2013

8. Syed Khalid Rashid, *Muslim law*, Eastern Book Co, Lucknow, 2009

9. Rao Prof. G.C.V. Subba, *Family Law in India*, S. Gogia & Co., Hyderabad, 2006

10. Saharay H.K., *Family Law In India*, Eastern Law House, New Delhi, 2011

11. Chmpappilly, Sebastian (Dr). *Marriage,* *Adoption and Guardianship and Canon Law on*

 *Marriage*, Cochin: Southern Law Publishers

12. Asghar Ali Engineer, *the Rights of women in Islam*, Sterling Publisher Pvt Ltd. New

 Delhi, 1996.

13. Asaf A. A Fyzee, *Cases in the Muhammandan Law of India*, Pakistan and Bangladesh,

 edited by Tahir Mahmood, 2nd ed. Oxford University press, 2005.

14. Sebastian Champappilly Dr., *Christian law on Marriage, Adoption & Guardianship and*

 *Canon Law of marriage*, Southern law publishers, Cochin 2003.

15. Sebastian Champappilly Dr., *Christian law on Divorce*, Southern law publishers, Cochin

 2003.

16. Sen & Sengupta*, Indian Succession Act*, 1925, Kamal Law house, Kolkata, 2007.

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| **Course:** Jurisprudence  | **Semester: II** |
| **Course Code: LIII-132 LTP 300** | **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. Sarathi Vepa P., *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. Singh G.P., *Principles of Statutory Interpretation*, Wadhwa and Company, 8th

 Ed., 2001.

12. Cross, *Statutory Interpretation*.

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| **Course:** Criminal Procedure Code | **Semester: II** |
| **Course Code: LIII-142 LTP 300** | **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: 2

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

Pre-trial process: 3

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: 5

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:** 8

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), 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, Security proceeding, Maintenance prodeedings.

Victim Protection and Participation (Ss. 2(wa), 265A,L, 357, 357A, 372 Cr PC): 4

Victim Protection and Compensation, Rights of Victims, Plea Bargaining.

Law Relating to Bail: (Sections 436,439 Cr PC): 4

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, Suspension, Remission and Commutation of Sentences.

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).

**Suggested Readings:**

1. Kelkar R.V., *Criminal Procedure*, 3rd Edn. Eastern Book Co., Lucknow, 1993.

2. lal Ratan and lal Dhiraj, *The Code of Criminal Procedure*, 15th Edn. Wadhwa & Co.

3. Reddi Padala Rama, *The Code of Criminal Procedure*, 1973, Asia Law House, Hyderabad.

4. Misra Prof. S.N, *The Code of Criminal Procedure,* Central Law Agency.

5. Tandon M.P., *Criminal Procedure Code*, Allahabad Law Agency.

6. Tyage Shoorvir, *The Code of Criminal Procedure*, Allahabad Law Agency.

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| **Course: Labour Laws**  | **Semester: II** |
| **Course Code: LIII-152** **LTP 300** | **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**

**Labour Law Legislations in India:** 4

Industrialization and Industrial Peace, Industrial Jurisprudence, Role of International Labour Organization, Labour Policy in India, Role of ILO.

**Legislation for Specified Labour:**

The Factories Act, 1948: 3

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:** 2

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, Inspection officer’s duties.

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

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

**Legislations on 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 Wages Act, 1936, Equal Remuneration Act, 1976, Payment of Bonus Act,

 4

**Industrial Disputes Act, 1947**:

Significance of Industrial Disputes Act, 1947, Applicationand Interpretation of the Act, Legal provisions relating to Strike, Lcock Out and Closure, Compensation Package for Layoff/Retrenchment, Dispute Resolution Mechanism, Offences and Penalties.

**Trade Unions Act, 1926**: 4

Concept of Collective Bargaining, Scope and Coverage of the Act, Registration of Trade Unions, Obligations of Trade Union, Recognition of Trade Union.

**Social Security Legislations**: 7

Employees’ State Insurance Act, 1948, Employees’ Provident Funds and Miscellaneous Provisions Act, 1952, Payment of Gratuity Act, 1972, Employees Compensation Act, 1923, Maternity Benefit Act, 1961

**Special Category Legislations:** 5

The Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, The Apprentices Act, 1961, Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959.

**Employment Regulation and Disciplinary Procedures:** 2

Industrial Employment (Standing Orders) Act, 1946

**Labour Prohibition Legislations**: 2

Bonded Labour System (Abolition) Act, 1976, Child Labour (Prohibition and Regulation) Act, 1986, Contract Labour ((Regulation and Abolition) Act, 1970.

**Suggested Readings:**

1. Srivastava, *Law of Trade Unions*, Eastern Book Company, Lucknow.

2. Rustomji R.F., *Law of Industrial Dispute,* Asia Publishing House, Mumbai.

3. Malik J.N., *Trade Union Law*.

4. Khan& Khan, *Labour Law*, Asia Law House, Hyderabad.

5. Misra S.N., *Labour and Industrial Laws*, Central law publication,22nd edition. 2006.

6. Goswami N.G., *Labour and Industrial Laws*, Central Law Agency.

7. Srivastava K.D., *Payment of Bonus Act*, Eastern Book Company.

8. Srivastava K.D., *Industrial Employment (Standing Orders) Act 1947*.

9. Srivastava S.C., *Treatise on Social Security*.

10. Singh Jidwitesukumar , Labour Economics, Deep& Deep, New Delhi.

11. Rao V.J., *Factories Law*.

12. Kumar Anil, *Social Security and Labour Welfare*, Deep & Deep Publications, 2003.

13. Pillai K M, *Labour and Industrial Law*, 10th Edn, 2005, Allahabad Law Agency, Allahabad.

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| **Course: Elective II Private International Law**  | **Semester: II** |
| **Course Code: LEIII 421** **LTP 300** | **Credits: 3** |

**Objective:** The objective of this course is to study the basic principles governing conflict of laws in their application to various situations. Private International law also known as conflict of laws is that part of law which comes into operation whenever the courts are faced with a case involving one or more foreign elements. To understand the law relating to settlement of disputes between individuals of different Nations.

**Syllabus**

**Introduction:** 3

Definition, Nature/ Characteristics and Scope of Private International Law and its relation to International Law: Meaning of Private International Law: Object of Private International Law: Justification of Private International Law: Distinction between Private International Law and Public International Law: Public International Law and Conflict of Laws.

**Historical Development and Current Theories:** 5

General historical development of the doctrines of the private international Law and Concepts: Evolution of PIL in England, America and India Theories of PIL: Statue Theory: Territorial Theory: International Theory: Local Law Theory

**Concepts:** 5

Classification of Cause of Action, Rule of Law: The Incidental Questions and its elements: Substance and Procedure and the difference between the two: Domicile, Nationality and Residence: The Application and Exclusion of Foreign Law, Question of Fact, Proof of Foreign Law, The Role of witness who can prove Foreign law: the Role of the Court, Jurisdiction of Courts: General Choice of Rules/ Separate Choice of Rules: Charaterisation, Theories: Renvoi and scope, *Ordre Public/Public Policy*

**Jurisdiction, Foreign Judgment and Awards:** 4

Jurisdiction of the English courts, an introduction: Jurisdiction under the Brussels and Lugano Conventions:. The competence of the English courts under the traditional rules (Actions in personam& Action in rem): Stays of English proceedings and restraining foreign proceedings: Limitations on jurisdiction: Recognition and enforcement of foreign judgments: the traditional rules (Common Law, Statute, The Hague Convention on Choice of Court Agreements): Recognition and enforcement of judgments under the Brussels and Lugano Conventions: Foreign Arbitral awards

**Choice of Law:** 3

Rules of Choice of Law: Persons, Natural & Legal Persons: Company Formation and Liability etc.

**The Law of Obligations:** 4

Contracts: Non-contractual obligations/ Torts: The Rome Convention,, Particular Contracts, Employment Contracts, Insurance Contracts, Consumer Contracts, Contratcs of Carriage, Franchising, Leasing, Negotiable Instruments including Law of Cheques.

**Family Law:** 6

Marriage: Matrimonial causes: Declarations: Financial relief: Children: Legitimacy and Legitimation: Adoption: Mental Incapacity.

**The Law of Property:** 4

*LexReiSitae:* The distinction between movables and immovables: Movables & Immovables (Jurisdiction and Choice of Law) including Transfer of Property: The Transfer of Tangible movables (Various Theories, The Modern Law): The Assignment (Voluntary Assignment and Involuntary Alienation) of Intangible movables, Debts, Negotiable Instruments, Shares and Securities: Administration of Estates: Succession: Matrimonial property: Trusts.

**Procedure:** 3

Staying Actions, Forum Non Convenience & Alibi Pendens and Jurisdiction Clause.

**Special Rules for Particular Contracts:** 5

Intellectual Property Rights, Patent Law, Copyright, International Copyright, Labour Law.

**International Process Law:** 2

Avoiding the results of the choice of law process, Model Law Indian Code of Private International Law.

**Suggested Readings:**

1. Cheshire, North and Fawcett, *Private International Law*, 14th Edition Oxford University Press.
2. Paras Diwan, Peeyushi Diwan, *Private International Law*, Deep and Deep Publications.
3. F.E. Noronha, *Private International Law*, Universal Publications.
4. Diwan Paras Dr, *Private International Law.*
5. Cheshire and Black, *Private International Law*, 1992 Edn. Butterworths, London.
6. Kahn Freund, *General Problems of Private International Law*.

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| **Course: Elective II** International Business Dispute Resolution Mechanism | **Semester: II** |
| **Course Code: LEIII- 422 LTP 300** | **Credits: 3** |

**Objective:** To impart knowledge about International Business Dispute Resolution Mechanism, its limitations and possibility of reforms going forward.

**Syllabus**

**Introduction:** 8

Introduction, Introduction: What is IDR? Public vs. private; formal vs. informal, the nature of the system of international law and regulation and the evolution of concerted co-operation

**Diplomatic Processes:** 12

Negotiation: Theory and Practice, Diplomatic Negotiation, Mediation and Good Offices, Inquiry and Conciliation, non-judicial processes

**Legal Processes:** 12

International Commercial Arbitration I, International Arbitration II, Trade Disputes WTO/GATT/ICSID, Adjudication International Courts-Civil, Diplomatic and Criminal, International Criminal Courts international dispute settlement institutions, international dispute settlement mechanisms, arbitration

**Political Processes:**  12

Hybrids International, National and Local Processes, Truth and Reconciliation Commissions and Restorative Justice, Future of IDR and International Dispute System Design, regulation of the international use of force

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| **Semester III** |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-211 | Constitutional Law- I | 3 | 0 | 0 | 3 |
| LIII-221 | Law of Evidence  | 3 | 0 | 0 | 3 |
| LIII-231 | Civil Procedure Code  | 3 | 0 | 0 | 3 |
| LIII-241 | International Law and Human Rights | 3 | 0 | 0 | 3 |
| LIII-251 | Property and Easement Law  | 3 | 0 | 0 | 3 |
| LEIII- | Elective-III | 3 | 0 | 0 | 3 |
| **Total** | **18** | **0** | **0** | **18** |

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| **Course:** Constitutional Law - 1 | **Semester: III** |
| **Course Code: LIII-211** **LTP 300** | **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):** 4

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):** 4

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

**Protection of Life and Personal Liberty (Articles 20, 21, 21 A and 22):** 6

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):** 3

Right to Freedom of Religion , Cultural and Educational Rights.

**Right to Constitutional Remedies:** 3

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

**Directive Principles of State Policy:** 5

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. Jain M.P., *Indian Constitutional Law*, Wadhwa & Co, Nagpur

2. Shukla V.N., *Constitution of India*, Eastern Book Compamy, Lucknow

3. Granville Austin, *Indian Constitution,Cornerstone of a Nation*, OUP, New Delhi

4. Seervai H.M., *Constitutional Law of India (in 3 Volumes),* N.M.Tripathi, Bombay

5. Rao G.C.V.Subba, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad

6. Rao B.Shiva, *Framing of India’s Constitution (in 5 Volumes),* Indian Institute of Public

 Administration, New Delhi

7. Pandey J.N., *Constitutional Law of India*, Central Law Agency, Allahabad

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| **Course:** Law of Evidence | **Semester: III** |
| **Course Code: LIII-221** **LTP 300** | **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, Admissibility and Relevancy.

**Relevancy of Facts (Section 6-16):** 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(Section 17-31):** 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 (Section 40-44):** 4

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

**Relevancy of Expert Opinion (Section 45-51) and Character (Section 52-55):** 4

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

**Oral and Documentary Evidence:** 4

Primary and Secondary Evidence, Circumstances under which the secondary evidence is allowed, Oral Evidence, Documentary Evidence, Public and Private Documents, Exclusion of Oral Evidence by Documentary Evidence, Rules for Interpretation or Construction of Documents.

**Presumptions(Section 79-88 and 111-A-114-A):** 4

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

**Burden of Proof and Onus of Proof (Section 101-114-A):** 3

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

**Estoppel (Section 115-117):** 3

Doctrine of Estoppel, Classification of Estoppel, Difference between Res Judicata and Estoppel, Promisory Estoppel and Equitable Estoppel.

**Competency and Compellability of Witnesses:** 2

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

**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, Leading Questions, when it can/can not be asked.

**Suggested Readings:**

1. Lal Batuk, *The Law of Evidence*, 13th Edition, Central Law Agency, Allahabad, 1998.

2. Munir M., *Principles and Digest of the Law of Evidence*, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.

3. Saradhi Vepa P., *Law of Evidence*, 4th Edn. Eastern Book Co., Lucknow, 1989.

4. Singh Avtar, *Principles of the Law of Evidence*, 11th Edn. Central Law Publications.

5. Chary V. Krishnama, *The Law of Evidence*, 4th Edn. S.Gogia & Company.

6. Woodroffe and Ali Amir, *Law of Evidence*, 20th Edition 4 Vol. Set

Lexis Nexis, 2017

1. Phipson on evidence
2. Wigmore on Evidence

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| **Course:** Civil Procedure Code and Limitation Act | **Semester: III** |
| **Course Code: LIII-231 LTP 300** | **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**

**Civil Procedure Code:** 6

Introduction, Distinction between Procedural law and Substantive law, History of the Code, extent and its application, Definition.

**Suits:** 6

Jurisdiction of the Civil Courts, Kinds of Jurisdiction, Bar on Suits, Suits of Civil nature (Sec.9), Doctrine of Res sub judice and Res judicata (Sec. 10, 11 and 12).

**Foreign Judgment:** 4

(Sec. 13, 14), Place of Suits (Ss. 15 to 20), Transfer of Cases (Ss. 22 to 25). Institution of suits and summons: (Sec. 26, 0.4 and Sec. 27, 28, 31 and O.5), Interest and Costs (Sec. 34, 35, 35A, B).

**Pleading:** 6

Fundamental rules of pleadings, Plaint and Written Statement, Return and rejection of plaint, Defenses, Set off, Counter claim, Parties to the suit (O. 1): Joinder, misjoinder and non-joinder of parties, Misjoinder of causes of action, Multifariousness.

**Appearance and examination of parties:** 5

Appearance and examination of parties (O.9, O.18) **,** Discovery, inspection and production of documents (O.11 & O.13) , First hearing and framing of issues (O.10 and O.14) , Admission and affidavit (O.12 and O.19) , Adjournment (O.17) , Death, marriage, Insolvency of the parties (O.22) , Withdrawal and compromise of suits (O.23) , Judgment and Decree (O.20),

**Execution:** 6

Execution (Sec. 30 to 74, O.21): General principal of execution, Power of executing court, Transfer of decrees for execution, Mode of execution, a) Arrest and detention, b) Attachment, c) Sale.

**Suits in particular cases:** 6

Suits by or against Governments (Sec. 79 to 82, O.27), Suits by aliens and by or against foreign rulers, ambassadors (Sec. 85 to 87), Suits relating to public matters (Sec. 91 to 93), Suits by or against firms (O.30), Suits by or against minors and unsound persons (O.32), Suits by indigent persons (O.33), Inter-pleader suits (Sec. 88, O.35),

**Interim Orders:** 4

Interim Orders, Commissions (Sec. 75, O.26), Arrest before judgment and attachments before judgment (O.38), Temporary injunctions (O.39), Appointment of receivers (O.40), Appeals (Ss. 90 to 109, O.41, 42, 43, 45), Reference, Review and Revision (Ss. 113, 114, 115, O.46, O.46), Caveat (Sec. 144.A), Inherent powers of the court (Ss. 148, 149, 151)

**Limitation Act 1963:** 1

Provisions of Limitation Act, 1963.

**Suggested Reading:**

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

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

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

4. Nandwani Anil, *Code of Civil Procedure*.

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

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| **Course:** International Law and Human Rights | **Semester: III** |
| **Course Code: LIII-241** **LTP 300** | **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.

**Individual as a subject of International Law:** 6

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.

**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.

**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.

**International Institutions:** 10

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

**Suggested Readings:**

1. Shaw Malcolm Nathan, *International Law*, Cambridge University Press, 2003.

2. Kapoor S K, *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. Agarwal H.O., *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:** Property and Easement Law | **Semester: III** |
| **Course Code: LIII 251 LTP 300** | **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 their 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 Future:** 3

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:** 6

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:** 1

Doctrine of Marshalling, Doctrine of Contribution.

**Charge and Mortgage:**  1

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

**Leases of Immovable Property:** 3

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:** 2

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

**Gifts and Actionable Claims:** 5

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. Transfer of Property Act, 1872 (Bare Act)

2. Indian Easement Act, 1882 (Bare Act)

3. Sinha R. K., *Transfer of Property*, Central Law Agency Publication

4. Mulla, *Transfer of Property*, Butterworths Publications.

5. Rao GCV Subba, *Commentaries on the Transfer of Property Act*.

6. Menon Krishna, *Law of Property*.

7. Upadhya's, *Common Matrix of Transfer of Property*.

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| **Course:** Elective- III **:** Competition Law | **Semester: III** |
| **Course Code:  LEIII 431 LTP 300** | **Credits: 3** |

**Objective:**Competition Law was enacted with a view that the Indian economy be enabled to allow competition in the market from within the country and outside.

**Syllabus**

**Introduction:** 12

Basic economic and legal principles, Restraint of Trade under Indian Contract Act, Monopolistic Trade Practices, Restrictive Trade Practices, Competition policy in India.

**Development of law from MRTP to Competition Act 2002:** 12

Aims, Objects and Salient features , Comparison between MRTP Act and Competition Act, Anti-Competitive Agreement, Abuse of Dominant Position, Combination, Protection of consumers interest, Issue and Challenge relating to Competition Law in New Economy.

**Competition Commission of India:** 8

Composition of CCI, function Powers and Procedure of CCI, Regulatory role of CCI, Role of CCI for implementing governmental Policies, Distribution of business amongst Commission and benches, Jurisdiction of benches and procedure for adjudication, Penalties for offences under the Competition Act, 2002.

**Competition Appellate Tribunal:** 8

Composition, Functions, Powers and Procedure, Award Compensation, Power to punish for contempt, Execution of order.

**Other Related Issues:** 4

Competition Advocacy, Advertisement and Competition law, IPRs and Competition, Educational, Initiative and other contemporary issues.

**Suggested Readings:**

1. *Taxmann’s Competition Act, 2002.*

2. Dhall Vinod, *Competition Law Today*, Oxford University Press, 2007.

3. Kumar Raj Dr. , *Competition Law in New Economy,* Savera Publishing House.

4. Dugar, S. M., *Commentary on the MRTP Law, Competition Law and Consumer Protection*

 *Law*, LexisNexis.

5. Viswanathan, Suresh T, *Law and Practice of Competition Act*, 2002, Bharat Law House.

6. Talati, Adi P. and Mahala, Nahar S., *Competition Act, 2002: Law, Practice and Procedure,*

Commercial Law Publisher.

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| Course: **Elective-III** Law of Infrastructure Development and Rural Estate | Semester: III |
| Course Code: LE 432 LTP 300 | Credits: 3 |
| **Objective:** **Syllabus** |
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| **Semester IV** |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-212 | Constitutional Law-II | 3 | 0 | 0 | 3 |
| LIII-222 | Land Laws | 3 | 0 | 0 | 3 |
| LIII-232 | Company Law | 3 | 0 | 0 | 3 |
| LIII-242 | Intellectual Property Law | 3 | 0 | 0 | 3 |
| LCIII-252 | Drafting Pleading and Conveyancing  | 2 | 0 | 1 | 2 |
| LEIII- | Elective-IV | 3 | 0 | 0 | 3 |
| **Total** | **17** | **0** | **1** | **17** |

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| **Course:** Constitutional Law-II | **Semester: IV** |
| **Course Code: LIII-212**  **LTP 300** | **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:** 5

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

**State Legislature:** 5

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:** 5

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. Jain M.P., *Indian Constitutional Law*, Wadhwa & Co., Nagpur.

2. Shukla V.N., *Constitution of India*, Eastern Book Company, Lucknow.

3. Granville Austin, *Indian Constitution,Cornerstone of a Nation*, OUP, New Delhi.

4. Seervai H.M., *Constitutional Law of India (in 3 Volumes),* N.M.Tripathi, Bombay.

5. Rao Subba G.C.V., *Indian Constitutional Law,* S.Gogia & Co., Hyderabad.

6. Rao Shiva B, *Framing of India’s Constitution (in 5 Volumes)*, Indian Institute of

 Public Administration, New Delhi.

7. Pandey J.N., *Constitutional Law of India*, Central Law Agency, Allahabad.

8. Rao Shiva B, *Framing of India’s Constitution (in 5 Volumes),* Indian Institute of Public Administration, New Delhi.

9. Pandey J.N., *Constitutional Law of India,* Central Law Agency, Allahabad.

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| **Course:** Land Laws | **Semester: IV**  |
| **Course Code: LIII-222** **LTP 300** | **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: 10

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, Movable and immovable Properties, sales of immovable properties, Leases of immovable properties; Transfer of properties by mortgages, sales, exchange, gifts etc.

Law Reforms Pre-Post Independence: *Pre-Independence Reforms:* 5

Intermediaries , Zamindari Settlement , Ryotwari Settlement , Mahalwari System , Absentee Landlordism.

*Post-Independence Reforms:* 6

Constitutional Provisions, Abolition of Zamindaries, Jagirs and Inams, U.P. Zamindari and Land reforms.

**Laws Relating to Tenancy Reforms**: 3

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

**Revenue Authorities:** 6

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

**Law Relating to Land Acquisition in India**: 6

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

Effect of inclusion in the IX Schedule of the Constitution, Interpretation of Directive Principles of State Policy, Effect of repeal of The Urban Land (Ceiling on Holdings) Act, 1976 by Urban Land (Ceiling and Regulation) Repeal Act 1999, U.P. Imposition of ceiling on Land Holdings Act,1960, The Urban Land (Ceiling and Regulation ) Act, 1976, The Urban Land (Ceiling and Regulation ) Repeal Act, 1999.

**Suggested Readings :**

1. Maurya R.R, *Land Laws*, The ICFAI University Press, U.P. Land Laws. CLP,21st ed.,2015.

2. Tripathi Mani B.N., *Jurisprudence*.

3. H. Beverley’s, *Commentaries on Law of Land Acquisition Act*, Delhi Law House,8th ed.,

 2004.

4. Rao’s Sanjeev, *Law of Land acquisition and compensation*, Butterworth Pub., 8th ed,

 2001

5. Aggarwala Om Prakash, *Commentary on The Land Acquisition Act*, 8th edi., 1894.

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| **Course:** Company Law | **Semester: IV** |
| **Course Code: LIII-232** **LTP 300** | **Credits: 3** |

**Objective:** To enable the student to understand the basics of company law and 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

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. Thomson J.M., *Palmer’s Company Law*.

2. Gower, *Principles of Modern Company Law*.

3. Singh Avatar, *Principles of Company Law*.

4. Verma J.C., *Corporate Mergers, Amalgamations*.

5. Chakraborthi A.M., *Company Notices, Meetings and Resolutions*.

6. Iyer L.V.V., *Guide to Company Directors*.

7. Shah S.M., *Lectures on Company Law*.

8. Paranjape N.V. Dr, *Company Law,* 4th edition Central Law Agency, 2007.

9. Tripathi S.C. Dr., *Modern Company Law*, Second edition, 2006.

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| **Course:** Intellectual Property Laws | **Semester: IV** |
| **Course Code: LIII-242** **LTP 300** | **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, Changes made after 2012 amendment.

**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, 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 Farmer's 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.

**Suggested Readings:**

1 Narayanan P, *Patent Law*, Eastern Law House, 1995.

2. Bridge David Brain, *Intellectual Property*, Pearson International.

3. Gopalakrishnan N.S. and Agitha T.G, *Principles of Intellectual Property*, Eastern Book

 Company.

4. Cornish W. D Llewelyn and T. Aplin, *Intellectual Property :Patents, copyright*

 *Trademarks and allied rights,* Sweet and Maxwell.

5. Stim Richard, *Intellectual Property: Patents, Trademarks and Copyright,* West Thomson

 Learning.

6. Singh Raghbir Dr., *Law relating to Intellectual Property,* Universal Law publications.

7. Vashishth Vikas Dr., *Law and Practice of Intellectual Property in India*, Bharat Law

 House.

8. Roy Chowdhary, S.K. & Other, *Law of Trademark, Copyrights, Patents and Designs*,

 Kamal Law House, 1999.

9. Reddy G.B. Dr., *Intellectual Property Rights and the Law*, 5th Ed. 2005 Gogia Law

 Agency.

10. Wadhera B.L., *Intellectual Property Law*, Universal Publishers, 2nd Ed. 2000.

11. Cornish W.R., *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:**

General Principles of Drafting and Relevant Substantive Rules. 5

**Pleadings:**

**Civil:** 10

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:** 10

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

**Conveyance:** 4

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

**Writ Petition:** 4

Drafting of Writ Petition and PIL Petition.

Suggested Readings:

1. Chaturvedi R.N., *Pleadings and Conveyancing*, Central Law Publications.

2. Souza De, *Conveyancing*, Eastern Law House.

3. Tiwari, *Drafting, Pleading and Conveyancing*, Central Law Agency.

4. Mogha, *Indian Conveyancing*, 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. Srivastava R.D., *The Law of Pleadings, drafting and Conveyancing*, Central Law

 Agency.

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| **Course:**  **Elective-IV** Criminology and Penology  | **Semester:   IV** |
| **Course Code:   LEIII 441**  **LTP 300** | **Credits: 03** |

**Objective:**To understandcrime and the methods by which society deals with crime, punishment and in-depth examination of the formal institutions of criminal justice such as police, courts and corrections.

**Syllabus**

**Introduction:** 6

Criminology meaning, Definition, Nature and scope of criminology and penology and the nature and extent of crime in India, The concept of crime and characteristic of criminal law, Determination and differential of crime, The criminal- who is a criminal?, Whether criminology is a science?, Objective of criminal justice system.

**Schools of criminology:** 7

The Classical school and Neo-classical School, Cartographic, Socialist, Typological, Lombrosian, Psychistric, Sociological and socio-psychological.

**Prevalence of crime:** 4

Study of crime and criminal justice, Identification of the causes of crime, theories, Approaches to crime problem, Focus on individual and environment.

**Role and function of police:** 4

In action, Police goals, objectives and functions, National Police Commission (recommendations), Appointment of Police commissioner, Judicial Powers (Executive), Organised crimes, Rights of victims, Protection of the accused.

**Imprisonment :** 10

History of Prisons, Aims and objectives, and conditions, Types of prisons, Success and failure of prisons, Discipline and control, Open air institutions, Prison work, Education, Prison reform, schools and reformations, Rights of prisoners (contribution of the Supreme Court).

**Prevention of crime and Delinquency:** 7

Punitive approach, Defence approach, Interventionist approach - prevention policies, recidivism, intervention, mechanical approach, clinical approach.

**White collar crime:** 6

Nature and definition, Types of white collar crime and development, Legislation to meet white collar crimes, Judicial trends.

**Suggested Readings:**

1. Siddique Ahmed, *Criminology*

2. Sethna M J, *Society and the Criminal*

3. Sirohi J P S, *Criminology and Criminal Administration*

4. Paranjape N V, *Criminology and Penology*

5. Sutherland E H, and Cressy D R, *Principles of Criminology*

6. Sutherland E H, *White Collar Crime*

7. Reckless W C. *The Crime Problem*

8. Bhudhan Vidya, *Prison System in India*

9. Mulla Committee Report

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| **Course:**  **Elective-IV** Comparative Criminal Law  | **Semester:   IV** |
| **Course Code:  LEIII 442** **LTP 300** | **Credits: 03** |

**Objective:**The scope of the subject is make the student well versed with the subject of Criminal Law in the international arena along with Comparative analysis of it.

**Syllabus**

**Introduction:** 6

The Comparative Criminal Law: Object and Scope of the Subject, Adversarial Model: India, USA, England etc., And Inquisitorial Model: France, Italy, Germany, Australia, Basic Principles of Criminal Jurisprudence: Presumption of Innocence, Proving Guilt Beyond Reasonable Doubt, Fair Trial.

**Justice Malimath Committee Report on Reforms**: 7

Adversarial & Inquisitorial Model, Justice to victim, Investigation, Witness and Perjury, The Right to Silence: Meaning and Scope, Indian Law on Subject, World Scenario- Canada, Italy, Japan, South Africa, USA, UK.

**Right to Silence:** 4

Meaning and Scope, Indian Law on Subject: World Scenario- Canada, Italy, Japan, South Africa, USA, UK, Right to Silence and Adverse Inference.

**Inherent Powers of the Court**: 5

Meaning and Scope, Indian Law on Subject: Sec. 482, 311 313, 313A and 319 of Cr.P.C., 1973, Sec. 165 of Indian Evidence Act, 1872, International Scenario: Judge’s positive duty of discovery of truth, Sec. 139 of Germany Magna Charta.

**Rights of Arrested Person**: 4

Indian and world Scenario on following rights: Impartial & Fair Trial, Speedy Trial, Double Jeopardy, Ex-Post facto law, Assistance of Counsel, To know the grounds of Arrests, Right of Medical Examination, Right Against Torture, Case Laws: Miranda v. Arizona, Joginder Kumar v. State of U.P., D.K. Basu v. State of W.B.

**Plea Bargain**: 4

Meaning Scope and Object, Types: Charge Bargain, Sentence Bargain, Fact Bargain, World Scenario- Canada, Italy, Poland, USA, UK, Indian Law: 2005 Amendment

Sec. 265A- 265L of CrPC, 1973.

**Honour Killing**: 3

History, Meaning and Reasons, Types: For Seeking Marriage, Inter Caste and Sagotra Marriage, Witch Hunting as Honour Killing, Sati as Honour Killing, Legal Regime on the Subject: India, Pakistan, Joardan, Syria, UAE, Yemen, Turkey, Honour Killing and Khap Panchayats, Fake Honour vis-à-vis Real Murder: Judicial Approach.

**Right to Privacy, Choice and Homosexuality:**  4

History, Meaning of Privacy and homosexuality, Right to Equality and Sec. 377 IPC, 1860, Right to Privacy and Sec. 377 IPC, 1860, Freedom of Choice and Sec. 377 IPC, 1860, Current Legal Scenario: Global Trends, Case Law: NCT of Delhi v. Naz Foundation (2009 Delhi High Court), Suresh Kumar Koushal v. Naz Foundation, NALSA v. Union of India & Ors. (2014 SC).

**Cyber Crime**: 4

History, Meaning of Cyber Crime, Cyber terrorism, Cyber theft

**Modern Crimes** 3

**Suggested Readings:**

1. Justice Malimath Committee Report on *the Reforms in the Criminal Justice System.*

2. Kelkar R.V., *The Code of Criminal Procedure, 1973.*

3. Ratanlal & Dhirajlal, *The Code of Criminal Procedure*, Lexis Nexis Publication.

4. Gaur K.D., *The Indian Penal Code*, Universal Publication.

5. Gaur K.D., *Criminal Law: Cases & Materials*, Lexis Nexis Publication.

6. Monir M.*, The Law of Evidence,* Universal Law Publication.

7. Ratanlal & Dhirajlal, *The Law of Evidence*, Lexis Nexis Publication.

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| **Semester- V** |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-311 | Cyber Law | 3 | 0 | 0 | 3 |
| LIII-321 | Principles of Taxation Law | 3 | 0 | 0 | 3 |
| LIII-331 | Trust, Equity and Fiduciary Relationship | 3 | 0 | 0 | 3 |
| LIII-341 | Law of Medicine and Health | 3 | 0 | 0 | 3 |
| LCIII- 351 | ADR | 2 | 0 | 1 | 2 |
| LEIII- | Elective-V | 3 | 0 | 0 | 3 |
| **Total** | **17** | **0** | **1** | **17** |

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| **Course:** Cyber Law | **Semester: V** |
| **Course Code:** LIII-311 **LTP 300** | **Credits: 3** |

Objective: This objective is to give student a background into general principles of cyber jurisprudence and the legal system, especially as these principles apply to various dimensions of its applicability.

**Syllabus**

**Introduction to Cyberspace:** 4

Overview and History of Internet and World Wide Web: Convergence of Technology: Business and Law in the networked Environment: Impact of Cyberspace on Law: Governance of Cyberspace: Regulating Cyberspace, Need and Methods of Regulation.

**E-Commerce:** 4

Online Contracts: Application of Contract Law in E-commerce: Contractual Rights of Third parties: Contractual Issues and their resolutions: Online Securities offerings: Taxation and role of state to obtain tax jurisdiction over an Out, of state e-business: Insurance in e-business: UNCITRAL Model Law on E-commerce: An Overview.

**Jurisdiction:** 4

**Problems and Perspectives:** Civil and Criminal Jurisdiction: Traditional Principles of Jurisdiction: Personal Jurisdiction: Territoriality: States Long Arm Statutes: Due Process Requirements, Minimum Contact: Reasonableness: Purposefully Directed Activities: International and Indian perspective relating to Jurisdiction in Cyberspace.

**IPR Issues in Cyberspace**: 5

Domain Name System: Disputes relating to Domain names and Numbers: Online Dispute Resolution and its application to various transactions: ICANN and its Role in Dispute Resolution: Anti-cyber squatting Law and Consumer Protection, Indian Perspective.

**Trademarks:** 4

Trademark Dilution, Surface Linking, Deep linking, Hyperlinking, Metatags, Framing, Infringement and Remedies.

**Copyrights:** 3

Subject matter of Copyright in Online Environment , Statutory Rights: Defences: Vicarious Liability of the Internet Service Provider: Infringement and Remedies.

**Social Issues in Cyberspace:** 4

Data as Property: Personal Data: Data Collection and Privacy, Data Privacy Protection Laws, Applicable Laws: Pornography: Obscenity: Defamation: As a Tort and Crime, Requirement of Proof, Defences: Internet and Information Security, Requirement of Secure communications and networks, Goals of Information in Internet Security: Methods of achieving Security: Cryptography: Challenges.

**Internet Service Providers:** 2

Civil Liability, Criminal Liability, International and National Perspectives.

**Cyber/Computer Crimes:** 4

Meaning: Classification of Cyber Crimes: Various Cyber Crimes: Challenges.

**Information Technology Act, 2000 and Information Technology (Amendment) Act, 2008:** 4

E-Governance, Digital Signature/Electronic Signature, Certifying Authorities, Cyber Appellate Tribunal, Electronic Evidence, Nodal Agencies, CERT, In, Related Rules.

**International Issues in Cyberspace:** 3

International Organizations, Regulations, Non-Governmental Organizations: Enforcement of International Laws to adjudicate international Disputes: International Conventions, Cyber Forensics, Cyber Investigation: Cyber Security, Policing Cyber crimes.

**Internet Law and Policy:** 3

Law of Convergence, Telegraph, Cable Broadcasting, Satellite and the Internet: Legal and Regulatory Aspects of Telecommunications in India.

**Suggested Readings:**

1. Kamlesh N. & Murali D. Tiwari(Ed), *IT and Indian Legal System*, Macmillan India

 Ltd, New Delhi.

2. James K.L., *The Internet: A User’s Guide (2003),* Prentice Hall of India, New Delhi.

3. Chris Reed, *Internet Law,Text and Materials*, 2nd Edition, 2005, Universal Law

 Publishing Co., New Delhi.

4. Sharma Vakul, *Hand book of Cyber Laws*, Macmillan India Ltd, New Delhi.

5. Rao Joga S.V., *Computer Contract & IT Laws (in 2 Volumes)*, 2005 Prolific Law

 Publications, New Delhi.

6. Ramappa T., *Legal Issues in Electronic Commerce*, Macmillan India Ltd, New Delhi.

7. Indian Law Institute, *Legal Dimensions of Cyber Space*, New Delhi.

8. Jain Pankaj & Pandey Sangeet Rai, *Copyright and Trademark Laws relating to Computers*,

 Eastern Book Co, New Delhi.

9. Ahmed Farouq, *Cyber Law in India*.

10. Rao Joga S.V., *Law of Cyber Crimes and Information Technology Law*, 2007, Wadhwa &

 Co, Nagpur.

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| **Course:** Principles of Taxation Law | **Semester: V** |
| **Course Code: LIII-321** **LTP 300** | **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, Annual Finance Act and Harmonization of Tax regime.

**Basic concept of Income Tax:** 5

**(a) Income Tax Act, 1961:** Outlines of Income Tax Act, Definition of Person, Assessee, Previous year, Assessment years, Financial year, Income, Gross Taxable Income, Taxable Income, Agricultural Income, Tax Evasion 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, Double Tax, Authority for Advance Rulings.

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

**Residential Status:** 5

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

**Income from Salary:** 6

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:** Capital Gains and its computation, Capital Gains when exempt from tax , Short term and Long Term Capital Gains.

**(c) Income from other sources:** Winnings from lotteries, crossword puzzles, horse races and card games etc. , Deductions permission from income from other sources.

**(d) Income from Profits and Gains of Business or Profession:** 6

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.

**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.

**Law and Procedure:** 7

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

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

7. Palkivala Nani, *Income Tax*, Butterworths Publications.

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| **Course:** Human Rights and Humanitarian Law | **Semester: V** |
| **Course Code:** LIII 331 **LTP 300** | **Credits: 3** |

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**: 6

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**: 7

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,*  3rd 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, T*he 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, S*eeds 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:** Law of Medicine and Health | **Semester: V** |
| **Course Code: LIII 341 LTP 300** | **Credits: 3** |

**Objective:** To acquire the knowledge with regard to interaction of law and medical profession *inter se*, which assume importance in the emerging medico-legal world.

**Syllabus**

**Introduction to Health:** 4

Nature, meaning and concept of health, Relation between the health and medicine, Classification of health: mental health, physical health, child health, women health, health of aged people, public health, Role of the government in health care, Evolution of healthcare systems, healthcare establishments , classifications of healthcare establishments, Classification of health care systems: primary and public healthcare, government and private health care, Evolution of healthcare law, international conventions and treaties : ALMTA, ATA, WHO, Evolution of national healthcare law, Regulation of healthcare establishments.

**Introduction to Medicine:** 4

Concept of Medicine , Classification of Medcine, Ayurveda, Unani, Homeopathy, Acupuncture, Allopathy, Classification of medicines: drugs, bulk drugs, medicines, narcotics, cosmetics, Medical and paramedical profession, Medical education, Regulation of medical education, Medical Council of India, Nursing council of India.

**Hospital Management:** 4

Introduction to hospital management, Departments of Hospitals, planning, budgeting, staffing, organizing, financing/accounting, auditing and controlling functions of Hospital, compliances of hospital, training and development of hospital staff and doctors.

**Medical Ethics:** 2

Importance of medical profession , Code of medical ethics , professional relationships: Patient, Doctor, Doctor, Doctor, Doctor, State , Medical malpractices , Human rights and healthcare.

**Healthcare law:** 4

Constitutional perspective of health, Right to life (Art.21) , Directive principles of State policy Art. 39, 47, 48A, , Fundamental Duties Art.51A, Health policy of the government , Indian Medical Council Act, 1956 , Indian Medical Association, Regulations under Medical Degrees Act, 1948, Medical council of India, Pharmacy Council of India, Regulations on Nursing homes and Clinics.

**Healthcare Law and Penal provisions:** 6

Offences affecting the public health safety , Section 268, 286 of Indian Penal Code, 1860, Medical Termination of Pregnancy Act, 1971 , The Pre Natal Diagnostic Techniques Act, 1994 , The Transplantation of Human Organs Act, 1994. , Drugs and Cosmetic Act, 1940 , Drugs and Magic Remedies Act, 1954.

**Healthcare, Tortuous and Contractual Liabilities:** 4

Liability of doctors and hospitals, Concept of Consent, Confidentiality, Standard of care, Contractual liability, Liability for professional negligence, Vicarious Liability, Liability under the Consumer Protection Act. 1986, Privileged communication, Dying Declaration.

**Government : Healthcare Schemes** 2

The Central Government Health Scheme (CGHS), Rashtriya Swasthya Bima Yojana (RSBY), Pradhan Mantri Swasthya Suraksha Yojana (PMSSY), [National Programme for Health Care of the Elderly (NPHCE)](http://www.mohfw.nic.in/index1.php?lang=1&level=2&sublinkid=2183&lid=1879).

**WHO and Healthcare Schemes:** 2

Role of WHO I world healthcare, Malaria eradication, Polio eradication, HI, AIDS eradication, Swin flue prevention schemes, Ebola prevention, Subsidies and financial help, Healthcare assistance to developing and least development countries

**Current Developments:** 4

Legality of Surrogacy, Euthanasia and Physicians assisted suicide, experiments on human beings, Bio-Medical wastes, Genetic Engineering**,** TesttubeTechnology aspects baby, Genetic Engineering, Stem Cell Therapy and Biologics, Clinical trials, Modern methods in Clinical trials, Trials by Devices and Drugs, Types of Trials, Administration and Marketing, Ethical aspect, Participation and Regulatory Agencies of Clinical Trials.

**Suggested Readings:**

1. Srivastava Lilly Dr., *Law and Medicine*, Central Law Publications 2nd Edition 2013.
2. Adhikari Nandita Dr., *Law and Medicine,* central Law Publications3rd Edition 2013.
3. Bag, R.K, *Law of Medical Negligence and Compensation*, Eastern Law House, 2001.
4. Shulka, V.N., *Constitution of India*, Eastern Book Company, Lucknow, 2010.
5. Lal Ratan and Dhirajlal, *The code of Criminal Procedure, 2000*.

7. Dr. U. Chandra, *Human Rights*, Allahabad Law Agency Publications, 2003.

8. Banerji D., *Health in Industry*, Pelican Book, 1989.

9. Austen Garwood , Gowers, *Living Donor Organ Transplantation : Key Legal and Ethical Issues*(1999) Dart Month Publishing Company, England.

10. Rao Joga S.V., *Current Issues in Criminal Justice and Medical law* (1999) eastern, Calcutta Jonathan Montgomery, Health Care Law, (1997), Oxford.

11. Carol Levine, Taking Sides: Clashing Views on Controversial Bio,Ethical Issues (1984) Dushkin Publishing group, Inc. Conneticut Eileen. McDonagh, Breaking the Abortion Dead lock (1996), Oxford.

12. Malcolm Khan and Michelle Robson, *Medical Negligence* (1997) Cavendish Publishing Limited, London. William H. Roache, (Jr.) et. al. *Medical Records and the Law* (1998), Aspen Publishers, Maryland.

13.Edward P.Richards, and Katharine C.Rathbun, *Medical Care Law* (1999) Aspen Publishers, MaryLand.

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| **Course:** Alternate Dispute Resolution  | **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):** 3

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:** 4

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:** 3

Aims and Objectives.

**Arbitration Agreement:** 3

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. Tiwari O.P., *The Arbitration and Conciliation Act,*2nd Edition, Allahabad Law Agency.

2. Murthy KSR, *An introduction to ADR Mechanism,* Gogia Law Agency,Hyderabad

3. Singh S.D., *Alternate Dispute Resolution,*: 2001 Edition. Universal Book Traders,New

 Delhi.

4. Kurlwal Anupam Dr., *An Introduction to Alternative Dispute Resolution*,Central Law

 Publications.

5. Malhotra O. P., *The Law and Practice of Arbitration and Conciliation,* Lexis Nexis

 Butterworth.

6. Rao P.C. , *Alternate Dispute Resolution*, (ed) Universal Book Traders, New Delhi.

7. Tripathi S.C., *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.

8. Singh Avtar, *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.

9. Singh Avtar, *Arbitration and Conciliation and ADR*.

10. Rao PC, *Alternative Dispute Resolution*.

11. Tripathi SC, *Arbitration and Conciliation including ADR*.

12. 176th law commission Report.

13. 246th Law commission Report.

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| **Course: Elective-V** Media Law | **Semester: V** |
| **Course Code: LEIII 451** **LTP 300** | **Credits: 3** |

**Objective:** This objective is to give student a background into general principles of law and the legal system, especially as these principles apply to general and commercial aviation.

Syllabus

**Media and Its Structure:** 5

Meaning of mass media, concept and nature of mass media, evolution of media, functions and effects of media on society, ethical theories and framework of media, types of media, organizational structure and management of mass media in India.

**Media and the Constitution:** 6

Freedom of speech and expression, comparative study with International Conventions, judicial interpretation, media and right to privacy, media and right to information, media and Parliamentary Privileges.

**Media and Legal Framework, I:** 5

Press in India, the Press Council Act, 1971, press and registration, laws relating to newspaper, advertisement and ethics (commercial advertisement and consumer justice), Advertisement Standard Council of India (ASCI), accountability and independence of press.

**Media and Legal Framework, I:** 5

Law of defamation, obscenity, Blasphemy, Sedition, Hate Speech, Parliamentary Proceedings (Protection of Publication) Act 1977, Contempt of Court Act, 1971, Official Secret Act, 1923, media and public morality.

**Law of Electronic Media:** 6

Origin and impact of films, Film Censorship, Cinematography Act, 1952 and relevant rules, Electronic Broadcasting Media, Evolution and reforms of Broadcasting in India, Judicial Recognition of the Right to Broadcasting, Cable Television Act 1995, Internet as new Media, Rules of Cyber Security.

**Media and Society:** 6

Effects of T.V. on People, Sensationalisation, Colored Reporting, Media Controlled by Political Parties, Communal Writing, Media Trial, Hate Speech, Constitutional Restrictions, Judicial Decision of Doordarshan Decision, Media and Human Rights (Venerable Groups), Role and Responsibility of Media during Emergency and Elections.

**Right to Information:** 5

Silent Features of the Right to Information Act, 2005, Right to Information and Obligations of Public Authorities, Procedure for Seeking Information.

**Information Commissions:** 6

The Central Information Commission: The State Information Commission, Powers and Functions of the Information Commission, Appeal and Penalties, Rules and Regulations Relating to the Right to Information.

**Suggested Readings:**

1. Divan Madhavi Garodfia, *Facets of Media Law*.

2. Sridhar M, *Law of Expression*.

3. Myneni S R Dr, *Media Law*.

4. Sama Umar Dr., *Law of Electronic Media and Regulation*.

5. Bhatia Sita, *Freedom of Press, Political,Legal Aspects of Press Legislative in India*.

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| **Course Code: Elective-V** Trust, Equity and Fiduciary Relationships | **Semester:  V** |
| **Course Code: LE-452** **LTP 300** | **Credits  :  3** |

**Objective:** To acquaint students with general principal of Equity, Trust and Fiduciary Relations and remedies available under Equity.

**Syllabus**

**Introduction:** 6

History of the Trust, Definition of trust and its comparison with other analogous relations: Trust and Condition, Trust and bailment, Trust and Agency, Trust and Contract and Trust and power of appointment, Essentials of trusts, The making of Indian Law of Trust and provisions of law of Trust, Religious Trusts.

**Classification of Trusts:** 6

Express Private Trusts, Express Public( or charitable) Trusts, Creation of trusts.

**Trustees:** 5

Appointment of Trustees, Rights, Duties and liabilities, Rights and Powers, Diabilities. Rights and liabilities of the Beneficiary, Discharge of Trustees, Extinction of Trusts.

**Equity:** 5

Origin and growth of Equity, Nature and Scope of Law and Equity, Sources of Law, Equity as a Source of Law.

**Equity under The Roman, English and Indian Legal System:** 5

Importance of Equity under Roman, English and Indian Legal Systems, Importance of English Equity in the Indian Legal System.

**Equitable Rights and Interests:** 5

Nature of Equitable Rights and Interests under Indian Law, classification of Equitable Rights.

**Maxims of Equity:** 8

Working Principles of Equity, Equity will not suffer a wrong to be without a remedy, Equity follows the law, He who seeks equity must do equity, He who comes into equity must come with clean hands, Delay defeats equities, Equality is equity, Equity looks to the intent rather than the form, Equity imputes an intention to fulfil an obligation. Equity acts in personam, Application of the maxim under Indian Law.

**Fiduciary Relationship:** 4

Meaning and scope, Definition, Kinds of Fiduciary relations.

**Suggested Readings:**

1. Aquil Ahmad, *Equity, Trusts and Specific Relief*.

2. Desai S.T., *Equity, Trusts and Specific Relief*.

3. Gandhi B.M., *Equity, Trusts and Specific Relief,* Eastern Book Company.

4. Jhabwala N.H, *Elements of Equity, Trusts and Specific Relief*.

5. Rao Subha GCV, *Equity, Trust and Fiduciary Relation*.

6. Singh G.P., *Principles of Equity*.

7. Singh G.P., *Equity, Trusts, Mortgage and Fiduciary Relations,* Central Law Agency.

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| **Semester-VI** |
| **Course Code** | **Course Title** | **L** | **T** | **P** | **Units** |
| LIII-312 | Environmental Law | 3 | 0 | 0 | 3 |
| LIII-322 | Administrative Law | 3 | 0 | 0 | 3 |
| LIII-332 | Banking Law & Insurance Law | 3 | 0 | 0 | 3 |
| LIII-342 | Election Laws  | 3 | 0 | 0 | 3 |
| LCIII-352 | Professional Ethics and Professional Accounting system | 2 | 0 | 1 | 2 |
| LEIII- | Elective-VI | 3 | 0 | 0 | 3 |
| **Total** | **17** | **0** | **1** | **17** |

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| **Course:** Environmental Law | **Semester: VI** |
| **Course Code: LIII-312** **LTP 300** | **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 Policy, 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, Hazardous Waste (Management and Handling) Rules, 2016

**Suggested Readings:**

1. Diwan Paras, *Studies on Environmental Cases*.

2. Jain S.N. (ed.), *Pollution Control and the Law*.

3. Divan Armin Rosencranzand Shyam, *Environmental Law and Policy in India*.

4. Agarwal A. (ed.), *Legal Control of Environmental Pollution*.

5. Mehta Chetan Singh, *Environmental Protection and Law*.

6. Iyer V.K. Krishna, *Environment Pollution and Law*.

7. Shah, *Environmental Law*.

8. Diwan Paras, *Environmental Law and Policy in India,1991*.

9. Swamy N. Maheshwara Dr., *Environmental Law*, Asia Law House, Hyderabad.

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| **Course:** Administrative Law | **Semester: VI** |
| **Course Code:** LIII-322 **LTP 300** | **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. Takwani C.K., *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. Wade H.W.R., *Administrative Law*, Oxford Publications, 8th Edn. 2000, London.

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

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

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| **Course:** Banking and Insurance Law | **Semester: VI** |
| **Course Code: LIII-332 LTP 300** | **Credits: 3** |

**Objective:** This course is designed with the objective of acquainting students with the conceptual and operational parameters of Banking law and Insurance Law, the judicial interpretation and the new and emerging dimensions of both Insurance as well as Banking sector. It also teaches the students the various aspects and rights that exist in the Banking and Insurance sector.

**Syllabus**

**Indian Banking Structure**: 6

Origin, Evolution of Banking Institutions, Types and functions of banks, Commercial banks, Functions, Banking Companies in India, RBI, Constitution, Management and Functions, Banking Regulation Act, 1949, State Bank of India, UTI, IDBI, RRBs’, Local banks.

**Law relating to Negotiable Instruments:** 4

Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002) and Practical Procedure, Negotiable Instruments, Kinds, Holder and holder in due course, Parties, Negotiation, Assignment, Presentment, Endorsement, Liability of parties, Payment in due course , Special rules of evidence, Material alteration, Noting and protest, Paying banker and collecting banker, Bills in sets, Penal provisions under NI Act and Civil Liability.

**Funds:** 4

Employment of funds, Loans and Advances, Guarantees, Advances secured by Collateral securities, Regulation of Securitization and Reconstruction of Financial Assets of Banks and Financial Institutions, Enforcement of Security Interest and other Rules of Securitization Act, 2002.

**Banker and customer Relationship: 5**

Definition of banker and customer , General relationship , Special relationship , Banker’s duty of secrecy, banker’s duty to honour cheques, banker’s lien, and banker’s right to set off , Appropriation of payments , Garnishee order , Customer’s duties towards his banker. Opening of New Accounts , Special types of customers , Minor’s A/C, Joint A/C, Partnership A/C, Company’s A/C, Married women’s A/C, Trust A/C, Joint Hindu family A/C , Illiterate persons, lunatics, executors , Precautions required in case of administrators, clubs, societies and charitable institutions to open an account .

**Ancillary Services and E- Banking:** 4

Remittances , General, DD, MT, TT, Traveler’s cheques, bank orders, credit card, debit/smart cards, safe deposit vaults, gift cheques, stock invest, E-Banking, Definition, E-Banking includes, Internet banking, mobile banking, ATM banking, computerized banking, E-banking services, retail services, wholesale services, E-Cheque, authentication, Cyber Evidence, Banking Ombudsman.

**Insurance Law:** 4

Introduction, 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:** 5

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:** 4

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:**

**Fire Insurance:** 4

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:** 4

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.

**Suggested Readings:**

1. Murthy K.S.N. and Sharma KVS, *Modern Law of Insurance in India*,1995, edn. New

 Tripathi Pvt. Ltd. Bombay.

1. Pulirani Ravi and Pulirani Mahesh, *Manual of Insurance Law,* 2001 Ed. Bharat Law

 House Ltd. New Delhi.

1. Singh Brij Nandan,  *Insurance Law*, University Book Agency, Allahabad

4. Michael Parkington,  *Insurance Law*, 6th edn, 1975, Sweet and Maxwell, London.

5. M.N. Srinivasan, *Law of Insurance*.

6. Bhattacharya, *Law of Insurance*.

7. Mishra M.N. Dr.,  *Law of Insurance*.

8. Harding and Eveanly, *General Principles of Insurance*.

9. Banerji, *Law of Insurance*, Asia Law House.

10. Singh Avatar, *Law of Insurance*, Eastern Book Company, Lucknow.

11. Mithra B.C., *The Law relating to Marine Insurance,* The University Book Agency,

 Allahabad

12. Kumar Gyanendra, *Hand book on Insurance Law*, Delhi Law House

13. J.V.N. Jaiswal, *Law of Insurance*, Eastern Book Company ,Luknow

14. Tannan, *Banking Law & Practice in India*, 18th Edn., Orient Law House, New Delhi.

15. Singh Avtar, *Negotiable Instruments*, 3rd Edn., Eastern Book Company, Lucknow, 1997.

16. P.N.Varshney, *Banking Law & Practice*, 17th Edn. Sultan Chand & Sons, New Delhi.

17. Taxman, *Law of Banking,* India Law House.

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| **Course Code:** Interpretation of Statutes  | **Semester:  VI** |
| **Course Code: LIII-342 LTP 3** | **Credits  :  3** |

**Objective:** To equip the students with various tools of interpretation of statutes. **Syllabus****Introduction:** 6General, Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Un-codified, State-made and State-recognised laws.**Meaning and Scope of statute:** 8Meaning, Objects and Scope of interpretation and construction, Basic Sources of Statutory Interpretation.**The General Clauses Act, 1897 :** 7Nature, Scope and Relevance (with special reference to sections 6 to 8 of the Act), Definition clauses in various Legislations : Nature and Interpretative Role**General Theories and Rules of Interpretation:** 6The Function of the Court is to interpret the law and not to legislate, Statute must be read as a whole.**The Primary Rule:** 8Literal Construction , Literal rule, Golden Rule, Mischief Rule of Construction, Construction Ut res magis valeat quam pereat, Rule of Purposive Construction, Rule of Strict Interpretation (Penal and Tax Statutes), Rule of Harmonious Construction, Principles of Ejusdem Generis and Noscitur a sociis.  **Intrinsic/Internal Aids to Interpretation (Parts of the statute and their interpretative role):** 5 Language, phraseology, clauses and punctuation, Short and long titles, preamble, marginal headings, parts and their captions, chapters and their captions, marginal and section-headings, Explanations, exceptions, examples, provisos and schedules, Defining legal expressions like means, includes, that is to say, etc. Phrases like grammatical variations and cognate expressions; without prejudice to the generality of, etc. **Extrinsic/External Aids to Interpretation:** 4Role of Constituent Assembly debates in the interpretation of the Constitution of India, Legislative history- Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, etc. , International-law and human-rights documents. |

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**Suggested Readings:**

1. Sarathi’s, Vepa .P, *Interpretation of statutes*, 5th edition ,Eastern Book Co.

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

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| **Course:** Professional Ethics and Professional Accounting system | **Semester: VI** |
| **Course Code: LCIII-352** **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: 5

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: 4

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

Advocate and Advocacy: 5

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: 4

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: 3

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: 3

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: 4

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. Rai Kailash, *Professional Ethics, Accountancy for Lawyers and Bench,Bar Relation*,

 Allahabad Law Agency.

4. Siroh, *Professional Ethics*, Central Law Publications, Allahabad.

5. Jha Ramachandra, *Selected Judgements on Professional Ethics*, published by Bar Council

 of India Trust, 2002.

6. Reddy G.B. Dr., *Practical Advocacy of Law*, 2nd Ed. 2005. Gogia Law Agency.

 Hyderabad.

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| **Course: Elective-VI** International Commercial Arbitration  | **Semester: VI** |
| **Course Code: LEIII 461** **LTP 300** | **Credits: 3** |

**Objective:** To impart knowledge about Importance of International Commercial Arbitration in India and abroad, its limitations and possibility of reforms going forward.

**Syllabus**

**Introduction:** 4

Dispute Resolution in International Trade, International Commercial Arbitration, Growth and Historical development, Objectives, theories, Legal framework, Concept and Nature of International Commercial Arbitration, International Commercial Agreements, Basic Principles of Interpretation of international commercial arbitration, International Arbitration *versus* Litigation, Institutional Arbitration and *Adhoc* arbitration.

**Arbitrability:** 4

Nature and Scope of Arbitrability, Arbitration clauses, Agreement to Arbitrate, The Separability Presumption**,** Autonomy, India’s Position, Significance of agreement in Arbitration, Forms of arbitration agreement, Functions, Definition and Requirements Arbitrations Agreement, Foreign Arbitration Agreement.

**Meaning and Nature of Commercial:** 4

International Commercial Arbitration, disputes arising out of legal relationships, Contractual or not, Considered as commercial under the law in force in India, Difference with International and Indian laws.

**Choice of Law Governing International Commercial Arbitration:** 5

Laws applicable, laws governing Arbitration Agreement, Substantive issues, laws of Enforcement and Recognition of arbitral Award, Enforcing the *Choice of law* clause, *Seat* Theory (in Indian and Reciprocating Country), Formation, Substantial Validity, Non-Arbitrability, Capacity or Authority to Conclude Arbitration Agreement, Interpretation, Party Autonomy, Choice of National law, Conflicts of Rules.

**Appointment of Arbitrators:** 5

Independence and impartiality of the tribunal, Powers and duties of international arbitrators, Removal of arbitrators, Issues relating to unilateral appointment of arbitrator.

**Jurisdiction:** 4

Arbitral tribunal, Doctrine of competence, Competence, Requirements for national and international arbitrations, Choice of Procedural Law, Conduct of Proceedings, Discovery and disclosure powers, Role national courts in obtaining evidence, Confidentiality, Right to Representation.

**Online Dispute Resolutions:** 4

E-Arbitration, Online Arbitration Agreement, Online Arbitral Award, Regulatory Framework for Online Dispute Resolution, Means, Confidentiality, Publication of Result of online arbitral Resolution, Protection of Electronic Communication of Data.

**Arbitral Awards Recognition and enforcement of Award:** 5

Methods and Grounds of challenge, Recognition and enforcement of foreign arbitral awards**,** Reciprocity and commercial reservation, Indian law, scope and applicability, Foreign award, meaning, General policy for review foreign award in India, Grounds for refusal of recognition and enforcement of a foreign award , Recognition and enforcement of annulled awards.

**UNCITRAL Model Law on International Commercial Arbitration:** 5

Objectives and Principles, Structure and Adoption of Model Law, General Provisions, Arbitral Agreement, Composition, Jurisdiction of Arbitral Tribunal, Interim Measures, Preliminary Orders, Conduct of Arbitral Proceedings, Making of Award, Termination of Proceedings, Recourse against Award, Difference between Indian International Commercial Arbitration and UNCITRAL Model Law.

**Institutional Bodies of Arbitration:** 4

International Chamber of Commerce**,** History, Evolution, International Court of Arbitration, Permanent Court of Arbitration (PCA), International Centre of Settlement of Investment Disputes (ICSID), WIPO Arbitration and Mediation Center, WTO Dispute Settlement System, Court of Arbitration for Sport (CAC), Society of Maritime Arbitrators (SMA), International Centre for ADR, The London Court of International Arbitration.

**Suggested Readings:**

1. Sethi Harsh, Gupta Arpan Kumar, *International Commercial Arbitration and Its Indian Perspective*, 2011 Universal Law Publication, New Delhi.

2. Fouchard, Gaillard Goldman, *International Commercial Arbitration*

3. Bansal A.K, *Law of International Commercial Arbitration,*Universal Law Publishing 2003.

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| **Course: Elective-VI** Gender Justice and Feminist Jurisprudence | **Semester: VI** |
| **Course Code: LEIII 462** **LTP 300** | **Credits: 3** |

**Objective:** To understand the status of women and feminist legal theory is dedicated to changing women's status through a reworking of the law and its approach to gender.

**Syllabus**

**Introduction:** 6

Women empowerment as a social change , Role of law in empowering women, Feminism and Feminist Jurisprudence , Emergence of feminism and feminist jurisprudence, Different theories of feminism and feminist jurisprudence, Distinction between male and female gender, concept of gender justice, Gender Discrimination, Gender Equality.

**Constitutional Provisions Relating to Gender Justice:** 8

Gender Justice under the constitution of India, Social justice and gender justice, inter relationship , Article 14, 15 and 16, Article 21 & 23, Directive Principles of State Policy and fundamental duties, Reservation women under 73rd &74th Constitutional amendment, Judicial approaches to equality , Formal & Substantive equality, National Commission for Women, Composition, Powers and Functions, Protectionist approaches of Judiciary towards women, Role of Human Rights Commissions, Women's Commission and Judiciary ensuring gender

justice.

**International Perspective:** 10

Role of United Nations for Human Rights of Women, Universal Declaration of Human Rights, 1948, Convention on Elimination of All forms of Discrimination Against Women 1979, Declaration on Elimination of Violence Against Women, 1993. ILO Conventions and Recommendations regarding protection of women labour.

**Protection Laws Relating to Women:** 11

Nature , Meaning and Scope of Dowry Prohibition Act, 1961 , The Protection of Women from Domestic Violence Act,2005, Law relating to Sexual Harassment Act,2013 with latest amendment, Protection of Women under Immoral Traffic (Prevention) Act 1956 – An Overview.

**Health Laws Relating to Women:** 9

Maternity Laws, The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, Preliminary regulation of genetic counseling centers, Genetic laboratories and genetic clinics, Regulation of pre-natal diagnostic techniques, Central Supervisory Board, Appropriate authority and Advisory Committee, Offences and Penalties.

 **Suggested Readings:**

1. Diwan Paras, Law relating to Dowry, Dowry Death, Bride Burning, Rape and Related

 Offences.

2. Pandey J.N, Constitutional Law of India

3. V.N. Shukla, Constitution of India

4. Tripathi and Arora , Law Relating to Women & Children

5. Singh Devender, Human Rights, Women and Law

6. Sexena Shobha, Crimes against Women and Protective Laws

7. Jaisingh Indira , Handbook on Law of Domestic Violence

8. Jaisingh Indira, Pre-conception & Pre-Natal Diagnostic Techniques Act,Users Guide to the

 Law

9. Rao Mamta, Law Relating to Women and Children

11. Anand A.S., Justice for Women, Concerns and Expressions.